

BASIC GUIDELINES

on

OCCUPATIONAL SAFETY AND HEALTH

with Self Assessment Checklist



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1. OCCUPATIONAL SAFETY AND HEALTH: AN INTRODUCTION

Occupational safety and health (OSH) is concerned with protecting the safety, health and welfare of people engaged in work or employment. Regardless of the nature of their work, workers should be able to carry out their responsibilities in a safe and secure working environment, free from hazards.

Occupational safety and health (OSH) is generally defined as the science of the anticipation, recognition, evaluation and control of hazards arising in or from the workplace that could impair the health and well-being of workers, taking into account the possible impact on the surrounding communities and the general environment.

An occupational safety and health (OSH) program is a plan of action designed to prevent incidents, accidents and occupational diseases.

1.1. CORE PRINCIPLES FOR OSH IN AN ENTERPRISE

- Work should take place in a safe and healthy working environment; conditions of work should be consistent with workers' well-being and decent work.
- Occupational safety and health policies must be established at enterprise levels.
- OSH programs must aim at both prevention and protection.
- Collection and dissemination of accurate information should be basis for continuous improvement of OSH programs
- Coverage to all levels of workers
- Duties of all - workers, employers, competent authorities

1.2. KEY POTENTIAL BENEFITS ASSOCIATED TO SAFETY AND HEALTH AT WORK

- Reduction of workplace incidents
- Reduced work loss time due to injuries
- Reduced absenteeism and staff turnover, leading to increased productivity
- Reduced cost of insurance premiums
- Creation of a safety and health culture, whereby employees are encouraged to take an active role in their own OSH
- Reinforced leadership commitment to proactively improve OH&S performance
- Ability to meet legal and regulatory requirements
- Enhanced reputation
- Improved staff morale

1.3. RESPONSIBILITIES OF THE EMPLOYER

- To ensure that the working environment is safe and healthy.
- Providing information, training and instructions on prevention and control of hazards and protection against risks.
- Carrying out risk assessments and using the report to put preventive measures in place
- Stopping any operations or activities that may pose as a threat or danger to the safety and health of workers
- Establishing safety and health committees
- Ensure management processes promote safety and health at work
- Entail knowledge of occupational health
- Providing work appropriate personal protective equipment and ensuring its proper usage

- Providing first aid facilities and emergency management
- Providing compensation of work related injuries

1.4. RESPONSIBILITIES OF EMPLOYEES

- Complying with all safety and health measures, requirements and instruction
- Reporting any accidents and incidents
- Report any situation that might be of imminent danger to them or to anyone else in the premises or work situation
- Advising management on industrial hygiene;
- Educating workers and the community at large on basic occupational safety and health;

1.5. RISK ASSESSMENT

Risk assessment is a popular tool for analysing workplace hazards. The method rests upon clear definitions of the two terms HAZARD and RISK.

HAZARD is defined as: the potential to cause harm— which can include substances or machines, methods of work or other aspects of organization.

RISK is defined as: the likelihood that the harm from a particular hazard is realized.

Likelihood of occurrence (probability):

low: remote or unlikely to occur;

medium: will occur in time if no preventive action is taken;

high: likely to occur immediately or in the near future.

Consequence (severity):

low: may cause minor injury/illness– no lost time;

medium: may cause lost time through injury/illness;

high: may cause serious or fatal injury/illness.

Using these definitions, a risk matrix can be constructed. For example, when there is a high likelihood that workers will be exposed to a hazard, and the consequences are high, then that work, process or chemical would have a high “score” and urgent action should be taken.

2. SAFETY AND HEALTH PRACTICES AT WORK

2.1. MATERIALS STORAGE AND HANDLING

An integral part of all production processes is the storage and handling of raw materials, products and components. Efficient storage and handling of materials can eliminate delays and bottlenecks at work and prevent damage and loss of their value and prevent unnecessary accidents. Thus, it is important to improve how we store materials and handle them. Use of multi-level shelves, clearing passage ways, and using push carts and roller conveyors can be some of the simple ways of handling and storing materials for improved productivity and efficiency at the workplace with better safety and health.

2.1.1. How can we properly maintain material storage and handling?

Passageways & transport

- Making wider and well-maintained passageways.
- Cleaning passageways and making sure they are not wet or slippery.
- Ensuring passageways are free from obstacles.
- Use of wooden planks/ramps to cover the height difference in the workplaces or filling the holes to avoid stumbling into one.
- Set weight limit while carrying load.
- Divide loads evenly in both arms.
- Using gloves or wrapping grips and handles with cloth can make it easier for carrying loads.
- Use wheeled carts or roller-conveyors for carrying heavy materials at a distance. Increase in the size of wheels can support carrying heavier materials and overcome uneven and bumpy floors/roads.

Storage

- Placing shelves, racks and rubbish bins at accessible places to ensure proper storage and waste disposal.
- Use of labels or indexes on drawers to find items easily.
- Frequently used items should be placed between workers' waist and shoulder for convenience.
- Placing multi-level shelves close to walls and making them strong enough to hold heavy materials. But, it is important to place the heavy materials on the lower shelves.
- Racks can be designed with attached wheels for convenience.

2.1.2. Checklist

1. Clear and marked transport ways. Eliminate sudden height differences and holes on transport routes. Do you propose action?

- No Yes Priority

Remarks:

2. Use carts, hand-trucks, rollers and other wheeled devices when moving materials. Do you propose action?

- No Yes Priority

Remarks:

3. Provide multi-level shelves or storage racks near the work area for tools, raw materials, parts and products.

Do you propose action ?

