



By-law on Health and Safety Measures To Be Taken in the Structures and the Extensions of the Workplace(1)

OG : 10.02.2004 / 25369

89/654/EEC - Council Directive concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC)



By-law on Health and Safety Measures To Be Taken in the Structures and the Extensions of the Workplace (2)

OG : 10.02.2004 / 25369

1. Objective

To establish the minimum requirements for safety and health conditions in the buildings and the extensions of the workplaces.



By-law on Health and Safety Measures To Be Taken in the Structures and the Extensions of the Workplace (3)

OG : 10.02.2004 / 25369

2. Key Provisions

The provisions of this by-law shall not be applied in;

- a) the vehicles of transport used outside the establishment or workplaces situated in the vehicles,
- b) temporary or mobile work sites,
- c) mining, petroleum, and gas extraction,
- d) fishing boats,
- e) fields and woods that are a part of the agriculture and forestry establishments, but situated away from the buildings of the establishment.



By-law on Health and Safety Measures to Be Taken in the Structures and the Extensions of the Workplace (4)

OG : 10.02.2004 / 25369

2. Key Provisions (cont.)

Workplace: Area that the worker uses to work, the buildings, extensions, and all the other area that the worker can enter and leave during the course of his employment .



By-law on Health and Safety Measures to Be Taken in the Structures and the Extensions of the Workplace(5)

OG : 10.02.2004 / 25369

2. Key Provisions (cont.)

General requirements

Emergency exit routes and exits are kept clear at all times

Technical maintenance of the workplace and the equipment

Maintenance of the safety equipment

This by-law includes the general requirements to set up the places in the annexes and places like these, to a safety working atmosphere.

Stability, emergency routes and exits, doors, fire fighting equipment, ventilation, temperature of the environment, illumination, floors, walls, ceilings and roofs of the workplace, traffic routes, rest rooms, changing rooms, showers, lavatories ...)



By-law on Health and Safety Measures to Be Taken in the Structures and the Extensions of the Workplace (6)

OG : 10.02.2004 / 25369

2. Key Provisions (cont.)

- Annex-1: Minimum health and safety requirements for workplaces that will be operational first time after the publication of this by-law
- Annex-2: Minimum health and safety requirements for workplaces already in use, before the date this by-law took effect



By-law on Health and Safety Conditions in Using the Work Equipment (1)

OG : 11.02.2004 / 25370

2001/45/EC - (89/655/EEC-95/63/EC) Directive of the European Parliament and of the Council amending Council Directive **89/655/EEC** concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)



By-law on Health and Safety Conditions in Using the Work Equipment (2)

OG : 11.02.2004 / 25370

1. Objective

To lay down minimum requirements, that are necessary to conform to, with regard to the health and safety issues in using the work tools and equipment in the workplace.

2. Definition

Work equipment: Any machine, tool, and facility used in doing the work.



By-law on Health and Safety Conditions in Using the Work Equipment (3)

OG : 11.02.2004 / 25370

3. Key Provisions

Employer;

- Shall take every precaution necessary to make sure, that the work equipment used in the workplace is suitable for the work done and this equipment will not cause any harm to the workers' health and safety,



By-law on Health and Safety Conditions in Using the Work Equipment (4)

OG : 11.02.2004 / 25370

3. Key Provisions (cont.)

- The workers assigned to operate the work equipment, will be given the sufficient training that includes the risks arising from operating these and ways to avoid these risks.

Annex – I : Minimum Requirements in the Work Equipment

Annex – II : Provisions for the Use of Work Equipment



By-law on Use of Personal Protective Equipments at the Workplace by Workers (1)

OG : 11.02.2004 / 25370

89/656/EEC - Council Directive on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace (third individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC)



By-law on Use of Personal Protective Equipments at the Workplace by Workers (2)

OG : 11.02.2004 / 25370

1. Objective

To determine the rules and regulations related with the specifications, supply, use and other issues of personal protective equipment to be used in cases where avoiding or sufficiently minimizing the risks at the workplace cannot be accomplished by technical measures for collective protection, work organization or work methods.

2. General Requirement

Personal protective equipment shall be used when the risks cannot be avoided or sufficiently limited by technical means of collective protection or by work organization and work methods.



