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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*¹ 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, and also prevent accidents at work and occupational diseases;
- 3) **labour protection specialist** - an employee of an undertaking or a person in service relationships 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 procedures laid down 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 the 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, and also 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 performs internal supervision of the working environment in an undertaking on the basis of a relevant contract as a provider of outsourced service and whose competence in respect of labour protection issues has been evaluated in accordance with the procedures laid down by the Cabinet;

11) **competent specialist** - a specialist who performs internal supervision of the working environment in an undertaking on the basis of a relevant contract as a provider of outsourced service and whose competence in respect of labour protection issues has been evaluated in accordance with the procedures laid down 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 procedures stipulated by the Cabinet and who represents the interests of employees regarding labour protection;

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;

20) **remote work** - such way of work performance that the work which could be performed by an employee within the scope of the undertaking of an employer is permanently or regularly performed outside the undertaking, including the work performed by using information and communication technologies. The work which due to its nature is related to regular movement shall not be regarded to be remote work within the meaning of this Law;

21) **self-employed person** - a natural person who performs work independently and is not regarded to be an employee within the meaning of this Law;

22) **direct threats** - a working environment risk which has led to or may lead to the death of the employee or infliction of serious disorders to his or her health.

[16 December 2004; 25 March 2010; 3 October 2019]

Section 2. Purpose of the Law

The purpose of this Law is to guarantee and improve safety and health protection of employees and self-employed persons at work by determining obligations, rights, and mutual relations in labour protection between employers, employees and their representatives, self-employed persons, and also State authorities.

[3 October 2019]

Section 3. Scope of Application of this Law

This Law shall be applicable in all fields of employment if it is not laid down otherwise in other laws.

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, and also 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 coordinated 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 laws and regulations special protection has been determined;

9) performing employee instruction and training in the field of labour protection;

10) co-operating in the field of labour protection with the employees and the trusted representatives.

(2) A self-employed person, in conformity with the general labour protection principles laid down in Paragraph one of this Section, has an obligation to take care of his or her safety and health at work, and also safety and health of those persons who are affected or may be affected by his or her work.

[3 October 2019]

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;

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, and also in accordance with the procedures laid down in 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 the laws and regulations regarding labour protection and other provisions regarding labour protection, and also non-fulfilment of the requirements of the employer regarding labour protection issues;

2) to determine additional training related to labour protection issues for the employee who has violated the laws and regulations 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 specified in laws and regulations;

5) to propose to enter into an agreement with employees for determination of labour protection measures, the amount of means necessary and the procedures for utilisation thereof in accordance with the requirements of the laws and regulations regarding labour protection;

6) to contest the warnings, orders, or decisions of officials of the State Labour Inspectorate in accordance with the

procedures laid down in the law;

7) to use the solutions of information technologies in documenting of the processes related to labour protection, including in documenting the results of evaluation of working environment risks. Electronic documents related to labour protection shall be signed in conformity with the laws and regulations governing electronic documents. The employer shall ensure the possibility for the State supervisory and control institutions to access the electronic documents related to labour protection and to ascertain their authenticity and integrity. In case of a dispute the employer has an obligation to prove that the requirements of the laws and regulations are being conformed to in relation to the electronic document and electronic signature.

[3 October 2019]

Section 7. Internal Supervision of the Working Environment

(1) An employer shall ensure internal supervision of the working environment in the undertaking.

(2) [3 October 2019]

(3) [3 October 2019]

(4) The Cabinet shall determine the procedures for the performance of internal supervision of the working environment, including evaluation of the working environment risks.

[16 December 2004; 25 March 2010; 3 October 2019]

Section 8. Evaluation of 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;

4) determining what labour protection measures (for example, issuing of personal protective equipment, performing of mandatory health examinations, training of employees, changing of work equipment) are necessary to prevent or reduce the working environment risks.

(1¹) An employee who is performing remote work shall cooperate with the employer in evaluation of the working environment risks and provide information to the employer on the conditions of the place of remote work which may affect the safety and health of the employee, when he or she is performing work.

