OCCUPATIONAL HEALTH & SAFETY

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Labor Laws in Turkey

First Labor law: ➡ LAW NO 3008 in 1937

LAW NO 931 in 1967

LAW NO 1475 in 1971

LAW NO 4857 in 2003

this is the labor law that we are responsible for.

OHS Law No 6331

Law on Occupational Health and Safety

30 June 2012

5- sections *(Bölüm)*

39- Articles *(Madde)*

8- Temporary Articles *(Geçici Madde)*

36- Regulations *(yönetmelik)*

5- Communique *(Tebliğ)*

OHS Law No. 6331

Objective of this law is,

to regulate duties, authority, responsibility, rights and obligations of employers and workers,

to ensure occupational health and safety at workplaces,

to improve existing health and safety conditions.

According to this law:

- **ALL EMPLOYEES ARE PROTECTED WITHOUT PUBLIC AND PRIVATE SECTOR DISCRIMINATION…**

Including:

Without the number limit,
Officer, employee, employer, apprentice, intern, all employees,
All public and private sector jobs and workplaces,
All businesses including agriculture etc.

Exceptions:

Turkish Armed forces, police officers, disaster response teams,
home services, self-employed workers

According to OHS Law No.6331;

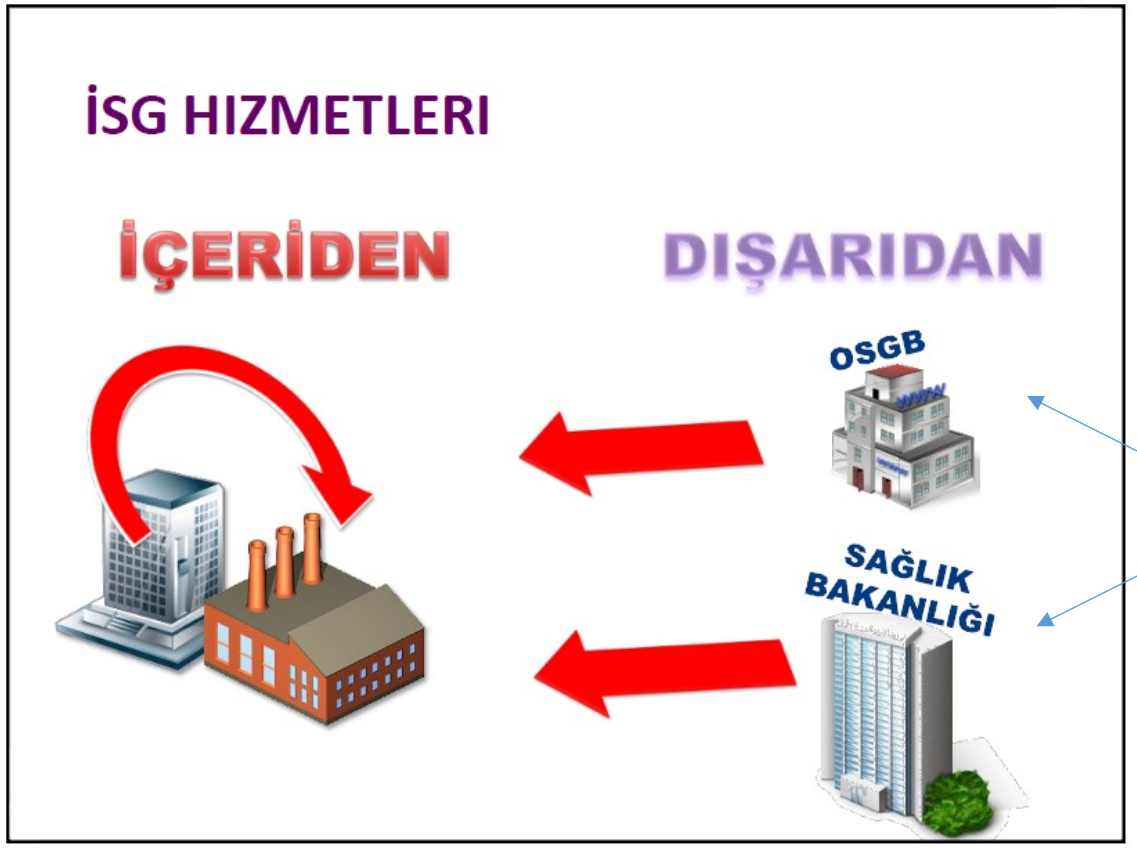
Occupational health and safety services are prepared;

To carry out studies for the prevention and protection of occupational risks; Occupational safety specialists, workplace physicians and other health personnel are assigned among the employees by their employers.

law no. 6331

Before	After
• Worker healthy and safety • (işçi sağlığı ve güvenliği)	Occupational health and safety (iş sağlığı ve güvenliği)
• reactive approach • Post-accident • (Reaktif yaklaşımlar)	proactive approach Pre-accident (Proaktif yaklaşımlar)
• personal protection methods • (kişisel korunma yöntemleri)	Bulk protection methods (toplu korunma yöntemleri)

If there is no employee who has a OHS certificate; where the employer can find a specialist from?



