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20 November 2003;

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25 March 2010.

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*<sup>1</sup> has adopted  
and the President has proclaimed the following Law:

## **Labour Protection Law**

### **Chapter I**

#### **General Provisions**

##### **Section 1. Terms Used in this Law**

The following terms are used in this Law:

- 1) **labour protection** – safety and health of employees at work;
- 2) **labour protection measures** – legal, economic, social, technical and organisational preventive measures the objective of which is to establish a safe and harmless to health working environment, as well as prevent accidents at work and occupational diseases;
- 3) **labour protection specialist** – an employee who has the obligation to organise and control labour protection measures and to perform internal supervision of the working environment, and who has been trained in accordance with the procedure determined by the Cabinet;
- 4) **work equipment** – any device (machine, machinery), apparatus, tool or facility used at work;
- 5) **employer** – a natural person, a legal person or a partnership with legal capacity employing at least one employee;
- 6) **working environment** – the workplace with its physical, chemical, psychological, biological, physiological and other factors to which an employee is subject when performing his or her work;
- 7) **internal supervision of the working environment** – the planning, organisation, implementation and management of the activities of an undertaking in such a way as to guarantee a safe and harmless to health working environment;
- 8) **working environment risks** – the likelihood that harm to the safety or health of employees in a working environment may occur and the level of possible seriousness of such harm;
- 9) **workplace** – a place where an employee performs his or her work, as well as any other place within the scope of the undertaking accessible to the employee in the course of work or where the employee works by the permission or order of the employer;
- 10) **competent authority** – an authority, which on the basis of a relevant contract, performs internal

supervision of the working environment in an undertaking and whose competence in respect of labour protection issues has been evaluated in accordance with the procedure determined by the Cabinet;

11) **competent specialist** – a specialist who is competent to perform internal supervision of the working environment in an undertaking and whose competence has been evaluated in accordance with the procedure determined by the Cabinet;

12) **consultation** – an exchange of views and establishment of a dialogue between the representatives of employees and the employer in order to reach an agreement;

13) **employee** – any natural person employed by an employer, including State civil servants and persons employed during production or training practice;

14) **representatives of employees** – an employees' trade union in whose name acts an authority of the trade union or an official authorised by the articles of association thereof, and authorised representatives of employees the authority of which does not include the right belonging only to the employee trade unions;

15) **serious and imminent danger** – threats to the life and health of an employee which may occur unexpectedly, in a short period of time and irrevocably affect the health of the employee;

16) **preventative measures** – an action or measures taken or planned in an undertaking for all stages of work in order to prevent or reduce working environment risks;

17) **undertaking** – an organisational unit where an employer employs employees;

18) **trusted representative** – a person elected by employees who is trained in accordance with the procedure determined by the Cabinet and who represents the interests of employees regarding labour protection; and

19) **special risks** – working environment risks related to such an increased psychological or physical load or such increased risks to the safety and health of an employee which cannot be prevented or reduced up to the permissible level by other labour protection measures, only by reducing the working hours during which the employee is exposed to such risks.

*[16 December 2004; 25 March 2010]*

## **Section 2. Purpose of this Law**

The purpose of this Law is to guarantee and improve safety and health protection of employees at work by determining obligations, rights and mutual relations regarding labour protection between employers, employees and their representatives, as well as State institutions.

## **Section 3. Scope of Application of this Law**

This Law shall be applicable in all fields of employment if other laws do not prescribe otherwise.

