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**THE OCCUPATIONAL SAFETY AND HEALTH ACT,
(CAP. 297)**

RULES

(Made under section 109)

**OCCUPATIONAL SAFETY AND HEALTH (FIRST AID AND WELFARE FACILITIES)
RULES, 2015**

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| Citation | 1. These Rules may be cited as the Occupational Safety and Health (First Aid and Welfare Facilities) Rules, 2015. |
| Interpretation | 2. In these Rules, unless the context requires otherwise- |
| Cap. 297 | “Act” means the occupational safety and health act,
“Authority” means the Occupational Safety and Health Authority;
“action level” means a time-weighted average concentration of substances in the workplace air that is distinctly below the exposure limit for that substance, and at or above which level certain prescribed preventative measures must be taken; |

“adjoining” in relation to premises, means having a common boundary line;

“building operations” means the constructions, structural alteration, repair or maintenance of a building (including repainting, decoration and external cleaning of the structure) the demolition of a building and the preparation for and laying of the foundation of unintended building, but does not include any operation which is a work of engineering construction;

“drinking water” means water for human consumption which is clean, safe and wholesome;

“first aid” means:

- (a) an emergency medical care which a person needs for the purpose of preserving life and minimizing the consequences of injury until medical treatment is obtained; and
- (b) treatment of minor injuries that would otherwise receive no medical treatment or that do not need medical treatment;

“first aid attendant” means a person who holds a valid first aid certificate issued by the Authority or by any other Institutions recognized by the Authority and who is designated as a first aid attendant by the employer;

“injured person” means a worker or any person who suffers an injury during work;

“injury” includes an occupational disease or illness;

“first aid certificate” means a document acceptable by the authority as to a person's competence to perform the functions of a first aid attendant;

“general administrative Regulations” means the General Administrative Regulation, 2013, made under section 63 of the Act;

“high-risk substance” means a substance listed in the schedule to the occupational safety and health (hazardous substances) rules;

“hot water” means water at a temperature more than thirty five Celsius;

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“occupational exposure” means exposure through percutaneous, mucous membrane, or intact or non-intact skin to blood or body fluids of another person which occurs during the course of employment;

“sanitary convenience” means number of sanitary convenience to be provided relative to the population; and

“workplace” means a workplace as defined in the Act;

First aid attendant qualifications

3. The employer shall ensure that a person who is designated as a first aid attendant-

- (a) is at least eighteen years old;
- (b) has successfully completed the first aid training course or first aid examination developed or approved by the authority;
- (c) has a first aid certificate in good standing at the required level issued by the authority or a person recognized by the authority; and
- (d) meets any other requirements determined by the authority for designation as a first aid attendant.

Basic requirements

4.-(1) The employer shall provide for each workplace such equipment, supplies, facilities, first aid attendants and services as adequate and appropriate for-

- (a) promptly rendering first aid to workers and any other persons within the workplace premises if they suffer an injury at work; and
- (b) transporting injured workers to medical treatment.

(2) For the purpose of complying with subsection (1), the employer shall conduct an assessment of the circumstances of the workplace, including-

- (a) the number of workers who may require first aid at any time;
 - (b) the nature and extent of the risks and hazards in the workplace, including whether or not the workplace as a whole creates a low risk of injury;
 - (c) the types of injuries likely to occur;
 - (d) any barriers to first aid being provided to an injured person;
 - (e) number of first aid boxes and trained first aiders at a proportion that ten to fifty employees shall have one first aid box and two trained first aiders;
 - (f) first aid box or cupboard as prescribed in the First schedule shall be distinctively marked "FIRST AID" having only appliance or stocks of first aid equipment;
 - (g) the time that may be required to obtain transportation and to transport an injured person to medical treatment.
- (3) The employer shall review the assessment under subsection (2):
- (a) within 12 months after the previous assessment or review, and
 - (b) whenever a significant change affecting the assessment occurs in the employer's operations.
- (4) The employer shall keep first aid equipment, supplies and facilities in clean environment and ready for use, and be readily accessible at any time.

First aid
procedures

- 5.-(1)** The employer shall keep up-to-date written procedures for providing first aid at the worksite including-
- (a) the equipment, supplies, facilities, first aid attendants and services available;
 - (b) the location of, and how to call for, first aid;

- (c) how the first aid attendant shall respond to a call for first aid;
- (d) the authority of the first aid attendant over the treatment of injured persons;
- (e) reporting injuries to the authority;
- (f) a person responsible for calling transport for the injured person and the method of calling that transport; and
- (g) prearranged routes in and out of the workplace and to medical treatment.

(2) The employer shall display the procedures for providing first aid in a conspicuous place at the workplace or, if it is not practicable to display, the employer shall adopt other measures to ensure that the information is effectively communicated to workers.

(3) The employer shall provide sufficient training to first aid attendant and other persons authorized to call for transportation for injured persons.

