Occupational Health and Safety Regulations

Based on clause 15 (2) 16 and subsection 15 (3) of the Statutes of the University of Tartu and the Occupational Health and Safety Act and its implementing provisions, I hereby lay down the Occupational Health and Safety Regulations.

I. General provisions

1. The Occupational Health and Safety Regulations (hereinafter referred to as ‘regulations’) regulate the organisation of occupational health and safety and the employee’s rights and responsibilities with regard to occupational health and safety in the University of Tartu (hereinafter ‘university’).

2. The organisation of occupational health and safety in the university is based on the Occupational Health and Safety Act and its implementing provisions and these regulations.

3. Work related to occupational health and safety at the university is organised and conducted by:
   3.1. heads of structural units;
   3.2. working environment head specialist;
   3.3. working environment representative;
   3.4. working environment council; and
   3.5. head of the Estates Office.

II. Head of structural unit

4. For the purposes of these regulations, a head of structural unit is the head of an institute, director of a college, director of a non-faculty institution, head of a dean’s office and head of a support unit.

5. The head of the structural unit:
   5.1. ensures the safety of the working environment and healthy and safe working conditions for employees of their structural unit;
   5.2. organises the risk analysis of the working environment of the structural unit and the measurement of the working environment parameters, if necessary;
   5.3. informs employees of the structural unit, the working environment representative and the working environment head specialist of the risk analysis results and preventive measures to be applied;
   5.4. on the basis of the working environment risk analysis, makes the working environment head specialist a proposal to refer an employee to a primary medical examination within four months of commencing work;
   5.5. makes the working environment head specialist a proposal to refer an employee whose work involves contact with biological hazards, carcinogens, mutagens, lead or lead compounds or night work to a medical examination before commencing work;
   5.6. on the basis of the decision of the occupational health doctor, implements measures to reduce employee health risks;
   5.7. prepares a written action plan outlining the preventive measures for reducing employee health risks and improving working conditions and submits it to the working environment head specialist by 1 December each year;
   5.8. systematically conducts internal audits of the structural unit’s working environment and, in the course of this, plans, organises and monitors the occupational health and safety situation and submits a report on the audit results to the working environment head specialist by 1 December each year;
   5.9. organises the marking of hazardous areas on the structural unit’s working premises with appropriate signs;
   5.10. organises first aid and appoints the first aid provider(s) in the structural unit;
5.11. organises the occupation health and safety instruction of employees prior to commencing work and training and recurrent instruction, where necessary, and also the registration of instruction and training;
5.12. organises the election of the working environment representative of the structural unit;
5.13. refers the structural unit’s working environment representative and first aid provider to occupational health and safety-related training or further training;
5.14. organises the preparation of occupational safety instructions and the safety instructions of equipment and other tools and submits them to the working environment head specialist for approval;
5.15. provides the structural unit’s employees with appropriate personal protective equipment, working clothing and cleaning and washing supplies and organises training for the use of personal protective equipment;
5.16. immediately notifies the working environment head specialist and the working environment representative of any accidents involving employees of the structural unit and joins them in investigating the circumstances of occupational accidents;
5.17. organises the investigation of cases of occupational diseases together with the working environment head specialist and the working environment representative;
5.18. cooperates with employees, working environment representatives, the working environment head specialist and the head of the Estates Office in organising work related to occupational health and safety in the structural unit.

III. Working environment head specialist
6. A working environment head specialist is an employee of the university’s Human Resources Office authorised by the university to perform duties related to occupational health and safety under these regulations.
7. The working environment head specialist:
   7.1. organises the internal audit of the working environments of structural units and the preparation of risk analysis and action plans;
   7.2. organises the training of working environment representatives and first aid providers and maintains the respective registers;
   7.3. organises occupational health and safety training for the members of the working environment council and heads of structural units and maintains a respective register;
   7.4. schedules the primary or periodic medical examination of employees and refers employees to the occupational health doctor;
   7.5. submits the documents required for the medical examination of employees to the occupational health doctor and notifies the head of the structural unit about the decisions of the medical examinations;
   7.6. provides information about employees who have undergone medical examination to the working environment representative;
   7.7. ensures that medical examination lists and the decisions of employees’ medical examinations are preserved;
   7.8. advises employees of structural units on preparing safety instructions and approves completed safety instructions;
   7.9. advises heads of structural units on selecting first aid equipment and personal protective equipment;
   7.10. investigates occupational accidents and cases of occupational diseases;
   7.11. supervises occupational health and safety activities in the university’s structural units and makes proposals to the heads of units, head of the Estates Office, the working environment council and the rector with regard to creating a safe working environment;
   7.12. communicates the precepts of the Labour Inspectorate to employees, the working environment council, working environment representatives and other employee representatives and organises the performance thereof;
7.13. cooperates with heads of structural units, employees, working environment representatives, the working environment council and the occupational health doctor in organising work related to occupational health and safety;
7.14. performs other tasks that are necessary for fulfilling the university’s obligations in the field of occupational health and safety.

