Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

18 December 2012 [shall come into force from 1 July 2013].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 749

Adopted 10 August 2010

**Regulations Regarding Training in Labour Protection Matters**

*Issued pursuant to*

*Section 9, Paragraph one and Section 25, Clause 18 of the Labour Protection Law*

**I. General Provision**

1. This Regulation prescribes the procedures for training of labour protection specialists, labour protection co-ordinators, employers, employees and trusted representatives in labour protection matters.

**II. Training of Labour Protection Specialists, Labour Protection Co-ordinators, Employers and Trusted Representatives in Labour Protection Matters**

2. An employer or a person assigned by the employer, if the undertaking has not more than 10 employees and if the employer himself or herself performs the duties of the labour protection specialist in accordance with the Labour Protection Law, or a labour protection specialist shall acquire one of the following levels of knowledge in the field of labour protection:

2.1. higher level knowledge (higher vocational education) acquired in the first or second level vocational higher education programmes;

2.2. basic knowledge acquired in the vocational in-service education programme.

2.1 In addition to the levels of knowledge referred to in Paragraph 2 of this Regulation, the persons who have acquired the labour protection basic knowledge education programme may acquire specialised knowledge in the field of labour protection in relation to the types of commercial activities in which an employer involves a competent authority (hereinafter – the specialised knowledge).

*[18 December 2012]*

3. Adequate knowledge in the field of labour protection may be acquired by completing the following programmes:

3.1. higher vocational education study programmes accredited by the Ministry of Education and Science, provided that the knowledge is acquired in conformity with the Professional Standard “Labour Protection Specialist” or “Senior Labour Protection Specialist” – higher level knowledge;

3.2. vocational in-service education programmes licensed by the Ministry of Education and Science which are implemented by accredited educational institutions – basic knowledge and specialised knowledge.

*[18 December 2012]*

4. The study programme for the acquisition of the first level higher vocational education shall amount to at least 80 credit points.

5. The study programme for the acquisition of the second level higher vocational education shall amount to at least 40 credit points. The study programme shall be implemented on the basis of higher vocational or academic education acquired earlier.

6. The persons who have at least basic education may acquire the basic knowledge in the field of labour protection, acquiring the labour protection basic knowledge education programme, which has been developed by an educational institution in compliance with the model programme approved by the Ministry of Education and Science. The amount of labour protection basic knowledge education programme shall be 60 hours out of which 40 hours shall be the theoretical part and 20 hours shall be the practice.

*[18 December 2012]*

6.1 The specialised knowledge shall be acquired in the vocational in-service education programme the amount of which is 40 hours and which is related to the respective type of commercial activities, in compliance with the model programme approved by the Ministry of Education and Science.

*[18 December 2012]*

7. Trusted representatives and labour protection co-ordinators shall acquire the necessary knowledge in the labour protection matters in one of the following ways:

7.1. by acquiring the theoretical part of the labour protection basic knowledge education programme;

7.2. by acquiring the training programme licensed by a local government which has been developed in compliance with the theoretical part of the basic knowledge education model programme approved by the Ministry of Education and Science.

*[18 December 2012]*

7.1 After acquisition of the knowledge referred to in Paragraph 7 of this Regulation, the educational institution shall issue a certificate regarding the acquisition of a training programme in labour protection matters (Annex 1).

*[18 December 2012]*

**III. Training of Employees in Labour Protection Matters in an Undertaking**

8. An employer shall ensure training of employees in labour protection matters by selecting such form of training which conforms to the professional preparedness of the employee, taking into consideration the education, previous training, work experience and skills of the employee, as well as the specific nature of the undertaking.

9. Training of employees in labour protection matters shall include:

9.1. introductory training;

9.2. instructing in the work place:

9.2.1. initial – upon commencing work;

9.2.2. repeated – in the course of work;

9.2.3. unplanned instructing;

9.2.4. special purpose instructing;

9.3. thematic training regarding a particular labour protection matter.

10. During introductory training employees shall be familiarised with the labour protection in the undertaking. The introductory training shall be ensured for all employees regardless of their education and length of service in the relevant profession or position immediately after commencing of employment, production or field practice.

11. The introductory training of employees shall be performed by a competent authority, a competent specialist, a labour protection specialist of an undertaking or another person assigned by the employer who is proficient in matters referred to in Paragraph 12 of this Regulation. A person who performs introductory training shall invite other specialists, if necessary, for explanation of certain matters.

12. Employees shall acquire the following knowledge during the introductory training:

12.1. the type of activity of an undertaking and the most significant risk factors of the work environment;

12.2. the influence of risk factors of the working environment on safety and health;

12.3. the working regulations in the undertaking;

12.4. the labour protection system in the undertaking;

12.5. the significance of mandatory health examinations and the procedures for performance thereof;

12.6. the safety signs;

12.7. the rights and obligations of employees;

12.8. the representation of employees;

12.9. the general requirements for action in emergency situations and when an accident at work has occurred;

12.10. other labour protection matters.

