May 22, 2008. Ulaanbaatar city****

**Mongolian Law on Labour Safety and Hygiene**

**CHAPTER ONE**

**General Provision**

**Article 1. Purpose of law**

1.1 The purpose of this law is to define state policy and basic principles on labour safety and hygiene and to regulate the relations with respect to maintain safety and hygiene requirements and standards of management of state organizations, inspection structure and work place, develop the condition for the citizen for working in healthy and safe environment.

**Article 2. Legislation on labour safety and hygiene**

2.1. Labour safety and hygiene and related legislation consist of Constitution of Mongolia, Labour Law, this law and other relevant legislation which is consistent with those laws.

2.2. If an international treaty to which Mongolia is a signatory is inconsistent with this law, then the provisions of the international treaty shall prevail.

**Article 3. Definitions of law terms**

3.1. In this law the following terms shall have the following meaning:

3.1.1.“labour safety and hygiene” means political, social, economic, organizational, technical and technological, health and hygiene activities taken in order to set up working condition for the men, that can stay healthy and safe, while working, make medical treatments, rehabilitate and protect from risks;

3.1.2.“labour safety” means negative and toxic factors of industry that can be influenced man’s health and working ability, is kept within the acceptable level;

3.1.3.“labour hygiene” means activities taken in order to take precautions against the change to human body and nerve, become ill and partial and full loss of working ability, because of chemical, physical, biological factors, while working;

3.1.4.“labour condition” means work place and industrial environment that may influence man’s health and working ability in specialized and collaborate ways;

3.1.5.“toxic industrial factors” means industrial factors that may harm human health, change state of nerve, cause professional diseases;

3.1.6.“hazardous industrial factors” means factors that may cause intoxication, industrial accident, harm human health and life within working shift;

3.1.7. ”work place risks” means work place conditions that may cause industrial condition, intoxication and professional diseases to citizen;

3.1.8.”risk assessment” means the process of assessing work place risks; 3.1.9. ”work place” means all the places that should be under direct and indirect control of employer, where the citizen and employee shall come to in regards of its duties;

 3.1.10.”intoxication” means extreme and sub-acute poisoning within short term of period, because of radio or bio active substances and toxic chemical substances;

3.1.11.“special uniform” means items like clothes, hat and gloves that designed to protect from toxic and hazardous industrial factors;

3.1.12.”personal protective equipment” means equipments purposed to protect employee from toxic and hazardous factors;

3.1.13.“collective protective equipment” means equipment purposed to protect two and more employees simultaneously from toxic and hazardous industrial factors;

3.1.14.”labour safety and hygiene management” means comprehensive management activities intercommunicated in defining labour safety and hygiene policy and objectives, implementing, controlling and estimating;

3.1.15.”public facilities” means specially equipped rooms for changing clothes, resting, dining, shower and toilet rooms, warming room purposed to maintain employees normal working condition;

3.1.16.“certification of industrial work place by its working condition” means making assessment on hazardous, toxic, heavy and pressure conditions meet labour hygiene criteria;

3.1.17.“hazardless labour condition” means toxic and hazardous industrial factors’ influence to employee is being under the acceptable level;

3.1.18.”safety of industrial equipments” means meeting the labour safety requirements in operating equipments and machinery according to the conditions set in blue print and technical documentation;

3.1.19. “labour safety and hygiene standard” means criteria on labour condition, safety and hygiene set forth by relevant authority.

**Article 4. Relations regulated by the law**

4.1. This law regulates relations of following subjects:

4.1.1. employers and employee as indicated in articles 31.1 and 3.1.2 of Labour law;

4.1.2. citizen owing private business;

4.1.3. worker who working under the contract between citizens;

4.1.4. university, college, vocational collage students who making a practice work at business entity and organizations and military academy student;

4.1.5. military personnel on active and contract duty;

4.1.6. members of associates and cooperatives;

4.1.7. prisoner in jail;

4.1.8. Mongolian citizen who work for foreign entity that operating in Mongolian territory, foreigner or stateless citizen.