- No Yes Priority

Remarks:

4. Provide good grips or holding points for all containers and packages. Do you propose action ?

- No Yes Priority

Remarks:.....

2.2. MACHINERY AND PLANT SAFETY

Workers have to use different kinds of machineries. Along with their benefits, machineries can sometimes be lethal for the workers. It is necessary to understand the simple solutions to reduce the risks of accidents occurring in the use of machineries. It is important to guard and maintain the machineries regularly for safe use.

2.2.1. How can you ensure safety from machine?

Operating Procedures, Training and Maintenance

- Workers shall be provided with proper training prior to operating the machinery. It is important that the operators of the machinery understand the operating procedure, risks and hazards completely.
- Only qualified people should supervise the operation of the plants and machineries.
- Regular inspection of the machineries and equipments must be conducted and where necessary repaired or replaced.
- Hand tools must be in good condition
- Broken handles on different tools shall be immediately replaced.
- Unsafe tools shall be placed in a secure box with clear understandable instructions (signage, texts).

Labels & signage

- Use easy to understand labels on machinery to avoid mistakes.
- Safety signs/stickers shall be used in the machineries for proper instructions.

Protective Guards and Emergency controls

- Machine appropriate guard rails shall be in place on machines to avoid accidents and injuries
- Emergency controls must be in local language for everyone at the workplace to understand and be easy to reach for anyone to prevent accidents on time.
- Machineries must be properly placed at workstation in order to avoid accidents that can occur from

tipping over them.

- Work stations must be designed in a way to stop machinery from starting automatically when power is restored in case of a power failure.

2.2.2. Checklist

1. Consider safety aspects while purchasing new machines. Do you propose action?

No Yes Priority

Remarks:

2. Attach proper guards to dangerous moving parts of machines. Do you propose action?

No Yes Priority

Remarks:

3. Provide training to the workers to operate machines. Do you propose action?

No Yes Priority

Remarks:

4. Make sure machines are well maintained and have no broken or unstable parts. Do you propose action?

No Yes Priority

Remarks:

5. Make emergency controls clearly visible and easy to reach. Do you propose action?

No Yes Priority

Remarks:

2.3. TOOLS, EQUIPMENT AND WORK STATION DESIGN

People need ergonomically appropriate workstations and tools to avoid musculoskeletal injuries. This can ultimately result in increased work efficiency. Some practical measures for better workstations and tools for workplace include appropriate working-height, stable furniture, measures to avoid injury-prone work postures and other tools to maximize work efficiency.

2.3.1. How can you design a better workplace?

Heights

- Adjusting work tables heights to elbow level.
- Adjusting workstation to the height of frequent user.
- In case of multiple workers using the same workstation, a foot platform can be used for workers with smaller height to adjust work height to elbow level.
- In case of work requiring higher force, workstation shall be designed to be slightly lower than elbow level.

Supports and rests

- Attach appropriate backrest to chairs for workers performing work by sitting.
- Armrests should be used for jobs requiring sustained arm position.
- To reduce strain on workers' backs, they shall use cushion behind lower back in case of work requiring long periods of sitting
- In order to change workers' work position, their jobs can be varied from time to time.
- Use of portable and appropriate sized chairs for work convenience.

Safe handling of tools

- Each tool shall have a specific purpose and specific place for storage.

- Improvising the use of hand tools shall be discouraged.
- Tools should be used only for specified works.
- Safety glasses and face shields should be used for operating tools that can result in damages to the face or eyesight.
- Frequently used tools shall be placed within easy reach and other tools shall be placed into proper storage facilities.
- Using cabinets, shelves, racks and hangers to store necessary tools and materials within easy reach.
- Belt, handbags jigs or clamps can be used by the workers to carry the tools needed while working.
- Putting labels on tool boards.
- Store small tools and work items in special bins or trays with labels to prevent loss and attach wheels to these small cabinets to make their movement easier.
- Cover sharp edges with protective layers.

2.3.2. Checklist

1. Adjust working height for each worker at elbow level or slightly lower. Do you propose action?

- No Yes Priority

Remarks:

2. Provide a conveniently placed home for each tool. Put frequently used tools, controls and materials within easy reach of workers. Do you propose action?

- No Yes Priority

Remarks:

3. Provide stable chairs or benches with sturdy backrests. Do you propose action?

- No Yes Priority

Remarks:

4. Choose work methods to alternate standing and sitting and to avoid bending and squatting postures as much as possible. Do you propose action?

No Yes Priority

Remarks:

5. Choose tools that can be operated with minimum force. Do you propose action?

No Yes Priority

Remarks:

2.4. CHEMICAL SAFETY

Micro and small enterprises use different kinds of chemicals in their day to day operation. It is necessary that usage and disposal of these chemicals are handled properly because most of the times the chemical waste storage containers are toxic and harm the workers.

2.4.1. How can you ensure proper chemical safety?

- During transportation of chemicals, place them in strong containers to ensure there is no leakage due to breakage.
- Displaying the hazards and instruction of use with labels on the containers is necessary for chemical safety. Even while purchasing, it is important to make sure that labels are attached to the containers.
- The labels shall be made in the local language and in an easy-to-read format.
- Highly toxic chemicals shall be stored separately in order to prevent unintended use.
- Most chemicals react in external environment leading to contamination. Thus, the cover must not be left open for long for the chemicals.
- Using small bottles instead of larger ones can prevent contamination.
- Empty chemical bottles should not be used for storing other things.

