

Evaluation of the EU Occupational Safety and Health Directives

COUNTRY SUMMARY REPORT FOR THE CZECH REPUBLIC

VC/2013/0049



COWI

IOM 



June 2015

This Report has been prepared for COWI under Service Contract VC/2013/0049. It was completed by the Occupational Safety and Research Institute (VÚBP, v.v.i.). Milieu was responsible for overall editing of the report.

The views expressed herein are those of the consultants alone and do not necessarily represent the official views of the European Commission.

Milieu Ltd. (Belgium), rue Blanche 15, B-1050 Brussels, tel: +32 2 506 1000; fax: +32 2 514 3603; nathy.rassmasson@milieu.be; web address: www.milieu.be

Evaluation of the EU Occupational Safety and Health Directives, Country Summary Report for Czech Republic

TABLE OF CONTENTS

TABLE OF TABLES	4
ABBREVIATIONS USED	6
INTRODUCTION	7
1 MAPPING QUESTION 1: STRUCTURAL COMPONENTS OF HEALTH AND SAFETY DIRECTIVES	8
1.1 General legal framework.....	8
1.2 General institutional framework.....	16
1.2.1 Key policy documents	17
1.2.2 Main authorities and stakeholders	18
1.2.3 Coordination.....	21
1.3 Legal coverage, observed discrepancies and more stringent measures ..	21
1.3.1 Observed discrepancies, more stringent and more detailed measures.....	21
1.3.2 Options.....	108
1.4 Interactions.....	109
2 MAPPING QUESTION 2: GAPS IN CONTENT OR TIME.....	114
2.1 Transitional periods	114
2.2 Derogations	114
3 MAPPING QUESTION 3: LEVEL OF COMPLIANCE BY DIFFERENT STAKEHOLDERS	124
3.1 Degree of compliance.....	124
3.2 Approaches to compliance.....	132
4 MAPPING QUESTION 4: ACCOMPANYING ACTIONS THAT SUPPORT THE RESPECT OF THE RULE.....	135
4.1 Existing accompanying actions.....	135
4.2 Use of accompanying actions.....	150
4.3 Gaps	151
5 MAPPING QUESTION 5: ENFORCEMENT	152
6 MAPPING QUESTION 6: SPECIFIC GROUPS OF WORKERS	166
7 MAPPING QUESTION 7: SMES AND MICRO-ENTERPRISES.....	170
ANNEX I- BIBLIOGRAPHY	173
ANNEX II – SELECTED STATISTICS OF OCCUPATIONAL INJURIES IN THE CZECH REPUBLIC	
176	
ANNEX III – INTERVIEWS WITH STAKEHOLDERS.....	182

TABLE OF TABLES

Table 1-1 General Legal Framework	9
Table 1- 2 Directive 89/391/EEC (Framework Directive) – Observed discrepancies, more stringent and more detailed requirements	23
Table 1- 3 Council Directive 89/654/EEC (workplace) - Observed discrepancies, more stringent and more detailed requirements	31
Table 1- 4 Council Directive 89/656/EEC (PPE) - Observed discrepancies, more stringent and more detailed requirements	36
Table 1- 5 Council Directive 92/58/EEC (OSH signs) - Observed discrepancies, more stringent and more detailed requirements	38
Table 1- 6 Directive 1999/92/EC (ATEX) - Observed discrepancies, more stringent and more detailed requirements	39
Table 1- 7 Council Directive 90/269/EEC (manual handling of loads) - Observed discrepancies, more stringent and more detailed requirements.....	41
Table 1- 8 Council Directive 90/270/EEC (display screen equipment) - Observed discrepancies, more stringent and more detailed requirements.....	45
Table 1- 9 Directive 2002/44/EC (vibration) - Observed discrepancies, more stringent and more detailed requirements	48
Table 1- 10 Directive 2003/10/EC (noise) - Observed discrepancies, more stringent and more detailed requirements	53
Table 1- 11 Directive 2004/40/EC (electromagnetic fields) - Observed discrepancies, more stringent and more detailed requirements	58
Table 1- 12 Directive 2006/25/EC (artificial optical radiation) - Observed discrepancies, more stringent and more detailed requirements	61
Table 1- 13 Directive 2004/37/EC (carcinogens or mutagens) - Observed discrepancies, more stringent and more detailed requirements	66
Table 1- 14 Council Directive 98/24/EC (chemical agents at work) - Observed discrepancies, more stringent and more detailed requirements	70
Table 1- 15 Directive 2009/148/EC (asbestos) - Observed discrepancies, more stringent and more detailed requirements	76
Table 1- 16 Directive 2000/54/EC (biological agents) - Observed discrepancies, more stringent and more detailed requirements	80
Table 1- 17 Council Directive 92/57/EEC (temporary or mobile construction sites) - Observed discrepancies, more stringent and more detailed requirements	84
Table 1- 18 Council Directive 92/104/EEC (surface and underground mineral-extracting industries) - Observed discrepancies, more stringent and more detailed requirements	86
Table 1- 19 Council Directive 92/91/EEC (mineral-extracting industries through drilling) - Observed discrepancies, more stringent and more detailed requirements	89
Table 1- 20 Council Directive 92/29/EEC (medical treatment on board vessels) - Observed discrepancies, more stringent and more detailed requirements.....	94
Table 1- 21 Council Directive 93/103/EC (work on board fishing vessels) - Observed discrepancies, more stringent and more detailed requirements.....	95
Table 1- 22 Council Directive 92/85/EEC (pregnant/breastfeeding workers) - Observed discrepancies, more stringent and more detailed requirements.....	97
Table 1- 23 Council Directive 91/383/EEC (temporary workers) - Observed discrepancies, more stringent and more detailed requirements	100
Table 1- 24 Council Directive 94/33/EC (young people at work) - Observed discrepancies, more stringent and more detailed requirements	103

Table 1- 25 Options.....	108
Table 1- 26 Interactions between CPMs across OSH Directives.....	110
Table 2- 1 Transitional Periods	114
Table 2- 2 Derogations.....	116
Table 3- 1 Degree of compliance: Common processes and mechanisms (across Directives)	125
Table 3- 2 Degree of compliance: Common processes and mechanisms (individual Directives)	129
Table 3- 3 Degree of compliance: Key requirements	131
Table 3- 4 Approaches to compliance.....	133
Table 4- 1 Accompanying Actions.....	136
Table 5- 1 Enforcement authorities	152
Table 5- 2 Inspections statistical data	155
Table 5- 3 Data on enforcement strategy	160
Table 5- 4 Result table – type and level of sanctions.....	161
Table 5- 5 Number of infringements and court cases	165
Table 6- 1 Tools addressing risk factors for all vulnerable groups.....	167
Table 7- 1 Overview of measures targeting SMEs and micro-enterprises.....	170
Table 7- 2 Description of measures targeting SMEs and micro-enterprises.....	171

ABBREVIATIONS USED

Art.	Article
Coll.	Collection
CR or CZ	Czech Republic
CZK	Czech Crowns
Ex.	Example
FD	Framework Directive
GD	Government Decree
MQs	Mapping Questions
MS	Member state
N.	No
N/A	Not available
NIR	National Implementation Report
No.	Number
Nr.	Number
OSH	Occupational safety and health
R	Regulation
SÚJB	State Office for Nuclear Safety (<i>Státní úřad pro jadernou bezpečnost České republiky</i>)
VÚBP or OSRI	Occupational Safety Research Institute (<i>Výzkumný ústav bezpečnosti práce</i>)
Y.	Yes

INTRODUCTION

General introduction to the report

This report presents a review of the main features of the practical implementation of 24 EU occupational safety and health (OSH) Directives in the Czech Republic. The information in this report has been gathered between October 2013 and June 2014. This Country Summary Report, together with the Summary Reports prepared for each of the other Member States, aims at mapping the implementation of the OSH Directives in the EU as a whole. It is based on a desk-study and interviews with national stakeholders (see Annex III for details on interviews carried out) and is one of the sources of information for the overall evaluation of the implementation. The Country Summary Reports will form an Appendix to the Final Report, which will compile the results of the evaluation and the associated recommendations.

This review is based on seven key mapping questions, which will inform the evaluation of the implementation of the OSH Directives in all Member States and the EU in general. The seven general Mapping Questions (MQs), which have been defined by the Commission and are answered in this Country Summary Report are the following:

Mapping question
MQ1: "Across the Member States, how are the different 'common processes' and 'mechanisms' foreseen by the Directives put in place and how do they operate and interact with each other?"
MQ2: "What derogations and transitional periods are applied or have been used under national law under several of the Directives concerned?"
MQ3: "What are the differences in approach to and degree of fulfilment of the requirements of the EU OSH Directives in private undertakings and public-sector bodies, across different sectors of economic activity and across different sizes of companies, especially for SMEs, microenterprises and self-employed?"
MQ4: "What accompanying actions to OSH legislation have been undertaken by different actors (the Commission, the national authorities, social partners, EU-OSHA, Eurofound, etc.) to improve the level of protection of health and safety at work and to what extent are they actually used by companies and establishments to pursue the objective of protecting health and safety of workers? Are there any information needs that are not met?"
MQ5: "What are the enforcement (including sanctions) and other related activities of the competent authorities at national level and how are the priorities set among the subjects covered by the Directives?"
MQ6: "What are the differences of approach across Member States and across establishments with regard to potentially vulnerable groups of workers depending on gender, age, disability, employment status, migration status, etc., and to what extent are their specificities, resulting in particular from their greater unfamiliarity, lack of experience, absence of awareness of existing or potential dangers or their immaturity, addressed by the arrangements under question?"
MQ7: "What measures have been undertaken by the Member States to support SMEs and microenterprises (e.g. lighter regimes, exemptions, incentives, guidance, etc.)?"

The template is structured according to these mapping questions.

1 MAPPING QUESTION 1: STRUCTURAL COMPONENTS OF HEALTH AND SAFETY DIRECTIVES

This first section focuses on how the national legal and institutional frameworks have been designed to reflect the main common processes and mechanisms (CPMs) of each Directive. It includes:

- A review of the national transposing legislation and the general structure of the legal framework;
- Mechanisms of coordination amongst the different authorities responsible for the implementation of the directives;
- The identification of any delays in transposing directives, focusing on most recent ones;
- Differences between the Directives' requirements and the national ones, looking at observed discrepancies, more stringent and more detailed provisions;
- Interactions between CPMs as embedded in the legislation.

1.1 GENERAL LEGAL FRAMEWORK

In the Czech Republic, the Charter of Fundamental Rights and Basic Freedoms – Article 28 of No. 2/1993 Collection of laws (Coll.), – which is second only to the Constitution, states that employees have the right to satisfactory work conditions. The Framework Directive was mainly transposed into the Labour Code (Act No. 262/2006 Coll.), Part Five, dealing with occupational health and safety. There are significant OSH-related provisions also in other parts of Czech legislation, such as Act No. 309/2006 Coll. on further requirements on occupational health and safety (OSH Act), which completes the Labour Code and specifies several details which also ensure harmonisation to several European directives. The OSH legislation emphasizes the responsibility of the employer to ensure a safe and healthy working environment, the general principle of risk prevention and ongoing risk assessment.

The implementation of the remaining OSH individual directives is mainly regulated by the OSH Act and/or the Labour Code, while further requirements on specific aspects have been transposed through Decrees issued by the Government, the Ministry of Labour and Social Affairs or the Ministry of Health. All of the OSH Directives concerned have been fully transposed in the Czech Republic, with the exception of Council Directive 92/29/EEC (medical treatment on board vessels) and Council Directive 93/103/EC (work on board fishing vessels), which are irrelevant to the Czech Republic. In addition, Directive 2009/104/EC (work equipment) has not yet been transposed in Czech legislation but the relevant national Government Decree transposes Directive 89/655/EEC (which was abolished and replaced by Directive 2009/104/EC).

Due to the traditional distinction in the Czech Republic between safety at work and occupational health, the latter is regulated by the separate Act No. 258/2000 Coll. on public health protection, Section 7 dealing with protection of health at work.

Every economically active person is covered by national legal regulations that require safe work and protection of health. This means that not only employees, but also members of the armed services, special activities and self-employed persons are covered by OSH legislation – albeit through specialized OSH legislation. In particular, labour legislation and OSH legislation only covers dependent working relationships and not service relationships, such as professional soldiers and armed forces. The latter are included in the following pieces of national legislation:

- Act No. 361/2003 Coll. on service relationship of members of security forces;
- Act No. 238/2000 Coll. on Fire Rescue Company of the Czech Republic;
- Act No. 218/2002 Coll. – Service Act;
- Act No. 221/1999 Coll. on professional soldiers;
- Order of the Minister of Defence and Armed Forces Nr. 11/2009 on Occupational Safety and

Health during service – synergies with some statements of the Labour Code and Act No. 309/2006 Coll.¹;

- Guideline of the Chief of the Military Medical Services Nr. 2/2013²;
- Guideline of the Director General of Fire Rescue Service of CR Nr. 52/2012 on occupational safety and health of firemen³.

From the perspective of small and medium-sized enterprises, Czech legislation does not distinguish between employers by size or number of employees when it comes to the adoption of measures intended to increase the standard of occupational safety and health.

Several infringement cases were initiated against the Czech Republic in relation to different OSH related directives, in particular Council Directive 89/654/EEC (workplace), Directive 1999/92/EC (ATEX), Council Directive 90/269/EEC (manual handling of loads), Council Directive 90/270/EEC (display screen equipment), Council Directive 98/24/EC (chemical agents at work), Council Directive 92/57/EEC (temporary or mobile construction sites), Council Directive 92/85/EEC (pregnant/breastfeeding workers), and Council Directive 91/383/EEC (temporary workers). All these cases are linked to late transposition but all cases are now closed because national measures have been adopted and notified following the letter of formal notice.

The following table provides an overview of the approach to transposition, indicating whether there is one law covering all OSH issues (O) as opposed to transposition spread over different acts (S). It then lists transposing national legislation per directive, specifying whether there was legislation existing prior to transposition. Finally, it identifies any case of delays in transposition, by indicating whether an infringement proceeding has been started for non-communication of transposing measures.

Table 1-1 General Legal Framework

Directive	O	S	Transposing National Legislation	Legislation prior to transposition (Y/N)	Infringement proceedings
Directive 89/391/EEC (Framework Directive)		S	Act of 21 April 2006 No. 262/2006 Coll., Labour Code (<i>Zákon č. 262/2006 Sb., zákoník práce</i>) (Labour Code) Act of 23 May 2006 No. 309/2006 Coll. on further requirements with regard to occupational safety and health (<i>Zákon č. 309/2006 Sb. o zajištění dalších podmínek bezpečnosti a ochrany zdraví při práci</i>) (OSH Act) Government Decree of 12 December 2007 No. 361/2007 Coll., laying down conditions for the protection of health at work (<i>Nariadení vlády č. 361/2007 Sb., kterým se stanoví podmínky ochrany zdraví při práci</i>) (HP GD) Government Decree of 12 December 2006 No. 592/2006 Coll., on conditions of accreditation and testing of professional	Y	

¹ http://doctrine.vavyskov.cz/_casopis/2011_1/2011_1_6c.pdf

² http://www.cmosarmady.cz/download/Novinky_BOZP_201306.pdf

³ <http://metodika.cahd.cz/ostatni/SIAR%2012-52%20BOZP%20u%20HZSCR.pdf>

Directive	O	S	Transposing National Legislation	Legislation prior to transposition (Y/N)	Infringement proceedings
			<p>competence (<i>Nariadení vlády č. 592/2006 Sb. o podmínkách akreditace a provádění zkoušek z odborné způsobilosti</i>) (ATPC GD)</p> <p>Act of 6 November 2011 No. 373/2011 Coll., Specific Health Service Act (<i>Zákon č. 373/2011 Sb. o specifických zdravotních službách</i>) (SHS Act)</p> <p>Regulation of 26 March 2013 No. 79/2013 Coll. on occupational health services (<i>Vyhláška č. 79/2013 Sb. o pracovnělékařských službách a některých druzích posudkové péče</i>) (OHS R)</p> <p>Government Decree of 31 May 2010 No. 201/2010 Coll. on the method of recording accidents, reporting and sending records of the accident (<i>Nariadení vlády č. 201/2010 Sb., o způsobu evidence úrazů, hlášení a zasílání záznamu o úrazu</i>)(AR GD)</p>		
Council Directive 89/654/EEC (workplace)		S	<p>Government Decree of 26 January 2005 No. 101/2005 on detailed requirements for workplaces and working environment (<i>Nariadení vlády č. 101/2005 Sb. o podrobných požadavcích na pracoviště a pracovní prostředí</i>)(workplace GD)</p> <p>OSH Act</p> <p>HP GD</p>	Y	Infringement No. 04/535/CZ, non-communication Closed case – national measures adopted and notified following letter of formal notice
Directive 2009/104/EC (work equipment)	O		<p>Government Decree of 12 September 2001 No. 378/2001 Coll., laying down detailed requirements for safe operation and use of machinery, technical equipment, instruments and tools (<i>Nariadení vlády č. 378/2001 Sb., , kterým se stanoví bližší požadavky na bezpečný provoz a používání strojů, technických zařízení, přístrojů a nářadí</i>⁴)(work equipment GD)</p> <p>Regulation of 22 January 1979 No. 18/1979 Coll., which determines certain pressure equipment subject to specific obligations and provides for certain conditions to ensure the safety thereof (<i>Vyhláška Českého úřadu bezpečnosti práce a Českého báňského úřadu č. 18/1979 Sb., kterou se určují vyhrazená tlaková zařízení a stanoví některé podmínky k zajištění jejich bezpečnosti</i>)</p>	Y	

⁴ Government Decree No. 378/2001 Coll. was transposed according to Directive 89/655/EEC that was abolished and replaced by Directive 2009/104/EC. New Directive 2009/104/EC has not yet been transposed in Czech legislation.

Directive	O	S	Transposing National Legislation	Legislation prior to transposition (Y/N)	Infringement proceedings
			<p>Regulation of 22 January 1979 No. 19/1979 Coll., which determines certain lifting equipment subject to specific obligations and provides for certain conditions to ensure the safety thereof (Vyhláška Českého úřadu bezpečnosti práce a Českého báňského úřadu č. 19/1979 Sb., kterou se určují vyhrazená zdvihací zařízení a stanoví některé podmínky k zajištění jejich bezpečnosti)</p> <p>Regulation of 22 January 1979 No. 21/1979 Coll., which determines certain gas equipment subject to specific obligations and provides for certain conditions to ensure the safety thereof (Vyhláška Českého úřadu bezpečnosti práce a Českého báňského úřadu č. 21/1979 Sb., kterou se určují vyhrazená plynová zařízení a stanoví některé podmínky k zajištění jejich bezpečnosti)</p> <p>Regulation of 15 March 2010 No. 73/2010 Coll., on determination of electrical devices and their division into classes and groups and detailed conditions of the safety thereof (Vyhláška č. 73/2010 Sb. o stanovení vyhrazených elektrických technických zařízení, jejich zařazení do tříd a skupin a o bližších podmínkách jejich bezpečnosti)</p>		
Council Directive 89/656/EEC (PPE)		S	<p>Government Decree of 14 November 2001 No. 495/2001 Coll., establishing the extent and detailed conditions for the provision of personal protective equipment, washing, cleaning and disinfection means (Nařízení vlády č. 495/2001 Sb., kterým se stanoví rozsah a bližší podmínky poskytování osobních ochranných pracovních prostředků, mycích, čisticích a dezinfekčních prostředků)(PPE GD)</p> <p>Labour Code</p>	Y	
Council Directive 92/58/EEC (OSH signs)		S	<p>Government Decree of 14 November 2001 No. 11/2002 Coll., establishing the appearance and placement of safety signs and introduction of signals (Nařízení vlády č. 11/2002 Sb., kterým se stanoví vzhled a umístění značek a zavedení signálů)(OSH signs GD)</p> <p>OSH Act</p>	Y	
Directive 1999/92/EC		S	<p>Government Decree of 2 June 2004 No. 406/2004 Coll., on detailed requirements</p>	Y	Infringement case No.

Directive	O	S	Transposing National Legislation	Legislation prior to transposition (Y/N)	Infringement proceedings
(ATEX)			regarding safety and protection of health at the workplace in a potentially explosive environment (<i>Nariadení vlády č. 406/2004 Sb. o bližších požadavcích na zajištění bezpečnosti a ochrany zdraví při práci v prostředí s nebezpečím výbuchu</i>) (ATEX GD) OSH Act		04/578/CZ non-communication Closed case – national measures adopted and notified following letter of formal notice
Council Directive 90/269/EEC (manual handling of loads)		S	HP GD OSH Act	Y	Infringement case No. 04/537/CZ non-communication Closed case – national measures adopted and notified following letter of formal notice
Council Directive 90/270/EEC (display screen equipment)		S	HP GD OSH Act	Y	Infringement case No. 04/538/CZ non-communication Closed case – national measures adopted and notified following letter of formal notice
Directive 2002/44/EC (vibration)		S	Government Decree of 1 November 2011 No. 272/2011 Coll., on protection of health against adverse effects of noise and vibration (<i>Nariadení vlády č. 272/2011 Sb. o ochraně zdraví před nepříznivými účinky hluku a vibrací</i>) (vibration and noise GD) OSH Act	Y	
Directive 2003/10/EC (noise)		S	vibration and noise GD OSH Act	Y	
Directive 2004/40/EC (electromagnetic fields)			NOT TRANSPOSED	N/A	
Directive 2006/25/EC (artificial optical)	O		Government Decree No. 1/2008 Coll., on protection of health against non-ionizing Radiation (<i>Nariadení vlády č. 1/2008 Sb. o ochraně zdraví před neionizujícím zářením</i>)	Y	

Directive	O	S	Transposing National Legislation	Legislation prior to transposition (Y/N)	Infringement proceedings
radiation)			(EF+AOR GD)		
Directive 2004/37/EC (carcinogens or mutagens)		S	HP GD OSH Act	Y	
Council Directive 98/24/EC (chemical agents at work)		S	HP GD Regulation of 4 December 2003 No. 432/2003 Coll., laying down the conditions for dividing jobs into categories, limit values of biological exposure tests, sampling conditions of biological material for biological exposure tests and requirements for reporting work with asbestos and biological agents (<i>Vyhláška č. 432/2003 Sb., kterou se stanoví podmínky pro zařazování prací do kategorií, limitní hodnoty ukazatelů biologických expozičních testů, podmínky odběru biologického materiálu pro provádění biologických expozičních testů a náležitosti hlášení prací s azbestem a biologickými činiteli</i>) (chemical and biological agents R) OSH Act	Y	Infringement case No. 04/563/CZ non-communication Closed case – national measures adopted and notified following letter of formal notice
Directive 2009/148/EC (asbestos)		S	HP GD Act of 14 July 2000 No. 258/2000 Coll., the Public Health Protection Act (<i>Zákon č. 258/2000 Sb., o ochraně veřejného zdraví</i>) (PHP Act)	Y	
Directive 2000/54/EC (biological agents)		S	HP GD chemical and biological agents R OSH Act PHP Act	Y	
Council Directive 92/57/EEC (temporary or mobile construction sites)		S	Government Decree of 12 December 2006 No. 591/2006 Coll., on detailed requirements regarding safety and protection of health during work on construction sites (<i>Nariadení vlády č. 591/2006 Sb. o bližších minimálních požadavcích na bezpečnost a ochranu zdraví při práci na staveništích</i>) (temporary construction sites GD) workplace GD OSH Act	Y	Infringement case No. 04/547/CZ non-communication Closed case – national measures adopted and notified following letter of formal notice

Directive	O	S	Transposing National Legislation	Legislation prior to transposition (Y/N)	Infringement proceedings
<p>Council Directive 92/104/EEC (surface and underground mineral-extracting industries)</p>		S	<p>Regulation of 29 December 1988 No. 26/1989 Coll., on safety and occupational health and safety in mining activities and performing mining activities on the surface (Vyhláška č. 26/1989 Sb. o bezpečnosti a ochraně zdraví při práci a bezpečnosti provozu při hornické činnosti prováděné hornickým způsobem na povrchu) (surface R)</p> <p>Regulation of 20 March 1989 No. 22/1989 Coll., on safety and occupational health and safety in mining and quarrying of non-reserved minerals underground (Vyhláška č. 22/1989 Sb. o bezpečnosti a ochraně zdraví při práci a bezpečnosti provozu při hornické činnosti a při činnosti prováděné hornickým způsobem v podzemí) (underground R)</p> <p>Regulation of the Czech Mining Authority of 17 May 1989 No. 51/1989 Coll., on safety and occupational health and safety in the treatment and refining of minerals (Vyhláška č. 51/1989 Sb. o bezpečnosti a ochraně zdraví při práci a bezpečnosti provozu při úpravě a zušlechťování nerostů) (treatment and refining minerals R)</p> <p>Regulation of the Czech Mining Authority of 15 March 1996 No. 55/1996 Coll., on requirements to ensure health and safety at work and safety of operations carried out by underground mining methods (Vyhláška č. 55/1996 Sb. o požadavcích k zajištění bezpečnosti a ochrany zdraví při práci a bezpečnosti provozu při činnosti prováděné hornickým způsobem v podzemí) (underground R II)</p>	Y	
<p>Council Directive 92/91/EEC (mineral-extracting industries through drilling)</p>		S	<p>Regulation of 30 September 1998 No. 239/1998 Coll., on safety and occupational health and safety in the mining and processing of oil and natural gas and in drilling and geophysical work and amending certain regulations to ensure the health and safety at work and safety in mining activities and activities using mining techniques (Vyhláška Českého báňského úřadu č. 239/1998 Coll. o bezpečnosti a ochraně zdraví při práci a bezpečnosti provozu při těžbě a úpravě ropy a zemního plynu a při vrtných a geofyzikálních pracích a o změně některých předpisů k zajištění bezpečnosti a ochrany zdraví při práci a bezpečnosti</p>	Y	

Directive	O	S	Transposing National Legislation	Legislation prior to transposition (Y/N)	Infringement proceedings
			<i>provozu při hornické činnosti a činnosti prováděné hornickým způsobem) (drilling R)</i> OSH Act Labour Code		
Council Directive 92/29/EEC (medical treatment on board vessels)			NOT TRANSPOSED ⁵	N/A	
Council Directive 93/103/EC (work on board fishing vessels)			NOT TRANSPOSED ⁶	N/A	
Council Directive 92/85/EEC (pregnant/breastfeeding workers)		S	Regulation of 25 August 2003 No. 288/2003 Coll., establishing types of work and workplaces that are not suitable for pregnant women, breastfeeding women, mothers until the end of the ninth month after childbirth and adolescents, and the conditions under which young people can perform this work as an exception because of their professional training (<i>Vyhláška č. 288/2003 Sb. , kterou se stanoví práce a pracoviště, které jsou zakázány těhotným ženám, kojícím ženám, matkám do konce devátého měsíce po porodu a mladistvým, a podmínky, za nichž mohou mladiství výjimečně tyto práce konat z důvodu přípravy na povolání) (pregnant, breastfeeding and young workers R)</i> Labour Code	Y	Infringement case No. 04/548/CZ non-communication Closed case – national measures adopted and notified following letter of formal notice
Council Directive 91/383/EEC (temporary workers)	O		Labour Code	N	Infringement case No. 04/543/CZ non-communication Closed case – national

⁵ The Czech Republic has no experience with the practical application of Directive 92/29/EEC because of the country's geographical position (the Czech Republic is a landlocked state) and because of the Directive's scope, which does not encompass non-commercial recreational craft. (see National Implementation Report2013, Part A, Section I, 3.2, (EN) p.12)

⁶ Directive 93/103/EC is irrelevant to the Czech Republic and has not been adopted. It is irrelevant in that seagoing vessels cannot operate for fishing purposes under the Czech flag – see Section 5(1)(a) of Act No 61/2000 on maritime shipping, as amended. (see National Implementation Report2013, Part A, Section I, 3.2, (EN) p.12)

Directive	O	S	Transposing National Legislation	Legislation prior to transposition (Y/N)	Infringement proceedings
					measures adopted and notified following letter of formal notice
Council Directive 94/33/EC (young people at work)		S	pregnant, breastfeeding and young workers R Labour Code HP GD	Y	

1.2 GENERAL INSTITUTIONAL FRAMEWORK

This section presents key policy documents and describes the institutional structure together with roles and responsibilities of the main authorities and other stakeholders. It reviews all mechanisms and structures for coordination amongst those authorities in the framework of the transposition and implementation of the directives. Control and enforcement authorities will be covered under Section 5 below.

The Czech Republic issued the long-term strategy “National Policy of Safety and Health Protection at Work” in 2008, in accordance with the Community strategy 2007-2012 and health and safety at work. The specific assignments in the National Policy are further integrated into two-yearly programmes, currently called “National Action Plan for Health and Safety at Work for the years 2013-2014”. The National OSH Policy expresses the will to ensure adequate conditions to maintain the maximum working capacity of the workforce during a sustainable economic and social development. It puts a special emphasis on self-employed, small and medium-sized companies and the changing world of work.⁷

Occupational safety and occupational health has traditionally two distinct features. While the Ministry of Labour and Social Affairs is responsible for occupational safety and labour inspection, the Ministry of Health is competent for public health that includes occupational health and is in charge of occupational health inspection. Although this distinction is also followed by the executive agencies of the two ministries, they cooperate closely on international, national and regional levels in the field of OSH. Several sectors have their own OSH inspection bodies with various special scopes and competencies. The State Labour Inspection Office and its eight subordinated Regional Labour Inspectorates are concerned with the inspection of compliance with occupational safety and health protection, as well as the control of protection of labour relations and working conditions.

Social dialogue and OSH coordination is ensured through the Council of Economic and Social Agreement. The Council reflects the diversified representation of social partners, and its task is strictly a consultative function. The Council participates in the elaboration of strategies in the area of OSH through its tripartite Task Force for occupational safety and health: the Government Council for Safety, Hygiene and Health at Work. It initiates and discusses legislative measures in the field of OSH and is responsible for OSH-related issues of education.

⁷ http://oshwiki.eu/wiki/OSH_system_at_national_level_-_Czech_Republic

1.2.1 Key policy documents

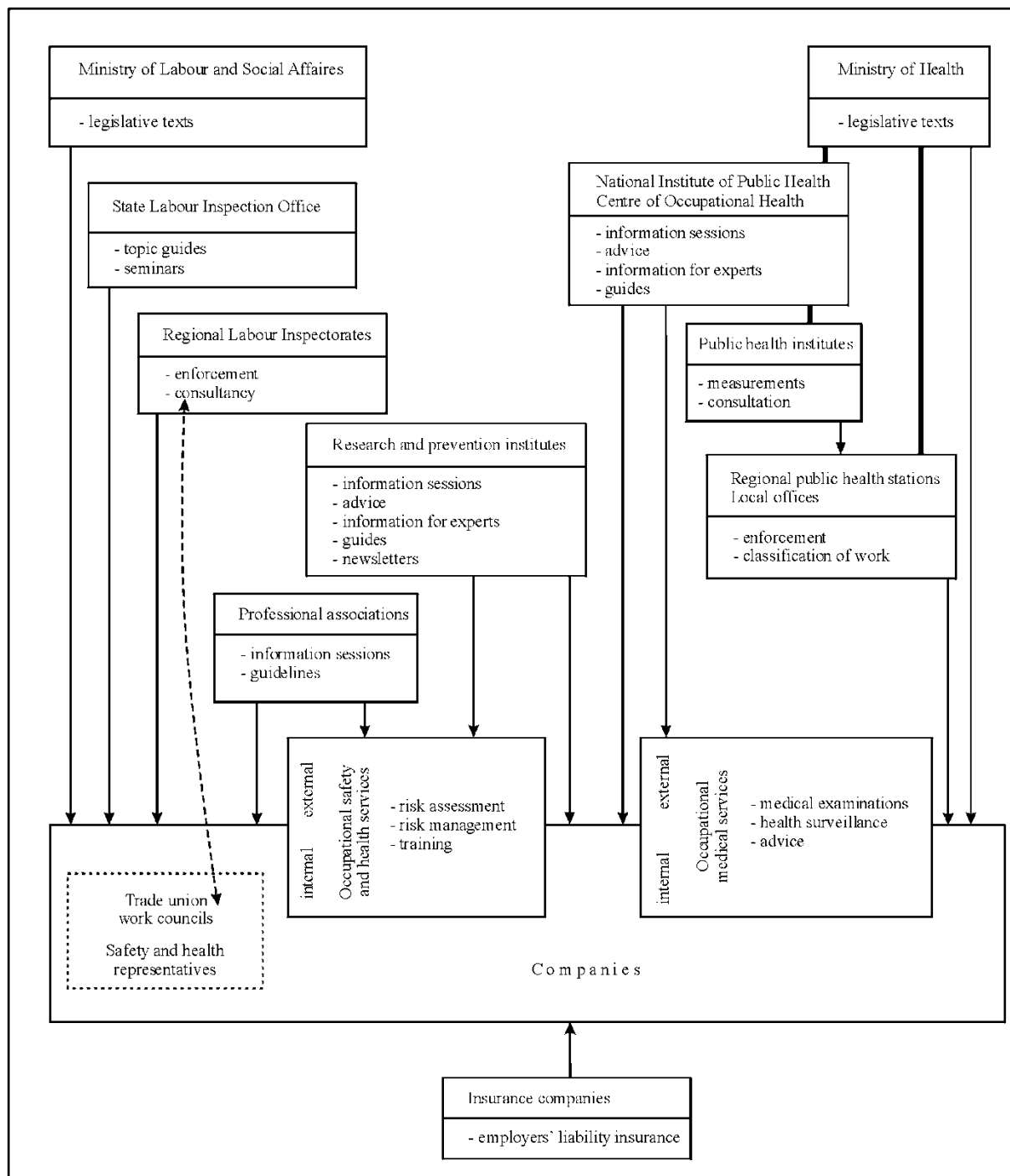
In the Czech Republic, the National Action Plan for Health and Safety at Work for the years 2013-2014 is an enforcement document of the **National Policy of Safety and Health Protection at Work** adopted by the Czech government in 2008. The Policy has set essential priorities and targets in the field of OSH and has entrusted the Government Council for OSH (i.e. social partners, experts and authorities) with the development of these targets to specific short-term and medium-term tasks including deadlines and responsibilities.

The **National Action Plan for Health and Safety at Work for the years 2013-2014** is narrowly connected with the previous National Action Plan for years 2011-2012. This plan determined priority measures (including especially the unsolved problem of injury insurance), support of motivation, prevention and rehabilitation, education, research and development and of course funding of the whole OSH field. In the previous time period, the National Action Plan was based on the main targets of the European Policy of Health and Safety at Work for years 2007-2012. Considering there does not exist a new strategy for years 2013-2020 it is supposed that, after adopting the new European strategy, additional measures at the national level will be prepared as well.

The National Action Plan for Health and Safety at Work for years the 2013-2014 is divided into seven essential priorities:

- I. Implementation of a functional system of injury insurance
- II. Ensuring of funding and financial support of OSH in the Czech Republic
- III. Prevention of working risks
- IV. Safety and health of children, pupils and students
- V. Rehabilitation of persons after an occupational injury or occupational disease
- VI. Education of experts in the field of OSH
- VII. Research and development

1.2.2 Main authorities and stakeholders



Source: EU OSHA report "OSH Infrastructure in the Czech Republic", available at: http://oshwiki.eu/wiki/OSH_system_at_national_level_-_Czech_Republic

Ministry of Labour and Social Affairs – The Ministry of Labour and Social Affairs is a central authority of the Czech administration in the field of labour market, social issues and social care. Its tasks and interests also include occupational safety and working conditions, legal protection of motherhood, employment and unemployment, working conditions of young people, collective negotiations, wages and salaries, gender equality, foreigners etc.

Ministry of Health – The Ministry of Health is a central authority of the Czech administration in the

field of health care and the protection of public health. Its tasks and interests also include research and development in the field of health, handling with addictive substances, pharmacy industry, health insurance, etc.

Ministry of Industry and Trade - The Ministry of Industry and Trade is a central authority of the Czech administration in the field of industry, trade, resources and economic relations. Its tasks and interests also include technical standardization, metrology and state testing, SME enterprises, etc.

Ministry of School, Youth and Sports - The Ministry of School, Youth and Sports is a central authority of the Czech administration in the field of preschool education, school education, technical education and universities and research and development and sports.

Government Council for Occupational Safety and Health – The Government Council for Occupational Safety and Health was established in 2003 as a permanent advisory body for the government. It has 28 members and its chairman is the Minister of Labour and Social Affairs. Other members are deputies of other interested ministries, chiefs and directors of the State Labour Inspection Office, the Czech Mining Authority, the State Office for Nuclear Safety, representatives of employers and workers and also independent experts.

State Labour Inspection Office and regional inspectorates - Act no. 251/2005 Coll. on Labour Inspection, as amended, regulates the establishment and status of the labour inspection authorities as inspection bodies in the area of employment, maintaining and protection of the labour law relationships and working conditions, powers and competence of the labour inspection bodies, rights and obligations of inspectors and persons inspected and sanctions imposed for a breach of stipulated obligations. The State Labour Inspection Office and the eight regional inspectorates are authorized to inspect whether employers are observing all obligations arising out of the applicable legal regulations, to require removal of any defects found during the inspection, to impose sanctions, etc.

Czech Mining Authority and regional mining inspectorates - The Czech Mining Authority is a central authority of the Czech administration in the field of mining, mining activities, handling of explosives, underground fire protection and safe conditions of underground objects.

State Office for Nuclear Safety - The State Office for Nuclear Safety is a governmental body as stipulated by Act. No. 2/1969 Coll. (full wording Act. No. 122/1997 Coll. - §2). The SÚJB is headed by the SÚJB Chairman who is appointed by the Government of the Czech Republic. The SÚJB is a regulatory body responsible for governmental administration and supervision in the fields of uses of nuclear energy and radiation and of radiation protection.⁸

Fire Rescue Service of the Czech Republic - The General Directorate of the Fire Rescue Service of the Czech Republic fulfils the tasks of the Ministry of Interior, and is the central body of the state administration for fire protection, crisis management, civil emergency planning and population protection. Fire Rescue Service of CR is one of the basic bodies of the Integrated Rescue System, which has been operating with a new structure since the 1st of January 2001. The primary mission of the Fire Rescue Service of CR is to protect life, health and property of citizens against fire, and to provide effective help in emergencies.

National Institute of Public Health – The National Institute of Public Health is a budgetary organisation of the Ministry of Health.⁹ The statutory representative is the Director who is named and recalled by the Minister of Health on the proposal of the Chief Public Health Officer of the Czech

⁸ The authority and responsibilities of the SÚJB are stipulated by Act. No. 18/1997 Coll. on Peaceful Utilisation of Nuclear Energy and Ionising Radiation (Atomic Act).

⁹ The legal status and tasks of the institute are postulated by paragraph 86 of Law No. 258/2000, in the wording of Law no. 320/2002 and provision of the Minister of Health no. 31334/2002 from 17. 12. 2002.

Republic.

The Technical Inspection of the Czech Republic - The Technical Inspection of the Czech Republic is the state control authority in the field of certain technical equipment with increased level of danger (electrical, gas, pressure and lift equipment).

Regional health offices – The regional health offices are responsible for controlling employers' duties regarding health protection against physical, psychical, chemical, biological and micro-climatic risk factors.

Occupational Safety Research Institute –The Occupational Safety Research Institute (VÚBP) is a public research institution founded by the Ministry of Labour and Social Affairs of the Czech Republic. They are involved in scientific research, verification and application of methods in the area of risk prevention relating to work activities and endangering health of people, environment or wealth, transfer of knowledge into practice and expert education in occupational safety and health.

Czech Focal Point for Occupational Safety and Health is an entity run by the Ministry of Labour and Social Affairs in co-operation with and under the auspices of the European Agency of Safety and Health at Work. The Focal Point coordinates the national authorities and organisations focusing on OSH.

Social dialogue

The Czech tripartite body - the **Council of Economic and Social Agreement** – includes representatives of the largest trade unions organizations, of the main employers' organisations and of the government. The Council of Economic and Social Agreement fulfils largely an advisory function and its influence is rather limited in policy formulation. Over the last years, there has been a tension between government and main trade unions especially due to the too close interconnection between unions' representatives and the Czech Social Democratic party. In April 2012, trade union representatives left the tripartite body opposing the decision-making style of the right-wing government. The Czech trade unions also opposed the introduction of the 2nd pension pillar.

