

Book - 5
Vocational Safety And Health And
Ensuring Labour Environment Security

Part – I

Definitions And Range Of Application

Article : 202

In applying the provisions of this Book, the following expressions shall denote the meanings indicated next to each of them:

1. **Work injury, vocational diseases and chronic diseases:**

The definitions prescribed in the Social Insurance Law and its executive decrees.

2. **Establishment:**

Any project or utility owned or managed by a public or private law person.

3. **Establishment in applying the provisions of Part (IV) of this Book :**

Any project or utility owned or managed by a private law person.

Article : 203

The provisions of this Book shall apply to all work sites, establishments and their branches whatever their kind or attachment, whether they are inland or offshore.

They shall also apply to water surfaces of all kinds, and the different means of transport.

Part – II

Work Sites, Installations And Licenses

Article : 204

In choosing the sites of work, establishments and their branches, and in granting their relevant licenses, the environment protection exigencies shall be observed according to the provisions of legislations issued in this respect.

Article : 205

A central committee shall be formed at the Ministry of Industry under the chairmanship of the head of the concerned central department in that ministry with the membership of each of the concerned heads of central department at the ministries of Manpower, Emigration, Housing, Health, Water Resources and Irrigation, Electricity, Interior, and Environmental Affairs.

A decree forming this committee shall be issued by the competent minister in agreement with the concerned ministers. This committee shall be concerned with the following:

1. Set the criteria and conditions for granting licenses of the industrial stores and establishments as set up or managed by the ministries or the public authorities and their affiliated economic units, or the public business sector or public sector companies.
2. Approve taking the procedures of granting the licenses for said the stores and establishments, providing the licenses shall be issued from the concerned local department units, subject to the provisions of the laws issued in that respect.

Article : 206

A committee shall be formed in every governorate under the chairmanship of the governorate's general secretary with the membership

of the ministries' representatives in the different governorates referred to in the previous article.

A decision of the concerned governor shall be issued forming this committee which shall be concerned with the following:

- (A) Follow up taking procedures of granting the licenses to the stores and establishments referred to in the said article, and executing the conditions set by the central committee in this respect.
- (B) Grant the approvals and the issue of licenses with regard to the stores and establishments of the investment sector, with the same criteria and conditions as set by the central committee.

Article : 207

A local committee shall be formed at the level of each post, city, and district, comprising the representatives of the agencies in charge of housing, manpower, emigration, health, electricity and environmental affairs in the local units.

A decision of the concerned head of the local unit shall be issued forming this committee which shall exclusively be concerned with the following:

- (A) Granting approvals and issuing licenses to the stores and installations affiliated to the private sector, with the exception of the small stores and establishments as determined by a decree of the Minister of Housing specifying the conditions of their establishment.
- (B) Determining the special conditions to be fulfilled by the store or establishment subject of the license request, and ensuring the fulfillment of these conditions before issuing these licenses.

Granting the licenses to the stores and establishments to which the licenses are issued from other quarters shall require the approval of the vocational safety and health agencies of the Ministry of Manpower and Emigration before issuing these licenses and in carrying out any modifications therein.

Part – III

Ensuring Labour Environment Security

Article : 208

The establishment and its branches shall provide the means of vocational safety and health and ensuring labour environment security in places of work by which to ensure protection from physical risks resulting in particular from the following:

- (A) Severity and intensity of heat and chilliness;
- (B) Noise and vibrations;
- (C) Lighting;
- (D) Harmful and dangerous radiations;
- (E) Atmospheric pressure changes;
- (F) Static and dynamic electricity; and
- (G) Explosion risks.

Article : 209

The establishment and its branches shall take all precautions and measures as necessary to provide the means of vocational safety and health and ensuring labour environment security for protection from mechanical dangers resulting from colliding the worker's body with a solid body, particularly the following:

- (A) All danger arising from work tools and machines comprising tagging and lifting equipment, articles, apparatuses, and means of transport, handling and power transmission.
- (B) All danger arising from construction, building, and digging works, and risks of collapse and downfall.

Article : 210

The establishment and its branches shall take all protection means for its workers from the danger of infection with bacteria, viruses, fungi, parasites and the rest of biological risks, once the nature of work exposes the workers to the conditions of infection therewith, particularly the following:

- (A) Dealing with infected animals, their products and their wastes; and
- (B) Mixing with sick people and carrying out care services for them including medical analyses and examinations.