IV. Working environment representative
8. A working environment representative is a representative in matters of occupational health and safety elected by employees for a mandate of up to four years.
9. The working environment representative:
   9.1. monitors the implementation of occupational health and safety measures in the workplace and ensures that employees are provided functional personal protective equipment;
   9.2. participates in investigating occupational accidents and diseases that have occurred in their unit;
   9.3. immediately informs employees and the head of the structural unit of any hazardous situations or faults identified in the working environment and requests that the head of the structural unit eliminate the faults as quickly as possible;
   9.4. knows the occupational health and safety instructions and laws that are mandatory for employees;
   9.5. ensures that employees are provided with the necessary knowledge, instruction and training in the field of occupational health and safety;
   9.6. ensures that employees attend medical examination.
10. Each university’s structural unit elects at least one working environment representative. If a structural unit’s work units are located on separate territories and the work unit has more than ten employees, each work unit elects at least one working environment representative.
11. Working environment representatives are elected at the general meeting of the employees of a structural unit or work unit, where employees nominate working environment representative candidates from among themselves. Employees can participate in the general meeting either directly or via a person authorised with an unattested proxy. The candidate who receives the most votes is elected. The elections are considered effected if at least 50% of all employees participated.
12. If a unit is unable to call a general meeting of employees, the working environment representative is elected electronically.
13. Election results are registered as the working environment representative election protocol.
14. Working environment representatives perform their duties during work hours and are paid average daily remuneration during this time. Working environment representatives are eligible for a holiday of up to seven days for the effective performance of their duties under the terms and conditions set forth in the university’s Leave Rules.

V. Working environment council
15. A working environment council is an eight-member cooperative body of the representatives of the employer and employees, which resolves matters related to occupational health and safety at the university.
16. The working environment council:
   16.1. analyses the university’s working conditions and problems related to the working environment and makes proposals to the rector, heads of structural units and head of the Estates Office to improve working conditions or resolve problems;
   16.2. familiarises themselves with the results of structural units’ internal working environment audits and makes proposals to heads of structural units to eliminate shortcomings where necessary;
   16.3. analyses occupational accidents and cases of occupational diseases and ensures that structural units take measures to prevent them.
17. The rector appoints the employer’s representatives in the working environment council under a proposal made by the head of the Human Resources Office.

18. Employee representatives are elected to the working environment council as follows:

18.1. The working environment head specialist informs employees of the election of employee representatives to the working environment council and the times of the electoral procedures. All employees can submit a candidate for employee representative to the working environment head specialist by the established date. The working environment head specialist asks candidates their consent with regard to their candidacy;

18.2. After the nomination, the list of candidates submitted by employees is presented to working environment representatives. Working environment representatives are asked to inform the working environment head specialist of the candidate they vote for by the established date;

18.3. The four candidates who receive the most votes on the basis of the election results are elected;

18.4. The working environment head specialist prepares the election results protocol.

19. The members and mandate of the working environment council are approved by the rector’s decree.

20. Members of the working environment council are elected for a mandate of four years.

21. The working environment council elects a chair and a vice-chair from among its members.

22. The chair of the working environment council convenes the council at least once a year.

23. If the mandate given to a member of the working environment council appointed by the rector is suspended or terminated prematurely, the rector appoints a new member (hereinafter ‘substitute member’) to the working environment council on the recommendation of the head of the Human Resource Office.

24. If the mandate of a member of the working environment council elected by employees is suspended or terminated prematurely, the person who comes next in the list of election results becomes a member of the working environment council (hereinafter ‘substitute member’). If there is no other person in the list, employees elect a new representative.

25. The mandate of a substitute member is valid until the mandate of the member substituted is terminated or reinstated.

VI. Organisation of hazardous work

26. The Head of the Estates Office is responsible for:

26.1. The smooth operation and monitoring of surveillance, access, fire alarm and firefighting systems and the elimination of any faults;

26.2. The development, maintenance and monitoring of technical systems;

26.3. The operation and monitoring of electrical installations;

26.4. General fire safety activity and monitoring;

26.5. The availability of firefighting equipment and keeping it in working order.

27. Heads of structural units ensure safety upon:

27.1. The handling of chemicals;

27.2. Working with radiation sources;

27.3. Working with biological and infectious materials.

28. Heads of structural units organise activities related to environmental and radiation safety and the handling of chemicals and biological and infectious materials, including:

28.1. Applying for radiation practice licences from the Environmental Board and keeping them up to date, the personal monitoring of exposed workers and other requirements of the Radiation Act in cooperation with the radiation safety specialist;

28.2. Informing the Labour Inspectorate and the Health Board of work with biological and infectious materials and applying for the respective practice licences in cooperation with the working environment head specialist.

