



# **Cambodian Mine Action Standards (CMAS)**

## **Chapter 9**

### **Safety & Occupational Health General requirements**

#### **S & OH**



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## Introduction

Notwithstanding the legal obligations under international and national labour laws as well as international and national mine action standards, mine action imposes a moral imperative and duty of care by managers at all levels.

It is necessary to clarify the meaning of the term 'safe' in respect of mine action. To say that a situation is safe does not necessarily imply that all risk has been removed. It merely assumes that the risk has been reduced to a 'tolerable' level by the application of safety procedures designed to reduce the risks to the de-miners to a suitable and acceptable level.

Managers of mine action programmes and projects are to achieve a safe working environment by providing effective management and supervision, by developing work practices that contribute to risk reduction, selecting equipment with inherently safe design, providing appropriate training, and making available effective personal protective equipment (PPE) and protective clothing.

Given the wide range of operational settings and demining activities in Cambodia, it is not possible to provide a precise and complete set of specifications or provisions that apply to all situations. Thus, mine action organisations should develop and maintain management procedures and processes that will enable safety and occupational health (S&OH) risks to be identified, evaluated and reduced in a systematic and timely manner.

The aim of this standard is to provide guidance for the development and implementation of S&OH management systems for use in mine action within Cambodia.

## Safety & occupational health - General requirements

### 1. Scope

This CMAS provides specifications and guidance for the development and implementation of safety and occupational health (S&OH) systems for use in Cambodian mine action. It should be read in conjunction with CMAS (10.20, 10.30, 10.40, 10.50) and Cambodian National Labour law.

- a) CMAS (10.20) provides specifications and guidance for safety and occupational health on demining worksites.
- b) CMAS (10.30) provides specifications and guidance for personal protective equipment (PPE).
- c) CMAS (10.40) provides specifications and guidance for medical support of demining operations
- d) CMAS (10.50) provides specifications and guidance for the storage, transport and handling of explosives.

### 2. Safety and occupational health system elements

#### 2.1. General requirements

The CMAA and mine action employers should establish and maintain S&OH management systems. Such management systems should include the employment obligations and responsibilities under Cambodian law, particularly labour law, and those of the employer and employee.

#### 2.2. CMAA responsibilities

The CMAA shall approve regulations, codes of practice and technical guidelines relating to the S&OH practices of mine action organisations during accreditation. The CMAA should also: -

- a) Provide information and advice to employers, with a view to eliminating hazards or reducing them as far as practicable;
- b) Undertake or promote studies and research to identify hazards to safety and health, and find means of overcoming them;
- c) From time to time, review national legislation concerning S&OH; and
- d) Review the Cambodian mine action working environment in the light of experience and advances in technology.

The CMAA should develop, implement and maintain S&OH management systems in accordance with Cambodian Mine Action Standards.

#### 2.3. Employers' responsibilities

Employers should:

- a) Provide and maintain safe work places, machinery and equipment, and adopt safe work practices and procedures with a view to eliminating hazards or reducing them to **an acceptable** level;
- b) Provide adequate supervision and training (development and refresher training where appropriate);
- c) Provide, at no cost to the employee, adequate personal protective equipment (PPE) and clothing ;

- d) Provide, at no cost to the employee, adequate health care and emergency medical support in case of accidents;
- e) Appoint delegates and committees to represent record and submit the employee's views on S&OH matters. In this regard, provide such delegates and committees with access to appropriate information and advice.
- f) Set out in writing a safety policy and safety precautions then bring this information to the notice of every employee in a language or medium the employee readily understands;
- g) Verify the implementation of applicable standards and guidelines on S&OH and undertake systematic safety and health audits from time to time;
- h) Prepare and maintain safety records including records of occupational accidents and incidents.
- i) Ensure that adequate insurance cover exists for all employees against death, disablement and injury as well as third party coverage for the organisation. Refer to CMAS 7.30.