2.4.2. Checklist

1. Select safer chemicals and use minimum amount. Do you propose action?

No Yes Priority

Remarks:

2. Put labels on chemicals. Do you propose action ?

No Yes Priority

Remarks:

3. Collect information related to safe use of chemicals and disseminate among the workers. Do you propose action?

No Yes Priority

Remarks:

4. Store frequently used chemicals in small bottles. Do you propose action?

No Yes Priority

Remarks:

5. Store highly toxic chemicals in a secure location with caution. Do you propose action?

No Yes Priority

Remarks:

2.5. ELECTRIC SAFETY

Electricity is important for any kind of business for its operation. Thus, proper maintenance and repairs of wires, sockets and electrical appliances must be done on a regular basis to ensure safety.

2.5.1. How can you ensure electrical safety and proper use of electrical equipment?

- Company can have a reporting desk where workers can report any unusual activity or threats of electrical equipment for technicians to handle.
- In times of maintenance, power line shall be shut down before opening switches and circuits.
- The extension cords being used should not have a grounding conductor.
- Multiple plug adaptors shall not be used to the point possible.
- Sufficient working space shall be provided for maintaining electrical equipment for safe operation and maintenance.
- Safeguards should be used along with following safety procedures while operating equipment like grinders and saws to avoid serious injuries.
- Portable circular saws shall be equipped with guards above and below the base shoe for protection.
- Safeguards of the circular saws shall be checked to ensure that they are not pushed up, leaving the lower part of the blade unguarded.
- All electrically operated tools and equipment shall be cleaned regularly and be maintained in good condition.
- For large equipment, all the locks and connecting devices must be checked properly.

2.5.2. Checklist

1. Ensure safe wiring connectors for supplying electricity to equipment and lights. Do you propose action?
 No Yes Priority
Remarks:.....
2. Ensure safe use of electricity for machines and equipment. Do you propose action?
 No Yes Priority
Remarks:.....
3. Discourage the use of multi plugs and extension cords. Do you propose action?
 No Yes Priority
Remarks:.....
4. Adjust electric guards on electrical appliances to prevent leakage of electricity. Do you propose action?
 No Yes Priority
Remarks:.....
5. Check all the locks and connecting devices for large electrical equipment. Do you propose action?
 No Yes Priority
Remarks:

2.6. PERSONAL PROTECTIVE EQUIPMENT

Personal protective equipment is clothing or equipment designed to protect the wearer from injuries. These include but aren't limited to gloves, foot protection, eye protection, hard hats, respirators, protective hearing devices and bodysuits used specifically to protect from exposure to different kinds of hazards. When it comes to the use of PPE, both employer and employee are responsible.

The employers need to identify different physical and health hazards with proper hazard assessment of the workplace. This can help them plan how the identified hazards can be controlled and the proper PPEs be provided and used in the workplace. Additionally, employers are responsible for providing training to the employees regarding the use of PPE and making these resources available at the workplace. They also must ensure that hazard assessment are carried out periodically in order to ensure effectiveness of PPEs. The employees should properly learn to use PPEs by attending training and also use them correctly at the workplace. They should maintain the equipment and report in case of need to change.

TYPES OF PPE

- Eye Protection
- Ear Protection
- Head Protection
- Respiratory Protection
- Foot and Leg Protection
- Hand and Arm Protection

2.7. FIRE PRECAUTION AND PREVENTION

Highly flammable substances should be stored properly. The workplace should be designed to provide proper escape in case of fire. But, first things first, workplace should be protected from the fire in every possible way.

In order to ensure sufficient precaution, it is necessary to ensure flammable fumes are removed from the workplace quickly. It is important that suitable breathing apparatus, safety belts and ropes are provided. Most importantly, workers shall be trained to handle the situation in case of such emergencies. Fire Extinguishers shall be placed at easily available places and workers shall learn to be able to use them.

Workplace design plays a vital role in determining the extent of damage the fire can cause. The machineries should not be crowded with proper workplace layout. In addition Fire escape should be easily accessible to everyone in the workplace. Carryout fire audit can be one way to ensure safety.

2.7.1. Checklist

1. Store highly flammable substances properly. Do you propose action?

No Yes Priority

Remarks:

2. Design workplace to provide easy access to fire escape. Do you propose action?

No Yes Priority

Remarks:.....

3. Place fire extinguishers in accessible spots at the workplace. Do you propose action?

No Yes Priority

Remarks:.....

4. Train workers on how to use a fire extinguisher. Do you propose action?

- No Yes Priority

Remarks:.....

5. Carryout fire audit. Do you propose action?

- No Yes Priority

Remarks:.....

2.8. FIRST AID

First Aid is immediate treatment or care given to someone suffering from injury or illness until further advanced care is acceded. Workers shall be trained on basic first aid and made capable of assessing the situation of the victim, providing the needed aid and seeking help as quickly as possible.

All workplaces must have first aid boxes. The essentials of a first aid box are:

- Sterile gauze pads of different sizes to protect open wounds
- Elastic bandage
- Antiseptic wipes
- Scissors
- Soap
- Adhesive bandages (eg handiplast)
- Antibiotic ointment
- Painkiller (eg paracetamol, brufen,etc)
- Anti vomiting (eg domperidom, ondem, etc)
- Gastritis medicines (eg pantoprazole, esmoprazole,etc)

- Oral Rehydration Solution (eg jeewan jal)
- Anti allergic (eg cetirizine, fexofenadine,etc)
- Ointment for burn treatment (eg silver sulphadiazine, chlorhexidine, etc)

It is imperative to maintain following documents:

- Records of injuries
- Records on the use of safety items
- Emergency phone numbers should be posted and accessible.
- Records of a nearby health facility should be kept.