(2) Evaluation of the working environment risks in an undertaking shall be performed according to each type of activity thereof. If the working conditions are similar, an evaluation of the working environment risks in relation to one workplace or type of work shall be sufficient. If an employee is performing remote work at different places, the employer shall perform the evaluation of the working environment risks in relation to the particular type of work, however, if the employee is performing remote work permanently at one place, the employer shall perform the evaluation of the working environment risks in relation to the particular workplace, if the employer and the employee have agreed thereupon. The trusted person or the representative of employees and an employee who is familiar with the particular workplace shall be involved in the evaluation of the working environment risks.

(3) When evaluating the 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, and also 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;

6) the aggregate of the circumstances referred to in this Paragraph of this Section.

(4) [25 March 2010]

(5) The employer shall ensure documenting of the results of the evaluation of the working environment risks.

[16 December 2004; 25 March 2010; 3 October 2019]

Section 9. Organisational Structure of Labour Protection

(1) An employer, taking into account the number of persons employed in the undertaking and the type of activity, shall appoint or hire one or several labour protection specialists or enter into a contract with a competent specialist or competent authority. The procedures for the training of labour protection specialists, labour protection co-ordinators, employers, employees, and trusted representatives shall be determined by the Cabinet.

(1¹) If there are 250 employees in the undertaking or more and it is engaged in types of commercial activity in which in conformity with the laws and regulations the employer must involve a competent authority, however, in which having regard to the exception provided for in the laws and regulations the competent authority has not been involved, the employer shall appoint or hire at least two labour protection specialists.

(2) The employer shall grant the labour protection specialist and the contact person referred to in Paragraph four of this Section 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) [3 October 2019]

(4) If the employer involves a competent authority or a competent specialist in the establishment and maintenance of the labour protection system, a contact person for cooperation with the competent authority or the competent specialist shall be appointed in the undertaking. The employer shall inform the competent authority or the competent specialist of the activity of the undertaking, the labour protection measures, and the factors of the working environment risks existing in the undertaking, and also provide other information which may be useful for the performance of internal supervision of the working environment and which is requested by the competent authority or the competent specialist.

(5) The Cabinet shall determine those types of commercial activities in which an employer shall engage a competent authority, the procedures for the engagement of such an authority, and also the cases where the employer, when performing the abovementioned commercial activities, may not engage a competent authority. This shall also apply to those employers who perform activities conforming to the abovementioned 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, and also the procedures for the evaluation of the competence of such authorities and specialists.

(7) A legal person is entitled to provide labour protection services related to the performance of internal supervision of the working environment only if the status of a competent authority has been granted thereto.

[20 November 2003; 16 December 2004; 25 March 2010; 3 October 2019]

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, and also 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 of 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;
- 6) other labour protection issues.

(2) An employer shall inform employees and trusted representatives of 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, and also 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 on:

1) the results of the evaluation of the working environment risks;

2) the labour protection measures stipulated 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, and also warnings, orders, and decisions of the State Labour Inspectorate relating to the labour protection system in the undertaking;

5) other labour protection issues in the undertaking.

[16 December 2004; 3 October 2019]

Section 11. Protection against Serious and Imminent Danger

(1) An employer shall ensure that:

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

2) workplaces, where employees, according to 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;

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.

(2) 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;

2) designate employees who are trained in taking of the measures referred to in Paragraph one of this Section, and ensure that these employees are in sufficient number, adequately trained, and supplied with the necessary equipment.

(3) The Cabinet shall determine the procedures 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; 3 October 2019]

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 procedures for the investigation and registration of accidents at work.

(2) The Cabinet shall determine the procedures for the investigation and registration of occupational diseases, the list of occupational diseases, and also 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 related to 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 procedures for the performance of the mandatory health examination.

(2) The employer shall cover the expenditures related to the mandatory health examinations of employees.

(3) The expenditures related to the 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 cooperate when taking the labour protection measures. Taking into account the nature of work and working conditions, the employers have an obligation to coordinate the labour protection measures to be taken and to inform each other, their employees and trusted representatives of the working environment risks, and also 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 on 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, and also 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 general information on labour protection in the undertaking prior to the commencement of work and during the entire period they are employed in the undertaking.