13. Introductory training shall be held under suitable conditions, by using technical study and visual aids, if necessary (for example, posters, mock-ups, models, videos, as well as personal protective equipment and other ancillary facilities).

14. The instructing person shall ascertain the acquisition of the material presented in the introductory training through discussions with the employee.

15. During the instructing, an employee shall be familiarised with the work to be performed, the instructions and labour protection requirements approved by the employer in conformity with the type of the specific work or profession in the relevant work place by practical demonstration of safe working techniques and methods and, if necessary, by using visual aids. Sample of the content and structure of labour protection instructions is included in Annex 2 to this Regulation. An employer is entitled not to use the sample of the content and structure of labour protection instructions specified in Annex 2 to this Regulation for the development of instructions, if instructions include all labour protection requirements in respect of certain type of work or work place.

16. Initial instructing in the work place shall be ensured for employees who:

16.1. are commencing performance of work or position duties at a work place, including within the framework of production and field practice;

16.2. have been assigned to another work place or for the performance of another job;

16.3. have been sent or have arrived on official travel;

16.4. are performing jobs in the territory of another undertaking.

17. Instructing in a work place shall be performed by a labour protection specialist or a person (for example the head of the unit, work superintendent or foreman) who has appropriate experience in the relevant work (position or profession) and who has been trained in matters referred to in Paragraph 18 of this Regulation by a labour protection specialist, a competent authority or a competent specialist (hereinafter – person who performs instructing). A person who performs instructing shall invite relevant specialists, if necessary, for explanation of certain matters.

18. Initial instructing in a work place shall be organised individually or for a group of employees, provided that they are employed in work of the same type (for example, servicing of clients, operation of equipment or technological processes of the same type), instructing the employees regarding the following matters:

18.1. general information regarding the specific institution, production site, department, object, technological process and equipment, the organisation of work and the work place;

18.2. the scheme for the safe movement (route) of employees within the territory of the institution, department, production site or object;

18.3. the work environment risk factors characteristic to the relevant work place or type of work;

18.4. the influence of the work environment risk factors on safety and health;

18.5. safe working methods;

18.6. the use of work equipment;

18.7. the use of personal protective equipment;

18.8. action in emergency situations and when accident at work has occurred;

18.9. safety signs in the relevant work place;

18.10. labour protection measures;

18.11. other labour protection matters.

19. After instructing in a work place a person who performs instructing shall test the knowledge and practical skills of the employee.

20. If the knowledge of the employee after instructing in a work place is unsatisfactory and may cause risk to his or her safety and health or of other employees, he or she is prohibited to commence the work and he or she shall undergo the instructing again.

21. After initial instructing, the employee shall commence work and work under the supervision of an experienced employee, depending on the length of service, experience and nature of the work until he or she has acquired safe working methods and techniques, as well as the requirements for the use of the equipment, labour protection and fire safety. Afterwards, the employee shall perform the work independently and the employer shall ensure the control of conformity with the labour protection requirements.

22. Repeated instructing shall be performed in order to remind the requirements of labour protection regulations and instructions, examine and improve the knowledge of employees.

23. Repeated instructing shall be performed in the amount of the initial instructing not less than once a year, but in relation to work with dangerous equipment, as well as high-risk work (in accordance with the list approved by the employer) – not less than once every six months.

24. Unplanned instructing shall be organised and, if necessary, the content of instructions shall be reviewed (updated), if:

24.1. the working conditions, nature of the work, work place, work equipment, technological or working process change for employees, or other factors occur which may affect the safety of the employee;

24.2. an accident at work has occurred or an occupational disease has been determined (instructing shall be performed for those employees who have similar working conditions or whose work is related to the accident at work occurred or occupational disease determined);

24.3. the employee has discontinued work for a period of time exceeding 60 calendar days, but in relation to work with dangerous equipment or high-risk work – for a period of time exceeding 45 calendar days.

25. Special purpose instructing shall be organised prior to the commencement of work, if employees:

25.1. are involved in liquidation of the consequences of an accident or disaster;

25.2. are performing once-only work, which is not related to the profession, position or permanent duties of the employee;

25.3. are performing once-only work outside the territory of an undertaking;

25.4. in accordance with a list approved by the employer, are performing work, for the performance of which an order (permit) must be drawn up. Information regarding the instructing shall be recorded in the relevant order (permit).

26. The instructing shall be organised during working hours, allowing sufficient time for complete and qualitative presentation of the material, mastering of practical methods and techniques, as well as for the testing of knowledge.

27. An employer shall organise a thematic training regarding a certain labour protection matter (for example, detailed training regarding a certain work environment risk factor, new work equipment, personal protective equipment, technology or product), if it is necessary for improvement of the level of knowledge of employees and safe performance of work. The employer shall document the conducting of thematic training.

28. Thematic training of employees regarding a certain labour protection matter shall be performed by a labour protection specialist, a competent authority, a competent specialist or another person competent in the matter.

29. Information regarding introductory training and instructing of employees in the work place shall be registered by the employer in the relevant documents which contain the information referred to in Annexes 3 and 4 to this Regulation.