## **Section 4. General Principles of Labour Protection**

(1) An employer shall take labour protection measures in accordance with the following general principles of labour protection:

- 1) establishing the working environment in such a way as to avoid working environment risks or to reduce the effect of unavoidable working environment risks;
  - 2) preventing the working environment risks at source;
  - 3) adapting the work to the individual, mainly as regards the choice of design of the workplace, the work equipment, as well as the working and production methods paying special attention to alleviating monotonous work and work at a predetermined work-rate and to reducing negative effect thereof on health;
  - 4) taking into account technical, hygiene and medical progress;
  - 5) replacing the dangerous by the safe or the less dangerous;
  - 6) developing a co-ordinated and comprehensive system of labour protection measures;
  - 7) giving priority to collective labour protection measures in comparison with individual labour protection measures;
  - 8) preventing the effect of the working environment risks on the safety and health of those employees for whom in accordance with regulatory enactments special protection has been determined;
  - 9) performing employee instruction and training in the field of labour protection; and
  - 10) co-operating in the field of labour protection with the employees and the trusted representatives.
- (2) A self-employed person has an obligation to take care of his or her safety and health at work, as well as safety and health of those persons who are affected or may be affected by his or her work.

## **Chapter II**

### **Obligations and Rights of Employers**

#### **Section 5. Organising a Labour Protection System**

(1) In accordance with the general principles of labour protection, an employer has an obligation to organise a labour protection system which includes:

- 1) internal supervision of the working environment, including evaluation of the working environment risks;
- 2) establishment of an organisational structure of the labour protection; and
- 3) consultation with employees in order to involve them in improvement of labour protection.

(2) An employer has an obligation to ensure the functioning of the labour protection system in the undertaking.

(3) Expenditures related to labour protection shall be covered by the employer, as well as in accordance with procedure prescribed by law – from the special budget of occupational accidents.

*[25 March 2010]*

#### **Section 6. Rights of Employers**

When organising labour protection in an undertaking, an employer has the following right:

- 1) in accordance with law, to apply disciplinary sanctions to employees in respect of violations of regulatory enactments regarding labour protection and other provisions regarding labour protection, as well as non-fulfilment of employer requirements regarding labour protection issues;
- 2) to determine additional training related to labour protection issues for the employee who has violated regulatory enactments regarding labour protection or other provisions regarding labour protection if such a violation has not caused risks to the safety and health of other persons by retaining minimum salary to the employee during the training period;
- 3) to apply a method and standards for evaluation of the working environment risks conforming to the technical and economic resources, type of commercial activities and working conditions of the undertaking;
- 4) to determine the guarantees and reliefs for the employees in the field of labour protection in addition to the guarantees and reliefs determined in regulatory enactments;
- 5) to propose to enter into an agreement with employees for determination of labour protection measures, the amount of means necessary and the procedure for utilisation thereof in accordance with requirements of regulatory enactments regarding labour protection; and
- 6) to contest the warnings, orders or decisions of officials of the State Labour Inspectorate in accordance with the procedure specified by law.

## **Section 7. Internal Supervision of the Working Environment**

- (1) An employer shall ensure internal supervision of the working environment in the undertaking.
- (2) An employer shall document the results of the evaluation of the working environment risks and compile a list of the persons or occupations (positions) or workplaces where:
  - 1) health conditions of the employees are affected or may be affected by the working environment factors harmful to health;
  - 2) employees have special conditions at work; and
  - 3) employees perform a work related to special risks.
- (3) The labour protection measures determined by the employer and the protective equipment to be utilised, as well as the results of the assessment of the effectiveness of the labour protection measures shall be specified in the lists. If working conditions are similar, it shall be sufficient to specify summarised information in the referred to documents.
- (4) The Cabinet shall determine the procedure for the performance of internal supervision of the working environment, including evaluation of the working environment risks.

*[16 December 2004; 25 March 2010]*

## **Section 8. Evaluation of the Working Environment Risks**

- (1) An employer shall evaluate the working environment risks in the following order:
  - 1) determining the working environment factors which cause or may cause risks to the safety and health of employees;
  - 2) determining the employees or other persons whose safety and health is subject to working environment risks;

- 3) evaluating the amount and nature of the working environment risks; and
- 4) determining the labour protection measures necessary in order to prevent or reduce the working environment risks.

(2) Evaluation of the working environment risks in an undertaking shall be performed in accordance with each type of activity thereof. If there are similar working conditions, an evaluation of the working environment risks of one workplace or type of work shall be sufficient. The trusted representative or the representative of employees and an employee who is familiar with the relevant workplace shall be involved in the risk evaluation.