By-law on Use of Personal Protective Equipments at the Workplace by Workers (3)

OG : 11.02.2004 / 25370

3. Key Provisions

- Personal protective equipment (PPE), as an obligation, will be provided by the employer in the work.
- PPE must be designed and produced accordingly to the **By-law on Personal Protective Equipment (CE)**”
- PPE will be provided free of charge by the employer
- The employer will inform the worker of the risks against which the PPE protects him and will give demonstrative training on the usage of the personal protection equipment.



By-law on Safety and Health Signs (1)

OG : 23.12.2003 / 25325

92/58/EEC - Council Directive on the minimum requirements for the provision of safety and/or health signs at work (ninth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)



By-law on Safety and Health Signs* (2)

OG : 23.12.2003 / 25325

1. Objective

To establish the rules for the use of safety and health signs at work.

*** Like other by-laws based on EU Directives this by-law was prepared by taking the annexes of this directive into account**



By-law on Manual Handling of the Loads (1)

OG : 11.02.2004 / 25370

90/269/EEC - Council Directive on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)



By-law on Manual Handling of the Loads (2)

OG : 11.02.2004 / 25370

1. Objective

To determine the required measures to be taken to protect the workers against the health and safety risks, particularly to protect workers against back injury, in jobs that require manual handling of the loads.



By-law on Manual Handling of the Loads (3)

OG : 11.02.2004 / 25370

2. Key Provisions

Employer;

- is obliged to take the necessary measures to ensure the load is carried by appropriate methods, particularly by using mechanical systems and make job organization to avoid the need for manual handling of the loads.

- In cases where manual handling cannot be avoided, according to health and safety requirements, will employ appropriate methods to reduce the risk due to manual handling and will make necessary arrangements.



By-law on Manual Handling of the Loads (4)

OG : 11.02.2004 / 25370

2. Key Provisions (cont.)

- Assess health and safety conditions of the type of work involved, taking into consideration the points in Annex-I and the specifications of the loads.
- Must take the measures appropriate with the job performed, and the characteristics of the work environment, taking into consideration Annex-I, to avoid or reduce the risks especially of back injury to the workers.



By-law on Health and Safety measures for Working with display screen equipment (1)

(OG : 23.12.2003 / 25325)

90/270/EEC - Council Directive on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)



By-law on Health and Safety measures for Working with display screen equipment (2)

(OG : 23.12.2003 / 25325)

1. Objective

To determine the minimum health and safety measures to be taken in working with display screen equipment

2. Definition

Display screen equipment:

All types of instruments, that show letters, numbers, shapes, graphs and pictures on their screens, regardless of the content of the operation in application



By-law on Health and Safety measures for Working with display screen equipment (3)

(OG : 23.12.2003 / 25325)

3. Key provisions

The decrees of this Regulation cannot be applied to:

- Driver's cabs or cabs for moving vehicles or machinery,
- Computer systems of the transportation vehicles,
- Computer systems open to public usage,
- Workplace, with the movable systems that are not used on a regular basis, small screened instruments that show data or measurement results, calculators, cash registers and alike,
- Typewriters with screens.



By-law on Minimum Safety and Health Requirements of Workers in Fishing Vessels (1)

OG : 27.11.2004 / 25653

93/103/EC - Council Directive concerning the minimum safety and health requirements for work on board fishing vessels (thirteenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)



By-law on Minimum Safety and Health Requirements of Workers in Fishing Vessels (2)

OG : 27.11.2004 / 25653

1. Objective

To determine the measures for the protection of health and safety of workers in fishing vessels



By-law on Minimum Safety and Health Requirements of Workers in Fishing Vessels (3)

OG : 27.11.2004 / 25653

2. Key provisions

Owner of the vessel;

- Enables the operation of the boat, especially protecting health and safety of workers particularly under meteorological conditions, where responsibility of the captain is reserved
- Establishes measures for the workers except the captain, who leave the workplace, hazardous area or the boat in case of serious, close or unavoidable emergency, against any disadvantage due to their behavior and harm they could get



By-law on Minimum Safety and Health Requirements of Workers in Fishing Vessels (4)

OG : 27.11.2004 / 25653

2. Key provisions (cont.)

Owner of the vessel;

- In case of any event that affected or might affect the health and safety of workers, has to report the event to the Regional Directorate of the MoLSS to which the boat is registered as a workplace and the Harbour Chair of the region in which the event has occurred.
- The event is recorded to the boat journal. A copy of the report is saved in the boats which are not obliged to keep a journal.



