

## Bylaws in the Field of Occupational Safety and Health

---

The Ministry of Labor, Employment, Veteran, and Social Affairs has enacted the Rulebook on the Method and Procedure of Risk Assessment at the Workplace and in the Working Environment ("Official Gazette of RS" No. 76/2024, hereinafter referred to as the "**Risk Assessment Rulebook**"), which defines employers' obligations in the field of risk assessment at the workplace, as well as the method and procedure of risk assessment.

The Risk Assessment Rulebook was adopted based on the Law on Occupational Safety and Health ("Official Gazette of RS" No. 35/2023, hereinafter referred to as the "**OSH Law**"), which stipulates the employer's duty to ensure preventive measures to protect life and health at work when organizing work and the work process, in order to reduce the risk of injury and damage. In this regard, all employers are required to adopt a risk assessment document, in accordance with the provisions of the Rulebook, by no later than April 28, 2025.

According to Article 16 of the OSH Law, every employer is obliged to prepare a risk assessment document in written form for all workplaces in the working environment, and to determine the methods, measures, and deadlines for eliminating or reducing the risks to the lowest possible level. The risk assessment document is a mandatory document for all legal entities, regardless of the number of employees.

The risk assessment at the workplace and in the working environment includes the following steps:

- 1) General information about the employer;
- 2) Description of the technological and work process, means of work (their grouping, list of work equipment, and list of personal protective equipment);
- 3) Collection of data and recording the organization of work (review of the act on organization and job systematization, and other documentation, then establishing the actual work organization at the employer);
- 4) Identification and grouping of hazards and harmful effects at the workplace and in the working environment;
- 5) Risk assessment in relation to hazards and harmful effects;
- 6) Determination of methods and measures for eliminating, preventing, or reducing risks;
- 7) Conclusion;
- 8) Amendments and supplements to the risk assessment document (in specific cases, which are carried out after analyzing a work injury or based on measures ordered by the labor inspector).

The risk assessment procedure is initiated by the employer by issuing a decision to start the risk assessment process, simultaneously appointing one or more persons to carry out the risk assessment process (hereinafter referred to as the "**expert person**"). The expert person prepares an implementation plan for the risk assessment procedure with a clearly

defined content, which the employer approves.

An expert person may be:

- The employer (who must have passed the relevant professional exam),
- An employee at the employer/legal entity/entrepreneur with the appropriate license to perform the duties of a safety and health advisor or associate.

In addition to the Risk Assessment Rulebook, two more rulebooks have been adopted in the field of occupational safety and health:

1. **Rulebook on the Method of Issuing, Renewing, or Revoking Licenses for Performing Duties in the Field of Occupational Safety and Health** (hereinafter referred to as the "**License Rulebook**").

The License Rulebook clearly distinguishes between licenses and, accordingly, who decides on them, as follows:

- The request for issuing or renewing a license, with clearly defined content and accompanying documentation, is submitted to the Ministry of Labor-Labor Inspectorate for licenses: 1) safety and health advisors or associates; 2) coordinators in the project design phase and coordinators in the construction phase for safety and health at work.
- The request for issuing a license is submitted to the Occupational Safety and Health Administration for: 1) the responsible person (for the inspection and testing of work

equipment, inspection and testing of electrical and lightning protection installations, and testing of working environment conditions), 2) legal entities or entrepreneurs for performing occupational safety and health duties, and 3) legal entities (for performing inspections and tests of work equipment, inspections and tests of electrical and lightning protection installations, and testing of working environment conditions).

2. **Rulebook on the Program and Method of Taking the Professional Exam for Performing Occupational Safety and Health Duties and Responsible Person Duties** (hereinafter referred to as the "**Professional Exam Rulebook**").

According to the new Professional Exam Rulebook, the professional exam is taken by: 1) persons being trained to perform the duties of a safety and health advisor or associate, as well as the employer who personally performs occupational safety and health duties; 2) persons being trained to perform the duties of inspecting and testing work equipment, inspecting and testing electrical and lightning protection installations, and testing working environment conditions.

For any additional consultation or legal assistance, you can contact the Tasić & Partners team by email at [office@tasiclaw.com](mailto:office@tasiclaw.com) or by phone at +381116302233.