2.9. CLEANLINESS

Untidy working environment is also one of the major causes of injuries. Thus, the essence of cleanliness for safer workplace is undeniable. Thus, following measures can be taken to ensure cleanliness at workplaces:

- Regular cleaning of floors, washrooms, working areas and equipment.
- Keeping stairs, walls, ceilings and partitions clean.
- It is necessary that workplaces are not crowded and facilitate ease in the mobility of staff.
- Proper ventilation and lighting is necessary for proper circulation of fresh air.
- Avoid working on wet floors for proper safety. In case of processes that needs to be carried out in wet area, a proper system to drain water and use of protective clothing is necessary.

2.9.1. Checklist

1. Provide an adequate supply of safe drinking water in all workplaces. Do you propose action?
 No Yes Priority
Remarks:
2. Provide regularly cleaned toilets and washing facilities with soap close to the work area. Do you propose action?
 No Yes Priority
Remarks:
3. Provide resting corners. Do you propose action?
 No Yes Priority
Remarks:
4. Provide first-aid equipment and train a qualified first-aider. Do you propose action?
 No Yes Priority
Remarks:
5. Use proper protective devices such as clothes, gloves, boots, shoes, hats, helmets to protect from injuries or contact with hazardous substances. Do you propose action?
 No Yes Priority
Remarks:

3. ANNEX

3.1. OSH IN LABOR ACT 2019

श्रम ऐन २०७५

परिच्छेद १२ व्यवसायजन्य सुरक्षा र स्वास्थ्य सम्बन्धी व्यवस्था

६८. सुरक्षा र स्वास्थ्य सम्बन्धी नीति बनाउनु पर्ने :

- (१) यो ऐन, यस ऐन अन्तर्गत बनेको नियम तथा ऐन वा यस ऐन अन्तर्गत बनेको नियम बमोजिम दिइएको निर्देशनको अधीनमा रही रोजगारदाताले कार्यस्थलमा श्रमिक तथा अन्य व्यक्तिको सुरक्षा र स्वास्थ्य सम्बन्धी नीति बनाई लागू गर्न पर्नेछ।
- (२) उपदफा (१) बमोजिम बनाइएको नीति कार्यालयमा दर्ता गर्न पर्नेछ।
- (३) रोजगारदाताले बनाउने सुरक्षा तथा स्वास्थ्य सम्बन्धी नीति सम्बन्धी अन्य व्यवस्था तोकिए बमोजिम हुनेछ।
- (४) यस दफा बमोजिम रोजगारदाताले बनाएको सुरक्षा तथा स्वास्थ्य नीतिको पालना भए नभएको सम्बन्धमा कार्यालयले नियमित रुपमा अनुगमन गर्न पर्नेछ।

६९. श्रमिकप्रति रोजगारदाताको कर्तव्य :

- (१) व्यवसायजन्य सुरक्षा र स्वास्थ्यका सम्बन्धमा रोजगारदाताको श्रमिकप्रति देहाय बमोजिमको कर्तव्य हुनेछ :-
 - (क) कार्यस्थलमा सुरक्षा र स्वास्थ्य सम्बन्धी उचित प्रबन्ध गरी काम गर्ने सुरक्षित वातावरण बनाउने,
 - (ख) कार्यस्थलमा रासायनिक, भौतिक वा जैविक पदार्थ वा उपकरणको प्रयोग, सञ्चालन, सञ्चय र परिवहन गर्दा सुरक्षा र स्वास्थ्यमा प्रतिकूल असर नपने व्यवस्था मिलाउने,
 - (ग) श्रमिकलाई आवश्यकता अनुसार सुरक्षा र स्वास्थ्य सम्बन्धी आवश्यक सूचना, जानकारी र तालिम प्रदान गर्ने,
 - (घ) श्रमिकलाई उपकरण वा कामसाग सम्बन्धित रासायनिक, भौतिक वा जैविक पदार्थको प्रयोग र सञ्चालनका सम्बन्धमा आवश्यक तालिम र जानकारी

उपयुक्त भाषामा दिने,

(ड) कार्यस्थलमा सुरक्षित रूपमा प्रवेश गर्ने तथा निस्कने समुचित व्यवस्था गर्ने ।

(च) श्रमिकलाई आवश्यकता अनुसार व्यक्तिगत सुरक्षा साधन उपलब्ध गराउने ।

(छ) तोकिए बमोजिमको अन्य व्यवस्था गर्ने

(२) श्रमिकलाई सुरक्षा सम्बन्धी कुनै सुविधा वा उपकरण दिए बापत रोजगारदाताले श्रमिकबाट कुनै शुल्क वा दस्तुर लिन पाउने छैन ।

७०. गैरश्रमिक प्रति रोजगारदाताको कर्तव्य :

(१) रोजगारदाताले कार्यस्थलमा आउने र जाने वा कार्यस्थल भएर हिंड्ने गैरश्रमिकको सुरक्षा तथा स्वास्थ्यमा प्रतिकूल असर नपर्ने गरी आवश्यक व्यवस्था गर्न पर्नेछ ।

(२) कार्यस्थलको कुनै कार्य प्रकृयाबाट कसैको सुरक्षा वा स्वास्थ्यमा प्रतिकूल असर पर्ने वा खतरा पुग्न सक्ने भए सो सम्बन्धमा रोजगारदाताले सङ्केत दिने, राख्ने वा जानकारी दिने व्यवस्था मिलाउनु पर्नेछ ।