By-law on Minimum Safety and Health Requirements of Workers in Fishing Vessels (5)

OG : 27.11.2004 / 25653

2. Key provisions (cont.)

ANNEX I: Minimum health and safety requirements for the new fishing vessels

ANNEX II: Minimum health and safety requirements for the existing fishing vessels



By-law on Minimum Health and Safety Requirements for Better Healthcare Service on Board Vessels (1)

OG : 23.06.2002 / 24794

92/29/EEC - Council Directive on the minimum health and safety requirements for improved medical treatment on board vessels



By-law on Minimum Health and Safety Requirements for Better Healthcare Service on Board Vessels (2)

OG : 23.06.2002 / 24794

1. Objective:

To provide the required minimum health and security conditions for the vessels in order to provide better medical service.

2. Scope:

Required minimum health and security conditions (medicine, medical tools and equipments, infirmary, physician) for the board vessels in order to present a better medical service.



Regulation on Minimum Health and Safety Requirements for Better Healthcare Service on Board Vessels (3)

OG : 23.06.2002 / 24794

3. Key provisions:

- The owner of the ship shall be responsible for keeping and supplying medical equipment on the vessels, the captain of the vessel shall be responsible for the usage and maintenance of these.
- The ministry shall determine a center or centers to give free advice with radio in order to ensure a better emergency health attendance.



Regulation on Minimum Health and Safety Requirements for Better Healthcare Service on Board Vessels (4)

OG : 23.06.2002 / 24794

3. Key provisions (cont.):

- The ministry shall ensure to some of the physicians, who will present service in these centers, take education about the special conditions of the board vessels.
- Health records shall be kept by these centers to ensure the advices given by radio consultation to be more useful. The confidentiality of these records is essential.



By-law on Minimum Health and Safety Requirements for Better Healthcare Service on Board Vessels (5)

OG : 23.06.2002 / 24794

Three circulars are prepared in scope of this by-law to facilitate the enforcement of the by-law.

- 1. Circular on the Methods and Principles Preparation of Medication and Medical Supplies Certificate for the Vessels**
- 2. Circular on the Implementation Methods and Principles of Tele- Health System**
- 3. Circular on the Methods and Principles Concerned With the Supervision of the Actions and Procedures Carried out in Accordance with the Provisions of the By-law**



By-law on Minimum Health and Safety Requirements for Better Healthcare Service on Board Vessels (6)

OG : 23.06.2002 / 24794

Tele Health Project

Objective:

- To provide the required medical aid and consultancy on vessels.
- To provide emergency health attendance to the ill or injured persons within the Turkish search and rescue area.
- To provide coordination among other public bodies and institutions which are active in this area.



By-law on Health and Safety at Construction Sites (1)

OG : 23.12.2003 / 25325

92/57/EEC - Council Directive on the implementation of minimum safety and health requirements at temporary or mobile construction sites (eighth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)



By-law on Health and Safety at Construction Sites (2)

OG : 23.12.2003 / 25325

1. Objective

To lay down minimum safety and health requirements for construction sites.



By-law on Health and Safety at Construction Sites(3)

OG : 23.12.2003 / 25325

2. Key Provisions

- Construction works are listed in the Annex,
- Precautions shall be taken inside and outside of the construction site are specified,
- The contractor shall charge the legal or natural person with preparing, implementing and control of implementation as project supervisor,
- The contractor or the project supervisor shall appoint one or more coordinators for safety and health matters, for any construction site on which more than one contractor or sub-contractor is present,



By-law on Health and Safety at Construction Sites(4)

OG : 23.12.2003 / 25325

2. Key Provisions (cont.)

Project supervisor shall;

- Organize cooperation between employers, including successive employers on the same site,
- Coordinate their activities with a view to protecting workers and preventing accidents and occupational health hazards,
- Maintain reciprocal information as provided for in section (d) of Article 6 of By-law on OHS, ensuring that self-employed persons are brought into this process where necessary.



By-law on Health and Safety at Construction Sites (5)

OG : 23.12.2003 / 25325

2. Key Provisions (cont.)

Obligations of Contractors;

- According to this By-law the appointment of coordinators shall not affect the principle of contractors' responsibility
- Workers and/or their representatives shall be informed of all the measures to be taken concerning their safety and health on the construction site.
- To enforce the minimum health and safety measures described in the annex of this By-law.



