

MINISTRY OF PUBLIC HEALTH OF UKRAINE
NATIONAL O.O. BOGOMOLETS MEDICAL UNIVERSITY

“Approved”

At the methodological conference

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« ____ » _____ 2014

INSTRUCTIONS
FOR STUDENTS

<i>Course</i>	Occupational health and safety for healthcare workers
<i>Module 1</i>	Occupational health and safety for healthcare workers
<i>Module 2</i>	Special safety issues in the healthcare industry
<i>Topic of the lesson</i>	Introduction to labor law and health and safety management
<i>Year</i>	V-IV
<i>Faculty</i>	№1-4 Medical faculty on training Doctors for the Armed Forces of Ukraine (FTDAFU), stomatology, and medical psychology

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1. Introduction

Occupational health and safety (OHS)—is a cross-disciplinary area concerned with protecting the safety, health and welfare of people engaged in work or employment. The goals of occupational safety and health programs are meant to foster a safe and healthy work environment. OHS regulations and various legal requirements are implemented in order to ensure occupational safety. Their purpose is to regulate the relationship between the employer and the employees.

Nevertheless, having such regulations in place does not guarantee the fulfillment of all requirements for medical and pharmaceutical workers. There is a number of organizational questions that have to be addressed, which is only made possible by implementing a smart management system in the field of occupational health.

2. Objectives

1. Define and explain the norms and regulations concerning the health and safety of medical and pharmaceutical workers.

2. Describe the management structure of health and safety for medical and pharmaceutical workers.

3. Become familiar with the basic means of ensuring occupational safety for medical and pharmaceutical workers.

4. The State Committee on Occupational Health and Safety of Ukraine controlled by the Ministry of Health.

5. The State Committee on Occupational Health of medical and pharmaceutical workers.

6. Training of medical and pharmaceutical workers in workplace safety.

3. Basic training

Prerequisite subject	Skills
Human anatomy	Use the knowledge of human body structure
Medical chemistry	Use the knowledge of physicochemical laws that are the basis of life activity of the human organism
Medical and physical biology	Understand the patterns of vital functions of the human organism at the molecular, biological, and cellular levels
Human physiology	Analyze the level of health and productivity of an individual based on various physiological criteria. Evaluate physiological functions of the human organism, its systems and organs

4. Self-study assignments

4.1. Basic terms and definitions

Life Safety (LS)	Scientific and practical discipline which studies general origination patterns of hazards, their qualities, consequences of their influences on a human, the basics of protection of human health and the environment from dangers, as well as development and implementation of certain means and tools used to create and maintain safe living working conditions for humans both at home and at work
Occupational Safety Regulations	The requirements for establishing and maintaining a safe and healthy working environment which will facilitate optimal physical and mental health in relation to work
Legal Act	An official document which establishes common regulations (norms)
Health and Safety Legal Acts (HSLA)	Rules, norms, regulations, statements, standards, instructions, and other mandatory occupational safety documents
Legal and Technical Documentation	Standards, technical regulations and other documents regarding work methodology and technological processes (to include requirements as to occupational life safety and agreed to by the corresponding government agency)
Occupational Safety Departmental Documents	Documents which are developed based on Occupational Health and Safety Legal Acts in order to clarify their particular requirements in a certain field.

4.2. Questions in theory:

1. Occupational Safety Regulations of Ukraine.
2. Basic laws about Occupational Safety.
3. Basic regulations of Ukraine's law on "Occupational Safety".
4. State Division of Occupational Safety and Health and Occupational Safety and Healthcare Organization in the Ministry of Health of Ukraine.
5. State Inspection and Public Control of Occupational Safety in the medical and pharmaceutical fields.
6. Employee training in Occupational Safety.

4.3 Practical work.

1. Review notes and references and note in the protocol:
 - a) Provide definitions of Ukraine's Occupational Safety Laws
 - b) Basic laws which reflect Occupational Safety regulations and Ukraine's Constitution clauses which are the basis for the Occupational Safety Laws
 - c) International Occupational Safety and Health documents
 - d) Main provisions in the Ukraine's Occupational Safety and Health Law.
 - e) Basic political principals in the field of Occupational Safety and Health.
 - f) State Inspection and Public Control of Occupational Safety Decree №151 (June 08, 2004) which confirms the HSLA Registry. Numerical values assigned to different HSLA and those, not included in the Registry.

- g) The structure of State Division of Occupational Safety and its main functions and objectives
- h) all types of Occupational Safety and Health controls
- i) training in Occupational Safety and Health.

5. Practical lesson content

State policy in the field of Occupational Safety and Health.

