

REGULATIONS ON OCCUPATIONAL SAFETY AND HEALTH IN AGRICULTURE

MINISTRY OF PUBLIC SERVICE AND LABOUR

REGULATIONS ON OCCUPATIONAL SAFETY AND HEALTH IN AGRICULTURE

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REGULATIONS ON OCCUPATIONAL SAFETY AND HEALTH IN AGRICULTURE

The Minister of Public Service and Labour;

Pursuant to Law N0. 66/2018 of 30/08/2018 regulating Labour in Rwanda, especially in its Article 78;

Pursuant to Law N0.86/2013 of 11/09/2013 establishing the General Statute for Public Service, especially in its Article 68;

Having realized that there is a need to have specific sectorial Regulations to ensure Occupational Safety and Health;

Regulates the following:

CHAPTER ONE: GENERAL PROVISIONS

Article One: Definition of terms

These terms shall have the following meaning:

1. **Agricultural enterprise:** A farm or agricultural undertaking in which an employer employs one or more workers;
2. **Engineering controls:** Use of mechanical or technical measures such as enclosure, ventilation and workplace design to minimize exposure;
3. **Exposure limit:** An exposure level specified or recommended by a competent authority to limit injury to health;
4. **Hazard:** The inherent potential to cause physical or psychological harm to the health of people;
5. **Hazard identification:** The systematic process of identifying hazards in the workplace;
6. **Health:** A state of complete physical, mental and social well-being and not merely the absence of disease or infirmity;
7. **Incident:** A dangerous occurrence arising out of or in the course of work where no personal injury is caused;
8. **Musculoskeletal injury:** Any injury that occurs to a skeletal muscle, tendon, ligament, joint, or a blood vessel that services skeletal muscle and any related tissues;
9. **Occupational injury:** any personal injury, disease or death resulting from an occupational accident;
10. **Occupational disease:** a disease contracted as a result of an exposure over a period of time to risk factors arising from work activity;
11. **Occupational accident:** An unexpected occurrence, arising out of or in the course of work which results in a fatal or non-fatal occupational injury;

12. **OSH management system:** A set of interrelated or interacting elements to establish OSH policy and objectives, and to achieve those objectives;
13. **Risk:** A combination of the likelihood of an occurrence of a hazardous event and the severity of injury or damage to the health of people caused by this event;
14. **Risk assessment and control:** A process used to determine the level of risk of injury or illness associated with each identified hazard, for the purpose of control;
15. **Subsistence farming:** Agricultural activity on a small scale that may not generate household revenue sufficient to meet the basic living needs of an average-sized family in a particular economy.

Article 2: Purpose

The purpose of these regulations is to establish the preventive mechanisms on occupational Health and safety of workers in agriculture sector.

Article 3: Scope

These Regulations shall apply to persons in formal and informal sectors and self-employed persons engaged in or using:

1. Agriculture and livestock activities, Crop production, forestry activities, animal Safety and health in agriculture husbandry, wildlife and insect raising, the primary processing of agricultural and animal products;
2. Mechanical agricultural equipment, the use and maintenance of agricultural machineries, equipment, appliances, tools, and agricultural installations, including any process, storage, operation or transportation in an agricultural undertaking, which are directly related to agricultural production”.

These regulations shall apply to all employees regardless of the nature of employment contract.

Article 4: General principles

The employer shall carry out assessments of the risk to workers' health due to manual handling of agricultural materials or tools which include:

1. Characteristics of the agricultural worksite environment and its impact on workers;
2. Equipment/workstation overall design and flow-through;
3. The weight of the agricultural product(s) or tool(s) being handled;
4. The frequency usually in terms of actions per minute of handling agricultural products or tools and applying force;
5. The duration in which products or tools are handled or force is applied;
6. The postures adopted by workers while handling the products or applying the force;
7. The physical characteristics of the workers engaged in the activities (height, build, gender, age); and Worksite environmental factors;
8. Employer shall, based on the risk assessments, develop a plan for the elimination of identified hazards, and implementation of prevention and control measures which reduce the risk of musculoskeletal injury and disease. First priority shall be given to elimination,

- then minimization by substitution using non-hazardous or less hazardous handling methods, work processes, or tools;
9. Where this cannot be achieved, measures such as defined working systems and practices, the provision of information and training, and worker Personal Protective Equipment shall be relied upon;
 10. Employer shall involve workers and their representatives in the assessment activity, as well as drafting of hazard elimination, prevention, and control measures;
 11. Employer shall, based on available guidelines and risk assessments, inform themselves of relevant elimination, prevention, and control measures.

CHAPTER II: MACHINERY AND WORK EQUIPMENT SAFETY

Article 5: Risk assessment

The employer shall ensure that tractors and all-terrain vehicles used in agriculture are fitted with up-to-date safety features, used for their purposes, well maintained and adapted to the skills of users.

Article 6: Elimination of the hazard

The employer shall ensure the elimination of tractor and All-terrain vehicles hazards by the use of all safety modalities available, including engineering controls, safe work systems and procedures and the training, induction and supervision of workers.

Article 7: Engineering controls

The employer shall also ensure that:

1. Tractors and All-terrain vehicles that workers are asked to operate are equipped with rollover protective structures seat belts, power-take-off shields, mudguards to protect the worker from movement of the wheels and a muffler that successfully results in noise abatement;
2. The brakes, emergency brakes, lights, signal lights and other safety devices are regularly maintained and kept in safe working condition;
3. Tractors equipped with cabs have a means of controlling the interior temperature to an acceptable standard;
4. Tractors equipped with cabs have a means of controlling noise in the cab. If noise exposure cannot be reduced to acceptable limits, the employer should provide Personal Protective Equipment to the worker;
5. Tractors are equipped with a ladder or steps and a handrail to enable the worker to mount and dismount the tractor safely;
6. All-terrain vehicles procured for use within specific agricultural enterprises are selected as suitable for use on the terrain in accordance with the manufacturer's operating instructions;

