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MINISTRY OF LABOUR AND SOCIAL AFFAIRS - ETHIOPIA

***Directive on establishment of Occupational
Safety and Health Committee
Directive No. 834/2014***

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Directive No. 834/2014

Directive on establishment of Occupational Safety and Health Committee

Introduction

This directive has been issued because it has been found essential to prevent and control occupational accidents and health hazards as well as to determine the duties and responsibilities of a bilateral occupational safety and health committee delegated by employers and workers in order to reduce economic, social and psychological harms that could arise.

1. Legislating Authority

The Ministry of Labor and Social Affairs has issued this Directive in accordance with Labor Proclamation No. 1156/2019, Article 171/1(m).

2. Short Title

This Directive may be cited as “Directive on Establishment of Occupational Safety and Health Committee”. Directive No. 834 / 2014

3. Definitions

In this Directive unless the context means otherwise:

- 1) “Proclamation” means Labour proclamation No.1156/2019.
- 2) “Occupational Safety and Health Maintenance” is based on the principle of provision of a comfortable work environment that is not exposed to danger, and thereby to bring about a healthy, productive, and organized workforce that enhances development activities.
- 3) “Occupational Safety and Health Committee” is a bilateral committee established by representatives of the employer and of the workers that is entrusted by the undertaking to implement the maintenance of occupational safety and health.
- 4) “Safety Officer” is a professional assigned by the employer to: take institutional precautionary measures, suggest and implement improvements, and monitors the situation on a daily basis in order to prevent occupational injuries and damage to the health of workers.
- 5) The definitions in Article 2 of the proclamation apply to this Directive.
- 6) Provisions of this directive set out in the masculine gender shall also apply to the feminine gender.

4. Scope of Application

- 1) This Directive shall be applicable to undertaking covered by the Labor Proclamation No.1156/2019 and employing ten or more than ten workers.

- 2) Notwithstanding Article 4.1 above, undertakings with less than ten employees that are covered by the Labor Proclamation may collectively establish an Occupational Safety and Health Committee.
- 3) Due to the organizations institutional structure and nature of their work undertakings accountable to the head office and assigned to implement similar mission at branch level may establish autonomous occupational safety and health committee that can be convenient with the head office of the prime undertaking.

5. On Establishing Occupational Safety and Health Committee.

- 1) An employer shall establish an occupational safety and health committee in the workplace in order to maintain the occupational safety and health of workers and create a conducive work environment.
- 2) The Committee is accountable to the general manager of the undertaking.
- 3) The occupational safety and health committee having an equal number of representative,
 - a. Where the number of employees is from 10 to 100, there shall be two representatives each from the employer and the worker.
 - b. Where the number of employees is from 101 to 500, there shall be four representatives each from the employer and the worker.
 - c. Where the number of employees is from 501 to 1000, there shall be six representatives each from the employer and the worker.
 - d. Where the number of employees is upwards 1001, there shall be eight representatives each from the employer and the worker.
- 4) The Committee shall pay special attention to the participation of women.
- 5) .The committee may prepare and approved its own operational procedure and get in to work.

6. The Duties and Responsibilities of the Occupational Safety and Health Committee.

The committee will have the following Duties and Responsibilities

- 1) shall prepare annually a standard work plan and budget for occupational safety and health, and secure work environment that is to be approved by the undertaking and to be subsequently implemented.
- 2) shall conduct work place routine inspection of occupational safety and health and work environment as well and submit recommendation on working conditions that should be improved and accurate and cooperate its implementation
- 3) It shall propose that special follow-ups are made to identify occupational risks, modes of operation and conditions of machines and suggest remedial measures.
- 4) Advising the employer and the workers concerning occupational safety and health and work environment, it shall submit well studied recommendation on measures should be taken to continuously improve and to enhance awareness and culture of occupational safety.
- 5) It shall gather and compile data on the number and type of occupational injuries and harm to health, medical expenses, lost work hours, and compensation payments incurred on their account, as well as analyze their economic costs.

- 6) It shall investigate and identify the causes for occupational injuries, imminent injuries and damages to health and recommend to the employer concrete measures to be taken to prevent their recurrence.
- 7) It shall investigate and study grievances at times related to the safety, health, and social services of workers and prepare and submit reports to the employer including solutions that could be implemented.
- 8) shall advise the employer on measures that are taken, and being taken to prevent workplace injury and harm to health.
- 9) shall propose, prepare, and evaluate the proper implementation of the program related to the prevention of dangers to occupational safety and health and to workplace security.
- 10) shall encourage efforts and creative solutions by individuals or groups of workers to prevent and reduce dangers to occupational safety and health.
- 11) shall hold educational discussion forums in order to provide efficient and genuine information exchange between management and workers regarding occupational safety and health, and workplace security.
- 12) shall assign a workplace and occupational safety and health day to be celebrated with various educational programs and give due recognition on this day to exemplary units, workers, and to their works, thereby to create a spirit of competition.
- 13) shall evaluate the undertaking's occupational safety and health policy and program based on a proper study, and, upon its ratification, follow up on their implementation as well as suggest recommendations for their improvement.
- 14) The Committee shall undertake educational programs in workplace dedicating a celebration day, in cooperation with appropriate bodies, for the prevention of HIV and the exploitation of child labor.
- 15) shall post educational articles, brochures, posters and precautionary directives to help prevent dangerous triggers to occupational safety and health, and to occupational accidents.
- 16) shall provide the requisite support to inspectors of work conditions appointed by the Ministry or appropriate authority.
- 17) shall record workplace injuries and accidents at times, and shall report where the inflicted damage is light quarterly, where the injury is severe and the damage to property is heavy immediately to the Ministry of Labor and Social Affairs or appropriate authority.
- 18) provide the necessary assistance and support as well as give special consideration to women, to young and disabled workers, and to those with HIV as per the undertaking's programs of occupational safety and health.
- 19) shall engage in concrete activities to protect women from being victims of sexual offenses and harassment in the workplace.
- 20) shall cooperate and coordinate with appropriate bodies to prevent the spread of COVID 19 in the workplace.
- 21) shall cooperate and coordinate with appropriate bodies to prevent the spread of pandemic disease in the workplace.