Main stakeholders

The **Confederation of industry of the Czech Republic** is the biggest employers' association of the Czech Republic, consists of 28 collective members and 121 direct members, altogether about 1550 companies with nearly 800 000 workers.¹⁰

The **Confederation of Employers and Business Associations of the Czech Republic** represents more than 22 000 members with more than 1 300 000 workers.¹¹

The **Czech-Moravian Confederation of Trade Unions** is the biggest organization of trade unions in the Czech Republic. It brings together 29 trade unions.¹²

The **Association of the Independent Trade Unions of the Czech Republic** is the second biggest trade union head office in the Czech Republic.¹³

Regarding SMEs, the most important organization is the **Association of Small and Medium-Sized Enterprises and Crafts CZ** that brings together small and medium-sized enterprises and craftspeople.

¹⁰ <http://www.spcr.cz/en/about-us/confederation-of-industry-of-the-czech-republic>

¹¹ <http://kzps.cz/o-nas/>

¹² <http://www.cmkos.cz/>

¹³ <http://www.asocr.cz/cz/portal/uvod/>

It is not a member of the tripartite body.

1.2.3 Coordination

In the Czech Republic, issues of workplace safety and health fall primarily within the competence of the **Ministry of Labour and Social Affairs** which also coordinates cooperation with other partners – mainly the **Ministry of Health**. The Ministry of Labour and Social Affairs is also responsible for social policy regarding occupational safety and health (OSH) and equal opportunities.

The **Government Council for Health and Safety at Work** chaired by the Minister of Labour and Social Affairs is a tripartite advisory body to the Czech Government on issues of OSH. It developed a national action plan in the field of OSH, the most recent of which was put forth for years 2013-2014.

1.3 LEGAL COVERAGE, OBSERVED DISCREPANCIES AND MORE STRINGENT MEASURES

1.3.1 Observed discrepancies, more stringent and more detailed measures

The following tables describe observed discrepancies between the Directive's requirements and the transposing legislation and cases where the national legislation provides for more stringent, broader or more detailed measures than the Directive's ones. There is one table per directive.

Observed discrepancies between the Directive's requirements and the transposing legislation cover instances where the text of the national transposing legislation is different from the transposed Directive's provisions. This difference could lead to the non-application or partial application of the relevant CPM due to contradiction between the national provision and the corresponding one in the Directive. They are considered for each CPM, scoping requirements and limit values when relevant (tables 1-2 to 1-25).

More stringent provisions set requirements which go beyond the requirements of the Directive e.g. more severe limit values. This review covers systematically the scope and relevant definitions as well as provisions setting limit values.

The identification of more specific requirements is different from more stringent measures, as it relates to the extent to which national law includes more detailed mechanisms for the implementation of the CPMs. In such cases, the main requirements of the Directive are fully and effectively transposed and the Member States have set up more detailed rules on e.g. procedures, responsibilities, etc.

In general, the Czech Republic has transposed OSH-related EU Directives in an effective way with no reported cases of observed discrepancies and relatively few cases where the Czech legislation sets more stringent or broader requirements. With regard to the risk assessment, every employer has to search consistently for dangerous working conditions and workplaces in order to out their causes and sources. On this basis, employers have to search and assess risks and adopt measures to their elimination. Additional requirements are also set in relation to the preventive and protective services: in the Czech Republic, the employer is obliged to ensure preventive and protective services through one or more competent persons if the company has more than 500 workers. If the company has less than 25 workers, it is allowed for the employer to ensure preventive and protective services himself, on the condition that he has the necessary knowledge. If the company has between 26 and 500 workers, it is allowed for the employer to ensure preventive and protective services himself, on the condition that he is a competent person. Otherwise he has to ensure these services through one or more competent persons. The national legislation also lays down specific requirements for these competent persons in risk prevention. With regard to health surveillance, all workers are obliged to undergo a preventive mandatory medical examination, regardless of the level of risks they have to face during

their work. This obligation is determined by the Labour Code. The worker has to undergo a mandatory medical examination otherwise he/she isn't health-competent to work. There is no voluntary choice of the examinational doctor for workers. On the contrary every employer is obliged to sign a contract with a health services provider. Health services include not only regular medical examinations of workers but also health consultancy and health controls on workplaces in order for the provider to know the specific risks of the employer's workplaces. Every worker has to undergo medical examination before he/she starts to do a concrete job (entry medical examination) and after he/she finishes the job (leaving medical examination), apart from the periodical medical examinations. In addition, an extraordinary medical examination shall happen in cases where it is necessary according to special circumstances. The periodical medical examinations of workers have to be repeated regularly, but the frequency depends on the risk category and the age of the worker (there are four risk categories in the Czech Republic dividing works according to level of risks workers have to face) and other special circumstances of work (night work, young workers). Finally, the Labour Code establishes that the employer is obliged to organize at least once per year a OSH audit in all workplaces and of all equipment of the employer in agreement with trade unions or OSH workers' representatives.

More specifically, in relation to Directives 2009/104/EC (work equipment), 89/656/EEC (PPE), 90/269/EEC (manual handling of loads), 2004/37/EC (carcinogens or mutagens), 98/24/EC (chemical agents at work), 2009/148/EC (asbestos), 2000/54/EC (biological agents), 92/104/EEC (surface and underground mineral-extracting industries), 92/91/EEC (mineral-extracting industries through drilling) and 92/85/EEC (pregnant/breastfeeding workers), the national legislation sets more detailed requirements on risk assessment, especially related to the content of the risk assessment and the risks to be taken into account.

The scope of application of the national legislation transposing Directive 89/654/EEC (workplace) and Directive 90/269/EEC (manual handling of loads) is broader than what has been specified in the directive. Also the scope of Directive 91/383/EEC (temporary workers) is different, as the national legislation includes a different approach of responsibility to workers with a fixed-duration contract of employment versus temporary workers employed by a job agency. It should here also be noted that there is no special national legislation for young workers (Directive 94/33/EC (young people at work) as the Labour Code applies without distinction.

More stringent limit values are noted in the national legislation transposing Directives 2002/44/EC (vibration), 2004/37/EC (carcinogens or mutagens), and 98/24/EC (chemical agents at work).

Finally, specific and more detailed information on training of workers and information for workers is available in the national legislation transposing the two Mining Directives (92/91/EEC and 92/104/EEC, the latter with regard to the health and safety document).

Table 1- 2 Directive 89/391/EEC (Framework Directive) – Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions (Art.2 and 3)	<p>Art.2 1. All sectors of activity, both public and private (industrial, agricultural, commercial, administrative, service, educational, cultural, leisure, etc.). 2. Not be applicable where characteristics peculiar to certain specific public service activities, such as the armed forces or the police, or to certain specific activities in the civil protection services inevitably conflict with it.</p> <p>Art.3</p> <ul style="list-style-type: none"> • Apply to any person employed by an employer, including trainees and apprentices but excluding domestic servants; • Employer: any natural or legal person who has an employment relationship with the worker and has responsibility for the undertaking and/ or establishment. 	No observed discrepancy has been identified in terms of scope and definitions.	<ul style="list-style-type: none"> • Are specific public service activities (such as armed forces or police) included in the scope of the legislation which are not in the Directive? N. • Does the legislation include domestic servants in its scope? N. • Is the definition of employer broader than the Directive's? N. • Other additional or more detailed requirements N.
Conducting a risk assessment Art. 6(3), 9(1)(a)	<p>Art.6</p> <ul style="list-style-type: none"> • The employer shall, taking into account the nature of the activities of the enterprise and/ or establishment evaluate the risks to the safety and health of workers, inter alia in the choice of work equipment, the chemical substances or preparations used, and the fitting-out of work places. <p>Art.9</p> <ul style="list-style-type: none"> • The employer shall be in possession of an assessment of the risks to safety and health at work, including those facing groups of workers exposed to particular risks. 	No observed discrepancy has been identified	<ul style="list-style-type: none"> • Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? N. • Is the content of the risk assessment more detailed than described in the Directive? Y. Each employer has to consistently search for dangerous working conditions and workplaces, to find out their causes and sources. On this basis, employers have to search and assess risks and adopt measures to their elimination. Employers are obliged to regularly

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>control the level of safety of workplaces and working equipment and level of risk factors. (Labour Code)</p> <ul style="list-style-type: none"> • Is a more specific methodology for risk assessment provided in the legislation? N. • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? N. • Other additional or more detailed requirements N.
Ensuring preventive and protective services Art.7(1)	<ul style="list-style-type: none"> • The employer shall designate one or more workers to carry out activities related to the protection and prevention of occupational risks for the undertaking and/ or establishment. • Designated workers may not be placed at any disadvantage because of their activities related to the protection and prevention of occupational risks and shall be allowed adequate time to enable them to fulfil their obligations. • If such protective and preventive measures cannot be organized for lack of competent personnel in the undertaking and/ or establishment, the employer shall enlist competent external services or persons. • He shall inform them of the factors known to affect, or suspected of affecting, the safety 	<p>No observed discrepancies have been identified in relation to the preventive and protective services.</p>	<ul style="list-style-type: none"> • Does the legislation define in more specific terms who shall be designated? Y. The employer is obliged to ensure preventive and protective services: <ol style="list-style-type: none"> 1. If the company has less than 25 workers, it is allowed for the employer to ensure preventive and protective services alone. Nevertheless he has to have the necessary knowledge. 2. If the company has between 26 and 500 workers, it is allowed for the employer to ensure preventive and protective services alone. Nevertheless he has to be a competent person. Otherwise he has to ensure these services through one or more competent persons.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>and health of the workers.</p> <ul style="list-style-type: none"> • In all cases (internal/external services), they must have the necessary capabilities/ aptitudes and means and must be sufficient in number to deal with the organization of protective and preventive measures. MS must define the necessary capabilities and aptitudes and determine the sufficient number. • The protection from, and prevention of, the health and safety risks shall be the responsibility of one or more workers, of one service or of separate services whether from inside or outside the undertaking and/ or establishment. The worker(s) and/ or agency(ies) must work together whenever necessary. • MS may define, in the light of the nature of the activities and size of the undertakings, the categories of undertakings in which the employer, provided he is competent, may himself take responsibility. 		<p>3. If the company has more than 500 workers, the employer is obliged to ensure preventive and protective service through one or more competent persons. OSH Act (309/2006 Coll.)</p> <ul style="list-style-type: none"> • Are the conditions for resorting to external services more specifically defined in the legislation? Y. (please see above) • Are the competences required from workers or external services defined in the legislation? Y. The OSH Act includes clear requirements about the competences in risk prevention. Requirements for these competent persons include education – at least high school education finished by leaving exam, praxis – 3 years or at least 1 year if the competent person has bachelor or magister degree in the health and safety educational program and specialized exam in risk prevention. • Are criteria to define the resources (number of persons designated) provided in the legislation? N. Employer has to ensure sufficient number of designated persons for his specific conditions and risks. • Other additional or more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			N.
Information for workers Art.10	<ul style="list-style-type: none"> • The employer shall ensure that workers receive all the necessary information concerning the safety and health risks and protective and preventive measures and activities in respect of the establishment and each type of workstation. • The employer shall take appropriate measures so that employers of workers from any outside undertakings and/ or establishments engaged in work in his undertaking and/ or establishment receive similar information • The employer shall take appropriate measures so that workers with specific functions in protecting the safety and health of workers, or workers' representatives with specific responsibility for the safety and health of workers shall have access to the risk assessment and protective measures, to the list of and reports on occupational accidents and the information yielded by protective and preventive measures, inspection agencies and bodies responsible for safety and health. 	No observed discrepancies have been identified in relation to information of workers.	<ul style="list-style-type: none"> • Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. • Is the content or form of information to workers further specified? Y. Temporary workers, young workers and workers of job agencies must be particularly taken into account. (OSH Act) • Are there more detailed requirements relating specifically to one of the individual directives? Y. Regarding Council Directive 92/85/EEC (pregnant/breastfeeding workers), the employer has to inform women – workers if there is a risk of damage to the foetus in a mother's womb during work. Pregnant and breastfeeding workers must obtain information about the influence of their working conditions on their pregnancy or breastfeeding. • Other additional or more detailed requirements N.
Training of workers Art.12	<ul style="list-style-type: none"> • The employer shall ensure that each worker receives adequate safety and health training during working hours, in particular in the form of information and instructions specific to his workstation or job and adapted to any changes in technology or risks and repeated periodically if necessary. 	No observed discrepancies have been identified in relation to training of workers.	<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation? Y. The employer is obliged to define the scope and frequency of training and methods of testing workers. Training must be repeated regularly if necessary or in

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<ul style="list-style-type: none"> The employer shall ensure that workers from outside undertakings and/ or establishments engaged in work in his undertaking and/ or establishment have in fact received appropriate instructions regarding health and safety risks. Workers' representatives with a specific role in protecting the safety and health of workers shall be entitled to appropriate training during working hours or in accordance with national practice either within or outside the undertaking and/ or the establishment. 		<p>cases that can have a strong influence on occupational health and safety. (Labour Code)</p> <ul style="list-style-type: none"> Are there specific requirements as to the competence of trainers provided in the legislation? N. The employer is obliged to define the competence of the trainers, apart from the content and frequency of training. (Labour Code) Are there more detailed requirements relating specifically to one of the individual directives? N. Other additional or more detailed requirements N.
Health surveillance Art.14	<ul style="list-style-type: none"> The employer shall ensure that workers receive health surveillance appropriate to the health and safety risks they incur at work. These measures shall be such that each worker, if he so wishes, may receive health surveillance at regular intervals. Health surveillance may be provided as part of a national health system. 	No observed discrepancy has been identified.	<ul style="list-style-type: none"> Are the arrangements for health surveillance records specified in the legislation? Y. OHS R (79/2013 Coll.) specifies the content of an employer's request for medical examination and the content of the medical report on the health competency of the worker. Other requirements on health surveillance records are contained in the SHS Act (373/2011 Coll.). Are the conditions in which health surveillance is required more specifically

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>described in the legislation?</p> <p>Y. All workers are obliged to undergo a preventive mandatory medical examination, regardless of the level of risks they have to face during their work. This obligation is determined by the Labour Code. The worker has to undergo a mandatory medical examination otherwise he/she isn't health competent to work. There is no voluntary choice of the examinational doctor for workers. On the contrary every employer is obliged to sign a contract with a health services provider. Health services include not only regular medical examinations of workers but also health consultancy and health controls on workplaces in order for the provider to know the specific risks of the employer's workplaces. Specific requirements are contained in the SHS Act (373/2011 Coll.) and OHS R (79/2013 Coll.).</p> <ul style="list-style-type: none"> • Is the periodicity of health surveillance provided in national law? <p>Y. Every worker has to undergo medical examination before he/ she starts to do a concrete job (entry medical examination) and after he/she finishes the job (leaving medical examination), apart from the periodical medical examinations. In addition, an extraordinary medical examination shall happen in cases where it is necessary according to special circumstances. The periodical medical examinations of</p>

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>workers have to be repeated regularly, but the frequency depends on the risk category and the age of the worker (there are four risk categories in the Czech Republic dividing works according to level of risks workers have to face) and other special circumstances of work (night work, young workers). Periodicity for health control and health consultancy is further specified and so as minimum required time for performance of controls, consultancy and examinations.</p> <p>The Labour Code, SHS Act (373/2011 Coll.) and OHS R (79/2013 Coll.)</p>
<p>Consultation of workers Art.11, 6(3)(c)</p>	<ul style="list-style-type: none"> • Employers shall consult workers and/ or their representatives and allow them to take part in discussions on all questions relating to safety and health at work. • Workers' representatives with specific responsibility for the safety and health of workers shall have the right to ask the employer to take appropriate measures and to submit proposals to him to that end to mitigate hazards for workers and/ or to remove sources of danger. • They shall have adequate time off work, without loss of pay, and the necessary means to enable them to exercise their rights and functions. • Workers and/ or their representatives are entitled to appeal to the authority responsible for safety and health protection at work if they consider that the measures taken and the means employed by the 	<p>No observed discrepancies have been identified in relation to consultation of workers.</p>	<ul style="list-style-type: none"> • Is balanced¹⁴ participation reflected in the national legislation? Are specific criteria put in place? N. Consultation of workers is ensured through participation of trade unions or workers' representatives for OSH. The scope of participation is in compliance with the Framework Directive. (Labour Code) • Are there more detailed requirements relating specifically to one of the individual directives? N. • Other additional or more detailed requirements The employer is obliged to organize at

¹⁴This covers balanced representation of groups or workers e.g. workers exposed to particular health or safety risks.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>employer are inadequate for the purposes of ensuring safety and health at work.</p> <ul style="list-style-type: none"> Workers' representatives must be given the opportunity to submit their observations during inspection visits by the competent authority. 		<p>least once per year a OSH audit in all workplaces and of all equipment of the employer in agreement with trade unions or workers' representatives for OSH. Detected faults have to be eliminated. (Labour Code)</p>
Limit values	N/A	N/A	N/A
Other issues identified	<p>Eg. List and reports regarding occupational accidents, emergency measures, adequate controls and supervision, other protective and preventive measures</p>	<p>No observed discrepancies have been identified in relation to the other key requirements of the Directive, such as the requirements relating to emergency measures or the list and reports on occupational accidents.</p>	<ul style="list-style-type: none"> The Czech Republic has not taken any additional occupational safety and health measures not included in the Directive. However, it has retained national regulations which enshrined, in law, employers' occupational safety and health obligations prior to accession to the EU. The traditional extent of occupational health protection has not been diminished by the adoption of European law. The Labour Code and following legislation contain more detailed requirements than the Directive. Such requirements aim at a concrete implementation in practice of the Directive's general principles and requirements. For example, employer's obligations and reporting on occupational accidents are specified in a more concrete manner. <p>The Labour Code, AR DG (201/2010 Coll.)</p>

Table 1- 3 Council Directive 89/654/EEC (workplace) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1 and Art. 2	<ul style="list-style-type: none"> The Directive applies to workplaces, but excludes from its scope of application (a) means of transport used outside the undertaking and/or the establishment, or workplaces inside means of transport, (b) temporary or mobile construction sites, (c) extracting industries, (d) fishing boats, and (e) fields, woods and other land forming part of an agricultural or forestry undertaking but situated away from the undertaking's buildings. 'Workplace' means the place intended to house workstations on the premises of the undertaking and/or establishment and any other place within the area of the undertaking and/or establishment to which the worker has access in the course of his employment. 	No observed discrepancies have been identified.	<ul style="list-style-type: none"> Does the transposing legislation cover any of the elements that the Directive expressly excludes¹⁵? Y. Workplace GD (101/2005 Coll.) covers (b) temporary or mobile construction sites and (e) fields, woods and other land forming part of an agricultural or forestry undertaking but situated away from the undertaking's buildings. Workplace GD (101/2005 Coll.) Is the definition of 'workplace' in national law broader than the required by the Directive? There is no direct definition of 'workplace' in the Workplace GD (101/2005 Coll.) Other additional or more detailed requirements Workplace GD (101/2005 Coll.) covers a broader scope of application than the Directive, because (b) temporary or mobile construction sites and (e) fields, woods and other land forming part of an agricultural or forestry undertaking but situated away from the undertaking's buildings are included within its scope.
Conducting a risk assessment	N/A	N/A	N/A
Ensuring preventive and protective services	N/A	N/A	N/A

¹⁵ Please note that points (b), (c) and (d) are regulated by specific legislation.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Information for workers Art. 7	<ul style="list-style-type: none"> Workers and/ or their representatives shall be informed of all measures to be taken concerning safety and health at the workplace Framework Directive applies. 	No observed discrepancies have been identified. Information for workers of all measures to be taken concerning safety and health at the workplace are determined generally by the Labour Code.	<ul style="list-style-type: none"> Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. Is the content or form of information to workers further specified? N. Other additional or more detailed requirements N.
Training of workers	N/A	N/A	N/A
Health surveillance	N/A	N/A	N/A
Consultation of workers Art. 8	<ul style="list-style-type: none"> Framework Directive applies. 	No observed discrepancies have been identified.	<ul style="list-style-type: none"> Are there more detailed requirements than in the Framework Directive? N. Other additional or more detailed requirements N.
Limit values	N/A	N/A	N/A
Others	Annex 1 to the Council Directive 89/654/EEC	No observed discrepancies have been identified.	Further requirements on workplaces defined in Annex 1 are transposed by the Workplace GD (101/2005 Coll.), the OSH Act (309/2006 Coll.) and the HP Act (361/2007 Coll.).

Table 1- 4 Directive 2009/104/EC (work equipment) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1 and Art. 2(a)	<ul style="list-style-type: none"> The Directive relates to the use of work equipment by workers at work where work equipment is defined as any machine, apparatus, tool or installation used at work. 	No observed discrepancies have been identified with regard to the scope and definitions.	<ul style="list-style-type: none"> Any additional or more detailed requirements N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
<p>Conducting a risk assessment Art. 3</p>	<ul style="list-style-type: none"> • The employer must take measures to ensure that the work equipment made available to workers is suitable for the work to be carried out or properly adapted for that purpose and may be used by workers without impairment to their safety or health. • In selecting the work equipment which he proposes to use, the employer must pay attention to the specific working conditions and characteristics and to the hazards which exist in the undertaking or establishment, in particular at the workplace, for the safety and health of the workers, and any additional hazards posed by the use of the work equipment in question. 	<p>No observed discrepancies have been identified with regard to conducting a risk assessment.</p> <p>GD No. 378/2001 Coll. (Work equipment GD)</p>	<ul style="list-style-type: none"> • Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? Y. The GD No. 378/2001 Coll. specifies further requirements and conditions of safe performance and usage of working equipment. In addition, basic principles of safe maintenance, adjustment and changes of working equipment are determined. Requirements on the performance of protective equipment are also set by the GD. The Annexes to the Work equipment GD specify detailed requirements on the usage of : <ul style="list-style-type: none"> • Equipment for lifting persons and loads; • Equipment for lifting and transporting loads; • Mobile equipment; • Equipment for fluent transport of freight; • Stable equipment for storing of bulk material • Is the content of the risk assessment more detailed than described in the Directive? Y. See above. • Is a more specific methodology for risk assessment provided in the legislation? N. • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive?

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>N.</p> <ul style="list-style-type: none"> Other additional or more detailed requirements <p>N.</p>
Ensuring preventive and protective services Art. 5+	<ul style="list-style-type: none"> The employer must ensure that where the safety of work equipment depends on the installation conditions, it shall be subject to an initial inspection (after installation and before first being put into service) and an inspection after assembly at a new site or in a new location by competent persons, to ensure that the work equipment has been installed correctly and is operating properly. The employer must ensure that work equipment exposed to conditions causing deterioration liable to result in dangerous situations is subject to (a) periodic inspections and, where appropriate, testing by competent persons; (b) special inspections by competent persons each time that exceptional circumstances have occurred, such as modification work, accidents, natural phenomena or prolonged periods of inactivity. 	<p>No observed discrepancies have been identified with regard to the ensuring of preventive and protective services.</p> <p>For Art. 5 GD No. 378/2001 Coll.</p> <p>For Art.6 Restricted technical equipment Regulation No. 18/1979 Coll., Regulation No. 19/1979 Coll., Regulation No. 21/1979 Coll., Regulation No. 73/2010 Coll.</p>	<ul style="list-style-type: none"> Does the legislation define in more specific terms who shall be designated? N. Are the conditions for resorting to external services more specifically defined in the legislation? Y. For restricted technical equipment (pressure equipment, lifting equipment, electrical equipment, gas equipment). Are the competences required from workers or external services defined in the legislation? N. Are criteria to define the resources (number of persons designated) provided in the legislation? N. Other additional or more detailed requirements N.
Information for workers Art. 8	<ul style="list-style-type: none"> Framework Directive applies. Where appropriate, written instructions should be made available to workers on the work equipment used at work, including information on (a) the conditions of use of work equipment; (b) foreseeable abnormal situations; and (c) the conclusions to be drawn from experience, where 	<p>No observed discrepancies have been identified with regard to information for workers.</p> <p>The Labour Code No. 262/2006 Coll.</p>	<ul style="list-style-type: none"> Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. The employer is obliged to ensure that workers obtain appropriate and sufficient information and instructions to occupational safety and health. Information should include particularly identified risks, results of risk

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	appropriate, in using work equipment.		assessment and protection measures against their influence. <ul style="list-style-type: none"> Other additional or more detailed requirements N.
Training of workers Art. 9	<ul style="list-style-type: none"> Framework Directive applies. Workers given the task of using work equipment receive adequate training, including training on any risks which such use may entail. Workers specifically designated to carry out repairs, modifications, maintenance or servicing receive adequate specific training. 	<p>No observed discrepancies have been identified with regard to the training of workers.</p> <p>The Labour Code No. 262/2006 Coll.</p>	<ul style="list-style-type: none"> Is more specific information on the scope of training provided in the legislation? N. Are there specific requirements as to the competence of trainers provided in the legislation? N. Other additional or more detailed requirements N.
Health surveillance	N/A	N/A	N/A
Consultation of workers Art. 10	<ul style="list-style-type: none"> Framework Directive applies. 	<p>No observed discrepancies have been identified. Consultation and participation of workers is covered in accordance with the Labour Code No. 262/2006 Coll.</p>	<ul style="list-style-type: none"> Is balanced¹⁶ participation reflected in the national legislation? Are specific criteria put in place? N. Other additional or more detailed requirements N.
Limit values	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified.	No additional measures have been taken

*Where appropriate, the existence of the earlier version (89/655/EEC) will be taken into account.

Employers are required to assess possible risks in selecting work equipment.

+Inspection (and testing) by competent persons.

¹⁶ This covers balanced representation of groups or workers e.g. workers exposed to particular health or safety risks.

Table 1- 4 Council Directive 89/656/EEC (PPE) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1 and 2	The Directive applies to personal protective equipment (PPE) used by workers at work. PPE as defined excludes (a) ordinary working clothes and uniforms not specifically designed to protect the safety and health of the worker; (b) equipment used by emergency and rescue services; (c) personal protective equipment worn or used by the military, the police and other public order agencies; (d) personal protective equipment for means of road transport; (e) sports equipment; (f) self-defence or deterrent equipment; (g) portable devices for detecting and signalling risks and nuisances.	No observed discrepancies have been identified in relation to the scope and definitions. PPE GD (49 5/2001 Coll.)	<ul style="list-style-type: none"> • Does the transposing legislation cover PPE used by emergency and rescue services? N. • Does the transposing legislation cover any of the other exclusions in the Directive? N. • Other additional or more detailed requirements N.
Conducting a risk assessment Art. 5*	<ul style="list-style-type: none"> • Before choosing personal protective equipment, the employer is required to assess whether the personal protective equipment he intends to use satisfies certain requirements. This assessment shall involve (a) an analysis and assessment of risks which cannot be avoided by other means; (b) the definition of the characteristics which personal protective equipment must have in order to be effective against such risks, taking into account any risks which this equipment itself may create; (c) comparison of those characteristics with the characteristics of the personal protective equipment available. • The assessment shall be reviewed if any changes are made to any of its elements 	No observed discrepancies have been identified in relation to the risk assessment. PPE GD (495/2001 Coll.).	<ul style="list-style-type: none"> • Any additional or more detailed requirements N. The employer is obliged regarding choosing PPE and risk assessment to follow Annexes 1, 2 and 3 to PPE GD. These Annexes contain guidelines and checklists for choosing appropriate PPE for specific parts of the body and for specific activities – same as Annexes to the Directive. PPE GD (495/2001 Coll.)
Ensuring preventive and protective	N/A	N/A	N/A

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
<i>services</i>			
Information for workers Art. 7	<ul style="list-style-type: none"> • Framework Directive applies • Workers and/or their representatives shall be informed of all measures to be taken with regard to the health and safety of workers when personal protective equipment is used by workers at work. 	No observed discrepancies have been identified in relation to information for workers. PPE GD (495/2001 Coll.).	<ul style="list-style-type: none"> • Are there more detailed requirements than in the Framework Directive? Are there other additional or more detailed requirements N.
Training of workers Art. 4(8)	<ul style="list-style-type: none"> • The employer shall arrange for training and shall, if appropriate, organize demonstrations in the wearing of personal protective equipment. 	No observed discrepancies have been identified. General principles of training are applied according to the Labour Code.	<ul style="list-style-type: none"> • Is more specific information on the scope of training on PPE provided in the legislation? N. • Are there detailed requirements on demonstrations to be organized in the wearing of PPE? N. • Other additional or more detailed requirements N.
Health surveillance #	N/A	N/A	N/A
Consultation of workers Art. 8	<ul style="list-style-type: none"> • Framework Directive applies 	No observed discrepancies have been identified. General principles of consultation of workers are applied according to the Labour Code.	<ul style="list-style-type: none"> • Are there more detailed requirements than in the Framework Directive? Are there other additional or more detailed requirements N.
Limit values	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified in relation to other issues identified.	Other key requirements such as the rules for use are not transposed in more detail than provided in the Directive. PPE GD (495/2001 Coll.)

* The Directive makes no provision for a risk assessment. The need for the use of PPE is presumably identified in addressing the findings of other risk assessments, relating to the hazard which the PPE is intended to protect against. There is however provision for an assessment of the PPE itself (Article 5) but this is not specifically a risk assessment.
Health surveillance is covered by the provisions of those directives covering the risks from which a specific item of PPE is intended to provide protection.

Table 1- 5 Council Directive 92/58/EEC (OSH signs) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1 and 2	<ul style="list-style-type: none"> The Directive applies to safety and/or health signs and excludes from its scope of application signs for placing on the market of dangerous substances and preparations, products and/or equipment and signs used for regulating road, rail, inland waterway, sea or air transport. 	No observed discrepancies have been identified.	<ul style="list-style-type: none"> Any additional or more detailed requirements <p>There is no excluding of scope of application signs in the OSH signs GD (11/2002 Coll.).</p>
Conducting a risk assessment	N/A	N/A	N/A
Ensuring preventive and protective services	N/A	N/A	N/A
Information for workers Art. 7	<ul style="list-style-type: none"> Framework Directive applies. Workers and/or their representatives shall be informed of all the measures to be taken concerning the safety and/or health signs used at work. 	No observed discrepancies have been identified. General principles of information for workers are applied according to the Labour Code.	<ul style="list-style-type: none"> Are there more detailed requirements than in the Framework Directive? N. Other additional or more detailed requirements N.
Training of workers Art. 7(2)	<ul style="list-style-type: none"> Framework Directive applies. Workers must be given specific directions concerning the safety and/or health signs used at work, in particular the meaning of the signs, especially signs incorporating words, and the general and specific behaviour to be adopted. 	No observed discrepancies have been identified. General principles of training are applied according to the Labour Code.	<ul style="list-style-type: none"> Are there more detailed requirements than in the Framework Directive? N. Other additional or more detailed requirements N.
Health surveillance	N/A	N/A	N/A
Consultation of workers Art. 8	<ul style="list-style-type: none"> Framework Directive applies. 	No observed discrepancies have been identified. General principles of consultation of workers are applied according to the	<ul style="list-style-type: none"> Are there more detailed requirements than in the Framework Directive? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
		Labour Code.	<ul style="list-style-type: none"> Other additional or more detailed requirements N.
Limit values	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified in relation to other issues identified.	Other key requirements such as the minimum rules for OSH signs are not transposed in more detail than provided in the Directive. OSH Signs GD (11/2002 Coll.)

Table 1- 6 Directive 1999/92/EC (ATEX) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
scope and definitions Art. 1 and 2	<ul style="list-style-type: none"> The Directive applies to the protection of workers potentially at risk from explosive atmospheres as defined in Art. 2. It excludes from its scope of application: (a) the areas used directly for and during the medical treatment of patients; (b) the use of appliances burning gaseous fuels; (c) the manufacture, handling, use, storage and transport of explosives or chemically unstable substances; (d) mineral extracting industries; and (e) the use of transport subject to international agreements as specified. The Directive applies to the risk from explosive atmospheres, i.e. from mixtures with air, under atmospheric conditions, of flammable substances in the form of gases, vapours, mists or dusts in which, after ignition has occurred, combustion spreads to the entire unburned mixture. 	No observed discrepancies have been identified in relation to scope and definitions.	<ul style="list-style-type: none"> Does the transposing legislation include¹⁷ : <ul style="list-style-type: none"> areas used directly for and during the medical treatment of patients? Yes the manufacture, handling, use, storage and transport of explosives or chemically unstable substances? Yes N. <ul style="list-style-type: none"> Other additional or more detailed requirements The national legislation does not include more detailed or broader requirements; it only sometimes refers to other specific legislation for clarification purposes.
Conducting a	<ul style="list-style-type: none"> The employer shall assess the specific risks 	No observed discrepancies have been	<ul style="list-style-type: none"> Is the risk assessment reviewed regularly

¹⁷ Please note that points (b),(d) and (e) are regulated by specific legislation.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
risk assessment Art. 4(1)	<p>arising from explosive atmospheres, taking account at least of:</p> <ul style="list-style-type: none"> — the likelihood that explosive atmospheres will occur and their persistence, — the likelihood that ignition sources, including electrostatic discharges, will be present and become active and effective, — the installations, substances used, processes, and their possible interactions, — the scale of the anticipated effects. <ul style="list-style-type: none"> • Explosion risks shall be assessed overall. 	identified in relation to the risk assessment.	<p>and in any event when any changes occur in the conditions of the type of work involved?</p> <p>N.</p> <ul style="list-style-type: none"> • Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? <p>N.</p> <ul style="list-style-type: none"> • Is the content of the risk assessment more detailed than described in the Directive? <p>N.</p> <ul style="list-style-type: none"> • Is a more specific methodology for risk assessment provided in the legislation? <p>N.</p> <ul style="list-style-type: none"> • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? <p>N.</p> <ul style="list-style-type: none"> • Other additional or more detailed requirements <p>The national legislation does not include more detailed or broader requirements; it only sometimes refers to other specific legislation for clarification purposes.</p>
Ensuring preventive and protective services	N/A	N/A	N/A
Information for workers	N/A	N/A	N/A
Training of	<ul style="list-style-type: none"> • The employer must provide those working in 	No observed discrepancies have been	<ul style="list-style-type: none"> • Is more specific information on the scope of

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
workers Annex II, 1.1	places where explosive atmospheres may occur with sufficient and appropriate training with regard to explosion protection.	identified.	training provided in the legislation? N. • Other additional or more detailed requirements The national legislation does not include more detailed or broader requirements; it only sometimes refers to other specific legislation for clarification purposes.
Health surveillance	N/A	N/A	N/A
Consultation of workers	N/A	N/A	N/A
Limit values	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified in relation to other issues identified.	

Table 1- 7 Council Directive 90/269/EEC (manual handling of loads) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1 and 2	<ul style="list-style-type: none"> The Directive relates to the manual handling of loads where there is a risk particularly of back injury to workers where manual handling is defined as any transporting or supporting of a load, by one or more workers, including lifting, putting down, pushing, pulling, carrying or moving of a load which, by reason of its characteristics or of unfavourable ergonomic conditions, involves a risk particularly of back injury to workers. 	No observed discrepancies have been identified.	The national legislation is more specific and mentions that also carrying or moving a live load is included in the scope. In addition, in the Czech Republic, the manual handling of loads does not only involve damage of the spine, but also considers one-side overloading of other moving structures. For example, upper and lower limbs that could be damaged by occupational diseases in connection with manual handling. (HP GD 361/2007 Coll.)
Conducting a risk assessment	<ul style="list-style-type: none"> Wherever the need for manual handling of loads by workers cannot be avoided, the 	No observed discrepancies have been identified in relation to the risk assessment.	<ul style="list-style-type: none"> Is the risk assessment reviewed regularly and in any event when any changes

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Art. 4(a)	<p>employer shall organize workstations in such a way as to make such handling as safe and healthy as possible and: assess, in advance if possible, the health and safety conditions of the type of work involved, and in particular examine the characteristics of loads, taking account the reference factors provided for in Annex I to the Directive.</p>		<p>occur in the conditions of the type of work involved? Same as FD.</p> <ul style="list-style-type: none"> • Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive, in particular are the reference factors provided in Annex I of the Directive further detailed? Y. The national legislation determines specific limit values for manual handling of loads that are allowed and divided according to gender (stricter limits for women, pregnant and breastfeeding women). Limits are permissible or cumulative for the whole work shift, but they also depend on the frequency of handling with loads. In addition, there are specific limits of compression and tension force while manipulating with loads through simple unpowered cart (different limits for men and women). The employer has also to take into account the length of the work shift – a work shift longer than 8 hours has different limits. Further specific requirements and limits could be found in the Annex to this GD. (HP GD 361/2007 Coll.) • Is the content of the risk assessment more detailed than described in the Directive? Y. See above. • Is a more specific methodology for risk assessment provided in the legislation? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<ul style="list-style-type: none"> • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? N. • Other additional or more detailed requirements N.
Ensuring preventive and protective services	N/A	N/A	N/A
Information for workers Art. 6	<ul style="list-style-type: none"> • Framework Directive applies • Workers and/or their representatives shall be informed of all measures to be implemented, pursuant to this Directive, with regard to the protection of safety and of health. • Employers must ensure that workers and/or their representatives receive general indications and, where possible, precise information on: <ul style="list-style-type: none"> — the weight of a load, — the centre of gravity of the heaviest side when a package is eccentrically loaded. 	No observed discrepancies have been identified in relation to the information for workers.	<ul style="list-style-type: none"> • Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. • Is the content or form of information to workers further specified? Y. More detailed information should be provided to workers than required in the Directive - the weight and characteristics of a load, the centre of gravity and the heaviest side, good practice of grip and handling with loads and possible risks due to bad handling. • Other additional or more detailed requirements N.
Training of workers Art. 6	<ul style="list-style-type: none"> • Framework Directive applies • Employers must ensure that workers receive in addition proper training and information on how to handle loads correctly and the risks they might be open to particularly if 	No observed discrepancies have been identified in relation to the training of workers.	<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation, in particular in relation to the reference and risk factors? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	these tasks are not performed correctly, having regard to the reference factors provided for in Annex I to the Directive and the risk factors listed in Annex II to the Directive.		<ul style="list-style-type: none"> Other additional or more detailed requirements N.
Health surveillance	N/A	N/A	N/A
Consultation of workers Art. 7	Framework Directive applies	No observed discrepancies have been identified. General principles of consultation of workers are applied according to the Labour Code.	<ul style="list-style-type: none"> Are there more detailed requirements than in the Framework Directive? N. Other additional or more detailed requirements N.
Limit values	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified.	In occupational safety and health, there has been no need to take any additional measures beyond the scope of the Directive
Annex I	<p>Reference Factors:</p> <ul style="list-style-type: none"> The manual handling of a load may present a risk particularly of back injury if it is too heavy or too large; unwieldy or difficult to grasp; unstable or has contents likely to shift; positioned in a manner requiring it to be held or manipulated at a distance from the trunk, or with a bending or twisting of the trunk; likely, because of its contours and/or consistency, to result in injury to workers, particularly in the event of a collision. A physical effort may present a risk particularly of back injury if it is too strenuous; only achieved by a twisting movement of the trunk; likely to result in a sudden movement of the load; made with the body in an unstable posture. The characteristics of the work environment may increase a risk particularly of back injury if there is not enough room, in particular vertically, to carry out the activity; the floor is uneven, thus presenting tripping hazards, or is slippery in relation to the worker's footwear; the place of work or the working environment prevents the handling of loads at a safe height or with good posture by the worker; there are variations in the level of the floor or the working surface, requiring the load to be manipulated on different levels; the floor or foot rest is unstable; the temperature, humidity or ventilation is unsuitable. The activity may present a risk particularly of back injury if it entails over-frequent or over-prolonged physical effort involving in particular the spine; an insufficient bodily rest or recovery period; excessive lifting, lowering or carrying distances; a rate of work imposed by a process which cannot be altered by the worker. 		
Annex II	<p>Individual Risk Factors</p> <p>The worker may be at risk if he/she is physically unsuited to carry out the task in question; is wearing unsuitable clothing, footwear or other personal effects; does not have adequate or appropriate knowledge or training.</p>		

Table 1- 8 Council Directive 90/270/EEC (display screen equipment) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions	<ul style="list-style-type: none"> The Directive relates to work with display screen equipment as defined in Article 2, an alphanumeric or graphic display screen, regardless of the display process employed. The Directive does not apply to: <ol style="list-style-type: none"> drivers' cabs or control cabs for vehicles or machinery; (computer systems on board a means of transport; computer systems mainly intended for public use; 'portable' systems not in prolonged use at a workstation; calculators, cash registers and any equipment having a small data or measurement display required for direct use of the equipment; typewriters of traditional design, of the type known as 'typewriter with window' 	<p>No observed discrepancies have been identified in relation to the scope and definitions.</p>	<ul style="list-style-type: none"> Does the transposing legislation cover any of the elements that the Directive expressly excludes? N. Is the definition of 'display screen equipment' in national law broader than required by the Directive? N. Other additional or more detailed requirements N.
Conducting a risk assessment Art.3	<ul style="list-style-type: none"> Employers must perform an analysis of workstations in order to evaluate the safety and health conditions to which they give rise for their workers, particularly as regards possible risks to eyesight, physical problems and problems of mental stress. Employers must take appropriate measures to remedy the risks found, on the basis of the evaluation of the safety and health conditions, taking account of the additional and/or combined effects of the risks so found. 	<p>No observed discrepancies have been identified. General principles of conducting a risk assessment are applied according to the Labour Code.</p>	<ul style="list-style-type: none"> Is the risk assessment reviewed regularly and in any event when any changes occur in the conditions of the type of work involved? Same as FD. Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? N. Is the content of the risk assessment more detailed than described in the Directive? N

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<ul style="list-style-type: none"> • Is a more specific methodology for risk assessment provided in the legislation? N. • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? N. • Other additional or more detailed requirements N.
Ensuring preventive and protective services	N/A	N/A	N/A
Information for workers Art. 6	<ul style="list-style-type: none"> • Framework Directive applies. • Workers shall receive information on all aspects of safety and health relating to their workstation, in particular information on such measures applicable to workstations as are implemented under Articles 3 (analysis of workstations), 7 (daily work routine) and 9 (protection of workers' eyes and eyesight). 	No observed discrepancies have been identified. General principles of information for workers are applied according to the Labour Code.	<ul style="list-style-type: none"> • Is the content or form of information to workers further specified? N. • Other additional or more detailed requirements N.
Training of workers Art. 6	<ul style="list-style-type: none"> • Framework Directive applies. • Every worker shall receive training in use of the workstation before commencing work with display screen equipment and whenever the organization of the workstation is substantially modified. 	No observed discrepancies have been identified. General principles of training of workers are applied according to the Labour Code.	<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation? N. • Is the notion of 'substantially modified' further specified? N. • Other additional or more detailed requirements N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Health surveillance Art. 9*	<ul style="list-style-type: none"> Workers shall be entitled to an appropriate eye and eyesight test carried out by a person with the necessary capabilities: <ul style="list-style-type: none"> — before commencing display screen work, at regular intervals thereafter, and — if they experience visual difficulties which may be due to display screen work. Workers shall be entitled to an ophthalmological examination if the results such test show that this is necessary. If the results of the test or of the examination show that it is necessary and if normal corrective appliances cannot be used, workers must be provided with special corrective appliances appropriate for the work concerned. In no circumstances these measure may involve workers in additional financial cost. Protection of workers' eyes and eyesight may be provided as part of a national health system. 	No observed discrepancies have been identified. General principles of health surveillance are applied according to the Labour Code.	<ul style="list-style-type: none"> Are the conditions in which eye and eye sight test is required more specifically described in the legislation? N. Same as FD. Is the periodicity of eye and eye sight test provided in national law? N. Other additional or more detailed requirements N.
Consultation of workers Art. 8	<ul style="list-style-type: none"> Framework Directive applies. 	No observed discrepancies have been identified. General principles of conducting a risk assessment are applied according to the Labour Code.	<ul style="list-style-type: none"> Are there more detailed requirements than in the Framework Directive? N. Other additional or more detailed requirements N.
Limit values	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified.	

