

**Obaveze poslodavca i zaposlenih u skladu sa
Pravilnikom o preventivnim merama za bezbedan i
zdrav rad za sprečavanje pojave i širenja epidemije
zarazne bolesti**

Ministarstvo za rad, zapošljavanje, boračka i socijalna pitanja donelo je Pravilnik o preventivnim merama za bezbedan i zdrav rad za sprečavanje pojave i širenja epidemije zarazne bolesti („Sl. glasnik RS“ br. 94/2020, u daljem tekstu: „*Pravilnik*“), koji će stupiti na snagu 11. jula 2020. godine.

Pravilnikom se propisuju preventivne mere koje je poslodavac dužan da primeni radi sprečavanja pojave i širenja zarazne bolesti i otklanjanja rizika za bezbedan i zdrav rad zaposlenih, kao i lica koja se zateknu u radnoj okolini, kada nadležni organ proglasi epidemiju zarazne bolesti.

Pravilnik se primenjuje na svim radnim mestima u radnoj okolini u kojoj se obavlja rad, izuzev rada na terenu i rada od kuće.

***Plan primene mera za sprečavanje pojave i širenja
epidemije zarazne bolesti***

Poslodavci su dužni da do 10. avgusta 2020. godine za sva radna mesta u radnoj okolini, donesu plan primene mera za sprečavanje pojave i širenja epidemije zarazne bolesti (u daljem tekstu: „*Plan primene mera*“), koji je sastavni deo akta o proceni rizika, te da pomenuti Plan primene mera usaglašavaju sa odlukama nadležnog organa, usled nastalih promena koje utiču na bezbedan i zdrav rad tokom trajanja epidemije.

**Obligations of the employer and employees in
accordance with the Rulebook on preventive
measures for safe and healthy work to prevent the
occurrence and spread of the infectious disease
epidemic**

The Ministry of Labor, Employment, Veterans' and Social Affairs has adopted the Rulebook on preventive measures for safe and healthy work to prevent the occurrence and spread of the infectious disease epidemic (“Official Gazette of the RS” No. 94/2020, hereinafter: the “*Rulebook*”), which shall enter into force on 11 July 2020.

The Rulebook prescribes preventive measures that the employer is obliged to apply in order to prevent the occurrence and spread of infectious diseases and eliminate risks for the safe and healthy work of employees, as well as persons found in the work environment, when the competent authority declares an infectious disease epidemic.

The Rulebook applies to all workplaces in the work environment in which the work is performed, except for field work and work from home.

***Plan for the implementation of measures to prevent
the occurrence and spread of an infectious disease
epidemic***

Employers are obliged to, by 10 August 2020, adopt a plan for the implementation of measures to prevent the occurrence and spread of an infectious disease epidemic (hereinafter: the “*Plan for implementation of measures*”), which is an integral part of the Risk Assessment Act, for all jobs in the work environment and to harmonize the mentioned Plan for the implementation of measures with the decisions of the competent authority, due to changes that affect safe and healthy work during the epidemic.

Plan primene mera treba da sadrži:

- 1) preventivne mere i aktivnosti za sprečavanje pojave epidemije zarazne bolesti;
- 2) zaduženje za sprovođenje i kontrolu sprovođenja preventivnih mera i aktivnosti; i
- 3) mere i aktivnosti za postupanje u slučaju pojave epidemije zarazne bolesti.

Obaveze poslodavca

Poslodavac je dužan da na svakom radnom mestu u radnoj okolini obezbedi primenu preventivnih mera, a naročito da:

- 1) pre početka rada obezbedi pisane instrukcije i uputstva o merama i postupcima za sprečavanje pojave epidemije zarazne bolesti, koji sadrže informaciju o simptomima zarazne bolesti;
- 2) u skladu sa mogućnostima, ukoliko nije organizovan rad u smenama, izvrši preraspodelu radnog vremena uvođenjem druge ili treće smene sa manjim brojem zaposlenih;
- 3) sprovodi pojačanu higijenu i dezinfekciju radnih i pomoćnih prostorija što uključuje redovnu dezinfekciju prostorija i često provetravanje radnog prostora;
- 4) obezbedi zaposlenima dovoljne količine sapuna, ubrusa, tekuće vode i dezinfekcionih sredstava na bazi alkohola za pranje ruku, kao i da obezbedi redovno čišćenje svih površina koje se često dodiruju na radnom mestu, posebno prostorija i opreme kao što su toaleti, kvake na vratima, fiksni telefoni, računarska oprema i druga oprema za rad;

The Plan for the implementation of measures should contain:

- 1) preventive measures and activities to prevent the outbreak of an infectious disease epidemic;
- 2) responsibility for the implementation and control of the implementation of preventive measures and activities; and
- 3) measures and activities for action in case of outbreak of an infectious disease epidemic.

