

MINISTRY OF LABOUR

MINISTERIAL ORDER NO.(8) OF 2013 WITH RESPECT TO REGULATING OCCUPATIONAL SAFETY AND HEALTH IN ESTABLISHMENTS

The Minister of Labour,

Having reviewed the Social Insurance Law promulgated by Legislative Decree No.(24) of 1976, as amended,

And Law No.(25) of 2009 with respect to approving the Accession of the Kingdom of Bahrain to the Convention of the International Labour Organisation No.(155) of 1981 concerning Occupational Safety and Health and the Working Environment,

And the Labour Law for the Private Sector Promulgated by Law No.(36) of 2012,

And Decree No.(2) of 1994 with respect to the Accession of the State of Bahrain to the Arab Agreement No.(7) of 1977 and Arab Recommendation No.(7) of 1977 with respect to Occupational Safety and Health Committee,

And Order of the Minister of Labour No.(6) of 2006 with respect to Occupational Safety in Establishments,

And Order of the Minister of Labour No.(29) of 2007 with respect to Organisation and Powers of the Supreme Occupational Safety and Health,

And upon the submission of the Undersecretary of the Ministry of Labour,

HEREBY ORDERS THE FOLLOWING:

Article 1

CHAPTER ONE

DEFINITIONS AND ENFORCEMENT

In the application of the provisions of this Order, the following terms and expressions shall have the meanings assigned against each unless the context otherwise requires:

OCCUPATIONAL SAFETY AND HEALTH: Protection of workers from immediate health hazard effects that may result in hazards related to work and/or long term environment or conditions thereof that ensures the workers' proper enjoyment of physical, mental and social health.

WORK ENVIRONMENT:	It means the technical, material, environmental, biological and social content of all workplaces that forms part of the general environment.
WORK ENVIRONMENT'S HAZARDS:	means work conditions, circumstances or practices that may constitute hazards affecting the workers' health or work environment components due to exposure to different working environments.
HAZARDS:	means potential to cause injury or damage to persons' safety and health.
HAZARDS EVALUATION:	means an organised process to study and analyse hazards.
OCCUPATIONAL SAFETY & HEALTH POLICY:	means a document that outlines the establishment's objectives towards occupational safety & health and also outlines the required responsibilities, powers and arrangements to fulfil such objectives.
ESTABLISHMENT:	means any site or premises in which the work is undertaken whether such work is industrial, vocational, agricultural, service or such other work.
BRANCH:	means every separate location in which one of the establishment's activities is carried on.
WORKPLACE:	means the material space where workers are present therein or head thereto to undertake their work under the employer's supervision.
MANAGER IN-CHARGE:	means an employer who personally undertakes the running of his establishment, his representative or whoever assumes the actual manager's

powers, or the manager in charge of running the business in case of a branch.

OCCUPATIONAL HEALTH & SAFETY COMMITTEE:

means the Committee formed in accordance with Article (23) of this Order.

OCCUPATIONAL & HEALTH OFFICER:

means a person working in various economic establishments to carry out duties provided for in Article (32) of this Order.

HIGHLY HAZARDOUS ESTABLISHMENTS:

mean the establishments that undertake any of the activities indicated in Schedule No.(1) to this Order.

MEDIUM HAZARDOUS ESTABLISHMENTS:

mean the establishments that undertake any of the activities indicated in Schedule No.(2) to this Order.

WORK INJURY:

means suffering one of the occupational diseases indicated in Table No.(3) attached to the Social Insurance Law promulgated by Legislative Decree No.(24) of 1976, injury resulting from an accident experienced by a worker during the performing of his duties or as a result therefrom. Any accident that happens to a worker while bound directly to work or return therefrom, while bound from his workplace to the place where he eats his food at the place of work shall be considered an employment accident, provided always, the going and returning are non-stop, lagging behind or deviation from the normal route together with his movements undertaken according to the employer's instructions or while travelling upon the employer's instruction or these of whoever acts on his behalf instructions.

