

## **ORDER No. 039 /MTPS /IMT of November 26, 1984 establishing general health and safety measures in the workplace.**

**THE MINISTER OF LABOR AND SOCIAL WELFARE,**

**GIVEN the Constitution;**

**MINDFUL of law no. 74/14 of November 27, 1974 relating to the Labor Code, amended by law no. 78/19 of December 29, 1978, in particular in its articles 102, 104 and 129;**

**SEEN Decree No. 84/029 of February 4 on the organization of the Government;**

**SEEN Decree No. 84/032 of February 4, 1984 appointing the members of the Government;**

**SEEN Decree No. 84/909 of July 26, 1984 reorganizing the Ministry of Labor and Welfare Social;**

**SEEN Decree No. 75/740 of November 29, 1975 establishing the conditions of organization and operation of the National Commission for Occupational Hygiene and Safety;**

**SEEN Order No. 015/MTSP/IMT of May 23, 1984 appointing members of the National Commission for Occupational Health and Safety;**

**SEEN the opinion issued by the National Commission for Occupational Hygiene and Safety at its meeting of July 17 and 18, 1984;**

**STOPPED:**

### **TITLE FIRST GENERAL PROVISIONS**

**Article 1.- 1. This decree establishes the basic general rules regarding health and safety in the workplace with a view to protecting the health of workers as effectively as possible.**

**2. The application of this decree does not exempt companies and establishments from compliance with other provisions concerning health and safety enacted by specific regulatory texts.**

#### **CHAPTER 1**

##### ***Obligations of employers***

**Article 2.- 1. The employer is directly responsible for the application of all prevention, health and safety measures intended to ensure the protection of the health of the workers he uses.**

**2. When several employers use workers simultaneously in the same workplace, they must collaborate to ensure that all workers are protected as effectively as possible.**

**However, each employer remains responsible for damage caused by its activities.**

**Article 3.- 1. Any employer who uses manufacturing processes involving special risks or likely to cause occupational diseases is required to make a declaration before the start of said work by registered letter addressed to the Minister of Labor and Welfare. Social (hierarchical route).**

**2. The declaration must indicate the nature of the risks and the protection and prevention measures taken to protect workers from harm resulting from their activities.**

3. In the event of serious risks, the relevant Labor Inspector launches an investigation to ensure that all measures have been taken.

**Article 4.- 1.** The employer is required to make available to workers and maintain the premises, installations and tools appropriate to the work to be carried out so as to ensure adequate protection for workers against workplace accidents. and any damage to health.

2. Likewise, the employer is required to ensure to workers, taking into account their activities, the timely provision, maintenance and renewal of individual and collective means of protection recognized as effective.

3. Depending on the nature of the work, appropriate protective equipment will consist of: a) respiratory masks when the nature of the industry or work to be performed does not allow sufficient elimination of gases, vapors, dust or other harmful fumes ; b) glasses or visors intended to protect the worker against any solid, liquid or gaseous projections likely to cause injury; c) glasses and other provisions for protection against radiation of all kinds, harmful to vision; d)

protection against all dangerous projections and against possible falling objects; e) gloves, gauntlets, sleeves, headgear, hoods and special footwear, for the appropriate protection of workers against projections, fumes and dangerous contacts; f) special clothing and/or equipment intended to protect workers when carrying out dangerous or simply dirty tasks; g) all other devices, devices or accessories capable of protecting the worker against risks linked to its activity.

**Article 5.- 1.** When hiring or in the event of the introduction of a new work process, the employer is required to communicate to workers all information concerning the risks involved in their respective occupations and the measures to be taken. to avoid them, including the use of protection systems.

2. Furthermore, permanent information is provided to workers in possible collaboration with the competent services of the Ministry of Labor and Social Security and the National Social Security Fund, the most representative trade union organizations of employers or workers, and any other organization interested in health and safety issues.

**Article 6.- 1.** Any establishment carrying out an activity classified in group A of risks, within the meaning of the regulations in force on work accidents and occupational diseases and employing more than ten workers must keep one or more so-called technical control registers where will be mentioned, with the date and signature of the technicians proposed for these checks, the tests, verifications and periodic maintenance operations of the devices, machines, safety devices, means of protection.

2. This provision is mandatory for companies and establishments carrying out an activity classified in risk groups B and C, regardless of the number of workers employed.

## **CHAPTER II**

### ***Obligations of workers***

**Article 7.- 1.** Every worker is required to strictly comply with the legal and regulatory provisions relating to health and safety in the workplace as well as the instructions of the company manager and the requirements of the internal regulations, in particular with regard to: (a) the performance of the work;

- b) the use and maintenance in good condition of the equipment, machinery, machines and installations made available to it; c) the use and maintenance of the personal protective equipment provided to him.
2. Workers are strictly prohibited from: a) preventing or hindering the application of the health and safety measures prescribed in the workplace;
- (b) to modify, remove, destroy or remove notices or instructions posted at workplaces and alarm systems installed at workplaces; c) to operate, use or engage in any maneuver on equipment, machines or safety devices, outside of any immediate danger.

### CHAPTER III

#### *Workplace health and safety committees*

- Article 8.- 1. A health and safety committee is formed in any establishment using at least 50 workers, if the activity is classified in risk groups A and B and whatever the number of workers if the activity is classified in group C.
2. The committee is made up of staff delegates, the employer or its representative and the occupational physician. If they exist: the assistant, the training agent, the security agent must be members of this committee.
3. It meets as often as necessary and at least once a quarter under the chairmanship of the employer.
4. The Labor and Social Insurance Inspector, the Labor Medical Inspector and the health and safety controllers of the National Social Insurance Fund or their representatives or any other qualified person due to the agenda may participate in the work of this committee at any time.

Article 9.- The role of the committee is: a) to carry out investigations in the event of serious work accidents and occupational diseases with a view to determining their causes and proposing appropriate measures to remedy them; b) to make any suggestions likely to improve working conditions; (c) to establish and implement a health and safety program relating to the activities of the company; d) to disseminate to all workers information relating to the protection of workers' health and the proper conduct of work; e) to arouse, maintain and develop the spirit of safety among workers.