Information on
post exposure

6. Workplaces other than health facilities which may have occupational exposure shall, after making risk assessment, ensure that information on post exposure prophylaxis is available in the first aid kit as per guidelines provided by the Ministry responsible for health matters.

Sanitation

7.-(1) An employer shall provide sanitary facilities at the workplace.

(2) Notwithstanding of sub-rule (1), an employer may, where less than fifteen persons are employed on one premise, make written arrangements for such persons to use closets and washbasins on adjoining premises provided that-

- (a) such facilities are freely and readily accessible; and
- (b) The facilities comply with these Rules with respect to-
 - (i) the total number of employees who will be using the facilities; and

- (ii) the condition of such facilities.
- (3) An employer shall-
 - (a) make a brushen water or toilet paper available to employees;
 - (b) provide every water closet pan designed to have a seat, with a seat cover;
 - (c) while the employer supplies the separate sanitary facilities for female employees, sanitary towel disposal bins shall be part of such facilities; and
 - (d) provide toilet soap or similar cleansing agent to employees.
- (4) Every employer shall provide showers for the use of his employees, and shall-
 - (a) provide running hot and cold or premixed hot and cold water for the washbasins and showers where necessary;
 - (b) ensure that the walls of part of a room in which there are showers, are smooth and impermeable, and that the floor thereof is slip free and sloped for effective drainage; and
 - (c) ensure that where showers are provided in a room with windows, such windows are glazed in obscure glass or similar material.
- (5) In each room where there are closets, urinals, showers or washbasins, every employer shall-
 - (a) provide a conspicuous sign outside the entrance to such a room to indicate the sex of the persons for whom the room is intended;
 - (b) ensure that every washroom is naturally or artificially ventilated in a manner that provides adequate ventilation and all windows and vents screened are vented to the outside such that the outside air hits directly;

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- (c) provide the necessary screen walls, partitions or doors in order to ensure privacy; and
- (d) ensure that water feeding to showers or washbasins on his premises which is not obtained from the water supply system of a local authority, complies with the standard set by the local authority.

Accommodation
for clothing

8.-(1) An employer in a workplace shall provide every employee in his service, excluding office workers, with personal facility for keeping clothes in safe and good condition.

(2) An employer shall ensure that each employee referred to in sub rule (1) stores his clothing and other personal items in his facility for safe keeping.

Change-rooms

9.-(1) Employees:

- (a) for whom showers and washbasins are provided, the employer shall increase the number of showers and washbasins for one to fifteen employees in accordance to the number of employees; or
- (b) who need to change clothes, the employer shall provide separate change-rooms for males and females, respectively;

(2) An employer under sub-rule (1) shall-

- (a) ensure that a change-room is not connected directly by means of a door or any other opening to any room in which the exposure to a high-risk substance is equal to or above the action level for such high-risk substance or in which untanned hides or skin or unwashed wool or mohair are treated, processed or stored;
- (b) provide adequate seating in the form of chairs or benches in every change-room for the maximum number of employees

- that will be using change-room at any one time;
- (c) not to store any materials, tools or other goods not related to the use of a change-room in a change-room or allow such items to be stored in a change-room;
 - (d) where a change-room has windows, glaze such windows in obscure glass or similar material;
 - (e) screen the entrance to every change-room in order to afford privacy;
 - (f) provide a conspicuous sign at the entrance to a change-room to indicate the sex of the persons for whom the change-room is intended;
 - (g) provide facilities for the drying of wet clothes where necessary;
 - (h) ensure that every change-room is naturally or artificially ventilated in accordance with the Tanzania Building Regulations; and
 - (i) ensure that no employee referred to in sub-rule (1)(b) changes his clothing at any other place at the workplace than in a change-room provided for him.

Dining room

10.-(1) Notwithstanding rule 8(3), every employer of employees who at a workplace-

- (a) are exposed to a high-risk substance in a quantity equal to or above the action level for such high-risk substance;
- (b) come into physical contact with any known poisonous substance which may cause illness if taken orally;
- (c) are exposed to dirt, dust, soot or similar filth, the decision of an inspector shall be conclusive, or
- (d) handle or process untanned hides or skins, or unwashed wool of mohair, shall provide

a separate dining-room or eating place on the premises in respect of the maximum number of employees who will be using it at any one time.

(2) The employer referred to in sub-rule (1) shall-

- (a) provide tables and chairs in every dining-room for the maximum number of employees that will be using the dining-room at any one time;
- (b) ensure that a dining-room or eating place is not connected directly by means of a door or any other opening with any room in which the exposure to a high risk-substance is equal to, or above the action level for such high risk substance or in which untanned hides or skins or unwashed wool or mohair are treated, processed or stored;
- (c) not store any material, tools or other goods not related to the use of a dining-room in the dining-room or allow such items to be stored in the dining-room; and
- (d) ensure that every dining-room is naturally or artificially ventilated, provide adequate ventilation and all windows and vents screened and be vented to the outside such that the outside air hits directly.