30. The employer shall keep the registration documents certifying training of employees for five years. The employer shall keep the instructions while they are current and three years after development of new instructions and when the previous ones have become invalid.

31. Supervision and control measures for training, as well as the maintenance of the relevant documentation shall be included in the labour protection system of an undertaking.

**IV. Closing Provisions**

32. Cabinet Regulation No. 323 of 17 June 2003, Regulation Regarding Training in Labour Protection Matters (*Latvijas Vēstnesis*, 2003, No. 94; 2005, No. 100), is repealed.

32.1 If a person has acquired the vocational in-service education programme the amount of which is 160 hours or the acquisition of the respective programme has been commenced by 30 June 2013, it shall be considered that such person has acquired basic knowledge in labour protection.

*[18 December 2012]*

33. This Regulation shall come into force on 1 October 2010.

**Informative Reference to European Union Directive**

This Regulation contains legal norms arising from Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of employees at work.

Prime Minister V. Dombrovskis

Minister for Welfare U. Augulis

**Annex 1**

Cabinet

Regulation No. 749

10 August 2010

**Certificate Regarding the Acquisition of a Training Programme in Labour Protection Matters**

**(sample)**

*[18 December 2012]*

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Name of educational institutionRegistration number and addressCERTIFICATERegarding the Acquisition of a Training Programme in Labour Protection MattersNo.\_\_\_\_\_

|  |
| --- |
| (given name, surname) |

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| personal identity number |  |  |  |  |  |  | – |  |  |  |  |  |

has acquired the labour protection training programme (training of a trusted representative and labour protection co-ordinator)Date of issue \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |
| --- | --- |
| Head of the educational institution |  |
|  | (given name, surname, and signature) |

Place for a seal |

Notes.

1. The size of the certificate shall comply with a sheet of A4 format in portrait orientation.

2. The details of the document “signature” and “place for a seal” shall not be completed if the electronic document has been prepared in accordance with the regulatory enactments regarding drawing up of electronic documents.

Minister for Welfare U. Augulis

**Annex 2**

Cabinet

Regulation No. 749

10 August 2010

**Sample of the Content and Structure of Labour Protection Instructions**

The following principal issues shall be included in the labour protection instructions:

1. General requirements:

1.1. the terms for fulfilment of the relevant work;

1.2. the characteristic features of the particular type of work. Dangerous areas of the technological process, equipment;

1.3. dangerous work environment risk factors harmful to health and, if necessary, maximum permissible standards (limit values) thereof;

1.4. collective and individual protective equipment and use thereof;

1.5. fire safety and explosion safety requirements;

1.6. electrical safety requirements;

1.7. procedures for notification regarding damages detected in equipment, devices and tools;

1.8. procedures for notification regarding an accident, emergency or other extraordinary situation, which has occurred at work;

1.9. liability for failure to observe the requirements of labour protection instructions.

2. Requirements of labour protection upon commencement of work:

2.1. preparation of the work place, personal protective equipment for work;

2.2. testing of equipment, tool, fencing, alarm system, locking and other protective equipment, as well as protective grounding, ventilation, lighting;

2.3. succession for proper starting of technological process, equipment, devices, facilities;

2.4. procedures for transfer and acceptance of a shift in uninterrupted technological process;

2.5. cases when it is prohibited to commence the work.

3. Requirements of labour protection during performance of work:

3.1. safe work techniques in the use of equipment, devices and tools;

3.2. requirements when working with raw materials and auxiliary materials;

3.3. requirements for safe exploitation of transport, lifting devices and mechanisms;

3.4. conditions for the maintenance of the work place in order;

3.5. specific requirements for the use of personal protective equipment;

3.6. cases when work must be interrupted;

3.7. operations, the performance of which is prohibited.

4. Requirements of labour protection upon ending work:

4.1. succession for safe switching off, stopping of technological process, equipment, devices, facilities;

4.2. requirements for putting in order of the work place.

5. Labour protection requirements in emergency situations:

5.1. action in situations which may cause emergency or accident;

5.2. action in cases of emergency, explosion, fire and accidents;

5.3. provision of first aid.

Minister for Welfare U. Augulis

**Annex 3**

Cabinet

Regulation No. 749

10 August 2010

**Introductory Training of Labour Protection**

(sample of the registration document)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Date | Person to be instructed | Person who performed the introductory training | Signature of the person instructed |
| given name, surname | personal identity number or work permit number of a third-country national | profession, position | given name, surname, position | signature |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|  |  |  |  |  |  |  |  |

Minister for Welfare U. Augulis

**Annex 4**

Cabinet

Regulation No. 749

10 August 2010

**Labour Protection Instructing in Work Place**

(sample of the registration document)

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| No. | Date | Person to be instructed | Theme, title or number of instructing | Type of instructing (initial, repeated, unplanned, special purpose) | Person who performed the instructing | Signature of the person instructed |
| given name, surname | personal identity number or work permit number of a third-country national | profession, position | given name, surname, position | signature |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|  |  |  |  |  |  |  |  |  |  |

Minister for Welfare U. Augulis