4.1.9. Mongolian citizen, foreigner, stateless citizen who work under joint agreement and other forms

**Article 5. State policy and regulation on labour safety and hygiene**

5.1. The basis of state policy on labour safety and hygiene is to protect life and health of working citizen in all aspects.

5.2.Following principles will be kept for labour safety and hygiene activities:

5.2.1. Requirements of the norms on labour safety and hygiene shall be integrated within the Mongolian territory;

5.2.2. Maintain continuous structure to control the implementation of labour safety and hygiene requirements and standards;

5.2.3. Maintain the openness and veracity of information on labour safety and hygiene;

5.2.4. Labour condition that meets labour safety and hygiene requirements shall be mainained.

**CHAPTER TWO**

**Labour safety and hygiene requirements and standard**

**Article 6. Labour safety and hygiene requirements and standard**

6.1. Labour safety and hygiene requirements shall be set up as legislation and it shall be integrated and purposed to protect citizen on the course of implementation of his/her duties.

6.2. Labour safety and hygiene standards shall be approved by organization which is in charge of standards upon agreed with the state authority.

**Article 7. Requirements on industrial buildings and facilities**

7.1. Activities, such as to build and extend industrial buildings and facilities, installing machinery and equipments, doing maintenance, are shall meet labour safety and hygiene requirements.

7.2. A conclusion from relevant professional organization shall be obtained to carry out activities indicated in article 7.1 of this law.

**Article 8. Requirements on joint ownership and use of industrial buildings and facilities**

8.1. Following requirements shall be followed, If two or more employers owning or using industrial building and facilities:

8.1.1. Owner and user shall set up a regulation on maintaining labour safety and hygiene requirements and implements accordingly;

8.1.2. If the owner or user using toxic and hazardous substances, blasting elements and radio and bio active substances shall mutually inform and take integrated activity to maintain labour safety and hygiene requirements;

8.1.3. Guilty party shall be responsible for the damages occurred because of misinformation indicated in article 8.1.2 of this law.

8.2. It is prohibited to jointly own industrial buildings and facilities if requirements indicated in article 8.1.1 of this law, is not maintained.

**Article 9. Requirements on machinery and equipments**

9.1. Following requirements shall be maintained for machinery and equipments that are purposed for industrial use and that may harm human health:

9.1.1. structure, model, moveable parts, controlling, alarm system and other parts (labour facility, exits, steps, barrier and protective equipments etc) of machinery and equipments shall be met safety requirements;

9.1.2. shall have operation and safety instruction, technical documentation to operate and service machinery and equipments;

9.1.3 shall get it controlled by professional organization and get certificate, before using machinery and equipments after installation and maintenance;

9.1.4 Make servicing, maintenance and adjucement to the machinery and equipments within the period indicated in technical documentation.

9.2. Shall have transferred the machinery and equipments to others together with technical documentation and certificate.

9.3. Electrical equipments shall be equipped with control, alarm, cover and barrier in order to prevent from possible hazards.

9.4. Electrical equipments shall be installed as indicated in drawings, equipped with groundings and the grounding capacity is approved by the professional organization to meet power safety requirements.

9.5. It is prohibited to use machinery and equipments that doesn’t meet the requirements indicated in articles 9.1-9.4.

**Article 10. Requirements on lifting, carrying and transporting mechanisms**

10.1. Entire technical completeness of the lifting, carrying and transporting mechanisms shall be maintained.

10.2. Technical inspection to the lifting, carrying and transporting mechanism shall be made by professional organization and the permission to use is obtained.

10.3. Service, maintenance and adjustments shall be done as indicated in technical documentation and within the period set by authorities.