Prohibition

11. An employer shall—

- (a) prohibit smoking or the use of food or drink at workplaces contemplated in rule 9(1) and shall ensure that no person smokes eats or drinks in any such place; and
- (b) display conspicuous signs or notices at a conspicuous place in a workplaces that prohibits smoking, eating or drinking.

G.N. No. 147. (contd.)

Drinking water

12. An employer shall-

- (a) make available an adequate supply of safe and clean drinking water for his employees at their workplace;
- (b) clearly and conspicuously mark taps and pipes containing water which is not fit for human consumption;
- (c) provide the employees with cups when drinking water from coolers or containers; and
- (d) not allow the use of shared cup by more than one worker.

Seats

13. An employer shall-

- (a) where practicable, provide a seat for every employee whose work can be efficiently performed while sitting;
- (b) where practicable, permit an employee whose work is ordinarily performed standing to take advantage of any opportunity for sitting which may occur, and for the purpose the employer shall provide seating facilities; and
- (c) provide seats with back rests where the nature of work performed by employees is such that such seats can be used.

Condition of rooms and facilities

14. An employer shall maintain all rooms and facilities which are prescribed under these Rules, in a clean, hygienic, safe, whole and leak-free condition, and in a good state of repair: Provided that an inspector may, by notice in writing, direct an employer to take such steps as the inspector deems necessary for compliance with these Rules and the decision of the inspector shall be conclusive.

First aid attendant

15.-(1) An employer shall affix a notice in every workroom stating the name of the first aid attendant in that section of work.

(2) The employer shall provide an effective means for-

- (a) communication between the first aid attendant and the employees; and
- (b) the first aid attendant to call for assistance.

(3) The employer shall not assign, and the first aid attendant shall not undertake, employment activities that will interfere with the attendant's ability to receive and respond to a request for first aid.

First aid records

16.-(1) The employer shall maintain at the workplace, in a form acceptable to the authority, a record of all injuries and exposures to contaminants under these Rules that are reported or treated.

(2) The record referred under sub-rule (1) shall include the name of the injured person, work section, time of injury, type of injury, source of injury, time of treatment, name of first aid attendant and outcome of the injured person.

(3) Employer shall maintain first aid records for at least five years.

(4) First aid records shall be treated as confidential and may not be disclosed except as permitted by this rule or otherwise permitted by law.

(5) First aid records shall be available for inspection by an inspector of the Authority.

(6) Employee may request or authorize access to their first aid records for any treatment or report about themselves.

Multiple employer workplaces

17. If workers of two or more employers are working at a workplace at the same time, the main contractor shall-

- (a) conduct an assessment of the basic requirements as stipulated under rule 4 in relation to all the workers in the workplace; and
- (b) do everything that is practicable to

establish and maintain the first aid equipment, supplies, facilities, first aid attendants and services in accordance with the results of the assessment.

First aid attendant responsibilities

18.-(1) The first aid attendant shall-

- (a) promptly provide injured persons with a level of care within the scope of the attendants training;
- (b) objectively record observed or reported signs and symptoms of injuries and exposures to contaminants covered by this Rule; and
- (c) refer for medical treatment persons with injuries considered by the first aid attendant as being serious or beyond the scope of the attendant's training.

(2) A first aid attendant shall be physically and mentally capable of safely and effectively performing the required duties, and the authority may at any time require the attendant to provide a first aid certificate.

(3) The first aid attendant is responsible, and has full authority, for all first aid treatment of an injured person until responsibility for treatment is accepted:

- (a) at a place of medical treatment;
- (b) by an ambulance service or any other convenient transport available; or
- (c) by a person with higher or equivalent first aid certification.

(4) The employer shall ensure that the convenient transport is available for transporting the injured persons for medical treatment.

(5) The first aid attendant shall not deny a worker's decision to seek medical treatment or the worker's choice of medical treatment.

Offences and penalties

19. Any person who contravenes or fails to comply with any provision of rules 7, 8, 9, 10, 11, 12

or 13 is guilty of an offence and liable on conviction to a fine not less than five hundred thousand shillings or to imprisonment for a period not less six months and, in the case of a continuous offence, to an additional fine of five per centum or to additional imprisonment of one day for each day on which the offence continue:

Provided that the period of such additional imprisonment shall in no case exceed ninety days.

SCHEDULE

(Made under rule 4)

The Contents of the First Aid Box/Kit Shall Include the
Following as Minimum:

1. Sterile cotton balls.
2. Sterile pieces of gauze.
3. Bandages of various sizes including crepe.
4. Bandages and elastic bandages.
5. Arms ling or triangular bandages.
6. Safety pins.
7. Pair of scissors.
8. Gloves.
9. Splint of various sizes.
10. Tourniquets.
11. Maillol pain killers (Paracetamol or Aspirin).
12. Antiseptics (spirit weak iodine).
13. Bottle of clean safety water (for eye wash in
absence of tape water).
14. Blanket.
15. Note book for record keeping.
16. Stretcher.

Dar es Salaam,
20th February, 2015

GAUDENTIA M. KABAKA
Minister for Labour and Employment