Article 10.- The employer must ensure that the members of the health and safety committee receive adequate training by all possible means such as seminars, conferences, training courses.

### CHAPTER IV

#### *Fitness for use Medical monitoring*

- Article 11.- 1. No worker must be admitted to employment without having undergone a medical examination of aptitude for definitive employment.
2. However, the medical examination before employment is obligatory when it concerns: a) work involving a serious risk either because of the nature of the products and agents handled or used, or because of the conditions in which the work is performed;
- (b) women and children under 18 years of age;

c) physically or mentally handicapped.

All workers must be subject to periodic examinations in accordance with current regulations.

Article 12.- When the worker's activity involves a serious risk, this worker must, under the responsibility of the employer, be subject to medical surveillance for an appropriate period after termination of employment.

Article 13.- Workers called upon to engage in activities requiring special skills for their execution and likely to endanger their health and lives, that of other workers or any other person, must undergo appropriate periodic medical examinations, matched with the need for additional examinations.

Article 14.- The examinations provided for in this chapter are carried out at the discretion and expense of the employer. No worker can escape it.

## TITLE II

### General hygiene conditions in the workplace

#### CHAPTER 1

##### *Construction standards*

Article 15. 1. All work premises must meet technical conditions guaranteeing satisfactory hygiene and safety for workers.

2. To this end, construction, expansion or transformation projects for buildings serving as workplaces must be sent by the employer, before execution, to the relevant Labor Inspectorate for an opinion.

3. The projects are accompanied by plans indicating the location of the constructions, the nature and layout of the facilities, mechanical, electrical, sanitary and other installations.

4. Public bodies responsible for issuing building authorizations are required to take into consideration the opinion issued by the Labor Inspector.

Article 16.- 1. The location of work premises must take into account the regulations concerning classified establishments. .

2. Work premises must be located above ground level. When, in cases of force majeure, a work room must be located underground, half of its height must not be below the level of the sidewalk.

Article 17.- 1. The work premises must have a suitable surface area and interior volume taking into account the climate, the nature of the work and the number of workers.

2. Each worker must have a minimum volume of eight cubic meters per hour with a ceiling height of at least 2.50 m. In establishments open to the public or recognized as inconvenient or unsanitary, this air volume is 12 cubic meters per person employed.

3. The ceiling height can be lowered to 2 meters when ventilation is deemed satisfactory.

Article 18.- Work premises are kept in a constant state of cleanliness.

Article 19.- 1. The floor must be made of resistant, waterproof material, easy to clean.

When it is made slippery by the materials worked in the room, it is provided with a non-slip coating.

2. The different work areas must be at the same level. Otherwise, the inclination should be as low as possible.

**Article 20.- 1.** The floor is cleaned completely at least once a day. In premises where work is not organized in an interrupted manner day and night, this cleaning is carried out before opening or after closing work, but never during working hours.

**2.** Cleaning is done either by vacuuming or by washing, or using a brush, brooms, or damp cloths if the operating conditions or the nature of the floor covering prevent washing.

**3.** When the premises are cleaned by washing, the floor should be sloped to allow water to drain and drainage systems should be provided.

**4.** Dry cleaning with brushes or brooms is strictly prohibited.

**Article 21.-** Walls and ceilings must be cleaned frequently; the coatings are redone whenever necessary.

**Article 22.- 1.** In premises where alterable organic materials are processed, as well as in those where rags are handled and sorted, the walls and floor are also washed as often that it is necessary with a disinfectant solution.

**2.** Putrescible residues must never remain in the premises assigned to the work; they must be removed gradually, unless they are placed in tightly closed containers, emptied and washed at least once a day.

**Article 23.- 1.** Passages inside workplaces, corridors and galleries connecting the different parts of the premises; as well as the stairs must be wide enough taking into account the number of workers to allow easy evacuation in the event of an emergency.

**2.** The spaces between machines, installations and workstations must be wide enough to prevent workers from any discomfort and any accident due to accidental contact with a machine or part of it machine.

**Article 24.- 1.** Every establishment must have a sufficient number of doors and staircases and, if necessary, emergency exits judiciously distributed in order to allow rapid evacuation of staff and customers in the event of fire or any other danger.

**2.** Doors, stairs and emergency exits must always be free and never cluttered with stored goods or any objects.

**3.** The width of doors and stairs should not be less than 80 centimeters.

**Article 25.-** Doors likely to be used for the evacuation of more than 20 people and, in all cases, the doors of premises where flammable materials of the first or second group are stored as provided for in article 118 below, as well as those of the sales stores, must open in the direction of the exit.

**Article 26.- 1.** When the size of the establishment or the layout of the premises requires it, clearly visible inscriptions must indicate the way to the nearest exit.

**2.** "Emergency exits" are marked in clearly visible characters.

**3.** Safety lighting must ensure the evacuation of people in the event of accidental interruption of normal lighting.

**Article. 27.- 1.** Stairs must be lined on the empty side with ramps and handrails and offer all guarantees of safety.

**2.** Work premises located on upper floors or in the basement must always be served by a sufficient number of stairs. The existence of elevators, goods lifts, paths or conveyor belts cannot justify a reduction in the number and width of stairs.

## **CHAPTER II**

### ***Ambient conditions***

#### **SECTION 1**

##### ***Workplace atmosphere***

*Aeration and ventilation*

**Article 28.- 1.** The composition of the air in work premises must, as far as possible, present the characteristics of normal air. It must in no case constitute a danger for workers.

**2.** In the event of a risk of serious pollution by dust, toxic or caustic fumes, or simply inconvenience, devices are put in place indicating concentration levels dangerous to health as well as appropriate anti-pollution devices.

**Article 29.- 1.** Work premises must be provided with sufficient natural ventilation by means of windows and other openings with movable frames opening directly to the outside. The opening parts, whose surface area must be at least equal to 1/6 of the floor surface, must be judiciously distributed to ensure effective ventilation, making it possible to maintain the air composition within normal limits.

**2.** In closed work rooms, lacking or insufficiently provided with opening parts opening directly to the outside, measures will be taken to introduce fresh air at a rate of at least 30 cubic meters per hour and per person.