10.4. Employer shall maintain the condition required in articles 10.1, 10.2 and 10.3 of this law.

**Article 11. Requirements on pressure containers and pipelines**

11.1. Pressure containers and pipelines shall meet following requirements:

11.1.1. pressure containers and pipelines shall be adjusted and certified according to relevant regulation and technical integrity is maintained and user license obtained;

11.1.2. shall have usage procedure for safe usage and storing for long period of time;

11.1.3. Shall be equipped with proper signs, alarm system and protective equipments.

**Article 12. Requirements on handling with toxic and hazardous substances, blasting elements and equipment, radio and bio active substances**

12.1. Employer shall take activities to protect and prevent employee’s life and health from toxic and hazardous substances, blasting elements and equipment, radio and bio active substances and its influences.

12.2. Employer shall keep records about usage of toxic and hazardous substances, blasting elements and equipment, radio and bio active substances in the course of operation and inform labour control and other relevant professional organization as indicated in regulation approved by relevant authority.

12.3. An employee who handles with toxic and hazardous substances, blasting elements and equipment, radio and bio active substances shall have the knowledge about substance handling and its influences.

12.4. Other requirements on organizations and business entities that use or handle with toxic and hazardous substances, blasting elements and equipment, radio and bio active substances shall be regulated by related laws and legislation.

12.5. Accident and intoxication occurred in relation with toxic and hazardous substances, blasting elements and equipment, radio and bio active substances shall be studied and registered as industrial accident.

**Article 13. Requirements on fire safety**

13.1. An element indicated in article 4.1 of this law shall have the right to prevent fire hazard and maintain regulation, procedure and standard on fire extinguishing.

13.2. Fire alarm, fire fighting set and fire escape map shall be illustrated in every work place where fire hazard is essential and employee who works in that facilities shall have the knowledge how to use these equipments.

13.3. Right and responsibilities of citizen, business entities and organizations on maintaining fire safety shall be regulated by law on Fire Safety and Law on Administrative Responsibility.

**Article 14. Medical check**

14.1. Employer shall include employee in pre-employment and scheduled medical check in accordance with regulation approved by state authority in charge of health issues.

14.2. Employer shall cover the expenses arise in relation with medical check indicated in article 14.1 of this law.

14.3. An element indicated in article 4.1 of this law shall be included in medical check if required by the profession and work place.

14.4. Regulation on employee medical check shall be approved by the state authority in charge of health issues.

**Article 15. Supply employee with special work uniform and personal protective equipments**

15.1.Employer shall provide employee with special uniform and PPE in accordance to employee work place and work condition, without any charge

15.2. Employer shall be in charge of the expenses regarding testing, purchasing, storing, cleaning, repairing and disinfection of special work uniform and PPE.

15.3. Employer shall work out and set forth the list of special work uniforms and PPE types and life of usage.

15.4. Employer shall get accreditation of work uniform and PPE quality from professional organization. This article is not irrespective to uniforms and PPE that are manufactured according to international standards and quality assurance.

**Article 16. Requirements on labour safety and hygiene for disabled citizen**

17.1. A labourer, an employee and an employer shall attend in short term labour safety and hygiene trainings, that is approved by state authority in charge of labour issues and gained knowledge and practice on it.

17.2. A short term trainings indicated in 17.1 of this law can be organized by following types:

17.2.1. training for new employee;

17.2.2. training for employee who changing work place;

17.2.3. Training for employees who work in work place with toxic and hazardous industrial influence and other alternative risks.

17.3. In the work place indicated in article 17.2.3 of this law shall employ a citizen who attended in relevant trainings and passed exams.

17.4. Employer shall organize trainings on labour safety and hygiene not less than two times in a year, make all employees attend in these trainings and take exams.

17.5. Cabinet member who is in charge of labour issues shall approve the regulations on labour safety and hygiene training and exams.

17.6. The relation regarding preparation of professional staff and re-education shall be regulated by Law on Education and Law on High Education.