* The primary purpose of this requirement is to identify users who have deficiencies in their eyesight which require correction to enable them to carry out their work with DSE without risk to their health.

Table 1- 9 Directive 2002/44/EC (vibration) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art 1(2) and Art 2	<ul style="list-style-type: none"> • This Directive shall apply to activities in which workers are or are likely to be exposed to risks from mechanical vibration during their work. • hand-arm vibration': the mechanical vibration that, when transmitted to the human hand-arm system, entails risks to the health and safety of workers, in particular vascular, bone or joint, neurological or muscular disorders; • 'whole-body vibration': the mechanical vibration that, when transmitted to the whole body, entails risks to the health and safety of workers, in particular lower-back morbidity and trauma of the spine. 	No observed discrepancies have been identified in relation to the scope and definitions.	<ul style="list-style-type: none"> • Any additional or more detailed requirements N.
Conducting a risk assessment Art.4	<ul style="list-style-type: none"> • The employer shall assess and, if necessary, measure the levels of mechanical vibrations to which workers are exposed. • The data obtained shall be preserved in a suitable form to permit consultation at a later stage. • The employer shall give particular attention to: <ul style="list-style-type: none"> - the level, type and duration of exposure, including any exposure to intermittent vibration or repeated shocks; - the exposure limit values and the exposure action values - any effects concerning the health and safety of workers at particularly sensitive risk - any indirect effects on worker safety resulting from interactions between mechanical vibration and the workplace or other work equipment - information provided by the manufacturers 	<p>No observed discrepancies have been identified in relation to conducting a risk assessment.</p> <p>General principles of conducting a risk assessment are applied according to the Labour Code.</p> <p>Specific requirements on conducting a risk assessment of vibration are defined in the GD No. 272/2011 Coll. (noise and vibration GD).</p>	<ul style="list-style-type: none"> • Does the national legislation require employers to submit risk assessment to national authorities whether on request or automatically? Y. on request • Does the national legislation require that practical guidelines for the determination and assessment of risk must be developed? N. • Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? N. • Is the content of the risk assessment more detailed than described in the Directive? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>of work equipment</p> <ul style="list-style-type: none"> - the existence of replacement equipment designed to reduce the levels of exposure to mechanical vibration - the extension of exposure to whole-body vibration beyond normal - working hours under the employer's responsibility - specific working conditions such as low temperatures - appropriate information obtained from health surveillance, including published information, as far as possible • The employer must be in possession of the risk assessment • The risk assessment shall be recorded on a suitable medium; it may include a justification by the employer that the nature and extent of the risks related to mechanical vibration make a further detailed risk assessment unnecessary. • The risk assessment shall be kept up-to-date on a regular basis, particularly in case of significant changes. 		<ul style="list-style-type: none"> • Is a more specific methodology for risk assessment provided in the legislation? N. • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? The measuring of the level of risk factors can only be provided by an authorized person. • Other additional or more detailed requirements N.
Ensuring preventive and protective services	N/A	N/A	N/A
Information for workers Art. 6	<ul style="list-style-type: none"> • Exposed workers and/or their representatives must receive information and training on the outcome of the risk assessment in particular: - measures taken to eliminate or reduce to a minimum the risks from mechanical vibration; - the exposure limit values and the exposure action values 	No observed discrepancies have been identified. General principles of information for workers are applied according to the Labour Code.	<ul style="list-style-type: none"> • Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. • Is the content or form of information to workers further specified? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<ul style="list-style-type: none"> - the results of the assessment and measurement and the potential injury arising from the work equipment in use; - why and how to detect and report signs of injury; - circumstances in which workers are entitled to health surveillance - safe working practices to minimise exposure. 		<ul style="list-style-type: none"> • Other additional or more detailed requirements N.
Training of workers Art. 6	Same as above	No observed discrepancies have been identified. General principles of training of workers are applied according to the Labour Code.	<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation? N. • Are there specific requirements as to the competence of trainers provided in the legislation? N. • Other additional or more detailed requirements N.
Health surveillance Art. 8	<ul style="list-style-type: none"> • Health surveillance of workers measures with reference to the risk assessment outcome where it indicates a risk to their health. • Health surveillance is intended to prevent and diagnose rapidly any disorder linked with exposure to mechanical vibration. Such surveillance shall be appropriate where: <ul style="list-style-type: none"> - workers' exposure to vibration is such that a link can be established with an identifiable illness or harmful effects on health, - it is probable that the illness or the effects occur in a worker's particular working conditions, and - there are tested techniques for the detection of the illness or the harmful effects 	No observed discrepancies have been identified. General principles of health surveillance are applied according to the Labour Code.	<ul style="list-style-type: none"> • Does the national legislation require health surveillance prior to exposure to vibration? N. • Does the national legislation oblige employers to set health surveillance requirements after the end of exposure? N. • Does the national legislation oblige employers in case where, as a result of health surveillance, a worker is found to have an identifiable disease or adverse health effect which is considered to be the result of exposure to mechanical vibration at work, to review the risk assessment and the measure to eliminate

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>on health.</p> <ul style="list-style-type: none"> Workers exposed to mechanical vibration in excess of the values shall be entitled to appropriate health surveillance. Individual health records are required and kept up-to-date. Health records to contain a summary of the results of the health surveillance and kept in a suitable form to permit any later consultation, taking into account any confidentiality. Where a worker is found to have an identifiable disease or adverse health effect, considered by a doctor or occupational health-care professional to be the result of exposure to mechanical vibration at work: <ul style="list-style-type: none"> The worker shall be informed of the result which relates to him personally and, in particular, information and advice regarding any health surveillance which he should undergo following the end of exposure; The employer shall be informed of any significant findings from the health surveillance, taking into account any medical confidentiality. Arrange continued health surveillance and provide for a review of the health status of any other worker who has been similarly exposed. The competent doctor/authority or occupational health care professional may propose that exposed persons undergo a medical examination. 		<p>or reduce risk? N.</p> <ul style="list-style-type: none"> Are the arrangements for health surveillance records specified in the legislation, in particular in terms of content? N. Are the conditions in which health surveillance is required more specifically described in the legislation? N. Is the periodicity of health surveillance provided in national law? N. Other additional or more detailed requirements N.
Consultation of workers Art. 7	<ul style="list-style-type: none"> Framework Directive applies 	No observed discrepancies have been identified.	<ul style="list-style-type: none"> Are there more detailed requirements than in the Framework Directive? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<ul style="list-style-type: none"> Other additional or more detailed requirements N.
Limit values Art.3	<ul style="list-style-type: none"> The Directive provides for a set of exposure limit values and exposure action values in respect of the daily vibration exposure levels. Hand-arm vibration: <ul style="list-style-type: none"> Daily exposure limit value standardised to an eight-hour reference period: 5 m/s²; Daily exposure action value standardised to an eight-hour reference period: 2,5 m/s². For whole-body vibration: <ul style="list-style-type: none"> Daily exposure limit value standardised to an eight-hour reference period: 1,15 m/s² or, at the MS's choice, a vibration dose value of 21 m/s^{1,75}; Daily exposure action value standardised to an eight-hour reference period: 0,5 m/s² or, at the MS's choice, a vibration dose value of 9,1 m/s^{1,75}. 	No observed discrepancies have been identified.	<ul style="list-style-type: none"> Does the transposing legislation set more stringent values? Y. (1) Permissible exposure limit for hand-arm vibration, the average weighted summary <ul style="list-style-type: none"> a) acceleration level of vibration $L_{ahv,8h} = 128$ dB or b) acceleration value $a_{h, 8h} = 2.5$ m.s⁻² (2) Permissible exposure limit for hand-arm vibration applies to the aggregate amount of translational vibrations set of weighted acceleration values in three orthogonal directions of the coordinate system of the hand. (3) Permissible exposure limit for vibration transmitted in a special way causing intense vibrations at the top of the spine and head , the average weighted <ul style="list-style-type: none"> a) level of acceleration of vibration $L_{aw, 8h} = 100$ dB or b) value of acceleration $A_{EW, 8h} = 0.1$ m.s⁻² (4) Permissible exposure limit for total vertical and horizontal vibration transmitted to the worker , the average weighted <ul style="list-style-type: none"> a) level of acceleration of vibration $L_{aw, 8h}$ in dB = to 114 db

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>or</p> <p>b) value of acceleration AEW, 8h = 0.5 m.s⁻²</p> <p>(5) Permissible exposure limit for overall vibration refers to the steady and variable vibration and jolts or shocks in the case that major part of energy is contained in the observed frequency band.</p> <p>(6) The overall vibration parallel to the longitudinal axis of the body is examined in the manner applicable to vertical vibration and vibration in directions perpendicular to the longitudinal axis of the body by way valid for horizontal vibration.</p> <p>GD No. 272/2011 Coll. (noise and vibration GD)</p> <ul style="list-style-type: none"> • Other additional or more detailed requirements <p>N.</p>
Other issues identified		No observed discrepancies have been identified.	

Table 1- 10 Directive 2003/10/EC (noise) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art 1 and Art 2	<ul style="list-style-type: none"> • Directive shall apply to activities in which workers are or are likely to be exposed to risks from noise as a result of their work. - daily noise exposure level ($L_{EX,8h}$) (dB(A) re. 20 μPa): time weighted average of the noise exposure levels for a nominal; - weekly noise exposure level ($L_{EX,8h}$): time- 	<p>No observed discrepancies have been identified in relation to the scope and definitions.</p> <p>GD No. 272/2011 Coll. (noise and vibration GD)</p>	<ul style="list-style-type: none"> • Any additional or more detailed requirements <p>N.</p>

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	weighted average of the daily noise exposure levels for a nominal week of five eight-hour working days as defined by international standard ISO 1999:1990, point 3.6 (note 2).		
Conducting a risk assessment Art.4	<ul style="list-style-type: none"> • The employer shall assess and, if necessary, measure the levels of noise to which workers are exposed, giving particular attention, to: <ul style="list-style-type: none"> - the level, type and duration of exposure, including any exposure to impulsive noise; - the exposure limit values and the exposure action values; - any effects concerning the health and safety of workers belonging to particularly sensitive risk groups; - as far as technically achievable, any effects on workers' health and safety resulting from interactions between noise and work-related toxic substances, and between noise and vibrations; - any indirect effects resulting from interactions between noise and warning signals or other sounds that need to be observed in order to reduce the risk of accidents; - information on noise emission provided by manufacturers of work equipment in accordance with relevant EU directives; - the existence of alternative work equipment designed to reduce the noise emission; - the extension of exposure to noise beyond normal working hours under the employer's responsibility; - appropriate information from health surveillance, including published information, as far as possible; 	<p>No observed discrepancies have been identified in relation to conducting a risk assessment.</p> <p>General principles of conducting a risk assessment are applied according to the Labour Code.</p> <p>Specific requirements on conducting a risk assessment of vibration are defined in the GD No. 272/2011 Coll. (noise and vibration GD).</p>	<ul style="list-style-type: none"> • Does the national legislation require employers to submit risk assessment to national authorities whether on request or automatically? Y. on request • Does the national legislation require that practical guidelines for the determination and assessment of risk must be developed? N. • Are the risks/factors to be taken into account in the assessment described in a more specific manner than in the Directive? N. • Is the content of the risk assessment more detailed than described in the Directive? N. • Is a more specific methodology for risk assessment provided in the legislation? N. • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? Measuring of the level of risk factors can only be provided by an authorized person.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<ul style="list-style-type: none"> - the availability of hearing protectors with adequate attenuation characteristics. • The employer shall be in possession of the risk assessment. • The risk assessment shall be recorded on a suitable medium, according to national law and practice. • The risk assessment shall be kept up to date on a regular basis, particularly in case of significant changes which could render it out of date, or when the results of health surveillance show it to be necessary. 		<ul style="list-style-type: none"> • Other additional or more detailed requirements N.
Ensuring preventive and protective services Art 4(4)	<ul style="list-style-type: none"> • The assessment and measurement shall be planned and carried out by competent services at suitable intervals 	No observed discrepancies have been identified. General principles of ensuring preventive and protective services are applied according to the Labour Code.	<ul style="list-style-type: none"> • Any additional or more detailed requirements N.
Information for workers Art. 8	<ul style="list-style-type: none"> • Workers exposed at work at or above the lower exposure action values, and/or their representatives, receive information and training relating to risks resulting from exposure concerning, in particular: <ul style="list-style-type: none"> - the nature of such risks; - the measures taken to implement this Directive in order to eliminate or reduce to a minimum the risks from noise, - the exposure limit values and the exposure action values - the results of the assessment and measurement together with an explanation of their significance and potential risks - the correct use of hearing protectors - why and how to detect and report signs of hearing damage - the circumstances in which workers are entitled to health surveillance and the purpose of health surveillance 	No observed discrepancies have been identified. General principles of information for workers are applied according to the Labour Code.	<ul style="list-style-type: none"> • Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. • Is the content or form of information to workers further specified? N. • Other additional or more detailed requirements N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	- safe working practices to minimise exposure to noise		
Training of workers <i>Art. 8</i>	Same as above	No observed discrepancies have been identified. General principles of training of workers are applied according to the Labour Code.	<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation? N.
Health surveillance <i>Art. 10</i>	<ul style="list-style-type: none"> • Health surveillance of workers where the results of the assessment/measurement show a risk to their health. • A worker whose exposure exceeds the upper exposure action values shall have the right to have his/her hearing checked by a doctor or by another suitably qualified person under the responsibility of a doctor, • Preventive audiometric testing shall also be available for workers whose exposure exceeds the lower exposure action values, where the risk assessment indicates a risk to health. • The objectives of these checks are to provide early diagnosis of any hearing loss and preserve hearing function. • Individual health records are made and kept up to date. • Health records shall contain a summary of the results of the health surveillance carried out. • They shall be kept in a suitable form to permit consultation, taking into account any confidentiality. • Copies of the appropriate records shall be supplied to the CA on request. The individual worker shall, at his or her request, have access to health records relating personally to him/her. • Where, as a result of surveillance, a worker is found to have identifiable hearing 	No observed discrepancies have been identified. General principles of health surveillance are applied according to the Labour Code.	<ul style="list-style-type: none"> • Does the national legislation require health surveillance prior to exposure to noise? N. • Does the national legislation oblige employers to set health surveillance requirements after the end of exposure? N. • Are the arrangements for health surveillance records specified in the legislation, in particular in terms of content? N. • Are the conditions in which health surveillance is required more specifically described in the legislation? N. • Is the periodicity of health surveillance provided in national law? N. • Other additional or more detailed requirements N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>damage, a doctor, or a specialist if the doctor considers it necessary, shall assess if the damage is likely to be the result of exposure at work. If this is the case:</p> <ul style="list-style-type: none"> - the worker shall be informed by the doctor or other suitably qualified person of the result which relates to him or her personally; <p>The employer shall:</p> <ul style="list-style-type: none"> - review the risk assessment - review the risk mitigation measures taking into account the advice of the occupational healthcare professional or other suitably qualified person or the CA in implementing any measures required to eliminate or reduce risk and, including the possibility of assigning the worker to alternative work where there is no risk of further exposure; and - arrange systematic health surveillance and provide for a review of the health status of any other worker who has been similarly exposed. 		
Consultation of workers Art. 9	<ul style="list-style-type: none"> • Framework Directive applies - 	No observed discrepancies have been identified. General principles of consultation of workers are applied according to the Labour Code.	<ul style="list-style-type: none"> • Are there more detailed requirements than in the Framework Directive? N. • Other additional or more detailed requirements N.
Limit values Art.3	<ul style="list-style-type: none"> • For the purposes of this Directive the exposure limit values and exposure action values in respect of the daily noise exposure levels and peak sound pressure are fixed at: (a) exposure limit values: $L_{EX,8h} = 87$ dB(A) and $p_{peak} = 200$ Pa (1) respectively; (b) upper exposure action values: $L_{EX,8h} = 85$ dB(A) and $p_{peak} = 140$ Pa (2) respectively; 	<p>No observed discrepancies have been identified in relation to limit values.</p> <p>GD No. 272/2011 Coll. (noise and vibration GD)</p>	<ul style="list-style-type: none"> • Does the transposing legislation set more stringent values? N. • Other additional or more detailed requirements N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>(c) lower exposure action values: $L_{EX,8h} = 80$ dB(A) and $p_{peak} = 112$ Pa (3) respectively.</p> <ul style="list-style-type: none"> When applying the exposure limit values, the determination of the worker's effective exposure shall take account of the attenuation provided by the individual hearing protectors worn by the worker. The exposure action values shall not take account of the effect of any such protectors. 		
Other issues identified		No observed discrepancies have been identified.	

Table 1- 11 Directive 2004/40/EC (electromagnetic fields) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art 1 and Art 2	<ul style="list-style-type: none"> Directive lays down minimum requirements for the protection of workers from risks from exposure to electromagnetic fields (0 Hz to 300 GHz) during their work. It refers to the risk to the health and safety of workers due to known short-term adverse effects in the human body caused by the circulation of induced currents and by energy absorption as well as by contact currents. It does not address suggested long-term effects, nor the risks resulting from contact with live conductors. electromagnetic fields': static magnetic and time-varying electric, magnetic and electromagnetic fields with frequencies up to 300 GHz; 	<p>According to the national stakeholders (authority in the field of protection of health):</p> <p>The Directive 2004/40/EC has never been implemented in the EU member countries, including the Czech Republic.</p> <p>Implementation should be done till April 2008 but in December 2007 all member states were addressed from Brussels that the implementation must be postponed (due to objections of producers and operators of MRI equipment). The implementation process was then stopped for whole frequency zone to 300 GHz. In 2013 the new Directive 2013/35/EU was prepared and adopted by the European Parliament on 26th July 2013. This Directive also contains an article that abolishes validity of the 2004/40/EC. Implementation of this new Directive should be done by member states until June 2015.</p>	<ul style="list-style-type: none"> Does the national legislation cover suggested long-term effects? Does the national legislation address the risks resulting from contact with live conductors? Other additional or more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
<p>Conducting a risk assessment Art.4</p>	<ul style="list-style-type: none"> • The employer shall assess and, if necessary, measure and/or calculate the levels of electromagnetic fields to which workers are exposed. • On the basis of this assessment, if the action values are exceeded, s/he shall assess and, if necessary, calculate whether the exposure limit values are exceeded. • Assessment, measurement and/or calculations need not be carried out in workplaces open to the public provided that an evaluation has already been undertaken in accordance with Council Recommendation 1999/519/EC. • The data obtained shall be preserved in a suitable form to permit consultation at a later stage • The employer shall give particular attention, when carrying out the risk assessment, to: <ul style="list-style-type: none"> - level, frequency spectrum, duration and type of exposure; - the exposure limit values and action values; - any effects concerning workers at particular risk; - any indirect effects. • The employer shall be in possession of a risk assessment. • The risk assessment shall be recorded on a suitable medium. It may include a justification by the employer that the nature and extent of the risks related to electromagnetic fields make a further detailed risk assessment unnecessary. • The risk assessment shall be updated on a regular basis, particularly if there have been significant changes which could render it out of date, or when the results of health 		<ul style="list-style-type: none"> • Does the national legislation require employers to submit risk assessment to national authorities whether on request or automatically? • Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? • Is the content of the risk assessment more detailed than described in the Directive? • Is a more specific methodology for risk assessment provided in the legislation? • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? • Other additional or more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	surveillance show it to be necessary.		
Ensuring preventive and protective services Art 4(4)	Assessment, measurement and/or calculations shall be planned and carried out by competent services or persons at suitable intervals,		<ul style="list-style-type: none"> • Other additional or more detailed requirements
Information for workers Art. 6	<p>The employer shall ensure that exposed workers and/or their representatives receive any necessary information/training relating to the outcome of the risk assessment, in particular on:</p> <ul style="list-style-type: none"> - measures taken to implement this Directive; - values and concepts of the exposure limit values and action values and the associated potential risks - the results of the assessment, measurement /calculations of the levels of exposure to electromagnetic fields - how to detect adverse health effects and to report them; - circumstances in which workers are entitled to health surveillance; - safe working practices to minimise risks from exposure 		<ul style="list-style-type: none"> • Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? • Is the content or form of information to workers further specified?
Training of workers Art. 6	Same as above		<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation? • Other additional or more detailed requirements
Health surveillance Art. 8	<ul style="list-style-type: none"> • Framework Directive applies • In any event, where exposure above the limit values is detected, a medical examination shall be made available to the worker(s) concerned. • If health damage resulting from exposure is detected, the employer must carry out a reassessment of the risks 		<ul style="list-style-type: none"> • Does the national legislation require health surveillance prior to exposure to electromagnetic fields? • Does the national legislation oblige employers to set health surveillance requirements after the end of exposure to electromagnetic fields?

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<ul style="list-style-type: none"> The employer shall take appropriate measures to ensure that the doctor and/or the medical authority responsible for the health surveillance has access to the results of the risk assessment The results of health surveillance shall be preserved in a suitable form to permit consultation at later date, taking account of confidentiality requirements. Individual workers shall, at their request, have access to their own personal health records 		<ul style="list-style-type: none"> Are the arrangements for health surveillance records specified in the legislation? Are the conditions in which health surveillance is required more specifically described in the legislation? Is the periodicity of health surveillance provided in national law? Other additional or more detailed requirements
Consultation of workers Art. 7	<ul style="list-style-type: none"> Framework Directive applies 		<ul style="list-style-type: none"> Are there more detailed requirements than in the Framework Directive? Other additional or more detailed requirements
Limit values Art.3	Exposure limit values are as set out in the Annex, Table 1. Action values are as set out in the Annex, Table 2.		<ul style="list-style-type: none"> Does the transposing legislation set more stringent values? Other additional or more detailed requirements
Other issues identified			

Table 1- 12 Directive 2006/25/EC (artificial optical radiation) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art 1 and Art 2	<ul style="list-style-type: none"> It lays down minimum requirements for the protection of workers from risks to their health and safety arising or likely to arise from exposure to artificial optical radiation during their work. It refers to the risk to the health and safety 	<p>No observed discrepancies have been identified in relation to scope and definitions.</p> <p>GD No. 1/2008 Coll. (non-ionizing GD).</p>	<ul style="list-style-type: none"> Any additional or more detailed requirements N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>of workers due to adverse effects caused by exposure to artificial optical radiation to the eyes and to the skin.</p> <ul style="list-style-type: none"> optical radiation: any electromagnetic radiation in the wavelength range between 100 nm and 1 mm. The spectrum of optical radiation is divided into ultraviolet radiation, visible radiation and infrared radiation: <ul style="list-style-type: none"> (i) ultraviolet radiation: optical radiation of wavelength range between 100 nm and 400 nm. The ultraviolet region is divided into UVA (315-400 nm), UVB (280-315 nm) and UVC (100-280 nm); (ii) visible radiation: optical radiation of wavelength range between 380 nm and 780 nm; (iii) infrared radiation: optical radiation of wavelength range between 780 nm and 1 mm. The infrared region is divided into IRA (780-1 400 nm), IRB (1 400-3 000 nm) and IRC (3 000 nm-1 mm); 		
Conducting a risk assessment Art.4	<ul style="list-style-type: none"> The employer shall assess and, if necessary, measure and/or calculate the levels of exposure to optical radiation to which workers are likely to be exposed The data obtained shall be preserved in a suitable form to permit their consultation at a later stage. The employer shall give particular attention, when carrying out the risk assessment, to the following: <ul style="list-style-type: none"> - the level, wavelength range and duration of exposure; - the exposure limit values - any effects concerning the health and safety of workers belonging to particularly sensitive risk groups; 	<p>No observed discrepancies have been identified in relation to risk assessment.</p> <p>GD No. 1/2008 Coll. (non-ionizing GD).</p>	<ul style="list-style-type: none"> Does the national legislation require employers to submit risk assessment to national authorities whether on request or automatically? Y. on request Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? N. Is the content of the risk assessment more detailed than described in the Directive? N. Is a more specific methodology for risk

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<ul style="list-style-type: none"> - any possible effects resulting from workplace interactions between optical radiation and photosensitising chemical substances; - any indirect effects e.g. temporary blinding, explosion or fire; - the existence of replacement equipment designed to reduce the levels of exposure to artificial optical radiation; - appropriate information obtained from health surveillance, including published information, as far as possible; - multiple sources of exposure; - a classification applied to a laser as defined in accordance with the relevant IEC standard and, in relation to any artificial source likely to cause damage similar to that of a laser of class 3B or 4, any similar classification; 		<p>assessment provided in the legislation? N.</p> <ul style="list-style-type: none"> • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? Measuring the level of risk factors can only be provided by an authorized person. • Other additional or more detailed requirements N.
Ensuring preventive and protective services Art 4(2)	<ul style="list-style-type: none"> • The assessment, measurement and/or calculations referred to in paragraph 1 shall be planned and carried out by competent services or persons at suitable intervals 	No observed discrepancies have been identified. General principles of ensuring preventive and protective services are applied according to the Labour Code.	<ul style="list-style-type: none"> • Any additional or more detailed requirements N.
Information for workers Art. 6	<ul style="list-style-type: none"> • The employer shall ensure that workers exposed to risks from artificial optical radiation at work and/or their representatives receive necessary information and training relating to the outcome of the risk assessment in particular: - measures taken to implement this Directive; - the exposure limit values and the associated potential risks; - the results of the assessment, measurement and/or calculations with an explanation of their significance and potential risks; - how to detect adverse health effects of 	<p>No observed discrepancies have been identified. General principles of information for workers are applied according to the Labour Code.</p> <p>Specific requirements on information for workers are defined in the GD No. 1/2008 Coll. (non-ionizing radiation GD).</p>	<ul style="list-style-type: none"> • Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. • Is the content or form of information to workers further specified? N. • Other additional or more detailed requirements N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>exposure and how to report them</p> <ul style="list-style-type: none"> - circumstances in which workers are entitled to health surveillance; - safe working practices to minimise risks from exposure; - proper use of appropriate personal protective equipment 		
Training of workers <i>Art. 6</i>	Same as above	<p>No observed discrepancies have been identified. General principles of information for workers are applied according to the Labour Code.</p> <p>Specific requirements on training for workers are defined in the GD No. 1/2008 Coll. (non-ionizing radiation GD).</p>	<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation? N. • Are there specific requirements as to the competence of trainers provided in the legislation? N. • Other additional or more detailed requirements N.
Health surveillance <i>Art. 8</i>	<ul style="list-style-type: none"> • Health surveillance is carried out by a doctor, an occupational health professional or a medical authority responsible for health surveillance • Individual health records are made and kept up to date. • Health records shall contain a summary of the results of the health surveillance and be kept in a suitable form to permit later consultation, taking into account any confidentiality. • Copies of the appropriate records shall be supplied to the competent authority on request, taking into account any confidentiality. • Doctor, the occupational health professional or the medical authority responsible for the health surveillance, has 	<p>No observed discrepancies have been identified. General principles of health surveillance are applied according to the Labour Code.</p>	<ul style="list-style-type: none"> • Does the national legislation require health surveillance prior to exposure to artificial optical radiation? N. • Does the national legislation oblige employers to set health surveillance requirements after the end of exposure to artificial optical radiation? N. • Are the arrangements for health surveillance records specified in the legislation? N. • Are the conditions in which health surveillance is required more specifically

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>access to the results of the risk assessment where such results may be relevant to the health surveillance.</p> <ul style="list-style-type: none"> • Individual workers shall, at their request, have access to their own personal health records • When exposure above limit values is detected, a medical examination shall be made available to the worker(s) concerned. • In both cases, when limit values are exceeded or adverse health effects (incl. diseases) are identified: <ul style="list-style-type: none"> - the worker shall be informed of the result which relates to him personally and receive information and advice regarding any health surveillance which he should undergo following the end of exposure; - the employer shall be informed of any significant findings of the health surveillance, taking into account any medical confidentiality; - the employer shall: <ul style="list-style-type: none"> o review the risk assessment o review the measures taken to eliminate or reduce risks o take into account the health professional advice in implementing such measures o arrange continued health surveillance and provide for a review of the health status of any other worker who has been similarly exposed. In such cases, the competent health professional may propose that the exposed persons undergo a medical examination. 		<p>described in the legislation? N.</p> <ul style="list-style-type: none"> • Is the periodicity of health surveillance provided in national law? N. • Other additional or more detailed requirements N.
Consultation of workers	<ul style="list-style-type: none"> • Framework Directive applies 	No observed discrepancies have been identified. General principles of consultation	<ul style="list-style-type: none"> • Are there more detailed requirements than in the Framework Directive?

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Art. 7		of workers are applied according to the Labour Code.	N. • Other additional or more detailed requirements N.
Limit values Art.3	<ul style="list-style-type: none"> Exposure limit values for non-coherent radiation, other than that emitted by natural sources of optical radiation, are set out in Annex I. Exposure limit values for laser radiation are set out in Annex II. 	No observed discrepancies have been identified.	<ul style="list-style-type: none"> Does the transposing legislation set more stringent values? N. Other additional or more detailed requirements N.
Other issues identified	•	No observed discrepancies have been identified.	

Table 1- 13 Directive 2004/37/EC (carcinogens or mutagens) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art 3(1) read in conjunction with Art 2	<ul style="list-style-type: none"> This Directive shall apply to activities in which workers are or are likely to be exposed to carcinogens or mutagens as a result of their work Carcinogens Substance category 1 or 2 carcinogens Annex VI to Directive 67/548/EEC Mutagens: Substance category 1 or 2 mutagens Annex VI to Directive 67/548/EEC 	<p>Does the national legislation apply the carcinogen and mutagen classification according to the CLP Regulation (EC) 1272/2008?</p> <p>Yes, the CLP Regulation was transposed into the Act No. 350/2011 Coll. (The Chemical Act) and Regulation No. 402/2011 Coll. on assessment of dangerous features of chemical substances and mixtures, packaging and labelling</p>	<ul style="list-style-type: none"> Does the transposing legislation also cover reprotoxic substances (1A and 1B)? Y. Substances divided into category 1A and 1B are set by the GD No. 361/2007 Coll. Other additional or more detailed requirements N.
Conducting a risk assessment Art. 3	<ul style="list-style-type: none"> nature, degree and duration of workers' exposure shall be determined in order to make it possible to assess any risk to the workers' health or safety and to lay down the measures to be taken. The assessment shall be renewed regularly and in any event when any change occurs in the conditions which may affect workers' 	<p>No observed discrepancies have been identified.</p> <p>General principles of conducting a risk assessment are applied according to the Labour Code.</p> <p>Moreover there are specific requirements on</p>	<ul style="list-style-type: none"> Does the transposing legislation oblige employers to supply the authorities with information automatically and not on request? Y. On request. Are the risks to be taken into account in the assessment described in a more

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>exposure to carcinogens or mutagens.</p> <ul style="list-style-type: none"> The employer shall supply the authorities at their request with the information used for making the assessment. When assessing the risk, account shall be taken of all other routes of exposure, such as absorption into and/or through the skin. 	<p>risk assessment and minimum requirements on protective measures in the GD No. 361/2007 Coll.</p>	<p>specific manner than in the Directives? N.</p> <ul style="list-style-type: none"> Is the content of the risk assessment more detailed than described in the Directives? Y. The employer shall assess all possible ways of exposure including absorption through skin and other possible circumstances. (GD No. 361/2007 Coll.) Is a more specific methodology for risk assessment provided in the legislation? Y. The assessment shall be renewed at least once per year and in any event when any change occurs in the conditions which may affect workers' exposure to carcinogens or mutagens. (GD No. 361/2007 Coll.) Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directives? Measuring of level of risk factors must only be provided by an authorized person. Other additional or more detailed requirements A controlled zone must be established when working with carcinogens and mutagens 1 and 1A.
Ensuring preventive and protective services	N/A	N/A	N/A
Information for workers Art.12	<p>Appropriate measure to ensure that:</p> <ul style="list-style-type: none"> Workers and/or any workers' representatives 	<p>No observed discrepancies have been identified.</p>	<ul style="list-style-type: none"> Does the Directive set additional information requirements, including on:

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>in the undertaking can check that this Directive is applied or can be involved in its application in particular for:</p> <ul style="list-style-type: none"> ○ the consequences for workers' safety and health of the selection, wearing and use of protective clothing and equipment, without prejudice to the employer's responsibility for determining the effectiveness of protective clothing and equipment; ○ the measures in case of foreseeable exposure • Workers and/or their representatives are informed as quickly as possible of abnormal exposures including foreseeable ones or the cause and of the measures taken or to be taken to rectify the situation • The employer keeps an up-to-date list of the workers engaged in the activities in respect of which the results of the assessment reveals a risk to workers and indicating if available their exposure • Doctors and/or competent authorities have access to this list. • Each worker has access to the information about him • Workers and/or workers representatives have access to anonymous collective information 	<p>General principles of information for workers are applied according to the Labour Code.</p> <p>Moreover the employer is obliged to inform workers about excessive exposure to carcinogens or mutagens, its causes and measures to its elimination. (GD No. 361/2007 Coll.)</p>	<ul style="list-style-type: none"> ○ relevant activities and industrial processes, including reasons why carcinogens mutagens and reprotoxins are used; ○ quantities of substances and preparations manufactured or used that contain CMR ○ numbers of workers exposed ○ replacement by another product ○ negative impacts on fertility N. • Does the legislation provide for specific conditions in relation (e.g. size of the establishments) to workers information? N. • Is the content or form of information to workers further specified? N. • Other additional or more detailed requirements N.
Training of workers Art.11	<ul style="list-style-type: none"> • Sufficient and appropriate training on the basis of all available information on: <ul style="list-style-type: none"> ○ Potential risks to health including the additional risks due to tobacco consumption ○ Precautions to be taken to prevent exposure 	<p>No observed discrepancies have been identified.</p> <p>General principles of training of workers are applied according to the Labour Code.</p>	<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation? N. • Are there specific requirements as to the competence of trainers provided in the legislation? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<ul style="list-style-type: none"> • Other additional or more detailed requirements N.
Health surveillance Art.14	<ul style="list-style-type: none"> • Health surveillance prior exposure and at regular intervals thereafter • If a workers suffer from an abnormality suspected to be the result of exposure the doctor or relevant authority may require other workers who have been similarly exposed to undergo health surveillance. In that even a reassessment of the risk must be carried out. • Medical records must be kept and doctors must propose any protective or preventive measures to be taken in respect of any individual worker. • Advice must be given to workers on health surveillance after the end of exposure • Workers have access to the result of health surveillance that concern them • Workers/employers may request a review of the results of the health surveillance 	<p>No observed discrepancies have been identified.</p> <p>General principles of health surveillance are applied.</p>	<ul style="list-style-type: none"> • Does the national legislation set health surveillance requirements after the end of exposure? N. • Are the arrangements for health surveillance records specified in the legislation? N • Are the conditions in which health surveillance is required more specifically described in the legislation? N • Is the periodicity of health surveillance provided in national law? N • Other additional or more detailed requirements N.
Consultation of workers Art.13	<ul style="list-style-type: none"> • Framework Directive applies 	<p>No observed discrepancies have been identified.</p> <p>General principles of consultation of workers are applied according to the Labour Code.</p>	<ul style="list-style-type: none"> • Are there more detailed requirements than in the Framework Directive? N. • Other additional or more detailed requirements N.
Limit values Art 16 and Annex III	<ul style="list-style-type: none"> • Limit values on Benzene, Vinyl chloride monomer, hardwood dusts 	<p>No observed discrepancies have been identified.</p>	<ul style="list-style-type: none"> • Does the transposing legislation set more stringent limit values? Y. Permissible exposure limit (PEL) for benzene = 3 mg/m³.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>Permissible exposure limit (PEL) for Vinyl chloride monomer = 7,5 mg/m³. Permissible exposure limit (PEL) for hardwood dusts = 2 mg/m³</p> <ul style="list-style-type: none"> Does the legislation set binding limit values on other carcinogens and mutagens (e.g. refractory ceramic fibres and its compound)? Y. Transposing legislation sets direct limit values on all carcinogens and mutagens. (Annexes 2 and 3 to the GD No. 361/2007 Coll.) Other additional or more detailed requirements N.
Other issues identified		No observed discrepancies have been identified.	