7. The tyre pressure on all-terrain vehicles is maintained at the proper level in accordance with the manufacturer's specifications;
8. All tractors and all-terrain vehicles are equipped with seating that is designed to reduce musculoskeletal injuries to the worker;
9. Tractors are fitted with appropriate emergency stop controls;
10. Establish strict maintenance; operating protocols; provide training and supervision to ensure their implementation;
11. Read operator manuals to learn how to safely operate the tractors and ensure that tractor and all-terrain vehicles operators are trained and familiar with the operating instructions;
12. Workers implement safe working procedures related to operating tractors and all-terrain vehicles;
13. Tractor drivers have an understanding of tractor stability, and are aware of the risk of side rollovers, rear rollovers and run-overs and how to prevent them;
14. Workers who operate tractors or all-terrain vehicles are fully informed, trained and supervised in the safe operation of the tractor or all-terrain vehicles with regard to the operator, other workers, bystanders and others;
15. Operators and those on the ground should exercise vigilance in keeping bystanders away from areas where tractors and all-terrain vehicles are in use;
16. Operator should wear a seat belt when operating a tractor that is equipped with a rollover protection structure or a cab;
17. Workers know the "one seat-one rider" rule and enforce it;
18. Tractors and all-terrain vehicles are not used to transport workers other than the driver;
19. Tractor operators do not allow additional riders on tractors. Tractors equipped with trainee seats, a trainee should occupy the seat only when actual training activity is under way;
20. Children under the minimum age of work must not be allowed to ride on tractors or all-terrain vehicles;
21. Workers are aware that crushing injuries can occur between tractors or all-terrain vehicles and other objects;
22. Workers understand how to prevent power-take-off injuries;
23. Workers are aware of the safe working procedures related to tractor operations and power-take-off master shields. Workers should never step over a power-take-off shaft in operation;
24. Workers report broken or missing master shields to the employer.

Article 8: Agricultural machinery, equipment and tools

The employer shall ensure that:

1. Risks are mitigated by means of guarding parts of machines and equipment that may cause injury;
2. Fixed guards are used whenever necessary and properly fastened in place with appropriate fasteners such as screws or nuts and belts which need tools to remove them;

3. Prior to the repair of agricultural equipment, the power to equipment shall be turned off, the movement of all rotating parts stopped and safety locks engaged;
4. In circumstances where workers require regular access to parts of the machine and a fixed guard is not possible, an interlocked guard shall be used. Prior to the repair of agricultural equipment, the power to equipment shall be turned off, the movement of all rotating parts stopped and safety locks engaged;
5. Established systems for inspections exist to ensure that guards are properly maintained and defects are rectified.
6. Workers understand the safe use of equipment, proper use of guards and Personal protective equipment;
7. Exposure to noise, vibration and ergonomic hazards are reduced through engineering controls;
8. Use of any unsafe or faulty equipment is not permitted;
9. Adequate information, instruction and training for those using equipment, and their skill levels are periodically evaluated;
10. Unauthorized persons not allowed to operate machinery and children shall not operate the agricultural equipment;
11. Workers are trained to operate equipment before they are directed to do a work and adequate equipment for workers shall be provided in order to avoid accidents linked to equipment not ergonomically suited;
12. Machinery and equipment, including their guards and other safety devices, are regularly maintained and kept in a safe condition. Records of such maintenance shall also be kept;
13. Tools are kept in an efficient state, in good repair and in good working order. Tools with broken or cracked handles, chisels and punches with mushroom heads, and bent or broken implements shall be replaced;
14. Machinery and equipment are selected so as to be suitable for their intended use, and that they are not misused, such as using tractor-mounted buckets for working at height or as pile drivers;
15. All clearing of blockages and other reasons for gaining access to dangerous machinery shall be carried out with machinery stopped;
16. Workers know how to operate the machine including the emergency stopping procedures, before commencing operation of any machine. No machine shall be left running when the operator leaves it;
17. Workers receive relevant training on potentially dangerous equipment and are instructed never to use a machine unless they are trained to do so;
18. Workers receive relevant training on proper coupling/hitching of implements and on the proper mounting for driveline power transmission systems and implements;
19. Workers are adequately trained in the means to prevent equipment from falling or moving so as to avoid potential crushing or fatal injury in any situation when a heavy

- component of a machine requires moving, attaching or repair, when changing the cutting platform and unblocking on a combine;
20. Workers do not operate machinery unless the guards are in position and all protective devices are working;
 21. Workers shall be authorized to safely stop the machine if it or any implement is not working safely or if any guards or protective devices are faulty, and inform the supervisor as soon as possible;
 22. Workers are properly trained and supervised in the repair of agricultural equipment. Prior to the repair of agricultural equipment, the power to equipment shall be turned off, the movement of all rotating parts stopped and safety locks engaged;
 23. Workers use handholds when mounting and dismounting equipment;
 24. Workers never operate equipment while under the influence of alcohol or other substances which might affect their operating ability;
 25. Safe work protocols ensure adequate protection with regard to noise, vibration and ergonomics;
 26. Various hazards including shear points, pinch points and wrap points are identified and guarded and that workers are made aware of these hazards and trained and supervised to avoid them.

Article 9: Control of hazards created by stored and other energy sources

The employer shall ensure that:

1. Risks are mitigated by means of guarding parts of machines and equipment that may cause injury;
2. The safe control of energy is addressed by procedure and carried out by trained workers in accordance with the nature of the energy source and the characteristics of the farm environment;
3. All agricultural equipment undergoing servicing, renovation, or maintenance is appropriately isolated, locked out and labeled and all persons are protected;
4. Identification and implementation of specific procedures for the control of hazardous energy sources at workplace;
5. Energy sources for agricultural equipment are turned off or disconnected or de-energized and the activating switch locked or labelled with a warning tag before maintenance or repair work is begun;
6. Workers working around hazardous energy sources and equipment are protected and trained on the hazard and protective measures;
7. Electrical, hydraulic and compressed air/gas installations are installed and maintained by qualified personnel;
8. Energy sources and facilities are appropriately labelled and overhead power lines and underground cables are mapped;
9. Workers operating equipment shall be trained to understand the equipment they operate or repair;

10. Workers understand the proper procedures to adopt in the case of emergency;
11. Unauthorized workers do not enter areas with hazardous energy sources.

CHAPTER III: ERGONOMICS AND THE HANDLING OF MATERIALS

Article 10: Ergonomic control strategies

Employer shall carry out assessments of the risk to workers' health due to manual handling of agricultural materials or tools which include:

1. characteristics of the agricultural worksite environment and its impact on workers;
2. equipment/workstation overall design and flow-through;
3. weight of the agricultural product(s) or tool(s) being handled;
4. frequency usually in terms of actions per minute of handling agricultural products or tools and applying force;
5. duration in which products or tools are handled or force is applied;
6. postures adopted by workers while handling the products or applying the force;
7. physical characteristics of the workers engaged in the activities (height, build, gender, age); and
8. Worksite environmental factors.