Employer's obligations

The employer is obliged to ensure the application of preventive measures for every workplace in the work environment, and especially to:

- 1) before commencement of the work, provide written instructions and guidelines on measures and procedures for preventing outbreak of an infectious disease epidemic, which contain information on the symptoms of the infectious disease;
- 2) in accordance with possibilities, if work in shifts is not organized, redistribute working hours by introducing a second or third shift with a smaller number of employees;
- 3) ensure reinforced hygiene and disinfection of work and auxiliary spaces, which includes regular disinfection of spaces and frequent ventilation of the work space;
- 4) provide employees with sufficient amounts of soap, towels, running water and alcohol-based disinfectants for hand washing, as well as provide regular cleaning of all surfaces that are frequently touched in the workplace, especially rooms and equipment such as toilets, door handles, landline phones, computer equipment and other work equipment;

- 5) organizuje i obezbedi redovno uklanjanje otpada i smeća (kante za smeće obložene plastičnom kesom) iz prostorija tako da se mogu isprazniti bez kontakta sa sadržajem;
- 6) uredi način vođenja evidencije o dezinfekciji radnih i pomoćnih prostorija koju organizuje i sprovodi;
- 7) obezbedi izradu uputstava za bezbedan i zdrav rad sa izvođačima radova, dobavljačima, distributerima i spoljnim saradnicima.

U slučaju pojave zarazne bolesti, poslodavac je dužan da kod svojih zaposlenih obezbedi primenu preventivnih mera, a naročito da:

- 1) prostor u kome je boravio zaposleni koji je zaražen redovno fizički i hemijski dezinfikuje i provetrava;
- 2) obezbedi da se poštuju procedure ulaska i izlaska u prostorije poslodavca, koriste propisana sredstva i oprema za ličnu zaštitu na radu, kao i da se poštuju druge mere zaštite tokom procesa rada;
- 3) obezbedi da se precizno definišu pravci kretanja zaposlenih kroz radne i pomoćne prostorije, da se organizuje stroga kontrola kretanja zaposlenih iz organizacione jedinice u kojoj je radio zaposleni koji je zaražen, da se kontakti zaposlenih iz organizacione jedinice u kojoj je boravio zaposleni koji je zaražen sa drugim zaposlenima svode na nužne uz propisane mere zaštite;
- 4) obezbedi primenu svih drugih mera po preporuci epidemiologa.

Poslodavac je dužan da u Planu primene mera uredi obaveze i odgovornosti u vezi sa praćenjem i kontrolom primene mera bezbednosti i zdravlja na radu.

- 5) organize and ensure regular removal of waste and refuse (waste bins lined with plastic bags) from the premises so that they can be emptied without contact with the contents;
- 6) regulate the manner of keeping records on disinfection of work and auxiliary spaces, which it organizes and implements;
- 7) ensure the compiling of instructions for safe and healthy work with contractors, suppliers, distributors and external associates.

In the event of an infectious disease, the employer is obliged to ensure the application of preventive measures among its employees, and especially to:

- 1) regularly disinfect and ventilate, both physically and chemically, the area in which the infected employee stayed;
- 2) ensure that procedures for entering and leaving the employer's premises are complied with, that the prescribed resources and equipment for personal protection at work are used, as well as that other protection measures during the work process are respected;
- 3) ensure that the directions of movement of employees in work and auxiliary spaces are accurately defined, to organize strict control of the movement of employees from the organizational unit where the infected employee worked, to maximally reduce contacts of employees from the organizational unit where the infected employee stayed with other employees, with prescribed protection measures;
- 4) ensure the application of all other measures recommended by epidemiologists.

The employer is obliged to regulate obligations and responsibilities related to the monitoring and control of the implementation of safety and health measures at work in the Plan for implementation of measures.