Table 1- 14 Council Directive 98/24/EC (chemical agents at work) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1 and 2	<ul style="list-style-type: none"> The requirements of this Directive apply where hazardous chemical agents are present or may be present at the workplace, without prejudice to the provisions for chemical agents to which measures for radiation protection apply pursuant to Directives adopted under the Treaty establishing the European Atomic Energy Community. Chemical agent is defined as any chemical element or compound, on its own or admixed, as it occurs in the natural state or as produced, used or released, including 	No observed discrepancies have been identified.	<ul style="list-style-type: none"> Is the scope broader than the directive's for: <ul style="list-style-type: none"> Chemical agent? N. Hazardous chemical agent? N. Other additional or more detailed requirements N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>release as waste, by any work activity, whether or not produced intentionally and whether or not placed on the market.</p> <ul style="list-style-type: none"> • Hazardous chemical agent is defined as <ul style="list-style-type: none"> ○ any chemical agent which meets the criteria for classification as a dangerous substance according to the criteria in Annex VI to Directive 67/548/EEC, whether or not that substance is classified under that Directive, other than those substances which only meet the criteria for classification as dangerous for the environment; ○ any chemical agent which meets the criteria for classification as a dangerous preparation within the meaning of Directive 88/379/EEC, whether or not that preparation is classified under that Directive, other than those preparations which only meet the criteria for classification as dangerous for the environment; ○ any chemical agent which, whilst not meeting the criteria for classification as dangerous in accordance with (i) and (ii), may, because of its physico-chemical, chemical or toxicological properties and the way it is used or is present in the workplace, present a risk to the safety and health of workers, including any chemical agent assigned an occupational exposure limit value under Article 3 of the Directive. 		
Conducting a risk assessment Art. 4(1), (2) and (4)	<ul style="list-style-type: none"> • The Directive requires a risk assessment to be carried out by employers which must determine whether any hazardous chemical agents are present at the workplace. If so they should assess them 	<p>No observed discrepancies have been identified.</p> <p>General principles of conducting a risk assessment are applied according to the</p>	<ul style="list-style-type: none"> • Does the national legislation require employers to submit risk assessment to national authorities whether on request or automatically? Y. On request.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>taking into account, inter alia, their hazardous properties; level, type and duration of exposure; the circumstances of work involving such agents; occupational exposure limit values or biological limit values; effect of preventive measures taken or to be taken; conclusions to be drawn from any health surveillance.</p> <ul style="list-style-type: none"> • In case of activities involving exposure to several agents, the risk must be assessed taking into account all chemical agents in combination. • The risk assessment must be documented. The employer must be in possession of the risk assessment. 	<p>Labour Code.</p> <p>Moreover there are specific requirements on risk assessment and minimum requirements on protective measures in the GD No. 361/2007 Coll.</p>	<ul style="list-style-type: none"> • Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? N. • Is the content of the risk assessment more detailed than described in the Directive? Y. The risk assessment of chemical agents at work shall include: <ul style="list-style-type: none"> a) detecting the presence of chemical substances, mixtures or dust in the workplace , b) determination of dangerous features of chemical substances , mixtures or dust that may affect the health of workers , c) using of data from the safety sheet and from other resources relating to the chemical safety d) determination of the level , type and duration of exposure , e) description of technological and working operations with a chemical substance, mixture or dust f) using of information about permissible exposure limit or the maximum permitted levels from available resources , g) assessment of the effect of measures that were adopted to protect the health of workers at workplace h) using of results from previous medical examinations and tests , using of

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>conclusions from accidents and other information from available sources ,</p> <p>i) conditions under which excessive exposure to a chemical substance or mixture can occur due to an accident.</p> <p>(2) Evaluation of the health risks of chemical substances, mixtures or dust must also include maintenance or cleaning operations and works where an worker may be exposed to an excessive exposure to a chemical substance , mixture or dust. (GD No. 361/2007 Coll.)</p> <ul style="list-style-type: none"> • Is a more specific methodology for risk assessment provided in the legislation? N. • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? Measuring the level of risk factors can only be provided by an authorized person. • Other additional or more detailed requirements N.
Ensuring preventive and protective services	N/A	N/A	N/A
Information for workers Art.8	<ul style="list-style-type: none"> • The employer must ensure that workers are provided with: <ul style="list-style-type: none"> ◦ Data obtained from the risk assessments 	<p>No observed discrepancies have been identified.</p> <p>General principles of information for workers</p>	<ul style="list-style-type: none"> • Does the transposing legislation set any additional information requirements? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<ul style="list-style-type: none"> ○ Information on the hazardous chemical agents occurring in the workplace (e.g. relevant occupational exposure limit values) ○ Training and information on appropriate precautions and actions to be taken ○ Safety data sheet 	are applied according to the Labour Code.	<ul style="list-style-type: none"> • Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. • Is the content or form of information to workers further specified? N. • Other additional or more detailed requirements N.
Training of workers Art.8	<ul style="list-style-type: none"> • The employer must ensure that workers are provided with: <ul style="list-style-type: none"> ○ Training and information on appropriate precautions and actions to be taken 	<p>No observed discrepancies have been identified.</p> <p>General principles of training of workers are applied according to the Labour Code.</p>	<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation? N. • Are there specific requirements as to the competence of trainers provided in the legislation? N. • Other additional or more detailed requirements N.
Health surveillance Art.10	<ul style="list-style-type: none"> • The employer shall provide health surveillance of workers for whom the results of the assessment of the hazardous chemical agents reveal a risk to health. • Individual health and exposure records shall be made and kept up-to-date and contain a summary of the results of health surveillance and of any monitoring data representative of the exposure of the individual. • Copies must be supplied on request to the authorities 	<p>No observed discrepancies have been identified.</p> <p>General principles of health surveillance are applied.</p>	<ul style="list-style-type: none"> • Does the transposing legislation require health surveillance to be provided for other workers than those for which the assessment of the hazardous chemical agents revealed a risk to health? N. See the Framework Directive. • Does the transposing legislation oblige employers to supply the authorities with information automatically and not on request? On request.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<ul style="list-style-type: none"> • Are the arrangements for health surveillance records specified in the legislation? N • Are the conditions in which health surveillance is required more specifically described in the legislation? N • Is the periodicity of health surveillance provided in national law? N • Other additional or more detailed requirements N.
Consultation of workers Art.11	<ul style="list-style-type: none"> • Framework Directive applies 	<p>No observed discrepancies have been identified.</p> <p>General principles of consultation of workers are applied.</p>	<ul style="list-style-type: none"> • Are there more detailed requirements than in the Framework Directive? N. • Other additional or more detailed requirements N.
Limit values Art 3 and 6(4) and (5)	<ul style="list-style-type: none"> • Exposure limit values and biological limit values 	<p>No observed discrepancies have been identified.</p>	<ul style="list-style-type: none"> • Does the transposing legislation set more stringent limit values? Y. Transposing legislation sets direct limit values for all chemical agents at workplaces. There are two main kinds of limit values in the transposing legislation - permissible exposure limit (PEL) and maximum permissible concentration (NPK). It is possible to say that most of the limit values are more stringent. But due to scope of data it is impossible to provide here a detailed analysis.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<ul style="list-style-type: none"> Other additional or more detailed requirements N.
Other issues identified		No observed discrepancies have been identified.	

Table 1- 15 Directive 2009/148/EC (asbestos) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art.1 and 2	<p>The Directive covers health and safety risks arising or likely to arise from exposure to asbestos at work where asbestos is defined as any one of six fibrous silicates:</p> <ul style="list-style-type: none"> - asbestos actinolite, CAS No 77536-66-4 (1); - asbestos grunerite (amosite), CAS No 12172-73-5 (1); - asbestos anthophyllite, CAS No 77536-67-5 (1) - chrysotile, CAS No 12001-29-5 (1); - crocidolite, CAS No 12001-28-4 (1); - asbestos tremolite, CAS No 77536-68-6 (1). 	<p>No observed discrepancies have been identified.</p> <p>(GD No. 361/2007 Coll.)</p>	<ul style="list-style-type: none"> Any additional or more detailed requirements N.
Conducting a risk assessment Art.3(2)	<ul style="list-style-type: none"> In the case of activity likely to involve a risk of exposure to dust arising from asbestos or materials containing asbestos, this risk must be assessed to determine the nature and degree of the workers' exposure. 	<p>No observed discrepancies have been identified.</p> <p>(GD No. 361/2007 Coll.)</p>	<ul style="list-style-type: none"> Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? N. Is the content of the risk assessment more detailed than described in the Directive? Y. (1) Risk assessment of work with asbestos includes <ul style="list-style-type: none"> a) To check if asbestos is located on the workplace and its form, b) scope of work with asbestos, c) duration of work with asbestos. (2) Information from the owner of the building or from other verifiable sources

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>can be used to verify the location of asbestos on the workplace, and if it is not available, there is a need to analyse materials that could contain asbestos.</p> <ul style="list-style-type: none"> • Is a more specific methodology for risk assessment provided in the legislation? N. • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? Measuring the level of risk factors can only be provided by an authorized person. • Other additional or more detailed requirements A controlled zone must be established when working with asbestos.
Ensuring preventive and protective services Art.7(4)	<ul style="list-style-type: none"> • Sampling shall be carried out by suitably qualified personnel. The samples taken shall be subsequently analysed, in Laboratories equipped for fibre counting. 	No observed discrepancies have been identified.	<ul style="list-style-type: none"> • Any additional or more detailed requirements N.
Information for workers Art.4(4) Art.17	<ul style="list-style-type: none"> • Art.4(4): Workers must have access to the documents used in the documentation system • Art.17: Workers must receive adequate information on: <ul style="list-style-type: none"> - potential risks to health from exposure to dust arising from asbestos or materials containing asbestos; - existence of statutory limit values and the need for the atmosphere to be monitored; - hygiene requirements, including the need to refrain from smoking; 	<p>No observed discrepancies have been identified.</p> <p>General principles of information for workers are applied according to the Labour Code.</p>	<ul style="list-style-type: none"> • Does the transposing legislation set any additional information requirements? N. • Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. • Is the content or form of information to workers further specified? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<ul style="list-style-type: none"> - precautions to be taken as regards the wearing and use of protective equipment and clothing; - special precautions designed to minimise exposure to asbestos. • Workers must have access to the results of asbestos-in-air concentration measurements and can be given explanations of the significance of those results. If the results exceed the limit value, the workers concerned are informed as quickly as possible of the fact and the reasons for it and the workers are consulted on the measures to be taken or, in an emergency, are informed of the measures which have been taken. 		<ul style="list-style-type: none"> • Other additional or more detailed requirements N.
Training of workers Art.14	<ul style="list-style-type: none"> • Appropriate training must be given for all workers who are, or are likely to be, exposed to dust from asbestos or materials containing asbestos. Such training must be provided at regular intervals and at no cost to the workers. • The content of the training must be easily understandable for workers. It must enable them to acquire the necessary knowledge and skills in terms of prevention and safety, particularly as regards: <ul style="list-style-type: none"> - properties of asbestos and its effects on health; - types of products or materials likely to contain asbestos; - operations that could result in asbestos exposure and the importance of preventive controls to minimise exposure; - safe work practices, controls and protective equipment; - appropriate role, choice, selection, 	<p>No observed discrepancies have been identified.</p> <p>General principles of training of workers are applied according to the Labour Code.</p> <p>Moreover there is a requirement on special training for workers who are working with asbestos according to the Directive.</p> <p>(GD No. 361/2007 Coll.)</p>	<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation? N. • Are there specific requirements as to the competence of trainers provided in the legislation? N. • Are there more detailed requirements on the content of training than in the Directive? N. • Are there more detailed requirements on the regularity of training than in the Directive? N. • Other additional or more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>limitations and proper use of respiratory equipment;</p> <ul style="list-style-type: none"> - emergency procedures; - decontamination procedures; - waste disposal; - medical surveillance requirements 		N.
Health surveillance Art.18	<ul style="list-style-type: none"> • Assessment of each worker's health must be available prior to the beginning of exposure to dust arising from asbestos or materials containing asbestos at the place of work. It must include a specific examination of the chest. • A new assessment must be available at least once every 3 years for as long as exposure continues. • Individual health record to be established for each worker • The doctor or responsible authority shall advise on individual protective/preventive measures to be taken or determine such measures, including where appropriate the withdrawal of the worker from all exposure to asbestos. • Information and advice must be given to workers on any assessment of their health which they may undergo following the end of exposure. • The doctor may indicate that medical surveillance must continue after the end of exposure for as long as he/she considers it necessary to safeguard the health • The worker concerned or the employer may request a review of the assessments • These measures do not apply if worker exposure is sporadic and of low intensity, and is clear from the results of the risk assessment that the exposure limit for 	<p>No observed discrepancies have been identified.</p> <p>General principles of health surveillance are applied.</p>	<ul style="list-style-type: none"> • Do these health surveillance requirements also apply if worker exposure is sporadic and of low intensity, and is clear from the results of the risk assessment that the exposure limit for asbestos will not be exceeded? Y. See the Framework Directive. • Does the national legislation oblige worker to continue medical surveillance after exposure to asbestos? Y. See the Framework Directive. • Are the arrangements for health surveillance records specified in the legislation? Y. See the Framework Directive. • Are the conditions in which health surveillance is required more specifically described in the legislation? Y. See the Framework Directive. • Is the periodicity of health surveillance provided in national law? Y. See the Framework Directive. • Other additional or more detailed requirements N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	asbestos will not be exceeded (See Article 3(3))		
Consultation of workers Art.3(5) and 7(3) and 12	<ul style="list-style-type: none"> • Art.3(5): risk assessment is subject to worker consultation • Art.7(3): sampling is carried out after worker consultation • Art.12: workers must be consulted on measures to be taken in case of activities such as demolition, asbestos removal work, repairing and maintenance where it is foreseeable that the limit values will be exceeded, before the activities start. 	<p>No observed discrepancies have been identified.</p> <p>General principles of consultation of workers are applied.</p>	<ul style="list-style-type: none"> • Does the national legislation set additional worker consultation requirements? N. • Are more specific criteria put in place? N. • Other additional or more detailed requirements N.
Limit values Art.8	<ul style="list-style-type: none"> • Employers shall ensure that no worker is exposed to an airborne concentration of asbestos in excess of 0,1 fibres per cm³ as an 8-hour time-weighted average (TWA). 	No observed discrepancies have been identified.	<ul style="list-style-type: none"> • Does the transposing legislation set more stringent limit values? N. • Other additional or more detailed requirements N.
Other issues identified		No observed discrepancies have been identified.	

Table 1- 16 Directive 2000/54/EC (biological agents) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1 and 2	<ul style="list-style-type: none"> • The Directive covers risks, arising or likely to arise from exposure to biological agents at work. • 'biological agents': micro-organisms, including those which have been genetically modified, cell cultures and human endoparasites, which may be able to provoke any infection, allergy or toxicity; 	<p>No observed discrepancies have been identified.</p> <p>(GD No. 361/2007 Coll.)</p>	<ul style="list-style-type: none"> • Is the scope of the national legislation broader than the Directive? N. Biological agents are all micro-organisms, cell cultures and endoparasites, which may cause infection, allergy or toxicity in a live organism. Micro-organism means microbiological cellular or non-cellular object, which is capable to replicate or to transfer genetic material; cell culture refers to cells from multicellular organisms that

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>grow in vitro.</p> <ul style="list-style-type: none"> • Other additional or more detailed requirements N.
<p>Conducting a risk assessment Art. 3, 7(1)</p>	<ul style="list-style-type: none"> • The nature, degree and duration of workers' exposure must be determined. • In the case of activities involving exposure to several groups of biological agents, the risk shall be assessed on the basis of the danger presented by all hazardous agents present. • The assessment must be renewed regularly and in any event when any change occurs in the conditions which may affect workers' exposure • The employer must supply the CAs, at their request, with the information used for making the assessment. • The assessment is conducted on the basis of all available information: <ul style="list-style-type: none"> - classification of biological agents which are or may be a hazard to human health - recommendations from a CA which indicate that the biological agent should be controlled to protect workers' health when workers are or may be exposed to such a biological agent as a result of their work - information on diseases which may be contracted as a result of the work of the workers - potential allergenic or toxigenic effects as a result of the work of the workers; - knowledge of a disease from which a worker is found to be suffering and which has a direct connection with his work • Where the assessment reveals risk to 	<p>No observed discrepancies have been identified.</p> <p>(GD No. 361/2007 Coll.)</p>	<ul style="list-style-type: none"> • Does the national legislation require employers to submit risk assessment to national authorities automatically? Y. According to the PHP Act the employer is obliged to inform the authority in protection of public health about the first use of biological agents (groups 2 – 4). The protective measures to elimination of risks should be consulted with this authority at first. (Act No. 258/2000 Coll.). • Does the national legislation require that practical guidelines for the determination and assessment of risk must be developed? N. • Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? Y. Biological agents are divided in the national legislation into 4 groups according to the level of danger. The GD No. 361/2007 Coll. contains a list of all possible biological agents. • Is the content of the risk assessment more detailed than described in the Directive? N. • Is a more specific methodology for risk assessment provided in the legislation?

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>workers' health or safety, employers shall, when requested, make available to the CA appropriate information on:</p> <ul style="list-style-type: none"> - the results of the assessment; - the activities in which workers have been exposed or may have been exposed; - the number of workers exposed; - the name and capabilities of the person responsible for OSH, - the protective and preventive measures taken; - an emergency plan for the protection of workers from exposure to a group 3 or 4 biological agent which might result from a loss of physical containment. 		<p>N.</p> <ul style="list-style-type: none"> • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? Measuring of level of risk factors must only be provided by an authorized person. • Other additional or more detailed requirements A controlled zone must be established when working with biological agents of group 3 or 4.
Ensuring preventive and protective services	N/A	N/A	N/A
Information for workers Art.10	<ul style="list-style-type: none"> • Employers shall provide written instructions and, if appropriate, display notices which shall, include the procedure to follow in the case of: <ul style="list-style-type: none"> - a serious accident or incident involving the handling of a biological agent; - handling a group 4 biological agent. • Employers shall inform the workers of any accident/incident which may have resulted in the release of a biological agent and could cause severe human infection and/or illness. • Employers shall inform the workers as quickly as possible when a serious accident or incident occurs, of its causes and the remedial measures taken or to be taken. • Each worker shall have access to the information on the list of exposed workers 	<p>No observed discrepancies have been identified.</p> <p>General principles of information for workers are applied according to the Labour Code.</p>	<ul style="list-style-type: none"> • Does the information to be provided to the CAs need to be available to the workers independently of their request? N. • Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. • Is the content or form of information to workers further specified? N. • Other additional or more detailed requirements N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>which relates to him personally.</p> <ul style="list-style-type: none"> Workers or their representatives shall have access to anonymous collective information. Employers shall provide workers and/or their representatives, at their request, with the information for CAs (see Article 7) 		
Training of workers Art.9	<ul style="list-style-type: none"> Workers receive training concerning: <ul style="list-style-type: none"> - potential risks to health; - precautions to be taken to prevent exposure; - hygiene requirements; - wearing and use of protective equipment and clothing; - steps to be taken in case of incidents and to prevent them. Training shall be: <ul style="list-style-type: none"> - given at the beginning of work involving contact with biological agents, - adapted to new or changed risks, and repeated periodically if necessary 	<p>No observed discrepancies have been identified.</p> <p>General principles of training of workers are applied according to the Labour Code.</p>	<ul style="list-style-type: none"> Is more specific information on the scope of training provided in the legislation? N. Are there specific requirements as to the competence of trainers provided in the legislation? N. Other additional or more detailed requirements N.
Health surveillance Art.14	<ul style="list-style-type: none"> Each worker can undergo, if appropriate, relevant health surveillance prior to exposure and at regular intervals When necessary, effective vaccines should be made available for workers who are not already immune to the biological agent to which they are exposed. A worker is found to be suffering from an infection and/or illness which is suspected to result from exposure, the doctor or responsible authority shall offer such surveillance to other workers similarly exposed. In that event, a reassessment of the risk of exposure shall be carried out In cases where health surveillance is carried out, an individual medical record shall be 	<p>No observed discrepancies have been identified.</p> <p>General principles of health surveillance are applied.</p>	<ul style="list-style-type: none"> Does the national legislation set more stringent requirements on health surveillance (e.g. individual medical records must be kept more than 10 years)? N Are the arrangements for health surveillance records specified in the legislation? N Are the conditions in which health surveillance is required more specifically described in the legislation? N

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>kept for at least 10 years following the end of exposure.</p> <ul style="list-style-type: none"> • In the special cases of infection [referred to in Article 11(2) second subparagraph], an individual medical record shall be kept for an appropriately longer time up to 40 years following the last known exposure. • The doctor or responsible authority shall propose protective or preventive measures in respect of any individual worker. • Information and advice must be given to workers on health surveillance they may undergo after the end of exposure. • Workers shall have access to the results of the health surveillance which concern them, and they or the employer may request a review of these results. • All cases of diseases or death identified from occupational exposure to biological agents shall be notified to the CA 		<ul style="list-style-type: none"> • Is the periodicity of health surveillance provided in national law? N. • Other additional or more detailed requirements N.
Consultation of workers Art.12	<ul style="list-style-type: none"> • Framework Directive applies 	No observed discrepancies have been identified.	Are there more detailed requirements than in the Framework Directive? N.
Limit values	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified.	

Table 1- 17 Council Directive 92/57/EEC (temporary or mobile construction sites) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1, 2 and 10(1) and (2)	<ul style="list-style-type: none"> • The Directive applies to the health and safety of workers at temporary or mobile construction sites, i.e. any construction site at which building or civil engineering works are carried out (a non-exhaustive list of 	<p>No observed discrepancies have been identified with regard to the scope and definitions.</p> <p>GD No. 591/2006 Coll.</p>	

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	works is provided in Annex I). It does not apply to drilling and extractive industries*.	OSH Act 309/2006 Coll.	
Conducting a risk assessment	N/A	N/A	N/A
Ensuring preventive and protective services	N/A	N/A	N/A
Information for workers Art.11	<ul style="list-style-type: none"> • Framework Directive applies. • Workers and/or their representatives must be informed of all the measures to be taken concerning their safety and health on the construction site. • The information must be comprehensible to the workers concerned. 	<p>No observed discrepancies have been identified with regard to the information for workers.</p> <p>The Labour Code No. 262/2006 Coll.</p>	<ul style="list-style-type: none"> • Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. • Is the content or form of information to workers further specified? N. • Other additional or more detailed requirements N.
Training of workers	N/A	N/A	N/A
Health surveillance	N/A	N/A	N/A
Consultation of workers Art. 12	<ul style="list-style-type: none"> • Framework Directive applies. • The consultation of workers must be coordinated, whenever necessary, between workers and/or workers' representatives carrying out their activities at the workplace, having regard to the degree of risk and the size of the work site. 	<p>No observed discrepancies have been identified. Consultation and participation of workers are covered in accordance with the Labour Code No. 262/2006 Coll.</p>	<ul style="list-style-type: none"> • Are specific criteria put in place for coordination of workers consultation e.g. based on the size of the work site? N. • Other additional or more detailed requirements N.
Limit values	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified.	

Table 1- 18 Council Directive 92/104/EEC (surface and underground mineral-extracting industries) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1 and 2	The Directive applies to surface and underground mineral-extracting industries (excluding extraction by drilling which is subject to a separate directive).	No observed discrepancies have been identified. (Act No. 61/1988 Coll.)	
Conducting a risk assessment Art. 3.2	The employer shall ensure that a document concerning safety and health and covering the relevant requirements on risk assessment of the Framework Directive is drawn up and kept up to date. The safety and health document shall demonstrate in particular that the risks to which workers at the workplace are exposed have been determined and assessed.	No observed discrepancies have been identified. General principles of conducting a risk assessment are applied according to the Labour Code. The requirements in the document concerning safety and health in surface and underground mineral-extracting industries are spread over Regulation No. 22/1989 Coll., Regulation No. 26/1989 Coll. and Regulation No. 51/1989 Coll. Also safety rules and principles are set by these legislative acts. (Regulation No. 22/1989 Coll., Regulation No. 26/1989 Coll. and Regulation No. 51/1989 Coll.)	<ul style="list-style-type: none"> • Does the national legislation require employers to submit risk assessment to national authorities whether on request or automatically? N. • Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? N. • Is the content of the risk assessment more detailed than described in the Directive? N. • Is a more specific methodology for risk assessment provided in the legislation? N. • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? N. • Does the national legislation include more specific information on the content of the 'health and safety document' as provided for by the Directive for the part related to the risk assessment? Y. There are numerous requirements in the

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>document concerning safety and health in surface and underground mineral-extracting industries, which are spread over Regulation No. 22/1989 Coll., Regulation No. 26/1989 Coll. and Regulation No. 51/1989 Coll. Also safety rules and principles are set by these legislative acts. (Regulation No. 22/1989 Coll., Regulation No. 26/1989 Coll. and Regulation No. 51/1989 Coll.)</p> <ul style="list-style-type: none"> • Other additional or more detailed requirements N.
Ensuring internal and/or external preventive and protective services	N/A	N/A	N/A
Information for workers Art. 7	<ul style="list-style-type: none"> • Framework Directive applies • Workers and/or their representatives shall be informed of all measures to be taken concerning safety and health at workplaces, and in particular of those relating to the implementation of Articles 3 (general obligations), 4 (protection from fire, explosions and health-endangering atmospheres), 5 (Escape and rescue facilities) and 6 (communication, warning and alarm systems). • The information must be comprehensible to the workers concerned. 	<p>No observed discrepancies have been identified.</p> <p>General principles are applied according to the Labour Code.</p> <p>Specific requirements are provided in Regulation No. 22/1989 Coll., Regulation No. 26/1989 Coll. and Regulation No. 51/1989 Coll.</p>	<ul style="list-style-type: none"> • Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. • Is the content or form of information to workers further specified? N. • Other additional or more detailed requirements N.
Training of workers Art. 10 (Annex)	<ul style="list-style-type: none"> • Workers must be given the necessary information, instructions, training and re-training to ensure their health and safety. • The employer must ensure that workers 	<p>No observed discrepancies have been identified.</p> <p>General principles are applied according to</p>	<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	receive comprehensible instructions so as not to endanger their safety and health or those of other workers.	the Labour Code. Specific requirements are provided in Regulation No. 51/1989 Coll.	<ul style="list-style-type: none"> • Are there specific requirements as to the competence of trainers provided in the legislation? Y. • Other additional or more detailed requirements N.
Health surveillance Art. 8	<ul style="list-style-type: none"> • To ensure that workers receive health surveillance appropriate to the health and safety risks they incur at work, measures shall be introduced in accordance with national law and/or practices. • The measures shall be such that each worker shall be entitled to, or shall undergo, health surveillance before being assigned to duties related to the activities covered by the Directive and subsequently at regular intervals. • Health surveillance may be provided as part of a national health system. 	<p>No observed discrepancies have been identified.</p> <p>General principles of health surveillance are applied.</p>	<ul style="list-style-type: none"> • Does the transposing legislation require health surveillance if workers experience health problems that can be attributed to the performance of the activities covered by the Directive? See the Framework Directive. • Are the arrangements for health surveillance records specified in the legislation? N. • Are the conditions in which health surveillance is required more specifically described in the legislation? N. • Is the periodicity of health surveillance provided in national law? N. • Other additional or more detailed requirements N.
Consultation of workers Art. 9	<ul style="list-style-type: none"> • Framework Directive applies 	<p>No observed discrepancies have been identified.</p> <p>General principles of consultation of workers are applied.</p>	<ul style="list-style-type: none"> • Are there more detailed requirements than in the Framework Directive? N. • Other additional or more detailed

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			requirements N.
Limit values	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified.	

Table 1- 19 Council Directive 92/91/EEC (mineral-extracting industries through drilling) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1 and 2	<ul style="list-style-type: none"> The Directive applies to the safety and health protection of workers in mineral extracting industries; i.e. industries practising extraction of minerals through drilling by boreholes, prospection with a view to such extraction and/or preparation of extracted materials for sale, excluding activities of processing the materials extracted. 	No observed discrepancies have been identified with regard to the scope and definitions.	
Conducting a risk assessment Art.3(2)	<ul style="list-style-type: none"> A 'safety and health document', covering the relevant requirements of the Framework Directive is drawn up and kept up to date. It shall demonstrate in particular that the risks incurred by the workers at the work place have been determined and assessed. 	<p>No observed discrepancies have been identified with regard to the conducting a risk assessment.</p> <p>General principles of conducting a risk assessment are applied according to the Labour Code.</p>	<ul style="list-style-type: none"> Does the national legislation require employers to submit risk assessment to national authorities whether on request or automatically? Y. on request Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? N. Is the content of the risk assessment more detailed than described in the Directive? N. Is a more specific methodology for risk assessment provided in the legislation? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<ul style="list-style-type: none"> • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? N. • Does the national legislation include more specific information on the content of the 'health and safety document' as provided for by the Directive for the part related to the risk assessment? Y. The document has to contain: <ul style="list-style-type: none"> ○ basic documentation ○ operational documentation ○ technical documentation ○ probe and drill hole documentation ○ mining-measuring and geological documentation ○ records on worker's training <p>Leading worker determines the scope and way of recording of the safety documentation and place and way of its storage. (drilling R)</p> • Other additional or more detailed requirements N.
Ensuring preventive and protective services	N/A	N/A	N/A
Information for workers Art. 7	<ul style="list-style-type: none"> • Framework Directive applies • Workers and/or their representatives shall be informed of all measures to be taken 	No observed discrepancies have been identified with regard to the information for workers.	<ul style="list-style-type: none"> • Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information?

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>concerning safety and health at workplaces, and in particular those relating to the implementation of Articles 3 (general obligations), 4 (protection from fire, explosions and health-endangering atmospheres), 5 (Escape and rescue facilities) and 6 (communication, warning and alarm systems).</p> <ul style="list-style-type: none"> The information must be comprehensible to the workers concerned. 	<p>General principles of information for workers are applied according to the Labour Code.</p>	<p>Y. (1) The outline of the training, the period during which an worker must work under the supervision of a designated qualified person , and the way of testing shall be determined by the chief executive if these requirements are not established by regulation to ensure the safety and operation or by a special legal act. Training can be pardoned to graduates of secondary vocational schools and universities, and workers who are trained in the same field in which they work.</p> <p>(2) At the top of the platform equipped with rescue equipment (§ 27 paragraph 3) is allowed to work only the worker who has been familiar with its features and practically trained in its use. The training shall be repeated at least once a year.</p> <p>(3) At least once a year, workers who are working on drilling with the expected incidence of water, oil or gas pressure must be well trained and practically trained on procedures of pressure symptoms. The methods of training are determined by the leading worker. (drilling R)</p> <ul style="list-style-type: none"> Is the content or form of information to workers further specified? Y. Other additional or more detailed requirements N.
Training of workers	<ul style="list-style-type: none"> Workers must be given the necessary information, instructions, training and 	<p>No observed discrepancies have been identified with regard to the information for</p>	<ul style="list-style-type: none"> Is more specific information on the scope of training provided in the legislation?

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
<p>Art. 10 (Annex Part A 2.5)</p>	<p>retraining to ensure their health and safety.</p> <ul style="list-style-type: none"> The employer must ensure that workers receive comprehensible instructions so as not to endanger their safety and health or those of other workers. 	<p>workers.</p> <p>General principles of training of workers are applied according to the Labour Code.</p>	<p>Y. (1) The outline of the training, the period during which an worker must work under the supervision of a designated qualified person , and the way of testing shall be determined by the chief executive if these requirements are not established by regulation to ensure the safety and operation or by a special legal act. Training can be pardoned to graduates of secondary vocational schools and universities, and workers who are trained in the same field in which they work.</p> <p>(2) At the top of the platform equipped with rescue equipment (§ 27 paragraph 3) is allowed to work only the worker who has been familiar with its features and practically trained in its use. The training shall be repeated at least once a year.</p> <p>(3) At least once a year, workers who are working on drilling with the expected incidence of water, oil or gas pressure must be well trained and practically trained on procedures of pressure symptoms. The methods of training are determined by the leading worker. (drilling R)</p> <ul style="list-style-type: none"> Are there specific requirements as to the competence of trainers provided in the legislation? <p>Y. If the project supposes the possibility of incidence of dangerous pressure symptoms, only a person with a valid certificate of special training for pressure symptoms in a drill hole or probe according to international standards (the</p>

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>certificate has to be published by an authorized training centre) could manage drilling, underground repair of probes and securing or disposal of drilling holes and probes on water under pressure, oil or gas.</p> <ul style="list-style-type: none"> • Other additional or more detailed requirements N.
Health surveillance Art. 8	<ul style="list-style-type: none"> • To ensure that workers receive health surveillance appropriate to the health and safety risks they incur at work, measures shall be introduced in accordance with national law and/or practices. • The measures shall be such that each worker shall be entitled to, or shall undergo, health surveillance before being assigned to duties related to the activities covered by the Directive and subsequently at regular intervals. • Health surveillance may be provided as part of a national health system 	<p>No observed discrepancies have been identified with regard to health surveillance.</p> <p>General principles of health surveillance are applied according to the Labour Code and Act. 373/2011 Coll.</p>	<ul style="list-style-type: none"> • Does the transposing legislation require health surveillance if workers experience health problems that can be attributed to the performance of the activities covered by the Directive? N. • Are the arrangements for health surveillance records specified in the legislation? N. • Are the conditions in which health surveillance is required more specifically described in the legislation? N. • Is the periodicity of health surveillance provided in national law? N. • Other additional or more detailed requirements N.
Consultation of workers Art. 9	<ul style="list-style-type: none"> • Framework Directive applies 	<p>No observed discrepancies have been identified with regard to consultation of workers.</p>	<ul style="list-style-type: none"> • Are there more detailed requirements than in the Framework Directive? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
		General principles of consultation of workers are applied according to the Labour Code.	<ul style="list-style-type: none"> Other additional or more detailed requirements N.
Limit values	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified.	

Table 1- 20 Council Directive 92/29/EEC (medical treatment on board vessels) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1 and 2(a) and(b), Art 2(3) and (4)	<ul style="list-style-type: none"> The Directive applies to workers on board a vessel, i.e. any vessel flying the flag of a MS or registered under the plenary jurisdiction of a MS, seagoing or estuary-fishing, publicly or privately owned, excluding inland navigation vessels, warships, pleasure boats used for non-commercial purposes and not manned by professional crews and tugs operating in harbour areas. It applies to workers, excluding port pilots and shore personnel carrying out work on board a vessel at the quayside. Vessels of more than 500 gross registered tonnes with a crew of 15 or more workers and engaged in voyage of more than three days are required to have a sick bay. Vessels with a crew of 100 or more workers and engaged in international voyage of more than 3 days are required to have a doctor responsible for medical care on board. 	<i>This Directive has not been transposed.</i>	<ul style="list-style-type: none"> Does the national legislation require a sick bay for vessels board under conditions that go beyond the conditions set by the directive? Does the national legislation require having a doctor responsible for medical care on board under conditions that go beyond the conditions set by the directive? Other additional or more detailed requirements
Conducting a risk assessment	N/A	N/A	N/A
Ensuring preventive	N/A	N/A	N/A

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
and protective services			
Information for workers	N/A	N/A	N/A
Training of workers	N/A	N/A	N/A
Health surveillance	N/A	N/A	N/A
Consultation of workers	N/A	N/A	N/A
Limit values	N/A	N/A	N/A
Other issues identified			

Table 1- 21 Council Directive 93/103/EC (work on board fishing vessels) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1 and 2(b) and(c)	<ul style="list-style-type: none"> The Directive applies to any new or existing fishing vessels with a length between perpendiculars of 15 meters or over (which on or after 23 November 1995 furthermore satisfied the conditions specified therein) or with a length of 18 metres or over respectively. 	<i>This Directive has not been transposed.</i>	<ul style="list-style-type: none"> Does the national legislation apply the requirement of the Directive to other fishing vessels than the ones covered by the Directive? Other additional or more detailed requirements
Conducting a risk assessment	N/A	N/A	N/A
Ensuring preventive and protective services	N/A	N/A	N/A
Information for workers Art.8	<ul style="list-style-type: none"> The framework Directive applies. The information must be comprehensible to the workers concerned. 		<ul style="list-style-type: none"> Does the national legislation set additional information requirements? Does the legislation provide for

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>specific conditions (e.g. size of the establishments) in relation to workers information?</p> <ul style="list-style-type: none"> • Is the content or form of information to workers further specified? • Other additional or more detailed requirements
Training workers of Art.9 Art.10	<p>Art.9</p> <ul style="list-style-type: none"> • Workers shall be given suitable training, in particular in the form of precise, comprehensible instructions, on safety and health on board vessels and on accident prevention • The training shall cover in particular firefighting, the use of life-saving and survival equipment and, for the workers concerned, the use of fishing gear and hauling equipment and the use of various types of signs including hand signals • Such training shall be subject to the necessary updating where this is required by changes in the activities on board <p>Art.10</p> <ul style="list-style-type: none"> • Any person likely to command a vessel shall be given detailed training on: <ul style="list-style-type: none"> - the prevention of occupational illness and accidents on board and the steps to be taken in event of accident; - stability and maintenance of the vessel under all foreseeable conditions of loading and during fishing operations; - radio navigation and communication, including procedures. 		<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation (general training for person likely to command a vessel)? • Are there specific requirements as to the competence of trainers provided in the legislation? • Other additional or more detailed requirements
Health surveillance	N/A	N/A	N/A
Consultation of workers Art.11	<ul style="list-style-type: none"> • The framework Directive applies 		<ul style="list-style-type: none"> • Are there more detailed requirements than in the Framework Directive?