Employer shall also:

1. based on the risk assessments, develop a plan for the elimination of identified hazards, and implementation of prevention and control measures which reduce the risk of musculoskeletal injury and disease. First priority shall be given to elimination, then minimization by substitution using non-hazardous or less hazardous handling methods, work processes, or tools;
2. where this cannot be achieved, measures such as defined working systems and practices, the provision of information and training, and worker Personal Protective Equipment shall be relied upon;
3. involve workers and their representatives in the assessment activity, as well as drafting of hazard elimination, prevention, and control measures;
4. based on available guidelines and risk assessments, inform themselves of relevant elimination, prevention, and control measures.

Article 11: Elimination of Ergonomic Hazards

The employer shall:

1. eliminate ergonomic hazards, engineering controls, substitution, and isolation of people from hazards, administrative actions and Personal Protective equipment;
2. select agricultural tools, machine technology, and worksite that eliminate exposure to ergonomic hazards;
3. ensure that all forms of alcoholic beverages and other known allegedly performance-enhancing products are not permitted on the worksite, and that suitable rehydration liquid, including water of drinking quality, are freely available;

4. ensure that at-hire screening or recruitment protocols do not allow for placement in worksites of workers at special risk of musculoskeletal injury or disease resulting from exposure to agricultural tasks.

Article 12: Engineering and administrative minimization of impact

Employers shall:

1. adopt engineering control measures designed to reduce ergonomic risks for workers;
2. assess ergonomic control measures to ensure they are performing as originally intended;
3. involve workers and their representatives in the assessment activity, as well as design of follow-up remediation measures.

Administrative control measures designed to control ergonomic hazards for workers shall include the following:

1. Providing rest periods for workers;
2. Induction training that allows workers to gradually adapt to the pace and intensity of the job prior to actual placement in works settings;
3. Rotation among workers;
4. Providing written job descriptions indicating responsibilities, tasks, outcomes, and consequences;
5. Specific training designed to improve job-related or task-related worker skills, and provide protection from musculoskeletal injury and disease.

Article 13: Information and training of workers

Employer shall ensure that workers exposed to worksite risk of musculoskeletal injury or diseases receive adequate training or instruction in safe work techniques;

Workers shall be:

1. informed about the need to routinely adopt "neutral" body positions;
2. encouraged to properly adjust seating and working positions;
3. informed about the risk associated with repetitive lifting and lowering of tools, agricultural products, crating material;
4. informed of the risk associated with pushing or pulling heavy (greater than 23 kg) loads/objects;
5. informed of the hazard associated with repetitive and forceful use of non-neutral posturing of the hand or wrist with both applied upper-bound hand force either to the tool or to the crop) and speed of hand/wrist movement;
6. instructed on safe work procedures associated with each task;
7. instructed on the correct handling and use of hand tools with a light, but safe grip;
8. encouraged to report any pain, discomfort, numbness or tingling to the employer without fear of discrimination; and
9. encouraged not to use tobacco, alcohol, and/or other stimulants, since most act as a vasoconstrictor, reducing blood supply to muscle mass, fingers, wrists and hands.

Article 14: Minimization of the hazard

Employer shall:

1. fit-test, the actual worksite demonstration for all Personal Protective Equipment of employees expected to perform agricultural worksite tasks;
2. give high priority to employee comfort, worksite mobility, and maintenance when selecting appropriate personal protective equipment and keeping it in working condition;

Employer shall inform workers:

1. why is necessary to use the personal protective equipment;
2. when and where the personal protective equipment should be used;
3. how personal protective equipment should be used;
4. how to use for the personal protective equipments while at the worksite; and
5. when to replace it.

CHAPTER IV: CHEMICALS

Article 15: Control Strategies

The employer shall:

1. prevent or control chemical hazards through hierarchy of controls which include: Elimination/substitution, engineering and administrative controls, information and Training and personal protective equipment;
2. ensure that the risks from pesticides and other hazardous chemicals used are eliminated by ceasing to use the chemicals; or reduced by replacing them by less hazardous chemicals or by the same substances in a less hazardous form or by using them less frequently.

Article 16: Engineering and administrative controls

Employer shall provide suitable engineering control measures to provide protection for workers, which could include the following:

1. Totally enclosed process and handling systems;
2. Segregation of the hazardous process from the operators or from other processes;
3. Plants, processes or work systems which minimize generation of, or suppress or contain, hazardous dust, fumes, etc., and which limit the area of contamination in the event of spills and leaks;
4. Partial enclosure, with local exhaust ventilation.

Employer shall provide administrative control measures which include:

1. Reduction of the numbers of workers exposed and exclusion of non-essential access;
2. Reduction in the period of exposure of workers;
3. Regular cleaning of contaminated equipment;
4. Proper maintenance of engineering control measures;
5. Immediate clean-up of any accidental contamination due to spills or leaks; and

6. Provision of means for safe storage and disposal of pesticides and management and disposal of empty containers.

Employer must put in place procedures to ensure that pregnant or breastfeeding workers are not knowingly exposed to pesticides.

Article 17: Information and Training

The employer shall:

1. inform workers of the known hazards associated with pesticides and other chemicals used at their workplace;
2. obtain from their chemical supplier copies of chemical safety data sheets for all chemical products used on their premises;
3. maintain a master file of all chemical safety data sheets in a location that is readily accessible;
4. prepare emergency response forms to be located at the worksite. These should specify the appropriate response, including immediate first aid, in the event of such contingencies as a chemical being splashed on skin, splashed in the eyes, inhaled or ingested. The emergency response form should include relevant phone numbers;
5. instruct workers about how to obtain and use the information provided on pesticide labels and chemical safety data sheets;
6. train workers on the correct and effective use of the control measures;
7. use chemical safety data sheets, along with label-specific information, as a basis for the preparation of instructions to workers;
8. train workers on a continuing basis in preventive working practices regarding the safe use of pesticides and in how to deal with emergencies;
9. ensure that training and instruction received and required are reviewed and updated.