Article : 211

The establishment and its branches shall provide means of protection from chemical dangers resulting from dealing with solid, liquid, and gaseous chemical substances, subject to the following:

- (A) The highest concentration permissible in the chemical materials and the cancer causing materials to which the workers are exposed shall not be exceeded.
- (B) The dangerous chemical materials stock shall not exceed the threshold quantities for each of them.
- (C) Providing the necessary precautions for protection of the establishment and workers on transporting, storing, handling and using the dangerous chemical materials and disposing of their wastes.
- (D) Keeping a register for limiting the dangerous chemical materials being handled, comprising all data concerning each material, and a register for recording the status of work environment and exposure of the workers to the danger of chemicals.
- (E) Placing labels for recognizing all chemical materials handled at work, and indicating their scientific and trade name, their chemical composition, their degree of dangerousness, the safety precautions, and the relevant emergency procedures. The establishment shall obtain the data mentioned in these materials from the suppliers upon supplying them.

- (F) Training the workers in dealing with the dangerous chemical materials and the cancer causing substances, and enlightening and acquainting them with their dangers and with the methods of safety and protection from these dangers.

Article : 212

The establishment and its branches shall provide the means of protection from the negative risks arising from and the aggravation of the harm or danger through the failure to provide them, like the means of rescue, the first aid, and the clean-up, arrangement and organization of the places of work, along with ensuring that the workers in places of food cooking, meal serving, and having drinks carry health certificates indicating that they are free of epidemic and contagious diseases.

Article : 213

The concerned minister shall issue a decree indicating the limits of safety and the necessary conditions and precautions for preventing the risks defined in articles (208), (209), (210), (211), and (212) of the present law, after consulting the view of the concerned authorities.

Article : 214

The establishment and its branches shall take the necessary precautions and conditions for protection from fire risks as determined by the concerned quarter at the Ministry of Interior, and according to the nature of the activity exercised by the establishment, and the physio-chemical properties of the materials used and produced, subject to the following:

- (A) All fire-fighting and extinguishing equipment and tools being used shall conform to the Egyptian standard specifications.
- (B) Developing the fire-fighting and protection equipment by using the latest methods, and providing alarm, early warning, cautioning, protective insulation, and automatic fire extinguishing equipment whenever necessary, according to the nature of the establishment and its activity.

Article : 215

The establishment and its branches shall carry out an evaluation and analysis of the risks and of the expected industrial and natural disasters, and prepare an emergency plan for protection of the establishment and its workers in the event of an occurring disaster, providing the effectiveness of this plan shall be tested, and practical drills shall be conducted on it to ascertain its efficiency and train the workers to face its requirements.

The establishment shall notify the concerned administrative authority with the emergency plan and any modifications introduced therein, and also in case of storing or using dangerous materials.

In case the establishment refrains from implementing the procedures necessitated by the foregoing provisions and the decrees enforcing them, within the dates determined by the concerned administrative authority, and in case a danger to the health or safety of the workers suddenly emerges, this authority may order closing down the establishment totally or partially, or stopping one or more machines until the causes of the danger disappear.

The decree issued for closing down the establishment, or stopping the machines shall be executed through administrative channels, subject to the workers' right to receiving their full wages during the period of closure or stoppage.

The concerned administrative authority may remove the causes of the danger by direct execution at the cost of the establishment.

Part – IV

Social And Health Services

Article : 216

Subject to the provisions of the Social Insurance Law, the establishment and its branches shall carry out the following:

- (A) Medically examining the worker before joining the work to ascertain his safety and health fitness pursuant to the type of work to be assigned to him.
- (B) Examining his abilities, to ascertain the worker's fitness from the point of view of his physical, mental and psychological abilities to ensure his fitness to work demands.

These examinations shall be carried out according to the health insurance regulating provisions. The concerned minister, in agreement with the Minister of Health, shall issue a decree determining the levels of fitness and health safety, as well as the mental and psychological abilities on the basis of which these examinations are carried out.

Article : 217

The establishment and its branches shall undertake the following:

- (A) Training the worker on sound bases for the performance of his vocation.
- (B) Informing the worker, before exercising his work, of the risks of his vocation, and compelling him to use the means of protection determined therefor, along with providing the proper personal protection tools and training him in using them.

The establishment shall not charge any costs to the worker or deduct any amounts from his wage against providing the means of protection necessary for him.