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<ul style="list-style-type: none"> Other additional or more detailed requirements
Limit values	N/A	N/A	N/A
Other issues identified			

Table 1- 22 Council Directive 92/85/EEC (pregnant/breastfeeding workers) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 1 and 2	<p>The Directive applies to pregnant workers and workers who have recently given birth or who are breastfeeding.</p> <ul style="list-style-type: none"> <i>pregnant worker</i> shall mean a pregnant worker who informs her employer of her condition, in accordance with national legislation and/or national practice; <i>worker who has recently given birth</i> shall mean a worker who has recently given birth within the meaning of national legislation and/ or national practice and who informs her employer of her condition, in accordance with that legislation and/or practice; <i>worker who is breastfeeding</i> shall mean a worker who is breastfeeding within the meaning of national legislation and/or national practice and who informs her employer of her condition, in accordance with that legislation and/or practice. 	<p>No observed discrepancies have been identified.</p> <p>The definition of “pregnant worker” is not specifically determined. The definition of “worker who has recently given birth” means worker-mother until the end of the ninth month after birth. The definition of “worker who is breastfeeding” is not specifically determined.</p> <p>(The Labour Code)</p>	<ul style="list-style-type: none"> Any additional or more detailed requirements <p>Pregnant worker, worker who has recently given birth and worker who is breastfeeding has no obligation to inform her employer of her condition. According to the Labour Code the employer is prohibited to require information that is not connected directly with work performance, inter alia information about pregnancy. (The Labour Code)</p>
Conducting a risk assessment Art. 4	<p>For all activities liable to involve a specific risk of exposure to the agents, processes or working conditions of which a non-exhaustive list is given in Annex I, the employer shall assess the nature, degree and duration of exposure, in the undertaking and/or</p>	<p>No observed discrepancies have been identified with regard to conducting a risk assessment.</p>	<ul style="list-style-type: none"> Does the national legislation go beyond the Directive by prohibiting exposure of agent listed in Annex I without carrying out a risk assessment? <p>Y. The regulation determines which agents, processes and working conditions</p>

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>establishment concerned in order to:</p> <ul style="list-style-type: none"> - assess any risks to the safety or health and any possible effect on the pregnancy or breastfeeding of workers - decide what measures should be taken 		<p>are strictly prohibited for pregnant workers, workers who have recently given birth and workers who are breastfeeding. The list of these agents, processes and working conditions is broader than in the Directive. (The pregnant, breastfeeding and young workers R (288/2003 Coll.))</p> <ul style="list-style-type: none"> • Does the national legislation require employers to submit risk assessment to national authorities whether on request or automatically? Y. on request • Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? Y. Strictly prohibited agents, processes and working conditions are described also through limit exposure values and risky categories of work. (The pregnant, breastfeeding and young workers R (288/2003 Coll.)) • Is the content of the risk assessment more detailed than described in the Directive? N. • Is a more specific methodology for risk assessment provided in the legislation? N. • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<ul style="list-style-type: none"> Other additional or more detailed requirements N.
Ensuring preventive and protective services	N/A	N/A	N/A
Information for workers Art.4(2)	Pregnant workers, workers who have recently given birth, workers who are breastfeeding in the undertaking and/or establishment concerned shall be informed of the results of the assessment and of all measures to be taken concerning health and safety at work.	No observed discrepancies have been identified with regard to the information for workers.	<ul style="list-style-type: none"> Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. Is the content or form of information to workers further specified? N. Other additional or more detailed requirements N.
Training of workers	N/A	N/A	N/A
Health surveillance	N/A	N/A	N/A
Consultation of workers	N/A	N/A	N/A
Limit values Art. 6	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified.	The Czech Republic has taken additional measures not included in the Directive. ¹⁸ The country continues to prefer national legislation on Directive-related issues which ensures a relatively high standard of labour

¹⁸ National Implementation Report, Part A, Section II, (EN) p. 34

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<p>protection for women workers. The Czech Republic prefers a relatively long maternity leave. Insured persons, if they qualify, are entitled to a maternity allowance paid by the health insurance system, followed by parental leave and a parental allowance. In cases where there is no entitlement to a maternity allowance, the parental allowance is paid from the child's birth (the parental allowance is a benefit from state social support system), mainly due to traditions and financial costs. According to national legislation, in the existing structure of the calculation of sickness-insurance benefits, the maximum daily amount of benefits during maternity is higher than the maximum daily amount of sickness benefit. Czech national legislation provides for maternity benefits at a higher level than the 'ceiling' for sick benefit. The Czech Republic has retained more detailed national legislation on prohibited workplaces and work, established in the 1970s, in that there are hygienic limits even where EU law has yet to introduce constraints, such as physical loads, weight limits at work with loads, heat or cold stress and mental stress, and therefore no additional measures beyond the scope of the Directive have been applied.</p>

Table 1- 23 Council Directive 91/383/EEC (temporary workers) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
<p>Scope and definitions Art 3(1) read in</p>	<ul style="list-style-type: none"> • This Directive shall apply to: <ul style="list-style-type: none"> ◦ employment relationships governed by a fixed-duration contract of 	<p>No observed discrepancies have been identified with regard to the scope and definitions.</p>	<ul style="list-style-type: none"> • Any additional or more detailed requirements <p>In the national legislation there is a different</p>

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
conjunction with Art 2	<p>employment concluded directly between the employer and the worker, where the end of the contract is established by objective conditions such as: reaching a specific date, completing a specific task or the occurrence of a specific event;</p> <ul style="list-style-type: none"> o temporary employment relationships between a temporary employment business which is the employer and the worker, where the latter is assigned to work for and under the control of an undertaking and/or establishment making use of his services. 		<p>approach of responsibility for these two sorts of temporary workers.</p> <p>(a) Workers with a fixed-duration contract of employment have same conditions as other workers and the employer is fully responsible for ensuring occupational safety and health of these workers at the same level (regarding training, health surveillance) as workers with an indefinite contract.</p> <p>(b) On the other hand there are temporary workers employed by a job agency but working temporarily for another employer (« user »). In this case the job agency has to sign an agreement of temporary employment with the user. This agreement has to contain (inter alia) information on the kind of activities and special occupational qualifications and health qualifications necessary for the job. Responsibilities for safety and health of these temporary workers are divided between the agency and the user. The user is obliged to provide information for workers, training of workers, PPE, risks assessment etc. The job agency as the employer should ensure special medical surveillance in compliance with the legislation.</p>
Conducting a risk assessment	N/A	N/A	N/A
Ensuring preventive and protective services Art. 6	<ul style="list-style-type: none"> • Protective and prevention services are to be informed about the assignment of workers with temporary or fixed-duration contracts 	<p>No observed discrepancies have been identified. However, this requirement is not transposed according to the Directive. Nevertheless, OSH Act (309/2006 Coll.) contains a similar requirement in relation to activities of competent persons in risks</p>	<ul style="list-style-type: none"> • Does the legislation define in more specific terms information to be provided to such services? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
		prevention.	
Information for workers Art.3 (and 7)	<ul style="list-style-type: none"> In addition to the general requirements with regard to workers' information, temporary workers shall be informed of special occupational qualifications or skills or special medical surveillance and about increased risks that the job may entail. 	<p>No observed discrepancies have been identified.</p> <p>However, there is no requirement to inform of special occupational qualifications or skills or special medical surveillance of temporary workers. Nevertheless, the employer is obliged to ensure that workers (and especially temporary workers and young workers) obtain appropriate and sufficient information and instructions to occupational safety and health. Information should include particularly identified risks, results of risk assessment and protection measures against their influence. (Labour Code)</p>	<ul style="list-style-type: none"> Does the legislation provide for specific conditions (e.g. size of the establishments) in relation to workers information? N. Is the content or form of information to workers further specified? N. Other additional or more detailed requirements N.
Training of workers Art.4	<ul style="list-style-type: none"> In addition to the general requirements regarding training, each temporary worker must receive sufficient training appropriate to the particular characteristics of the job, account being taken of his qualifications and experience. 	<p>No observed discrepancies have been identified with regard to training of workers. (Labour Code)</p>	<ul style="list-style-type: none"> Is more specific information on the scope of training provided in the legislation? N. Other additional or more detailed requirements N.
Health surveillance Art.5(2)	<ul style="list-style-type: none"> Workers who are used for particularly dangerous work which requires special medical surveillance must be provided with appropriate special medical surveillance. 	<p>No observed discrepancies have been identified with regard to health surveillance.</p>	<ul style="list-style-type: none"> Does the transposing legislation require medical surveillance for all types of temporary workers? N. Are the arrangements for health surveillance records specified in the legislation? N. Are the conditions in which health surveillance is required more specifically described in the legislation? N.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<ul style="list-style-type: none"> Is the periodicity of health surveillance provided in national law? N. Other additional or more detailed requirements N.
Consultation of workers	N/A	N/A	N/A
Limit values	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified.	

Table 1- 24 Council Directive 94/33/EC (young people at work) - Observed discrepancies, more stringent and more detailed requirements

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Scope and definitions Art. 2(1) in conjunction with Art. 3 Art. 2(2)	<ul style="list-style-type: none"> The Directive applies to any person under 18 years of age (defined as a 'young person') having an employment contract or an employment relationship. It provides for the optional exclusion of occasional or short-term work in domestic service in a private household or of work not considered to be harmful, damaging or dangerous to young people in a family undertaking. 	No observed discrepancies have been identified with regard to the scope and definitions. (Labour Code)	<ul style="list-style-type: none"> Does the transposing legislation cover occasional or short-term work in domestic service in a private household or work not considered to be harmful, damaging or dangerous to young people in a family undertaking? N. Other additional or more detailed requirements N.
Conducting a risk assessment Art. 6(2)	<ul style="list-style-type: none"> The employer shall implement the measures necessary to protect the safety and health of young people on the basis of an assessment of the hazards to young people in connection with their work. <p>The assessment must be made before young people begin work and when there</p>	<p>No observed discrepancies have been identified.</p> <p>The employer is obliged to perform risk assessments and implement the measures according to the general principles of risk assessment for all workers. No special conditions for young people are available.</p>	<ul style="list-style-type: none"> Does the transposing legislation provide for a risk assessment to be conducted on a regular basis (i.e. every year) independently of any major changed in working conditions? No special conditions for young people are provided.

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
	<p>is any major change in working conditions and must pay particular attention to the following points:</p> <p>(a) the fitting-out and layout of the workplace and the workstation;</p> <p>(b) the nature, degree and duration of exposure to physical, biological and chemical agents;</p> <p>(c) the form, range and use of work equipment, in particular agents, machines, apparatus and devices, and the way in which they are handled;</p> <p>(d) the arrangement of work processes and operations and the way in which these are combined (organization of work);</p> <p>(e) the level of training and instruction given to young people.</p> <ul style="list-style-type: none"> • Where this assessment shows that there is a risk to the safety, the physical or mental health or development of young people, an appropriate free assessment and monitoring of their health shall be provided at regular intervals without prejudice to Directive 89/391/EEC. • The free health assessment and monitoring may form part of a national health system. 	(Labour Code)	<ul style="list-style-type: none"> • Does the national legislation require employers to submit risk assessment to national authorities whether on request or automatically? No special conditions for young people are provided. • Are the risks to be taken into account in the assessment described in a more specific manner than in the Directive? No special conditions for young people are provided. • Is the content of the risk assessment more detailed than described in the Directive? No special conditions for young people are provided. • Is a more specific methodology for risk assessment provided in the legislation? No special conditions for young people are provided. • Are the sources of information and persons in charge of the risk assessment described in the legislation in a more specific manner than in the Directive? No special conditions for young people are provided. • Other additional or more detailed requirements N.
Ensuring preventive and protective services	<ul style="list-style-type: none"> • The employer shall involve the protective and preventive services referred to in Article 7 of Directive 89/391/EEC in the planning, implementation and monitoring 	<p>No observed discrepancies have been identified.</p> <p>OSH Act (309/2006 Coll.) contains similar</p>	<ul style="list-style-type: none"> • Does the national legislation set any specific/detailed rules on the way and extent of the involvement of protective and preventive services in the planning,

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
Art. 6(4)	of the safety and health conditions applicable to young people.	requirement in relation to activities of competent persons in risks prevention.	implementation and monitoring of the safety and health conditions applicable to young people? N. • Other additional or more detailed requirements N.
Information for workers Art. 6(3)	<ul style="list-style-type: none"> The employer shall inform young people of possible risks and of all measures adopted concerning their safety and health. Furthermore, he shall inform the legal representatives of children of possible risks and of all measures adopted concerning children's safety and health. 	<p>No observed discrepancies have been identified.</p> <p>The employer is obliged to ensure that workers (and especially temporary workers and young workers) obtain appropriate and sufficient information and instructions to occupational safety and health. Information should include particularly identified risks, results of risk assessment and protective measures against their influence.</p> <p>There is no obligation to inform the legal representatives of children. (Labour Code)</p>	<ul style="list-style-type: none"> Is the content or form of information to young workers/legal representatives of children further specified? N. Other additional or more detailed requirements N.
Training of workers Art. 6(2)	<ul style="list-style-type: none"> The employer shall implement the measures necessary to protect the safety and health of young people on the basis of an assessment of the hazards to young people in connection with their work. <p>The assessment must be made before young people begin work and when there is any major change in working conditions and must pay particular attention to the following points:</p> <p>(e) the level of training and instruction given to young people.*</p>	<p>No observed discrepancies have been identified.</p> <p>The employer is obliged to perform training of workers for all workers. No special conditions for young people are available. (Labour Code)</p>	<ul style="list-style-type: none"> Does the transposing legislation provide for mandatory training of young workers (according to the Directive, the level of training given must be taken into account in assessing any hazards although there is no explicit requirement to provide any such training)? Y. The employer is obliged to perform training of workers for all workers. No special conditions for young people are available. Nevertheless employers are obliged to provide increased care to young people. (Labour Code)

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<ul style="list-style-type: none"> • Is more specific information on the scope of training provided in the legislation in relation to young workers? N. • Other additional or more detailed requirements N.
Health surveillance Art. 6(2) and 9(3)	<p>Where the assessment shows that there is a risk to the safety, the physical or mental health or development of young people, an appropriate free assessment and monitoring of their health shall be provided at regular intervals without prejudice to Directive 89/391/EEC.</p> <p>The free health assessment and monitoring may form part of a national health system.</p> <ul style="list-style-type: none"> • Prior to any assignment to night work and at regular intervals thereafter, adolescents shall be entitled to a free assessment of their health and capacities, unless the work they do during the period during which work is prohibited is of an exceptional nature. 	No observed discrepancies have been identified. (Labour Code)	<ul style="list-style-type: none"> • Besides night work and cases where an assessment of the hazards to young people in connection with their work was shown that there is a risk to the safety, the physical or mental health or development of young people, does the transposing legislation provide for a free health assessment of young workers in other circumstances? Y. Free medical examination must be provided in any case regarding young workers. (Labour Code) • Are the arrangements for health surveillance records specified in the legislation? N. No special conditions for young people are provided. • Are the conditions in which health surveillance is required more specifically described in the legislation? N. No special conditions for young people are provided. • Is the periodicity of health surveillance provided in national law? Y. At least once per year. (Labour Code)

	Main provisions	Observed discrepancies	More detailed or broader requirements, including more stringent
			<ul style="list-style-type: none"> • Other additional or more detailed requirements N.
Consultation of workers	N/A	N/A	N/A
Limit values	N/A	N/A	N/A
Other issues identified		No observed discrepancies have been identified.	The Czech Republic has retained more detailed national legislation on prohibited workplaces and work, established in the 1970s, in that there are hygienic limits even where EU law has yet to introduce constraints, such as physical loads, weight limits at work with loads, heat or cold stress and mental stress, and therefore no additional measures beyond the scope of the Directive have been applied. ¹⁹

* The level of training given must be taken into account in assessing any hazards although there is no explicit requirement to provide any such training.

¹⁹ National Implementation Report 2013, Part A, Section II, (EN) p. 44

1.3.2 Options

This sub-section considers the options provided by the directives to the Member States to exercise their legislative powers beyond what is strictly required by the Directives. In this case, Member States can ultimately set more stringent measures than those required by the Directive. The analysis here reviews whether these options have been used, contributing to the identification of more stringent measures.

The Czech Republic has only made use of the option provided in Annex I of Directive 2000/54/EC on biological agents.

Table 1- 25 Options

Directive	Y/N	Legal references and brief description
<p>Directive 2000/54/EC on biological agents - Annex I</p>	<p>Y</p>	<p>This option is mentioned in the GD No. 361/2007 Coll., Art. 38 (3)</p> <p>If by:</p> <ol style="list-style-type: none"> 1. Working in food production plants, 2. Working in agriculture, 3. Working where there is contact with animals and/or products of animal origin, 4. Working in healthcare, including isolation and post-mortem units, 5. Working in clinical, veterinary and diagnostic laboratories, excluding diagnostic microbiological laboratories, 6. Working in refuse disposal plants, 7. Working in sewage purification installations, exposure to biological agents of groups 2, 3 or 4 can't be excluded, additional measures must be applied. <p>Additional measures:</p> <ol style="list-style-type: none"> a) keeping the number of exposed or possibly exposed workers at the lowest possible level, b) modification of business processes and technical protective measures to eliminate or minimize evasion of biological agents into the work environment, c) use of personal protective equipment, if there is no other possibility to exclude workers from exposure to biological agents, d) good hygiene practice leading to prevention or reduction of accidental transfer or evasion of biological agents from the workplace, e) sampling with biohazard mark on workplace where work with biological agents of group 2, 3 or 4 is performed f) testing of presence of biological agents used at work outside a closed system, where it is necessary and technically possible ,

Directive	Y/N	Legal references and brief description
		g) providing equipment for easy collection, storage and disposal of waste in a safe and identifiable and appropriately modified container h) arrangements necessary for safe handling with biological agents and safe transport within the workplace .
Directive 91/383/EEC on temporary workers - Art. 5(1)	N	
Directive 91/383/EEC on temporary workers - Art. 5(3)	N	
Directive 91/383/EEC on temporary workers - Art. 7(2) second indent	N	

1.4 INTERACTIONS

This section aims at identifying synergies provided in the national legislation for the transposition of CPMs across Directives.

For each of the CPMs, with the exception of preventive and protective services, the Labour Code contains general requirements, which are sometimes supplemented by special legislative acts. More detailed requirements on health surveillance are laid down in the SHS Act and OHS R. Preventive and protective services are generally specified in the OSH Act.

The results of the analysis are presented in table 1-27 below.

Table 1- 26 Interactions between CPMs across OSH Directives

	<i>Risk assessment</i>	<i>Preventive and protective services</i>	<i>Information for workers</i>	<i>Training of workers</i>	<i>Health surveillance</i>	<i>Consultation of workers</i>
Directive 89/391/EEC (Framework Directive)	Art. 102 The Labour Code	Art. 9 OSH Act	Art. 103 The Labour Code	Art. 103 The Labour Code	Art. 103 The Labour Code + SHS Act +OHS R	Art. 281 – 285 The Labour Code
Council Directive 89/654/EEC (workplace)	/	/	Art. 103 The Labour Code	/	/	Art. 281 – 285 The Labour Code
Directive 2009/104/EC (work equipment)	Art. 102 The Labour Code + Work equipment GD	For Art. 5 Work equipment GD For Art.6 Restricted technical equipment Regulation No. 18/1979 Coll., Regulation No. 19/1979 Coll., Regulation No. 21/1979 Coll., Regulation No. 73/2010 Coll.	Art. 103 The Labour Code	Art. 103 The Labour Code	/	Art. 281 – 285 The Labour Code
Council Directive 89/656/EEC (PPE)	Art. 102 The Labour Code + PPE GD	/	Art. 103 The Labour Code + PPE GD	Art. 103 The Labour Code	/	Art. 281 – 285 The Labour Code
Council Directive 92/58/EEC (OSH signs)	/	/	Art. 103 The Labour Code	Art. 103 The Labour Code	/	Art. 281 – 285 The Labour Code
Directive 1999/92/EC (ATEX)	Art. 102 The Labour Code +	/	/	Art. 103 The Labour Code +	/	/

	<i>Risk assessment</i>	<i>Preventive and protective services</i>	<i>Information for workers</i>	<i>Training of workers</i>	<i>Health surveillance</i>	<i>Consultation of workers</i>
	ATEX GD			ATEX GD		
Council Directive 90/269/EEC (manual handling of loads)	Art. 102 The Labour Code + HP GD	/	Art. 103 The Labour Code + HP GD	Art. 103 The Labour Code	/	Art. 281 – 285 The Labour Code
Council Directive 90/270/EEC (display screen equipment)	Art. 102 The Labour Code	/	Art. 103 The Labour Code	Art. 103 The Labour Code	Art. 103 The Labour Code + SHS Act +OHS R	Art. 281 – 285 The Labour Code
Directive 2002/44/EC (vibration)	Art. 102 The Labour Code + vibration and noise GD	/	Art. 103 The Labour Code	Art. 103 The Labour Code	Art. 103 The Labour Code + SHS Act +OHS R	Art. 281 – 285 The Labour Code
Directive 2003/10/EC (noise)	Art. 102 The Labour Code + vibration and noise GD	/	Art. 103 The Labour Code	Art. 103 The Labour Code	Art. 103 The Labour Code + SHS Act +OHS R	Art. 281 – 285 The Labour Code
Directive 2004/40/EC (electromagnetic fields)	N/A ²⁰	N/A	N/A	N/A	N/A	N/A
Directive 2006/25/EC (artificial optical radiation)	Art. 102 The Labour Code + EF+AOR GD	Art. 9 OSH Act	Art. 103 The Labour Code + EF+AOR GD	Art. 103 The Labour Code	Art. 103 The Labour Code + SHS Act + OHS R	Art. 281 – 285 The Labour Code
Directive 2004/37/EC (carcinogens or mutagens)	Art. 102 The Labour Code + HP GD	/	Art. 103 The Labour Code + HP GD	Art. 103 The Labour Code	Art. 103 The Labour Code + SHS Act + OHS R	Art. 281 – 285 The Labour Code

²⁰ N/A refers to “not applicable because the Directive has not been transposed in national legislation”. The acronym of N/A will be used consistently throughout the remainder of the tables.

	<i>Risk assessment</i>	<i>Preventive and protective services</i>	<i>Information for workers</i>	<i>Training of workers</i>	<i>Health surveillance</i>	<i>Consultation of workers</i>
Council Directive 98/24/EC (chemical agents at work)	Art. 102 The Labour Code + HP GD	/	Art. 103 The Labour Code	Art. 103 The Labour Code	Art. 103 The Labour Code + SHS Act +OHS R	Art. 281 – 285 The Labour Code
Directive 2009/148/EC (asbestos)	Art. 102 The Labour Code +	Art. 9 OSH Act	Art. 103 The Labour Code	Art. 103 The Labour Code + HP GD	Art. 103 The Labour Code + SHS Act + OHS R	Art. 281 – 285 The Labour Code
Directive 2000/54/EC (biological agents)	Art. 102 The Labour Code + HP GD + PHP Act	/	Art. 103 The Labour Code	Art. 103 The Labour Code	Art. 103 The Labour Code + SHS Act + OHS R	Art. 281 – 285 The Labour Code
Council Directive 92/57/EEC (temporary or mobile construction sites)	/	/	Art. 103 The Labour Code	Art. 103 The Labour Code	Art. 103 The Labour Code + SHS Act + OHS R	Art. 281 – 285 The Labour Code
Council Directive 92/104/EEC (surface and underground mineral-extracting industries)	Art. 102 The Labour Code + underground R + surface R + treatment and refining minerals R	/	Art. 103 The Labour Code + underground R + surface R + treatment and refining minerals R	Art. 103 The Labour Code	Art. 103 The Labour Code + SHS Act + OHS R	Art. 281 – 285 The Labour Code
Council Directive 92/91/EEC (mineral-extracting industries through drilling)	Art. 102 The Labour Code	/	Art. 103 The Labour Code	Art. 103 The Labour Code	Art. 103 The Labour Code + SHS Act + OHS R	Art. 281 – 285 The Labour Code
Council Directive 92/29/EEC (medical treatment on board vessels)	N/A	N/A	N/A	N/A	N/A	N/A
Council Directive 93/103/EC (work on board fishing vessels)	N/A	N/A	N/A	N/A	N/A	N/A

	<i>Risk assessment</i>	<i>Preventive and protective services</i>	<i>Information for workers</i>	<i>Training of workers</i>	<i>Health surveillance</i>	<i>Consultation of workers</i>
Council Directive 92/85/EEC (pregnant/breastfeeding workers)	Art. 102 The Labour Code + pregnant, breastfeeding and young workers R	/	Art. 103 The Labour Code	/	/	/
Council Directive 91/383/EEC (temporary workers)	/	OSH Act	Art. 103 The Labour Code	Art. 103 The Labour Code	Art. 103 The Labour Code + SHS Act + OHS R	/
Council Directive 94/33/EC (young people at work)	Art. 102 The Labour Code + pregnant, breastfeeding and young workers R	OSH Act	Art. 103 The Labour Code	Art. 103 The Labour Code	Art. 103, art. 247 The Labour Code + SHS Act + OHS R	/
Conclusions on interactions between Directives	Risk assessment is generally set by the Labour Code. Sometimes there are specifications in special legislative acts.	Preventive and protective services are specified in the OSH Act	Information for workers is generally set by the Labour Code. Sometimes there are specifications in special legislative acts.	Training of workers is generally set by the Labour Code. Sometimes there are specifications in special legislative acts.	Health surveillance is set by the Labour Code. Further requirements can be found in the SHS Act and OHS R	Consultation of workers is set by the Labour Code.

2 MAPPING QUESTION 2: GAPS IN CONTENT OR TIME

This section aims at determining whether the Member State has applied or used derogations and transitional periods when provided for by the Directives. Provisions setting options are covered under MQ1, in section 1.3.

2.1 TRANSITIONAL PERIODS

Transitional periods: these are periods of time where a derogation applies with extended deadlines for the implementation of particular provisions of the Directives. It is noteworthy that most of the transitional periods are not applicable anymore as the dates by which provisions in question had to be implemented at latest have already passed. However, these periods should be taken into consideration to explain delays in implementation of certain Directives.

Such transitional periods can be found in eight Directives as listed below. For all these Directives, the Czech Republic has not applied any transitional periods, with the exception of Directive 1999/92/EC (ATEX).

Table 2- 1 Transitional Periods

<i>Directive</i>	<i>Transitional periods applied</i>	<i>Transitional period respected</i>	<i>Date of end of application of the transitional period</i>
Directive 92/91/EC (mineral-extracting industries through drilling)	No	-	-
Directive 92/104/EC (surface and underground mineral extracting industries)	No	-	-
Directive 93/103 (work on board fishing vessels)	N/A	N/A	N/A
Directive 2002/44/EC (vibration)	No	-	-
Directive 2003/10/EC (noise)	No	-	-
Directive 2009/104/EC (work equipment)	No	-	-
Directive 90/270/EC (display screen equipment)	No	-	-
Directive 1999/92/EC (ATEX)	Yes	Yes	30 June 2006

2.2 DEROGATIONS

Derogations: these are provisions, which explicitly permit Member States to derogate from certain requirements contained in the Directive. All derogations are accompanied by conditions which need to be fulfilled before and/or after derogation is permitted. The following table shows which derogations have been used and whether or not the conditions attached are adequately reflected in the transposing legislation.

Czech transposing legislation reflects few of the derogations and, as a rule, the conditions attached to them. The only derogations which have been used are the derogation from the obligation to appoint coordinators when drawing up a health and safety plan (Directive 92/57/EEC on temporary or mobile

construction sites), the derogation from the prohibition of employment of young people for works listed in Article 7.2 in the case of adolescents (Directive 94/33/EC on the protection of young people at work), the possibility to authorize work by adolescents in specific areas of activity during the period in which night work is prohibited adolescents (Directive 94/33/EC on the protection of young people at work), and, finally, the derogation from prohibition of the use of certain chemical agents and activities (Directive 98/24/EC on chemical agents at work).

Table 2- 2 Derogations

Directive	Article	Use of derogation	Y/N	Explanation	Conditions reflected	Y/N	Explanation
Directive 89/656/EEC on personal protective equipment	Art.4.6, second indent	Member States' legislation may allow for contribution of workers towards the costs of some personal protective equipment.	N	The Czech Republic has not made use of this derogation.	The derogation applies in circumstances where use of the equipment is not exclusive to the workplace	N	The Czech Republic has not made use of this derogation.
Directive 92/57/EEC on temporary or mobile construction sites	Art. 3.2	Derogation from the obligation to draw up a health and safety plan	Y	The Czech legislation on temporary or mobile construction sites requires drawing up a health and safety plan only in the case of constructions sites: - where the work concerned involves particular risks according to a special legislative act	The derogation does not cover work involving particular risks as listed in Annex II.	Y	The national legislation is not more stringent.
				or - on which work is scheduled to last longer than 30 working days and on which more than 20 workers are occupied simultaneously, or - on which the volume of work is scheduled to exceed 500 person-days.	The derogation does not cover work for which prior notice is required pursuant to paragraph 3 of this Article.	Y	The national legislation is not more stringent.
Directive 92/58/EEC on safety and/or health signs at work	Art. 6.2.	Derogation from the application of Annex VIII, section 2	N	The Czech Republic has not made use of this derogation.	Alternative measures guaranteeing the same level of protection laid down.	N	The Czech Republic has not made use of this derogation.
		Derogation from the application of Annex IX, section 3	N	The Czech Republic has not made use of this derogation.	Alternative measures guaranteeing the same level of protection laid down	N	The Czech Republic has not made use of this derogation.

Directive	Article	Use of derogation	Y/N	Explanation	Conditions reflected	Y/N	Explanation
Directive 92/85/EEC on breastfeeding workers	Art.11.4	Member States may make entitlement to benefits conditional	N	The Czech Republic has not made use of this derogation.	The worker concerned shall fulfil the conditions of eligibility for such benefits laid down under national legislation.	N	The Czech Republic has not made use of this derogation.
					These conditions may under no circumstances provide for periods of previous employment in excess of 12 months immediately prior to the presumed date of confinement.	N	The Czech Republic has not made use of this derogation.
Directive 94/33/EC on the protection of young people at work	Art.5.3	Derogation from the requirement to receive a prior authorisation for the employment of children for the purposes of performance of children in cultural and similar activities	N	The Czech Republic has not made use of this derogation.	In the case of children of at least 13 years of age, Member States may authorize, by legislative or regulatory provision, in accordance with conditions which they shall determine, the employment of children for the purposes of performance in cultural, artistic, sports or advertising activities.	N	The Czech Republic has not made use of this derogation.
	Art. 7.3.	Derogation from the prohibition of employment of young people for works listed in Article 7.2 in the case of adolescents	Y	Derogation from the prohibition of employment of young people for works listed in Article 7.2 in the case of adolescents is specified in the Regulation No. 288/2003 Coll. (Pregnant/breastfeeding and young workers R).	Derogations indispensable for their vocational training	Y	
					Protection of their safety and health is ensured by the fact that the work is performed under the supervision of a competent person within the meaning of Article 7 of Directive 89/391/EEC	Y	
					Protection afforded by	Y	

Directive	Article	Use of derogation	Y/N	Explanation	Conditions reflected	Y/N	Explanation			
	Art. 8.5	Derogations from limits on the working hours of children specified in Article 8.1.(a).	N	The Czech Republic has not made use of this derogation.	Framework Directive is guaranteed					
					Derogation is justified by way of exception	N	The Czech Republic has not made use of this derogation.			
					<u>Or</u> Derogation is used because objective grounds are provided	N	The Czech Republic has not made use of this derogation.			
	Art.9.2	Article 9 (2) a Member States may, by legislative or regulatory provision, authorize work by adolescents in specific areas of activity during the period in which night work is prohibited as referred to in paragraph 1 (b).	Y	The employer may not require young worker to work at night. Young workers who are over 16 years of age may exceptionally carry out night work not exceeding 1 hour where it is necessary for their vocational training.	Member States shall, by legislative or regulatory provision, determine the conditions, limits and procedure for implementing such derogations.	N	The Czech Republic has not made use of this derogation.			
					Work by adolescents in specific areas of activity	Y	Night work is allowed in extraordinary cases only if it is necessary for training and education of young workers to their future jobs.			
					Supervision of the adolescent by an adult where such supervision is necessary for the adolescent's protection.	Y	Such night work shall be done under the supervision of an worker who is over 18 years of age if this supervision is necessary for the safety of the young worker concerned			
					Work shall continue to be prohibited between midnight and 4 a.m.	Y	Night work of a young worker must immediately follow his daytime work according to the schedule of working shifts.			
					Article 9 (2) b second indent Derogation from prohibition of night work for adolescents for: — work performed in the shipping or fisheries sectors;	N	The Czech Republic has not made use of this derogation.	Objective grounds for so doing	N	The Czech Republic has not made use of this derogation.
								and provided that adolescents are allowed suitable compensatory rest time	N	The Czech Republic has not made use of this derogation.
	and that the objectives set out in Article 1 are not called into question:	N	The Czech Republic has not made use of this derogation.							

Directive	Article	Use of derogation	Y/N	Explanation	Conditions reflected	Y/N	Explanation
		<ul style="list-style-type: none"> — work performed in the context of the armed forces or the police; — work performed in hospitals or similar establishments; — cultural, artistic, sports or advertising activities. 					
	Art.10.3	Derogation from the minimum rest periods for interruption in the case of activities involving periods of work that are split up over the day or are of short duration.	N	The Czech Republic has not made use of this derogation.			
	Art. 10.4	Derogations from rest periods in respect of adolescents for <ul style="list-style-type: none"> (a) work performed in the shipping or fisheries sectors; (b) work performed in the context of the armed forces or the police; (c) work performed in hospitals or similar establishments; (d) work performed in agriculture; (e) work performed in the tourism industry or in the 	N	The Czech Republic has not made use of this derogation.	Objective grounds are provided and provided that they are granted appropriate compensatory rest time and that the objectives set out in Article 1 are not called into question	N	The Czech Republic has not made use of this derogation.

Directive	Article	Use of derogation	Y/N	Explanation	Conditions reflected	Y/N	Explanation
		hotel, restaurant and café sector; (f) activities involving periods of work split up over the day.					
	Art. 13	Member States may, by legislative or regulatory provision, authorize derogations from Article 8 (2), Article 9 (1) (b), Article 10 (1) (b) and, in the case of adolescents, Article 12, for work under force majeure	N	The Czech Republic has not made use of this derogation.	Work is of a temporary nature and must be performed immediately	N	The Czech Republic has not made use of this derogation.
					Adult workers are not available	N	The Czech Republic has not made use of this derogation.
					Adolescents are allowed equivalent compensatory rest time within the following three weeks.	N	The Czech Republic has not made use of this derogation.
Directive 98/24/EC on chemical agents at work	Art. 9.2 and 9.3	Derogations from prohibition of the use of certain chemical agents and activities involving chemical agents in the following circumstances: - for the sole purpose of scientific research and testing, including analysis, - for activities intended to eliminate chemical agents that are present in the form of by-products or waste products, - for the production of the chemical agents referred to in paragraph 1 for use	Y	Work with 2-naphthylamine and its salts, 4-aminodiphenyl and its salts, benzidine and its salts, 4-nitrodiphenyl and polychlorinated biphenyls, with the exception of mono- and dichlorinated biphenyls, and work with preparations containing more than 0.1% of 2-naphthylamine and its salts, 4-aminobiphenyl and its salts, benzidine and its salts or 4-nitrodiphenyl or more than 0.005% of polychlorinated biphenyls is prohibited. This prohibition shall not apply to research laboratory work, analytical work,	Exposure of workers to chemical agents must be prevented, via single closed systems, from which the chemical agents may be removed only to the extent necessary to monitor the process or service the system.	Y	OSH Act (Art. 8.1)
					Member States may provide for systems of individual authorisations.	Y	OSH Act (Art. 8.1)
					The competent authority shall request the employer to submit the information listed in Article 9.3.	Y	OSH Act (Art. 8.2)

Directive	Article	Use of derogation	Y/N	Explanation	Conditions reflected	Y/N	Explanation
		as intermediates, and for such use.		work to liquidate unwanted supplies, waste and equipment containing these substances and preparations and work to neutralize the substances referred to above, if they are created as an unwanted side-product during the processing of substances or preparations.			
Directive 2002/44/EC on vibration	Art. 10.1	Derogation from the obligation to comply with exposure limit values in the case of sea and air transport,	N	The Czech Republic has not made use of this derogation.	In duly justified circumstances with respect to whole-body vibration where, given the state of the art and the specific characteristics of workplaces, it is not possible to comply with the exposure limit value despite the technical and/or organisation measures taken.	N	The Czech Republic has not made use of this derogation.
					The derogation must be accompanied by conditions which guarantee that the resulting risks are reduced to a minimum and that the workers concerned are subject to increased health surveillance, and must be reviewed every four years and withdrawn as soon as the justifying circumstances no longer	N	The Czech Republic has not made use of this derogation.

Directive	Article	Use of derogation	Y/N	Explanation	Conditions reflected	Y/N	Explanation
	Art.10.2	Derogation from the obligation to comply with exposure limit values in a case where the exposure of a worker to mechanical vibration is usually below the exposure action values but varies markedly from time to time and may occasionally exceed the exposure limit value	N	The Czech Republic has not made use of this derogation.	obtain. (Art.10.3)		
					The exposure value averaged over 40 hours must be less than the exposure limit value and	N	The Czech Republic has not made use of this derogation.
					There must be evidence to show that the risks from the pattern of exposure to the work are lower than those from exposure at the exposure limit value	N	The Czech Republic has not made use of this derogation.
Directive 2003/10/EC on noise	Art.11.1 and 11.2	Derogations from the provisions of Articles 6 (1)(a) and (b) and 7.in exceptional situations where, because of the nature of the work, the full and proper use of individual hearing protectors would be likely to cause greater risk to health or safety than	N	The Czech Republic has not made use of this derogation.	The derogation must be accompanied by conditions which guarantee that the resulting risks are reduced to a minimum and that the workers concerned are subject to increased health surveillance, and must be reviewed every four years and withdrawn as soon as the justifying circumstances no longer obtain. (Art.10.3)	N	The Czech Republic has not made use of this derogation.
					Guarantee, taking into account the special circumstances, that the resulting risks are reduced to a minimum and that the workers concerned are subject to increased health surveillance.	N	The Czech Republic has not made use of this derogation.
					Review every four years and withdrawn as soon as the justifying circumstances no longer	N	The Czech Republic has not made use of this derogation.

Directive	Article	Use of derogation	Y/N	Explanation	Conditions reflected	Y/N	Explanation
		not using such protectors			obtain.		
Directive 2004/40/EC on physical agents (electromagnetic fields)	Art.4.6	The risk assessment may include a justification by the employer that the nature and extent of the risks related to electromagnetic fields make a further detailed risk assessment unnecessary.	N/A	N/A			

3 MAPPING QUESTION 3: LEVEL OF COMPLIANCE BY DIFFERENT STAKEHOLDERS

The question consists of two separate, but intertwined questions: the degree of compliance and approaches to compliance.

3.1 DEGREE OF COMPLIANCE

The question aims to ascertain the extent to which establishments in Member States comply with the key requirements of the 24 OSH Directives and to what extent differences exist between public/private sector; different sizes of establishments: micro/SMEs/large enterprises and different sectors of economic activity.

The results are summarized in tables 3.1 and 3.2. Table 3.1 outlines the range of compliance with the common processes and mechanisms (CPMs) **across all 24 OSH Directives**. Table 3.2 complements the previous table by addressing the level of compliance with the CPMs at the **level of individual Directives**.

As regards **key requirements** which do not constitute CPMs, a detailed overview is provided in Table 3.3.

The following indicators are used for estimating the degree of compliance:

- (5) very high degree of compliance: indicators above 80%
- (4) high degree of compliance: indicators 60-79%
- (3) medium degree of compliance: indicators 40-59%
- (2) low degree of compliance: indicators 20-39%
- (1) very low degree of compliance: indicators below 20%.

The percentages are intended as approximate guides, not exact values.

In the case of the Czech Republic, there is very limited data available on the degree of compliance with the OSH Directives. The only data available is the ESENER Survey and the experience from the control activities of the labour inspectors. According to these data, compliance with all of the CPMs is considered to be very high to high. Also, the degree of compliance is decreasing with the size of establishment. No information is available on the degree of compliance with the CPM consultation of workers. The State Labour Inspection Office has no appropriate information on this topic because consultation of workers is under the responsibility of trade unions. Similar numbers on the degree of compliance are given when looking at the level of individual Directives.

With regard to the ESENER data reported upon in the below table, it should be noted that ESENER data are based on a relatively small sample size (interviews were carried out in only 28,649 establishments in 31 European countries) and composition (enterprises up to 10 employers were not

involved). Moreover, this information is based on managers' responses and the ESENER average response rate is around a third as only some 20 per cent answered in five out of the EU's six largest countries (Germany, Spain, Italy, Poland and the UK).²¹ The post-test of the ESENER survey noted that "it is important to mention that companies participating in the survey are likely to be the organisations with high standards or good procedures in place and therefore represent a self-selected sample of 'good examples'."²²

Table 3- 1 Degree of compliance: Common processes and mechanisms (across Directives)²³

Common Processes and mechanisms (across Directives)	Criteria/indicator to guide the assessment	Assessment of the degree of compliance	An explanation of how the assessment was made (including references to data sources when available)	Differences which exist between the different types of sectors, size of establishment (micro/SMEs/large) and sectors of economic activity and the rationale																
Risk assessment	% of establishments which perform regular ²⁴ risk assessment % of establishments that carry out risk management activities resulting from the risk assessment	high degree of compliance: indicators 60-79%	According to experience from control activities of labour inspectors.	Yes, the degree of compliance is decreasing with the size of establishment.																
		According to ESENER1 data: 93.05% of workplaces are regularly checked for health and safety as part of RA	The ESENER1 survey suggests that large majority of the workplaces (93.05%) are regularly checked for health and safety as part of a risk assessment or similar measure. ²⁵	The ESENER survey ²⁶ shows the following differences according to enterprise size and sectors: <table border="1"> <thead> <tr> <th>Company Size</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>10 to 19 employees</td> <td>91.06 %</td> <td>7.68 %</td> </tr> <tr> <td>20 to 49 employees</td> <td>94 %</td> <td>6 %</td> </tr> <tr> <td>50 to 249 employees</td> <td>98.72 %</td> <td>1.28 %</td> </tr> <tr> <td>250 to 499 employees</td> <td>99.33 %</td> <td></td> </tr> <tr> <td>500 or more employees</td> <td>98.33 %</td> <td>1.67 %</td> </tr> </tbody> </table>	Company Size	Yes	No	10 to 19 employees	91.06 %	7.68 %	20 to 49 employees	94 %	6 %	50 to 249 employees	98.72 %	1.28 %	250 to 499 employees	99.33 %		500 or more employees
Company Size	Yes	No																		
10 to 19 employees	91.06 %	7.68 %																		
20 to 49 employees	94 %	6 %																		
50 to 249 employees	98.72 %	1.28 %																		
250 to 499 employees	99.33 %																			
500 or more employees	98.33 %	1.67 %																		

²¹ EU-OSHA, European Survey of Enterprises on New and Emerging Risks - Managing safety and health at work, 2010, p.95

²² EU-OSHA, Qualitative post-test evaluation of ESENER: National overview report, 2013

²³ Assessment of the degree of compliance is based on information from the State Labour Inspection Office.

²⁴ Is the risk assessment reviewed regularly and in any event when any changes occur in the conditions which may affect workers exposure?