**3.** If necessary, the air thus introduced is first purified by filtration or any other effective means. Stale and polluted air must not be evacuated through passages and staircases.

**Article 30.- 1.** The atmosphere of workplaces is kept constantly free from any pollution of external origin, in particular from sewers, pits, cesspools, cesspools. The waste or washing water evacuation pipes and the drain pipes from the lavatories passing through work premises must be watertight.

**2.** For establishments that discharge their waste or washing water into a public or private sewer, any communication between the sewer and the establishment is equipped with a hydraulic interceptor which is frequently cleaned.

**Article 31.- 1.** Sinks are made of impermeable materials and are well sealed; they have a sufficient slope in the direction of the drain pipe and are arranged so as not to emit any odor.

**2.** They are carefully washed as well as their pipes, at least twice a week, using a disinfectant solution.

**Article 32.- 1.** All work in wells and galleries and in general, all underground or semi-underground work as well as in tanks and other devices is prohibited before it has been verified that these places do not contain of substances harmful to the safety or health of workers and as long as the ambient atmosphere has not been purified by effective ventilation. .

**2.** When there is doubt as to the harmfulness of the ambient atmosphere, workers must be provided with safety equipment or protective devices and they must be subject to constant supervision throughout the duration of the work.

**Article 33.- 1.** Dust as well as inconvenient, unhealthy or toxic gases are evacuated directly outside the work premises, as they are produced, provided that the legal and regulatory provisions concerning dangerous establishments are respected. , unsanitary or inconvenient.

**2.** For mist, vapors, gases, light dust, hoods with call chimneys or any other effective elimination device are installed.

**3.** For dust caused by moulds, threshers, grinders and all other mechanical devices, an effective dust collection device is installed.

**4.** For heavy gases, such as mercury vapors, carbon disulfide, elimination is by aspiration per descensum; the work tables and devices are placed in direct communication with the suction system.

- Article 34.- 1. Independently of the general measures set out above, masks and appropriate protective devices must be made available to workers in premises where dust, vapors, smoke or irritating or toxic gases are released.**
- 2. The business manager must take all useful measures to ensure that these masks and devices are kept in good working order and disinfected before being allocated to a new owner.**
- Article 35.- Atmosphere controls are periodically carried out at the initiative of the employer and the results of these controls are recorded in a special register opened for this purpose.**

## **SECTION II**

### *Thermal atmosphere - Bad weather*

- Article 36.- 1. As far as the nature of the work allows, the degree of ambient temperature and humidity in the work premises must not cause discomfort or risk to the health of workers.**
- 2. Appropriate measures are taken whenever there are heat sources or other causes likely to modify the temperature and humidity of the work premises to bring them within acceptable limits.**
- 3. Break times taken during working hours are granted to workers subject to extreme conditions of temperature and humidity.**
- Article 37.- 1. People working outdoors must benefit from protective equipment against bad weather.**
- 2. Site guards must have suitable shelter. The same applies to guards responsible for night surveillance in open areas.**

## **SECTION III**

### *Lighting*

- Article 38.- 1. All work premises and their outbuildings, including passages and staircases, must be sufficiently lit to ensure the safety of work and the movement of people.**
- 2. The lighting level of workstations must be adapted to the nature of the activities carried out there.**
- 3. The minimum lighting levels appear in the appendix to this order.**
- Article 39.- Lighting must as much as possible come from natural light by means of openings whose total surface area will be at least equal to 1/16th of the surface area.**
- 2. When natural lighting is insufficient, artificial lighting is provided**
- Article 40.- 1. Lighting as far as possible must be diffused and distributed uniformly in the workplace, in order to avoid any discomfort to workers by glare, intense reflections, shadows and excessive contrast.**
- 2. For the same reasons, lighting sources must be hidden from the view of workers.**
- 3. Windows, skylights or illuminated roofs are arranged so as not to allow sunlight to penetrate directly onto the work sites; they are equipped, if necessary, with devices intended to prevent excessive insolation, such as blinds, blinds, curtains.**

## **SECTION IV**

### *Sound environment (noises and vibrations)*

- Article 41.- 1. In noisy establishments, measures are taken to protect workers against the effects of noise and vibrations.**

**2. As far as possible, the sound intensity in the vicinity of a workstation must not exceed 85 decibels (DB).**

**3. For this purpose, the characteristics of the machines are taken into account at the time of their purchase, their putting into circulation and their installation.**

**Article 42.- In addition to collective protection measures relating to the layout of workstations and buildings, workers are allocated personal protective equipment recognized as effective.**

**Article 43.- Machines developing noise and vibrations above acceptable standards are, as far as possible, placed in premises far from other workstations.**

**Article 44.- Workers exposed to a harmful sound environment must be subject to a periodic audiometric examination, and at least twice a year.**

### **CHAPTER III**

#### ***Facilities for workers' personal use***

##### **SECTION 1**

###### ***Drinks***

**Article 45.- 1. Employers must make available to staff, free of charge, fresh drinking water in sufficient quantity for drinking.**

**2. Furthermore, when workers are habitually subjected to certain difficult working conditions, temperature or atmospheric pollution, employers must provide them with at least one non-alcoholic drink, hot or cold, taking into account tastes. interested parties and on the advice of the company doctor.**

**Article 46.- The devices or containers used for the storage and distribution of water and beverage consumption provided for in the article above must be maintained in good condition and placed away from any pollution.**

**Article 47.- 1. A provision of the internal regulations fixes the location of the distribution stations as well as the terms of distribution and allocation of drinks.**

**2. It is prohibited to introduce and distribute alcoholic or alcoholic beverages in the workplace.**

##### **SECTION II**

###### ***Meal***

***Locations* Article 48.- 1. When workers are required to usually take their meals within the premises of the establishment, in particular due to special conditions resulting from their working hours or the distance from their home in relation to their workplaces, the employer is required to provide them with canteens in the form of special premises completely separate from the work premises.**

**2. The canteens are kept in perfect cleanliness by the employer and the layout must meet satisfactory standards in terms of comfort and hygiene.**

**3. They are further equipped with suitable furnishings and facilities for preserving and heating food.**

**Article 49.- When meals are provided by the employer, the terms of this provision are established by agreements between the employer and the workers concerned within the framework of the internal rules and regulations in force.**

**Article 50.- 1. It is prohibited to let workers have their meals in the premises assigned to work.**

**2. However, an exemption may be granted by the Labor Inspector or, failing that, the Labor and Social Security Inspector under the following conditions:**



a) that the operations carried out by the establishment do not involve the use of toxic substances and do not give rise to any release of inconvenient, unhealthy or toxic gases; b) that the hygienic conditions are satisfactory.