(3) When evaluating working environment risks, an employer shall take into account that risks to the safety and health of employees may be caused mainly by:

- 1) the location and design of workplaces;
- 2) the choice and use of work equipment;
- 3) the effect of physical, chemical, psychological, biological, physiological and other working environment factors;
- 4) the choice and use of working and production methods, as well as the organisation of the course of work and working hours;
- 5) insufficient professional preparedness and instruction of employees, also in the field of labour protection; and
- 6) the aggregate of the circumstances referred to in this Paragraph of this Section.

(4) [25 March 2010]

*[16 December 2004; 25 March 2010]*

## **Section 9. Organisational Structure of Labour Protection**

(1) In order to organise the labour protection system determined in Section 5, Paragraph one of this Law, an employer shall, taking into account the number of employees in an undertaking and the type of activities, designate or hire one or several labour protection specialists or establish an organisational unit of labour protection. The procedure for the training of labour protection specialists, labour protection co-ordinators, employers, employees and trusted representatives shall be determined by the Cabinet.

(2) An employer shall grant the labour protection specialist the necessary means and time (within working hours) in order he or she may fulfil his or her obligations. The designation of an employee as a labour protection specialist may not cause him or her unfavourable consequences or restrict in another way his or her right.

(3) If there are not more than 10 employees in an undertaking and the employer has been trained in accordance with the procedure determined by the Cabinet, he or she may himself or herself fulfil the obligations of a labour protection specialist.

(4) If it is not possible to organise the labour protection system according to the provisions determined in Paragraph one of this Section, the employer shall engage a competent authority or a competent specialist in the establishment and maintenance of the system, and a person responsible for labour protection shall be designated in the undertaking. The employer shall inform the competent authority or competent specialist regarding the labour protection measures in the undertaking and workplaces, as well as regarding the working environment factors which cause or may cause risks to the safety and health of employees.

(5) The Cabinet shall determine those types of commercial activities in which an employer shall engage a competent authority, the procedure for the engagement of such an authority, as well as cases where the employer, when performing the referred to commercial activities, may not engage a competent authority. This shall also apply to those employers who perform activities conforming to the referred to types of commercial activities for non-commercial purposes or the needs of their own undertaking.

(6) The Cabinet shall determine the requirements for the competent authorities and competent specialists regarding labour protection issues, as well as the procedure for the evaluation of the competence of such authorities and specialists.

*[20 November 2003; 16 December 2004; 25 March 2010]*

## **Section 10. Consultation, Informing Employees and Participation in Labour Protection**

(1) An employer has an obligation to consult with employees or trusted representatives in the field of labour protection, as well as to ensure that the trusted representatives have an opportunity to participate in the meetings regarding the issues relating to:

- 1) the measures which may affect the safety and health of employees;
- 2) the establishment and activities of the organisational structure of the labour protection;
- 3) the designation of those employees to whom the provision of first aid and taking of measures regarding fire fighting and evacuation of employees has been entrusted;
- 4) the internal supervision of the working environment, and informing of employees regarding labour protection, also in cases, when working with another employer or several employers;
- 5) the planning and organisation of instruction and training in the field of labour protection; and
- 6) other labour protection issues.

(2) An employer shall inform employees and trusted representatives regarding the working environment risks, the overall labour protection measures in the undertaking and those labour protection measures which are directly relating to each workplace and type of work, as well as the measures taken in accordance with the provisions of Section 12, Paragraph two of this Law.

(3) An employer shall ensure that labour protection specialists, trusted representatives and employees have access to the information regarding:

- 1) the results of the evaluation of the working environment risks and the list of occupations (positions) or workplaces referred to in Section 7, Paragraph two of this Law;
- 2) the labour protection measures determined by the employer and the protective equipment to be utilised;
- 3) accidents at work and cases of occupational diseases;
- 4) explanations, opinions and instructions of the State Labour Inspectorate regarding labour protection issues, as well as warnings, orders and decisions of the State Labour Inspectorate relating to the labour protection system in the undertaking; and
- 5) other labour protection issues in the undertaking.