(4) If employees of another employer provide such specific service that usually is not performed at the employer as the service recipient, the instruction shall be ensured by the employer whose employees are providing the relevant specific service.

[25 March 2010; 3 October 2019]

Section 16.¹ Safety and Health Protection of Self-employed Persons

(1) A service recipient who has entered into a contract with a self-employed person shall ensure as safe working environment to him or her as to the employees of his or her undertaking if the self-employed person is performing work in the working environment of such undertaking.

(2) A self-employed person, when performing work in the working environment of the undertaking of the service recipient, has an obligation to comply with the instructions of the service recipient in labour protection issues and to inform the service recipient of the specific nature of his or her work, the methods applied, and the equipment used, if it may affect the safety and health protection of other employees.

(3) A service recipient who has entered into a contract with a self-employed person for the performance of work in the working environment of the undertaking of the service recipient is entitled not to admit him or her to work or to

suspend his or her work if it is detected that he or she is violating the labour protection provisions, including the provisions regarding the use of work equipment and personal protective equipment, or is endangering his or her safety and health or safety and health of other persons.

(4) If an accident occurs in the working environment of the undertaking of the service recipient in which the self-employed person suffers an injury, then the service recipient who has entered into a contract with him or her shall find out and evaluate the causes of the accident, and also take the necessary preventive measures for the elimination of similar accidents if it may affect the work to be performed in such undertaking.

(5) When performing work in the working environment of the undertaking of the service recipient, the self-employed person shall comply with the obligations of the employee laid down in Section 17 of this Law, insofar as it is not in contradiction with the status of the self-employed person.

[3 October 2019]

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 laid down in the laws and regulations (manufacturer's instructions, safety data sheets on chemical substances and mixtures, etc.);

3) use collective protective equipment, and also personal protective equipment given at their disposal in accordance with the documentation laid down in the laws and regulations (manufacturer's instructions, safety data sheets on chemical substances and mixtures, etc.), and to place the relevant protective equipment following the use thereof at the place provided for it;

4) conform to safety signs, and also to use the safety devices by which the work equipment and workplace is supplied with in accordance with the documentation laid down in the laws and regulations (manufacturer's instructions, safety data sheets on chemical substances and mixtures, 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 of an accident at work, and also of any working environment factors which cause or may cause risks to the safety and health of persons, also of 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) cooperate 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 on the labour protection system of an undertaking;

8) cooperate 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;

9) attend mandatory health examinations according to an order by the employer.

[3 October 2019]

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;

4) the warnings, orders, or decisions of the State Labour Inspectorate on 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, and also 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 procedures for the utilisation thereof in accordance with the requirements of the laws and regulations 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 Employment or Civil Service Relationships Due to a Safety and Health Hazard at Work

If an employee has reported to the employer on the factors of the working environment which cause or may cause risk to the safety and health of persons, however, the employer is not taking the labour protection measures indicated by the State Labour Inspectorate for the prevention of direct threat, thus endangering the safety and health of the employee at work, and the employee unilaterally terminates employment or civil service relationships due to the abovementioned reason, the employer has the obligation to disburse remuneration to the employee which is not less than the average earnings of six months.

[3 October 2019]

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, and also 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 procedures 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, and also cooperate with the employer and the labour protection specialist in improvement of the working conditions in the undertaking.

(2) Upon 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 on 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 procedures specified 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 danger 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 procedures for the use thereof in accordance with the requirements of the laws and regulations regarding labour protection, and also to participate in negotiations regarding the conditions of a collective agreement and amendments in the field of labour protection;
- 8) to participate in inspections of workplaces together with officials of the State Labour Inspectorate.

[25 March 2010; 3 October 2019]

Section 22. Reliefs

Those employees for whom, in accordance with laws and regulations, special protection has been determined (for example, for persons up to 18 years of age, pregnant women, women in the post-natal period, persons with a disability), according to the evaluation of the working environment risks, and also a physician's opinion, have the right to supplementary reliefs stipulated by the employer.