Article 19: Chemical protective clothing

The selection of protective clothing should take into account:

1. ability of the material from which it is made to resist penetration by the pesticides concerned;
2. adequacy of the design and the fit of the clothing, and whether it is suitable for the intended use;
3. environment in which it will be worn;
4. any potential for heat or allergic stress during the period of use;
5. chemical protective clothing should not be used as an alternative to engineering or administrative controls.

Article 20: First aid

The employer shall ensure that:

Adequate first-aid arrangements are provided at the worksite and trained personnel for rendering first aid shall be readily available at all times during the use of acutely toxic pesticides and other hazardous chemicals at work.

The number of first-aiders and equipment shall depend on:

1. The number of employees;
2. The nature of the work activity;
3. The size of the establishment and distribution of workers at the worksite;
4. The situation of the work activity in relation to the nearest hospital or other emergency medical services that may be required.

The first-aid equipment and facilities are appropriate for dealing with the hazards to be encountered in the use of pesticides and other chemicals at work. First-aid equipment and supplies are ready and accessible at all times.

Article 21: Transport, storage and disposal of pesticides

The employer shall ensure that:

1. Pesticides are treated as hazardous materials during transport and shall always be transported in their original containers. Transfer of pesticides into unlabelled containers for distribution or transport should not be permitted as this creates a serious potential health hazard for workers, their families and their communities.
2. Pesticides are stored in secure, sheltered, well-ventilated spaces to which only authorized access is permitted. Pesticide storage areas shall not be accessible to pregnant workers, children or animals. Containers shall preferably be placed on skids or a platform.
3. Pesticide storage facilities are purpose-built, fire-resistant, and designed to prevent leakage in the event of spills, and the storage area shall be embanked. Smoking shall be prohibited in or near chemical storage areas and warning signs shall be posted to that effect.
4. Disposal of pesticides is conducted according to label instructions or according to safety practices applicable to hazardous materials, and in compliance with national or international standards and practice.
5. Used pesticide containers are washed, triple or pressure rinsed, and punctured or crushed so they cannot be used again and disposed of properly, preferably through a collection scheme, or if that is not available, by some authorized method of waste disposal. Containers must not be reused for storing other items, particularly food and drink.

CHAPTER V: EXPOSURE DURING PESTICIDE HANDLING

Article 22: Mixing and loading

Employer shall ensure that:

1. Strategies are employed in all agricultural workplaces to reduce reliance on pesticides and to eliminate any unnecessary use and thereby reduce potential exposure to pesticides;
2. Substitution of high –hazard pesticides with low– hazard pesticides is considered on a continuous basis;

3. Closed mixing and loading systems represent the highest level of protection for workers handling pesticides, and shall be used whenever possible;
4. Open mixing and loading is necessary, all label instructions shall be followed, and care shall be taken to avoid direct contact with the pesticide formulation or the final spray mix;
5. Prior to the beginning of work, all equipments are in proper working order and that all workers who mix and load chemicals receive appropriate training to enable them to:
 - a. Understand the pesticide product label;
 - b. Understand the workings of the equipment;
 - c. Use proper protective measures; and
 - d. Understand emergency procedures in case of an overexposure.

The employer shall also ensure:

1. Periodic training to mixers and loaders in the proper handling of pesticides to reduce the risk of exposure in accordance with national or international standards;
2. Respiratory protection is used during mixing and loading when required by the product label. Respirators with pesticide cartridges shall be used in most cases, which must provide the level of protection required against contact with the pesticide;
3. Surgical masks or cloth covering the nose and mouth are protective against inhalation of pesticide vapours;
4. Goggles are worn during mixing and loading to protect the eyes from splashes;
5. Chemical protective gloves are worn during mixing and loading. Gloves shall be decontaminated before being removed whenever possible. During breaks workers shall remove gloves so as to avoid skin contact with the gloves' outer surfaces. Gloves shall be discarded when signs of wear or damage suggest that the barrier properties are no longer intact.
6. Skin exposures during mixing and loading often occur at the interface of gloves and clothing. Gauntlet-style gloves can provide additional protection to the forearms;
7. Taping clothing to gloves can provide a continuous protective barrier;
8. Chemical protective footwear is provided and worn during mixing and loading;
9. Footwear shall be decontaminated before being removed and be discarded when signs of wear or damage suggest that the barrier properties are no longer intact. Normal types of footwear, including leather work boots, are not recommended, as they will absorb pesticides and become a source of exposure long after the mixing and loading has ended;
10. Label requirements are followed in regard to protection of the arms, legs and torso. If chemical protective clothing is required, then care shall be taken to avoid conditions where its use may contribute to heat stress. If the label requires only minimal protection, such as long-sleeve shirt and long pants, then this clothing shall not be the worker's normal work clothing, and shall be removed and washed at the end of the work period;

11. Mixing vessels and application equipment are cleaned thoroughly at the end of the work. Pesticide containers shall be triple or pressure rinsed, washed and disposed of safely and Residues shall be properly managed;
12. Employer shall ensure that the chemicals used are accepted by the competent authority.

Article 23: Control strategies

The employer shall ensure that:

1. Closed cabs or other types of enclosures are used where feasible to minimize applicator exposure.
2. Spraying equipment to be mounted on vehicles is positioned in a manner that does not adversely affect the vehicle's stability. However, the equipment shall also be mounted so that the operator is not driving through the drift while spraying.
3. Outdoor applications are conducted under minimal wind conditions or when wind direction can be used to minimize applicator and bystander exposures.
4. Applications in greenhouses or similar enclosed environments are conducted such that wind movement can be used to minimize applicator and bystander exposure.
5. Temperature and ambient humidity shall also be taken into account when selecting the time of day and duration of spraying activity.
6. All label instructions shall be followed during applications, and care should be taken to avoid direct contact with the pesticide spray.
7. Pesticide application equipment does not leak and that spare parts are available for its maintenance.
8. Prior to the beginning of work, all equipment is in proper working order and that all workers who apply chemicals receive appropriate training to enable them to:
 - a. Understand the pesticide product label;
 - b. Understand the workings of the equipment;
 - c. Use proper protective measures; and
 - d. Understand emergency procedures in case of an overexposure.
9. Periodic training to workers in the proper handling of pesticides to reduce the risk of exposure in accordance with national laws or criteria specified in national or international standards;
10. Train pesticide applicators to calibrate pesticide application equipment before every use. This not only reduces human exposure, but also environmental exposure, the risk of pest resistance and ultimately pesticide use, with resulting economic benefits;
11. Respiratory protection must be used during application when required by the product label. Respirators with pesticide cartridges shall be used in most cases, which must provide the level of protection required against contact with the pesticide. Surgical masks or cloth covering the nose and mouth are not protective against inhalation of pesticide vapours and shall not be used;
12. Goggles are worn to reduce the risk of eye contamination with mist;