- **Outside of work place such as OSGB and Ministry of Health**

OSGB: Ortak Sağlık Güvenlik Birimi

Public Health and Safety Unit

OSGB: Public Health and Safety Unit

- The unit authorized by the Ministry, which has the necessary equipment and personnel to provide occupational health and safety services to the workplaces.

işyerlerine iş sağlığı ve güvenliği hizmetlerini sunmak üzere kurulan gerekli donanım ve personele sahip olan Bakanlıkça yetkilendirilen birim

Today, the law says;

- **If the number of employees in a workplace is between 1-9**
  - And
- **If the workplace is accepted as «hazardous» or «much hazardous»**

- **So;**
- **OHS services will be supplied by the government to that workplace.**

Evolution Before and After

	2012 Haziran	2014 Şubat	Değişim %
number of occupational safety specialists	8.665	89.719	1035
number of workplace physicians	8.446	21.073	250
Number of Public Health and Safety Unit	195	1.270	651
İş Güvenliği Uzmanlığı Sözleşmesi	1.754	99.793	5689
İşyeri Hekimliği Sözleşmesi	8.936	96.825	1084
Number of Educational Instutions	49	239	488
Number of Trainers	913	3878	425

If you are an OHS Specialist; you must:

1) Identify hazards

(Ex. Mosquitos in workplace are hazards)

2) Identify risks

(Ex. allergy or taking germs into your body)

If you are an OHS Specialist; you must:

3) Determine precautions: for this;

1) eliminate hazard at source (remove the all hazard)

Kill all of them?

2) replace hazardous substance with non-hazardous substance (Substitution,

Replace mosquitos with other insects

3) take engineering precautions (controls)

draining swamp

4) take administrative precautions

Caution signs

5) Use personal security equipments

Like mosquito net

If you are an OHS Specialist; you must:

- **4) Educate the employees**

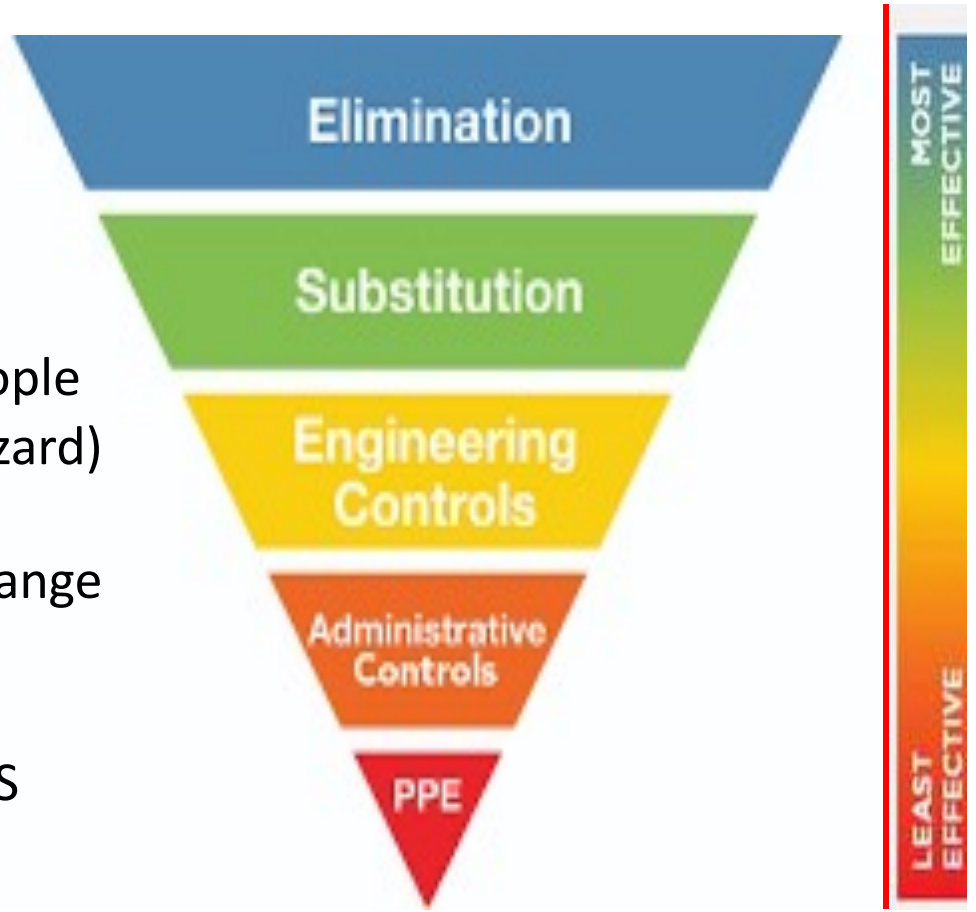
- **5) Prepare the first aid and fire fighting plans**

- **6) Check properly these studies**

HIERARCHY of CONTROLS

The risk is reduced by taking the following measures according to the results of the risk assessment and **in order of priority**;

- ELIMINATION (remove the hazard)
- SUBSTITUTION (replace the hazard)
- ENGINEERING CONTROLS (Isolate people From the hazard)
- ADMINISTRATIVE CONTROLS (Change behavior)
- PERSONAL PROTECTION EQUIPMENTS