By-law on Health and Safety at Construction Sites (6)

OG : 23.12.2003 / 25325

2. Key Provisions (cont.)

Also in this By-law,

- There exist the health and safety matters of the self-employed persons in the construction site,
- The responsibilities of appointed supervisors in all steps of planning and implementing of the project,
- There exist the obligation of announcing the construction site to the regional office of MoLSS even if the site is too large.



By-law on Protection of Workers Against Dangers of Explosive Atmospheres (1)

OG : 26.12.2003 / 25328

99/92/EC - Directive of the European Parliament and of the Council on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres (15th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)



By-law on Protection of Workers Against Dangers of Explosive Atmospheres (2)

OG : 26.12.2003 / 25328

1. Objective

To determine the necessary measures to be taken to protect the health and safety of the workers from the potential dangers of explosive atmospheres in the workplaces.



By-law on Protection of Workers Against Dangers of Explosive Atmospheres (3)

OG : 26.12.2003 / 25328

2. Key Provisions

Prevention of and protection from the explosions

Obligations of the Employer;

- Prevention of formation of an explosive atmosphere,
- If it is not possible to prevent the formation of an explosive Atmosphere, avoiding the ignition of explosive atmospheres,
- Taking the measures to reduce the detrimental effects.



By-law on Protection of Workers Against Dangers of Explosive Atmospheres (4)

OG : 26.12.2003 / 25328

2. Key Provisions (cont.)

Assessment of the explosion risk

Employer shall take into consideration the following points in assessment of the special risks;

- The possibility of an explosive atmosphere forming and its permanency,
- The presence of sources of ignition including static electricity and the possibility of them becoming active and effective,
- The installations, substances used, processes and their possible interaction in the workplace,
- The scale of the effect of a potential explosion.



By-law on Health and Safety Requirements of Surface and Underground Mineral-Extracting Industries (1)

OG : 21.02.2004 / 25380

92/104/EEC - Council Directive on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries (twelfth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)



By-law on Health and Safety Requirements of Surface and Underground Mineral-Extracting Industries (2)

OG : 21.02.2004 / 25380

1. Objective

To determine the minimum requirements, for the safety and health protection of workers in the surface and underground mineral-extracting industries

2. Surface and underground mineral-extracting industries shall mean:

- Surface or underground extraction of minerals,
- Prospecting with a view to mineral extraction,
- Preparation of extracted materials for sale, excluding the activities of processing the materials extracted,

The mineral-extracting industries through drilling is not included in the above definition.



By-law on Health and Safety Requirements of Surface and Underground Mineral-Extracting Industries (3)

OG : 21.02.2004 / 25380

3. Key Provisions

- The workplaces shall be designed, constructed, equipped, commissioned, operated and maintained in such a way that workers can perform the work assigned to them without endangering their safety and health and those of other workers,
- All the work carried out at the workplace takes place under the supervision and responsibility of a person in charge,
- The work involving a special risk is entrusted only to competent staff and carried out in accordance with the instructions given .



By-law on Health and Safety Requirements of Surface and Underground Mineral-Extracting Industries (4)

OG : 21.02.2004 / 25380

3.Key Provisions (cont.)

- All the safety instructions shall be comprehensible to all the workers concerned.
- Sufficient first-aid facilities shall be provided.
- Necessary safety drills shall be performed at regular intervals.
- A “Safety and Health Document” is drawn up and kept up to date.
- The employer shall report any serious and/or fatal occupational accidents and situations of serious danger to the regional directorate of MoLSS, at the latest within two days.



By-law on Requirements for Health and Safety Conditions in the Mineral Extracting Industries through Drilling (1)

OG : 22.02.2004 / 25381

92/91/EEC - Council Directive concerning the minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling (eleventh individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)



By-law on Requirements for Health and Safety Conditions in the Mineral Extracting Industries through Drilling (2)

OG : 22.02.2004 / 25381

1. Objective

To determine the minimum requirement for the protection of the health and safety of the workers in the mineral extracting industry through drilling.

2. Mineral extracting industries through drilling shall mean:

- Extraction of minerals by drilling boreholes,
- Prospecting with a view to extraction,
- Preparation of extracted materials for sale, excluding the activities of processing the materials extracted.



