

PROCEDURE OF ORGANIZING OCCUPATIONAL ACCIDENT INSURANCE, LIFE INSURANCE OCCUPATIONAL SAFETY AND HEALTH IN WORK AT HEIGHT (Regulation of the Manpower Minister of the Republic of Indonesia No. 9/2016 dated March 10, 2016)

BY THE GRACE OF ALMIGHTY GOD

THE MANPOWER MINISTER OF

THE REPUBLIC OF INDONESIA,

Considering :

That to implement provisions in Article 12 paragraph (2) letter I and Article 3 paragraph (1) letter a of Law No. 1/1970 concerning Occupational Safety, it is necessary to stipulate Regulation of the Manpower Minister concerning Occupational Safety and Health in Work at Height;

In view of :

1. Law No. 3/1951 concerning Statement Declaring the Enforcement of Labor Supervision Law of 1948 No. 23 of the Republic of Indonesia for the Entire Indonesia (Statute Book of 1951 No. 4);
2. Law No. 1/1970 concerning Occupational Safety (Statute Book of the Republic of Indonesia of 1970 No. 1, Supplement to Statute Book of the Republic of Indonesia No.1918);
3. Law No. 13/2003 concerning Manpower (Statute Book of the Republic of Indonesia of 2003 No. 39, Supplement to Statute Book of the Republic of Indonesia No. 4279);
4. Law No. 23/2014 concerning Regional Governments (Statute Book of the Republic of Indonesia of 2014 No. 244, Supplement to Statute Book of the Republic of Indonesia No.5587) as already several times amended the latest by Law No.9/2015 concerning the Second Round of Amendment to Law No. 23/2014 concerning Regional Governments (Statute Book of the Republic of Indonesia of 2015 No. 58, Supplement to Statute Book of the Republic of Indonesia No.5679);
5. Government Regulation No. 50/2012 concerning the Application of Occupational Safety and Health Management System (Statute Book of the Republic of Indonesia of 2012 No. 100, Supplement to Statute Book

of the Republic of Indonesia No. 5309);

6. Regulation of the Manpower Minister No. 8/2015 concerning the Procedure of Preparing Bills, Draft Government Regulations, Draft Presidential Regulations and Draft Ministerial Regulations at the Manpower Ministry (State Gazette of the Republic of Indonesia of 2015 No. 411);

DECIDES :

To stipulate :

REGULATION OF THE MANPOWER MINISTER CONCERNING OCCUPATIONAL SAFETY AND HEALTH IN WORK AT HEIGHT.

CHAPTER I

GENERAL PROVISIONS

Article 1

Referred to in this Ministerial Regulation as :

1. Occupational Safety and Health, hereinafter abbreviated into K3, is all activities carried out to ensure and protect the safety and health of workers through occupational accident and work-induced disease prevention efforts.
2. Work at height is an activity or job carried out by workers in a work place on land or waters surface which has different height and the potential to fall, and may cause the workers or other people in the work place to sustain injuries or die, or may cause damage to property.
3. Fall protection equipment is a set of devices used to protect workers, other people in the work place and property from an accident and financial loss while working at height.
4. Fall prevention equipment is a set of devices used to prevent workers from entering the zone which has the potential to fall so that they will escape an accident and financial loss.
5. Fall arrester is a set of devices used to reduce the impact of fall so that the workers will not sustain injury or die.
6. Personal protection equipment, hereinafter abbreviated into APD, is a device which is capable of protecting a person by isolating body partially or wholly from a potential danger in the work place.
7. Permanent working platform is the entire surface which is built or made available for frequent use in long duration.

8. Temporary working platform is the entire surface which is built or made available for use in not long duration, limited to certain types of jobs or has the possibility of collapse.
9. Anchor used for work at height, hereinafter called anchor, is a place where fall protection equipment is tied up, consisting of one or more mooring points in the nature, building structures or intentionally made using technical engineering during or after the construction of the building.
10. Worker is everybody who is capable of doing jobs to produce goods and/or services to meet personal or public needs.
11. Entrepreneur is :
 - a. an individual, association or legal entity that carries out own company;
 - b. an individual, association or legal entity that independently carries out non-own company;
 - c. an individual, association or legal entity in Indonesia that represents the company as referred to in letters a and b and is domiciled outside the Indonesian territory.
12. Manager is a person who is assigned to directly lead a work place or its parts independently.
13. Manpower supervisory officer, hereinafter called manpower supervisor, is a civil servant that is appointed and assigned to a functional post of manpower supervisor in accordance with the law and regulation.
14. K3 work environment specialist manpower supervisor is a manpower supervisor that has special expertise in the field of K3 work environment and is authorized to carry out develop, check and assess work environment and to supervise, develop and promote manpower supervisory system in accordance with the law and regulation.
15. Occupational safety and health specialist, hereinafter called K3 specialist, is a technical worker with special expertise from outside the agency overseeing manpower affairs that is appointed by the Minister.
16. Work place is any space or field, closed or open, movable or immovable, where workers work or frequently enter for the purpose of a business and where sources of danger are found.
17. Indonesian National Work Competency Standard, hereinafter abbreviated into SKKNI, is a formulation of work capability that covers the aspects of knowledge, skill and/or expertise as well as work behavior that is relevant to the task and terms of post set in accordance with the law and regulation.
18. Director General is the Director General that oversees the development and supervision of manpower and occupational safety and health.
19. Minister is the minister that is tasked with carrying out government duties in the manpower sector.