²⁵ ESENER1, question MM161

²⁶ ESENER1, question MM161

Common Processes and mechanisms (across Directives)	Criteria/indicator to guide the assessment	Assessment of the degree of compliance	An explanation of how the assessment was made (including references to data sources when available)	Differences which exist between the different types of sectors, size of establishment (micro/SMEs/large) and sectors of economic activity and the rationale
				% Sector Type Yes No Production sector 93.31 % 6.69 % Private Services 93.46 % 6.54 % Public Services 91.92 % 4.98 %
Ensuring protective and preventive services	% of establishments having ensured protective and preventive services	very high degree of compliance: indicators above 80%	According to experience from control activities of labour inspectors.	Yes, the degree of compliance is decreasing with the size of establishment. Low degree of compliance of micro-establishments.
		According to ESENER1 data: 8.27% – 85.84%	ESENER1 2009 asks about different forms of service. Occupational Health Physician, 44.18%; Safety specialist, 85.84%; Psychologist 8.27%; Ergonomist, 13.31%; Health & Safety Consultant, 40.17% ²⁷	Data based on company size showed a general trend for greater usage in larger companies, although safety experts are largely (and almost equally) used in all sizes of companies. As for sectors there was a general pattern of less use of each speciality within public services, with the exception of psychologists, while the private and production sectors tend to make larger use of safety and occupational health physicians.
Information for workers	% of establishment which provide information to workers	high degree of compliance: indicators 60 - 79%	According to experience from control activities of labour inspectors	Yes, the degree of compliance is decreasing with the size of establishment. Medium degree of compliance of micro-establishments.
Training of workers	% of establishment which provide training to workers	very high degree of compliance: indicators above 80%	According to experience from control activities of labour inspectors	Yes, the degree of compliance is decreasing with the size of establishment. Low degree of compliance of micro-establishments.

²⁷ ESENER1, questions MM150

Common Processes and mechanisms (across Directives)	Criteria/indicator to guide the assessment	Assessment of the degree of compliance	An explanation of how the assessment was made (including references to data sources when available)	Differences which exist between the different types of sectors, size of establishment (micro/SMEs/large) and sectors of economic activity and the rationale																															
Making available health surveillance	% of establishments which provide health surveillance to workers	high degree of compliance: indicators 60 - 79%	According to experience from control activities of labour inspectors.	Yes, the degree of compliance is decreasing with the size of establishment. Low degree of compliance of micro-establishments.																															
		According to ESENER1 data: health of workers is monitored in 86.28% of the workplaces	The ESENER1 survey suggests that the health of workers is monitored in most of workplaces (86.28%). ²⁸	The ESENER survey ²⁹ shows the following differences according to enterprise size and sectors: <table border="0"> <tr> <td>Company Size</td> <td>Yes</td> <td>No</td> </tr> <tr> <td>10 to 19 employees</td> <td>82.01 %</td> <td>17.37 %</td> </tr> <tr> <td>20 to 49 employees</td> <td>88.91 %</td> <td>11.09 %</td> </tr> <tr> <td>50 to 249 employees</td> <td>96.69 %</td> <td>2.26 %</td> </tr> <tr> <td>250 to 499 employees</td> <td>98.27 %</td> <td>1.73 %</td> </tr> <tr> <td>500 or more employees</td> <td>100 %</td> <td></td> </tr> <tr> <td colspan="3">Sector Type</td> </tr> <tr> <td></td> <td>Yes</td> <td>No</td> </tr> <tr> <td>Production sector</td> <td>90.46 %</td> <td>9.41 %</td> </tr> <tr> <td>Private Services</td> <td>79.85 %</td> <td>19.26 %</td> </tr> <tr> <td>Public Services</td> <td>89.73 %</td> <td>9.96 %</td> </tr> </table>	Company Size	Yes	No	10 to 19 employees	82.01 %	17.37 %	20 to 49 employees	88.91 %	11.09 %	50 to 249 employees	96.69 %	2.26 %	250 to 499 employees	98.27 %	1.73 %	500 or more employees	100 %		Sector Type				Yes	No	Production sector	90.46 %	9.41 %	Private Services	79.85 %	19.26 %	Public Services
Company Size	Yes	No																																	
10 to 19 employees	82.01 %	17.37 %																																	
20 to 49 employees	88.91 %	11.09 %																																	
50 to 249 employees	96.69 %	2.26 %																																	
250 to 499 employees	98.27 %	1.73 %																																	
500 or more employees	100 %																																		
Sector Type																																			
	Yes	No																																	
Production sector	90.46 %	9.41 %																																	
Private Services	79.85 %	19.26 %																																	
Public Services	89.73 %	9.96 %																																	
Consultation of workers	% of establishments with appointed worker rep % of establishments which consult workers	medium degree of compliance: indicators 40-59%	The State Labour Inspection Office has no appropriate information on this topic. Consultation of workers is under the responsibility of trade unions.	Yes, the degree of compliance is decreasing with the size of establishment. Very low degree of compliance of micro-establishments.																															

²⁸ ESENER1, question MM154.

²⁹ ESENER1, question MM154.

Common Processes and mechanisms (across Directives)	Criteria/indicator to guide the assessment	Assessment of the degree of compliance	An explanation of how the assessment was made (including references to data sources when available)	Differences which exist between the different types of sectors, size of establishment (micro/SMEs/large) and sectors of economic activity and the rationale
	<p>on risk assessment</p> <p>% of establishments which consult workers on measures</p>	<p>According to ESENER1 data³⁰: 10.68% to 76.37% have some form of representation/consultation</p>	<p>ESENER1 2009 asked separately about different forms of consultation. Companies were most likely to have a health and safety representative.</p> <ul style="list-style-type: none"> - Trade union representative 13.59% (production sector: 13.99%; private services: 10.68%; public services: 17.84%) - Health and safety representative: 68.94% (production sector: 70.31%; private services: 63.1%; public services: 76.37%) - Health and safety committee: 11.99% (production sector: 13.1%; private services: 11.39%; public services: 11.04%) 	<p>The data showed an increasing trend for all questions with company size. All the sectors show a similar trend for all questions.</p>

³⁰ ESENER1, questions MM351-355-358.

Table 3- 2 Degree of compliance: Common processes and mechanisms (individual Directives)

Common Processes and mechanisms (individual Directives)	Criteria/indicator to guide the assessment	Directive nr.	Assessment of the degree of compliance	The rationale upon which the assessment has been made (including references to data sources when available)	Differences which exist between the different types of sectors, size of establishment (micro/SMEs/large) and sectors of economic activity and the rationale
Risk assessment	% of establishments which perform regular ³¹ risk assessment % of establishments that carry out risk management activities resulting from the risk assessment	89/391/EEC 89/654/EEC 2009/104/EC 89/656/EEC 92/58/EEC 1999/92/EC 92/57/EEC 92/85/EEC 91/383/EEC 94/33/EC	high degree of compliance: indicators 60-79%	According to experience from control activities of labour inspectors. According to ESENER1 MM161, 93.05% of workplaces in an establishment are regularly checked for occupational health and safety as part of a risk assessment	Yes, the degree of compliance is decreasing with the size of establishment.
Ensuring protective and preventive services	% of establishments having ensured protective and preventive services	89/391/EEC 89/654/EEC 2009/104/EC 89/656/EEC 92/58/EEC 1999/92/EC 92/57/EEC 92/85/EEC 91/383/EEC 94/33/EC	very high degree of compliance: indicators above 80%	According to experience from control activities of labour inspectors. According to ESENER1 MM355, an occupational health and safety representative is appointed to the establishment in 68.94% of the cases.	Yes, the degree of compliance is decreasing with the size of establishment. Low degree of compliance of micro-establishments.
Information for workers	% of establishment which provide information to workers	89/391/EEC 89/654/EEC 2009/104/EC 89/656/EEC 92/58/EEC 1999/92/EC 92/57/EEC 92/85/EEC 91/383/EEC	high degree of compliance: indicators 60 - 79%	According to experience from control activities of labour inspectors	Yes, the degree of compliance is decreasing with the size of establishment. Medium degree of compliance of micro-establishments.

³¹ Is the risk assessment reviewed regularly and in any event when any changes occur in the conditions which may affect workers exposure?

Common Processes and mechanisms (individual Directives)	Criteria/indicator to guide the assessment	Directive nr.	Assessment of the degree of compliance	The rationale upon which the assessment has been made (including references to data sources when available)	Differences which exist between the different types of sectors, size of establishment (micro/SMEs/large) and sectors of economic activity and the rationale
		94/33/EC			
Training of workers	% of establishment which provide training to workers	89/391/EEC 89/654/EEC 2009/104/EC 89/656/EEC 92/58/EEC 1999/92/EC 92/57/EEC 92/85/EEC 91/383/EEC 94/33/EC	very high degree of compliance: indicators above 80%	According to experience from control activities of labour inspectors	Yes, the degree of compliance is decreasing with the size of establishment. Low degree of compliance of micro-establishments.
Making available health surveillance	% of establishments which provide health surveillance to workers	92/85/EEC 91/383/EEC 94/33/EC	high degree of compliance: indicators 60 - 79%	According to experience from control activities of labour inspectors.	Yes, the degree of compliance is decreasing with the size of establishment. Low degree of compliance of micro-establishments.
Consultation of workers	% of establishments with appointed worker rep % of establishments which consult workers on risk assessment % of establishments which consult workers on measures	89/391/EEC 89/654/EEC 2009/104/EC 89/656/EEC 92/58/EEC 1999/92/EC 92/57/EEC 92/85/EEC 91/383/EEC 94/33/EC	medium degree of compliance: indicators 40-59%	The State Labour Inspection Office has no appropriate information on this topic. Consultation of workers is under the responsibility of trade unions.	Yes, the degree of compliance is decreasing with the size of establishment. Very low degree of compliance of micro-establishments.

Table 3- 3 Degree of compliance: Key requirements

Directive	Key requirement (Directive specific)	Estimate of degree of compliance	An explanation of how the assessment was made (including references to data sources when available)	Differences which exist between the different types of sectors, size of establishment (micro/SMEs/large) and sectors of economic activity and the rationale for those differences
Directive 89/391/EEC (Framework Directive)	Ensuring OSH	high degree of compliance: indicators 60-79%	According to experience from control activities of labour inspectors	Yes, the degree of compliance is decreasing with the size of establishment.
Council Directive 89/654/EEC (workplace)	Safe workplaces	medium degree of compliance: indicators 40-59%	According to experience from control activities of labour inspectors	Yes, the degree of compliance is decreasing with the size of establishment.
Directive 2009/104/EC (work equipment)	Safe performance of work equipment	high degree of compliance: indicators 60-79%	According to experience from control activities of labour inspectors	Yes, the degree of compliance is decreasing with the size of establishment.
Council Directive 89/656/EEC (PPE)	Providing PPE	high degree of compliance: indicators 60-79%	According to experience from control activities of labour inspectors	Yes, the degree of compliance is decreasing with the size of establishment.
Council Directive 92/58/EEC (OSH signs)	Using OSH signs	Very high degree of compliance: indicators above 80 %	According to experience from control activities of labour inspectors	Yes, the degree of compliance is decreasing with the size of establishment.
Directive 1999/92/EC (ATEX)	Ensuring OSH on workplaces with initiators of explosion.	medium degree of compliance: indicators 40-59%	According to experience from control activities of labour inspectors	Yes, the degree of compliance is decreasing with the size of establishment.
Council Directive	Ensuring OSH	Very high	According to experience from control activities of labour	Yes, the degree of compliance is

Directive	Key requirement (Directive specific)	Estimate of degree of compliance	An explanation of how the assessment was made (including references to data sources when available)	Differences which exist between the different types of sectors, size of establishment (micro/SMEs/large) and sectors of economic activity and the rationale for those differences
98/24/EC (chemical agents at work)	when using chemical agents at work	degree of compliance: indicators above 80%	inspectors	decreasing with the size of establishment.
Council Directive 92/57/EEC (temporary or mobile construction sites)	Ensuring OSH on workplaces	medium degree of compliance: indicators 40-59%	According to experience from control activities of labour inspectors.	Yes, the degree of compliance is decreasing with the size of establishment.
Council Directive 92/85/EEC (pregnant/breastfeeding workers)	Creating safe work conditions	high degree of compliance: indicators 60-79%	According to experience from control activities of labour inspectors.	Yes, the degree of compliance is decreasing with the size of establishment.
Council Directive 91/383/EEC (temporary workers)	Creating safe work conditions	medium degree of compliance: indicators 40-59%	According to experience from control activities of labour inspectors.	Yes, the degree of compliance is decreasing with the size of establishment.
Council Directive 94/33/EC (young people at work)	Creating safe work conditions	high degree of compliance: indicators 60-79%	According to experience from control activities of labour inspectors.	Yes, the degree of compliance is decreasing with the size of establishment.

3.2 APPROACHES TO COMPLIANCE

The second question complements the first sub-question in that aims to answer the question of to what extent can potential differences in the degrees of compliance observed as between private undertakings and public sector bodies, various sizes of companies, etc. be attributed to different approaches to compliance.

In the Czech Republic, there does not seem to be a specific approach to compliance set in legislation or policy. Therefore, compliance depends a lot on the size of the establishment and the enterprise's international relations. Large establishments generally have their own OSH internal or external service and have consequently adopted a systematic approach to compliance – with the exception of the building sector. The lack of human and financial resources is seen as a serious barrier to compliance, especially in relation to SMEs and even more for micro-enterprises. Several events have been organised in accordance with European campaigns to raise awareness of occupational safety and health among the general public and experts alike.³² Also, an interesting initiative has been set up, called “Safe enterprises”. Once having been awarded the certificate of Safe Enterprise, inspectors give free consultancy advice.

Table 3- 4 Approaches to compliance

Question	Answer	Observed differences which exist between the different types of sectors, size of establishment (micro/SMEs/large) and sectors of economic activity
<p>What approach has been adopted? Is it systematic?</p>	<p>A systematic approach often has been adopted by large establishments with international involvement (of course not in all cases, but generally). The situation is considerably worse in the case of SMEs, and especially in the case of micro-enterprises and self-employed persons.</p>	<p>There are big differences between large companies and SME/micro-enterprises. In micro-enterprises that haven't been managed by previous chief workers, the level of compliance has practically decreased to zero. It is very difficult for them to ensure OSH due to lack of knowledge, pressure of business activities, lack of finance, and absence of available OSH services. In addition, there is an insufficient registry of economic subjects and controls from the side of inspectorates prove difficult. The exceptions are sub-contractors for big establishments that are under control of inspectorates as they have an integrated system of quality. SMEs have a little bit better conditions to ensure OSH than micro-enterprises. Generally we can speak about increasing occurrence of psycho-social risks caused by bad economic conditions. The situation is better for export companies, SMEs with international partners and subcontractors of components for big establishments. The situation is even better in larger establishments (with one exception, which is the building sector). Most of them have their own specialist for ensuring OSH or they use external OSH services. Nevertheless</p>

³² National Implementation Report, Part A, Section I, 2.

Question	Answer	Observed differences which exist between the different types of sectors, size of establishment (micro/SMEs/large) and sectors of economic activity
		<p>the effort of establishments to have quality and skilled workers depends absolutely on the approach taken by the management and on the responsibility taken by the supervisors. Establishments with international management have a better situation.</p> <p>Also some sectors reveal worse accidental statistics – especially the building/construction sector, although indicators have improved in recent years.³³ However, it seems that these bad accidental statistics were rather caused by the economic crisis, which inhibits demand in this sector.</p>
<p>What are the key characteristics of the approach?</p>	<p>We could use as an example the systematic approach known as “Safe enterprises” in the Czech Republic. This approach consists of 5 basic components: OSH Policy; Planning; Implementation and operation; Inspection, measurement and evaluation; Verification and improvement added by Continuous improvement.³⁴</p>	<p>It is very difficult to achieve the certificate “Safe enterprise”, so only very successful companies in risk prevention are able to adopt it. The list of current holders is in the reference below. Currently approximately 50 companies have been awarded this certificate. It is for free and also the consultancy from inspectorates is free for these companies.³⁵</p>
<p>What are the criteria upon which priorities for compliance measures are set?</p>	<p>These criteria are based both upon statistical data and data from the inspections. Statistical data consist in: Number of occupational injuries, number of occupational diseases, number of working days of absence due to injury, number of fatal injuries, frequency of injuries. Also relative indicators. Data from inspections consist in: Number and amount of fines, number of infringements, number of measures, number of prohibitions.</p>	
<p>Are stakeholders (workers and their representatives) involved in the forming of the compliance approach and its further development?</p>	<p>Yes. On the level of the tripartite and the Government Council for OSH that consists of representatives of different stakeholders and sectors.</p>	

³³ See Annex II.

³⁴ http://www.suip.cz/files/suip-a1553fe08511f331b12c9dcd0e43dfc2/safeenterprisescheme_25_5_2012.pdf

³⁵ http://www.suip.cz/files/suip-5d69893de012759a370b5ae73e34b9e3/seznam_drzitelu_platnych_osvedceni_bp_k_22_10_2013.pdf

4 MAPPING QUESTION 4: ACCOMPANYING ACTIONS THAT SUPPORT THE RESPECT OF THE RULE

The following types of accompanying documents/actions relating to OSH legislation are covered:

- Guidance documents (through decisions and other soft measures, guidelines);
- Awareness-raising campaigns;
- Support tools (possibly IT based); and
- Financial incentives i.e. tax benefits or possibility to offer reduction of insurance premium to reward organisations for going beyond the legal requirements
- Education and training actions.

Please note that accompanying measures targeted specifically at SME and micro-enterprises are also covered under Section 7.

In the Czech Republic, an impressive amount of events, such as awareness raising campaigns, workshops, conferences, competitions, exhibitions, etc., have been organized in order to raise awareness of occupational safety and health among the general public and experts alike.³⁶ In addition, the Labour Inspection Office, the Occupational Safety Research Institute, EU-OSHA, the National Institute of Public Health, and other OSH stakeholders have published summary reports, guidelines and other information documents on occupational health and safety. All of these accompanying actions are considered to be useful and necessary and have contributed to increased OSH knowledge. However, OSH stakeholders have pointed out that they lack accompanying actions on stress and psychosocial risks at work and on how to use the PPE Directive 89/686/EEC with new existing technologies.

4.1 EXISTING ACCOMPANYING ACTIONS

This sub-section identifies the relevant accompanying documents/actions as described above. The accompanying actions covered by the Labour Inspection Office, the Occupational Safety Research Institute VUBP, EU-OSHA, the National Institute of Public Health and few others have been taken into account. It is also worth mentioning that the VUBP has collected a “digital archive of OSH”, which consists of books, articles, standards, journals, legislation and other documents on occupational health and safety.³⁷ The documents covered here are those issued between 2000 and 2013.

The following websites are useful to find overviews of accompanying actions:

- *Roční souhrnné zprávy o výsledcích inspekce práce* (Annual summary reports on the results of labour inspection actions), 2002-2012, <http://www.suip.cz/rocni-zpravy/>
- *Publikace Státního úřadu inspekce práce v el. verzi volně ke stažení* (Publications of the State Labour Inspection Office - el. version free for download), 2008-2011, <http://www.suip.cz/publikace/>
- *Výroční zprávy Výzkumného ústavu bezpečnosti práce* (Annual reports of the Occupational Safety Research Institute), 2003-2012, <http://www.vubp.cz/index.php/vyrocní-zpravy-zpravy-o-cinnosti>
- *Publikace z oblasti BOZP z Výzkumného ústavu bezpečnosti práce* (OSH publications of the Occupational Safety Research Institute), 2002-2014, <http://www.bozpinfo.cz/eshop-kategorie.html?kategorie=publikace>

³⁶ For some examples, see National Implementation Report, Part A, Section I, 2.

³⁷ Available at: <http://www.bozpinfo.cz/knihovna-bozp/aip-safe/>

- *Publikace a příručky BOZP v el. verzi volně ke stažení* (Various publications and OSH guidelines - el. version free for download), 2003-2012, <https://osha.europa.eu/fop/czech-republic/cs/publications/publikace.php>
- *Publikace, příručky, informační, osvětové a propagační materiály BOZP a PPV v el. verzi volně ke stažení* (Publications, guidelines, information and promotion of OSH materials - el. version free for download), <http://www.bozpinfo.cz/msp-osvc/ke-stazeni/>
- *Publikace související s tematikou BOZP v el. verzi volně ke stažení* (Various publications and OSH guidelines - el. version free for download), <http://www.bozpinfo.cz/msp-osvc/ke-stazeni/fulltext-publikace.html>
- *Informační materiály pro cizince* (Information materials for foreigners - el. version free for download), 2008-2012, <http://www.bozpinfo.cz/msp-osvc/cizinci?s=0>
- *Zdravotně výchovné materiály Státního zdravotního ústavu* (Health education materials of the National Institute of Public Health), <http://www.szu.cz/publikace/zdravotne-vychovne-materialy>
- *Publikace Českomoravské konfederace odborových svazů* (Publications of the Czech-Moravian Confederation of Trade Unions), 2007-2008, <http://www.cmkos.cz/bozp/publikace>
- *Publikace nakladatelství Anag* (Publications of the Anag publishing), 2011-2013, https://osha.europa.eu/fop/czech-republic/cs/publications/publikace_anag.php
- *Publikace nakladatelství ASPI* (Publications of the ASPI publishing), 2005-2012, https://osha.europa.eu/fop/czech-republic/cs/publications/publikace_aspi.php
- *Publikace ve vícejazykových mutacích v el. verzi volně ke stažení* (Publications ISSA in multilingual mutations - el. version free for download), 2005-2013, <http://www.issa.int/de/web/prevention-metal/resources>
- *Publikace ROVS* (Publications of the ROVS), 2000-2011, https://osha.europa.eu/fop/czech-republic/cs/publications/publikace_rovers.php

For each identified document/action, the table indicates:

- The name of the action
- The type of accompanying action: guidance (G)/awareness-raising programme (AR)/support tool (IT) financial incentive (FI)/ education and training actions (ET);
- The entity who initiated it: authorities (A)/social partners (SP);
- The target groups of the action: specific sectors, specific groups, SMEs.

Table 4- 1 Accompanying Actions

Name	Type	Initiated by (and date)	Target groups
Directive 89/391/EEC (Framework Directive)			
Working Conditions and Health and Safety at Work, Methods of Regulation of Labour Relations at the Level of EU and the Member States	ET	A Organized by the Institute for Public Administration	OSH experts, Labour inspectors, Trade union representatives, Ministry representatives, Research institutions' representatives
Security and Safety Management and Public Administration	AR	A Organized by the Police Academy 16-18 September 2008	Employers' and workers' representatives, OSH experts, labour inspectors, trade union representatives, ministry representatives, research institutions
Strategies and Procedures for Risk Reduction - Evaluation	AR	A Organized by EU-OSHA, MOLSA, Omnimedia	Representatives of workers, state authorities and private

Name	Type	Initiated by (and date)	Target groups
of an impact of the Framework Directive 89/391/EEC		25 June 2009	sector (Trade unions, Inspection of labour, OSH workers and specialists etc.)
Training Session on Integrated Approaches to Major Hazard Prevention	ET	A Organized by the Occupational Safety Research Institute 11-13 February 2009	Employers' and workers' representatives, OSH experts, labour inspectors, trade union representatives, ministry representatives
2 Workshops on identification and risk assessment – necessary prerequisite of effective management	ET	A Organized by the Occupational Safety Research Institute. 27 August 2009 22 September 2009	Employers, workers, OSH experts.
International Agriculture Fair – „Země živilka“	IT	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA and Labour Inspectorates. 27 August - 1 September 2009	Employers, workers, safety experts, public
International Engineering Fair – „MSV“	IT	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA and Labour Inspectorates. 14 – 18 September 2009	Employers, workers, safety experts, public
Drawing Competition for Children - various OSH issues	AR	A Organized by the MOLSA and the Occupational Safety Research Institute (2007, 2009, 2011, 2013)	Children up to the age of 16 years.
Competition of Apprentices of Vocational Training Centres for Construction Industry in Risk Assessment (SUSO)	AR	A Organized by ABF a.s. in co-operation with the OSH Research Institute and other institutions 23 September 2008 22 September 2009 21 September 2010 25 September 2011 21 September 2012 27 September 2013 (National rounds which were preceded by regional rounds)	Students - apprentices
Good Practice Awards	AR	A Organized by the Occupational Safety Research Institute in co-operation with MOLSA 19 October 2010	Good Practice winners, OSH experts, Labour inspectors, Trade union representatives, Ministry representatives, Research institutions

Name	Type	Initiated by (and date)	Target groups
			representatives
Roundtable with Experts and Journalists on the Winners of GPA 2010 in CR	AR	A Organized by the EU-OSHA, MOLSA, Omnimedia 4 November 2010	Press, media, MOLSA, FOP network, GPA and winners in the Czech Republic
ELECTRON 2011 - International Trade Fair of Electrical Engineering, Electronics and Power Engineering	IT	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA and Labour Inspectorates. 12-15 April 2011	Employers, workers, safety experts, public
Interprotec Trade Fair 2012	IT	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA and Labour Inspectorates. 10-14 September 2012	Employers, workers, safety experts, public
OSH information session	ET	A Organized by the Enterprise Europe Network, Occupational Safety Research Institute and the Ministry of Health 12 November 2013	EEN members, associates, partners SME's representatives
"The World Day of OSH"	AR	A Organized by the Ministry of Defence Occupational, Safety Research Institute 24 April 2012	OSH experts, Labour inspectors, Trade union representatives, Ministry representatives, Research institutions representatives
Conference „Accident Insurance of Workers – Key and Still Unsolved Problems“	AR	SP Organized by the Chamber of Deputies, Governmental Council of OSH, Ministry of Labour and Social Affairs, Occupational Safety Research Institute, State Labour Inspection Office	Deputies, OSH experts, Labour inspectors, Trade union representatives, Ministry representatives, Research institutions' representatives
„Safely Together in EU“	AR	SP Organized by the Chamber of Deputies, Governmental Advisory Council of OSH, Ministry of Labour and Social Affairs, Occupational Safety Research Institute, State Labour Inspection Office 22 October 2012	Deputies, OSH experts, Labour inspectors, Trade union representatives, Ministry representatives, Research institutions' representatives
Occupational Medicine. Services	ET	SP Organized by the	Employers' and workers'

Name	Type	Initiated by (and date)	Target groups
Related to Occupational Health Surveillance in 2012		MOLSA, Czech-Moravian Confederation of Trade Unions, Omnimedia 9 May 2012	representatives, OSH experts, labour inspectors, trade union representatives, ministry representatives, research institutions
Involvement of Workers in Risk Prevention	ET	SP Organized by the MOLSA, Czech-Moravian Confederation of Trade Unions, Omnimedia 1 October 2012	Employers' and workers' representatives, OSH experts, labour inspectors, trade union representatives, ministry representatives, research institutions
Roundtable on the Topic of OSH Awards for Companies and Individuals	IT	A Organized by the EU-OSHA, MOLSA, Omnimedia	Press, media, MOLSA, FOP network, GPA and winners in the Czech Republic
"FOR INDUSTRY"	IT	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA and Labour Inspectorates. 23-25 April 2013	Employers, workers, safety experts, public, journalists
Competition "Safety Enterprise" Awards Ceremony	IT	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA and Labour Inspectorates. 27 May 2013	Competition winners, OSH experts, Labour inspectors, Trade union representatives, Ministry representatives, Research institutions' representatives
Ceremony of "Good Practice Awards"	IT	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA and Labour Inspectorates. 22 October 2013	Competition winners, OSH experts, Labour inspectors, Trade union representatives, Ministry representatives, Research institutions' representatives
OSH Info Session – expert lectures on the current changes in OSH legislation in EU context	ET	A Organized by the Enterprise Europe Network, Occupational Safety Research Institute and the Ministry of Health 12 November 2013	EEN members, OSH professionals from Ministry of Defence, Small and medium-sized enterprises
OSH risks and legislation in mechanical engineering	ET	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA 25 April 2013	Employers' and workers' representatives, OSH experts, labour inspectors, trade union representatives, ministry representatives, research institutions
Legislation in OSH field	ET	SP	Employers' and

Name	Type	Initiated by (and date)	Target groups
related to OSH services		Organized by the MOLSA, Czech-Moravian Confederation of Trade Unions, Omnimedia 11 November 2013	workers' representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
Individual and company awards in the occupational and safety health field	IT	A Organized by the EU-OSHA, MOLSA, Omnimedia 19 November 2013	Employers, workers, safety experts, public, press, media
Nanocon 2009 Nanocon 2010	IT	A Organized by the Tanger, s.r.o. and the Czech Society for New Materials and Technology 20-22 October 2009 12-14 October 2010	Employers, workers, OSH experts, Labour inspectors, research institutions representatives
High-Level Symposium on Nanosafety Challenges	G	A Organized by The Institute of Experimental Medicine of the Czech Academy of Sciences, The British Embassy in Prague 29-30 November 2010	Employers, workers, OSH experts, Labour inspectors, research institutions' representatives
NanoSafety & NanoCode project outputs	G	A Organized by the Academy of Science and the British Embassy 1 November 2011	Employers, workers, OSH experts, Labour inspectors, research institutions representatives
Council Directive 89/654/EEC (workplace)			
Risks and prevention in energy and heating sectors	ET	A Organized by the EU-OSHA, MOLSA, Omnimedia 5 May 2009	Energy and heating sector workers – OSH workers
European Campaign 2008/2009	IT	A Organized by the EU-OSHA, MOLSA, Omnimedia Czech Association of Scientific and Technical Societies 6 November.2009	Employers, workers, safety experts, public, press, media
International Engineering Fair – „MSV“	IT	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA and Labour Inspectorates. 13 – 17 September 2010	Employers, workers, safety experts, public
ERGONOMICS IN CURRENT PRACTICE	ET	A Organized by the Occupational Safety Research Institute in cooperation with	Employers' and workers' representatives, OSH experts, labour inspectors, trade union

Name	Type	Initiated by (and date)	Target groups
		MOLSA and Labour Inspectorates. 15 September 2010	representatives, ministry representatives, research institutions
Safety and Health at Work at Maintenance Work at Agriculture	ET	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA and Labour Inspectorates 29 August 2011	Employers' and workers' representatives, OSH experts, labour inspectors, trade union representatives, ministry representatives, research institutions
Safe Enterprise Project, EU-OSHA Campaign	IT	A Organized by the EU-OSHA, MOLSA, Omnimedia 2 November 2011	Employers, workers, safety experts, public, press, media
Conference „Ergonomie 2012“ (Ergonomics 2012)	IT	A Organized by the Czech Ergonomics Society, Ministry of Labour and Social Affairs, Occupational Safety Research Institute, State Labour Inspection Office 10 September 2012	OSH experts, Ergonomics experts, Labour inspectors, Trade union representatives, Ministry representatives, Research institutions' representatives
OSH issues in agriculture	IT	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA and Labour Inspectorates 29 September 2013	Employers' and workers' representatives, OSH experts, labour inspectors, trade union representatives, ministry representatives, research institutions
Kancelářské pracoviště s důrazem na typ open space (Office workplace with the open space) ³⁸	G	A State Labour Inspectorate, 2010	Employers' and workers' representatives, OSH experts, labour inspectors, trade union representatives, ministry representatives, research institutions
Directive 2009/104/EC (work equipment)			
New legislation of electro-technical equipment with respect to the safety maintenance - Safety maintenance connected to the use of fork-lifts (Campaign partner)	ET	SP Organized by the MOLSA, Czech-Moravian Confederation of Trade Unions, Omnimedia 18 October 2010	Employers' and workers' representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
Safety at Work at the Maintenance of Electrical Equipment	ET	A Organized by the EU-OSHA, MOLSA, Omnimedia 14 April 2011	Employers' and workers' representatives, OSH experts, Trade union representatives,

³⁸ <http://www.bozpinfo.cz/eshop-zbozi.html?zbozi=101080>

Name	Type	Initiated by (and date)	Target groups
			Ministry and other public authorities representatives
<i>Bezpečnost provozu a obsluhy manipulačních vozíků (Safe Operation and Service of Handling Trucks)</i> ³⁹	G	A State Labour Inspectorate, 2005	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
<i>Metodický návod k odhadu, hodnocení a snižování rizik u strojů a zařízení (Methodical Guide for the Assessment and Reduction of Risks for Machinery and Equipment)</i> ⁴⁰	G	A State Labour Inspectorate, 2005	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
Council Directive 89/656/EEC (PPE)			
EMEA dealer meeting - Use of PPE	ET	A Organized by OPTREL AG 22 November 2012	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
The importance of Using Reflective Materials On Work Clothes	ET	A Organized by the 3M Czech Republic 7 May 2008	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
Types and Providing of PPE	ET	A Organized by the Occupational Safety Research Institute Twice a year (Spring and Autumn)	Employers' and workers' representatives, OSH experts, labour inspectors
<i>Seznam osobních ochranných pracovních prostředků certifikovaných v ČR (List of PPE certified in the Czech Republic)</i> ⁴¹	IT	A State Labour Inspectorate, 2011	Employers' and workers' representatives, OSH experts, labour inspectors
<i>Požadavky na OOPP a na jejich poskytování zaměstnancům (The requirements of providing PPE to workers)</i> ⁴²	G	A State Labour Inspectorate, 2007	Employers' and workers' representatives, OSH experts, labour inspectors
Council Directive 92/58/EEC (OSH signs)			
New Occupational Health and Safety Legislation (OHSAS)	ET	A Organized by the agency BOVA 6 December 2010	Employers' and workers' representatives, OSH experts, labour inspectors

³⁹ <http://www.bozpinfo.cz/eshop-zbozi.html?zbozi=100974>

⁴⁰ <http://www.bozpinfo.cz/eshop-zbozi.html?zbozi=100988>

⁴¹ <http://www.bozpinfo.cz/eshop-zbozi.html?zbozi=100971>

⁴² <http://www.bozpinfo.cz/eshop-zbozi.html?zbozi=100970>

Name	Type	Initiated by (and date)	Target groups
The Design and Placement of Safety Signs	ET	A Organized by the Verlag Dashöfer 27 September 2011 29 January 2012	Employers' and workers' representatives, OSH experts, labour inspectors
Effective Use of Safety Signs	ET	A Organized by the Verlag Dashöfer 12 January 2013	Employers' and workers' representatives, OSH experts, labour inspectors
Directive 1999/92/EC (ATEX)			
Energetic Engineering and Environment	ET	A Organized by the EKONOX s.r.o. 21-22 April 2008	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
Risk Assessment in Energy and Heating Sectors	ET	A Organized by the High School for gastronomy and enterprise 5 May 2009	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
Safe use of electrical technical equipment	ET	A Organized by the Omnimedia 14 April 2011	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
<i>Nebezpečí úrazu elektrickým proudem</i> (Hazards arising from Electricity)	G	A State Labour Inspection Office and ISSA, 2013	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
Council Directive 90/269/EEC (manual handling of loads)			
IDC Storage, Virtualization and Datacenter Roadshow 2010	ET	A Organized by the IDC CEMA 11 May 2010	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
Maintenance of fork-lifts and other manipulation technique in various industry and business sectors	ET	A Organized by the MM Industry Spectrum 20 October 2010	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
<i>Bezpečnost práce při manipulaci s břemeny</i> (Occupational Safety – handling of loads) ⁴³	G	A State Labour Inspection Office, 2003	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
<i>Jak na břemena?</i> (Manual Handling) ⁴⁴	G	A State Labour Inspection Office, 2011	Employers' and workers' representatives, OSH

⁴³ <http://www.bozpinfo.cz/eshop-zbozi.html?zbozi=100977>

⁴⁴ https://osha.europa.eu/fop/czech-republic/cs/publications/files/jak_na_bremena.pdf

Name	Type	Initiated by (and date)	Target groups
			experts, labour inspectors, research institutions
Council Directive 90/270/EEC (display screen equipment)			
No action identified	-	-	-
Directive 2002/44/EC (vibration)			
Eligibility for noise and vibrations	IT	A Organized by the National Institute for Public Health (Terms are set individually)	Employers, industry representatives, research institutions
<i>Rizika expozice vibracím přenášených na ruce a tělo</i> (Hazards arising from whole-body and hand-arm vibrations)	G	A State Labour Inspection Office and ISSA, 2012	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
Directive 2003/10/EC (noise)			
Eligibility for noise and vibrations	IT	A Organized by the National Institute for Public Health (Terms are set individually)	Employers, industry representatives, research institutions
<i>Hluk</i> (Noise) ⁴⁵	G	A ISSA, 2010	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
<i>Nebezpečný hluk</i> (Dangerous noise) ⁴⁶	G	A State Labour Inspection Office, 2005	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
<i>Pozor na hluk!</i> (Beware of noise!) ⁴⁷	G	A National Institute of Public Health, 2000	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
<i>Hluk v prostředí - Problematika a řešení</i> (Noise in the environment - Problems and solutions) ⁴⁸	G	2004	Employers' and workers' representatives, OSH experts, labour inspectors, research institutions
Directive 2004/40/EC (electromagnetic fields)			
N/A	-	-	-
Directive 2006/25/EC (artificial optical radiation)			
No action identified	-	-	-
Directive 2004/37/EC (carcinogens or mutagens)			
Dangerous Chemical	ET	A	Employers' and

⁴⁵ <https://osha.europa.eu/fop/czech-republic/cs/publications/files/hluk.pdf>

⁴⁶ https://osha.europa.eu/fop/czech-republic/cs/publications/files/prirucka_hluk.pdf

⁴⁷ https://osha.europa.eu/fop/czech-republic/cs/publications/files/pozor_na_hluk.pdf

⁴⁸ https://osha.europa.eu/fop/czech-republic/cs/publications/files/hluk_text.pdf

Name	Type	Initiated by (and date)	Target groups
Substances, Occupational Hygiene		Organized by the State Institute for Public Health 23 September 2008	workers' representatives, OSH experts, labour inspectors, research institutions
Council Directive 98/24/EC (chemical agents at work)			
Prevention of risks and health damages of workers in the cleaning sector	ET	A Organized by the EU- OSHA, MOLSA, Omnimedia 21 September 2010	Employers' and workers' representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
SAFETY WORK AT MAINTENANCE - SAFETY OF WORKERS	ET	A Organized by the EU- OSHA, MOLSA, Omnimedia 26 October 2010	Employers' and workers' representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
FOR WASTE & CLEANING - International Trade Fair of Waste Handling, Recycling, Industrial and Municipal Ecology and Cleaning Processes	IT	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA and Labour Inspectorates. 3-5 May 2011	Employers, workers, safety experts, public
Safety Maintenance When Dealing With Dangerous Chemical Substances	ET	A Organized by the MOLSA, Czech- Moravian Confederation of Trade Unions, Omnimedia 18 May 2011	Employers' and workers' representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
Hazardous Chemicals and Safety and Health at Work	IT	A Organized by the Occupational Safety Research Institute in cooperation with MOLSA and Labour Inspectorates. 10 September 2012	Employers' and workers' representatives, chemical industry representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
Chisa 2013	IT	A Organized by the Czech Society of Chemical Engineering 14-17 October 2013	Employers' and workers' representatives, chemical industry representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
Používání chemických látek ve vodárenství	G	A State Labour Inspection	Employers' and workers'

Name	Type	Initiated by (and date)	Target groups
(The Use of Chemicals in Water Supply Engineering) ⁴⁹		Office, 2012	representatives, chemical industry representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
<i>Používání chemických látek v zemědělství</i> (The Use of Chemicals in Agriculture) ⁵⁰	G	A State Labour Inspection Office, 2012	Employers' and workers' representatives, chemical industry representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
<i>Používání chemických látek při povrchových úpravách materiálů</i> (The Use of Chemicals in Surfacing of Materials) ⁵¹	G	A State Labour Inspection Office, 2012	Employers' and workers' representatives, chemical industry representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
<i>Používání chemických látek v čerpacích stanicích pohonných hmot</i> (The Use of Chemicals at Petrol Stations) ⁵²	G	A State Labour Inspection Office, 2012	Employers' and workers' representatives, chemical industry representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
<i>Nebezpečí spojená s výbuchy</i> (Hazards arising from Explosions) ⁵³	G	A ISSA (International Social Security Association) and State Labour Inspection Office, 2011	Employers' and workers' representatives, chemical industry representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
Directive 2009/148/EC (asbestos)			
<i>Azbest a jak na něj</i> (Asbestos)	IT	A Organized by the Ekomonitor s.r.o. 5 June 2012	Employers' and workers' representatives, OSH experts, labour inspectors, research