### SECTION III

#### *Washbasins and*

*showers* Article 51.- 1. Every establishment must make sinks with running water available to staff, at least one sink for every 15 people.

2. When, by its particular nature, the work presents a risk such as exposure to excessive temperature and dust, contact with harmful, irritating, infectious or simply dirty substances, at least one shower is provided for every 10 workers simultaneously ceasing their work.

Article 52.- 1. Sinks and showers are provided with appropriate toiletries: soap, clean towels, brushes, etc., provided by the employer and frequently renewed.

2. Personal items must be placed in separate cabinets made available to workers.

### SECTION IV

#### *Cloakrooms*

Article 53.- 1. Changing rooms are provided with a sufficient number of seats and individual lockers with a key or padlock. These wardrobes must have a height of at least 1.80 m (feet not included) and be equipped with a hanger rod and a sufficient number of hangers.

3. When work clothes soiled with dirty, smelly, powdery, explosive or flammable materials are stored in the usual way in a locker room, the individual cupboards must have two separate compartments, one of which is reserved for these clothes.

4. Cabinets are completely cleaned at least once a week by the workers to whom they are assigned. The head of the establishment ensures complete cleaning at each change of owner.

### SECTION V

#### *Seating - Rest rooms*

Article 54.- 1. An appropriate seat is made available to each worker or employee at her workstation, in all cases where the nature of the work is compatible with sitting, continuous or intermittent.

2. The seats are distinct from those which could be made available to the public.

3. The seats thus allocated to workers must present the comfort characteristics allowing them to carry out their task without discomfort.

Article 55.- When schedules or the nature of the work requires it, rest rooms are made available to workers.

Separated from the workplaces, rooms are furnished to provide staff with suitable conditions of comfort.

### SECTION VI

#### *Lavatories and urinals*

Article 56.- 1. Workers, regardless of the number, must have toilets with seats, at least one toilet and one urinal for 25 men and at least one toilet for 25 women.

2. These facilities must be provided with a suitable flushing system and toilet paper.

**Article 57.- 1.** The installations referred to in Articles 51 to 56 above are set up in special premises, isolated from the workplaces, but placed close to them. They are ventilated, lit and kept in a constant state of cleanliness. Their floor and walls are made of materials making cleaning and maintenance easy. disinfection.

2. In establishments with mixed staff, facilities for male and female staff shall be separate.

## **TITLE III**

### **Worker safety provisions**

#### **CHAPTER 1**

##### *General safety measures*

**Article 58.- 1.** The materials, installations and devices of all kinds made available to workers by the employer must be appropriate for the work to be carried out and the risks to which workers are exposed.

2. They must present all safety guarantees and be maintained in good working order.

**Article 59.- 1.** It is prohibited to install non-approved protection devices when approved protection devices exist.

**Article 60.- 1.** In the absence of international standards, the materials, machinery and installations made available to workers must meet the standards established by the International Labor Organization or other scientifically recognized national or international organizations. or technical and designated by the Ministry of Labor and Social Welfare.

2. The approval orders, taken by the Minister of Labor and Social Welfare, establish, where necessary, official recognition of effectiveness, after advice from the competent Ministerial Departments.

**Article 61.-** The materials, machines, installations and devices must, at the time of their delivery, be accompanied by a sheet indicating their technical characteristics, the methods of use and maintenance, as well as the possible risks to which they expose and the safety devices they should be equipped with.

**Article 62.-** The use of dangerous materials, machines and other means of work is subject to the opinion of the National Commission for Occupational Hygiene and Safety.

**Article 63.-** Any request for approval must be addressed to the Minister of Labor and Social Welfare, accompanied by the following documents: a) an

overall plan of the machine and protection devices; b) the detailed side plans of the protective elements; c) a descriptive

and explanatory note for the assembly, adjustment and operation of the protection device; d) possibly a

photograph of the machine or the removable protection device (18 x 24 format).

**Article 64.- 1.** Materials, machines, installations and devices must be subject to periodic checks in accordance with the manufacturers' instructions.

2. The results of these controls are recorded in the special registers opened for this purpose and bearing the date, the nature of the control, as well as the name, capacity and signature of the agent responsible for the control operations.

3. It is the responsibility of the employer or his proposed employer to ensure that his checks have been regularly carried out carried out.

## **CHAPTER II**

### ***Protective measures against falls of people and objects Work at height Underground work***

**Article 65.- 1. Any work or circulation surface located at a height of more than 2 m must be provided with devices protecting the worker against any risk of falling.**

**2. For this purpose, it is**

**installed: - either guardrails placed at a height of 1 m with plinths at least 15 cm high; - either awnings, fans, floors or any other device intended to prevent the fall of the worker.**

**3. Guardrails must be rigid. They can be made up either of wooden sleepers, or of bars or tubes or safety harnesses and must be made available to workers.**

**Article 66.- When carrying out work on a ladder is likely to present a risk to the worker, good quality scaffolding constructed from solid and resistant materials is provided, and protected by guardrails and a plinth. under the conditions set out in the article above.**

**Article 67.- 1. Work platforms, scaffolding floors and walkways must have sufficient width and offer all guarantees of stability, solidity and resistance in relation to the work carried out and the load supported.**

**2. They must be protected by guardrails and a plinth and their surface must not have discontinuities.**

**Article 68.- 1. Service ladders must be fixed or maintained so that they cannot slide from the bottom or tip over. They must extend beyond the place where they provide access by at least one meter or be extended by a handrail upon arrival.**

**2. Only ladders that are sufficiently strong may be used, taking into account the weight to be supported, and equipped with all their rungs which must be rigid and securely fitted into the amounts.**