13. Chemical protective gloves are worn during application of chemicals using power sprayers, backpacks or handguns. Gloves shall be decontaminated before being removed whenever possible. During breaks workers must remove gloves so as to avoid skin contact with the gloves' outer surfaces. Gloves shall be discarded when signs of wear or damage suggest that the barrier properties are no longer intact;
14. Skin exposures during application often occur at the interface of gloves and clothing. Gauntlet-style gloves can provide additional protection to the forearms. Taping clothing to gloves can provide a continuous protective barrier;
15. Application equipment is cleaned thoroughly at the end of the work period;
16. Used pesticide containers are washed, triple or pressure rinsed, and punctured or crushed so they cannot be used again and disposed of properly, preferably through a collection scheme, or if that is not available, by some authorized method of waste disposal. In no event should containers be reused for storing other items, particularly food and drink;
17. Washing liquid from spray equipment shall be disposed off without causing contamination to water sources;
18. Equipment repair shall be conducted with the knowledge that equipment used for pesticide applications and equipment that is used in areas where pesticide applications occur may be contaminated. Workers who clean the equipment prior to repair shall use appropriate Personal Protective Equipment. If equipment has not been thoroughly cleaned prior to repair, workers who repair equipment shall use appropriate Personal protective equipment during repair activities;
19. Greenhouse managers shall take special care with pesticide applications to minimize off-target movement of pesticides and to ensure that workers in adjacent areas are not exposed to significant amounts of pesticides.

Article 24: Normal re-entry into sprayed areas

The employer shall ensure that:

1. Appropriate restricted entry intervals after application is determined while entering treated areas according to National or International standards;
2. Pesticide-treated areas are identified for the duration of the restricted entry interval with hazard signs or symbols that can be easily understood by all persons, including workers and bystanders;
3. Information regarding applications, pesticide toxicity and restricted entry intervals is posted in the workplace and made available to workers;
4. Workers are trained at the time of first employment and then periodically in the hazards of pesticides and in safe practices that will minimize exposures.

Article 25: Early re-entry into sprayed areas

The employer shall ensure that:

1. Early re-entry workers are wearing protective equipment consistent with label requirements for pesticide handlers when entering treated areas;

2. Early re-entry workers receive the same training as other workers, and special training related to the hazards of contacting pesticide residues and the particular tasks they will be conducting in treated areas.

CHAPTER VI: ATMOSPHERIC AND ENVIRONMENTAL CONTROL

Article 26: Aerial spraying and the off-target movement of pesticides

Employer shall ensure that:

1. Aerial spraying, whether conducted by employees or by contractors is conducted according to national standards and practice, and at all times shall be conducted in such a manner as to protect the health of workers, community residents, livestock and wildlife;
2. Workers or contractors conducting aerial spraying shall have appropriate training and certification;
3. Workers on the ground informed of the timing and nature of the spraying as well as appropriate re-entry times;
4. Under no circumstances workers on the ground are used as spotters while aerial spraying is being conducted;
5. Conducting of aerial spraying is possible only when wind conditions are appropriate to prevent aerial drift. The neighborhood residents must be informed the time and nature of the spraying. Aerial spraying shall not take place when wind conditions will result in substantial pesticide drift.

Article 27: Protection of water sources and the general environment

The employer shall ensure that:

1. Nearby water sources protected from pesticide drift and run-off;
2. Application equipment should not be rinsed in open water;
3. Contaminated clothing is not washed in open water;
4. Pesticides that are highly toxic to fish are not used near open water;
5. Buffer zones established to protect sensitive environmental areas are respected;
6. Effluent from water used to wash pesticide containers are managed to avoid contamination of water sources and soil.

Article 28: Dusts and other particulate matter and other biological exposures

The employer shall:

1. know the relevant standards and carry out a risk assessment to determine the measures required eliminating the hazard or the control strategies required to minimize workers' exposure;
2. conduct measurements of dusts at work environment to determine the concentration of dusts in enclosed installations, the level of exposure in the various work areas and the risks to workers;

3. ensure that risk assessment takes into account the impact of varying weather and climatic conditions on the health effects of particulate exposures.

Article 29: Elimination of the hazard

Employer shall ensure that:

1. Livestock waste storage and holding facilities are physically separate from animal and bird confinement houses;
2. Aerating, drying and storage facilities for grains, other feeds and tubers are designed and constructed in such a manner that eliminates formation and exposure to mould or mouldy grain or tubers;
3. Transport facilities and technology are designed and constructed to eliminate exposures to suspended dust, endotoxin and moulds.

Article 30: Engineering controls

Employer shall ensure that:

1. Dust levels in grain storage and transport facilities are kept at or below National standards in order to protect the health of the worker and to prevent severe explosion hazards and resultant injury or death from fire;
2. Gas and particulate levels in livestock and poultry confinement houses and similar facilities are as low as practicable and are consistent with national standards and practice;
3. Adequate space per animal and ceiling heights is provided according to national standards and practice in order to minimize the concentration of dust/suspended particulate matter in animal and bird confinement houses;
4. Tractors and other equipment used in operations that generate dust shall be equipped with cabins with filtration systems that protect the operator from the dust generated.

Article 31: Safe working Systems and Procedures

Employer shall ensure that:

1. Work systems and procedures are in place to minimize the hazards to workers from dusts and biological exposures;
2. Measurements of dusts are conducted in the work environment at appropriate intervals to verify that hazards have been minimized;
3. Adequate cleaning of the workplace;
4. Equipment aimed at reducing exposures is adequately cleaned and maintained;
5. The need to reduce exposure time by rotating workers in conjunction with other remedies is considered;
6. Information and training are provided to workers that will enable them to understand the risks to their health of exposure to dusts and the need to observe safe working procedures.

Article 32: Animal wastes

The employer shall ensure that:

1. Employers must know the relevant standards and carry out a risk assessment to determine the measures required eliminating the hazard or the control strategies required to minimize workers' exposure;
2. The employer shall conduct measurements of gases in the work environment to determine the level of exposure in the various work areas and the risks to workers;
3. When children and other vulnerable groups live on the farm, the assessment must determine their risk of exposure.