State policy in the field of Occupational Safety and Health is regulated by the Supreme Council of Ukraine according to Article 43 of the Constitution of Ukraine and its purpose is to create appropriate, safe, and healthy environment which would prevent accidents in the workplace.

Jurisdiction of Occupational Safety and Health requirements

Compliance with the OSH requirements is mandatory in all factories, companies, and organizations regardless of their ownership and business status, as well as to all working citizens. Both the employer and the employee are equally responsible and liable for incompliance with the OSH requirements.

Ukraine's Occupational Safety Laws – is a system of interdependent laws and regulations in the field of Occupational Safety and Health. It is a set of laws of Ukraine and specific regulations based on these laws.

Basic laws which reflect OSH regulations are:

- The Constitution of Ukraine
- The Labor Code of Ukraine
- Occupational safety Law of Ukraine
- Employment Laws
- Mandatory state and social insurance against the loss of ability due to an accident in the workplace
- Labor unions and their rights and guarantees.
- The principles of OSH Laws
- “On sanitary and epidemiological welfare of the population”;
- “On protection of population and territories from emergency situations of technogenic and natural origin”;
- “On fire safety” , and others.

International and European documents on OHS

- United Nations (UN): Universal Declaration of Human Rights, the Covenants, Conventions, Declarations.
- International Labor Organization (ILO): conventions and recommendations.
- World Health Organization (WHO): conventions
- Council of Europe (CoE): conventions, charters.
- European Union (EU): charters, constitution.
- Occupational Safety and Health (OSHA): rules, regulations, and orders

The principles underlying public policy in the field of labor protection

- Priority of employee's life and health, employer's responsibility to create appropriate safe and health working conditions
- Improve industrial safety by providing continuous technical control of production, technologies and products, as well as assist enterprises in creating safe and harmless working conditions;
- Create complex solutions to the main tasks of labor protection based on national, sectoral and regional programs on this issue and consider other areas of economic and social policy, advances in science and technology and environmental protection.
- Social protection of employees in their workplace, full compensation for people who have suffered from accidents and occupational diseases;
- Establish common requirements for labor protection for all enterprises and entrepreneurs regardless of their type of ownership and activities;
- adaptation of work processes to the employee capabilities considering his or her health and mental condition;
- use economic methods of labor protection management, government involvement in the financing of measures to ensure safety, attract voluntary contributions and other legal receipts for these purposes;
- raise public awareness, provide training within organizations, professional training of employees in safety;
- coordinate public authorities, institutions, organizations and associations that solve the problems of healthcare, hygiene and safety, as well as cooperate with and consult employers and employees (or their representatives), and all social groups in changes in labor laws and regulations at local and national levels;
- use world experience to organize the workplace and improve working conditions and ensure occupational safety through international cooperation.

National register of labor laws and regulations

According to the Resolution of CMU № 64 as of 27.01.93, the first register of inter sectoral and sectoral state normative legal regulations on labor protection (SNLRLP, "State normative legal acts on labor protection") was established. The register contained 2631 normative acts, including 234 inter-sectoral and 2014 sectoral ones, 344 state labor protection standards (SLPS) and 39 state standards of Ukraine (SSU). The registry was also introduced as 697 rules, 94 norms, 200 regulations and statutes, 327 instructions, 162 guidelines, requirements, 75 technical specifications (TS), 49 lists and other normative documents.

In 2004 this register was revised and became known as the State Register of Legal Acts on Labor protection (Order of State supervision commission of

labor protection of Ukraine № 151 as of 08.06.2004). It consists of about 1200 documents on labor protection. The Regulations approved by the relevant supervisory authorities were added recently, formal amendments have been made.

SLPS (State Labor Protection Standards), SSU (State Standards of Ukraine), SSRR (State Sanitarian Rules and Regulations), SNLRLP instructions were not included. State Consumption Standard and relevant sectoral Ministries became responsible for them.

Designation system (coding) SNLRLP

The purpose of coding SNLRLP is to systematize the accounting of these documents, to create the necessary conditions for efficient storage and use of information about these regulations, make them easy for processing using personal computers.

Designation structure

SNLRLP XX. X – X.. XX – XX
(i) (ii) (iii) (iv) (v)

- (i) Acronym of SNLRLP
- (ii) Type of economic activity according to Table 1
- (iii) Legal act
- (iv) Serial number within a given species
- (v) Year of approval

Serial number within the species is determined according to the Register.

Types of SNLRLP (in unified form for the same application) have the following numeral designation:

- rules - 1
- lists - 2
- standards - 3
- principle - 4
- instructions - 5
- orders - 6
- others – 7

Type of economic activity (group, class) is set according to DK 009:2005 "National qualifier of Ukraine. Classification of economic activities". According to this classifier activity in the field of healthcare have a numeral designation - 85.1. If the legal act refers to all or some types of economic activity, the code 0.00 is written.