Article : 218

The worker shall use the protection means and articles, undertake to maintain with care all that is kept of them with him, and to implement the instructions issued for the maintenance of his health and for his protection from work accidents. He shall not commit any act intended to prevent implementing the instructions, or abuse, change, or cause any damage or harm to the means placed for the safety and protection of the workers employed with him, without prejudice to what is imposed by any other law in this respect.

Article : 219

The establishment and its branches shall undertake the following procedures:

- (A) Carry out the daily periodical inspection on the places of work in each shift, especially the dangerous ones, in order to discover the vocational risks and work on protection therefrom.
- (B) The doctor of the establishment (if any) shall examine the sickness complaint of the worker and know its connection with the type of work.
- (C) Coordinate with the Health Insurance Authority for carrying out the periodical medical examination for all workers of the establishment, to continuously maintain their health fitness and safety, discover the vocational diseases appearing in their first stages, and carry out the medical examination at the end of service. This shall all be according to the health insurance systems prescribed in this respect.

Article : 220

The establishment shall provide the first aid means for its workers.

If the number of the establishment's workers in the same place, or the same town, or in a circle with a radius of fifteen kilometers exceeds fifty workers, the establishment shall employ one or more qualified male nurses for nursing or first aid services in each shift of work at the establishment, charge a doctor to visit them at the place provided by the

establishment for that purpose, and give them the medicines necessary for treatment free of charge.

If the worker in the two cases prescribed in the two previous clauses, is treated at a governmental or charity hospital, the establishment shall pay to the hospital management the costs of the patient's medical treatment, medicines, and stay at the hospital.

In determining the costs of treatment, medicines, and stay at the hospital, as prescribed in the previous clauses, the methods and terms to be issued by decree of the concerned minister in agreement with the Minister of Health shall be followed.

Article : 221

An employer hiring workers in remote areas in which the normal means of transportation does not reach shall undertake the responsibility of providing them with appropriate means of transportation.

An employer hiring workers in areas lying away from urbanization shall provide them with suitable food and proper dwellings along with appropriating some of these dwellings for the married workers.

The concerned minister, in agreement with the concerned ministers, the General Federation of Egyptian Trade Unions, and the employers organizations shall issue the necessary decrees for determining the areas lying away from urbanization, and the conditions and specifications of the dwellings, and defining the kinds of food, the quantities to be offered thereof to each worker, and the amounts to be paid by the employer for them.

With regard to the food meals prescribed in the previous clause, a system approved by the management of the establishment and its workers or their representatives may be applied providing it shall be endorsed by the concerned administrative authority, and the system shall not comprise substituting these meals wholly or partially in return for any monetary payment.

Article : 222

An establishment where the number of workers is fifty or more shall provide the necessary social and cultural services to its workers, in contribution with the trade union committee (if any) or with representatives for the workers to be elected by the concerned general trade union.

A decree shall be issued by the concerned minister - following approval of the General Federation of Egyptian Trade Unions - determining the minimum limit for these services.

Article : 223

A Fund for social, health, and cultural services at the national level shall be established at the concerned ministry.

All establishment where the number of workers is twenty or more shall pay an amount of not less than five pounds annually on each worker to finance that Fund.

The concerned minister shall issue a decree determining the said services and the amount each establishment shall pay, which shall not be less than the said minimum amount. This shall all be in agreement between the General Federation of Egyptian Trade Unions and the employers organizations.

The concerned minister shall also issue a decree forming the board of the Fund, along with observing in its formation the three-man representation on the basis of each quarter's nomination of its representative.

The concerned minister shall as well issue a decree concerning the fund's financial and administrative regulations, and comprising in particular the method of disposal of the proceeds of the said amounts and its related procedures.

Part – V

Inspection In The Field Of Vocational Safety And Health And Labour Environment

Article : 224

Subject to the provisions prescribed in Book (6) of the present law, the concerned administrative authority shall undertake the following:

1. Preparing a specialized agency for inspection on the establishments, to be formed of members fulfilling the necessary scientific qualifications and experience in the fields of medicine, engineering, science, and others.

The said agency shall assume controlling the implementation of the provisions of vocational safety and health and labour environment, and inspection on the places of work shall take place within suitable periodical periods.

2. Organizing specialized and specific training programs for enhancing the efficiency and performance level of the members of the inspection agency referred to in the previous clause, and providing them with the developed technical experiences whereby to guarantee the best levels of vocational safety and health and labour environment.
3. Providing the said inspection agency with measuring instruments and equipment and all potentials necessary for performing its mission.