Article 33: Elimination of the Hazard

1. The employer shall eliminate the toxic gases from manure wastes in agricultural environments. Total elimination of Hydrogen Sulfide (H₂S) from the breathing environment should be undertaken as a priority. Total elimination of other gases, such as Ammonia (NH₃), may prove difficult in indoor environments. Engineering controls can greatly reduce the level of gases in enclosed environments;
2. Employer shall ensure that livestock waste storage and holding facilities are physically separate from sewage systems used for humans;
3. Employer shall ensure that the engineering of manure systems is such as to eliminate the risk to workers of exposure to Hydrogen Sulfide (H₂S) above acceptable limits;
4. Employer shall ensure that the engineering of containers for manure slurry, such as manure pits, tanks and other holding devices, is such that agitation of slurry, pulling of drain plugs, and other activities involved in moving the slurry do not result in exposures to workers that are above acceptable limits.

Article 34: Engineering Controls

The employer shall:

1. ensure that buildings, lagoons or tanks where manure is stored and constructed to keep levels of exposures that workers experience to acceptable levels;
2. ensure that animal confinement facilities, ventilation are adequate to protect the worker from unsafe levels of gases such as Ammonia (NH₃) and Hydrogen Sulfide (H₂S);
3. Ensure that construction of animal rearing facilities is done in such a manner to control exposures to Hydrogen Sulfide (H₂S) in situations where manure is handled as slurry below a slatted floor and when manure is collected in a manure pit. Sewer connections between domestic waste systems and animal waste systems should not be permitted;
4. Ensure that construction of manure facilities is done in accordance with national or international standards.

Article 35: Safe Working Systems and Procedures

The employer shall:

1. Ensure that workers are selected and trained to safely enter and work in a confined space before being assigned to do so. Such selection and training should include the proper use of Personal Protective equipment in confined spaces;

2. provide direct-reading gas detection instrumentation for evaluation of Hydrogen Sulfide (H₂S) levels before a worker enters a confined space, such as a manhole, tank or pit where manure is stored;
3. ensure that no worker enters a manure pit or similar facility without the use of an externally driven air mask as well as having a safety harness, and two co-workers at the surface able to extract the exposed worker, if required, at a moment's notice;
4. ensure that a full rescue plan is in place in the event that a worker is overcome by Hydrogen Sulfide (H₂S) in a manure pit or similar facility;
5. ensure that Workers shall be instructed that, should a co-worker be overcome by Hydrogen Sulfide (H₂S), rescue workers should not enter the confined space in question without adequate protection and the presence on the surface of a minimum of two co-workers capable of extracting the affected worker from the pit;
6. Ensure that employees are adequately trained in rescue operations and the use of Personal Protective equipment;
7. Inform workers of their right to refuse to enter a potentially dangerous situation, such as entering into a manure pit or manure-holding facility, and this without prejudice.

Article 36: Risk assessment

Employer shall carry out a risk assessment to determine the measures required for eliminating the hazard.

The employer shall be aware of risks of zoonotic infections affecting workers in the various exposed situations, to women of childbearing age and particularly to pregnant workers.

Article 37: Elimination of the hazard

The employer shall undertake to eliminate the occurrence of zoonotic diseases through a combination of disease eradication measures, animal vaccination, human vaccination, maintenance of safe water supplies for people and for animals, the proper disposal of human and animal waste, work environment sanitation, labour camp sanitation, the cleaning and protecting of open wounds, appropriate food handling, pasteurization of milk and thorough cooking of meat), the use of Personal Protective Equipment (such as boots in rice fields) and the prudent use of antibiotics to reduce the growth of resistant strains. Control technologies and preventive behaviors should be conceptualized in terms of pathways, agents and hosts and specifically targeted to the four routes of transmission (inhalation, ingestion, absorption and injection).

Article 38: Engineering controls

The employer shall use engineering controls to reduce or eliminate the likelihood of a worker developing a zoonotic infection.

Article 39: Safe working systems and procedures

The employer shall:

1. Undertake to minimize workers' exposure to zoonotic diseases by measures such as basic hygiene and sanitation practices;

2. Allow the workers to be vaccinated at the cost of employer;
3. Train workers in the appropriate measures to prevent the outbreak or transmission of zoonoses tailored to the agent involved, such training includes the vaccination of cattle against brucellosis;
4. Institute and enforce regular hand washing as an effective measure against many of the pathogens involved in zoonotic disease transmission. Water, soap and disinfectants shall be provided at places where animals that are, or are suspected of being, infected are kept.

Ensure that workers are specifically trained in:

1. The handling of live animals;
2. The necropsy of infected animals;
3. The handling of all animal by-products;
4. Appropriate sanitary methods of carcass disposal, as essential in the control of zoonotic infections in the workplace; and
5. The proper use of Personal Protective equipment.
6. Ensure that Carcasses of diseased animals are handled and disposed off in conformity with national standards.

CHAPTER VII: NEEDLE-STICK INJURIES AND SHARPS EXPOSURES

Article 40: Elimination of the Hazard

The employer shall at all times seek to eliminate the possibility of needle-stick injuries to employees by choosing a method of treatment for animals that does not involve sharps or needles. Any method for elimination of hazards shall be in accordance with hierarchy of control measures including engineering controls, safe working systems, procedures and use of Personal Protective Equipment.

Article 41: Engineering Controls

The employer shall:

1. Make available to the worker for use in appropriate circumstances sharps and needle safety devices that can eliminate or reduce the risk of percutaneous injury before, during or immediately after the use of the device. Such safety devices include needleless intravenous systems and needles with engineered injury protection, such as needles that self-retract after use or needles with attached hinged sheaths that cover the needle after use. Built-in needle disinfection devices can reduce the risk of infection;
2. Undertake to be knowledgeable in the evolving technical design of such devices, and to share this knowledge with workers;
3. Ensure that sharps disposal containers are provided and that workers are fully conversant with and compliant in their use;
4. Sharps disposal containers are puncture proof, are not filled past their fill line, are labelled as hazardous waste, and are disposed off in a safe manner in accordance with prescribed procedures;

5. Where workers are required to give injections to animals, appropriate engineering controls have been instituted to adequately restrain the animal in question.

