

How to use this database?

[1. How to use this database](#)

[2. Content](#)

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1.1. Browsing

You may either browse the database by country or compare different countries by category (left margin).

"Browse by country"

"Browse by country" provides you with the opportunity to generate a country profile or to access specific information for a selected country. By clicking on the relevant country and on the specific items you are interested in, the database will take you to that country report or to the specific information you are looking for.

"Compare countries"

This allows you to compare information across different countries. To conduct a search, select two or more countries and determine the topics you would like to compare (or choose all topics to see a wider range of data). Only countries for which the database contains data are displayed. Please note that countries on which the database contains data, but not on the selected category/categories, cannot be ticked. By clicking on "Compare", the system generates a HTML web page with the requested information.

1.2. Search

The free search mechanism is based on basic boolean search operators:

- occupational, will find all entries with the word occupational;
- occupational health, will find all entries with the words occupational AND health, but not necessarily together;
- occupational AND health, will find all entries with the words occupational AND health, but not necessarily together;
- disease OR accident, will find all entries with the word disease OR the word accident;
- occupational health NOT agriculture, will find all entries with the words occupation AND the word health but NOT the word agriculture;
- "safety officer", will find all cases with the expression "safety officer", i.e. the two words are together.

Phrase searching is possible by putting words in quotation marks (e.g. "occupational safety and health officer").

To conduct a search, type your search word and then select one or more countries. You can also select specific items or topics if you want to narrow your search even further.

1.3. Results

General

In order to allow for a quick display of results, 10 countries per page are displayed. Please click on NEXT to see the subsequent results. The database cites references for all legislative provisions. By clicking on the source you will be transferred to the relevant piece of legislation in NATLEX. When the text is not yet available in NATLEX, a pop up window will appear and the text will be displayed in a PDF format.

Print

You can view the information in a printable format by clicking the "Download PDF" button. When you click this button, the browser page will refresh, displaying a page without the extraneous navigation. Furthermore you can also use the browser's print function to generate a PDF file.

Excel download

The data is not displayed for each country in different columns, since this is not "demonstrative" for text-based databases. Instead, the possibility to export the data to an excel spread sheet by clicking on "excel download" is

made available. This provides for more advanced comparisons, table designs and print outs. It will take a while for the data to be exported, depending on the amount of data (categories, countries) selected. All cells with information will have a comment attached to them that clearly indicates where the information is from: The year, the country, the main- and sub-category and the specific topic category. Once you open the information in Excel, you can then sort or filter the information as suits your needs. Additionally, you have the possibility to mark the search result with your cursor and copy/paste it into a word-document.

[Top of Page](#)

2. The content

Legislation on Occupational Safety and Health (OSH) is an essential component of national systems aiming at protecting the health and safety of workers. However, OSH legislation is often a complex mosaic of legal provisions found in general labour laws such as a labour code, in OSH specific legislation and public health laws, in workers' compensation acts and social security legislation, in sectorial specific acts such as for mining, construction, agriculture and fisheries for example. LEGOSH aims at bringing together and making available the main elements of OSH legislation from around the world by providing an user friendly and easy to access synthesis of OSH legislation in English and authentic legal texts in original language.

The content is organized on the basis of descriptors constituting the "classification structure" of the database. LEGOSH classification structure is based on a comprehensive set of 11 themes which follows and capture the main part of the key ILO standards such as the ILO Convention No.155 on Occupational Safety and Health (1981) and the Recommendation N°164, Convention No.187 on the Promotional framework for occupational safety and health (2006), the Labour Inspection Convention C081 and other technical Conventions as benchmarks.

The database presents the formal legal standards, at least to the extent that is reflected in the legislation. Given that it focuses only on the legislated standards, for many countries, especially in Western Europe, neither the substantial regulatory role played by collective agreements nor the interpretative role played by the judiciary are captured. Neither does it indicate the extent to which the legislative standards are being enforced and applied, or their influence on the informal economy.

The following topics are covered:

1. Description of national OSH regulatory framework

This item provides with a general description and overview of the OSH national regulatory framework, including Constitutional principles and the main laws governing occupational safety and health legislation in the relevant country.

2. Scope, coverage and exclusions

This item investigates the scope of occupational safety and health at the national level. First of all, it aims at exploring the definition of "occupational health" and whether it includes not only physical but also mental health, in accordance with the common definition of occupational health shared by the ILO and the World Health Organization (WHO) since 1950. Second, this item aims at exploring whether national legislation covers all workers and branches of activities, as stated in international labour standards. In fact, according to the ILO Conventions and Recommendations, the scope of national policy, law and practice in the area of occupational safety and health should be as broad and comprehensive as possible. For the time being the following categories of workers are included: domestic workers, migrant workers, home workers and self-employed persons. Information is available on the following branches of activities: agriculture, construction, services and public sector.