By-law on Requirements for Health and Safety Conditions in the Mineral Extracting Industries through Drilling (3)

OG : 22.02.2004 / 25381

3. Key Provisions

- Workplaces shall be designed, constructed, equipped, commissioned, operated and maintained in such a way that workers can perform the work assigned to them without endangering their safety and/or health and/or those of other workers
- All the work carried out at the workplace takes place under the supervision of a person in charge.
- Work involving a special risk shall be carried out only by competent staff and in accordance with the instructions given.
- All safety instructions are comprehensible to all the workers concerned



By-law on Requirements for Health and Safety Conditions in the Mineral Extracting Industries through Drilling (4)

OG : 22.02.2004 / 25381

3. Key Provisions (cont.)

- Appropriate and sufficient first-aid facilities shall be provided.
- Relevant safety drills shall be performed at regular intervals.
- A “Safety and Health Document” is drawn up and kept up to date.
- Where workers from several undertakings are present at the same workplace, each employer shall be responsible for all matters under his control.



By-law on Health and Safety Measures Working with Carcinogen and Mutagen Substances at Work (1)

OG : 26.12.2003 / 25328

99/38/EC - (90/394/EEC-97/42/EC) Council Directive amending for the second time Directive 90/394/EEC on the protection of workers from the risks related to exposure to carcinogens at work and extending it to mutagens



By-law on Health and Safety Measures Working with Carcinogen and Mutagen Substances at Work (2)

OG : 26.12.2003 / 25328

1. Objective

To determine the health and safety measures for protection of workers against risks, including the prevention of such risks, arising from exposure to carcinogen and mutagen substances at work.



By-law on Health and Safety Measures Working with Carcinogen and Mutagen Substances at Work (3)

OG : 26.12.2003 / 25328

2. Key Provisions

In the classification of Carcinogens and Mutagens, European Commission's (EC) classification system is used.



By-law on Health and Safety Measures Working with Carcinogen and Mutagen Substances at Work (4)

OG : 26.12.2003 / 25328

2. Key Provisions (cont.)

Reduction of Usage

- The employer shall reduce the use of a carcinogen or mutagen substances at the place of work, in particular by replacing it, in so far as is technically possible, by a substance, preparation or process which, under its conditions of use, is not dangerous or is less dangerous to workers' health or safety, as the case may be.
- The employer shall, upon request, submit the findings of his investigations about changing the carcinogen and mutagen substances to the MoLSS.



By-law on Health and Safety Measures Working with Carcinogen and Mutagen Substances at Work (5)

OG : 26.12.2003 / 25328

2. Key Provisions (cont.)

Prevention and Reduction of Exposure

- Where it is not technically possible to replace the carcinogen or mutagen or their mixture by a substance, preparation or process which under its conditions of use, the employer shall ensure that the carcinogen or mutagen is, in so far as is technically possible, manufactured and used in a closed system.

Limit Values

- The related values, which are given in the annex of the By-law, of Benzene, Monomer of Vinylchlorur and hard wood dusts are the same with EC values.



By-law on Health and Safety Measures Working with Asbestos (1)

OG: 26.12.2003 / 25328

2003/18/EC - (83/477/EEC-91/382/EEC) Directive of the European Parliament and of the Council amending Council Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work



By-law on Health and Safety Measures Working with Asbestos (2)

OG: 26.12.2003 / 25328

1. Objective

To protect the workers from exposure to asbestos dust and protect them from any health risks arising from this exposure, identifying the limit values and other special precautions.



By-law on Health and Safety Measures Working with Asbestos (3) OG: 26.12.2003 / 25328

2. Key Provisions (cont.)

Prohibition of Usage

- It is prohibited to work with asbestos by spraying and use of asbestos containing isolation or sound isolation material, with a density less than 1 gr/cm^3 .

- As long as it is not against the applicable laws in relation to the sale and marketing of asbestos use:

The extraction of asbestos, production and processing of asbestos products or asbestos added products where the workers may be exposed to asbestos fibers are prohibited.



By-law on Health and Safety Measures Working with Asbestos (4)

OG: 26.12.2003 / 25328

2. Key Provisions (cont.)

- However the discarding of asbestos products stemming from work like demolishing, pulling out and setting apart asbestos containing material are excluded .

Limit Values

Employer shall ensure that the asbestos concentration in the air that the workers are exposed to shall not be greater than 0.1 fiber/cm³ for eight hours time weighted average (TWA).