(३) रासायनिक पदार्थ प्रयोग वा उत्पादन गर्ने प्रतिष्ठानले आफ्नो कार्य सञ्चालन गर्दा निस्कने रासायनिक पदार्थ वा ग्यास वा अन्य कुनै कुराले स्थानीय जीवजन्तु, मानिस तथा वातावरणमा प्रतिकूल प्रभाव नपर्ने गरी व्यवस्थापन गर्न पर्नेछ ।

७१. जिम्मेवार व्यक्तिको कर्तव्य :

कुनै कार्यस्थल, उपकरण, वस्तुवा पदार्थ सम्बन्धित कामको लागि सुरक्षित तथा स्वस्थ भए वा नभएको कुरा सुनिश्चित गर्ने कर्तव्य जिम्मेवार व्यक्तिको हुनेछ ।
स्पष्टीकरण : यस दफाको प्रयोजनका लागि जिम्मेवार व्यक्ति भन्नाले कार्यस्थल, उपकरण, वस्तु वा पदार्थमाथि स्वामित्व वा नियन्त्रण भएको व्यक्ति सम्झनु पर्छ र सो शब्दले त्यस्तो कार्यस्थल प्रमुख, उपकरण, वस्तुवा पदार्थको प्रयोगका सम्बन्धमा कुनै सम्झौता भएको रहेछ भने त्यस्तो सम्झौताबाट स्वामित्व वा नियन्त्रण कायम हुनेव्यक्ति वा संस्था समेतलाई जनाउछ ।

७२. उत्पादनकर्ता, आयातकर्ता र आपूर्तिकर्ताको कर्तव्य :

(१) कार्यस्थलमा प्रयोग गरिनेकुनैउपकरण, वस्तुवा पदार्थकोउत्पादनकर्ता, आयातकर्ता वा आपूर्तिकर्ताको कर्तव्य देहाय बमोजिम हुनेछ :-

(क) सुरक्षा तथा स्वास्थ्यको दृष्टिले कार्यस्थलमा सञ्चालन तथा प्रयोग गर्न परीक्षणबाट उपयुक्त देखिएको उपकरण, वस्तु वा पदार्थको उत्पादन, आयात तथा आपूर्ति गर्ने,

- (ख) त्यस्तो उपकरण, वस्तु वा पदार्थबाट कार्यस्थलमा सम्बद्ध व्यक्तिको सुरक्षा र स्वास्थ्यमा प्रतिकूल असर नपर्ने गरी उपयुक्त ढङ्गले सञ्चालन वा प्रयोग गर्ने विधि तथा प्रकृया निर्धारण गर्ने,
- (ग) त्यस्तो उपकरण, वस्तु वा पदार्थको प्रयोगबाट सुरक्षा वा स्वास्थ्यमा प्रतिकूल असर पुऱ्याउन सक्ने खतरा पत्ता लगाउने,
- (घ) खण्ड (ग) बमोजिम पत्ता लागेको खतरा हटाउन वा घटाउन आवश्यक अनुसन्धान, प्रयोग वा परीक्षण गर्ने, तर अरु कसैबाट त्यस सम्बन्धमा पहिले नै गरेको कुनै अनुसन्धान, प्रयोग वा परीक्षणको परिणाममा विश्वास गर्न पर्ने मनासिब आधार देखिएमा त्यस्तो अनुसन्धान, प्रयोग वा परीक्षणलाई मान्यता दिन सकिनेछ ।
- (ङ) कार्यस्थलमा सञ्चालन तथा प्रयोग हुने उपकरण, वस्तु वा पदार्थको सञ्चालन तथा प्रयोग गर्दा सुरक्षा र स्वास्थ्यको दृष्टिले अपनाउनु पर्ने आवश्यक कुराहरुको बारेमा पूर्ण रूपमा जानकारी गराउन दिग्दर्शन तयार गर्ने ।
- (२) कार्यस्थलमा प्रयोग हुने उपकरण निर्माण वा जडान गर्ने व्यक्ति तथा संस्थाले त्यसरी निर्माण वा जडान गरिएको उपकरण उपयुक्त ढङ्गले प्रयोग गरेमा त्यसबाट कसैको सुरक्षा वा स्वास्थ्यमा प्रतिकूल असर नपर्ने कुराको लिखित प्रतिवेदन रोजगारदातालाई दिनु पर्नेछ ।
- (३) कुनै उपकरण, वस्तु वा पदार्थ उपलब्ध गराउने उत्पादनकर्ता वा आपूर्तिकर्ताले उपकरण, वस्तु वा पदार्थको प्रयोगको सम्बन्धमा उपलब्ध गराएको जानकारी वा सल्लाह अनुरूप त्यस्तो उपकरण, वस्तु वा पदार्थ प्रयोग नगरेमा यस दफाको प्रयोजनका लागि त्यस्तो उपकरण वा पदार्थ उपयुक्त ढङ्गले प्रयोग गरेको मानिने छैन ।
- (४) कार्यस्थलमा प्रयोग हुने कुनै रासायनिक पदार्थको उत्पादक, आयातकर्ता वा आपूर्तिकर्ताले सो पदार्थको सम्बन्धमा रासायनिक सुरक्षा तथ्याङ्कपत्र (केमिकल सेफ्टी डाटा सीट) लगायत तोकिए बमोजिमका अन्य विवरण रोजगारदातालाई उपलब्ध गराउनु पर्नेछ ।

७३. श्रमिकको कर्तव्य :

व्यवसायजन्य सुरक्षा र स्वास्थ्यका सम्बन्धमा श्रमिकको कर्तव्य देहाय बमोजिम हुनेछ :-