**3. Ladders cannot be used to transport loads weighing more than 30 kg.**

**4. It is prohibited to repair a ladder using fishplates or ties.**

**5. Double ladders must, during their use, have their uprights connected, or immobilized in order to avoid any accidental separation.**

**6. Double ladders must, during their use, have their uprights connected, or immobilized in order to avoid any accidental separation.**

**7. The ladders or slides must be of a model ensuring, during their greatest development, a length of overlap of the planes of at least one meter.**

**Article 69.- Wells, traps, vats and basins, reservoirs, pits and descent openings must be constructed, installed or protected in conditions ensuring the safety of personnel. Failing that of appropriate installation intended to prevent workers from falling, they are equipped with solid, rigid and fixed fences one meter high.**

**Article 70.- All measures must be implemented to avoid the risk of landslides, falls of people and objects, drowning, etc. before carrying out underground or semi-underground work underground.**

## **CHAPTER III**

### ***Use of dangerous devices and machines***

**Article 71.- 1. Generating and driving machine rooms must only be accessible to workers assigned to the operation and maintenance of these machines. In cases where these are not located in a separate room, they must be isolated by partitions or rigid and fixed protective barriers with a minimum height of one meter.**

**2. Passages between machines, mechanisms and tools driven by motors will have a width of at least 80 cm. In the intervals, the ground is leveled and made non-slippery.**

**Article 72.- 1. All devices, machines or elements of machines recognized as dangerous must be arranged or protected in such a way as to prevent personnel from voluntarily or involuntarily coming into contact with them during operation.**

**In particular, the following are**

**recognized as dangerous: a) machine elements comprising control and transmission members such as connecting rods, wheels, flywheels, shafts, gears, cones or friction cylinders,**

**chains, cams, slides, etc. b) elements of machines intended for coupling with another machine or for receiving mechanical energy, transmission belts**

**and cables; c) machine elements comprising accessible parts protruding from the moving parts of these machines such as stop screws, buttons, keys;**

**d) all other machines or elements likely to cause an accident, such as machines for beating, grinding, crushing, cutting, kneading, pressing, crushing, kneading, rolling; e) gas or vapor pressure devices operated under a pressure greater than atmospheric pressure.**

**Article 73.- Machine tools with cutting instruments rotating at high speed, such as sawing, milling, planing, cutting, chopping machines, shears and other similar machines, are arranged in such a way that workers cannot, from their workstation, unintentionally touch sharp parts.**

**Article 74.- 1. No worker must be habitually engaged in any work in the plane of rotation and in the immediate vicinity of a wheel, a grinding wheel or any heavy machine rotating at high speed.**

**2. Any grinding wheel rotating at high speed must be mounted or enveloped in such a way that in the event of breakage the fragments are retained, either by the mounting members or by the casing.**

**3. A very visible inscription, placed near the grinding wheels and other machines weighing and rotating at high speed, indicates the number of revolutions per minute which must not be exceeded.**

**Article 75.- 1. Except when the engine is stopped, the belts are always held in place using a release lever and not directly by hand.**

**2. The collective starting and stopping of machines operated by a command must always be preceded by an agreed signal.**

**Article 76.- 1. The device for stopping driving machines is always placed outside the dangerous zone and in such a way that the drivers who operate these machines can activate the aforementioned device easily and immediately.**

**2. In addition, each machine is arranged in such a way that it can be isolated by its driver from the control which operates it, using a release lever.**

**Article 77.- It is prohibited to clean and lubricate transmission elements and mechanisms in operation.**

**Article 78.- In the event of repair of any mechanical organ, its stopping must be ensured by the suitable blocking of moving parts whose accidental movement would be likely to injure workers; the same applies to cleaning operations on mechanical components when they are stopped.**

**Article 79.- Workers who have to stand near running machines must wear tight-fitting and non-floating clothing.**

## **CHAPTER IV**

### ***Lifting devices elevators freight elevators and transporters***

**Article 80.-** Equipment used for the transport of material such as elevators, elevators, cranes, freight elevators, swing bridges, hoists, stacking devices, jacks, conveyor belts and transporters of different types are planned and constructed in such a way as to offer all the necessary guarantees of resistance and safety.

**Article 81.- 1.** Lifting devices must, in all their constituent parts as well as their supports, be able to withstand the stresses resulting from their use and, if necessary, the forces due to winds.

**2.** Wedging, mooring or braking means are used to immobilize lifting devices mounted on wheels, such as bridges, rolling gantry cranes, cranes and, if necessary, to prevent them from moving under the action of the wind.

**Article 82.-** From their workstation and on the path they are authorized to take to get there, workers must be protected from any accidental contact with bare electrical wires under pressure.

**Article 83.- 1.** Access to the cabins must be easy and carried out under the best possible safety conditions. In the absence of walkways served by staircases equipped with ramps, fixed ladders with ramps or equivalent devices are arranged so as to lead to landings equipped with guardrails, at the level of and set back from the cabins or the runway.

**2.** It is prohibited to use the runways as normal access passages.

**3.** No free space above the void must exist in the route that the worker must normally take to pick up or leave his workstation.

**Article 84.- 1.** Appropriate measures must be taken to prevent objects from falling from the top of devices or tracks and to protect personnel from the dangers resulting from these falls.

**2.** Removable parts such as covers, boxes, casings must be connected to the frames in such a way as to prevent their possible fall.

**Article 85.- 1.** The suspension hooks are of a model preventing accidental unhooking of the burdens.

**2.** Slings are calculated, chosen, arranged and maintained so as not to break, slip or be cut. They must not be in direct contact with the sharp angles of the loads they support. The angle formed by the strands of the slings connected to the hooks is always such that the risk of the strand breaking is excluded.

**Article 86.-** All mechanically powered lifting devices are equipped with brakes or any other equivalent devices capable of stopping the load or the device in all their positions.

**Article 87.- 1.** It is prohibited to lift a load greater than that marked on the device, taking into account its conditions of use.

**2.** It is prohibited to carry loads above personnel.

**3.** It is prohibited to use lifting devices for the transport of personnel.

**Article 88.- 1.** It is prohibited to swing loads to place them at a point which cannot normally be reached by the lifting device.