[3 October 2019]

Chapter IV State Competence in the Field of Labour Protection

[3 October 2019]

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 cooperation of the State, local governments, employer organisations, and employees' trade unions in labour protection issues;
- 3) the coordination 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;
- 11) international cooperation 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 specified 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) develop the State policy in the field of labour protection and coordinate the implementation thereof;
- 2) coordinate the activities of the State administration authorities in labour protection issues;
- 3) monitor the activities of the State Labour Inspectorate;
- 4) develop and coordinate national programmes in the field of labour protection in the National Trilateral Cooperation Council;
- 5) develop and coordinate the laws and regulations regarding labour protection in the National Trilateral Cooperation Council;
- 6) coordinate the inclusion of labour protection issues in international agreements;
- 7) determine the State statistics registration and statistical reporting system in the field of labour protection following the coordination with the Central Statistical Bureau.

(3) The Ministry of Education and Science shall, in accordance with the procedures laid down in 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 administration authorities shall, according to their field of activities, develop draft laws and regulations 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 governed by European Union directives on labour protection;

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 authorities authorised by the laws and regulations according to 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 procedures laid down in the laws and regulations shall also be liable for the safety and health of employees at work.

Section 28. Liability for the Violations of the Law

Persons at fault for violations of the laws and regulations regarding labour protection shall be held liable as laid down in the law.

Chapter VI

Administrative Offences in the Field of Labour Protection and Competence in Administrative Offence Proceedings

[31 October 2019 / This Chapter shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Section 29. Failure to Perform Evaluation of the Working Environment Risk or Failure to Develop Plan for Labour Protection Measures

For failure to perform an evaluation of the working environment risks or for failure to develop a plan for labour protection measures or the non-conformity thereof with the requirements of the laws and regulations governing labour protection, a warning or a fine from fourteen to seventy units of fine shall be imposed on the employer or the recipient of labour force ensuring services if it is a natural person but a fine from twenty-eight to two hundred and twenty units of fine - if it is a legal person.

[31 October 2019 / Section shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Section 30. Employment Without Mandatory Health Examination

For employment without mandatory health examination if such is provided for in the laws and regulations, a warning or a fine from fourteen to seventy units of fine shall be imposed on the employer if it is a natural person but a fine from twenty-eight to one hundred and forty units of fine - if it is a legal person.

[31 October 2019 / Section shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Section 31. Failure to Investigate an Accident at Work

For failure to investigate an accident at work in conformity with the requirements of the laws and regulations or for hiding it, a warning or a fine from twenty-eight to one hundred units of fine shall be imposed on the employer or the recipient of labour force ensuring services if it is a natural person but a fine from seventy to two hundred and eighty units of fine - if it is a legal person.

[31 October 2019 / Section shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Section 32. Failure to Investigate the Accident at Work Resulting in Serious Health Disorders for an Employee or His or Her Death

For failure to investigate an accident at work in conformity with the requirements of the laws and regulations which has resulted in serious health disorders for an employee or his or her death, or for hiding it, a fine from one hundred to one hundred and forty units of fine shall be imposed on the employer or the recipient of labour force ensuring services if it is a natural person but a fine from four hundred and twenty to eight hundred and sixty units of fine - if it is a legal person.

[31 October 2019 / Section shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Section 33. Failure to Use Safety Signs and Inappropriate Placement Thereof in the Working Environment

For failure to use safety signs and inappropriate placement thereof in the working environment if it causes direct threats to the safety and health of employees, a fine from seventy to one hundred and forty units of fine shall be imposed on the employer or the recipient of labour force ensuring services if it is a natural person but a fine from two hundred and eighty to five hundred and eighty units of fine - if it is a legal person.

[31 October 2019 / Section shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Section 34. Failure to Provide Employees With the Personal Protective Equipment Required for Work

For failure to provide employees with the personal protective equipment required for work if it causes direct threats to the safety and health of employees, a fine from seventy to one hundred and forty units of fine shall be imposed on the employer or the recipient of labour force ensuring services if it is a natural person but a fine from two hundred and eighty to five hundred and eighty units of fine - if it is a legal person.

[31 October 2019 / Section shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Section 35. Use of Inappropriate Work Equipment or Failure to Comply With the Safety Requirements

For the use of work equipment not conforming to the requirements of the laws and regulations governing labour protection or for failure to comply with the safety requirements if it causes direct threats to the safety and health of employees, a fine from seventy to one hundred and forty units of fine shall be imposed on the employer or the recipient of labour force ensuring services if it is a natural person but a fine from two hundred and eighty to five hundred and eighty units of fine - if it is a legal person.