Table 1

National Labor Codes
Based on the type of economic activity (NLTCEA)
(JK 009-2005)

Type of economic activity	NLTCEA (group, class)
Food industry	15.0
Meat industry	15.1
Fish industry	15.2
Vegetable and fruit processing	15.3
Fat industry	15.4
Dairy industry	15.5
Grain processing, production of flour, cereals, starch	15.6
Animal food industry	15.7
Bread, sugar, and baked product production	15.8
Beverage industry (alcohol and non-alcohol)	15.9
Tobacco industry	16.0
Fur and clothing industry	18.0
Leather clothing industry	18.1
Textile clothing industry	18.2
Fur industry	18.3
Footware and leather industry	19.0
Leather processing	19.1
Leather products	19.2
Leather footware	19.3
Manufacture of paper and cardboard	21.0
Manufacture of paper mass	21.1
Printing	22.2
Chemical industry	24.0
Manufacture of basic chemicals	24.1
Manufacture of agrochemical products	24.2
Pharmaceutical industry	24.4
Production of explosive substances, glue, gelatin, ether oil, phototape, audio and video devices	24.6
Production of artificial and synthetic fibers	24.7
Manufacture of rubber and plastic products	25.0
Manufacture of ceramic products	26.2
Manufacture of cement, plaster, lime	26.5
Machinery and equipment manufacturing	29.0

Manufacture of other machinery	29.2
Other household equipment manufacturing	29.7
Office equipment and computer manufacturing	30.0
Electical controllers production	31.3
Lighting fixtures manufacturing	31.6
Medical equipment and instruments manufacturing, precision measurement devices and clock manufacturing	33.0
Automobile manufacturing	34.0
Aircraft and spacecraft manufacturing	35.3
Furniture production	36.1
Jewelry production	36.2
Manufacture of sports goods	36.4
Heat production and distribution	40.3
Collection, filtering, distribution of water	41.0
Construction	45.2
Transport goods trade and repair	50.0
Railway transport	60.1
Air transport	62.0
Water transport	61.0
Aviation transport	62.0
Research in science and technology	73.1
Architecture, design, construction, geology, geodesy, hydrometeorology	74.2
Education	80.0
Higher Education	80.3
Healthcare	85.1
Entertainment and recreation	92.7

State regulation of occupational safety

According to Article 38 of the Law of Ukraine “On State Occupational Safety” control over execution of State Laws and other normative documents on occupational safety is performed by:

- The State Committee of Ukraine on Occupational Health and Safety, State Mining Committee and State Control of Managing Explosive Materials for Industrial Purposes, the activity of which is directed and coordinated by the Cabinet of Ministers of Ukraine;
- State Nuclear Regulation Committee of Ukraine, the activity of which is directed and coordinated by the Cabinet of Ministers of Ukraine);
- State Department of Fire Safety is a state organ of authorities within the Ministry of Emergencies and Population Protection against the Consequences of the Chernobyl Catastrophe (Ministry of Emergencies of Ukraine);

- State Sanitary and Epidemiological Service– state executive body which provides for the state sanitary and epidemiological supervision and control of compliance with the sanitary laws, analysis and estimation of health and life risks, foundation of activities for risk management, epidemiologic expertise, examination, laboratory and instrumental tests, trials and sanitary, hygienic, toxicological, epidemiological and other evaluations of human environment, studies, estimates and predicts people’s health data depending on the environment; detects factors of negative influence on human health; analyzes the sanitary and epidemiological situation.
- State Mining Committee promotes the development of occupational culture through complex management of occupational safety and monitoring its efficacy on various stages by use of state supervision of occupational safety conditions. It coordinates the activity of:
 - Ministries and other central bodies of executive power, the Council of Ministers of the Crimea Autonomic Republic;
 - Local state administrations;
 - State self governing bodies;
 - Institutions and other subjects of household management in occupation safety, occupational hygiene, etc;

The main functions of occupational safety management

- Prognosis and planning of activities and their financing;
- Organization and coordination of activities;
- Calculation of the coefficients of occupational hygiene and safety;
- Analysis and estimation of the coefficients of working conditions;
- Control activities of industrial management bodies to ensure safe, healthy and productive working conditions.

The Industrial Health and Safety Management System (IHSMS) was created to manage occupational risks of professional activities and prevent possible negative consequences.

The regulations of the System and official regulations based on occupation type define general and definite rights and obligations of each worker, and his/her rights within the labor legislation;

The IHS management system of the enterprise, ratified by the employer, includes the structure and objectives of IHSMS and determines the frequency of internal and external inspections, responsibilities and duties of inspections, employers and employees.

