

## Regulation of Occupational Health and Safety

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Occupational Health and Safety (SSO by its acronym in Spanish), includes issues of prevention, protection, safety, health and welfare of people performing their work. Its main objective is the regulation of the general conditions in which the employees develop their activities, to protect their lives, their health and their integrity at work. Recently, by Governmental Agreement 229-2014, the new Regulation of Occupational Health and Safety (in Spanish Reglamento de Salud y Seguridad Ocupacional - SSO) was issued, which updates and extends the regulation of these conditions, in which the employees of the private sector, Governmental, Municipal and autonomous institutions, must develop their work.

Within the issues ruled by the SSO are:

- The obligation of every work place to have an Occupational Health and Safety Organization, which are constituted in Committees integrated with equal number of representatives of workers and employers, safety inspectors or special committees. The activities and functions of these organizations must be developed in the corresponding internal labor regulations of each entity.

### **THE OBLIGATION OF EVERY WORK PLACE TO HAVE AN ORGANIZATION OF OCCUPATIONAL HEALTH AND SAFETY**

- The general obligations of employers and employees, as well as the provisions related to the control and vigilance that must be made by the Ministry of Work and Social Prevision, and the Guatemalan Social Security Institute.

- The obligation of the employers to comply with the adaptation of workplaces, and overall facilities, parking and access to basic sanitation facilities, for people with disabilities, who are part of their work team, as well as the personal protection equipment for workers in general, depending on the type of activity that they develop.

- The minimum conditions in terms of area and volume of the workplaces.

- The manual handling of loads, storage of materials, signaling of workplaces, prevention and firefighting, and the various activities in confined spaces.

- Hygienic and environmental workplace conditions; handling of hazardous substances, dust, flammable or unhealthy gases or vapors, and contaminants.

- Cleanup activities in workplaces, hygiene and water supply, as well as emergency medical care services.
- Handling and/or storage of electricity, equipment and tools, appliances that generate heat or cold and pressure vessels and radiation.

Excluded from the application of the SSO Regulation are:

a) The means of transportation used outside the workplace, as well as within the means of transportation; b) works of temporary or mobile construction with some exceptions; c) Extractive industries; d) Fishing vessels; and, e) fields, forests and other land forming part of a center of agricultural and forestry work, but which are located outside their built-up area.

Validity:

The new SSO Regulation supersedes the General Regulation on Health and Safety at Work, contained in Governmental Agreement dated December 28th, 1957 and will be effective as of February 7, 2015, six months after its publication (August 8th, 2014).

Recommendations:

It is important to assess compliance with the new regulation within six months, , as well as to take all the measures to avoid sanctions by the Labor Ministry.

Additionally it is recommended to review and update of the Internal Labor Regulations, in order to include the new obligations of the employer and employees, and to establish the corresponding treatment in case of a breach.

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