- 22) shall follow up, and, where appropriate, suggest improvements on the protective equipment and clothing provided to each individual worker as well as ensure that they are the right ones, and that they are used properly.
- 23) shall cooperate with concerned stakeholders to ensure that safe and clean production operations are in place in order to strengthen an undertaking's occupational safety and health status.
- 24) shall engage in other activities that enhance an undertaking's capacity to provide occupational safety and health.

7. The Election of Members of the Occupational Safety and Health Committee

- 1) The employer selects among the managements who will be member to the committee representing the undertaking.
- 2) Workers organized in a trade union elect committee member through their union.
- 3) Non-unionized members in an undertaking elect committee member through majority vote.
- 4) Where there is more than one union in an undertaking, the unions collectively elect committee members through majority vote.
- 5) In order to enable the continued enforcement of the mission of the occupational safety and health committee, the employer and the workers shall elect two representatives each to be alternate members of the committee.
- 6) The representation of the employer and employees in the committee shall take due account of the variety and nature of work of the undertaking's departments.
- 7) The employer shall give members letters of confirmation of their election.

8. The Term of Office of Committee Members

- 1) The term of office of committee members shall be three years.
- 2) A committee member may be elected for more than one term of office.
- 3) Where it is found necessary to replace a committee member, the committee will elect one from among the alternate members by majority vote.

9. The Training of Committee Members

- 1) The undertaking will make appropriate effort to ensure that every member of the Committee will take training on basic occupational safety and health within two months of their election to the Committee.
- 2) If a committee member had taken the training before, s/he may continue to be a member without additional training.

10. The Election of the Chair and vice chair person of the Committee

- 1) The committee shall elect the chair and vice chairperson among the representatives' of the employer and the employees who works by turn in every year.
- 2) The chairperson and vice chairperson of the Committee election and their turn will be decided in accordance with the working procedure of the committee.

11. The Meetings of the Committee

- 1) The Committee will have its first meeting within thirty days of its formation.

- 2) The Committee shall meet at least once every three months.
- 3) Notwithstanding the provision of sub-Article 2 of this Article, the Committee may convene an emergency meeting when there is a threat of a serious accident, a grave condition, or a worrying health incident.
- 4) Every Committee meetings shall be authorized by the employer, and held during work hours.

12. Quorum

- 1) A quorum shall be considered full if more than half of the members of the Committee are present at the meeting.
- 2) Notwithstanding the provision of sub-Article 1 of this Article, a quorum shall be considered full if at least half of the representatives of the employer and the workers are present.
- 3) The committee shall reach its decision by consensus; in the absence of consensus it shall be decided by simple majority of attending members. In the event of tie, the chairperson shall have the casting vote;.
- 4) The committee may invite experts to the meeting who have professional exposure on the agenda programmed by the committee for discussion to be assisted through advice.

13. The Minutes of the Meetings of the Committee

- 1) The minutes of the meeting shall be signed by the members who were present in the meeting.
- 2) At the end of the meeting, the chairperson elected from among the employer's representatives shall ensure that the employer as well as each member of the committee receives copies of the signed minutes of the meeting.
- 3) The committee's meeting shall document and deposited in the office of the occupational safety and health committee.
- 4) /Minutes of the committee may be accessed upon the request of the undertaking's occupational safety and health expert, members of the undertaking's occupational safety and health committee, labour inspectors and appropriate body.

14. The Roles and responsibility of Chairperson of the Committee

- 1) The chairperson presides over the committee's meetings, sees to it that the committee carries out its activities on the basis of its plan and program, and oversees and evaluates them.
- 2) The chairperson ensures that the members of the committee know the undertaking's policy and program on occupational safety and health.
- 3) The chairperson coordinates and provides appropriate support and assistance to individual and collective efforts to prevent occupational accidents.
- 4) The chairperson monitors and oversees that the members of the committee discharge their duties responsibly.
- 5) Where the number of Committee members is down for whatever reason, the chairperson ensures that alternate members take their place.
- 6) The employer follows up on the implementation or otherwise of the recommendations made by the Committee.