Article 42: Safe working systems and procedures

The employer shall:

1. Train workers in the appropriate procedures for carrying out tasks that involve the risk of needle-stick injuries before requiring them to carry out such tasks.
2. Put in place prevention and control measures to prevent exposure to needle stick and sharps injuries which shall include:
 - a. The prohibition of manually recapping, bending, breaking or clipping of contaminated needles or sharps;
 - b. The proper restraint of animals during procedures to reduce the risk of sudden movement and subsequent needle-stick or sharps injury to the worker; and
 - c. Procedures for the safe handling and disposal of full sharps containers.
3. Keep a record of needle-stick and sharps injuries and should regularly re-evaluate the effectiveness of the prevention and control measures.

Article 43: Risk assessment

Employer shall assess the risks from such hazards, bearing in mind the local environment and workers being injured by wild animals during the course of their work.

Article 44: Engineering controls

The employer shall:

1. Use engineering approaches for control of worker exposure;
2. Ensure that buildings which house workers and/or agricultural products and livestock are designed with adequate lighting, door and other airway mechanisms which block entry by insects, snakes and other such animals, appropriate feed, grain and other storage technology which discourages such entry and nest-building, and bridging or bracing mechanisms which impede the housing or development of their nesting, resting and feeding areas;
3. Provide secure storage for workers' boots, gloves and clothing such that terrestrial venomous animals cannot enter and take refuge in such items;
4. Ensure that caves, whether natural or man-made, are fitted with adequate lighting and maintained in accordance with good housekeeping and husbandry practices;
5. Provide an indoor environment that eliminates or minimizes the risk of bites by providing appropriate enclosed building structures. The risk of insect bites can be reduced by adequate screening on doors and windows of working, resting and sleeping areas;
6. Ensure the following, when outdoor work is required in areas infested with venomous animals;
7. To the extent possible, clear the outdoor work area of rubble and debris;
8. Consider the elimination of shift work during periods of darkness;
9. Provide lighting for night-time work in animal habitat areas;

10. Recognize the hazards associated with introduction of workers into nocturnal environments, and prepare workers for such entry; and
11. Where all other methods of control or mitigation fail, consider the use of pesticide treatment of worksites, animal habitat areas, or other nocturnal resting areas, taking all due precautions to minimize the potential exposure of workers to such chemical substances.

Article 45: Safe working systems and procedures

The employer shall:

1. Develop written emergency management protocols for use in the event of injury to workers by venomous animals. First-aid personnel and other workers should be trained on the protocol of initial management of snake bites. Where possible, first aid boxes should contain antivenom, diluted ammonia, permanganate and hypochlorite lotions, as appropriate, for administration to affected workers;
2. Ensure that written records are kept of workers with a history of severe allergic reaction to insect bites and stings and recommended treatment options. Workers who are allergic to bites and stings should be encouraged to carry an epinephrine auto injector;
3. Workers are trained on the risk of exposure to bites and the recognition of signs and symptoms of snake bites as well as the bites of venomous spiders;
4. Workers are trained to recognize the possible habitat for snakes, to identify venomous and non-venomous snakes, and to respond properly in the event of sighting a snake and not attempt to kill it;
5. Strive to ensure that workers' tetanus immunizations are kept up-to-date.

Article 46: Vector-borne diseases and parasitic infections

Employer should know the impact on workers' health and productivity of vector-borne diseases and parasitic infections that affect the workers.

Article 47: Elimination of the hazard

Employer shall consider implementing measures to eliminate or control the vector. Hazards elimination methods shall include:

Article 48: Engineering controls

The employer shall:

1. Provide adequate screening of windows and doors where mosquitoes and other vectors represent potential health risks to workers and encourage the use of treated bed nets;
2. Select structural door components for workers' living quarters and indoor working areas which prevent the entry of vectors.

Article 49: Safe working systems and procedures

The employer shall:

1. Use chemoprophylaxis to interrupt the life cycle of vectors of malaria and other bacterial or parasitic agents, prevent, and treat disease or both;
2. Ensure that Vaccines to be used either for humans or for animals involved in the vector transmission cycle are adequately stored and appropriately administered;
3. Consider assigning shift work in a manner that would avoid high-intensity exposures when vectors are most active or during the peak season for infectious transmission. Employer shall instruct workers on how to conduct regular checks for ticks and how to remove them;
4. Conduct regular checks for vector nesting or breeding areas on work sites and workers should conduct such checks within their living quarters;
5. Employers and workers should remain vigilant with regard to vector movement and deploy appropriate behavior when confronting vectors;
6. Provide toilets accessible to all worksites and discourage workers from defecating or urinating in open water.

Article 50: Noise

Employer shall assess the risks to their workers of noise-induced hearing loss, and in particular:

1. Identify the particular agricultural machinery and processes that give rise to such exposure;
2. Assess the risk of hearing impairment from such equipment and tasks;
3. Assess the degree of interference to communications essential for safety purposes; and
4. Assess the risk of fatigue, with due consideration to the mental and physical workload and other non-auditory hazards or effects.

Noise measurements should be used to:

1. Quantify the level and duration of exposure of workers and compare it with exposure limits, as established by the competent authority or internationally recognized standards to be applied;
2. Identify and characterize the sources of noise and the exposed workers;
3. Create a noise map for the determination of risk areas and activities;
4. Assess the need both for engineering noise prevention and control, and for other appropriate measures and their effective implementation; and
5. Evaluate the effectiveness of existing noise prevention and control measures.

Article 51: Engineering Controls

Employer shall:

1. Establish programs to reduce such exposure to the lowest levels practicable. Such exposure should not exceed 85-90 decibel (dB) for 8 hours of exposure;
2. Specify low noise emissions as a condition of purchase from their suppliers, so that machinery and equipment conform to relevant national or international laws and standards, such as ISO standards;

3. Arrange the workplace layout and job assignments so as to minimize workers' noise exposure.

If workers' noise exposures are still higher than those determined in this Regulation employer shall reduce such exposures through other engineering means as far as practicable, such as by fitting sound-proofed enclosures or using other acoustic materials.

Employer shall maintain machinery and equipment as part of a planned program of maintenance, since worn components may increase noise levels. Worn out equipment and tools shall be removed from use and replaced with new technology.