⁴⁹ http://www.suip.cz/_files/suip-b1552e5cedee92981ac5f1c6002ce0/vodarenstvi_chl.pdf

⁵⁰ http://www.suip.cz/_files/suip-46605e60a50474ca29ccaa1fef8318c8/zemedelstvi_chl.pdf

⁵¹ http://www.suip.cz/_files/suip-3b6f249479469f515ac6c8b63bb5e0e7/povrchove_upravy_chl.pdf

⁵² http://www.suip.cz/_files/suip-4e256f1b8949f5b25d6378f369a61242/cerp_stanice_chl.pdf

⁵³ https://osha.europa.eu/fop/czech-republic/cs/publications/files/7_nebezpeci_spojena_s_vybuchy_el.pdf

Name	Type	Initiated by (and date)	Target groups
			institutions
Azbest – průvodce pro zaměstnavatele (Asbestos - a guide for employers) ⁵⁴	G	A 2008	Employers and employers' representatives
Azbest – průvodce pro zaměstnance (Asbestos - a guide for workers) ⁵⁵	G	A 2008	Workers and workers' representatives
Azbest - průvodce pro inspektory práce (Asbestos - a guide for labour inspectors) ⁵⁶	G	A 2008	Labour inspectors
Directive 2000/54/EC (biological agents)			
Czech Aerosol Society conference	IT	A Organized by the Czech Aerosol Society 18-19 November 2010	Employers' and workers' representatives, OSH experts, Labour inspectors, Research Institutions representatives
VOC 2009 – Emission of Organic Substances and Methods of Reducing	IT	Organized by the University of Chemical Technology, ELCOM Ekotechnika, IUAPPA 18-19 June 2009	Employers' and workers' representatives, OSH experts, Labour inspectors, Research Institutions representatives
Council Directive 92/57/EEC (temporary or mobile construction sites)			
Protection of Safety at Work and Health in the Maintenance in Construction Industry	ET	A Organized by the EU-OSHA, MOLSA, Omnimedia 20 September 2011	Employers' and workers' representatives, OSH experts, Trade union representatives, Ministry and other public authorities representatives
„Coordination of OSH at building sites and for work at height“	IT	A Organized by the Representatives of Construction Companies, Occupational Safety Research Institute, State Labour Inspection Office 22 May 2012	Construction Companies, OSH experts, Labour inspectors, Trade union representatives, Research institutions' representatives
European Days of OSH 2012 – Safe Construction Site	IT	A Organized by the Representatives of Construction Companies, Occupational Safety Research Institute, State Labour Inspection Office 1 November 2012	Construction and manufacturing industry Agriculture, forestry and hunting industry Employers' and workers' representatives Ministry representatives Research institutions' representatives OSH experts from public

⁵⁴ https://osha.europa.eu/fop/czech-republic/cs/topics/files/summary_employer_cs.pdf

⁵⁵ https://osha.europa.eu/fop/czech-republic/cs/topics/files/summary_employee_cs.pdf

⁵⁶ https://osha.europa.eu/fop/czech-republic/cs/topics/files/summary_li_cs.pdf

Name	Type	Initiated by (and date)	Target groups
			institutions Labour inspectors
OSH issues, risks and good practice in construction sector	IT	A Organized by the Representatives of Construction Companies, Occupational Safety Research Institute, State Labour Inspection Office 24 October 2013	Construction and manufacturing industry Agriculture, forestry and hunting industry, Employers' and workers' representatives Ministry representatives, Research institutions' representatives OSH experts from public institutions Labour inspectors
<i>Bezpečnost práce ve stavebnictví</i> (Occupational Safety in Construction) ⁵⁷	G	A State Labour Inspection Office, 2008	Employers' and workers' representatives, OSH experts, Labour inspectors, Research Institutions representatives
Council Directive 92/104/EEC (surface and underground mineral-extracting industries)			
Surface coal mining in the North Bohemian Area	ET	A Organized by the Academy of Science 17 May 2011	Professionals of mining industry, OSH experts from public institutions, public
Council Directive 92/91/EEC (mineral-extracting industries through drilling)			
No action identified	-	-	-
Council Directive 92/29/EEC (medical treatment on board vessels)			
N/A	-	-	-
Council Directive 93/103/EC (work on board fishing vessels)			
N/A	-	-	-
Council Directive 92/85/EEC (pregnant/breastfeeding workers)			
Work prohibited to pregnant and breastfeeding workers	ET	A Organized by the Occupational Safety Research Institute Twice a year (Spring and Autumn)	Employers' and workers' representatives, OSH experts, labour inspectors
Council Directive 91/383/EEC (temporary workers)			
"Keeping on Track" - Position of older workers, women and migrants on the labour market	ET	A Organized by the House of Foreign Services (Ministry of Education) 24 November 2009	Employers, workers, OSH experts, Labour inspectors, research institutions' representatives
Agency Employment (Staffing)	ET	A Organized by the Association of Personnel Services 20 October 2009	Employers, workers, OSH experts, Labour inspectors, research institutions' representatives
The Global Economic Crisis, Innovative Market Policy and the Role of Employment Services	ET	A Organized by the Occupational Safety Research Institute 2 March 2010	Employers' and workers' representatives, Ministry representatives, Trade Union representatives, OSH experts, labour inspectors, research

⁵⁷ <https://osha.europa.eu/fop/czech-republic/cs/publications/files/Stavebnictvi.pdf>

Name	Type	Initiated by (and date)	Target groups
			institutions
"TEMPORARY EMPLOYMENT – legislation and practice"	IT	SP Organized by the Chamber of Deputies, Governmental Council of OSH, Ministry of Labour and Social Affairs, Occupational Safety Research Institute, State Labour Inspection Office 22 May 2013	Deputies, OSH experts, Labour inspectors, Trade union representatives, Ministry representatives, Research institutions' representatives
OSH of migrant workers	ET	A Organized by the Health and Safety Department of the ETUI-REHS 18-19 March 2008	Employers' and workers' representatives, Ministry representatives, Trade Union representatives, OSH experts, labour inspectors, research institutions
Combating of Illegal Employment of Foreigners	ET	A Organized by the Ministry of Labour and Social Affairs 13 September 2010	Employers' and workers' representatives, Ministry representatives, Trade Union representatives, OSH experts, labour inspectors, research institutions
Council Directive 94/33/EC (young people at work)			
„OSH in Education – current topics"	IT	G Organized by the Senate, Governmental Advisory Council of OSH, Ministry of Labour and Social Affairs, Occupational Safety Research Institute, State Labour Inspection Office 12 May 2013	Senators, OSH experts, Labour inspectors, Trade union representatives, Ministry representatives, Research institutions' representatives
Competition of Apprentices of Vocational Training Centres for Construction Industry in Risk Assessment (SUSO)	AR	A Organized by ABF a.s. in co-operation with the OSH Research Institute and other institutions. (see above – in the Framework directive, too)	Students - apprentices
HWFA film screening PAX 50, WORK HARD - PLAY HARD documentary and debate with lecture on the current problems in the OSH field at schools and in educational institutions, especially in the relation to the health services and	ET	A Organized by the MOLSA, Czech-Moravian Confederation of Trade Unions, Omnimedia 29 August 2013	Trade unions representatives and school / educational OSH professionals

Name	Type	Initiated by (and date)	Target groups
ergonomics			
OSH in Education in the Czech Republic	IT	A Organized by the Ministry of Education, Governmental Council of OSH, Academy of Labour and Health 1 June 2011	Ministry representatives, Research institutions representatives, Trade unions' representatives and school / educational OSH professionals
Synergy of employers and secondary schools	ET	A Organized by the Chamber of Commerce 24 November 2011	Ministry representatives, Research institutions' representatives, school /educational OSH professionals
Educational Act – increasing of OSH for pupils and their teachers	IT	A Organized by the Occupational Safety Research Institute 12 December 2008	Ministry representatives, Research institutions' representatives, Trade unions' representatives and school / educational OSH professionals
Prevention of Risks, Accidents and Negative Behaviour of Children and Youth	IT	A Organized by the Occupational Safety Research Institute 11 June 2008	Ministry representatives, Research institutions representatives, Trade unions representatives and school / educational OSH professionals
Co se v mládí naučíš (What You Learn in Youth) ⁵⁸	G	A State Labour Inspection Office, 2010	Employers' and workers' representatives, Ministry representatives, Trade Union representatives, OSH experts, labour inspectors, research institutions

4.2 USE OF ACCOMPANYING ACTIONS

This sub-section assesses to what extent the accompanying actions are actually used by establishments to pursue the objective of protecting health and safety of workers.

According to various OSH stakeholders, accompanying events contribute to the public awareness of the importance of risk prevention and help to create habits of safe and healthy behaviour of individuals and the right attitudes of employers in matters of labour conditions and working environment. By incorporating the European directives into Czech legislation following the European initiatives, these actions help to strengthen European cooperation and support national education and promotion projects in creating safe and healthy workplaces and reducing accidents. All accompanying actions have fulfilled their aims and purposes. Target groups gained a lot of useful information. Public awareness on OSH has been improving after entrance of the Czech Republic to the EU.

Stakeholders didn't provide any comment on their use of specific accompanying actions. Nevertheless, the overall impression is that OSH stakeholders assess the accompanying actions as very useful and necessary because they absolutely feel that it is still important to increase knowledge and education of workers, employers and the public in general.

⁵⁸ https://osha.europa.eu/fop/czech-republic/cs/publications/files/co_se_v_mladi_naucis.pdf

4.3 GAPS

This sub-section aims at determining whether there are any information needs that are not met.

Almost all OSH stakeholders have, during the interviews, referred to the increased influence of stress, psychosocial risks and overloading of workers on the workplace. There were some accompanying actions in the past regarding this problem but it is now seen as such an important topic that more accompanying actions should be focused on it, especially in connection with the problem of the human reliability factor.

Other gap in accompanying actions that has been identified as an issue regards the novelization of Directive 89/686/EEC on personal protective equipment, which has brought new requirements on PPE and it will be useful to focus on these changes in relevant literature or brochures.

5 MAPPING QUESTION 5: ENFORCEMENT

The following section provides information on enforcement of the 24 directives. It describes the structure in place for enforcement.

In the Czech Republic, the State Labour Inspection Office and its eight subordinated regional Labour Inspectorates are concerned with the inspection of compliance with occupational safety and health protection, as well as the control of protection of labour relations and working conditions. In addition, the state public health supervision is exercised in practice by the Regional Health Offices. There are fourteen Regional Health Offices with 79 district offices. Amongst its various public health tasks, the Offices classify works into categories, issue decisions, permits, or certificates concerning issues related to health at work and chemical safety. They perform inspections in the area of protection of health at work and surveillance of workplaces.

The two enforcement bodies competent for occupational health and safety issues and the procedures in case of infringement in the public sector is not the same as in the private sector. The enforcement bodies for public sector (professional soldiers, firemen, police, etc.) are subordinated to the Ministry of the Interior of the Czech Republic and the Ministry of Defence and Armed Forces of the Czech Republic.

In terms of statistical information on inspections by labour inspectors, it should be noted that apart from the number of inspectors, no information is available. On the other hand, statistics on inspections by health officers are more readily available.

Structure for enforcement

The table below provides a list of the bodies in charge of enforcement in the Member State, by Directive if applicable.

Table 5- 1 Enforcement authorities

Name	Type of authority
Directive 89/391/EEC (Framework Directive)	
The State Labour Inspection Office and regional inspectorates	<p>COMPETENCE OF LABOUR INSPECTION AUTHORITIES Act no. 251/2005 Coll. on Labour Inspection, as amended, regulates the establishment and status of the labour inspection authorities as inspection bodies in the area of employment, maintaining and protection of the labour-law relationships and working conditions, powers and competence of the labour inspection bodies, rights and obligations of inspectors and persons inspected and sanctions imposed for a breach of stipulated obligations.</p> <p>The State Labour Inspection Office and regional inspectorates are authorized:</p> <ul style="list-style-type: none"> . to inspect whether employers are observing all obligations arising out of the applicable legal regulations; . to require removal of any defects found during the inspection; . to impose sanctions. <p>The State Labour Inspection Office and</p>

Name	Type of authority
	<p>regional inspectorates are not authorized:</p> <ul style="list-style-type: none"> . to solve satisfaction problems of individual entitlements of workers towards the employer (e.g. demanding wages, applying for proofs of employment, solving disputes about legal acts, invalidity such as termination by notice, non-recognition of an occupational accident, etc.); . to issue opinions and interpretations on the individual provisions of the labour law and employment regulations.⁵⁹
Council Directive 89/654/EEC (workplace)	
The State Labour Inspection Office and regional inspectorates	See Framework Directive
Directive 2009/104/EC (work equipment)	
The State Labour Inspection Office and regional inspectorates	See Framework Directive
Council Directive 89/656/EEC (PPE)	
The State Labour Inspection Office and regional inspectorates	See Framework Directive
Council Directive 92/58/EEC (OSH signs)	
The State Labour Inspection Office and regional inspectorates	See Framework Directive
Directive 1999/92/EC (ATEX)	
The State Labour Inspection Office and regional inspectorates	See Framework Directive
Council Directive 90/269/EEC (manual handling of loads)	
Regional health offices	<p>COMPETENCE OF REGIONAL HEALTH OFFICES: State control of employer's duties regarding health protection against physical, psychological, chemical, biological and micro-climatic risk factors.</p>
Council Directive 90/270/EEC (display screen equipment)	
Regional health offices	See Directive 90/269/EEC (manual handling of loads)
Directive 2002/44/EC (vibration)	
Regional health offices	See Directive 90/269/EEC (manual handling of loads)
Directive 2003/10/EC (noise)	
Regional health offices	See Directive 90/269/EEC (manual handling of loads)
Directive 2004/40/EC (electromagnetic fields)	
N/A	N/A
Directive 2006/25/EC (artificial optical radiation)	
Regional health offices	See Directive 90/269/EEC (manual handling of loads)
Directive 2004/37/EC (carcinogens or mutagens)	
Regional health offices	See Directive 90/269/EEC (manual handling of loads)
Council Directive 98/24/EC (chemical agents at work)	
Regional health offices	See Directive 90/269/EEC (manual handling of loads)
Directive 2009/148/EC (asbestos)	
Regional health offices	See Directive 90/269/EEC (manual handling of loads)
Directive 2000/54/EC (biological agents)	
Regional health offices	See Directive 90/269/EEC (manual handling of loads)

⁵⁹ Basic information for foreigners on employment regulations applicable in the Czech Republic.

Name	Type of authority
	of loads)
Council Directive 92/57/EEC (temporary or mobile construction sites)	
The State Labour Inspection Office and regional inspectorates	See Framework Directive
National Institute of Public Health (<i>Státní zdravotní ústav – SZÚ</i>) underground mining and mineral extracting industries	
Council Directive 92/104/EEC (surface and underground mineral-extracting industries)	
The Czech Mining Authority and regional mining inspectorates	See Framework Directive
National Institute of Public Health (<i>Státní zdravotní ústav – SZÚ</i>) underground mining and mineral extracting industries	
Council Directive 92/91/EEC (mineral-extracting industries through drilling)	
The Czech Mining Authority and regional mining inspectorates	See Framework Directive
Council Directive 92/29/EEC (medical treatment on board vessels)	
N/A	N/A
Council Directive 93/103/EC (work on board fishing vessels)	
N/A	N/A
Council Directive 92/85/EEC (pregnant/breastfeeding workers)	
The State Labour Inspection Office and regional inspectorates	See Framework Directive
Council Directive 91/383/EEC (temporary workers)	
The State Labour Inspection Office and regional inspectorates	See Framework Directive
Council Directive 94/33/EC (young people at work)	
The State Labour Inspection Office and regional inspectorates	See Framework Directive

In addition, information is provided on any interactions between the enforcement bodies listed above.

In the Czech Republic, competences are divided between the enforcement bodies in the following way:

- The State Labour Inspection Office and its regional inspectorates are authorized to control employer's duties within safety at work (including workplaces and work equipment, breastfeeding and young workers, temporary workers, temporary or mobile construction sites, PPE, OSH signs and ATEX).
- Regional health offices are authorized to control employer's duties within health protection (manual handling of loads, display screen equipment, vibration, noise, electromagnetic fields, artificial optical radiation, carcinogens or mutagens, chemical agents at work, asbestos, biological agents).
- The Czech Mining Authority and regional mining inspectorates are authorized to control employer's duties within underground and mining.
- Special enforcement bodies are authorized for:
 - Fire protection;
 - Nuclear safety;
 - ...

Inspections

Statistical Information

The table below provides information on the statistical data available in relation to inspections in order to gain an understanding of the level of enforcement activities in the Member State.

Table 5- 2 Inspections statistical data

Year	Number of labour inspectors ⁶⁰	Number of workers per labour inspector	Number of inspections per 100.000 workers	Frequency of inspections	Comments
2007	341	/ ⁶¹	/ ⁶²	/ ⁶³	From the mentioned number of labour inspectors, around 215 are dedicated to OSH and technical equipment ⁶⁴
2008	328	/	/	/	From the mentioned number of labour inspectors, around 200 are dedicated to OSH and technical equipment
2009	332	/	/	/	Idem
2010	332	/	/	/	Idem
2011	336	/	/	/	Idem
2012	332 (+330) ⁶⁵	/	/	/	Idem

Year	Number of health officers ⁶⁶	Number of workers per health officer ⁶⁷	Number of inspections per 100.000 workers ⁶⁸	Frequency of inspections	Comments
------	---	--	---	--------------------------	----------

⁶⁰ See National Implementation Report 2003, Part A, Section I, 1.1

⁶¹ As specific details regarding the number of workers in each year are not known, the labour inspection bodies are unable to quantify data in the line 'Number of workers per labour inspector', see National Implementation Report 2003, Part A, Section I, 1.1

⁶² As specific details regarding the number of workers in each year are not known, the labour inspection bodies are unable to quantify data in the table on the 'Number of inspections per 100 000 workers', see National Implementation Report 2003, Part A, Section I, 1.1

⁶³ According to ESENER1 MM170, a health and safety inspector visited the workplace in the last 3 years in order to check health and safety conditions in 53.92% of the cases.

⁶⁴ National Implementation Report, Part A, Section I, 1.1

⁶⁵ A new project supported from the European Social Fund has started in 2012. This project has focused on illegal employment and control of employer's duties according to the Employment Act (Act No. 435/2004 Coll.). 330 new inspectors have been employed in regional labour inspectorates. More information can be found at <http://www.esfcr.cz/projekty/efektivni-system-rozvoje-zamestnanosti-vykonu-komplexnich> (Czech only).

⁶⁶ See National Implementation Report 2003, Part A, Section I, 1.1

⁶⁷ Idem. This figure has been obtained as a share of the data 'Persons employed – total' (Statistical Office) and 'Total number of labour inspectors' (source: Ministry of Health)

⁶⁸ Idem. Source – Ministry of Health.

Year	Number of health officers ⁶⁶	Number of workers per health officer ⁶⁷	Number of inspections per 100.000 workers ⁶⁸	Frequency of inspections	Comments
2007	432	11394	805	/	
2008	422	11854	727	/	
2009	412	11976	689	/	
2010	380	12856	617	/	
2011	372	13098	542	/	
2012	353	13853	576	/	

Statistical information – control actions of labour inspection (2011)⁶⁹

The Number of Inspections Entities, Number of Infringements in 2011

The main focus of Inspections	Number of Checked Employers	Cases of Infringement of Legal Regulations
Employers who employ people with disabilities	57	114
Employers in the food industry	217	389
Privacy protection of workers at the workplace	176	258
Employment agencies	58	149
Primary schools	52	33
Inspections of natural persons or legal entities cooperating with employment agencies	28	31
OHS in the construction sector	775	2,392
Employers in transport	350	1,383
OHS inspections in small and medium enterprises	3,355	13,630
Electric equipment in rental and leasing	149	520
OHS inspections focused on liquid and steam boilers	228	687
Lifting devices for material handling and loading	554	1,677
Gas equipment in buildings open to public	510	2,504
Responsibilities of managers supervising construction site	248	372
OHS inspections in engineering	314	1,114
OHS inspections at schools and educational institutions with practical teaching	251	1,082
OHS system in agriculture	219	1,023
Prevention of serious accidents	83	316
the "Safe Enterprise" program	38	160
OHS of self-employed persons and employers at work in forest	68	110
Inspections based on notifications from the public	2,640	5,866
Coordinated checks of compliance with the Employment Act, PVP, incl. OHS and social insurance	1,072	2,275
Coordinated inspections in hospitality and lodging	4,932	4,679
Joint OHS inspections	506	2,458
Coordinated inspections in retail stores	1,266	1,056
Coordinated inspections of packaging and assembling activities	1,328	1,756
Coordinated inspections of employment agencies	448	371
Coordinated inspections of construction sites	462	1,019
Main Tasks in Total	20,384	47,424
Accidents at Work	384	552
Follow-up Inspections	2,616	413
Other	431	862

⁶⁹ The tenth report on the application of the European social charter submitted by the government of the Czech Republic (for the period until December 31, 2011).

The Number and Amount of Fines Imposed in 2011

The Main Focus of Inspections	Number of Fines Imposed	Total of Fines Imposed (in CZK)
Employers who employ people with disabilities	2	45 000
Employers in the food industry	20	428 000
Privacy protection of workers at the workplace	2	70 000
Employment agencies	9	700 000
Primary schools	5	170 000
Inspections of natural persons or legal entities cooperating with employment agencies	2	35 000
OHS in construction sector	81	2 129 000
Employers in transport	28	1 086 500
OHS inspections in small and medium enterprises	178	5 152 000
Electric equipment in rental and leasing	8	90 000
OHS inspections focused on liquid and steam boilers	11	189 000
Lifting devices for material handling and loading	25	916 000
Gas equipment in buildings open to public	47	821 000
Responsibilities of managers supervising construction site	27	586 000
OHS in engineering	12	305 000
OHS inspections at schools and educational institutions with vocational education	3	75 000
OHS system in agriculture	15	350 000
Inspections based on notifications from the public	392	11 648 000
Coordinated inspections of compliance with the Employment Act, PVP, incl. OHS and social insurance	190	4 646 500
Coordinated checks in the hospitality and accommodation	950	16 494 000
Joint inspections of OHS	80	1 411 000
Coordinated inspections in retail stores	66	1 007 000
Coordinated inspections of packaging and assembling activities	29	611 000
Coordinated inspections of employment agencies	11	175 000
Coordinated inspections of construction sites	84	1 430 000
Main Tasks in Total	2 277	50 570 000
Accidents at Work	158	14 202 000
Other	130	2 138 000
Fines imposed in previous years	211	16 697 000
Procedural Fines	94	2 893 000
Total	2 870	86 500 000

The Proportion of Inspections According to the Size of the Employer for All Main Tasks in 2011

ESAW Category	Quantity
Not stated	323
0 employees	536
1–5 employees	1,792
6–9 employees	986
10–19 employees	1,482
20–24 employees	458
25–49 employees	1,212
50–99 employees	998
100–199 employees	687
200–249 employees	145
250–499 employees	344
500–999 employees	246
1 000 employees or more	283

Inspections on the Basis of Notifications from the Public

	Number of Received Notifications	Number of Inspections
2006	5,485	2,607
2007	4,751	2,843
2008	5,236	3,584
2009	5,748	3,965
2010	5,543	3,714
2011	5,546	2,455

The Overview of the Number and Total Amount of Fines Imposed in 2006–2011

Year	# of Fines	Amount of Fines in CZK
2006	810	17 692 500
2007	2 044	52 826 700
2008	2 196	78 124 500
2009	1 905	59 912 000
2010	2 035	65 530 000
2011	2 870	86 500 000

Statistical information – control actions in the field of underground mining (2008 – 2011)⁷⁰

- a) “number of workplaces, including domestic, subject to the inspections, stating categories of enterprises that are not subject to these inspections”
- b) “number of inspections made”
- c) “the share of workers covered by these visits inspections”

Ad a) Around 380 organizations were within the supervisory powers of the state mining administration in the given period, of whom 270 are active in mining. Other organizations are monitored especially as owners of mining claims or they provide for the ultimate reclamation after mining, etc. Approximately 50 organizations carried out a geological and hydrogeological surveys, including the assessment thereof, approximately 90 organizations implemented constructions underground, about 50 organizations performed blasting operations as their main activity (burst work for mining companies, destruction, and other specialized work). Random inspections are performed regarding about 260 further organizations with between 1 and 5 workers.

Ad b) The state mining administration carried out a total of 7,097 inspections in 2008, while 7,061 inspections were carried out in 2009, 6,501 inspections in 2010 and 5,623 inspections in 2011.

Ad c) The number of workers employed in the extraction of minerals was 31,950 in 2008, of which 16,000 were working underground. The number of other workers in mining activities and activities performed in a miner-like manner amounted to 3,700, of which 2,000 were working underground. The number of workers employed in the manufacture of explosives was about 1,500.

The number of workers employed in the extraction of minerals amounted to 29,800 in 2009, of which 15,100 worked underground. The number of other workers in mining activities and activities performed in a miner-like manner amounted to 3,500, of which 2,000 were working underground. The number of workers employed in the manufacture of explosives was about 1,500.

The number of workers employed in the extraction of minerals was 29,300 in 2010, of which 14,800 were working underground. The number of other workers in mining activities and activities performed in a miner-like manner amounted to 3,700, of which 2,000 were working underground. The number of workers employed in the manufacture of explosives was about 1,500.

The number of workers employed in the extraction of minerals amounted to 28,800 in 2011, of which 15,000 were working underground. The number of other workers in mining activities and activities

⁷⁰ The tenth report on the application of the European social charter submitted by the government of the Czech Republic (for the period until December 31, 2011).

performed in a miner-like manner amounted to 3,550, of which 1,900 were working underground. The number of workers employed in the manufacture of explosives was about 1,500.

Updates and amendments to Article 3, Section 2 the system of civil and criminal penalties that guarantee the implementation of regulations on occupational health and safety and information on breaches ascertained

- a) the number of offences detected
- b) industries in which the offences occurred
- c) the action taken as the result thereof, including legal proceedings

In areas subject to inspections by the state mining administration, the following occurred in the year noted:

Ad a) 2008 – 43 workplaces visited, fines equal to CZK 419,200 imposed (of which by the Czech Mining Office CZK 4,000, district mining offices imposed CZK 415,200)

Strategies for inspection

- a) the number of offences detected
- b) industries in which the offences occurred
- c) the action taken as the result thereof, including legal proceedings

In areas subject to inspections by the state mining administration, the following occurred in the year noted:

Ad a)

2008 – 43 workplaces visited, fines equal to CZK 419,200 imposed (of which by the Czech Mining Office CZK 4,000, district mining offices imposed CZK 415,200), serious breaches of health and safety were punished in administrative proceedings by fines equal to CZK 3,191,000. The number of offences was not monitored during the inspection activity.

2009 – 52 workplaces visited, fines equal to CZK 393,700 imposed (of which by the Czech Mining Office CZK 3,000, district mining offices imposed CZK 390,700), serious breaches of health and safety were punished in administrative proceedings by fines equal to CZK 1,908,000. The number of offences was not monitored during the inspection activity.

2010 - 46 workplaces visited, fines equal to CZK 353,000 imposed (of which by the Czech Mining Office CZK 3000, district mining offices imposed CZK 350 000), serious breaches of health and safety were punished in administrative proceedings by fines equal to CZK 3,316,500. The number of offences was not monitored during the inspection activity.

2011 - 42 workplaces visited, fines equal to CZK 317,600 imposed (of which by the Czech Mining Office CZK 300, district mining offices imposed CZK 317,300), serious breaches of health and safety were punished in administrative proceedings by fines equal to CZK 1,935,000 (of which by Czech Mining Office CZK 100,000-, district mining authorities CZK 1,835,000). The number of offences was not monitored during the inspection activity.

Ad b) defects and deficiencies for which fines or penalties in administrative proceedings were imposed, were found in organizations which are subject to the supervision of the state mining administration.

Ad c) measures of a technical and organizational nature are being taken to remove the defects and deficiencies.

The box below provides a short description of the strategic documents for enforcement.

Strategic documents for enforcement

- National Policy of Safety and Health Protection at Work (adopted in 2008)⁷¹
- National Action Programme for Safety and Health at Work for a two-year period 2013-2014⁷²
- Act No. 251/2005 Coll., on Labour Inspection
- Act No. 258/2000 Coll., the Public Health Protection Act
- Act No. 61/1988 Coll., on Mining Activities, Explosives and State Mining Administration, as amended
- Control programmes⁷³:
 - Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2013
 - Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2012
 - Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2011
 - Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2010
 - Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2009
 - Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2008
 - Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2007
- Annual reports⁷⁴:
 - Annual Report on the Results of Labour Inspection 2012
 - Annual Report on the Results of Labour Inspection 2011
 - Annual Report on the Results of Labour Inspection 2010
 - Annual Report on the Results of Labour Inspection 2009
 - Annual Report on the Results of Labour Inspection 2008
 - Annual Report on the Results of Labour Inspection 2007

The table below presents how priorities are set within strategic documents for inspections in relation to the different topics covered by the OSH Directives.

Table 5- 3 Data on enforcement strategy

<i>Priorities set in terms of</i>			
size of companies targeted	sectors	groups or workers	other criteria
✓	✓	✓	The State Labour Inspection publishes every year a programme of control actions for the coming year. The programme takes into account especially statistics of occupational accidents, European and National Policy of OSH, National Action

⁷¹ https://osha.europa.eu/fop/czech-republic/cs/systems/files/narodni_politika_CR.pdf

⁷² <https://osha.europa.eu/fop/czech-republic/cs/systems/nap-bozp-2013-2014.pdf>

⁷³ <http://www.suip.cz/rocni-program-kontrolnich-akci/>

⁷⁴ <http://www.suip.cz/rocni-zpravy/>

			Programme on OSH, incentives to controls and results of control actions from the previous year. On the base of this programme control actions are realized.
Priorities set on the basis of			
risk assessment	result of inspections	others	
✓	✓	<ul style="list-style-type: none"> - National Policy of Safety and Health Protection at Work - National Action Programme of Safety and Health at Work for a two-year period - Control programmes - Annual reports 	

Sanctions

The table below presents the type and level of sanctions provided by law for infringements as defined in the national legislation for each of the Directive covered in the study for both criminal and administrative sanctions. Only the maximum sanctions are provided.

According to NIR 2013, “Applicable legislation stemming from the Directives in terms of compliance with legal obligations in the field of occupational safety and dedicated technical equipment is enforced by sanctions pursuant to Act No 251/2005 Coll. on labour inspectorates, as amended, and Act No 174/1968 Coll. on the state expert supervision of occupational safety, as amended. Occupational health legislation is also enforced by means of sanctions pursuant to Act No 258/2000 Coll. on the protection of public health and amending certain related laws, as amended. A public-health protection body authorised to perform state health supervision may impose a fine of up to CZK 2 000 000 on a natural person in the performance of his business or on a legal person for non-compliance with or a breach of obligations laid down by this Act, special legislation or decisions or measures of the public-health protection body issued on the basis thereof, directly applicable legislation of the European Union, or legislation pursuant to Section 85, and for non-compliance with or a breach of obligations laid down by special legislation to protect occupational health and to safeguard and provide occupational medical services within the scope of Section 82(2)(o). However, if non-compliance with or a breach of obligations pursuant to paragraph (1) leads to the ill health of natural persons, or the outbreak or threat of an epidemic, the public-health protection body referred to in paragraph (1) may impose a fine of up to CZK 3 000 000 on a natural person in the performance of his business or on a legal person.”⁷⁵

Table 5- 4 Result table – type and level of sanctions

Offence under national legislation	Criminal sanctions (and quasi-criminal when relevant) – Types and levels of penalties	Administrative sanctions – Types and levels of penalties⁷⁶
Directive 89/391/EEC (Framework Directive)		
The employer who has not ensured health and safety in his workplaces.	Criminal Code: – Crime “Battery due to carelessness” – imprisonment from 2 years to 8 years if at least 2 persons are harmed and if the accident was caused by serious breach of duties in occupational safety and health protection – Crime “Serious battery due to carelessness” - imprisonment up to 3 years if at least 2 persons are harmed and if the accident	An administrative fine up to 1 000 000 CZK.
The employer who has not ensured cooperation with other persons in his workplaces regarding OSH.		An administrative fine up to 300 000 CZK.
The employer who has transferred costs on OSH onto his workers.		An administrative fine up to 2 000 000 CZK.
The employer who has not implemented measures to elimination or decreasing of risks.		An administrative fine up to 2 000 000 CZK.
The employer who has not		An administrative fine up to

⁷⁵ National Implementation Report 2013, Part A, Section I, 2, (EN) p.9.

⁷⁶ Act No. 251/2005 Coll., on Labour Inspection

Offence under national legislation	Criminal sanctions (and quasi-criminal when relevant) – Types and levels of penalties	Administrative sanctions – Types and levels of penalties ⁷⁶
fulfilled his obligations in OSH according to the Labour Code.	was caused by serious breach of duties in occupational safety and health protection	2 000 000 CZK.
The employer who has not ensured consultation of workers regarding OSH.		An administrative fine up to 300 000 CZK.
The employer who has breached his duties regarding occupational accidents (investigation of causes, recording, reporting, measures).		An administrative fine up to 1 000 000 CZK (investigation of causes, recording). An administrative fine up to 400 000 CZK (reporting). An administrative fine up to 2 000 000 CZK (measures).
Council Directive 89/654/EEC (workplace)		
The employer who has not fulfilled his obligations regarding safety in workplaces according to OSH Act (309/2006 Coll.) and following legislative acts.	See above.	An administrative fine up to 1 000 000 CZK.
Directive 2009/104/EC (work equipment)		
The employer who has not fulfilled his obligations regarding use of work equipment according to the OSH Act (309/2006 Coll.) and the Work equipment GD (378/2001 Coll.)	See above.	An administrative fine up to 1 000 000 CZK.
Council Directive 89/656/EEC (PPE)		
The employer who has not provided PPE for free although he is obliged to do so according to a special legislative act.	See above.	An administrative fine up to 1 000 000 CZK.
The employer who has not maintained PPE and not controlled its using.	See above.	An administrative fine up to 2 000 000 CZK.
Council Directive 92/58/EEC (OSH signs)		
The employer who has not placed and implemented safety signs and signals although he is obliged to do so according to a special legislative act.	See above.	An administrative fine up to 2 000 000 CZK.
Directive 1999/92/EC (ATEX)		
The employer who has not fulfilled his obligations according to the ATEX GD (406/2004 Coll.).	See above.	An administrative fine up to 1 000 000 CZK.
Council Directive 90/269/EEC (manual handling of loads)		
The employer who has not fulfilled his obligations regarding health protection according to special legislative acts.	See above.	An administrative fine up to 2 000 000 CZK. In the case that breach of duties had a consequence of damage of human health or epidemic - an administrative fine up to 3 000 000 CZK.
Council Directive 90/270/EEC (display screen equipment)		
The employer who has not fulfilled his obligations regarding health protection according to special legislative acts.	See above.	An administrative fine up to 2 000 000 CZK. An administrative fine up to 2 000 000 CZK. In the case that breach of duties had a consequence of damage of human health or epidemic - an

Offence under national legislation	Criminal sanctions (and quasi-criminal when relevant) – Types and levels of penalties	Administrative sanctions – Types and levels of penalties ⁷⁶
		administrative fine up to 3 000 000 CZK.
Directive 2002/44/EC (vibration)		
The employer who has not fulfilled his obligations regarding health protection according to special legislative acts.	See above.	An administrative fine up to 2 000 000 CZK. An administrative fine up to 2 000 000 CZK. In the case that breach of duties had a consequence of damage of human health or epidemic - an administrative fine up to 3 000 000 CZK.
Directive 2003/10/EC (noise)		
The employer who has not fulfilled his obligations regarding health protection according to special legislative acts.	See above.	An administrative fine up to 2 000 000 CZK. An administrative fine up to 2 000 000 CZK. In the case that breach of duties had a consequence of damage of human health or epidemic - an administrative fine up to 3 000 000 CZK.
Directive 2004/40/EC (electromagnetic fields)		
N/A	N/A	N/A
Directive 2006/25/EC (artificial optical radiation)		
The employer who has not fulfilled his obligations regarding health protection according to special legislative acts.	See above.	An administrative fine up to 2 000 000 CZK. In the case that breach of duties had a consequence of damage of human health or epidemic - an administrative fine up to 3 000 000 CZK.
Directive 2004/37/EC (carcinogens or mutagens)		
The employer who has not fulfilled his obligations regarding health protection according to special legislative acts.	See above.	An administrative fine up to 2 000 000 CZK. An administrative fine up to 2 000 000 CZK. In the case that breach of duties had a consequence of damage of human health or epidemic - an administrative fine up to 3 000 000 CZK.
Council Directive 98/24/EC (chemical agents at work)		
The employer who has not ensured safety in workplaces where chemical agents are used according to a special legislative act.	See above.	An administrative fine up to 2 000 000 CZK.
The employer who has not fulfilled his obligations regarding health protection according to special legislative acts.	See above.	An administrative fine up to 2 000 000 CZK. An administrative fine up to 2 000 000 CZK. In the case that breach of duties had a consequence of damage of human health or epidemic - an administrative fine up to 3 000 000 CZK.
Directive 2009/148/EC (asbestos)		
The employer who has not fulfilled his obligations regarding health protection according to special legislative acts.	See above.	An administrative fine up to 2 000 000 CZK. An administrative fine up to 2 000 000 CZK. In the case that breach of duties had

Offence under national legislation	Criminal sanctions (and quasi-criminal when relevant) – Types and levels of penalties	Administrative sanctions – Types and levels of penalties ⁷⁶
		a consequence of damage of human health or epidemic - an administrative fine up to 3 000 000 CZK.
Directive 2000/54/EC (biological agents)		
The employer who has not fulfilled his obligations regarding health protection according to special legislative acts.	See above.	An administrative fine up to 2 000 000 CZK. An administrative fine up to 2 000 000 CZK. In the case that breach of duties had a consequence of damage of human health or epidemic - an administrative fine up to 3 000 000 CZK.
Council Directive 92/57/EEC (temporary or mobile construction sites)		
The employer who has not fulfilled his obligations according to special legislative acts regarding temporary or mobile construction sites.	See above.	An administrative fine up to 1 000 000 CZK.
The employer who has not ensured cooperation with a coordinator of OSH at temporary or mobile construction sites.	See above.	An administrative fine up to 300 000 CZK.
The employer who has not fulfilled his obligation of coordinator of OSH at temporary or mobile construction sites.	See above.	An administrative fine up to 300 000 CZK.
Council Directive 92/104/EEC (surface and underground mineral-extracting industries)		
Act. No. 61/1988 Coll.		Physical person could be fined up to 50 000 CZK or 100 000 CZK (depends on a kind of offense).
		Legal entity could be fined up to: 1 000 000 CZK, 2 000 000 CZK or 5 000 000 CZK (depends on a kind of offense).
Council Directive 92/91/EEC (mineral-extracting industries through drilling)		
Act. No. 61/1988 Coll.		Physical person could be fined up to 50 000 CZK or 100 000 CZK (depends on a kind of offense).
		Legal entity could be fined up to: 1 000 000 CZK, 2 000 000 CZK or 5 000 000 CZK (depends on a kind of offense).
Council Directive 92/29/EEC (medical treatment on board vessels)		
N/A	N/A	N/A
Council Directive 93/103/EC (work on board fishing vessels)		
N/A	N/A	N/A
Council Directive 92/85/EEC (pregnant/breastfeeding workers)		
The employer who has not assigned pregnant/breastfeeding worker to another job although he is obliged to do so according to a special legislative act.	See above.	An administrative fine up to 1 000 000 CZK.