**CHAPTER THREE**

**Right and responsibilities of citizen and employee who shall enjoy**

**comfortable condition of working**

**Article 18. Rights and responsibilities of citizen and employee**

18.1. Citizen and employee who is working shall have following common rights:

18.1.1.to work in work place that meets labour safety and hygiene requirements;

18.1.2.to be included in labour accident and occupational disease insurance;

18.1.3.to get true information about the work place condition, risks that may harm health and toxic and hazardous industrial factors;

18.1.4.to stop its work and report to employer if seen labour safety regulation is violated and dangerous negative impact that may harm life and health;

18.1.5.to participate in meetings where to discuss labour safety and hygiene issues by himself/herself or throught the representative;

18.2. Citizen and employee who is working shall have following common responsibilities:

18.2.1.to strictly obey labour safety and hygiene requirements, standard, regulation and technological procedure;

18.2.2.to be included in labour safety and hygiene training and taken an exam if specially indicated in law and be instructed safety induction;

18.2.3.to take immediate activities as indicated in safety regulations and procedure, if seen labour safety regulation is violated and dangerous negative impact that may harm life and health;

18.2.4.to protect its health, to be included in medical check and screening;

18.2.5.to use work uniforms and PPE as required;

18.2.6.to be trained to be able to do its work safely and to be able to do first aid during emergency;

18.2.7.to be able to risk him/her or others;

18.2.8. to follow requirements on labour safety and hygiene that is required by employer.

**CHAPTER FOUR**

**Structure, authority and financing of organization**

**that is in charge of labour safety and hygiene**

**Article 19 Structure of organization that is in charge of labour safety and hygiene**

19.1. Structure of state organization that is in charge of labour safety and hygiene consists of state authority on labour issues, organization in charge of occupational disease and labour condition under the state authority, local administrative unit governance organizations, controlling organizations, labour safety and hygiene commission or officer in business entities and organizations.

**Article 20. Parliament Authority**

20.1. Parliament shall implement following authorities on labour safety and hygiene issues:

20.1.1. to define national policy on labour safety and occupational disease;

20.1.2. to define the authorities of Government, State Authority on labour safety and hygiene and other relevant organizations during emergency situation;

20.1.3. to discuss to become or not to become a member of international treaties and convention on labour safety and hygiene;

20.1.4. other authorities indicated in law;

**Article 21. Government Authority**

21.1.Government shall implement following authorities:

21.1.1.to develop state policy on labour safety and hygiene and maintain the implementation;

21.1.2.to develop and implement national program on labour safety and hygiene;

21.1.3.to make and cancel an agreement on labour safety and hygiene issues with other countries and international organizations, within its plenary power;

21.1.4.to take activities to prevent from industrial accident, occupational disease and extreme poisoning;

21.1.5.to set up an regulation to organize and implement state control on labour safety and hygiene;

21.1.6.to set up an regulation to distribute information about labour safety and hygiene and to organize statistic database;

21.1.7.to order relevant organizations to make studies and researches on labour safety and hygiene;

21.1.8.to approve the regulation to study and register extreme poisoning; 21.1.9.other authorities indicated in law;

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**Article 22. Authority of State Authority on Labour Issues**

22.1. State Authority on Labour shall implement following authorities:

22.1.1.to implement the state policy on labour safety and hygiene;

22.1.2.to maintain mutual consistency between state authority, local governance organization, employer, employee representative organization, non-governmental organizations;

22.1.3.to develop common legislation document on labour safety and hygiene jointly with state administration and related professional organizations;

22.1.4.to propose about professional human resource on labour safety and hygiene to related organization;

22.1.5.to set up an regulation on organizing labour safety and hygiene training and taking exams;

22.1.6.to report about industrial accident, occupational disease and extreme poisoning, to develop a database on work place condition with toxic and hazardous industrial factors and inform to relevant organization and public;

22.1.7.to develop international relationship in labour safety and hygiene issues;

22.1.8.to propose to change percentage and amount of industrial accident and occupational disease insurance to National Social Insurаnce Committee;

22.1.9.to organize an organization that should be in charge of occupational disease and labour condition and approve structure, number of staff and procedure of that organization;

22.1.10.other authorities indicated in law.