- (क) कार्यस्थलमा जानाजानी वा लापरवाहीपूर्वक आफ्नो वा अरु कसैको सुरक्षा तथा स्वास्थ्यमा प्रतिकूल असर पर्ने वा खतरा पुग्न सक्ने कुनै कार्य नगर्ने,
- (ख) यस परिच्छेदमा उल्लिखित कुनै कर्तव्य पूरा गर्न गराउन रोजगारदाता तथा सम्बन्धित व्यक्तिलाई आवश्यक सहयोग गर्ने,
- (ग) कार्यस्थलमा सञ्चालन तथा प्रयोग हुने उपकरण, वस्तु वा पदार्थको सञ्चालन तथा प्रयोग सुरक्षित तथा होसियारीपूर्वक सञ्चालन तथा प्रयोग गर्न तयार गरिएको दिग्दर्शन, सल्लाह तथा अन्य कुराको सम्बन्धमा जानकारी हासिल गर्ने,
- (घ) कार्यस्थल, उपकरण, वस्तु वा पदार्थ सञ्चालन तथा प्रयोग गर्न तयार पारिएको दिग्दर्शन जानकारी तथा सल्लाह बमोजिम त्यस्तो कार्यस्थल, उपकरण वा पदार्थ सुरक्षित तथा होसियारीपूर्वक सञ्चालन तथा प्रयोग गर्ने,

(ड) रोजगारदाताले उपलब्ध गराएको व्यक्तिगत सुरक्षा साधनको अनिवार्य रूपमा प्रयोग गर्ने ।

७४. सुरक्षा तथा स्वास्थ्य समिति गठन गर्ने :

(१) बीस वा सोभन्दा बढी श्रमिक काम गर्ने प्रतिष्ठानमा रोजगारदाताले श्रमिकको समेत प्रतिनिधित्व हुने गरी तोकिए बमोजिमको सुरक्षा तथा स्वास्थ्य समिति गठन गर्न पर्नेछ ।

(२) उपदफा (१) को प्रयोजनको लागि श्रमिक आपूर्तिकर्ता मार्फत काममा लगाइएका श्रमिकलाई समेत गणना गरिनेछ ।

(३) उपदफा (१) बमोजिम गठित सुरक्षा तथा स्वास्थ्य समितिको काम, कर्तव्य र अधिकार देहाय बमोजिम हुनेछ :-

(क) कार्यस्थलमा गर्न पर्ने सुरक्षा तथा स्वास्थ्य सम्बन्धी प्रबन्ध र त्यस्तो प्रबन्ध प्रभावकारी बनाउन रोजगारदातालाई नियमित रूपमा परामर्श दिने,

(ख) कार्यस्थलमा प्रबन्ध गरिएको सुरक्षा तथा स्वास्थ्य सम्बन्धी प्रबन्धको मूल्याङ्कन गर्ने र त्यस्तो प्रबन्धलाई अझ बढी प्रभावकारी बनाउन रोजगारदाताको ध्यान आकृष्ट गर्ने,

(ग) खण्ड (ख) बमोजिम ध्यान आकृष्ट गर्दा काम नगरेमा सोको जानकारी कार्यालयलाई दिने,

(घ) दफा ६८ बमोजिम बनाइएको सुरक्षा तथा स्वास्थ्य नीतिको हरेक वर्ष पुनरावलोकन गर्ने,

(ड) तोकिए बमोजिमको अन्य कार्य गर्ने ।

७५. कारवाहीबाट बचाउ :

देहायको कुनै कार्य गरेको कारणले मात्र रोजगारदाताले कुनै श्रमिकलाई अनुशासन सम्बन्धी कारवाही गर्न पाउनेछैन :-

(क) सुरक्षा तथा स्वास्थ्य सम्बन्धी प्रबन्ध नगरेको सम्बन्धमा रोजगारदाता विरुद्ध जानकारी, सूचना वा उजुरी दिएको वा दिन सहयोग गरेको,

(ख) दफा ७४ बमोजिमको स्वास्थ्य तथा सुरक्षा समितिको हैसियतमा कुनै काम गरेको, वा

(ग) सुरक्षा तथा स्वास्थ्यमा तत्काल खतरा परेको कारणबाट दफा ७६ वा ७७ बमोजिम काम बन्द गरेको ।

७६. तत्काल खतरा भएमा काम बन्द गर्ने:

(१) कुनै काम तत्काल बन्द नगरे त्यस्तो काम गर्ने श्रमिक वा अरु कसैलाई शारीरिक चोटपटक लाग्ने वा खतरा पुग्ने वा निजको स्वास्थ्यमा गम्भीर असर पर्ने वा कुनै उपकरण, वस्तु वा पदार्थको अनर्पेक्षित क्षति वा हानी नोक्सानी हुने अवस्था भएमा त्यस्तो काममा संलग्न श्रमिकले सोको जानकारी रोजगार दाता वा दफा ७१ बमोजिमको जिम्मेवार व्यक्तिलाई दिनु पर्नेछ ।