SERIOUS ACCIDENTS:

means accidents that leads to serious injuries and includes:

1. Any fracture with the exception of fractures of fingers or toes.

2. Complete loss of any organ, part of the body organs or functions.
3. Dislocation of the shoulder, hip, knee or the displacement of one or more of the vertebrae.
4. Temporary or permanent loss of vision.
5. Any eye injury that requires medical treatment and medical follow up.
6. Injuries resulting from electric shocks, shock, suffocation or heat exhaustion which require hospitalisation an injured person in hospital for more than 24 hours.
7. Third degree burns.
8. Any injury that requires admitting an injured worker hospitalisation for more than 24 hours.

Article 2

The provisions of this Order shall be applicable to the following categories:

1. Employers, an employer shall be considered as every self-employed person.
2. Workers subject to the provisions of the Labour Law for the Private Sector.

The provisions of Chapter Three of this Order shall be applicable to high and medium risk establishments as defined in Article (17) of this Order.

The provisions of Articles (20 & 21) shall be applicable to High and Medium Hazards Establishments as defined in Article (17) of this Order which employ 500 workers or more.

CHAPTER TWO GENERAL RESPONSIBILITIES EMPLOYER'S RESPONSIBILITIES

Article 3

An employer shall take the necessary precautions to protect his workers from work environment hazards during working hours and shall meet all the legal requirements in the occupational safety and health particularly the following:

1. To provide and maintain safe working equipment which do not constitute a hazard to the workers' safety and health.
2. To ensure safety in the use, lifting, transporting or storing goods or materials so that they do not constitute a hazard to workers' safety and health.
3. To educate workers about the hazards of their job and the preventative methods to be observed.
4. To provide proper training to all his workers each in his respective occupation.
5. To provide suitable and proper supervision to all operations carried out by the establishment.
6. To provide the necessary information and directives for all workers in all workplaces provided they shall be written in Arabic in addition to other languages understood by the workers to ensure preserving their safety and health.
7. To ensure the safety of the workplaces and its access thereto to become safe to carry out the work and free of hazards.
8. To maintain a safe work environment and proper health facilities.
9. To maintain personal protective equipment which are appropriate for the nature of work.
10. To maintain first aid services requirements and medical intervention in urgent and immediate cases at the workplaces.

Article 4

An employer shall not charge workers nor deduct any money from their wages towards providing them with protective facilities and personal protection equipment against work hazards and threats.

Article 5

A worker shall not be assigned with any occupational activity that poses an obvious threat or risk forming an immediate threat to his health, life, his or others safety, unless the following conditions are fulfilled:

1. Proper Physical, mental and psychological fitness to carry out such activity.
2. Knowledge, training and the qualifying occupational expertise to safely perform such activity.
3. Sufficient preventative awareness and training to implement the specific protection standards and procedures of his job.

Article 6

An employer shall adopt the necessary procedures and precautions to protect persons present at the workplace or close to his workplace and workers of other establishments.

OBLIGATION TO EVALUATE WORK ENVIRONMENT HAZARDS

Article 7

Every employer shall properly and effectively evaluate hazards that threaten the safety and health of his workers or persons present at the workplace or close thereto and any evaluation that was previously conducted should be regularly reviewed in the following cases:

1. At least once every three years.
2. Upon the occurrence of an occupational accident.
3. In case of change in the establishment's operations or administration system.
4. If there is a sufficient reason that to believe in the unsuitability of the evaluation.
5. Upon the request from the Ministry of Labour's occupational safety inspector.

An employer may assign the evaluation process to a specialised firm or entity with knowledge in the type of hazards available at his workplaces.

Article 8

An employer shall apply the preventative and protection measures in accordance in the following sequence in terms of priority:

1. Hazard removal.
2. To replace hazardous operations or materials with others that are less hazardous.
3. To control hazards at source using engineering control methods or organisational precautions and if it is difficult to control the remaining hazards, suitable personal protective equipment should be provided.
4. To reduce hazards to the least minimum by designing safety work systems which include administration control measures.

