

Guidelines on Occupational Safety and Health Management Systems
Ministry of Labour Notification No. 53, April 30, 1999

Amendment: Ministry of Health, Labour and Welfare Notification
No. 113, March 10, 2006

(Purpose)

Article 1. The purpose of these Guidelines is to raise the level of safety and health in workplaces. To achieve these objectives, these Guidelines have been designed to encourage employers to adopt, with the cooperation of their workers, a series of processes, and to engage in continuous and voluntary safety and health activities, thereby preventing industrial accidents, promoting workers' health and facilitating the establishment of a comfortable working environment.

Article 2. These Guidelines do not stipulate specific measures that employers are required to adopt in accordance with the Industrial Safety and Health Act (Act No. 57, 1972, hereinafter referred to as the "Act"), in order to reduce or eliminate hazards or health impairments associated with machinery, equipment, chemical substances, etc.

(Definitions)

Article 3. The terms that appear in these Guidelines are used in accordance with the following definitions.

1. Occupational Safety and Health Management System (OSHMS)
An Occupational Safety and Health Management System (OSHMS) constitutes a framework for a series of voluntary safety and health management activities, based on which the following measures are implemented systematically and continuously in workplaces. These measures are implemented as part of overall business management activities including production management.
 - a. Release of a safety and health policy
 - b. Risk assessments and control measures based on the results
 - c. Establishment of safety and health objectives
 - d. Formulation, implementation, evaluation and improvement of safety and health plans
2. System audit
A system audit is a review and assessment carried out by an employer in order to determine whether the measures to be taken in accordance with its OSHMS are being properly implemented, taking into consideration the period of its safety and health plan.

(Scope)

Article 4. Measures to be taken in accordance with the OSHMS shall principally be implemented for each workplace as a single unit. However,

an employer in the construction industry shall implement such measures by regarding all workplaces where all subcontractors conduct related work as a single workplace.

(Release of Safety and Health Policies)

Article 5. Employers shall specify their safety and health policies, and ensure that all their workers, related contractors and other persons concerned are fully informed of such policies.

2. The safety and health policy presents the philosophy of safety and health that guides all workplaces to improve the level of safety and health, and shall include the following items.

1. Prevention of industrial accidents
2. Implementation of safety and health activities with cooperation of workers
3. Compliance with the Act, any orders under the Act, all rules pertaining to safety and health established at workplaces (hereinafter referred to as “workplace safety and health rules”), etc.
4. Proper implementation of measures to be taken in accordance with the OSHMS

(Incorporation of Workers’ Opinions in Safety and Health Measures)

Article 6. Employers shall establish specific procedures for incorporating workers’ opinions in setting safety and health objectives and in formulating, implementing, evaluating and improving safety and health plans. Such procedures may include, for example, the use of a safety and health committee, etc. (meaning a safety and health committee, a safety committee or a health committee; hereinafter the same). Employers shall incorporate workers’ opinions in their safety and health measures in accordance with these procedures.

(Establishment of an OSHMS Implementation Structure)

Article 7. In order to establish a structure for properly implementing measures to be taken in accordance with the OSHMS, employers shall implement the following measures.

1. Employers shall clearly stipulate the roles, responsibilities and authority of workers engaged in system management at each organizational level (referring to a general manager supervising the overall business operations of a workplace, and managerial or supervisory personnel in production, safety and health, and related departments, such as senior managers, managers, section chiefs, and foremen who are in charge of the OSHMS; hereinafter the same). Employers shall ensure that all workers, contractors and other persons concerned are fully informed of such roles, responsibilities and authority of said parties.
2. Employers shall designate workers who engage in system management at each organizational level.

3. Employers shall make a reasonable effort to provide sufficient personnel and budget for the OSHMS.
4. Employers shall provide their workers with education and training about the OSHMS.
5. Employers shall use a safety and health committee, etc. for the implementation of measures to be taken in accordance with the OSHMS.

(Documentation)

Article 8. Employers shall specify the following items in written form.