*[16 December 2004]*

## **Section 11. Protection against Serious and Imminent Danger**

(1) An employer shall ensure that:

1) the employees who in accordance with the evaluation of the working environment risks may be exposed to serious and imminent danger at work, are to be informed without delay regarding this danger, as well as regarding the labour protection measures taken or to be taken;

2) workplaces, where employees in accordance with the evaluation of the working environment risks may be exposed to serious and imminent danger during the work, are accessible only to those employees who have been instructed or trained in the field of labour protection, taking into account the specifics of the relevant workplace;

3) in case when safety of employees and other persons is exposed to serious and imminent danger and it is not possible to contact the immediate superior or labour protection specialist, the trusted representative or employer – the employees in accordance with their knowledge and technical means at their disposal are able to take appropriate measures which would allow them avoiding such a danger; and

4) in case of serious and imminent danger the employees are able to stop work and leave the hazardous workplace.

(2) An employer is not entitled to request that employees resume work if the necessary measures to eliminate the danger have not been taken.

## **Section 12. First Aid and Other Emergency Measures**

(1) In an undertaking an employer shall ensure measures that are necessary for provision of first aid, limitation or elimination of the consequences of an accident with dangerous facilities, fire fighting and evacuation of employees and other persons.

The employer shall:

1) ensure contacts with external services, especially with the service providing emergency medical care and carrying out fire-fighting and rescue operations; and

2) designate employees who are trained in provision of first aid and implementation of fire fighting and employee evacuation measures, and ensure that these employees are in sufficient number, adequately trained and supplied with the necessary equipment.

(3) The Cabinet shall determine the procedure for ensuring the training in provision of first aid.

(4) The Cabinet shall determine the minimum of medicinal materials necessary for provision of first aid.

*[16 December 2004]*

## **Section 13. Investigation and Registration of Accidents at Work and Occupational Diseases**

(1) An employer shall ensure investigation of accidents at work and perform registration thereof. The Cabinet shall determine the procedure for the investigation and registration of accidents at work.

(2) The Cabinet shall determine the procedure for the investigation and registration of occupational diseases, the list of occupational diseases, as well as the list of factors causing occupational diseases and of the categories of the use thereof.

*[16 December 2004]*

#### **Section 14. Instruction and Training of Employees and Trusted Representatives**

(1) An employer shall ensure that each employee receives instruction and is trained in the field of labour protection directly relating to his or her workplace and work performance. Such an instruction and training shall be carried out on recruitment, in case of change of the nature of work or working conditions, in case of introduction of a new or in case of change of the previous work equipment, and in case of introduction of a new technology. The instruction and training of employees shall be adapted to changes in working environment risks and shall be repeated periodically.

(2) An employer shall ensure the commencement of additional training for the trusted representatives in the field of labour protection within one month following the election thereof.

(3) The additional training for the trusted representatives in the field of labour protection shall be carried out during working hours. The employer shall cover the expenditures associated with the additional training.

(4) The labour protection instruction and training shall be understandable to employees and suitable for their professional preparedness. The employer shall ascertain that the employee has understood the labour protection instruction and training.

*[16 December 2004; 25 March 2010]*

#### **Section 15. Mandatory Health Examination**

(1) An employer shall ensure mandatory health examination for those employees whose health conditions are affected or may be affected by the working environment factors harmful to health, and for those employees who have special conditions at work. The Cabinet shall determine the procedure for the performance of the mandatory health examination.

(2) The employer shall cover the expenditures associated with the mandatory health examinations of employees.

(3) Expenditures associated with mandatory health examinations prior to commencing the employment legal relationships or legal relations of the State civil service shall be covered by the relevant person from his or her own means or by the employer on the basis of a mutual agreement.

*[20 November 2003]*

#### **Section 16. Co-operation among Several Employers**

(1) If employees from several employers are employed in one workplace, the employers have an obligation to co-operate when taking the labour protection measures. Taking into account the nature of work and working conditions, the employers have an obligation to co-ordinate the labour protection measures to be taken and to inform each other, their employees and trusted representatives regarding the working environment risks, as well as to provide appropriately instruction to employees.