Offence under national legislation	Criminal sanctions (and quasi-criminal when relevant) – Types and levels of penalties	Administrative sanctions – Types and levels of penalties ⁷⁶
The employer who has employed pregnant worker overtime.	See above.	An administrative fine up to 1 000 000 CZK.
Council Directive 91/383/EEC (temporary workers)		
The employer who has breached his duties regarding temporary employment according to the Labour Code.	See above.	An administrative fine up to 1 000 000 CZK.
Council Directive 94/33/EC (young people at work)		
The employer who has employed young workers by inadequate work in the contrary to the Labour Code.	See above.	An administrative fine up to 1 000 000 CZK.
The employer who has not ensured medical examination of young worker.	See above.	An administrative fine up to 500 000 CZK.
The employer who has not followed a medical review during employment of young workers.	See above.	An administrative fine up to 300 000 CZK.
The employer who has employed young workers by dangerous work with increased level of risks.	See above.	An administrative fine up to 2 000 000 CZK.
The employer who has employed young worker overtime or at night.	See above.	An administrative fine up to 2 000 000 CZK (overtime work). An administrative fine up to 1 000 000 CZK (night work).

Enforcement actions

Table 5- 5 Number of infringements and court cases

Total number of infringements which resulted in legal action ⁷⁷	2007	2008	2009	2010	2011	2012
	3922	3960	3211	3520	4573	6166
	(of which	2349	1632	1874	1910	1999
	for occupational safety and health and dedicated technical equipment: 2173)					
Other data on the number of court cases specific to OSH issues in the period 2007-2012	No available data to answer this question.					

⁷⁷National Implementation Report 2013, Part A, Section 1, Data table 1.1, p.4. The line 'Total number of infringements that resulted in legal action' states the numbers of infringements (deficiencies identified) which have been punished in accordance with Act No 500/2004, the Code of Administrative Procedure.

6 MAPPING QUESTION 6: SPECIFIC GROUPS OF WORKERS

Directive 2003/10/EC (noise) gives special attention to vulnerable groups during the risk assessments, in particular pregnant employees, employees who have recently given birth and young workers, as they are prohibited from doing work with noise exceeding the limit values.⁷⁸ However, no other specific legislative approaches to vulnerable groups are taken in the Czech Republic beyond the general requirements set out in the transposed Directives. In particular, the Labour Code clearly indicates that it is the employer's responsibility to provide safe and healthy working conditions to its employees. However, some projects and guidance documents address specific vulnerable groups, namely young workers, foreign workers, disabled workers and ageing workers.

In addition, it can be noted that the Czech Republic is a regular member of the Senior Labour Inspectors' Committee (SLIC) through its State Labour Inspection Office. Current activities in the Czech Republic follow European campaigns. In 2014, the European campaign against injuries caused by falls on a flat surface came into practice.⁷⁹ In the Czech Republic this campaign will be focused on health services, hotels and restaurants and this task is for year 2014 in the programme of control activities. Every regional inspectorate will perform controls of 5 subjects from the health sector and 15 subjects providing hotel, restaurant or catering services. Controls will be focused on the adequacy of the risk assessments, the use of PPE, the lighting of workplaces, the quality of floors, the possible presence of barriers, etc. According to statistics of occupational injuries, floors and surfaces are the second most common source of occupational injuries in the Czech Republic.⁸⁰

In relation to the promotion of gender equality at work, the State Labour Inspection Office has implemented a national strategy on gender and OSH, aiming to include gender specific considerations in OSH work. Pragmatic actions include adaptation of PPE to physical characteristics and respect of ergonomic requirements; adaptation of working conditions, prevention of health risks and control of workloads for pregnant and breastfeeding women, and other sector-specific measures.

The table 6-1 below provides an overview of the documents, including legislation, strategies, guidelines, roadmaps or plans, as well as other documents addressing the question of vulnerable groups.

⁷⁸ National Implementation Report, Part A, Section II, (EN) p. 49.

⁷⁹ http://www.suip.cz/_files/suip-7823718f92d1f6dae182ff56cf881772/tisk_zprava_05_14.pdf

⁸⁰ Please see Annex II.

Table 6- 1 Tools addressing risk factors for all vulnerable groups

Document	Target group (if any)	Pregnancy; Breastfeeding	Menstrual disorders; Menopause	Reduced physical capabilities	Additional non-work activities	Part-time jobs; Precarious contract	Natural deterioration of physical and mental capacities	Longer recovery time	Longer exposure to occupational hazards	Increased risk of developing long-term or chronic illnesses or disabilities	Different risks faced by disabled workers	Combined risks of occupational risk factors	Less awareness of the risks amongst new workers	Lack of awareness of long-latency occupational diseases	Work arrangements	Language barriers	Fear of authorities	Lack of OSH training	Lack of familiarity with the working environment
National Strategy on Gender and OSH	Women	✓		✓											✓				
European project „Safe Start!“ ⁸¹	Young workers					✓							✓		✓		✓	✓	✓
Project „Childhood Without Injuries“ ⁸²	Children				✓														
National Register of Children Injuries ⁸³	Children				✓														
Project „Safe routes to school“ ⁸⁴	Children				✓														
Guidance “Basic Information for Foreigners on Employment Regulations Applicable in the Czech Republic”	Foreign workers															✓			

⁸¹ <http://www.safestart.be/cs/about>

⁸² <http://www.urazydeti.cz/>

⁸³ <http://www.detske-urazy.cz/>

⁸⁴ <http://www.prazskematky.cz/projekty/bezpecne-cesty-do-skoly/>

Document	Target group (if any)	Pregnancy; Breastfeeding	Menstrual disorders; Menopause	Reduced physical capabilities	Additional non-work activities	Part-time jobs; Precarious contract	Natural deterioration of physical and mental capacities	Longer recovery time	Longer exposure to occupational hazards	Increased risk of developing long-term or chronic illnesses or disabilities	Different risks faced by disabled workers	Combined risks of occupational risk factors	Less awareness of the risks amongst new workers	Lack of awareness of long-latency occupational diseases	Work arrangements	Language barriers	Fear of authorities	Lack of OSH training	Lack of familiarity with the working environment
(available in English, Polish, Bulgarian, German, Romanian, Polish, Russian, Ukrainian, Vietnamese) ⁸⁵																			
Guidance "Information for Foreigners on Occupational Safety and Health" (available in English, Ukrainian and Polish) ⁸⁶	Foreign workers														✓	✓		✓	✓
Guidance "What You Have Learned in Youth" ⁸⁷	Young workers, women	✓		✓									✓		✓		✓	✓	✓
Publication "Ergonomics of Workplaces and Working Conditions"	Disabled workers			✓							✓								

⁸⁵ <http://www.knz.suip.cz/letaky/115-info-pro-cizince.html>

⁸⁶ <http://www.vubp.cz/index.php/informacni-materialy-k-bozp>

⁸⁷ <http://www.vubp.cz/index.php/publikace-ke-stazeni>

Document	Target group (if any)	Pregnancy; Breastfeeding	Menstrual disorders; Menopause	Reduced physical capabilities	Additional non-work activities	Part-time jobs; Precarious contract	Natural deterioration of physical and mental capacities	Longer recovery time	Longer exposure to occupational hazards	Increased risk of developing long-term or chronic illnesses or disabilities	Different risks faced by disabled workers	Combined risks of occupational risk factors	Less awareness of the risks amongst new workers	Lack of awareness of long-latency occupational diseases	Work arrangements	Language barriers	Fear of authorities	Lack of OSH training	Lack of familiarity with the working environment
of Disabled Workers" ⁸⁸																			
Fact sheet "Ensuring OSH for Disabled Workers"	Disabled workers			✓							✓								
Report "OSH and Risk Factors of Workers above 50 Years" ⁸⁹	Ageing workers						✓	✓	✓	✓									
Guidance "Age Management for Target Group above 50 Years" ⁹⁰	Ageing workers			✓			✓												
EU-OSHA project "Ageing Workers"	Ageing workers			✓			✓	✓											

⁸⁸ <http://www.mpsv.cz/files/clanky/9133/ERGONOMIE.pdf>

⁸⁹ http://www.mpsv.cz/files/clanky/7851/Zaverecna_zprava_HR177_2009.pdf

⁹⁰ http://www.aivd.cz/sites/default/files/metodicka_prirucka_-_web.pdf

7 MAPPING QUESTION 7: SMEs AND MICRO-ENTERPRISES

This question focuses on the identification of measures adopted by Member States in order to assist SMEs and micro-enterprises in the implementation of OSH requirements. Measures provided by other actors, such as social partners, are not included. The concept of ‘measures’ is considered as covering national legislation and soft measures, i.e. incentives. Other measures such as guidance are included in section 4.

Three elements should be checked for each Directive:

- Exemptions: are there thresholds of number of workers to be exempted from certain key requirements? If so, what are the thresholds? To what requirements does it apply?
- Lighter regime: are certain norms/ regulatory standards provided by law differentiated for SMEs?
- Incentives: have financial measures/tax reductions been adopted to support SMEs?

The results are summarised in Table 7-1 and then detailed in Table 7-2. It should be taken into account that the SME measures laid down in the national legislation transposing the Framework Directive are equally applicable to all of the transpositions of the other OSH individual Directives.

It must be noted that, from the perspective of small and medium-sized enterprises, Czech legislation does not distinguish between employers by size or number of employees when it comes to the adoption of measures intended to increase the standard of occupational safety and health.⁹¹ However, in the practical application of the Framework Directive – for example, in occupational safety, and specifically in risk prevention pursuant to Section 9(3) of Act No 309/2006 Coll. on further occupational safety and health requirements, as amended – the size of an undertaking is taken into account. In the protection of occupational health, the prevention of ill health from work is safeguarded by occupational medical services provided in accordance with Act No 373/2011 Coll. on specific health services, as amended. Again, the size of an undertaking is a relevant factor under this legislation. The Czech Republic also promotes the involvement of small and medium-sized enterprises in the organisation of various occupational safety and health events (exhibitions, competitions, seminars, workshops, etc.).

Table 7- 1 Overview of measures targeting SMEs and micro-enterprises

	Exemptions	Lighter regime	Incentives
Directive 89/391/EEC (FW)	✓	-	-
Directive 89/654/EEC (workplace)	-	-	-
Directive 2009/104/EC (work equipment)	-	-	-
Council Directive 89/656/EEC (PPE)	-	-	-
Council Directive 92/58/EEC (OSH signs)	-	-	-
Directive 1999/92/EC (ATEX)	-	-	-
Council Directive 90/269/EEC (manual handling of loads)	-	-	-
Council Directive 90/270/EEC (display screen equipment)	-	-	-
Directive 2002/44/EC (vibration)	-	-	-

⁹¹ National Implementation Report 2013, Part A, Introduction and 2.7.

	<i>Exemptions</i>	<i>Lighter regime</i>	<i>Incentives</i>
Directive 2003/10/EC (noise)	-	-	-
Directive 2004/40/EC (electromagnetic fields)	N/A	N/A	N/A
Directive 2006/25/EC (artificial optical radiation)	-	-	-
Directive 2004/37/EC (carcinogens or mutagens)	-	-	-
Directive 98/24/EC (chemical agents at work)	-	-	-
Directive 2009/148/EC (asbestos)	-	-	-
Directive 2000/54/EC (biological agents)	-	-	-
Council Directive 92/57/EEC (temporary or mobile construction sites)	-	-	-
Council Directive 92/104/EEC (surface and underground mineral-extracting industries)	-	-	-
Council Directive 92/91/EEC (mineral-extracting industries through drilling)	-	-	-
Council Directive 92/29/EEC (medical treatment on board vessels)	N/A	N/A	N/A
Council Directive 93/103/EC (work on board fishing vessels)	N/A	N/A	N/A
Council Directive 92/85/EEC (pregnant/breastfeeding workers)	-	-	-
Council Directive 91/383/EEC (temporary workers)	-	-	-
Council Directive 94/33/EC (young people at work)	-	-	-

Table 7- 2 Description of measures targeting SMEs and micro-enterprises

	<i>Exemptions</i>	<i>Lighter regime</i>	<i>Incentives</i>
Directive 89/391/EEC (FW)	There are exemptions for the following groups of employers: a) an employer who is a physical entity and who also works b) a person who is self-employed according to a special legislative act c) a cooperating husband/wife or child d) a physical or legal entity who is a submitter of construction or a contractor of construction For these employers, requirements on training of workers, consultation of workers, information of		

	Exemptions	Lighter regime	Incentives
	workers, etc. are not obligatory. ⁹²		
Directive 89/654/EEC (workplace)			
	-	-	-
Directive 2009/104/EC (work equipment)			
	-	-	-
Council Directive 89/656/EEC (PPE)			
	-	-	-
Council Directive 92/58/EEC (OSH signs)			
	-	-	-
Directive 1999/92/EC (ATEX)			
	-	-	-
Council Directive 90/269/EEC (manual handling of loads)			
	-	-	-
Council Directive 90/270/EEC (display screen equipment)			
	-	-	-
Directive 2002/44/EC (vibration)			
	-	-	-
Directive 2003/10/EC (noise)			
	-	-	-
Directive 2004/40/EC (electromagnetic fields)			
N/A	N/A	N/A	N/A
Directive 2006/25/EC (artificial optical radiation)			
	-	-	-
Directive 2004/37/EC (carcinogens or mutagens)			
	-	-	-
Directive 98/24/EC(chemical agents at work)			
	-	-	-
Directive 2009/148/EC (asbestos)			
	-	-	-
Directive 2000/54/EC (biological agents)			
	-	-	-
Council Directive 92/57/EEC (temporary or mobile construction sites)			
	-	-	-
Council Directive 92/104/EEC (surface and underground mineral-extracting industries)			
	-	-	-
Council Directive 92/91/EEC (mineral-extracting industries through drilling)			
	-	-	-
Council Directive 92/29/EEC (medical treatment on board vessels)			
N/A	N/A	N/A	N/A
Council Directive 93/103/EC (work on board fishing vessels)			
N/A	N/A	N/A	N/A
Council Directive 92/85/EEC (pregnant/breastfeeding workers)			
	-	-	-
Council Directive 91/383/EEC (temporary workers)			
	-	-	-
Council Directive 94/33/EC (young people at work)			
	-	-	-

⁹²Act No. 309/2006 Coll. stipulating further requirements for health and safety at work in labour law relations and ensuring safety and health in activities or within services provided outside of labour-law relations, Art. 12.

ANNEX I- BIBLIOGRAPHY

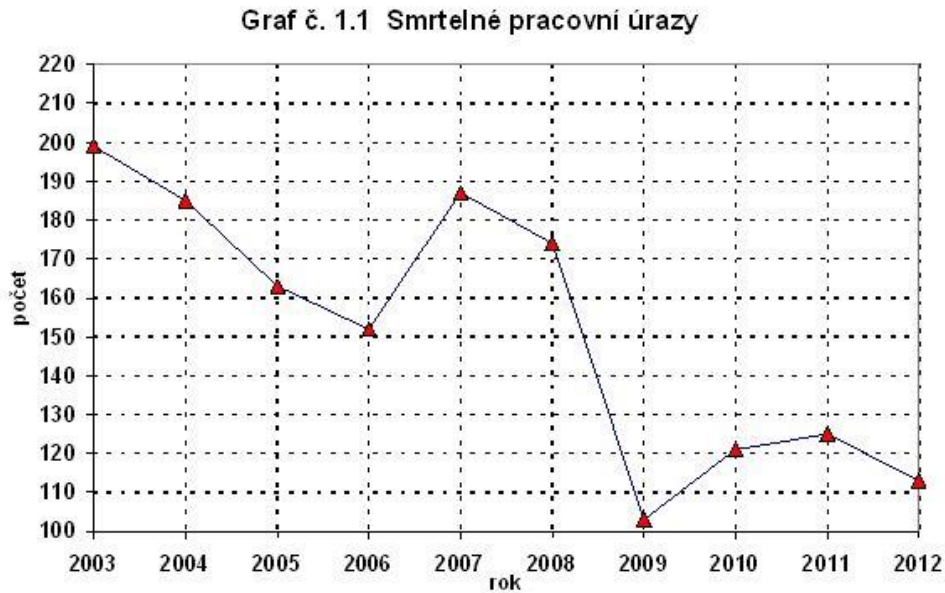
- Annual Report on the Results of Labour Inspection 2007
- Annual Report on the Results of Labour Inspection 2008
- Annual Report on the Results of Labour Inspection 2009
- Annual Report on the Results of Labour Inspection 2010
- Annual Report on the Results of Labour Inspection 2011
- Annual Report on the Results of Labour Inspection 2012
- Annual Reports of Czech Republic activities within EU campaigns for EU-OSHA (2009-2013)
- Annual Reports of the Occupational Safety Research Institute, 2007-2013 (<http://www.vubp.cz/index.php/vyrocní-zpravy-zpravy-o-cinnosti>)
- ESENER Survey 2009: <https://osha.europa.eu/sub/esener/en/front-page/140/009>
- EU-OSHA – European Agency for Safety and Health at Work, Qualitative post-test evaluation of ESENER (ESENER Post-Test). Luxembourg, 2013. Available at: <https://osha.europa.eu/en/publications/reports/qualitative-post-test-evaluation-of-esener-overview-report/view>
- National Action Programme for Safety and Health at Work for a two-year period 2013-2014
- National Implementation Report of Czech Republic, 2013: “Practical implementation report to be drawn up by the Member States regarding Directive 89/391/EEC, its individual Directives, and Directives 2009/148/EC, 91/383/EEC, 92/29/EEC and 94/33/EC”
- National Policy of Safety and Health Protection at Work (adopted in 2008)
- The tenth report on the application of the European Social Charter, submitted by the Government of the Czech Republic (for the period until December 31, 2011)
- Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2013
- Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2012
- Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2011
- Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2010
- Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2009
- Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2008
- Yearly control programme of State Labour Inspection approved by Ministry of Labour and Social Affairs for the year 2007
- <http://www.safestart.be/cs/about>
- <http://www.urazydeti.cz/>

- <http://www.detske-urazy.cz/>
- <http://www.prazskematky.cz/projekty/bezpecne-cesty-do-skoly/>
- <http://www.knz.suip.cz/letaky/115-info-pro-cizince.html>
- <http://www.vubp.cz/index.php/informacni-materialy-k-bozpz>
- <http://www.vubp.cz/index.php/publikace-ke-stazeni>
- <http://www.mpsv.cz/files/clanky/9133/ERGONOMIE.pdf>
- http://www.mpsv.cz/files/clanky/7851/Zaverecna_zprava_HR177_2009.pdf
- http://www.aivd.cz/sites/default/files/metodicka_prirucka_-_web.pdf
- www.vubp.cz
- www.bozpinfo.cz
- www.mpsv.cz
- www.army.cz
- www.msmt.cz
- www.avcr.cz
- www.szu.cz
- www.etui.org
- www.dashofer.cz
- <http://solutions.3mcesko.cz>
- www.bovapolygon.cz
- www.institutpraha.cz
- www.polac.cz
- www.omnimedia.cz
- www.crr.cz/een, www.een.cz
- www.abf.cz
- <http://www.vubp.cz/ces/>
- www.hkp.cz
- www.cschi.cz
- www.ekomonitor.cz
- www.icpf.cas.cz
- <http://www.cbusbs.cz/>
- <http://www.hzscr.cz/default.aspx>
- <http://www.mpo.cz/>
- <http://www.ticr.eu/>
- <http://www.sujb.cz/>
- <http://www.szu.cz/>

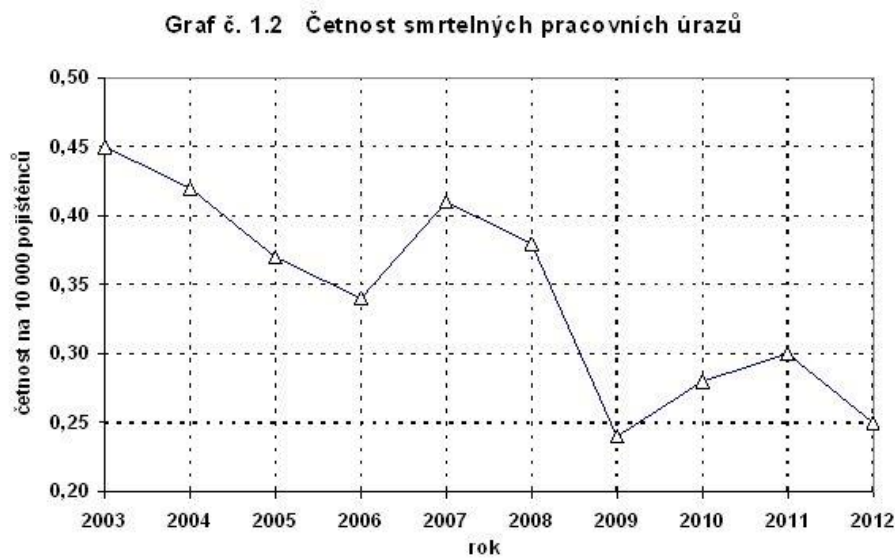
- <http://www.spcr.cz/en/about-us/confederation-of-industry-of-the-czech-republic>
- <http://kzps.cz/o-nas/>
- <http://www.cmkos.cz/>
- <http://www.asocr.cz/cz/portal/uvod/>
- http://www.suip.cz/_files/suip-7823718f92d1f6dae182ff56cf881772/tisk_zprava_05_14.pdf
- http://doctrine.vavyskov.cz/_casopis/2011_1/2011_1_6c.pdf
- http://www.cmosarmady.cz/download/Novinky_BOZP_201306.pdf
- <http://metodika.cahd.cz/ostatni/SIAR%2012-52%20BOZP%20u%20HZSCR.pdf>
- www.mvcr.cz
- www.mocr.cz
- http://oshwiki.eu/wiki/OSH_system_at_national_level_-_Czech_Republic

ANNEX II – SELECTED STATISTICS OF OCCUPATIONAL INJURIES IN THE CZECH REPUBLIC⁹³

I. The number of fatal occupational injuries from 2003 to 2012

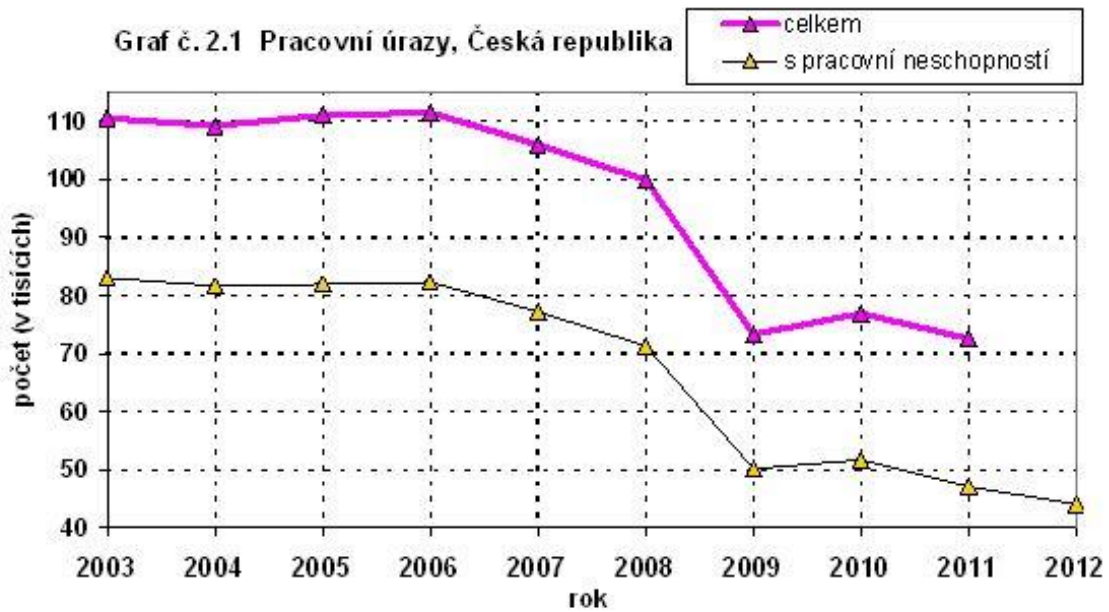


II. The frequency of fatal occupational injuries on 10 000 policyholders from 2003 to 2012



⁹³ http://www.bozpinfo.cz/win/knihovna-bozp/citarna/clanky/statistika_pu/pracovni_urazovost130808.html

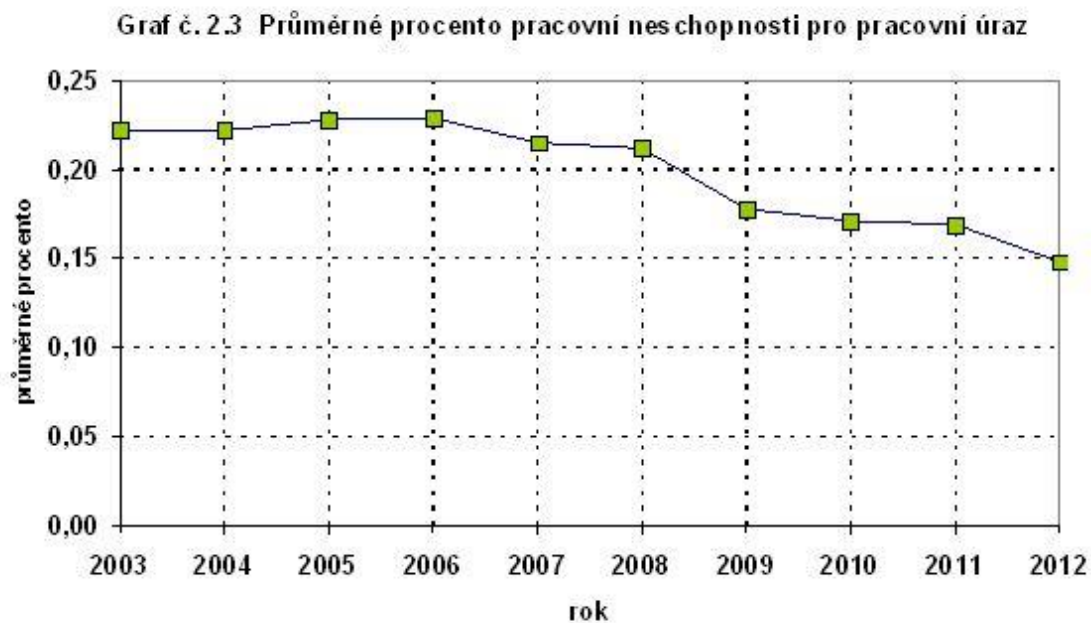
III. Occupational injuries in the Czech Republic (total - the pink line; with absence from work – the yellow line)



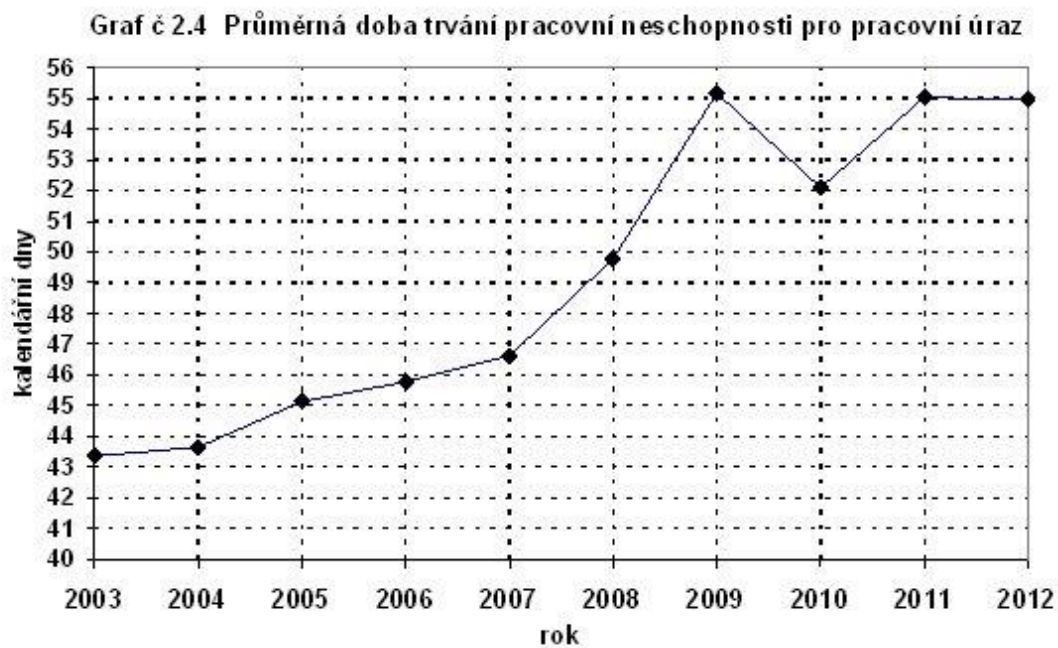
IV. Frequency of occupational injuries with the absence from work on 100 policyholders



V. Average percentage of absence from work due to occupational injury (%)

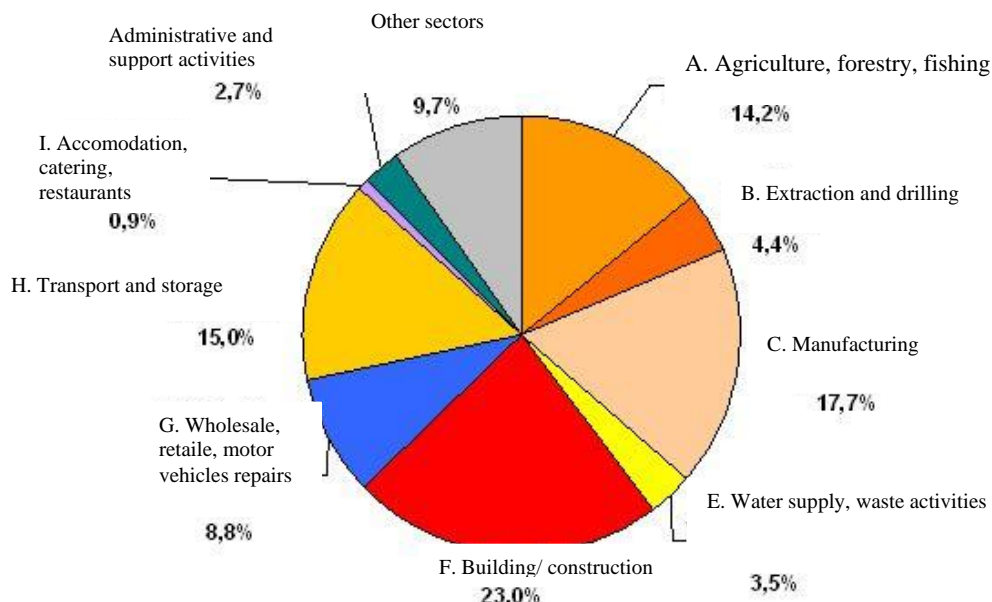


VI. Average duration of absence from work due to occupational injury (calendar days)



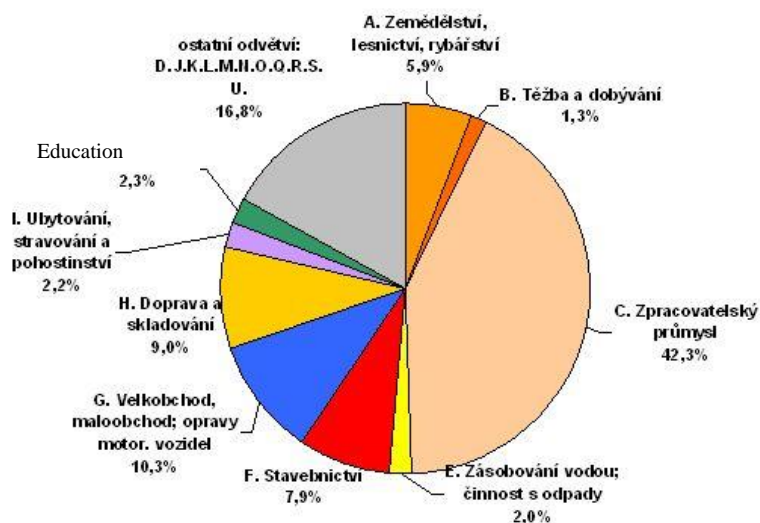
VII. Share of the number of fatal occupational injuries in sectors according to CZ-NACE

Graf č. 3.1.1 Podíl počtu smrtelných pracovních úrazů v odvětvích (CZ-NACE) podniků - zaměstnavatelů v roce 2012

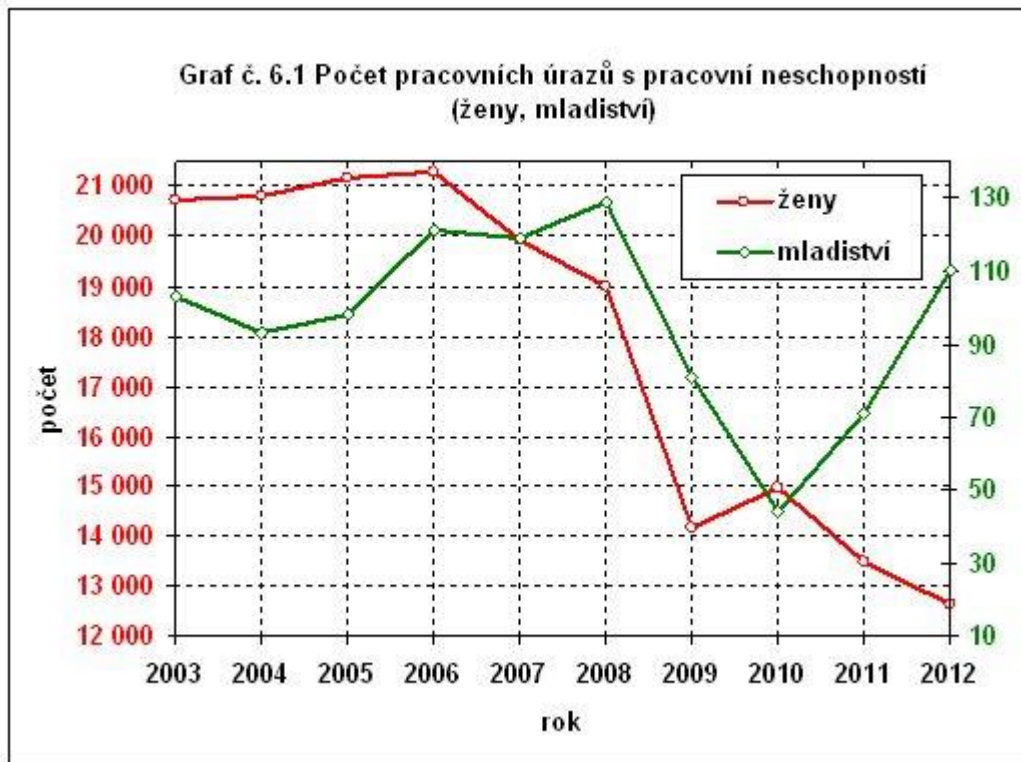


VIII. Share of the number of occupational injuries with absence from work in sectors according to CZ-NACE

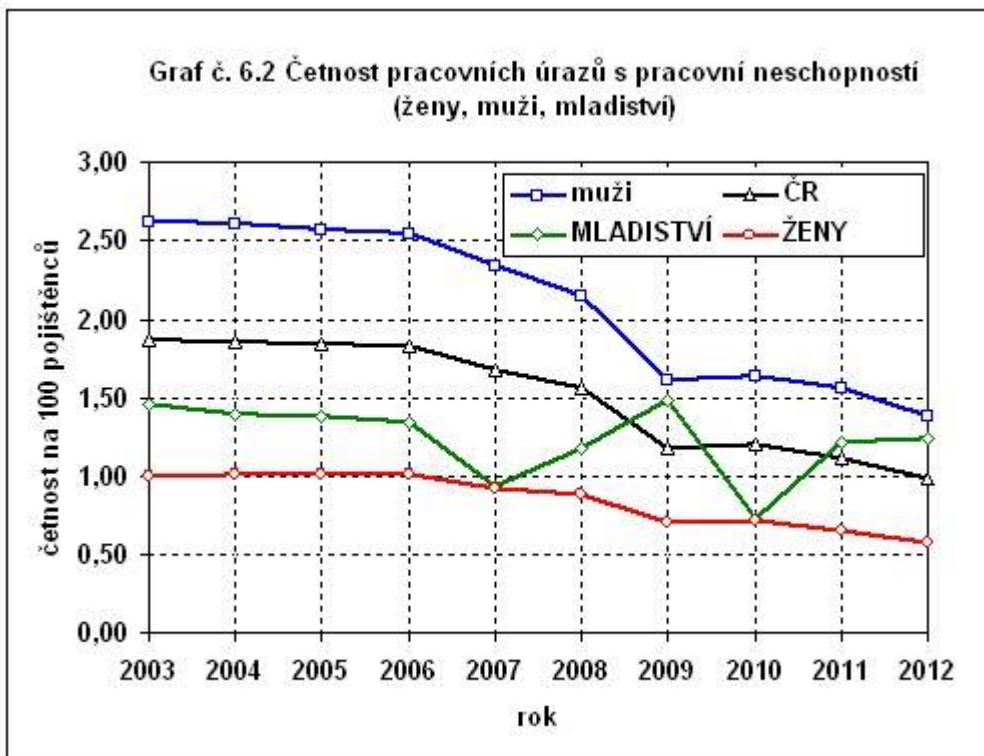
Graf č. 4.1 Podíl počtu pracovních úrazů s pracovní neschopností v odvětvích (CZ-NACE) v roce 2012



IX. The number of occupational injuries with absence from work (the red line - women; the green line - young workers)

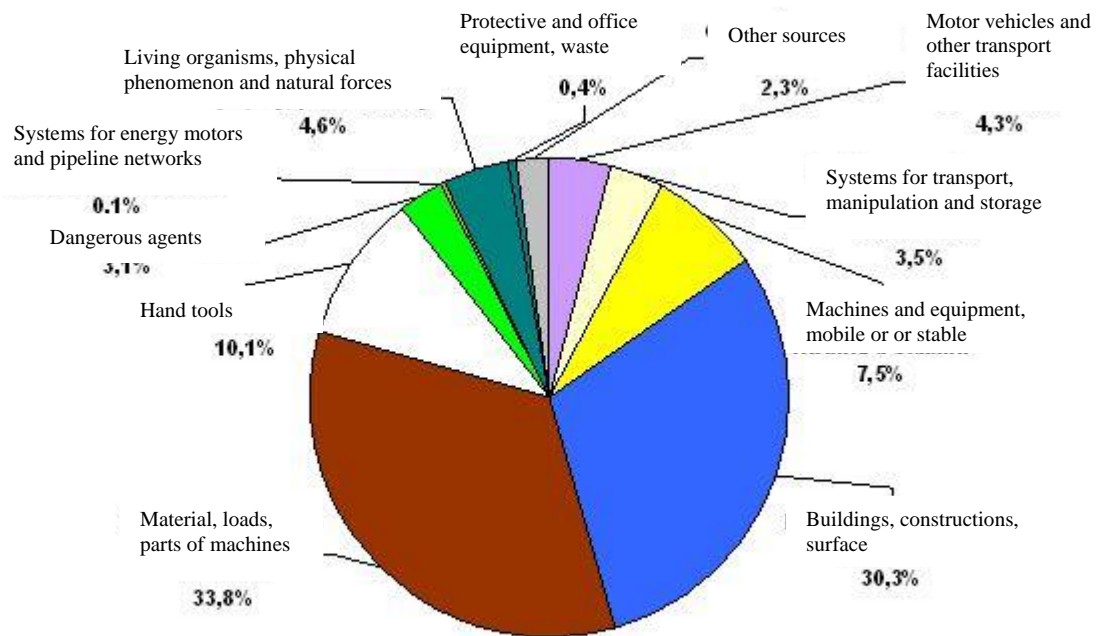


X. Frequency of occupational injuries with absence from work on 100 policyholders (the blue line - men; the red line - women; the green line - young workers; the black line – average CZ)



XI. Share of the number of occupational injuries with absence from work longer than 3 calendar days according to the source of injury in 2012

Graf č. 5.1 Podíl počtu pracovních úrazů s pracovní neschopností delší než tři kalendářní dny ve skupinách zdrojů úrazů v roce 2012



ANNEX III – INTERVIEWS WITH STAKEHOLDERS

How many interviews...	... in total		... with national authorities		... with labour inspectorates		... with workers' representatives		... with employers' representatives		... with research institutes, academia, OSH professional bodies, etc.	
	Contacted	Completed	Contacted	Completed	Contacted	Completed	Contacted	Completed	Contacted	Completed	Contacted	Completed
CZ	21	21	5	5	3	3	2	2	3	3	8	8

This table details all the interviews that were completed with Czech stakeholders, and includes as well the number of stakeholders contacted for these interviews. A further distinction is made on the basis of the category of stakeholders.