**Article 23. National Committee on labour safety and hygiene and its authorities**

23.1. National Committee /part time/ on labour safety and hygiene shall be organized under the Government Member in charge of Labour Issues, with equal number of members from State administration and employer, employee representatives.

23.2. The head of National Labour and Social Agreement Committee shall approve the procedure and structure of National Committee.

23.3. National Committee shall implement following authorities:

23.3.1.to participate in developing state policy on labour safety and hygiene and implementing;

23.3.2.to issue an advice and proposal on labour safety and hygiene issues;

23.3.3.to study the condition and reason of labour safety, hygiene, industrial accident, occupational disease and extreme poisoning, to issue an recommendation and advice related organizations;

23.3.4.to include its representative in developing a issue to join a convention of international labour organization;

**Article 24. Aimag, Soum, Capital and District Citizens Representative Meeting authority**

24.1. Aimag, Soum, Capital and District Citizens Representative Meetingshall implement following authorities:

24.1.1.to approve the activities to prevent from industrial accident, poisoning and occupational disease and amount required for that, to control on implementation within its territory;

24.1.2.to discuss and assess the report and information of Governor of same administrative unit, on implementation of legislations on labour safety and hygiene, and prevention from industrial accident, poisoning and occupational disease;

24.1.3.to make decisions on prevention from labour safety, hygiene, industrial accident, poisoning and occupational disease and control implementation;

24.1.4.to maintain the participation of government and non government organization, business entities, organizations and citizen in implementation of state policy on labour safety and hygiene;

24.1.5.other authorities indicated in law;

**Article 25. Authorities of Governors of all level**

25.1. Aimag and Capital Governors shall implement following authorities in implementation of legislations on labour safety and hygiene:

25.1.1.to plan the expense required for activities to prevent from labour safety, hygiene, industrial accident, poisoning and occupational disease and control implementation;

25.1.2.to control the implementation of legislation on labour safety and hygiene;

25.1.3.to study the reason of industrial accident, poisoning and occupational disease and take preventive activities;

25.1.4.to take immediate activities to eliminate the hazard and to rescue the population during the major industrial accident and poisoning;

25.1.5.to provide with professional and methodological guidance to officer who is in charge for labour issues within the territory and collaborate with state administrative organization by agreement;

25.1.6.other authorities indicated in law;

25.2. Soum and District Governors shall implement following authorities in implementation of legislations on labour safety and hygiene:

25.2.1.to organize the implementation of legislation on labour safety and hygiene and decision of Citizens Representative Meeting and upper level Governor;

25.2.2.to organize the activities to include organizations, business entities and citizens in activities to protect and prevent from industrial accident, toxic and hazardous industrial factors;

25.2.3.other authorities indicated in law;

**Article 26. Financing of labour safety and hygiene activities**

26.1.The financing shall consists of following resources:

26.1.1.state and local budget;

26.1.2.donations from international and domestic organization, business entities and citizen;

26.1.3.International loans and aids;

26.1.4 other resources that are not prohibited by law and regulation;

26.2. State budgeted organizations shall spend not less than 0.3 percent of products and services purchased from state budget, business entities and organizations shall spend not less than 1.0 percent of production and service for the activities to prevent labour safety, hygiene, industrial accident, poisoning and occupational disease.

26.3. Expenses of Occupational Disease and Labour Condition Organization, indicated in 22.1.9 of this law shall be financed from state budget.

26.4. Citizen and employee shall not be responsible for any expenses regarding labour safety and hygiene activities.

**CHAPTER FIVE**

**Organizations of labour safety and hygiene issues of business entities and organizations**

**Article 27. Committee and officer in charge of labour safety and hygiene of business entities and hygiene**

27.1. Director /owner/ or employer of business entities and organizations shall be directly responsible for maintaining labour safety, strengthening of labour condition, implementation of legislation and controlling.