(2) An employer shall take the necessary measures so that the employer of the employees from another undertaking engaged in his or her undertaking receives timely (prior to such an

engagement) information regarding the working environment risks, the overall labour protection measures in the undertaking, and those labour protection measures which are directly relating to each workplace and type of work, as well as the measures taken in accordance with the provisions of Section 12, Paragraph two of this Law.

(3) An employer shall ensure that the employees of another employer engaged in his or her undertaking receive instruction and undergo training in the field of labour protection prior to the commencement of work and during the whole period they are employed in the undertaking.

*[25 March 2010]*

### **Chapter III**

#### **Obligations and Rights of an Employee and Trusted Representative**

##### **Section 17. Obligations of an Employee**

In the field of labour protection, an employee has an obligation to:

- 1) take care of his or her own safety and health and safety and health of those persons who are affected or may be affected by the work of the employee;
- 2) use work equipment, dangerous substances, transport and other means of production in accordance with the documentation determined by regulatory enactments (manufacturer's instructions, safety data sheets regarding chemical substances and chemical products, etc.);
- 3) use collective protective equipment, as well as personal protective equipment given at their disposal in accordance with the documentation determined by regulatory enactments (manufacturer's instructions, safety data sheets regarding chemical substances and chemical products, etc.), and to place the relevant protective equipment following the use thereof in the place provided for it;
- 4) observe safety signs, as well as to use the safety devices by which the work equipment and workplace is supplied with in accordance with the documentation determined by regulatory enactments (manufacturer's instructions, safety data sheets regarding chemical substances and chemical products, etc.), and to refrain from arbitrarily starting, changing or removing the relevant safety devices;
- 5) inform immediately the employer, the immediate superior or the labour protection specialist regarding an accident at work, as well as regarding any working environment factors which cause or may cause risks to the safety and health of persons, also regarding shortcomings in the labour protection system of the undertaking;
- 6) participate in the instruction and training in the field of labour protection organised by the employer;
- 7) co-operate with the employer or labour protection specialist in order to meet the requirements included in the opinions, warnings, orders or decisions of the State Labour Inspectorate regarding the labour protection system of an undertaking;
- 8) co-operate with the employer or labour protection specialist in ensuring a safe working environment and working conditions so that risks to the safety and health of employees are not caused; and
- 9) attend mandatory health examinations in accordance with an order by the employer.

## **Section 18. Right of the Employee to Refuse to Perform Work and to Participate in Labour Protection Measures**

(1) An employee has the right to refuse to perform work if:

- 1) the performance of the relevant work causes or may cause risks to the safety and health of the employee or other persons and these risks cannot be prevented in another way;
- 2) the work equipment to be used or the workplace is not supplied with the necessary safety devices or the employee has not been given at his or her disposal the necessary personal protective equipment;
- 3) the performance of the relevant work is related to the use of such a work equipment that does not conform to the professional preparedness of the employee or the instruction and training in the field of labour protection given by the employer; or
- 4) the warnings, orders or decisions of the State Labour Inspectorate regarding the labour protection organisation in the relevant workplace have not been observed.

(2) In respect of refusal to perform work, the employee shall inform without delay the immediate superior or the labour protection specialist, or the employer.

(3) No unfavourable consequences shall be allowed to occur to employees in respect of the action referred to in this Section and Section 11, Paragraph one, Clause 4 of this Law, except for gross negligence and in cases where the employees have acted in bad faith.

(4) An employee has the right to submit an application to the State Labour Inspectorate if he or she considers that the labour protection measures taken by the employer, as well as the means granted and used are insufficient to ensure safety and health protection of employees at work.

(5) In order to determine the labour protection measures, the amount of the necessary means thereof and the procedure for the utilisation thereof in accordance with the requirements of regulatory enactments regarding labour protection, the employees or the representatives of employees may propose to enter into an agreement between the employer and the employees.