Article 9

An employer who assigns another entity or entities with implementing a project or mission at his workplace shall ensure the following:

1. To ensure the qualification of the assigned entity which shall have a licence to carry out such activity from the concerned authority.

2. To adopt suitable arrangements for the purpose of complying with the legal requirements for occupational safety and health and such arrangements shall be documented and approved by all relevant authorities and the Ministry of Labour shall be notified of the arrangements immediately after being approved. An employer shall not be relieved from the responsibility for complying with all the legal requirements.
3. To provide all the necessary information, whenever possible, about the possible worksite hazards.
4. To ensure effective co-ordination between the various concerned authorities.
5. To periodically or whenever required, review the arrangements referred to in the preceding clauses of this Article.

Article 10

Every self-employed shall adopt the required procedures and precautions to protect his personal safety and health together with the health of the workers with him and persons at or close to the worksite.

Article 11

If more than one employer undertakes interactive work activities at the same time in any establishment or workplace, they shall observe the following:

1. To cooperate and coordinate between them to ensure fulfilling the occupational safety and health requirements.
2. To ensure providing the required information to other authorities concerning hazards that may result from the activities they are undertaking.

WORKER'S RESPONSIBILITIES

Article 12

A worker shall maintain his own safety and health together with the safety and health of others from hazards related to the conditions and circumstances of the work environment, nature of occupational practices assigned thereto and shall not do any act or omission with the intention of achieving any of the following:

1. To prevent implementing the instructions.
2. To misuse or damage safety equipment.

3. To subject his or others safety to any harm.

Article 13

A worker shall comply with the following:

1. To exert his maximum effort to observe the knowledge, information or training extended to him by the employer.
2. To use the protective equipment designed for every operation, maintain and implement the required instructions to protect him from injury.
3. To properly care for the machines and tools kept at his disposal and implement the safe operation instructions of such equipment.
4. To wear work clothing provided by the employer.
5. To wear clothing that is suitable for the nature of work and does not constitute any additional threat thereto.
6. To maintain his personal hygiene, and the hygiene of places, equipment, work devices and public utilities which are intended for public use.
7. To co-operate with the officers in-charge in the establishment to implement the occupational safety and health requirements and instructions.
8. To have his food at places intended therefor.

Article 14

A worker shall provide proper assistance to the employer at his request in all hazardous and emergency circumstances and events that take place in the establishment due to hazardous occupational accidents or disasters that require calling for assistance in accordance with the specific instructions and directions given by an employer or whoever acts on his behalf, or from the concerned government units or authorities.

Article 15

An establishment's worker shall notify the employer of the following cases and conditions:

1. Any hazardous conditions, practices or sources in the work environment reasonably believed to constitute a threat to his safety and health or the safety and health of others in the workplace.
2. Any health complaints or diseases reasonably believed to result from exposure to health hazardous occupational factors or practices.
3. Any accidents or injuries he may suffer during work.

Article 16

A worker who is susceptible to occupational hazards at the workplace shall have the right to:

1. Withdraw from the workplace if he believes for a reasonable cause that he is likely to be exposed to an imminent danger that constitute an immediate threat to his life or health provided he shall immediately notify the employer or whoever acts on behalf of such action.
2. Notify the Ministry of Labour if he believes that there is any shortcoming in the observed occupational safety and health procedures at his workplace.

CHAPTER THREE

OCCUPATIONAL SAFETY AND HEALTH OBLIGATIONS IN THE ORGANISATION

Article 17

The provisions of this Chapter shall be applicable TO highly hazardous organisations indicated in Schedule No.(1), Medium hazardous indicated in schedule No.(2) attached to this Order while observing the exclusion indicated in Articles (20 & 21) – whatever may be their type or dependency employing 50 workers or more in one site. An establishment shall be considered as any separate workplace carrying on one of the establishment's activities and whenever the work requires fifty or more workers.