**2.** However, in case of absolute necessity, this can only be done under the responsibility of a chief maneuverer, all precautions being taken to avoid accidents.

**Article 89.-** In order to carry out verification, lubrication and maintenance operations, access is provided reserved for the personnel responsible for them and allowing them to reach the various points where they are required to work without that he is required to engage in dangerous maneuvers.

**Article 90.- Chains, cables, ropes, spreaders and suspension hooks must be checked to ensure their solidity at least twice a year and at least 6 months apart. The results of these checks are recorded in a register opened for this purpose.**

**Article 91.- Instructions are established by the heads of establishment after consultation with the members of the health and safety committee.**

**These instructions must specify: a) the safety measures to be taken during normal operation of the device and in particular the obligation to interrupt the energy supply when the driver leaves his workstation; (b) the precautions to be taken to avoid falling objects, whether these objects are transported by the lifting device or whether they are struck by it**

**or by its load during its movements; c) the safety measures to be imposed to ensure the protection of personnel participating in inspection, lubrication, cleaning, maintenance or repair.**

**Article 92.- 1. The instructions are displayed in the premises or locations where each of them applies and in the operating cabin of the lifting devices.**

**2. In addition, each device is visibly marked with the maximum load that it is permitted to carry. make it lift in different use cases.**

**Article 93.- 1. The shafts of elevators and goods lifts will be enclosed, over their entire height, using resistant materials, except for the stations and necessary grilles on the floor.**

**2. When an elevator car is not at ground level, the opening shall be protected by handrails or other suitable devices.**

**Article 94.- 1. The starting and operation of machines, lifting devices, moving equipment must only be entrusted to personnel duly instructed by the employer and deemed capable of carrying out their tasks in complete safety after examinations. appropriate.**

**2. Appropriate measures must be taken to prevent agents not authorized by the employer from using these devices and machines.**

**Article 95.- The circulation aisles of devices and machines must be sufficiently wide and lit, and provided with adequate signage.**

## **CHAPTER V**

### ***Dangerous***

***substances* Article 96.- Are considered dangerous**

**substances: a) explosive substances, whether they are explosives themselves, or any other substance likely to explode under certain circumstances, such as combination with other materials, effect of heat, shock, etc.; (b) easily**

**flammable substances or precautions, as well as any substance favoring the spread of fire; c) toxic, harmful**

**or corrosive substances, whatever the route of entry into the body (respiratory, digestive, transcutaneous);**

**(d) substances emitting ionizing radiation, whether natural radioactive compounds or artificial.**

**Article 97.- In addition to specific measures concerning each category of substances, appropriate measures must be taken in all workplaces where dangerous materials are produced, handled, used, stored, transported, in particular with regard to: a)**

**the design of the**

**premises; b) the choice of construction materials;**

**c) lighting; d) the degree of**

**temperature and humidity; e) ventilation.**

**Article 98.- 1. Workers assigned to activities putting them in contact with these substances must be subject to appropriate medical examinations for recruitment and supervision.**

**2. It is prohibited to assign women and children under 18 years of age there without authorization issued by the company doctor, taking into account the regulations in this area.**

**Article 99.- 1. Adequate measures must be taken to reduce the exposure of workers to a minimum, in particular by means of collective protection tending to prevent the diffusion and accumulation of risk in the atmosphere of workplaces, work humidity, working in isolation, collection at source, neutralization, etc.) or by means of individual production when the means of collective protection prove insufficient.**

**2. In any case, working hours must be adapted to reduce exposure time.**

**Article 100.- When it is possible to substitute harmless substances or substances deemed less dangerous for dangerous substances, the latter must be used in preference to the former even if their use proves more expensive.**

**Article 101.- In all cases where these activities constitute a serious threat to the health or life of personnel, alarm devices must be put in place to signal the appearance of the danger and allow the evacuation of the premises.**

**Article 102.- Clearly visible and legible posters are posted in appropriate places by the employer to warn workers of the dangers inherent in handling these substances used.**

**Article 103.- Any packaging or container containing a dangerous substance must bear a label stating in a clearly legible and indelible manner the name of the product, its composition, the danger symbol, the safety measures relating to its use and those to be taken in the event of accident or any other danger.**

**Article 104.- Reservoirs, vats and containers containing dangerous substances must be fitted with an appropriate closing system offering all guarantees of hygiene and safety.**

**Article 105.- Packaging, transport, storage, transfer must be carried out in the best conditions of hygiene and safety.**

**Article 106.- 1. The premises where dangerous substances are stored must be isolated from the workplace. Their access is regulated.**

**2. In the work premises, only the quantity of substance usable during the day will be stored.**

**Article 107.- Maintenance, repair and cleaning work on tanks, tanks, containers, pipes and conduits are entrusted to qualified personnel with authorization issued for this purpose by the employer.**

**Article 108.- In order to avoid pollution of the soil, water and air, waste and residues of any nature whatsoever from dangerous substances are previously treated before their evacuation.**

**Article 109.- Workers assigned to activities putting them in contact with dangerous substances must be fully informed of the risks they run, and of the health and safety measures to be taken.**

## **CHAPTER VI**

### ***Electric currents***

**Article 110.- 1. The general requirements below are applicable to establishments using direct or alternating electric currents.**

**2. However, special provisions taken where necessary will regulate the health and safety conditions in the following establishments:**

a) establishments producing electrical energy;  
(b) electrical energy distribution establishments, including their ancillary transformation and maintenance

installations; c) establishments where special work is carried out such as electric traction, underground waterfall development sites.

**Article 111.-** Taking into account the greater operating voltage existing between the conductors and the earth, electrical installations are

classified into four groups: a) Group 1: Installations in which the voltage between conductors is less than 50 volts direct current or at 24 volts effective between conductors and earth in alternating current (i.e. 42 volts between phases if the current is three-phase with neutral to earth). Very low voltage current (TBT) b) Group II: Installations in which the voltage between conductors and earth does not exceed 600 volts in direct current and 250 volts in alternating current (i.e. 173 volts between phases if the current is three-phase). Low voltage current

(LV) c) Group III: Installations in which the voltage between the conductor and earth exceeds the above values without reaching 60,000 volts in direct current and 33,000 volts in alternating current (i.e. 57,000 volts between

phases if the current is three-phase). d) Group IV: Installations with a voltage higher than the values of group III.