*[25 March 2010]*

## **Section 19. Right of an Employee to a Compensation upon Termination of Work or Civil Service Relations Due to a Safety and Health Hazard at Work**

If an employee unilaterally terminates employment legal relationships or relations of the civil service due to the fact that the employer does not take all the necessary labour protection measures and the safety and health of the employee are exposed to substantial danger at work, and it is confirmed by an opinion by the State Labour Inspectorate, the employer has an obligation to pay the employee a compensation which is not less than six months average earnings.

*[25 March 2010]*

## **Section 20. Representation of Employees in the Field of Labour Protection**

(1) In an undertaking or a unit thereof where five or more employees are employed, these employees or their representatives, taking into account the number of employees, the nature of the work of the undertaking and the working environment risks, may elect one or more trusted representatives. The election of an employee as a trusted representative may not cause him or her

unfavourable consequences or restrict in other way his or her right.

(2) If at least two trusted representatives are elected in an undertaking or a unit thereof, they shall elect a principal trusted representative among themselves. If at least 10 trusted representatives are elected in an undertaking, they shall establish a trusted representative committee which shall coordinate the work of the trusted representatives.

(3) An employer shall ensure the necessary means to the trusted representatives, as well as grant them the time during working hours for fulfilment of the obligations of the trusted representatives determined in the collective agreement or another written agreement between the employer and the employees in order the trusted representative may exercise his or her right and fulfil his or her obligations, in the field of labour protection. The employer shall pay the trusted representative average earnings for this time.

(4) [25 March 2010]

(5) The Cabinet shall determine the procedure for the election and activities of the trusted representatives, taking into account the number of employees, the nature of the work of the undertaking and the working environment risks.

*[16 December 2004; 25 March 2010]*

## **Section 21. Participation of a Trusted Representative in the Internal Supervision of the Working Environment**

(1) A trusted representative shall participate in the performance of the internal supervision of the working environment, including participate in the evaluation of the working environment risks, planning of the labour protection measures, investigation of accidents at work and cases of occupational diseases, putting into service of production facilities and objects and conformity assessment of work equipment, as well as co-operate with the employer and the labour protection specialist in improvement of the working conditions in the undertaking.

(2) When representing the interests of employees in the field of labour protection, a trusted representative has the right:

1) to express freely both justified opinion of employees and his or her own opinion regarding the labour protection system of the undertaking, including the internal supervision of the working environment;

2) to receive from the employer information related to the labour protection system in the undertaking and that is necessary for the fulfilment of the obligations of the trusted representative;

3) to access workplaces according to the procedure determined in the undertaking;

4) to propose that the employer performs measurements of the working environment risk factors if complaints from employees have been received regarding working environment risk factors harmful to health;

5) to propose to perform a repeated evaluation of the working environment risks at the workplaces where an accident has occurred or serious and imminent threats to the life and health of an employee have arisen;

6) to request that the employer takes labour protection measures and to make proposals the implementation of which would prevent or reduce the risks to the safety and health of employees;

7) to propose that the employer enters into an agreement with employees regarding the determination of labour protection measures, the means necessary thereto and the procedure for the use thereof in accordance with the requirements of the regulatory enactments regarding labour protection, as well as to participate in negotiations regarding the conditions of a collective agreement and amendments in the field of labour protection; and

8) to participate in inspections of workplaces together with officials of the State Labour

Inspectorate.

*[25 March 2010]*

## **Section 22. Reliefs**

Those employees for whom in accordance with regulatory enactments special protection has been determined (persons up to 18 years of age, pregnant women, women in the post-natal period, disabled persons, and employees included in the lists referred to in Section 7, Paragraph two of this Law), in compliance with the evaluation of the working environment risks, as well as a physician's opinion, have the right to supplementary reliefs determined by an employer.