Proveru efikasnosti primene mera bezbednosti i zdravlja zaposlenih na radu kod poslodavca vrši lice za bezbednost i zdravlje na radu, koje u saradnji sa poslodavcem planira, sprovodi i podstiče primenu preventivnih mera, a posebno:

- 1) učestvuje u izradi Plana primene mera, priprema pisana uputstva i instrukcije za bezbedan i zdrav rad u cilju zaštite zdravlja zaposlenih od epidemije zarazne bolesti;
- 2) kontroliše primenu mera koje su utvrđene u Planu primene mera i vrši kontrolu korišćenja sredstava i opreme za ličnu zaštitu na radu;
- 3) saraduje sa državnim organima i daje potrebna obaveštenja o primeni preventivnih mera bezbednosti i zdravlja na radu.

Obaveze zaposlenih

Zaposleni su dužni da:

- 1) sprovode sve preventivne mere bezbednosti i zdravlja na radu kako bi sačuvali svoje zdravlje, kao i zdravlje drugih zaposlenih;
- 2) namenski koriste propisana sredstva i opremu za ličnu zaštitu na radu i da sa njima pažljivo rukuju, da ne bi ugrozili svoju bezbednost i zdravlje kao i bezbednost i zdravlje drugih lica, kao i da dodatno brinu o svojoj higijeni tako što će redovno i pravilno prati ruke, ličnu odeću držati odvojenu od sredstava i opreme za ličnu zaštitu na radu i radnog odela;
- 3) obavezno obaveste poslodavca ukoliko posumnjaju na simptome zarazne bolesti kod sebe, kod drugih zaposlenih ili članova svoje porodice;

Checking the effectiveness of the application of safety and health measures at work with the employer is performed by the person in charge for safety and health at work, who in cooperation with the employer plans, implements and encourages the application of preventive measures, in particular:

- 1) participates in development of the Plan for implementation of measures, prepares written instructions and guidelines for safe and healthy work in order to protect the health of employees from the infectious disease epidemic;
- 2) controls the application of measures determined in the Plan for implementation of measures and controls the use of resources and equipment for personal protection at work;
- 3) cooperates with state bodies and provides necessary information on the application of preventive measures for safety and health at work.

Obligations of employees

Employees are obliged to:

- 1) implement all preventive measures of safety and health at work in order to preserve their health, as well as the health of other employees;
- 2) purposefully use the prescribed resources and equipment for personal protection at work and handle them with due care, so as not to endanger their safety and health as well as the safety and health of others, as well as to take additional care of their hygiene by regularly and properly washing hands, keep personal clothing separate from personal protective equipment at work and work clothes;
- 3) be sure to inform the employer if they suspect symptoms of a contagious disease in themselves, other employees or family members;

- 4) pre početka rada pregledaju svoje radno mesto uključujući i sredstva za rad koja koriste, kao i sredstva i opremu za ličnu zaštitu na radu i da u slučaju uočenih nedostataka izveste poslodavca ili drugo ovlašćeno lice;
- 5) u skladu sa svojim saznanjima, odmah obaveste poslodavca o nepravilnostima, štetnostima, opasnostima ili drugoj pojavi koja bi na radnom mestu mogla da ugrozi njihovu bezbednost i zdravlje ili bezbednost i zdravlje drugih zaposlenih;
- 6) pre napuštanja radnog mesta, radno mesto i sredstva za rad ostave u stanju da ne ugrožavaju druge zaposlene;
- 7) sarađuju sa poslodavcem i licem za bezbednost i zdravlje na radu, kako bi se sprovele dodatne neophodne mere za bezbednost i zdravlje na radu.

Za sve dodatne informacije obratite se advokatskoj kancelariji Cvetković, Skoko & Jovičić.

- 4) before commencement of work, inspect their workplace, including the work materials they use, as well as resources and equipment for personal protection at work and, in case of observed deficiencies, inform the employer or other authorized person;
- 5) in accordance with their knowledge, immediately inform the employer of any irregularities, harmfulness, dangers or other phenomena that could endanger their safety and health at work or the safety and health of other employees;
- 6) before leaving the workplace, leave the workplace and work equipment in a condition so as not to endanger other employees;
- 7) cooperate with the employer and the person in charge for safety and health at work in order to implement additional necessary measures for safety and health at work.

Should you need any further explanations, do not hesitate to contact Law office Cvetković, Skoko & Jovičić.