According to the Law No: 6331

Workplaces are classified as;

1) Less Hazardous (Az tehlikeli)

2) Hazardous (Tehlikeli)

3) Much Hazardous (Çok tehlikeli)

Examples of Less Hazardous Workplaces

Examples of hazardous workplaces

Wood manufacturing factories

Manuel mine extraction

Oil transport via pipeline

Welding

Sugar refineries

Porcelain manufacturing

Clay-sand-gravel pits

Match production

plastic raw material manufacturing

Cologne and cosmetics

Examples of Much Hazardous Workplaces

Building sites

coal mining operation

Underground construction

Chemistry labs

Firefighting

Radiation rays

LPG filling operations

Chimney cleaning

Communique of LIST OF HAZARD CLASSES REGARDING OCCUPATIONAL HEALTH AND SAFETY

Nace Code	Work Definiton	Hazard Class
02.40.07	Diğer ormancılık hizmet faaliyetleri (ormancılık envanterleri, orman işletmesi, orman idaresi danışmanlık hizmetleri, orman (bakımı, verimi, vb.) ile ilgili araştırma geliştirme, vb.)	Az Tehlikeli
03.11.01	Deniz ve kıyı sularında yapılan balıkçılık (gırgır balıkçılığı, dalyancılık dahil)	Tehlikeli
03.11.02	Deniz kabuklularının (midye, ıstakoz vb.), yumuşakçaların, diğer deniz canlıları ve ürünlerinin toplanması (sedef, doğal inci, sünger, mercan, deniz yosunu, vb.)	Çok Tehlikeli
03.12.01	Tatlı sularda (ırmak, göl) yapılan balıkçılık (alabalık, sazan, yayın vb.)	Tehlikeli
03.21.01	Denizde yapılan balık yetiştiriciliği (çipura, karagöz, kefal vb. yetiştiriciliği ile kültür balığı, balık yumurtası ve yavrusu dahil)	Tehlikeli
03.21.02	Denizde yapılan diğer su ürünleri yetiştiriciliği (midye, istiridye, ıstakoz, karides, eklembacaklılar, kabuklular, deniz yosunları vb.) (balık hariç)	Tehlikeli
03.22.01	Tatlı sularda yapılan balık yetiştiriciliği (süs balığı, kültür balığı, balık yumurtası ve yavrusu dahil)	Tehlikeli
03.22.02	Tatlısu ürünleri yetiştiriciliği (yumuşakçalar, kabuklular, kurbağalar vb.) (balık hariç)	Tehlikeli
05.10.01	Taş kömürü madenciliği	Çok Tehlikeli
05.20.01	Linyit madenciliği	Çok Tehlikeli

https://www.resmigazete.gov.tr/eskiler/2017/02/20170227M1-1-1.pdf
http://www.ttb.org.tr/mevzuat/index.php?option=com_content&view=article&id=939:-salii-ve-guevenl-hzmetler-yoenetmel&Itemid=33

a new career for engineers

- Occupational Healt and Safety Specialist

  – A class
  – B class
  – C class

- OHS Trainer

In very hazardous workplaces;

Only and only If you have Class (A) OHS certificate, y**ou can work as an OHS specialist in vey hazardous wokplaces.**

In hazardous workplaces;

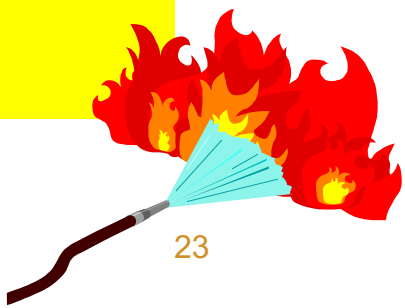
If you have Class (B) OHS certificate, y**ou can work as an OHS specialist in hazardous wokplaces. But also, if you have Class (A) certificate you can work too.**

In less hazardous workplaces;

If you have Class (C) OHS certificate, y**ou can work as an OHS specialist in less hazardous wokplaces. Also, if you have Class (B) and (A) cetificate you can work too**

To whom (C) Class OHS Certificate is given?

Engineers, architects or technical staffs who have participated in (C) class OHS trainings and who are successful in the (C) class OHS exam by OSYM.



To whom (B) Class OHS Certificate is given?

Engineers, architects or technical staffs who have worked for at least three years with (C) class OHS certificate and who have participated in (B) class OHS trainings and succeeded in the (B) class OHS exam by ÖSYM.

To whom (A) Class OHS Certificate is given?

An engineer, architect or technician who has worked for **at least four years** with a (B) class OHS certificate and who has attended the (A) class OHS trainings and also succeeded in the (A) class occupational safety exam by ÖSYM.

the major accident
starts with
the minor negligence

- ***For more information:***
- http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=92011
- https://www.osha.gov/Publications/OSHA3844.pdf
- https://www.researchgate.net/publication/277018333_Occupational_Safety_Experts_in_the_Law_No_6331_Qualifacations_Assignments_and_Authorizations
- https://www.lawsturkey.com/law/occupational-health-and-safety-law
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