27.2. State authority on labour shall approve the normative, draft procedure of committee, draft job description of officer for employing labour safety and hygiene committee and officer of business entities and organization.

27.3. Employer shall employ trained and experienced personnel as labour safety and hygiene officer and the officer shall work under direct supervision of employer and fully responsible for his/her duties.

27.4. It is prohibited to force labour safety and hygiene officer to do activities unrelated to labour safety and hygiene issues.

27.5. Every employee and official personnel of that organization shall follow the requirement given by the labour safety and hygiene committee and officer, related to its directions and duties.

**Article 28. Employer’s right and responsibilities on labour safety and hygiene**

28.1. Employer shall have following responsibilities:

28.1.1. to set up a condition for chemical, physical and biological factors generated during the industrial process not to influence work place hygiene and environment and take technical and organizational activities;

28.1.2. immediately eliminate the negative and hazardous situation that may harm human life and health that may possibly arise during the course of industrial process;

28.1.3. to introduce the labour safety and hygiene management that shall protect the employee from possible accident, injury and illness that may arise during the course of implementing its duty;

28.1.4. to make risk assessment in order to eliminate and control possible work place hazard;

28.1.5. to make work place condition assessment;

28.1.6. to work out regulation, procedure and instruction that fits to work place characteristics and get it implemented;

28.1.7. to have required knowledge on labour safety and hygiene;

28.1.8. to organize safety trainings, to test the employee’s knowledge about the labour safety and hygiene annually, to make safetyinductions, not to let the employee who doesn’t attend in safety inductions and did not pass the exams;

28.1.9. to provide antidote substance, food stuff and meals to the employee who work in toxic and hazardous condition, without any charge;

28.1.10.to provide with facilities equipped to warm up, rest and refuge for the employees who work in cold, windy and rainy open field;

28.1.11.to keep the numerical record on industrial accident, poisoning and occupational disease and inform relevant organizations;

28.1.12. to allow the element who have authority to control and inspect implementation of labour safety and hygiene regulations to any work places and premises;

28.1.13. to activities to eliminate the violations and deficiencies found during the inspections according to authorities written notification and report the implementation back to relevant authorities;

28.1.14. to approve annual expenses to spend for labour safety and hygiene activities and implement accordingly;

28.1.15. to pay the reimbursement to employees who lost their working abilities because of industrial accident, poisoning and occupational disease according to relevant legislation;

28.1.16. The element indicated in 4.1.2, 4.1.3, 4.1.6 of this law shall maintain safe and healthy working condition to their employees.

28.2.Employer shall have following rights:

28.2.1. to organize committee on labour safety and hygiene, to appoint employee and to terminate;

28.2.2. to approve the activities, expenses and budget on labour safety and hygiene and implement;

28.2.3. to impose a responsibility to the employee who violated the legislations on labour safety and hygiene according to the relevant provisions of this law, Labour Law and company regulations and procedures.

**CHAPTER SIX**

**To study and register industrial accident, occupational disease and poisoning**

**Article 29. Activities to take during the occurrence of industrial accident and poisoning**

29.1. Employer shall take actions to transport to the hospital, to cover the expenses for necessary medical checks for the employee who suffered from industrial accident and poisoning, to eliminate the hazard within 24 hour after occurrence.

29.2. Employer shall organize a part time steering committee to study, register, investigate and report accident and poisoning according to the government resolution when occurred industrial accident and poisoning.

29.3. The report on industrial accident indicated in 29.2 of this law shall be reviewed by state inspector on labour control and poisoning report indicated in the same article shall be reviewed by state inspector on hygiene control.

29.4. State inspector who reviewed accident report and poisoning report indicated in 29.3 of this law shall make one of the following conclusions:

29.4.1. to agree and approve accident and poisoning report;

29.4.2. to make a conclusion if not agreed accident and poisoning report;

29.5. Citizen and employee can complain to the specialized inspection organization on labour or court If the employer does not fulfill the responsibility indicated in 29.1, 29.2 of this law; if citizen and employee does not agree with the industrial accident and poisoning report.