By-law on Health and Safety Measures Working with Asbestos (5)

OG: 26.12.2003 / 25328

2. Key Provisions (cont.)

Transportation of asbestos via airlines will be regulated in the field of OHS provisions of the Labour Law, nevertheless the transportation of asbestos via seaway is not regulated in our legislation.



By-law on Health and Safety Measures Working with Asbestos (6)

OG: 26.12.2003 / 25328

2. Key Provisions (cont.)

Reporting

The employer is responsible to report to the Ministry a workplace that falls under this By-law, prior to commencement of work.

a) The report shall cover the following items:

- The workplace address,
- The type and amount of asbestos being used or processed,
- The jobs performed and utilized processes,
- Number of employees working,
- Start date of the work and the work's duration,
- The precautions taken to avoid exposure of workers.



By-law on Health and Safety Measures Working with Asbestos (7) OG: 26.12.2003 / 25328

2. Key Provisions (cont.)

- b) The workers or their representatives have the right to see the documents that are related to reporting to the Ministry.
- c) The employer is obliged to provide a new report at each and every instance where a change is made that shall significantly increase the asbestos dust in the working conditions.

The Implementation of Dismantling by Experts

- The dismantling and removal of asbestos shall be carried out by persons and establishments with sufficient knowledge and experience.



By-law on Health and Safety Measures Working with Asbestos (8)

OG: 26.12.2003 / 25328

. Key Provisions (cont.)

Work Plan

A plan of work shall be drawn up before demolition work or work on removing asbestos and/or asbestos-containing products from buildings, structures, plant or installations or from ships is started.

The work plan shall be given to the Ministry.



By-law on Health and Safety Measures Working with Asbestos (9)

OG: 26.12.2003 / 25328

2. Key Provisions (cont.)

Entry into the Register

- In workplaces with activities in asbestos, the employer is obliged to register the records and store them;
- The employer shall enter in a register, indicating the nature and duration of the activities and the exposure of the workers responsible for carrying out work with asbestos or material containing asbestos. The doctor and/or the authority responsible for medical surveillance shall have access to this register. Each worker shall have access and may take a copy of the results in the register which relate to him personally. The workers and/or their representatives shall have access to anonymous, collective information in the register.



By-law on Health and Safety Measures Working with Asbestos (10)

OG: 26.12.2003 / 25328

2. Key Provisions (cont.)

- The register shall be kept for at least 40 years following the end of exposure.
- In case the operation is halted at the workplace, the employer is obliged to give the register to the Ministry.



By-law on Health and Safety Measures Working with Asbestos (11)

OG: 26.12.2003 / 25328

3. Sanction

- To the employers who do not fulfil the responsibilities about protection from asbestos will be punished with administrative fine according to the 105th article of the Labour Law.
- If this responsibility contains a risk to the employees' life, operation of the enterprise is fully or partially suspended, or the enterprise is closed according to the 79th article of the Labour Law.



By-law on the Protection of the Health and Safety of Workers from the Risks Related to Chemical Agents at Work (1)

OG : 26.12.2003 / 25328

98/24/EC - (91/322/EEC-2000/39/EC) Council Directive on the protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)



By-law on the Protection of the Health and Safety of Workers from the Risks Related to Chemical Agents at Work (2)

OG : 26.12.2003 / 25328

1. Objective

To determine the minimum requirements to protect the health of the workers from the dangers and hazardous effects of chemical agents present, used or processed at the workplace, and to provide a secure working environment from these risks



By-law on the Protection of the Health and Safety of Workers from the Risks Related to Chemical Agents at Work (3)

OG : 26.12.2003 / 25328

Key Provisions

The employer shall ensure that the risk from a hazardous chemical agent to the safety and health of workers at work is eliminated or reduced to a minimum

in applying this;

Firstly, substitution method shall be applied, the employer shall avoid the use of the hazardous chemical agent and replace it with another agent or process which is not hazardous or less hazardous to workers' safety and health,

Where the nature of work does not permit the use of substitution method, based on the results of the risk assessment the measures shall be taken to reduce the risk.



By-law on Protection of the Health and Safety of Workers from the Risks Related to Chemical Agents at Work (4)

OG : 26.12.2003 / 25328

2. Key Provisions (cont.)

To protect the workers from the health risks caused by the chemical agents listed in Annex-III or from the operations involving these chemical agents, in the event that these chemical agents are found to be at higher levels than mentioned in the Annex, their production, usage and processing shall be prohibited. (Article 11)

But, there is not any substance that is totally prohibited to use.