1. Safety and health policy
2. Roles, responsibilities and authority of workers engaged in system management at each organizational level
3. Safety and health objectives
4. Safety and health plans
5. Procedures established in accordance with the provisions of Article 6, Paragraph 2 of this Article, Article 10, Article 13, Paragraph 1 of Article 15, Article 16 and Paragraph 1 of Article 17

2. Employers shall establish specific procedures to maintain the documents specified in the preceding paragraph and maintain them in accordance with these procedures.

(Records)

Article 9. Employers shall record the activities related to the implementation of measures to be taken in accordance with the OSHMS, including the implementation status of their safety and health plans, the results of system audits, etc. Employers shall keep these records properly.

(Risk Assessment and Control Measures)

Article 10. Employers shall establish specific procedures for risk assessment in accordance with the guidelines adopted pursuant to Paragraph 2, Article 28-2 of the Act, and shall implement risk assessment in accordance with these procedures.

2. Employers shall establish specific procedures to determine measures to be implemented in accordance with the Act, any orders established under the Act, workplace safety and 81 health rules, etc. and necessary measures to reduce or eliminate hazards or workers' health impairments based on the result of the risk assessment in the preceding paragraph. Employers shall determine the control measures in accordance with these procedures.

(Establishment of Safety and Health Objectives)

Article 11. Employers shall establish safety and health objectives based on their safety and health policies and by taking into consideration the following items. Employers shall clarify the level of achievement during a specific period for each objective. Employers shall ensure that all their workers, related contractors and other persons concerned are fully informed of the objectives.

1. The results of the risk assessment specified in Paragraph 1 of Article 10
2. Status of achievement of the safety and health objectives established in the past

(Formulation of a Safety and Health Plan)

Article 12. In order to achieve their safety and health objectives, employers shall formulate a safety and health plan by specifying a fixed period for implementation of such a plan based on the results of the risk assessment in a workplace.

2. A safety and health plan shall stipulate specific measures and an associated schedule to achieve safety and health objectives, including the following matters.

1. The specific contents of the measures determined pursuant to Paragraph 2 of Article 10 and the timing of the implementation of such measures
2. Matters related to the implementation of routine safety and health activities
3. The specific contents of safety and health education and training, and the timing of providing such education and training
4. The specific contents of measures to be taken for related contractors and the timing of the implementation of such measures
5. Matters related to the applicable period of a safety and health plan
6. Matters related to reviews of a safety and health plan

(Implementation of Safety and Health Plans)

Article 13. Employers shall establish specific procedures to properly and continuously implement their safety and health plans, and shall implement the plans in accordance with these procedures.

2. Employers shall establish specific procedures to fully inform all workers, related contractors and other persons concerned of measures necessary to properly and continuously implement their safety and health plans. Employers shall inform them in accordance with these procedures.

(Responses to Emergencies)

Article 14. Employers shall assess in advance the possibility of an imminent risk of the occurrence of an industrial accident (hereinafter referred to as “emergency situation”), and shall determine measures to prevent the occurrence of an industrial accident if such an emergency situation takes place. At the same time, employers shall take these measures to properly respond to such a situation if it occurs.

(Routine Monitoring, Improvements, Etc.)

Article 15. Employers shall establish specific procedures for conducting routine monitoring and making improvements with respect to the implementation of a safety and health plan. Employers shall monitor and improve the plan in accordance with these procedures.

2. When employers formulate a new safety and health plan, they shall incorporate into the plan the results of the monitoring and improvements specified in the preceding paragraph and the results of investigation specified in Article 16.

(Investigation of Causes of Industrial Accidents)

Article 16. Employers shall establish specific procedures to determine a cause, identify a problem and to take corrective actions if an industrial accident or any accident occurs. Employers shall determine the cause, identify any problems and take corrective actions in accordance with these procedures if such an accident occurs.

(System Audits)

Article 17. Employers shall formulate a plan for periodic system audits, and establish specific procedures to properly implement system audits on the matters specified in Articles 5 through 16. Employers shall conduct the audits in accordance with these procedures.

2. Employers, where they deem it necessary as a result of such a system audit, shall take corrective actions for measures to be taken in accordance with the OSHMS.

(Management Review)

Article 18. Employers shall periodically review the OSHMS based on the results of system audits specified in Paragraph 1 of Article 17 to maintain the validity and effectiveness of the OSHMS. In this process, the overall OSHMS.