- (२) उपदफा (१) बमोजिमको जानकारी प्राप्त भएपछि रोजगारदाता वा जिम्मेवार व्यक्तिले सो सम्बन्धमा तत्काल उचित निर्देशन दिनु पर्नेछ ।
- (३) उपदफा (१) बमोजिमको जानकारी दिन रोजगारदाता वा जिम्मेवार व्यक्ति तत्काल उपलब्ध नभएमा श्रमिक आफैलेत्यस्तो काम बन्द गर्न सक्नेछ ।
- (४) उपदफा (३) बमोजिम काम बन्द गरेकोमा त्यसरी काम बन्द गर्ने श्रमिकले सोको जानकारी तत्काल छिटो साधनद्वारा रोजगारदाता तथा जिम्मेवार व्यक्तिलाई दिनु पर्नेछ ।
- (५) उपदफा (४) बमोजिमको जानकारी प्राप्त भएपछि रोजगारदाता वा जिम्मेवार व्यक्तिले सो सम्बन्धमा तत्काल जाचबुझ गरी सोबाट सिर्जित खतरा निवारण वा न्यूनीकरण गर्न पर्नेछ ।
- (६) कुनै काम बन्द गर्न पर्ने गरी तत्काल कुनै खतरा उत्पन्न भए वा नभएको तथा खतरा निवारण वा न्यूनीकरण गर्न गरिएको व्यवस्था पर्याप्त भए वा नभएको सम्बन्धमा श्रमिक र रोजगारदाताबीच कुनै विवाद भएमा त्यस्तो विवादको छिनोफानोको लागि कुनै पक्षले श्रम कार्यालयमा निवेदन दिन सक्नेछ ।
- (७) उपदफा (६) बमोजिम निवेदन परेमा कार्यालयले सो सम्बन्धमा छानविन गरी दुवै पक्षको कुरा सुनी आवश्यक भए प्रमाण समेत बुझी त्यस्तो विवादको छिनोफानो गर्न पर्नेछ ।
- (८) उपदफा (७) बमोजिम कार्यालयले विवाद छिनोफानो गरिदिएको निर्णय अन्तिम हुनेछ र त्यस्तो निर्णय रोजगारदाता तथा श्रमिक दुवै पक्षले मान्नु पर्नेछ ।
- (९) यस दफामा अन्यत्र जुनसुकै कुरा लेखिएको भए तापनि रोजगारदातालाई हानी नोक्सानी पुऱ्याउने, दुःख दिने वा रिसइवी साधने उद्देश्यले काम बन्द गर्न पाइने छैन ।
- (१०) यस दफा बमोजिम काम बन्द भएको समयमा श्रमिकलाई निजको सेवा शर्तको अधीनमा रही रोजगारदाताले अन्य काममा लगाउन सक्नेछ ।

७७. काम रोक्न निर्देशन दिने :

- (१) निरीक्षण वा अन्य कुनै स्रोतबाट कुनै प्रतिष्ठानको कार्यस्थलमा श्रमिक वा अन्य व्यक्तिको सुरक्षा तथा स्वास्थ्यमा तत्काल खतरा उत्पन्न भएको वा हुन सक्ने आधार देखिएमा कार्यालयले त्यस्तो कार्यस्थलमा तत्काल काम रोक्न रोजगारदातालाई निर्देशन दिन सक्नेछ ।
- (२) उपदफा (१) बमोजिम निर्देशन दिदा खतरा उत्पन्न भएको कारण र आधार समेत खुलाउनु पर्नेछ ।
- (३) उपदफा (१) बमोजिम निर्देशन दिदा कार्यालयले कार्यस्थलमा रहेको कुनै उपकरण सञ्चालन वा प्रयोग गर्न उपयुक्त नहुने देखिएमा त्यस्तो उपकरण प्रयोग नगर्न आदेश दिन सक्नेछ र त्यसरी आदेश दिदा सो उपकरण वा त्यसको कुनै भागमा सिलबन्दी वा टााचा समेत लगाउन सक्नेछ ।
- (४) कार्यालयले उपदफा (१) बमोजिम काम रोक्न निर्देशन दिएकोमा रोजगारदाताले तत्काल काम रोक्नु पर्नेछ ।
- (५) यस दफा बमोजिम कार्यालयले दिएको निर्देशनका सम्बन्धमा चित्त नबुझे रोजगारदाताले त्यस्तो निर्देशन पाएको सात दिनभित्र विभाग समक्ष निवेदन दिन सक्नेछ ।

(६) उपदफा (५) बमोजिम परेको निवेदन उपर विभागले पन्ध्र दिनभित्र टुङ्गो लगाउनु पर्नेछ ।

(७) उपदफा (६) बमोजिमको अवधिमा काम गर्न पाइने छैन ।

तर सो अवधिमा व्यक्तिको सुरक्षा तथा स्वास्थ्यमा तत्काल खतरा उत्पन्न नभएको जानकारी कार्यालयले दिएमा काम सुचारु गर्न सकिनेछ ।

७८. व्यवसायजन्य सुरक्षा र स्वास्थ्य सम्बन्धी विशेष व्यवस्था :

(१) देहायका विषयसाग सम्बन्धित काम गर्ने प्रतिष्ठानलेपालना गर्ने पर्ने सुरक्षा र स्वास्थ्य सम्बन्धी मापदण्ड तोकिए बमोजिम हुनेछ :-

(क) आखा बचाउ सम्बन्धी व्यवस्था,

(ख) रासायनिक पदार्थबाट बचाउ सम्बन्धी व्यवस्था,

(ग) प्रेसर प्लान्टको सञ्चालन सम्बन्धी व्यवस्था,

(घ) मेसिनको छेकवार सम्बन्धी व्यवस्था,

(ङ) भारी उठाउने सम्बन्धी व्यवस्था,

(च) अन्य आवश्यक व्यवस्था ।

(२) प्रेसर प्लान्ट तथा वोइलर परीक्षण सम्बन्धी व्यवस्था तोकिए बमोजिम हुनेछ ।

(३) प्रतिष्ठान स्थापनाको जानकारी तथा अन्य व्यवसायजन्य सुरक्षा तथा स्वास्थ्य सम्बन्धी व्यवस्था तोकिए बमोजिम हुनेछ ।