[31 October 2019 / Section shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Section 36. Failure to Instruct or Train Employees in Issues Regarding the Safety and Health of Employee at Work

For failure to instruct or train employees in issues on the safety and health of an employee at work if it causes direct threats to the safety and health of employees, a fine from seventy to one hundred and forty units of fine shall be imposed on the employer or the recipient of labour force ensuring services if it is a natural person but a fine from two hundred and eighty to five hundred and eighty units of fine - if it is a legal person.

[31 October 2019 / Section shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Section 37. Violation of Other Laws and Regulations Governing Labour Protection Resulting in Direct Threats to the Safety and Health of Employees

For such violation of the laws and regulations governing labour protection which causes direct threats to the safety and health of employees, except for the violations referred to in Sections 33, 34, 35, and 36 of this Law, a fine from one hundred to one hundred and forty units of fine shall be imposed on the employer or the recipient of labour force ensuring services if it is a natural person but a fine from two hundred and eighty to five hundred and eighty units of fine - if it is a legal person.

[31 October 2019 / Section shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Section 38. Provision of Labour Protection Services Violating the Requirements Laid Down in Laws and Regulations for Competent Specialists and Competent Authorities

For the provision of labour protection services violating the requirements laid down in the laws and regulations for competent specialists and competent authorities, except for the violations referred to in Section 39 of this Law, or for the provision of labour protection services without the certificate of a competent specialist or a certificate of the quality system of a competent authority, a fine from seventy to one hundred and forty units of fine shall be imposed on a natural person but a fine from one hundred and fifty to five hundred and eighty units of fine - on a legal person.

[31 October 2019 / Section shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Section 39. Inappropriate Internal Supervision of the Working Environment When Providing Labour Protection Services

(1) For internal supervision of the working environment not conforming to the requirements of the laws and regulations governing labour protection, including risk evaluation which has been performed by the competent specialist or competent authority, a warning or a fine from twenty-eight to seventy units of fine shall be imposed on a natural person but a fine from seventy to two hundred and eighty units of fine - on a legal person.

(2) For internal supervision of the working environment not conforming to the requirements of the laws and regulations governing labour protection, including risk evaluation which has been performed by the competent specialist or competent authority, or for the violation of the requirements laid down in the laws and regulations for competent specialists or competent authorities which cause direct threats to the safety and health of employees, a fine from one hundred to one hundred and forty units of fine shall be imposed on the competent specialist but a fine from two hundred and eighty to eight hundred and sixty units of fine - on the competent authority.

[31 October 2019 / Section shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Section 40. Competence in Administrative Offence Proceedings

The administrative offence proceedings for the offences referred to in Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, and 39 of this Law shall be carried out by the State Labour Inspectorate.

[31 October 2019 / Section shall come into force on 1 July 2020. See Paragraph 9 of Transitional Provisions]

Transitional Provisions

1. With the coming into force of this Law, the law On Work Safety (*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, by 30 June 2002, issue the regulations referred to in Sections 7, 8, 9, 12, 13, 15, 20, and 25 of this Law.

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, Regulations 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, Regulation on the Minimum Work Safety and Health Protection Requirements 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, Regarding Amendments to Cabinet Regulation No. 53 of 22 February 1994, Regarding Procedures for the Formulation and Approval of Laws and Regulations on Technical Supervision of Labour Protection, Safety Equipment and Dangerous Installations;

12) Cabinet Regulation No. 53 of 22 February 1994, Regarding Procedures for the Formulation and Approval of Laws and Regulations 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;

3) safety and health protection of employees at the work in an explosive environment.

5. The Ministry of Education and Science shall, by 1 March 2002, 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]

9. Part VI of this Law shall come into force concurrently with the Law on Administrative Liability.

[31 October 2019]

Informative Reference to European Union Directive

[25 March 2010]

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. Vītke-Freiberga

Rīga, 6 July 2001

¹ The Parliament of the Republic of Latvia

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