The structure and goals of the system, an order of interaction of its structural departments, terms and periods of internal monitoring, responsibilities of the authorities and structural departments, as well as its workers are described in the Regulations of the system of Occupational Safety and Protection management at enterprise level which is approved by an order of the employer;

IHSMS at enterprise level is a part of the General system of occupational safety at the sectoral, regional and state levels. Meeting all the compliance requirements is obligatory for all employees of the enterprise.

According to Article 13 of the Law of Ukraine “On Occupational Safety”, an employer has to provide the working conditions in each department as specified in the state standard acts, as well as provide for the employees’ rights according to the Laws;

Therefore, the IHSMS has the following functions:

- Organizes appropriate bodies and appoints the appropriate person to be responsible for certain questions of occupational safety, approves the instructions on their obligations, rights and responsibilities for performing their functions and controls them; (The Order of the State Committee of Ukraine on the Occupational Safety Supervision “On approving the typical regulations on the Occupational Safety Service” of 01.2004 # 1526/10125);
- Completes the project of collective treaty with participation of the sides, after the treaty is approved by the general meeting (conference) of the collective body, and signed by the authorized representatives, provides for the complex measures to reach the documented standards and increase the existing level of workplace safety.

The collective treaty is signed between the employer and an authorized organ or a trade union or another authorized body representing the employees’ interests. In case when such body is absent, the employees may elect and authorize representatives.

The collective treaty is concluded in accordance with the Law of Ukraine “On Collective Treaties” as of 01.07.1993 №3356-XII, according to the adopted by the sides obligations to provide for the regulation of occupational relations and social and economic interests of employers and workers.

According to Article 20 of the Law of Ukraine “On Occupational Safety” in the collective treaty the workers are guaranteed social protection under the existing legislation. It also states the obligations of the employer and describes comprehensive measures which help to ensure the necessary safety standards, occupational hygiene, increase the existing level of occupational safety, prevent occupational traumas, accidents and fires, define the amount and source of financing.

In cases when it is impossible to eliminate the hazard in the workplace or it is impossible to reduce the risk sufficiently enough, the set of measures should also include such guarantees for the employees by the employer as compensation and benefits, which may not be provided by legislation (changes in organizing the production, workplace conditions, decreased working hours, additional bonuses, the required means of collective and individual protection, sanitary workplace conditions, increased wages, etc.)

The provisions of the collective treaty refer to all employees of the enterprise, regardless of their membership status in the trade union and are obligatory both for the employer and employees.

Industrial Health and Safety

For enterprises with **50 and more employees** the employer must have the Occupational Safety Protection Service according to the typical regulations approved by the State Mining Committee;

For enterprises with **20 to 50 employees**, control may be carried out by an employee of the enterprise with the appropriate education;

For enterprises with **20 and less employees** the employer may hire a contractor from another organization having appropriate education;

OHS planning

Future- it includes the most difficult to implement and long-term measures of occupational safety mainly by having a comprehensive plan on how to improve occupational safety;

Current- it is performed within a calendar year by the implementing appropriate measures of the “Occupational Health and Safety” in the collective treaty;

Operative - controlling occupational safety management system in the structural departments and the enterprise as a whole to eliminate the flaws in existing safety conditions;

State supervision, departmental and public control of OHS in the enterprise

The state supervision over observing the rules and other normative standards of OHS is implemented in accordance with the law “On occupational safety” by:

- An authorized central executive body on OHS;
- An authorized executive body on radiation safety;
- An authorized executive body on fire safety;
- An authorized executive body on occupational hygiene;

The departmental control is performed by the authorities of the enterprise and the higher economical organizations. The control is implemented through the appropriate services of occupational safety.

The community (public) control over observing labor legislation is performed by trade unions and unions with representatives and elected bodies.

Trade unions make sure that:

- a) the labor laws are observed;
- b) safe, sanitary and hygienic conditions are created;
- c) the workers are equipped with special overalls, protective shoes and other personal protection equipment (PPE).

In case if there is any danger to the workers' health, trade unions may require from the employer immediate cessation of works until life and health threatening hazards are eliminated.

Training workers in OHS and checking their knowledge.

Throughout the working process workers must be instructed on the following (at the employer's expense)

- Occupational safety;
- Rendering the first aid to the victims in case of accidents;
- First aid to the victims in case of emergencies;

7. Test yourself

1. Describe the way implements the complex management of the occupational safety and checks its effectiveness on various levels;
2. Describe the notion of System of Occupational Safety and Protection management on the enterprises.
3. Describe the main types of supervising the occupational safety on the enterprise.
4. What are the documents regulating the occupational safety, which aren't registered in the State system of Occupational safety and protection?

7. References

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