



International
Labour
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EU-ILO Project

“Towards safe, healthy and declared work in Ukraine”



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Project is funded by
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MSP Order No. 1804, of 29.11.2018

▶ **“On approval of the Minimum Safety and Health Protection Requirements for the Use by Workers of Personal Protective Equipment at the Workstations”**

Technical recommendations for its better alignment with the applicable International Labour Standards and EU Acquis

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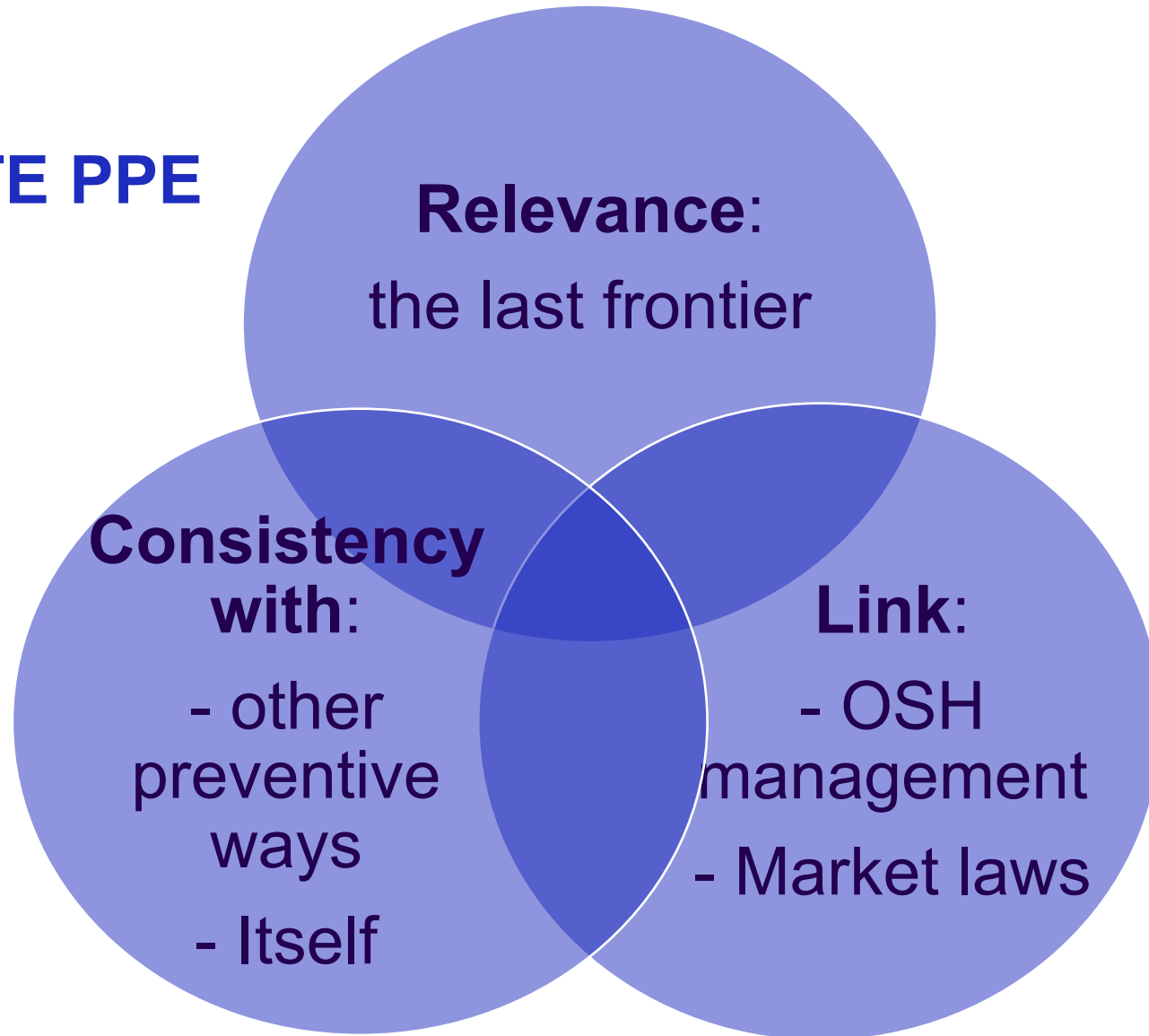
▶ **SUMMARY**

- ▶ **Brief notes of context**
- ▶ **Why regulate PPE use**
- ▶ **Applicable material and formal notes of logistics**
- ▶ What to regulate
- ▶ How to regulate
- ▶ **Align with International and UE labour standards on the use of PPE at the workplace**
- ▶ main aspects achieved
- ▶ main aspects to reinforce

▶ **BRIEF NOTES OF CONTEXT**

- ▶ **Association Agreement between the European Union / Ukraine**
- ▶ **A reform of the OSH legal framework:**
 - ▶ Modernization, simplification, alignment with ILO and EU standards
 - ▶ **The central role of the OSH framework directive (89/391/EEC) and the ILO Convention 155**
 - ▶ **The draft law on occupational safety and health of workers**
 - ▶ **The positional role of OSH regulation on PPE use**

WHY REGULATE PPE



MATERIAL AND FORMAL LOGISTICS

... THE PPE OSH LEGAL ACT

What to regulate	How to regulate
All sectors of activity and all workers	General application requirement: position in the hierarchy of laws
Good relationship: prescriptive/goal-oriented view	Clear scope and object
More risks with less regulation	The necessary definitions and terms
<ul style="list-style-type: none"> • Reform of the OSH legal framework • PPE market legislation 	Structure, coherence and simplicity
Compliance culture: <ul style="list-style-type: none"> • Soft law • Sanctioning and enforcement 	Simpler and more understandable legal framework: the repealed legislation The role of soft law

▶ **ALIGN WITH INTERNATIONAL AND EU LABOUR STANDARDS ON THE USE OF PPE AT THE WORKPLACE**

- ▶ The principle of exceptionality and subsidiarity use of PPE regarding preventive measure
- ▶ The principle of gratuity for workers
- ▶ The selection and provision of PPE
- ▶ The supervision and maintenance of PPE
- ▶ The provision of information, instructions and training to workers
- ▶ The consultation and participation
- ▶ Relation with PPE market legislation

THE IMPROVEMENT PROPOSALS

- ▶ The form of the legal act: a CMU Decree instead of a Ministry Order
- ▶ The formal logistics: structure and systematics; numbering; referrals
- ▶ The terminology issues: “prevention” (instead of “protection”); “employer” (instead of “enterprise” or “economic entity”); “workplace” (instead of “workstation”); “safety and health” (instead of “labour protection” and “occupational hygiene”)
- ▶ The consistency with the Draft Law “On Occupational Safety and Health of Workers”
- ▶ The enforcement and the compliance
- ▶ The soft law
- ▶ Relationship with the law on the manufacture and placing on the market of PPE: (the role of Annexes II and III)
- ▶ The reduction in the number of laws on the use of PPE



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