**Article 112.-** 1. Before being put into service, installations in groups II, III and IV must be inspected by a specialized organization or service, designated by the Minister of Labor and Social Welfare after consultation with the Ministerial Department responsible for energy issues.

2. Group 1 installations are only subject to this obligation when they are supplied or connected to higher voltage installations; this power supply and this connection must then be done by appropriate systems.

**Article 113.-** 1. Electrical machines, devices and installations are maintained in safe operating and insulation conditions, so as to avoid in particular all dangers of electric discharges, fire, explosion and sparks. or fusion of matter.

2. To this end, they must be subject to monitoring, maintenance and periodic checks.

**Article 114.-** Independently of the provisions taken or likely to be taken by special regulations, the following general requirements must be

respected: a) electrical installations must be equipped with a safety system in relation to the highest operating voltage existing between the

conductors and the earth; b) electrical generators and transformers located in workplaces must be protected like all other types

of machinery; c) all electrical conductor wires located inside the workplace must be perfectly protected and isolated, and placed out of the reach of

workers; d) any power outlet must be earthed by means of a third terminal;

e) electrical circuits must be fitted with fuses having a resistance calculated as a function of voltage;

f) the connecting wires of lamps, tools and electrical appliances, as well as the connections, are protected by a hard rubber coating and if necessary by a flexible metal sheath; g)

when the voltages are higher than the low earth values, the parts of the machines and devices, the accessories, the devices, the coverings and the pipes not covered with a material insulating, are protected from any possible

contact; h) removable electrical appliances and portable machine tools are fitted with insulating cuffs or sleeves, as well as any other appropriate protective device. Their use in



highly conductive places (exterior construction sites, damp rooms, interior of turbines, boilers, etc.) is prohibited if they are not supplied with very low voltage current.

**Article 115.- 1.** The operation, repair and maintenance of the installations are entrusted to fully qualified personnel, whether or not belonging to the establishment.

**2.** The installations must be protected in such a way that no other person can have access to them or be allowed to work there or carry out maneuvers.

**Article 116.- 1.** Workers whose job requires them to use an electrical installation or to work in its vicinity must be fully informed by all means of the safety rules to be observed, in particular by colors, notices, signs, labels, emblems, etc. ...

**2.** They must also have the appropriate safety equipment to carry out their tasks.

**Article 117.-** The establishments referred to in this chapter must

have: a) first aiders capable of providing first aid in the event of an accident; b) appropriate equipment for first aid and transport of accident victims.

## **CHAPTER VII**

### ***Fire prevention and fighting measures***

#### **SECTION 1**

##### ***Fire prevention***

**Article 118.-** For the application of the provisions of this chapter, flammable materials are classified into three

groups: a) the first includes materials emitting flammable vapors, materials likely to burn without supply of oxygen, materials found in a physical state of large division and likely to form an explosive mixture with air; (b) the second group includes other materials likely to catch almost instantly on contact with a flame or spark and rapidly spread the fire; c) the third group includes combustible materials that are less flammable than the previous ones.

**Article 119.- 1.** Establishments presenting a fire risk must be located in special zones and separated from other establishments for their safety and to facilitate fire fighting and containment.

**2.** Inside establishments, workplaces presenting a fire risk must be isolated from others as far as possible.

**Article 120.-** In addition to the provisions of Chapter I of Title II relating to construction standards, the following provisions must

be applied: a) establishments presenting a fire risk are constructed of flammable or fire-resistant materials; the same applies to coatings, paints,

etc. b) the stairs are constructed of non-combustible materials or, failing that, of hardwood coated with plaster to a suitable thickness or protected by a covering of equivalent effectiveness; c) doors and exits likely to be used for the evacuation of people in the event of danger

must open in the direction of exit.

**Article 121.-** In addition to the provisions of Chapter V of Title III relating to dangerous materials, the following measures

must be applied: a) the premises where flammable materials referred to in Article 118, paragraph a) are stored and handled cannot be lit than by electric lamps fitted with a double envelope; b) these premises must not contain any fireplace, any flame, or any device capable of producing external sparks or having parts likely to be incandescent. They must be perfectly ventilated;

(c) smoking is prohibited there; a notice in very visible characters or a symbol reminding of this prohibition must be displayed there.

**Article 122.- 1.** In premises where flammable materials referred to in paragraphs a) and b) of Article 118 are stored or handled, no usual workstation must be more than ten meters from an exit. The passage between the workstation and the exit must be clear.

**2.** If the windows of these premises are fitted with grilles or grills, these grilles or grills must open very easily from the inside. .

**Article 123.- 1.** It is prohibited to deposit or leave flammable materials referred to in paragraphs a) and b) of Article 118 in staircases, passages and corridors, under staircases as well as near exits from premises and buildings.

**2.** Containers containing flammable liquids referred to in paragraphs (a) and (b) of Article 118 must be leak-proof.

**3.** Rags, cotton, paper impregnated with flammable liquids or fats must be, after use, enclosed in closed, waterproof metal containers.

**Article 124.- 1.** During staff presence hours, the filling of liquid or gaseous fuel lighting appliances, either in work premises or in passages or staircases used for circulation, must only be done in daylight and on the condition that no fireplace is there is on.

**2.** Pipes carrying combustible liquids or gases to lighting and heating appliances must be entirely metallic.

**Article 125.- 1.** The flames of portable lighting devices must be at least thirty centimeters away from any combustible part of the building, furniture or stored goods.  
horizontally.

**2.** However, with regard to walls and ceilings, smaller distances can be tolerated by interposing a non-combustible screen.

**Article 126.-** In addition to the requirements contained in this decree, heads of establishments must comply with all the requirements laid down by the regulations in force.

## **SECTION II**

### *Measures intended to combat any outbreak of fire.*

**Article 127.- 1.** Heads of establishments must put in place appropriate equipment so that any outbreak of fire can be quickly detected and effectively fought.