Article 18

Establishments subject to the provisions of this Chapter shall draw up a special occupational safety and health policy in consultation with the workers or their representatives, provided that such policy shall be:

1. Appropriate to the establishment's size and nature of its operations.
2. Brief and clearly written, dated and effective from the date of its signature or approval by the employer or whoever acts on his behalf.
3. Knowledge of all persons with its availability at their workplace.
4. Subject to continuous review to ensure its suitability.
5. Available to the relevant authorities when required.

Article 19

The Occupational Safety and Health Policy shall include, as a minimum, the following key principles and objectives:

1. To determine the responsibilities of the establishment's senior management and all the workers.
2. To protect the safety and health of all available individuals in the establishment by preventing injuries, diseases and work related accidents.
3. To observe the national rules and regulations of occupational safety and health.
4. To ensure consulting with the workers, their representatives and encourage their active participation in all elements of the occupational safety and health management system.
5. To continue applying and developing the occupational safety and health management system.

Article 20

Establishments subject to the provisions of this Chapter shall introduce an occupational safety and health management system for the effective planning, organisation, control, supervision and continuous review of the hazards prevention and protection measures provided that it shall include responsibility determination, questioning, implementation authority and performance during the process of complying with the occupational safety and health rules and regulations.

An employer shall document the occupational safety and health management system in writing provided that the files shall be available to the Ministry's occupational safety inspector when required.

Article 21

There shall be established at the high and medium hazard establishments that employ 500 or more workers at one workplace a specialised occupational safety and health functional staff to be in conformity with the establishment's responsibilities, branches and type of business.

Every separate workplace shall be deemed as an establishment where one area of business is undertaken where the number of workers is 500 (five hundred) or more.

Article 22

The occupational safety and health staff shall have with the following powers:

1. To express an opinion with respect to the establishment's management and officers in-charge in special designs of buildings, supplies, production and services equipment, devices and appliances for the control of hazards, pollution, work environment and expansions taking place thereon.
2. To propose policies, determine occupational safety and health services and secure the establishment's work environment.
3. To identify all activities of the establishment, all running production operations therein, hazardous materials and waste, and adopt preventative measures against possible hazards particularly these related to fire and explosions.
4. To identify the dangers at the workplace that may affect the workers' health and safety in terms of their characteristics, sources and workers exposed thereto.
5. To measure and evaluate pollutants and hazards, identify the management and control thereon.
6. To analyse and evaluate possible hazards, disasters, various industrial accidents and preparation of plans to counter emergencies, crises, training workers thereon and conduct execution field trials.
7. To demonstrate and analyse results of details of work accidents and injuries, occupational diseases, serious accidents and draw out the necessary prevention recommendations.
8. To draw up technical specifications and measures for occupational safety and health, secure the work environment with occupational health and safety supplies in accordance with the specifications and ensure their effectiveness, efficiency and suitability for the work environment.
9. To educate and enhance the workers awareness in the establishment about the occupational safety and health methods like organising seminars, workshops, media campaigns in the work areas and also through guidance posters, billboards, audio, video and print media together with the preparation of fliers and booklets.
10. To plan training programmes for occupational safety and health technicians and specialists and committee members related to occupational safety and health together with all the establishment workers.
11. To prepare the annual plan for implementing the occupational safety and health programmes.

12. To periodically inspect workplaces to ensure the availability of the required precautions to protect workers from work hazards and their compliance with implementing the instructions and conditions thereof.
13. To investigate work accidents and occupational diseases to identify deficiencies leading thereto, prepare technical reports about their reasons, methods to prevent or curb them.
14. To maintain a special register at the Occupational Safety and Health Services and Policies Directorate.
15. To introduce work permit system prior to the commencement of any maintenance, repair or any other operations that may possibly cause hazard to the workers' safety and health. To ensure that all workers receive the proper training to use such system and conduct a periodical inspection to ensure its efficiency.
16. To follow up and conduct periodical and preventative maintenance from fire and explosions together with providing the necessary supplies of rescue facilities and continuously ensure their worthiness by preparing special maintenance registers.
17. In all cases, the occupational safety and health staff shall immediately inform the employer, manager in-charge and the relevant authorities after discovering any hazards in order for their immediate avoidance.