By-law on Protection of the Health and Safety of Workers from the Risks Related to Chemical Agents at Work (5)

OG : 26.12.2003 / 25328

2. Key Provisions (cont.)

“**OCCUPATIONAL EXPOSURE LIMIT VALUES**” are given in the annexes of the By-law and they are the annexes of following directives;

- Annex-1C (91/322/EEC),
- Annex-1B (2000/39/EC).

In this By-law, the systematics and the approach of the classification of the chemicals in the directive 98/24/EC are adopted



By-law on Prevention against Risks of Exposure to Biological Agents (1)

OG : 10.06.2004 / 25488

2000/54/EC - (93/88/EEC – 97/59/EC – 97/65/EC) Directive of the European Parliament and of the Council on the protection of workers from risks related to exposure to biological agents at work (seventh individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC)



By-law on Prevention against Risks of Exposure to Biological Agents (2)

OG : 10.06.2004 / 25488

1. Objective

To determine the bases and procedures for prevention and reduction of the health and safety risks arising from the exposure of workers to biological agents.

This By-law determines the minimum special provisions in this field.



By-law on Prevention against Risks of Exposure to Biological Agents (4)

OG : 10.06.2004 / 25488

2. Key Provisions

In the classification of Biological Agents, European Commission's (EC) classification system is used.

Substitution

Substitution method shall be applied, the employer shall avoid the use of the hazardous biological agents and appropriate to technical improvements, replace it with another agent which is not hazardous or less hazardous to workers' safety and health



By-law on Prevention against Risks of Exposure to Biological Agents (5)

OG : 10.06.2004 / 25488

2. Key Provisions (cont.)

Announcement

Employer shall give the Ministry information about:

- If the result of the risk assesment shows that there is a risk for health and safety of the workers, if requested, the employer gives information about the subjects below to the MoLSS;

- 1) The results of risk assesment.
- 2) The works that the workers may be exposed to biological agents.
- 3) The number of workers exposed.
- 4) The name, title and the sufficiency on this subject of the person who is responsible for the health and safety at the work place.



By-law on Vibration (1)

(OG : 23.12.2003 / 25325)

2002/44/EC - Directive of the European Parliament and of the Council on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (sixteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)



By-law on Vibration (2)

(OG : 23.12.2003 / 25325)

1. Objective

To determine the necessary precautionary measures to be taken for the protection of the workers from health and safety risks arising from exposure to mechanical vibration

2. Key Provisions

Daily exposure values are determined according to the standards “TS ENV 25349 – Mechanical Vibration – Guidance for Measuring and Evaluating of Exposure to Hand Vibration” and “TS 2775 – Guidance for Evaluation of Exposure to Whole Body”.

By-law on Vibration (3)

(OG : 23.12.2003 / 25325)

2. Key Provisions (cont.)

- Exposure limit values and exposure action values are;
 - a) For hand – arm vibration
 - 1) The daily exposure limit value for an eight hours long work day is 5 m/s^2 ,
 - 2) The daily exposure action value for an eight hours long work day is $2,5 \text{ m/s}^2$.
 - b) For the whole body vibration
 - 1) The daily exposure limit value for an eight hours long work day is $1,15 \text{ m/s}^2$,
 - 2) The daily exposure action value for an eight hours long work day is $0,5 \text{ m/s}^2$.



By-law on Vibration (4)

(OG : 23.12.2003 / 25325)

2. Key Provisions (cont.)

- Risks will be determined and assessed
- Risks will be eradicated at the source or be reduced to a minimum,
- Trainings will be given about vibration and preventive measures,
- Health surveillance will be carried out for early diagnosis.



By-law on Vibration (5)

(OG : 23.12.2003 / 25325)

3. Enforcement Date

This By-law shall enter into force on 23 December 2006



By-law on Noise (1) **(OG : 23.12.2003 / 25325)**

2003/10/EC - Directive of the European Parliament and of the Council on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (noise) (Seventeenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)



By-law on Noise (2)

(OG : 23.12.2003 / 25325)

Objective

To establish the necessary preventive measures to be taken to protect the workers from health and safety risks associated with exposure to noise, especially the risks related to hearing

Key Provisions

The levels of daily noise exposure and the limit exposure levels for the maximum sound pressure and active exposure values are given in this By-law.

