

**Checklist**  
Section 04



Relevant ILS	Duties of employers	Covered by OSH law?		Observations
		YES	NO	
<b>C155, Art. 16</b>	Overarching outcome-based duty to ensure the safety and health of workers			
- <sup>1</sup>	The principle of non-transferability of the ultimate responsibility for OSH of the employer			
<b>C170, Art. 13(1)</b> <b>C174, Art. 9(a)</b> <b>C176, Art. 6</b> <b>C184, Art. 7(a)</b> <b>ILO-OSH Guidelines 2001, para. 3.7.2</b>	Duty to conduct a risk assessment in consultation with workers			
<b>R164, Para. 14</b> <b>C190, Art. 9</b> <b>ILO-OSH 2001 Guidelines, para.3.1</b>	Duty to formulate a workplace OSH policy and plan			
<b>C155, Art. 19(c)</b> <b>C162, Art. 9(3)</b> <b>C170, Art. 15</b> <b>C190, Art. 9(d)</b>	Duty to provide OSH information to workers			
<b>C155, Art. 19(e)</b> <b>R164, Para. 12(2)</b> <b>ILO-OSH 2001, para. 3.6.1</b>	Duty to consult workers on OSH and enable them to participate in OSH management			
<b>C155, Art. 19(d)</b> <b>R164, Para. 12(2)(i)</b> <b>C162, Art. 9(3)</b> <b>C170, Art. 15</b> <b>C190, Art. 9(d)</b> <b>ILO-OSH 2001, para. 3.4.4</b>	Duty to provide OSH training to workers at no cost and if possible during working hours			
<b>C155, Arts 16(3), 21,</b> <b>C176, Art. 9(6)</b> <b>R164, Para. 16(c)</b> <b>C162, Art. 18</b> <b>C167</b>	Duty to provide, maintain and ensure the proper use of PPE at no cost to workers			
<b>C155, Art. 18</b> <b>C161, Art. 5(j)</b> <b>ILO-OSH 2001 Guidelines (3.10.3)</b>	Duty to provide emergency plans and first aid			

<sup>1</sup> General consideration taking into account country practices.

Relevant ILS	Duties of employers	Covered by OSH law?		Observations
		YES	NO	
R164; R102 R115, Para. 3(o) C167, Art. 32 C176, Art. 5(4)(e) C184, Art. 19 C188, Arts 26, 27 C110, Art. 86 C120, Arts 12,13,15	Duty to provide welfare facilities at work			
C155, Art. 19(f)	Duty to take remedial action before requiring workers to return to work where workers have informed the employer that there is an imminent and serious danger to life or health			
C161, Art. 1(a)(ii)5,12, C148, Art. 11 C115, Art. 12,13 R171, 11, 14, 16, 22 ILO Technical and Ethical Guidelines for Workers' Health Surveillance, paras 3, 6.9, 6.10	Duty to ensure surveillance of workers' health at no cost for workers and during working hours			
P155, Art. 3,4 C81, Art. 14 Code of practice on recording and notification of accidents and diseases, paras 5.2.2, 6.2.2, 10.2.1-9	Duty to record, notify and investigate occupational accidents, commuting accidents, dangerous occurrences and occupational diseases			
C155, Art. 14 C161, Art. 11	Duty to secure OSH competence and expertise at the workplace			
R197, Para. 6 ILO-OSH 2001 Guidelines	Duty to implement an OSH management system			
C155, Art. 17 R164, Para. 11 C167, Art. 8(1) C176, Art. 12 C184, Art. 6(2)	Duty to collaborate on OSH management in shared workplaces			
C115; C120; C139; C148; C162; C167; C170; C174; C176; C14; C190; and their accompanying Recommendations and codes of practice	Specific risk or industry-based OSH duties of employers			

Relevant ILS	Duties of other persons	Covered by OSH law?		Observations
		YES	NO	
C155, Art. 12 R164, Para. 3(d), R156, Para. 7 C170, Art. 9	Duties of persons who design, manufacture, import or supply substances, machinery and equipment for use in workplaces			

Relevant ILS	Workers' duties	Covered by OSH law?		Observations
		YES	NO	
R164, 16(a)	Duty to take reasonable steps to protect their own safety and health and that of other persons			
R164, 16(b)	Duty to comply with OSH-related instructions			
R164, 16(c)	Duty to use safety devices and protective equipment correctly			
C155, Art. 19	Duty to cooperate with the employer			
R164, Para. 16(d)	Duty to report any situation which they have reason to believe could present a hazard			
R164, Para. 16(e)	Duty to report to management any accident, injury to health, and dangerous occurrence			
.. <sup>2</sup>	Possible prohibition for workers			

<sup>2</sup> General consideration taking into account country practices and in relation to R164, Para. 16.

Relevant ILS	Workers' rights	Covered by OSH law?		Observations
		YES	NO	
- <sup>3</sup>	Right to a safe and healthy workplace			
<b>C176, Art. 13</b> <b>C184, Art. 8</b>	Specific OSH-related rights			
<b>R171, Para. 22 C148, Art. 7</b>	Right to enquire, be informed and trained in OSH			
<b>C155, Art. 19(e)</b>	Right to be consulted/participate in decision-making on OSH			
<b>C155, Arts 5(e),13, 19(f)</b> <b>C167, Art.12(1) C176, Art. 13(1)(e)</b> <b>C184, Art. 8(1)(c)</b>	Right to withdraw from an imminent and serious danger without undue consequences and to refrain from returning while the danger persists			
<b>C148, Art. 11(3) C162, Art. 21(4) R114, Para. 27</b> <b>R147, Para. 14</b>	Rights of workers when continued risk exposure at the workplace is medically inadvisable			
<b>C87, Art. 3(1)</b> <b>C176, Art. 13(1)(f)</b> <b>C155, Art. 20</b> <b>R164, Para. 12(1)</b> <b>R197, Para. 5(f)</b>	Right to elect OSH representative(s)			

Relevant ILS	Workers' protections	Covered by OSH law?		Observations
		YES	NO	
<b>R164, Para. 17</b> <b>C190, Art. 10(b)(iv)</b>	Protections of workers against retaliation measures			

<sup>3</sup> Implicit to the employer's obligation to secure safe and healthy working conditions.