Article 23

There shall be established a committee or more for occupational safety and health in establishments that are subject to the provisions of this Chapter to be formed the membership of the following:

- | | |
|---|----------|
| * Employer or manager in-charge, | Chairman |
| * Department or section managers, | Members |
| * Establishment's physician, if any, | Member |
| * Senior Occupational Safety and Health Officer, | Member |
| • Two members from the workers to be selected by the establishment's trade union and if there is no trade union, workers representatives shall be appointed by the employer. The committee may add other worker representatives in agreement with the management and the trade union. | |

The committee may invite others to attend its meetings if necessary.

Article 24

In case where there are various branches of an establishment that have occupational safety and health sub-committees, a central occupational safety and health

committee shall be formed at the establishment's head office to supervise such committees and shall have the membership of the following:

- * Chairman of the board of directors, employer or whoever is delegated on his behalf, Chairman
- * Chairmen of the sub-committees or whoever are delegated on their behalf, Members
- * Occupational safety and health Senior staff at the head office as a member and the rapporteur of the committee.

- * Head office's physician, if any, Member
- * Two members from the workers to be selected by the trade union and in case there is no trade union, workers' representatives shall be appointed by the employer.
The committee shall add other workers' representatives in agreement between the management and the trade union.
The committee may invite anyone it deems fit to attend its meetings if necessary.

Article 25

The aforesaid occupational safety and health committees shall be responsible for investigating the conditions of work, causes of accidents and injuries and shall draw up standards and precautions ensuring their non-recurrence particularly the following:

1. To adopt administrative and organisational measures to prepare the establishment's occupational safety and health organisational chart.
2. To draw up plans, prepare regulations and assess technical qualifications, appliances and equipment required to achieve the occupational safety and health policies and services.
3. To approve an occupational safety and health proposal concerning the establishment's general policy in the occupational safety and health field.
4. To study the work's conditions, type and nature of hazards, study causes of occupational accidents and diseases, and draw up effective prevention conditions and precautions.
5. To improve performance, plans and programmes of the occupational safety and health plans and special programmes to maintain the workers' safety and health.
6. To draw up awareness and training programmes to increase safety level inside the establishment.

7. To examine reports of the Occupational safety and health officer or body concerning work circumstances and occupational accidents together with ensuring the implementation of recommendations included therein.

Article 26

The committee or committees shall meet at least once every month and the establishment shall draw up an internal regulation to organise the activities of the occupational safety and health committee or committees provided such regulation shall be approved by the Occupational Safety Section at the Ministry of Labour.

Article 27

Any person who delays the activities of the committee or committees provided for in Article (23 and 24) of this order shall be liable for disciplinary action.

Article 28

An employer or whoever is authorised by him shall immediately inform the Ministry of Labour of the name of the occupational safety and health officer, names of the occupational safety and health committee members upon its formation or changing one of its members.

The committee's rapporteur shall record its deliberations in the register maintained for this purpose provided such register shall be kept in a place to facilitate its inspection by the occupational safety inspectors of the Ministry of Labour. The committee's rapporteur shall send an annual report about the committee's activities to the Occupational Safety Section of the Ministry of Labour.

Article 29

The occupational safety inspectors or whoever is authorised by the Ministry of Labour shall attend meetings of the safety committees upon prior notification to be sent to the establishment's management.