७९. सूचना दिने :

कार्यस्थलमा कुनै दुर्घटना भएमा वा दुर्घटनाबाट कसैलाई चोटपटक लागेमा वा मृत्यु भएमा वा व्यवसायजन्य रोग लागेमा रोजगारदाताले सोको जानकारी कार्यालयमा तुरुन्त दिनु पर्नेछ ।

८०. सङ्घामक रोग नियन्त्रणको व्यवस्था मिलाउनु पर्ने :

(१) रोजगारदाताले कार्यस्थलमा सङ्घामक रोगको रोकथाम तथा नियन्त्रणका लागि समुचित व्यवस्था मिलाउनु पर्नेछ ।

(२) कुनै श्रमिकलाई सङ्घामक रोग लागी उपचार गराउनु परेमा उपचारको अवधिभर काममा आउन निजलाई रोक लगाउन सकिनेछ ।

(३) उपदफा (२) बमोजिम उपचार गराउनको लागि त्यस्तो श्रमिकको बिरामी विदा अपुग भएमा अन्य विदामा समायोजन गर्न वा विशेष वेतलवी विदामा बस्न श्रमिकलाई रोजगारदाताले निर्देशन दिन सक्नेछ ।

(४) उपदफा (३) बमोजिम दिइएको निर्देशन पालना गर्न सम्बन्धित श्रमिकको कर्तव्य हुनेछ ।

८१. सरल काममा लगाउनु पर्ने :

(१) कुनै महिला श्रमिक गर्भवती भएमा निजले स्वास्थ्य परीक्षण गराएको निस्सासमेत संलग्न गरी सोको जानकारी रोजगारदातालाई दिनु पर्नेछ ।

(२) उपदफा (१) बमोजिमको जानकारी प्राप्त भएमा रोजगारदाताले गर्भवती श्रमिक महिलालाई सामान्यतया निजकोस्वास्थ्यमा प्रतिकूल असर नपर्ने गरी काममा लगाउनु पर्नेछ ।

८२. व्यवसायजन्य रोगको उपचार सम्बन्धी विशेष व्यवस्था :

(१) कुनै प्रतिष्ठानको काम गर्दा कुनै श्रमिकलाई तोकिए बमोजिमको कुनै व्यवसायजन्य रोग लागेमा सो प्रतिष्ठानले त्यस्तो रोगको उपचारको लागि तोकिए बमोजिमको उपचार खर्च तथा त्यस्तो रोगको उपचार हुन नसक्ने भएमा तोकिए बमोजिमको क्षतिपूर्ति रकम श्रमिकलाई दिनु पर्नेछ ।

(२) उपदफा (१) मा जुनसुकै कुरा लेखिएको भए तापनि श्रमिकले सामाजिक सुरक्षा कोषबाट व्यवसायजन्य रोगको उपचार खर्च वा क्षतिपूर्ति रकम पाउने भएमा प्रतिष्ठानले उपदफा (१) बमोजिमको उपचार खर्च वा क्षतिपूर्ति रकम दिनु पर्ने छैन ।

८३. निर्देशन दिन सक्ने :

(१) रोजगारदाताले सुरक्षा तथा स्वास्थ्य सम्बन्धी प्रबन्ध गरे वा नगरेको सम्बन्धमा कार्यालयले आवधिक वा आकस्मिक रूपमा निरीक्षण गर्न सक्नेछ ।

(२) उपदफा (१) बमोजिम निरीक्षण गर्दा रोजगारदाताले कार्यस्थलमा यो ऐन वा प्रचलित कानून बमोजिमको सुरक्षा तथा स्वास्थ्य सम्बन्धी प्रबन्ध गरेको नपाइएमा सोको प्रबन्ध गर्न कार्यालयले समायावधि तोक्यो सम्बन्धित रोजगारदातालाई निर्देशन दिनु पर्नेछ ।

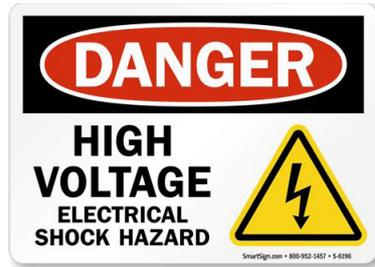
तर तत्काल त्यस्तो प्रबन्ध नगरेमा श्रमिक वा अन्य व्यक्तिको सुरक्षा र स्वास्थ्यमा खतरा हुने वा वातावरणमा प्रतिकूल प्रभाव पर्ने देखिएमा सोही व्यहोरा उल्लेख गरी तत्कालै त्यस्तो प्रबन्ध गर्न निर्देशन दिनु पर्नेछ ।

(३) कार्यालयले कार्यस्थलमा भएको दुर्घटना, व्यवसायजन्य रोग वा श्रमिक तथा अन्य व्यक्तिको स्वास्थ्य तथा सुरक्षा सम्बन्धमा रोजगारदातालाई आवश्यक सूचना तथा विवरण उपलब्ध गराउन निर्देशन दिन सक्नेछ ।

(४) उपदफा (२) वा (३) बमोजिम दिइएको निर्देशन पालना गर्न गराउनु सम्बन्धित रोजगारदाताको कर्तव्य हुनेछ ।

3.2. COMMON OSH SIGNAGES







NOT
DRINKING
WATER



NO SMOKING







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