Mine action organisations (in their capacity as employers) should develop, implement and maintain S&OH management systems and plans in accordance with CMAS. Guidance on the implementation of S&OH is given at annex A and guidance on codes of practice regarding the issues of HIV/AIDS is given at annex B.

#### **2.4. Employees' responsibilities**

Employees have certain obligations with regard to S&OH. Employees should:

- a) Take all reasonable care for their own safety and that of other persons who may be affected by their acts or omissions at work;
- b) Comply with instructions given for their own conduct and safety;
- c) Use safety devices and PPE consistently and correctly, and do not render them inoperative; and
- d) Report to their immediate superior any situation that they have reason to believe could present a hazard and which they cannot themselves correct.

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## **Annex A (Normative) The implementation of S&OH**

### **Safety and occupational health system elements**

#### **1.1. General requirements**

Mine action organisations should establish and maintain a safety and occupational health (S&OH) management system. This system should include the elements outlined below.

#### **1.2. Safety and Occupational health policy**

The organisation's S&OH SOPs, are to be made known to employees, orally and in writing. It should be written in English and Khmer.

#### **1.3. Planning**

Planning should include establishing and maintaining documented policies and SOPs to include:

- a) Planning for hazard identification, risk assessment and risk control. (SOPs should include procedures and work instructions for all demining activities in the workplace including the activities of subcontractors and visitors to the workplace. It should also contain procedures for disease control and prophylaxis);
- b) Legal and other requirements. (Mine action organisations shall comply with Cambodian employment legislation and meet the standards of sector best practice);
- c) Mine action organisations should consider including objectives on the development of the safety and occupational health system as well as the reduction of incidents and accidents. While it is generally agreed that establishing and maintaining discipline is an important element of safety on a demining worksite, mine action organisations should establish and maintain SOPs that provide the opportunity for employees to contribute to the identification of problems and opportunities to improve safety in the workplace; and
- d) Safety and occupational health management programmes.

#### **1.4. Implementation and operation**

Implementation and operation should include establishing and maintaining documented plans and procedures for:

- a) The S&OH management structure, including the identification and detailed responsibilities of the organisation's Safety Officer. International mine action organisations should include planning for the early transfer of these responsibilities to national staff);
- b) Training and awareness should include training and periodic re-training on the S&OH management system and the responsibilities of all employees in the maintenance of their own safety and health, and in the assistance to accident prevention and first aid. It should also include the identification and reporting of opportunities to improve S&OH. Formal training should be included for staff in appointments with S&OH management responsibilities, such as safety officers and team leaders;
- c) Consultation and communication;
- d) Documentation. SOPs should include documented procedures and work instructions for the implementation of the S&OH system. This shall include auditable reporting procedures
- e) Document control of S&OH data;

- f) Operational control; and
- g) Emergency preparedness and response. (Mine action organisations should place particular emphasis on the preparation of emergency response plans for demining work sites, and on their regular testing. This should include confirmation of the capacities and capabilities of the medical and casualty evacuation facilities identified in the plan.)

#### **1.5. Checking and corrective action**

Checking and corrective action should include establishing and maintaining plans and procedures for:

- a) S&OH performance measurement and monitoring;
- b) Accidents, incidents and non-conformances (Mine action organisations should establish and maintain documented SOPs that identify and deal separately with demining incidents, accidents and mine incidents and accidents. Standards for documentation and reporting of demining incidents and accidents are included in CMAS 05.20);
- c) Corrective and preventative action, including control of disease;
- d) Records and record management; and
- e) Audit or monitoring.

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## **Annex B (Informative) HIV/AIDS Code of practice**

**The following information is based on the International Labour Organisation document 'An ILO code of practice on HIV/AIDS and the world of work'**

### **Preface**

The HIV/AIDS epidemic is now a global crisis, and constitutes one of the most formidable challenges to development and social progress. Beyond the suffering it imposes on individuals and their families, the epidemic is profoundly affecting the social and economic fabric of societies. HIV/AIDS is a major threat to the world of work: it is affecting the most productive segment of the labour force and reducing earnings, and it is imposing huge costs on enterprises in all sectors through declining productivity, increasing labour costs and loss of skills and experience. In addition, HIV/AIDS is affecting fundamental rights at work, particularly with respect to discrimination and stigmatization aimed at workers and people living with and affected by HIV/AIDS.