- Limit exposure values: $LEX, 8h=87$ dB(A) and $P_{peak} = 200$ Pa
- The highest limit exposure action values: $LEX, 8h=85$ dB(A) and $P_{peak} = 140$ Pa
- The lowest limit exposure action values: $LEX, 8h=80$ dB(A) and $P_{peak} = 112$ Pa

Enforcement Date

This By-law shall enter into force on 23 December 2006



By-law on Occupational Health and Safety in Temporary Works (1)

OG : 15.05.2004 / 25463

91/383/EEC - Council Directive supplementing the measures to encourage improvements in the safety and health at work of workers with a fixed-duration employment relationship or a temporary employment relationship



By-law on Occupational Health and Safety in Temporary Works (2)

OG : 15.05.2004 / 25463

1. Objective

Protection of workers working according to temporary contract, to the same extent as the other workers in the workplace, in terms of their health and safety.



By-law on Occupational Health and Safety in Temporary Works (3)

OG : 15.05.2004 / 25463

2. Scope

Covers the workers

- working according to a temporary contract, in which the termination of the work is dependent upon objective requirements, such as completion of a specific work or achievement of a specific result; and
- working in the employer's workplace according to a temporary contract.



By-law on Occupational Health and Safety in Temporary Works (4)

OG : 15.05.2004 / 25463

2. Key Provisions

The employer shall;

- Provide protection at the same level as provided to other workers by means of working conditions, including health and safety; and provide equal access to personal protective equipment,
- Provide adequate training suitable for their tasks, considering their knowledge and experience,
- Provide health surveillance specific to the work performed.



By-law on Working Conditions of Pregnant and Breast-Feeding Women, Breast-Feeding Rooms and Child Care Nurseries (1)

OG : 14.07.2004 / 25522

92/85/EEC - Council Directive on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)



By-law on Working Conditions of Pregnant and Breast-Feeding Women, Breast-Feeding Rooms and Child Care Nurseries (2)

OG : 14.07.2004 / 25522

1. Objective

To implement measures for ensuring and improving health and safety of pregnant and breast-feeding workers and to determine the works and periods in which the employment of these workers is prohibited, the conditions to be fulfilled in the works that they could be employed, the means for establishment of child care nurseries and the conditions they should meet.



By-law on Working Conditions of Pregnant and Breast-Feeding Women, Breast-Feeding Rooms and Child Care Nurseries (3)

OG : 14.07.2004 / 25522

2. Key Provisions

The effects of chemical, physical and biological agents and industrial processes, which are hazardous for pregnant and breast-feeding women, on the workers are assessed and general and specific measure against these effects are mentioned.

- Employment of breast-feeding workers at night for 6 months from birth is prohibited.



By-law on Working Conditions of Pregnant and Breast-Feeding Women, Breast-Feeding Rooms and Child Care Nurseries (4)

OG : 14.07.2004 / 25522

2. Key Provisions (cont.)

- Pregnant and breast-feeding workers cannot work for more than seven-and-half hours a day.
- Pregnant workers are not employed for 16 weeks, 8 weeks being before confinement and 8 weeks after confinement.
- Pregnant workers are entitled to paid-leave for their periodical controls during their pregnancy.



By-law on Working Conditions of Pregnant and Breast-Feeding Women, Breast-Feeding Rooms and Child Care Nurseries (5)

OG : 14.07.2004 / 25522

2. Key Provisions (cont.)

- Women workers are given a total of one-and-half hour break for breast-feeding of their children younger than one year.
- Regardless of their age or marital status, a breast-feeding room, which is separated and at a maximum distance of 250 m from the workplace, is established for care of children younger than one year and breast-feeding, in the workplaces where 100-150 women workers are employed.



Self-employed Workers

Council Recommendation of 18 February 2003 concerning the improvement of the protection of the health and safety at work of self-employed workers

Although there isn't any existing provision concerning OHS about self-employed workers in Turkish Legislation, "Draft Social Security and General Health Insurance Law" which is currently at the Parliament contains some articles relating to the occupational accidents and diseases. When it is enacted the self-employed will also enjoy the similar rights and responsibilities in case of an accident and an occupational disease.



Electromagnetic Fields

Directive **2004/40/EC** on minimum requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (18th Individual Directive)

Although it is examined by the experts there has not been any work for the harmonisation yet.



THANK YOU FOR YOUR ATTENTION