**2.** For this purpose it is

necessary: a) to set up an alert system that operates automatically, or failing that, organize a patrol

service; b) to have water under pressure and a sufficient number of water outlets and hydrants equipped with appropriate pipes, or even an automatic

water spraying system; c) to always have a sufficient number of fire extinguishers, suitably distributed and using a product adapted to the types of fires likely to occur in each workplace. These fire extinguishers must be maintained in good, constant working

order and be subject to periodic testing and verification by an appropriate person or organization.

The name and status of the person or organization, the date of the tests and verifications as well as the observations to which these give rise are recorded on a control sheet: d) to have

containers containing sand, buckets, shovels and marked canvases; e) to provide

exposed persons with the use of fire blankets or other appropriate equipment.

**Article 128.- 1. Heads of establishments must ensure that workers in their service are instructed in the measures to be taken for the evacuation of the establishment and adequately trained in the use of control equipment. against fire.**

**2. Workers designated for this purpose must undergo periodic training at least every 6 months.**

**3. In establishments where more than fifty people may normally be occupied or gathered together, as well as in those, regardless of their size, where flammable materials belonging to Group I are handled or used, a poster containing the instructions to be observed in the event of fire must be placed prominently in each work room.**

**4. This poster indicates in particular:**

**a) the extinguishing and rescue equipment located in a room or in its surroundings, as well as the personnel responsible for putting this equipment into action; b) the people responsible for each premises for directing the evacuation of staff**

**and possibly the public; c) the people responsible for notifying the**

**firefighters as soon as the fire begins; d) in very large letters, the address and**

**telephone number of the firefighters; e) said poster reminds that any person seeing the start of a fire must sound t**

## **TITLE IV**

### **Control measures and sanctions**

**Article 129.- Labor Inspectors and Labor Medical Inspectors within their jurisdiction, as well as health and safety control agents of the National Social Security Fund are responsible for implementing the provisions set out in this order.**

**Order 130.- 1. Any violation of the provisions of this order may be recorded by report by Labor Inspectors and Labor Medical Inspectors.**

**2. However, before a report is sent to him in the matters referred to in the articles listed in the table annexed to this order, the employer must be given formal notice to comply with the requirements which he has contravened.**

**3. The formal notice is entered in writing on the third issue of the employer register or is the subject, in the absence thereof, of a registered letter with acknowledgment of receipt.**

**4. Dated and signed, the formal notice specifies the infringement noted and sets the deadline by the end of which the infringement must have disappeared.**

**5. This period, which cannot be less than the minimum set by the table attached below, is determined by the control official, taking into account the circumstances and the importance of the work necessary to put an end to the infringement.**

**Article 131.- Violations of the provisions of this order are punishable by the penalties provided for in article R.370 (12e) of the penal code.**

**Article 132.- All previous provisions contrary to this order are repealed, in particular order no. 23/ MTPS/DEGRE/IMT of May 27, 1969 establishing health and safety measures in workplaces and the order establishing the name Factories ordinance (Chapter 66 of the Laws of the Federation of Nigeria).**

**Article 133.- This decree will be registered, then published in the Official Journal in French and English.**

**FOR CERTIFIED COPY THE HEAD OF THE  
STUDIES AND LITIGATION  
DIVISION,**

Nadine EFFOUDOU

YAOUNDÉ, NOVEMBER 26, 1984  
THE MINISTER OF LABOR  
AND SOCIAL PROVISION,

Dr Joseph FOFE

ANNEX 1  
TABLE OF PROVISIONS FOR WHICH THE NOTICE OF DEMAND  
PREREQUISITE IS MANDATORY

<u>PROVISIONS FOR WHICH THE DEMONSTRATION IS PLANNED</u>	<u>MINIMUM EXECUTION TIME DEMONSTRATION</u>
<b>TITLE I - GENERAL PROVISIONS</b>	
Article 3	4 days
Article 4	15 days
Article 5 § 2	15 days
Articles 11 § 1, 12, 13	8 days
<b>TITLE II - HYGIENE</b>	
Section 15	15 days
Article 18	4 days
Articles 20.1&2	4 days
Article 24	2
Section 25	months
Section 26	2
Article 27§1	months
Article 27§2	4 days 4 days 1 month
Section 35	15 days
Article 36	1 month
Article 87	15 days
Articles 38, 39&40	15 days
Articles 41§1,§2, 42	1 month
Article 44	15 days
Articles 48,51&53	2 months
Section 54	15 days
Article 56	2 months
<b>TITLE III - RELATED PROVISIONS FOR THE SAFETY OF WORKERS</b>	
Section 59	1
Article 64	month
Articles 65,66 & 67	15 days
Articles 68 & 69	15 days
Articles 71, 72§1, 74§2	15
Article 74§3	days 1
Articles 75§1 & 76	month
Article 81§2	4 days 8
Sections 83, 86&89	days 15 days 2 months
Articles 91§92	1 month

Section 98	15 days
Articles 99§101	2
Article 102	months
Articles 103&104	15 days
Articles 114,115§2	1 month 1 month
Articles 120&121	8 days
Article 123§2	15 days
Article 124§2	15 days
Article 127	15 days
Article 128§3&4	8 days

## ANNEX II

### LUX VALUES OF ILLUMINANCE REQUIRED IN VARIOUS INDUSTRIES

DISCRIMINATION DETAILS	EXAMPLES	ILLUMINATION NECESSARY (in lux)
Nothing	Exterior passageway roadway	20
Non-essential	Handling of coarse materials summary sorting Grinding of clay products Between-deck corridor passages	50-70
Light	Manufacture of semi-finished iron products, grain milling, cotton sorting, machine rooms, elevators, packaging, receiving, shipping services Changing rooms and sinks	100
Moderate	Roughing work - Product inspection, light textile inspection, packaging, wood planing	200
Quite meticulous	Bench or machine work - Precision testing, weaving, office work, filing documents, processing mail	300
Essential	Precision assembly-glass polishing, dark textile weaving, bookkeeping drawing, typing-stenography, printing	500 to 1,000
Meticulous lighting	High precision assembly and control, jewelry, watchmaking, reading of printing proofs Inspection and sewing of dark fabrics	1,000-2,000