29.6. Business entity and organization, where the accident occurred shall be responsible for expenses related to study and register industrial accident and poisoning.

29.7. Employer shall report the information on industrial accident and poisoning to the aimag, capital, soum and district statistical organization according to the relevant regulation.

29.8. It is prohibited to employer to hide industrial accident and poisoning.

**Article 30. Occupational disease and organization of labour in relation with this**

30.1. The list of occupational diseases shall be approved by the state authority in charge of health.

30.2. Loss of work ability, its percentage and duration, occurred because of industrial accident, poisoning and occupational disease shall be set up by Health and Labour Accreditation Commission.

**Article 31. Assessment of labour condition of work places**

31.1. Work place labour condition shall be assessed by professional organization.

31.2. Employer shall get the work place assessed when work place direction is changed and not less than one time in one year, if carrying out activities that needs to use toxic and hazardous chemical substances.

31.3. State authority on labour shall approve the regulation to make assessment on work place labour condition.

**CHAPTER SEVEN**

**To control the implementation of labour safety and hygiene legislations**

**Article 32. Control on implementation of labour safety and hygiene legislation**

32.1. Following elements shall control the implementation of labour safety and hygiene legislation, within their plenary power:

32.1.1. State Great Hural /Parliament/;

32.1.2. Government;

32.1.3. SSIA, departments and inspectors;

32.1.4. other organization and officer who have authority by law and regulation;

32.1.5. Aimag, Capital, Soum and Distric Governor, control department;

32.1.6. Employee Representative or non-government organization, business entities and organization.

**Article 33. State administration control on labour safetyand hygiene**

33.1. State inspectors, who are in charge of labour and hygiene, authorized by general state inspector on specialized inspection shall make state administration control on implementation of labour safety and hygiene legislations.

33.2. State inspector on labour shall implement following authorities:

33.2.1. to study and inspect safety of machinery and equipments of work place, recording of technical passport;

33.2.2. to study the activities of labour safety and hygiene officer of certain organization and give professional advise;

33.2.3. to check the condition of lifting and transporting mechanism, pressure containers, pipelines and ascertain the testing, adjustment and certification is made by professional organization;

33.2.4. to study the supply and usage of work uniform and PPE;

33.2.5. to control the condition to study and register industrial accident, reasoning the accident factors and make conclusion on industrial accident and poisoning as to indicated in this law;

33.2.6. to check whether the work place for disabled meets standards;

33.2.7. other authorities indicated in law;

33.3. State inspector on labour hygiene shall implement following authorities:

33.3.1. to study the activities of business entities and organizations regarding labour hygiene and give professional advises;

33.3.2. to control the labour condition and make conclusion if needed;

33.3.3. to make labour hygiene conclusion in labour condition measurement and study;

33.3.4. to make conclusion on construction, extension and drawing of industrial buildings and facilities;

33.3.5. to make conclusion on whether the work uniform and personal or collective protective equipment meets the safety and hygiene requirements;

33.3.6. to control usage and storage of toxic and hazardous chemicals, blasting elements and equipments, radio and bio active substances, if the law states differently;

33.3.7. to check adequacy of accommodations and hygiene requirements and give recommendations;

33.3.8. assess pre-employment and scheduled medicals checks and activities taken to prevent occupational and job related diseases in relation with results of inspection made to labour condition;

33.3.9. to propose and make conclusion on work place condition;

33.3.10. other authorities indicated in law

33.4. State inspectors on labour and hygiene shall have following common authorities:

33.4.1. to give an information and advices on labour safety and hygiene legislations and standard requirements, to control implementation;

33.4.2. to request to stop working if the condition to harm employee life and health arise;

33.4.3. to issue a statement with terms to fullfill the requirements to employer to eliminate violations and deficiencies found;

