

Law on Occupational Safety and Health („Official Gazette of the Republic of Serbia“, no. 35/2023)

In the Official Gazette of the Republic of Serbia No. 35 as of April 29th, 2023, the new Law on Occupational Safety and Health (hereinafter: "**the Law**") was published and has since entered into force on the eighth day from the date of its publication, i.e. on May 7th, 2023.

With the entry into force of the new Law, the aim of which is to improve the existing safety system and prevent injuries at work, the previous Law on Occupational Safety and Health, passed exactly 18 years ago, ceased to be valid.

The new Law prescribes the obligation of employers to refer employees to a medical examination at their request, that corresponds to the risks at the workplace, at regular intervals but no later than within 5 years from the previous examination. The costs of medical examinations are borne by the employer.

Furthermore, the Law prescribes mandatory periodic implementation of training for safe and healthy work, which training is carried out for employees in workplaces with increased risk no later than within one year of the previous training, or within three years of the previous training for other workplaces, unlike the previously prescribed four years.

In the event of a serious or fatal injury at work, the employer is obliged to provide additional training to all employees at those workplaces within eight days.

A higher level of competence of occupational health and safety experts is being introduced, as well as licensing of all persons performing occupational health and safety tasks and their continuous improvement and advancement, as well as

new concepts such as working from home and remotely, working at height and in depths, work site and others.

The obligations of employers who perform construction activities, which are recognized as one of the riskiest business activities, have been specified. Namely, every employer/contractor is obliged to prepare a report on the arrangement of the construction site, if the works on such should last longer than three days continuously, and to report the start of work to the competent labor inspectorate.

Labor inspectors have been granted greater powers, meaning they can prohibit work on temporary or mobile construction sites for a period of three, i.e. 15 or 30 days, depending on established circumstances that endanger the safety and health of workers at the construction site. The inspector is obliged to publicly point out the ban on work at the construction site, and visibly mark the construction site.

The new legal measures also prescribe the employer's obligation to determine the procedure and method for issuing a permit to an employee for performing high-risk work (work at height, in depth, in confined spaces, on an energy facility, etc.) for the sake of more effective employee protection.

In addition, the new Law has tightened the penal policy by doubling the fines previously determined for prescribed offenses, while 73 different offenses have been prescribed for violations of the Law.

Employers are given a period of two years from the date of entry into force to organize and harmonize their operations with the Law.

For any additional consultation or legal assistance, you can contact the Tasić & Partners team via email at office@tasiclaw.com or via telephone at +381116302233.