Inspecting the establishments the work of which is connected with national security and which shall be determined by a decree of the prime minister, by means of the quarter to be defined in that decree.

Article : 225

Toward performing their work, the Vocational Safety and Health and Labour Environment Inspection Agency members may:

- (A) effect certain necessary medical and laboratory examination on workers in the establishments to ascertain the fitness of work conditions.
- (B) take samples of the substances used or handled in the industrial processes and which might have a harmful effect on the workers' safety and health or the labour environment, with the aim of analyzing them and recognizing the effects of using and handling them, and inform the establishment of such steps and results to take the relevant necessary procedures in that respect.
- (C) use the equipment, instruments, cameras and others for analyzing the causes of accidents.
- (D) review the emergency plan and analyze the risks of the establishment.
- (E) review the results of technical and administrative reports received by the establishment on the kinds and causes of grave accidents.
- (F) review the quantities of dangerous materials in stock which pose a threat to the establishments.

The concerned administrative authority may, based on the report of the Vocational Safety and Health and Labour Environment Inspection Agency, order closing down the establishment totally or partially, or stopping the use of one or more machines, in case of a sudden emergency of a danger threatening the safety of the establishment, the workers' health or the safety of labour environment, pending disappearance of the causes of danger.

The closure and stoppage order shall be executed by administrative channels.

The said authority shall issue the closure or stoppage canceling order upon removal of the causes of danger.

Article : 226

The inspection right, with regard to the vocational safety and health, and labour environment conditions set forth in the licenses, for the vocational safety and health and labour environment inspectors shall be in accordance with the provisions of the laws and decrees regulating them.

Part – VI

Regulating the Agencies for Vocational Safety And Health And Ensuring Labour Environment Security In the Establishments

Article : 227

The concerned minister shall issue the decrees necessary for determining the establishments and their branches which shall undertake the institution functional agencies for vocational safety and health and ensuring labour environment security, the relevant concerned committees and the quarters to be assigned by the training process in these fields. These decrees shall determine the rules to be followed in this respect.

- The said committees shall be concerned with studying the conditions of work, the causes of accidents and injuries, the vocational diseases and others, and shall lay the rules and precautions capable to prevent them. The decisions of these committees shall bind the establishments and their branches.

The training process shall comprise the workers of the Functional Agency for Vocational Safety and Health, and Ensuring Labour Environment Security, the members of the concerned committees, and those in charge of all levels of management and production, commensurate with their responsibilities and the nature of their work.

Article : 228

All industrial establishment employing fifteen workers or more, and all non-industrial establishment employing fifty workers or more shall provide the concerned manpower directorate with a semi-annual statistical statement on the diseases and injuries, during the first half of the months of July and January at most.

Each of the establishments subject to the provisions of this part shall notify the said directorate of each grave accidents occurring in the establishment within twenty four hours from its occurrence.

The concerned minister shall also issue a decree concerning the Forms to be used for that purpose.

Part – VII

Research and Studies Agencies And Consultative Agencies

Article : 229

The National Center for Industrial Safety Studies shall be concerned with setting the central plans for research and studies in the fields of vocational safety and health, and ensuring labour environment security. It shall follow up their implementation in coordination with the interested agencies at the concerned ministry, according to the rules and procedures to be issued by decree of the concerned minister.

Article : 230

A decree of the prime minister shall be issued forming the Higher Consultative Council for Vocational Safety and Health and Ensuring Labour Environment Security. This council shall be concerned with drawing the general policy in these fields and proposing the necessary recommendations concerning the implementation of this policy.

It shall be observed in forming the council that it shall be headed by the concerned minister, with the membership of representatives of interested ministries, an equal number of representatives of each of the employers organizations and of the General Federation of Egyptian Trade Unions, as well as a number of the experienced in the field of vocational safety and health, and labour environment.

A decree of the concerned minister shall be issued regulating the work of this council.

Article : 231

A consultative committee for vocational safety and health, and ensuring labour environment security shall be formed under the chairmanship of the governor in each governorate by virtue of a decision of the concerned governor.

The committee shall comprise in its membership representatives for the concerned quarters in the governorate, an equal number of representatives of the employers organizations, representatives of the workers in the governorate, and a number of the experienced.

A decree of the concerned minister shall be issued determining the powers of these committees and the system of work therein.