33.4.4. to inspect fulfillment of responsibilities on labour safety and hygiene, indicated in labour and collective agreement and give advices;

33.4.5. to be a member of commissioning and testing group to take over industrial buildings, machinery and equipments;

33.4.6. to propose comments to refine upon labour safety and hygiene legislations;

33.4.7. to intervene in settling a dispute, arise within the relation of labour safety and hygiene legislations, labour and collective agreement;

33.4.8. to impose a responsibility to officials, who failed to be responsible for fulfillment of requirements on labour safety, does not improve work place condition and to protect employee’s health and life and to propose a comment to relevant organization.;

33.4.9. to make a comment to related authorities to stop or terminate the business of employer who violated legislation on labour safety and hygiene several times;

33.4.10. to stop immediately, if work place or equipments of business entities, organization and their branch are proved to danger employee health and life;

**Article 34. Public control on labour safety and hygiene issues**

34.1. Organization to represent employee right and legal interests and non-governmental organizations shall implement public control as follows:

34.1.1. to request true information on industrial accident, occupational diseases and poisoning;

34.1.2. to request employer to eliminate the violation on implementation of labour safety and hygiene legislations;

34.1.3. to assess the fulfillment and process of responsibilities on labour safety and hygiene in labour and collective agreement and inform to all employees;

34.1.4. to be a member of commissioning and testing group to take over industrial buildings, machinery and equipments;

34.1.5. to participate in discussion of developing a project on labour safety and hygiene legislations;

34.1.6. to intervene in settling a dispute, arise within the relation of labour safety and hygiene legislations, labour and collective agreement;

34.1.7. to propose a comment to relevant organization to impose a responsibility to officials, who failed to be responsible for fulfillment of requirements on labour safety, does not improve work place condition and to protect employee’s health and life.

**Article 35. Internal control of business entities and organizations**

35.1. Employer shall maintain internal control on fulfillment of activities taken to implement labour safety and hygiene legislations, common requirements and standard and according to result of risk assessment in every work place.

35.2. Employer shall be responsible for elimination of violations found during the internal control.

35.3. Employee representative and employee can be participated in internal control activities.

**CHAPTER EIGHT**

 **Responsibilities to be imposed for the violators of labour safety and hygiene legislations**

**Article 36. Responsibilities to be imposed for the violators of labour safety and hygiene legislations**

36.1. State inspector on labour control shall fine by 350.000-500.000 tugrugs ,if industrial accident or poisoning occurred because of employers fault.

36.2. Judge and state inspector on labour control shall fine officials by 1.000.000-2.000.000 organization by 1.500.000-3.000.000 tugrugs, if industrial accident poisoning occurred two and over times.

36.3. Judge or state inspector on labour control shall fine officials by 1.000.000-2.000.000 organization by 2.000.000-2.500.000 tugrugs, if to hide industrial accident, occupational disease and poisoning occurance.

36.4. Both judge and state inspector on labour control shall fine the organization by 200.000-250.000 tugrugs, if does not maintain labour safety and hygiene requirements; by 500.000-1.000.000 tugrugs, if jointly owned industrial building and facilities without following the requirements indicated in article 8 of this law.

36.5. Both judge and state inspector on labour control shall fine the officials by 300.000-6000.000 and the organization by 600.000-750.000 tugrugs, if does not let the state inspection organization to control, make conclusion about the requirements to build and extend industrial building and facilities, to install equipments, pressure container and pipeline and did not take the permission.

36.6. Judge shall fine by 25.000-50.000 tugrugs, if the member of health and labour accreditation commission failed to determine the reason for loss of work ability and disability percentage.

**CHAPTER NINE**

 **Other Clauses**

**Article 37. To settle a dispute**

37.1. The dispute arises between employer and employee about labour safety and hygiene issues shall be settled according to law.

**SPEAKER OF MONGOLIAN PARLIAMENT D.LUNDEEJANTSAN**