29. The head of the Estates Office and heads of structural units participate in the investigation of accidents and emergencies that have taken place in hazardous fields of work and organise the elimination of the related consequences.
VII. Employees’ rights and responsibilities

30. Employees are required to:
   30.1. contribute to creating a safe working environment by observing occupational health and safety requirements;
   30.2. comply with the work and rest time arrangements established in the university;
   30.3. attend scheduled medical examinations;
   30.4. use personal protective equipment when handling chemicals or coming in to contact with biological hazards and radioactive isotopes to reduce health risks;
   30.5. ensure that their work does not put anyone’s life in danger or pollute the environment;
   30.6. use work equipment as required;
   30.7. maintain order in their workplace and keep routes clear of any obstructions;
   30.8. refrain from disconnecting, modifying or removing any safety devices installed on tools or in buildings without authorisation and use these devices as required;
   30.9. comply with the occupational health and safety related orders of the heads of structural units, working environment representatives, the working environment head specialist, the occupational health doctor and the Labour Inspectorate;
   30.10. refrain from being at the workplace while under the influence of alcohol, narcotics or toxic or psychotropic substances or in a health condition that could endanger their co-workers;
   30.11. not smoke (including e-cigarettes) on university premises and territory outside of the designated smoking room or area.

31. In the event of an accident or a risk thereof, employees are obliged to:
   31.1. immediately notify both their colleagues and the line manager or the head of the structural unit;
   31.2. turn off and disconnect the tools and work equipment concerned from the mains, if necessary;
   31.3. not continue work before the line manager or head of the structural unit has given permission to do so;
   31.4. depending on their knowledge and technical means available, take measures to avoid possible negative consequences if it does not put their life or health at risk;
   31.5. leave their workplace or a hazardous area in a quick and safe manner using evacuation routes, if necessary;
   31.6. notify their line manager or the head of the structural unit of their departure from the workplace or a hazardous area at the first opportunity.

32. In the event of an occupational accident, employees are required to:
   32.1. as a victim or witness of an accident, notify the line manager, the work environment representative or the head of the structural unit at the first opportunity;
   32.2. call the emergency number 112, if necessary;
   32.3. provide first aid to the victim until the arrival of the ambulance, if necessary;
   32.4. ensure, where possible, the integrity of the scene of the occupational accident until the working environment head specialist has inspected it; in the event of a severe occupational accident, until the labour inspector has arrived or has informed that they will not visit the scene; in the event of a fatal occupational accident, until the arrival of the police or the labour inspector;
   32.5. if the workplace and the related equipment cannot be left undisturbed, record the scene of the accident and the condition of the related equipment in detail by using schemes, photos, scene descriptions or other evidence.

33. In order to avoid polluting the environment, employees are required to:
   33.1. collect waste in accordance with the waste management procedure established in the university;
   33.2. make fewer or, where possible, two-sided printouts in order to reduce paper waste or use the reverse side of the paper for making notes;
33.3. collect biological, radioactive, chemical and other hazardous waste in designated collection bins;
33.4. avoid using disposable tableware in the workplace where possible;
33.5. turn off all electrical equipment (household electronics, heaters, electric radiators, paper shredders, etc.) at the end of the workday, where possible;
33.6. switch off lights when leaving the work premises and common areas, where possible.

34. Employees have the right to:
34.1. request that the head of the structural unit provide working conditions and collective and personal protective equipment that comply with the occupational health and safety requirements;
34.2. receive information about working environment hazards, the results of the working environment risk analysis, measures applied to avoid health damage, the results of medical examinations and precepts made to the university by the Labour Inspectorate;
34.3. in the event of a risk or a suspicion thereof, stop working and leave their workplace or the hazardous area;
34.4. refuse to perform their duties or cease performing a task that could endanger their health or the health of other persons or that contravenes environmental safety requirements, immediately informing the head of the structural unit or the line manager;
34.5. request, on the basis of the decision of a doctor, that the head of their structural unit transfer them either temporarily or permanently to another position or temporarily ease their working conditions;
34.6. request that the head of their structural unit transfer them to a suitable daytime position if night work is contraindicated under the doctor’s decision due to their health condition and the university is able to transfer the employee to a daytime position;
34.7. receive compensation for health damage caused by work in the extent specified in the Law of Obligations Act;
34.8. contact a working environment representative, the members of the working environment council and other employee representatives and the Labour Inspectorate if they think the measures applied and the equipment provided by the university do not ensure the safety of the working environment.

VIII. Occupational health and safety expenses and compensation
35. Expenses related to the organisation of occupational health and safety work in a university’s structural unit are covered from the budget of the structural unit unless stated otherwise.
36. The expenses of the training and further education of the members of the working environment council are covered from the occupational health and safety allocation of the budget of the Human Resources Office.
37. Compensation for health damage caused to employees by work is paid on the basis of the following principles:
37.1. compensation is paid from the budget of the structural unit where the employee is or was employed;
37.2. if an employee’s health is damaged while working in different structural units of the university, compensation is paid from the budgets of the respective structural units in proportion to the time the employee worked in these units;
37.3. if the structural unit responsible for the payment of the compensation is terminated and a new structural unit has not been formed on its basis, compensation is paid from the occupational health and safety allocation of the budget of the Human Resources Office.

IX. Implementing provisions
38. I declare the University of Tartu Introductory Guidelines in Occupational Health and Safety Matters approved by the Rector’s decree no. 31 of 1 October 2009 and amended by decree no. 51 of 17 November 2015 and the Occupational Health and Safety Regulations approved by the Rector’s decree no. 50 of 17 November 2015 invalid.