3. Institutions and programmes relating to OSH administration and/or enforcement of OSH legislation

Occupational safety and health is a complex field calling for the intervention of multiple disciplines and the involvement of all stakeholders. The corresponding institutional arrangements to transpose the national OSH policy into action inevitably reflect this complexity. In the field of OSH, public authorities have administrative functions and responsibilities for areas such as policy development and review, the enactment and enforcement of legislation, labour relations and employment, health, science, research, social protection, education, knowledge management, environment and emergency response. This item aims at bringing together legal provisions on such institutions and programmes relating to administration and/or enforcement of OSH legislation

by investigating, in particular, whether a competent national authority for safety and health at work exist, whether a national OSH research programme or institute is envisaged and whether a national OSH programme is foreseen by law.

4. Employers' duties and responsibilities to protect the safety and health of workers and others

This item covers employers' duties and responsibilities to protect the safety and health of workers and other people occupying the workplace. In this section you might find information on: general duty to ensure the health and safety of employees and other workers; duty to collaborate when two or more employers are working at the same workplace; surveillance of workers' health; working environment and working practices; duty to provide personal protective equipment and to ensure its usage; and duty to provide first-aid and welfare facilities.

5. Employers' duty to organize prevention formally along generally accepted OSH management principles and practices

This item provides information on employers' duty to have an OSH management system in place. This latter aims at providing a method to assess and improve performance in the prevention of workplace incidents and accidents via the effective management of hazards and risks in the workplace. An OSH management system includes different elements which are covered by this item, such as: policy or plan specifying responsibilities and arrangements for health and safety; appointment of a person for health and safety; written risk assessment; safe operating work system and procedures; training and information on risks; review or assessment of the results of preventive measures; consultation with workers on health and safety.

6. Employers' duty to ensure availability of expertise and competence in health and safety

This section provides information on employers' obligation to ensure availability of expertise and competence in health and safety at the workplace. Particularly, it enquires employers' duty to appoint an OSH practitioner and to access expert advice and/or support in health and safety.

7. Workers' rights and duties

This item covers workers' rights and duties as defined by ILO Conventions. Particularly, it provides information on the workers' rights to enquire about risks and preventive measures to remove themselves from a dangerous situation and to be assigned to non-hazard work when their health has shown signs of alteration. It also covers workers' duties such as the obligation to take reasonable steps to protect their own safety and health and to comply with OSH-related requirements. Finally, this section also covers duties of specific categories of workers such as supervisors, senior officers and self-employed persons which, due to the nature of their tasks and responsibilities or of their contractual relationship, might have different obligations.

8. Consultation, collaboration and cooperation with workers and their representatives

This section aims at providing information on systems for consultation, collaboration and cooperation among the different authorities and bodies involved in the administration of the national OSH system. These mechanisms are crucial and necessary to ensure coherence of action at all levels and to facilitate the flow of and access to information. The assignment of this function to a central body is an effective way to enhance the performance of such systems. Mechanisms for the consultation of organizations of employers and workers as well as other stakeholders and their participation in policy and legislation development and review are also needed in order to take their views and concerns into account and ensure their support in implementation. In this section you might find information on legal provisions related to national OSH committee, commission, council or similar body aimed at ensuring consultation and collaboration. This item provides also information and data on employers' duty to consult with workers and their representatives, to establish joint OSH committees and to appoint workers' OSH representatives.

9. Specific hazards or risks

This section provides an overview of the main pieces of legislation covering specific hazards or risks, such as: biological hazards, chemical hazards, ergonomic hazards, physical hazards, psychosocial hazards, risks and hazards related to the use of machineries and, finally, provisions aimed at protecting workers in specific condition of vulnerability, such as pregnant or lactating women and children. Please note that this section may not contain synthesis of legislation given their complexity and length, but only the link to the relevant provisions.

10. Recording, notification and investigation of accidents/incidents and diseases

This item focuses on employers' duty to record and/or investigate the causes of work accidents, near misses incidents and cases of occupational diseases and the consequent duty to notify OSH authorities of any of them.

11. OSH inspection and enforcement of OSH legislation

This item deals with the inspection and enforcement of OSH legislation. It provides an overview of the main powers OSH inspectors have when carrying out inspection, such as the power to enter workplaces and to inspect them, to gather evidence, to investigate and to provide advice on OSH. It also analyses their powers in enforcing legislation in case of breach or violation of OSH legislation. You can also find information on financial and non-financial penalties, on criminal liability for any violation of OSH legislation and labour courts' discretion in relation to sanctions.

[Top of Page](#)