## **Chapter IV**

### **Competence of the State and Local Governments in the Field of Labour Protection**

#### **Section 23. State Policy in the Field of Labour Protection**

(1) State policy in the field of labour protection shall be oriented towards the implementation of preventative measures and based on:

- 1) the priority of the safety and health protection of an employee;
- 2) the co-operation of the State, local governments, employer organisations and employees' trade unions in labour protection issues;
- 3) the co-ordination of labour protection issues with other economic and social issues;
- 4) the results of scientific research in the field of labour protection;
- 5) State participation in the financing of labour protection measures;
- 6) safe technological process and encouragement of the design, production and purchase of work equipment and collective and personal protective equipment;
- 7) training in the field of labour protection at the educational institutions;
- 8) the State supervision and control in the field of labour protection;
- 9) the social protection of employees in relation to accidents at work and occupational diseases;
- 10) the requirements of the European Union and the International Labour Organisation; and
- 11) international co-operation in the field of labour protection.

(2) Implementation of labour protection measures in the institutions financed from the State budget shall be ensured within the scope of the means determined in the annual State budget law.

*[25 March 2010]*

#### **Section 24. State Administration in the Field of Labour Protection**

(1) State administration in the field of labour protection shall be implemented by the Cabinet and on its delegation – the Ministry of Welfare.

(2) The Ministry of Welfare shall:

- 1) formulate State policy in the field of labour protection and co-ordinate the implementation thereof;
- 2) co-ordinate the activities of the State administrative institutions in labour protection issues;
- 3) monitor the activities of the State Labour Inspectorate;
- 4) develop and co-ordinate national programmes in the field of labour protection in the National Trilateral Co-operation Council;
- 5) develop and co-ordinate regulatory enactments regarding labour protection in the National Trilateral Co-operation Council;
- 6) co-ordinate the inclusion of labour protection issues in international agreements; and
- 7) determine the State statistics registration and statistical reporting system in the field of labour protection following the co-ordination with the Central Statistical Bureau.

(3) The Ministry of Education and Science shall, in accordance with the procedure prescribed by law, develop samples of preparatory programmes (except for the study programmes) and samples of training programmes in the field of labour protection for the labour protection specialists and trusted representatives.

(4) State administrative institutions shall, in accordance with their field of activities, develop draft regulatory enactments regarding labour protection to be issued by the Cabinet.

## **Section 25. Authorisation for the Cabinet to Issue Regulations regarding Labour Protection**

The Cabinet shall issue regulations regarding labour protection requirements:

- 1) at workplaces;
- 2) when using work equipment;
- 3) when using personal protective equipment;
- 4) when working with a display;
- 5) when moving heavy loads;
- 6) when performing construction works;
- 7) in the use of safety signs;
- 8) in the extraction of mineral resources, by drilling;
- 9) in the extraction of surface and underground mineral resources;
- 10) in the work on fishing vessels;
- 11) in the contact with chemical substances;
- 12) in the contact with biological substances;
- 13) in relation to the level of noise at work;
- 14) in the work with asbestos;
- 15) in relation to medical care on ships;
- 16) in the contact with carcinogenic substances;
- 17) when working on heights;

18) in relation to other requirements regulated by European Union directives on labour protection; and

19) when performing the work in forestry.

[16 December 2004]

## **Chapter V**

### **Supervision, Control and Liability in the Field of Labour Protection**

#### **Section 26. State Supervision and Control in the Field of Labour Protection**

State supervision and control in the field of labour protection shall be performed by the State Labour Inspectorate and other institutions authorised by regulatory enactments in compliance with their competence.

#### **Section 27. Liability of an Employer and Other Persons**

(1) An employer is liable for the safety and health of employees at work.

(2) The liability of the employer shall not be limited by the obligations of employees and competent authorities or competent specialists in the field of labour protection.

(3) Within the scope of their competence, an employer's – the legal person – supervising body or executive body, a person who is especially authorised to represent a partnership, and other persons authorised according to the procedure determined in regulatory enactments shall also be liable for the safety and health of employees at work.

#### **Section 28. Liability for Violations of the Law**

Persons at fault for violations of regulatory enactments regarding labour protection shall be held liable as prescribed by law.

