

Checklist
Section 10



Question	Covered by OSH law		Observations
	YES	NO	
	Does the law list the functions of labour inspectors, including:		
C81, Art. 3(1)(a)	(a) secure the enforcement of OSH legislation;		
C81, Art. 3(1)(b)	(b) supply technical information and advice;		
C81, Art. 3(1)(c)	(c) inform the competent authority about defects or abuses not specifically covered by the law;		
R81, Para. 2 R133, Para. 11	(d) assess safety and health dimension of plans for new establishments, plants, or processes of production; and		
R133, Para. 14(2)(g)	(e) participate in workers' education programmes?		
	Does the law require labour inspectors/inspectorate to coordinate with other competent authorities and stakeholders, such as:		
C81, Art. 5(a) C155, Art. 15(1)	(a) other governmental officials;		
R81, Paras 5-6	(b) workers' and employers' representatives; and		
	(c) other?		
	Does the law recognize the following powers of labour inspectors:		
C81, Art. 12 C129, Art. 16	(a) power to enter freely and without previous notice at any hour of the day or night any workplace liable to inspection;		
C81, Art. 12.1(c)	(b) power to inspect and investigate, including:		
C129, Art. 16.1(c) C81, Art. 12.1(c)(iv)	(i) power to carry out any examination, test or enquiry;		
C129, Art. 16.1(c)(iii) C81, Art. 12.1(c)(i)	(ii) power to take or remove for purposes of analysis samples of materials and substances;		
C129, Art. 16.1(c)(i) C81, Art. 12.1(c)(ii)	(iii) power to interrogate the employer or the staff of the undertaking;		
C129, Art. 16.1(c)(ii) C129, Art. 19(2)R81, Para. 5	(iv) power to require the production of any books, registers or other documents;		
	(v) power to investigate occupational accidents and diseases;		
	(vi) power to request the collaboration of employers and workers;		
C81, Arts 12-13, C129, Art. 18	(vii) power to make orders and issue notices including power to stop work;		
⁻¹	(viii) power to propose issuance of financial penalties or fines; and		
C81, Art. 17 C129, Arts 22, 23	(ix) power to initiate and/or conduct prosecutions?		

1 General consideration taking into account country practices.

Question		Covered by OSH law		Observations
		YES	NO	
C81, Art. 6 C129, Art. 8	Does the law provide for the appointment of labour inspectors?			
- ¹	Does the law provide for protections of labour inspectors in the exercise of their duties?			
	Does the law provide for duties and prohibitions applicable to labour inspectors, including:			
C81, Art. 15(a) C129, Art. 20(a)	(a) prohibition of conflicts of interest;			
C81, Art. 15(b)(c) C129 Art. 20(b)(c)	(b) duty of confidentiality;			
- ¹	(c) duty to avoid damaging property; and			
C81, Art. 19 C129, Art. 25	(d) duty of labour inspectors to submit reports?			
C81, Art. 20-21, C129, Arts. 26-27, R81, 9	(e) duty of labour inspection authorities to elaborate annual reports			