Article 52: Safe working systems and procedures

After engineering controls have been implemented, but workers' noise exposures remain unacceptably high, employer shall in consultation with workers and their representatives:

1. Minimize the exposures through appropriate organizational measures that reduce the time workers spend in the noisy environment; and
2. Provide suitable hearing protectors, such as earplugs or muffs, selecting them in consultation with workers and their representatives;
3. Where hearing protectors are provided, employer shall ensure that they are properly maintained and replaced as often as necessary;
4. Where hearing protectors need to be worn, they shall be available at the entries to the protection zones.

Article 53: Workers' health surveillance, training and information

Employer shall ensure that workers are trained on:

1. The effective use of hearing protectors;
2. Identifying and reporting new or unusual sources of noise that come to their attention; and
3. The role of regular audiometric testing.

Workers shall have access to occupational health services where available, so that they can discuss possible symptoms of noise exposure with qualified practitioners.

Article 54: Agricultural machinery and equipment

Employer shall:

1. ensure that all self-propelled machines with buckets for lifting materials are equipped with a ROPS cab to protect against falling objects;
2. The employer shall ensure that ventilation inside all machines and equipment is adequate to combat carbon dioxide concentrations or the time the machine is operated inside the structure is limited to prevent carbon dioxide buildup;

3. Cabs shall be designed to mitigate noise exposure. Where that is not the case the employer shall ensure that hearing protection is worn to protect against engine noise;
4. The employer shall ensure that workers are trained in the use of hand signals in noise situations;
5. The employer shall ensure that no bystanders are allowed inside the facility while machines are operating.

Article 55: Animal Production

Employer shall carry out a risk assessment to determine the measures required to eliminate the hazard or the control strategies required to minimize workers' exposure.

Article 56: Elimination of the Hazard

Employers shall:

1. Ensure that livestock containment facilities are constructed and operated with the goal of eliminating hazards to the worker.
2. Consider control strategies in the animal breeding facilities such as castration of young male animals as a means of reducing aggression in the animals' behaviors.

Article 57: Control of the Hazard through engineering controls

The employer shall:

1. Ensure that barns, collection chutes, corrals, fences and other containment facilities are constructed with a view to maximum separation of the workers from the animals;
2. Ensure that fencing and gates are sufficiently strong and durable to contain animals. Alleys and chutes should be wide enough to permit animals to pass, but not wide enough for the animal to turn around in;
3. Ensure that, where repetitive tasks, such as the milking of dairy cows, takes place, the physical facility is such as to prevent musculoskeletal injury to workers.

Article 58: Minimization of Hazards by means of systems and protocols

The employer shall:

1. Ensure that workers are trained to avoid injury from the animals they handle. Workers should be trained to recognize the behavioral characteristics of the animals they handle;
2. Ensure that workers treat animals in a humane manner as this is a means of ensuring worker safety. Animals that are chased, slapped, kicked or hit are likely to become agitated more easily, increasing the risk of injury to workers;
3. Ensure that workers are aware that the greatest risk for workers from poultry production is related to respiratory exposures (ammonia and dusts) in confined facilities, and that these risks may be compounded if the worker is a smoker.

Article 59: Use of personal protective equipment

Employer shall:

1. First identify the particular hazards for which Personal protective equipment protection is desired, and then match the Personal protective equipment to each type of hazard encountered within agricultural worksites;
2. Ensure that personal protective equipment are not a substitute for control strategies to eliminate or minimize the potential hazard to the worker. It is often referred to as “the last resort”;
3. Identify and clearly mark worksite areas requiring the use of Personal protective equipment;
4. Provide right Personal protective equipment that are appropriate to worksite hazard and ensure that the number of Personal protective equipment corresponds to the number of workers without cost to the worker ;
5. Provide adequate training for the use and repair of Personal protective equipment;
6. Check regularly for the proper use of the right kind of Personal protective equipments and its condition while in routine use;
7. Ensure that Personal Protective equipment provided comply with national or international standards and are suitable for their purpose;
8. Ensure that workers wear protective equipment are fully instructed on its use and use them throughout the time they are exposed to the risks;
9. Provide insect repellent;
10. Where workers are exposed to contaminated or infested water provide rubber boots and rubberized hand gloves that prevent skin contact with water. Where workers are at risk of splashing, more complete personal protective equipment coverage, including face shields and rubberized leggings and aprons may be indicated;
11. Ensure that Personal Protective equipment are cleaned and stored at the workplace.

Article 60: Welfare Facilities

The employer shall provide potable water for drinking, personal hygiene, cooking, washing of food, washing of cooking and eating utensils, the cleaning of food preparation and eating areas and the washing of clothes, as appropriate.

Article 61: Toilets

1. Employer shall provide separate toilet facilities for each sex in accordance with national standards. They shall be of sufficient number and be easily accessible in all worksites and shall be maintained in a clean and sanitary condition;
2. Hand-washing facilities with an adequate supply of potable water and soap shall be conveniently located near the toilets;
3. The employer shall inform workers of the importance of good hygiene practices to minimize exposure to hazards related to heat, communicable diseases, retention of urine and chemical residues;
4. The sewage disposal system shall not endanger the health of workers or threaten contamination of water sources;

5. Workers shall take all reasonable care of the facilities provided to them.

Article 62: First Aid and Medical Care

1. First aiders shall be trained and be available at every workplace. First-aid personnel shall be trained to provide first-aid treatment safely to those suffering from hepatitis, tuberculosis, HIV/ AIDS and other communicable diseases;
2. First-aid training shall be repeated at regular intervals in accordance with national standards. First-aid boxes shall always be clearly marked, be easily accessible and located near areas where accidents could occur;
3. The content of first-aid boxes shall be appropriate to the risks to the workers and for the protection of first-aid providers and should be regularly checked and replaced as necessary. Written instructions about first aid shall be displayed by the employer at strategic places at the workplace. Where medical care is required, such services shall be done in cooperation with external emergency services.

CHAPTER VIII: FINAL PROVISIONS

Article 63: Authorities responsible for the implementation of these Regulations

The Minister of Public Service and Labour, the Minister of Health and the Minister of Agriculture and Animal Resources are entrusted with the implementation of these Regulations.

Article 64: Specific guidelines

The Minister having occupational safety and health in his/her responsibilities may issue further specific guidelines on specific occupational safety and health matters.

Article 65: Commencement

These Regulations shall come into force on the date of its signature.

Kigali, on.../.../...2019


RWANYINDO KAYIRANGWA Fanfan
Minister of Public Service and Labour