### **Transitional Provisions**

1. With the coming into force of this Law, the Law On Labour Protection (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1993, No 20; *Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1995, No 8) is repealed;

2. The Cabinet shall issue the regulations referred to in Sections 7, 8, 9, 12, 13, 15, 20 and 25 of this Law by 30 June 2002.

3. Until the day of the coming into force of the new Cabinet regulations, but not later than until 30 June 2002, the following Cabinet regulations shall be applicable:

- 1) Cabinet Regulation No. 153 of 3 April 2001, Regulations on Protection of Safety and Health at Work when Working with a Display Screen and Setting up a Workstation;
- 2) Cabinet Regulation No. 72 of 13 February 2001, Requirements for Safety and Health Protection at Work in Working with Chemical Substances and Chemical Products in the Workplace;
- 3) Cabinet Regulation No. 318 of 19 September 2000, On the Requirements Regarding the Organising of Work Safety and Health Protection and the Equipping of Workplaces at Construction Sites;
- 4) Cabinet Regulation No. 167 of 2 May 2000, Procedures for the Investigation and Registration of Accidents Occurring to Employees of Institutions of the Ministry of the Interior;
- 5) Cabinet Regulation No. 159 of 25 April 2000, Use of Personal Protective Equipment at Work;
- 6) Cabinet Regulation No. 44 of 8 February 2000, Minimum Requirements for Safety at Work and Protection of Health when Using Work Equipment;
- 7) Cabinet Regulation No. 270 of 3 August 1999, Regulations regarding Work Safety and Health Protection Requirements when Moving Heavy Loads;
- 8) Cabinet Regulation No. 470 of 22 December 1998, Procedures for the Investigation and Registration of Accidents at Work;
- 9) Cabinet Regulation No. 317 of 25 August 1998, Regulations regarding Work Safety and Health Protection of Employees in Work with Asbestos;
- 10) Cabinet Regulation No, 318 of 25 August 1998, Requirements for Use of Safety Signs in Workplaces;
- 11) Cabinet Regulation No. 201 of 4 October 1994, On Amendments to Cabinet Regulation No. 53 of 22 February 1994, On Procedures for the Formulation and Approval of Regulatory Enactments on Technical Supervision of Labour Protection, Safety Equipment and Dangerous Installations; and
- 12) Cabinet Regulation No. 53 of 22 February 1994, On Procedures for the Formulation and Approval of Regulatory Enactments on Technical Supervision of Labour Protection, Safety Equipment and Dangerous Installations.

4. Until 31 December 2002 the Cabinet shall develop the following regulations regarding:

- 1) work safety and health protection requirements for work on fishing vessels;
- 2) work safety and health protection requirements in relation to medical care on ships; and
- 3) safety and health protection of employees at the work in an explosive environment.

5. Until 1 March 2002 the Ministry of Education and Science shall develop samples of the programmes referred to in Section 24, Paragraph three of this Law.

6. The Ministry of Health shall develop and the Cabinet shall, by 30 June 2005, issue the regulations referred to in Section 12, Paragraph four of this Law.

*[16 December 2004]*

7. The Ministry of Welfare shall develop and the Cabinet shall issue the regulations referred to in Section 13 of this Law. Until the day of the coming into force thereof, but not later than until 30 June 2005, Cabinet Regulation No. 293 of 9 July 2002, Procedures for Investigation and

Registration of Accidents at Work shall be applied insofar as they are not in contradiction with this Law.

*[16 December 2004]*

8. Until the day of the coming into force of the relevant Cabinet regulations, but not longer than six months starting from the day when the new wording of Section 9, Paragraph one of this Law came into force, Cabinet Regulation No. 323 of 17 June 2003, *Regulations Regarding Training in Labour Protection Matters*, shall be applied insofar as it is not in contradiction with this Law.

*[25 March 2010]*

### **Informative Reference to European Union Directive**

This Law contains legal norms arising from **Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work.**

This Law shall come into force on 1 January 2002.

This Law has been adopted by the *Saeima* on 20 June 2001.

President

V.Vīķe-Freiberga

Rīga, 6 July 2001