### **Objective**

The objective of this code is to provide a set of guidelines to address the issue of HIV/AIDS in the workplace. The guidelines cover the following key areas of action:

- f) Prevention of HIV/AIDS;
- g) Management and mitigation of the impact of HIV/AIDS in the work place;
- h) Care and support of workers infected and affected by HIV/AIDS;
- i) Elimination of stigma and discrimination on the basis of real or perceived HIV status.

### **Scope**

This code applies to:

- j) All employers and workers (including applicants for work) in the mine action sector; and
- k) All aspects of work, formal and informal.

### **Key principles**

#### **1. Recognition of HIV/AIDS as a workplace issue**

HIV/AIDS is a workplace issue, and should be treated like any other serious illness/condition in the workplace. This is necessary not only because it affects the workforce, but also because the workplace, being part of the local community, has a role to play in the wider struggles to limit the spread and effects of the epidemic.

#### **2. Non-discrimination**

In the spirit of decent work and respect for the human rights and dignity of persons infected or affected by HIV/AIDS, there should be no discrimination against workers on the basis of real or perceived HIV status. Discrimination and stigmatization of people living with HIV/AIDS inhibits efforts aimed at promoting HIV/AIDS prevention.

### **3. Gender equality**

The gender dimensions of HIV/AIDS should be recognized. Women are more likely to become infected and are more often adversely affected by the HIV/AIDS epidemic than men due to biological, socio-cultural and economic reasons. The greater the gender discrimination in societies and the lower the position of women, the more negatively they are affected by HIV. Therefore, more equal gender relations and the empowerment of women are vital to successfully prevent the spread of HIV infection and enable women to cope with HIV/AIDS.

### **4. Healthy work environment**

The work environment should be healthy and safe, so far as is practicable, for all concerned parties, in order to prevent transmission of HIV, in accordance with the provisions of the Occupational Safety and Health Convention, 1981 (No. 155). A healthy work environment facilitates optimal physical and mental health in relation to work and adaptation of work to the capabilities of workers in light of their state of physical and mental health.

### **5. Social dialogue**

The successful implementation of an HIV/AIDS policy and programme requires cooperation and trust between employers, workers and their representatives and government, where appropriate, with the active involvement of workers infected and affected by HIV/AIDS.

### **6. Screening for purposes of exclusion from employment or work processes**

HIV/AIDS screening should not be required of job applicants or persons in employment.

### **7. Confidentiality**

There is no justification for asking job applicants or workers to disclose HIV-related personal information. Nor should co-workers be obliged to reveal such personal information about fellow workers. Access to personal data relating to a worker's HIV status should be bound by the rules of confidentiality consistent with the ILO's code of practice on the protection of workers' personal data, 1997.

### **8. Continuation of employment relationship**

HIV infection is not a cause for termination of employment. As with many other conditions, persons with HIV-related illnesses should be able to work for as long as medically fit in available, appropriate work.

### **9. Prevention**

HIV infection is preventable. Prevention of all means of transmission can be achieved through a variety of strategies which are appropriately targeted to national conditions and which are culturally sensitive. Prevention can be furthered through changes in behavior, knowledge, treatment and the creation of a non-discriminatory environment. The social partners are in a unique position to promote prevention efforts particularly in relation to changing attitudes and behaviors through the provision of information and education, and in addressing socio-economic factors.

### **10. Care and support**

Solidarity, care and support should guide the response to HIV/AIDS in the world of work. All workers, including workers with HIV, are entitled to affordable health services. There should be no discrimination against them and their dependants in access to and receipt of benefits from statutory social security programmes and occupational schemes.