- 7) The chairperson arranges forums for timely joint consultation meetings between the employer and the committee.

15. The Roles and responsibility of vice Chairperson of the Committee

The vice chairperson

1. will work by representing the chairperson In his absent.
2. Undertaking other activates assigned by the committee.

16. The Responsibilities of the Secretary of the Committee

- 1) The safety officer assigned by the undertaking to be in charge of the prevention of occupational accident shall be the standing secretary of the Committee.
- 2) The secretary, in consultation with the chairpersons of the committee, shall prepare the agenda for the committee's meeting, and oversee inspection of and visits to workplaces.
- 3) The secretary organizes and keeps the documents and records of the committee.
- 4) The secretary prepares the annual and monthly programs and plans, and submits them to the committee for approval.
- 5) . The secretary passes information to members on occupational safety and health
- 6) The secretary makes sure that: the committee's job performance reports, and the inspector's directives and related material are presented to the committee, and furthermore follows up on the implementation of the recommendations.
- 7) The secretary coordinates the occupational safety and health programs.
- 8) The secretary regularly keeps records of occupational accidents, incidents of damage to health and other data on occupational safety and health. Further the Secretary consolidates and analyzes the data for discussion and decision by the committee.

17. Other Committee Member's Duty and Responsibility

- 1) Members participate in the Committee's meetings, forward opinions, and pass decisions.
- 2) ensure that the standards of occupational health and safety are met in their respective departments.
- 3) generate ideas or measures to be taken to enhance the undertaking's services of occupational safety and health.
- 4) participate in the inspections, investigations etc. that are carried out in the undertaking.
- 5) perform other tasks to improve the services of occupational safety and health.
- 6) forward their opinions to their respective departments regarding issues on occupational safety and health raised in the committee's meeting.

18. The Responsibilities of the Employer

- 1) Assigns secretary, provides meeting venue, stationary and other essential conditions.
- 2) Grants permission to committee members to participate in meeting as well as to engage in the committee's other activities.
- 3) Arranges occupational safety and health training for the committee members.
- 4) provides data on occupational accidents, reports, and other useful data supported with studies on occupational accidents and incidents harmful to health.

- 5) Approving understandable occupational safety and health policy gives direction for its implementation and send a copy of the policy to the Ministry or appropriate authority.
- 6) creates conducive conditions for the provision and adoption of a budget for the implementation of the undertaking's occupational safety and health program.
- 7) facilitates for the laws and directives of occupational safety and health to serve the committee's tasks.
- 8) ensures that the minutes of the meetings of the committee and records of activities are properly kept.
- 9) facilitates the committee to inspect the working condition of the work place are safe and protected from accidents and evaluate the result of the inspection at management level and take appropriate corrective measures.
- 10) provides the necessary support and assistance, and gives special attention to women workers, young workers, HIV carriers and disabled workers.
- 11) facilitates system and structure which protects women from sexual offences and harassment could be put up and implemented.

19. The Responsibilities of Workers

- 1) have to participate actively and make proposals in the process of collective bargaining, as well as in the preparation of policies and guidelines for occupational safety and health.
- 2) must respect the undertaking's safety policy.
- 3) must cooperate with the committee.
- 4) must execute work assigned to them by the committee with a sense of cooperation and responsibility.
- 5) must respect the precautionary directives and guidelines given to them by the committee.
- 6) must suggest and actively endeavor to find solutions for actual and potential mistakes, and wrong orders that may cause occupational accidents.
- 7) must make appropriate efforts to protect women from being victims of sexual offense and harassment.

20. Registration

- 1) An undertaking's occupational safety and health committee shall register with the Ministry or appropriate authority which will give it a certificate that is valid for one year.
- 2) The Certificate which is given in accordance sub article 1 of this Article should be renewed every year.
- 3) In order to register, the committee must provide a list of its members, the parties that delegated it to represent them, the responsibilities of the members of the committee, and the minutes of the meeting that established the committee.
- 4) The committee must notify the Ministry or appropriate authority whenever it makes a change in its membership.

21. Submission of Report

- 1) The committee shall submit report of its activity in the final week of every three month to the employer.

- 2) The committee shall submit a quarterly report in the final week of every three month to the Ministry or to the appropriate authority.
- 3) The committee shall report, in every final week of each month, the occurrence or non-occurrence of accidents and injuries to the employer, and the Ministry or appropriate authority.

22. Accountability

- 1) The committee is accountable to the employer or to the general manager of the undertaking.

23. Duty to Cooperate

Any stakeholder, corporate or individual, has the duty to cooperate in the implementation of this Directive.

24. Penalty

Any employer that contravenes the regulations listed in this Directive shall be subject to the penalties decreed in Labor Proclamation No.1156/2019.

25. Modification of the Directive

The Ministry may periodically assess the implementation of this Directive and modify it.

26. Repealed Directive

“The Directive to Establish an Occupational Safety and Health Committee” issued on September 30/ 1998 is hereby repealed.

27. Effective date of the Directive

This Directive shall be in effect from the date of signing by the Minister on _____ .

Addis Ababa

Ergogie Tesfaye (PhD)
Minister of
The Ministry of Labour and Social Affairs