Article 30

Each establishment shall appoint full-time officers in occupational safety and health in accordance with the following table:

- A) **Highly risk establishments:**

Number of workers	Number of Safety Officers
50 -250	1
251 – 499	2
500 – 749	3
750 – 999	4
Over 1000	4 and an additional officer for every 500 more employees

B) Medium risk establishments:

Number of workers	Number of Safety Officers
100 -499	1
500 – 999	2
Over 1000	2 and an additional officer for every 1000 more employee

Article 31

An occupational safety officer shall be required to have the necessary qualifications and experience that qualify him to work in this field and in conformity with the establishment's nature.

Article 32

The duties of the occupational safety and health officer in the establishment shall be defined as follows:

1. Periodical inspection of all workplaces and ensuring the availability of methods of protection from employment risks and hazards.
2. Inspection of accidents and injuries, reviewing, analysing, registering and preparing reports about them containing the means and precautions ensuring the avoidance of their future recurrence.
3. Preparing statistics about employment injuries and serious accidents according to the work requirements and as required by the relevant authorities.
4. Choosing the appropriate kinds of personal protection equipment for the workers so as to ensure their protection from the work hazards.
5. Monitoring the availability of fire prevention facilities and fire-extinguishers.
6. Monitoring the periodical inspection of safety equipment and appliances and ensuring the recording of results in special registers.
7. Reviewing and analysing the workplaces and equipment used therein for determination of the risks arising therefrom and methods of protection therefrom.

8. Drawing up an annual plan for enhancing the workers' prevention awareness and enlightening them about the occupational hazards and methods of protection therefrom by holding seminars, delivering lectures, distribution of posters and preparation of occupational safety leaflets.
9. Preparing the agenda of the establishment's Occupational Safety and Health Committee.

Article 33

An employer shall, in establishments that are not subject to the provisions of Article (30) of this Order, appoint one or more part-time qualified persons, or select one of his workers to assist him in fulfilling the special occupational safety and health requirements in conformity with the nature of hazards in his establishment.

Article 34

An employer shall ensure the suitability of the number of persons employed; time required to perform their duties and shall ensure the co-operation amongst them and equipment available to them in conformity with the following:

1. Extent of risk to which the workers in the establishment are exposed.
2. Extent and distribution of the work areas which they supervise.

FINAL CHAPTER

Article 35

Subject to the provisions of Article (74) of the Labour Law for the Private Sector promulgated by Law No.(36) of 2012, an establishment shall draw up disciplinary regulations to be approved by the Ministry of Labour which include the penalties to imposed upon a worker if he violates his duties towards occupational safety and health provided a penalty shall be proportionate to the violation.

Article 36

Ministerial Order No.(6) of 2000 with respect to organising the Occupational Safety in Establishments, shall be revoked.

Article 37

The Undersecretary of the Ministry of Labour shall implement this Order which shall come into effect three months after the date of its publication in the Official Gazette.

**Signed: Jameel bin Mohamed Ali Humaidan,
Minister of Labour.**

Signed on: 20th Jumada Awwal, 1434 Hijra,
Corresponding to: 1st April, 2013 A.D.

SCHEDULE (1):

High Risk Establishments: means establishments undertaking, with a high possibility of, serious injury to workers or may lead to their death and requires the following:

- Working at heights.
- Working with chemicals that are likely to be harmful to health.
- Working with equipment, materials under high pressure or high voltage power.
- Maintenance and installation of electrical equipment.
- Working in above normal physical job conditions (heat, noise, vibration, ionic and non-ionic rays,).
- Working with radioactive materials that may cause cancer or genetic changes to the human body.
- Use of mobile machinery with exposed parts.
- Working in places with limited areas.
- Working in occupational diving.
- Working in excavations and demolitions.
- Working in mining and prospecting.
- Working in lifting and lowering operations.
- Working in medical activities where there is a likelihood of virus or disease transmission.

SCHEDULE (2):

Medium Risk Establishments: means establishments carrying on activities with possible serious injuries to workers and require the following:

- Working on equipment and machinery for transport of materials.
- Use of machines for manufacturing consumer goods or raw materials.

- Working in metal fabrication.
- Working in vehicle and mechanical machinery maintenance and repairs.