Article 2

Entrepreneur and/or manager shall apply K3 to work at height.

Article 3

Working at height as referred to in Article 2 shall meet K3 conditions covering:

- a. planning;
- b. working procedure;
- c. safe work technique;
- d. APD, fall protection equipment, and anchor; and
- e. labor.

CHAPTER II

PLANNING

Article 4

- (1) Entrepreneur and/or manager shall ensure that all activities related to work at height that become their responsibility have been planned properly and will be carried out safely and supervised.
- (2) Entrepreneur and/or manager shall ensure that working at height can only be done if the work situation and condition do not endanger the safety and health of workers and other people.

Article 5

- (1) Entrepreneur and/or manager shall consider and assess risks of carrying out activities related to work at height.
- (2) Entrepreneur and/or manager shall ensure that working at height as referred to in Article 2 will only be done if the said work can be conducted on the basement.
- (3) If work is conducted at height, entrepreneur and/or manager shall take proper and adequate steps to prevent an occupational accident.
- (4) The steps aimed at preventing occupational accident as referred to in paragraph (3) are not limited to :
 - a. ensuring that jobs can be done safely and ergonomic condition is adequate through available access or egress; and
 - b. providing proper occupational safety equipment to prevent workers from falling if the jobs cannot be done in the place or route as referred to in letter a.
- (5) If the steps as referred to in paragraph (4) cannot eliminate workers' risk of falling, entrepreneur and/or manager shall:
 - a. provide work equipment to minimize a distance of fall or reduce workers' risk of falling; and

- b. apply a system of issuing permits to work at height and give instructions or do other things related to the work condition.

CHAPTER III

WORKING PROCEDURE

Part One

General

Article 6

- (1) Entrepreneur and/or manager shall have a written working procedure as referred to in Article 3 letter b to do work at height.
- (2) The working procedure as referred to in paragraph (1) covers:
 - a. fall protection technique and method;
 - b. equipment management method;
 - c. job supervision technique and method;
 - d. safeguard of work place; and
 - e. preparedness and emergency response.
- (3) Entrepreneur and/or manager shall ensure that the working procedure as referred to in paragraph (2) is known and understood properly by workers and/or people involved in work before the work is started.

Part Two

Dangerous Zone

Article I 7

- (1) Any entrepreneur and/or manager shall put up work zone separating signs to prevent people who have not interest from entering it.
- (2) The separation of work zone as referred to in paragraph (1) is divided into 3 (three) zone categories based on the level of danger and impact on the safety of the public's and workers' safety.
- (3) The classification of zone categories as referred to in paragraph (2) covers:
 - a. dangerous zone, which serves as an area of workers and goods moving vertically and horizontally, and tethering point;
 - b. alert zone, which constitutes a zone between dangerous zone and safezone and whose size is calculated in such a way that falling objects do not enter the safe zone; and

- c. safe zone, which serves as zone free from the possibility of objects falling on it and does not disrupt the activities of workers;
- (4) The classification of zones as referred to in paragraph (3) shall be equipped with horizontal sketch and vertical sketch in the work location as a guide for workers, location manager and manpower supervisor.
- (5) Only workers and manpower supervisors have entry to the zones as referred to in paragraph (3) letters a and b.
- (6) The zone border as referred to in paragraph (3) shall be given signs easily seen and understood by everybody passing on it or staying around the work location.

Part Three

Falling Objects

Article 8

- (1) Entrepreneur and/or manager shall ensure that there will not be falling objects that may lead to injuries or fatalities.
- (2) Entrepreneur and/or manager shall restrict the weight of goods that may be brought by workers on their body other than the weight of APD and fall protection equipment at a maximum of 5 (five) kilograms.
- (3) If the weight of goods exceeds 5 (five) kilograms, they shall be moved up and down using a pulley system.

Part Four

Preparedness and Emergency Response

Article 9

- (1) Entrepreneur and/or manager shall make an emergency response plan in writing.
- (2) The emergency response plan as referred to in paragraph (1) shall at least contain :
- a list of workers giving aid to victims at height;
 - equipment that must be made available to handle the most possible emergency condition;
 - first aid (P3K) and evacuation facilities;
 - phone numbers from relevant parties related to emergency responses; and
 - location sketch and route for the evacuation of victims to the hospital for further treatment.
- (3) The emergency response plan as referred to in paragraph (2) shall be understood by workers involved in a job.

- (4) Entrepreneur and/or manager shall ensure the preparedness of emergency response team while work at height is going on.
- (5) Entrepreneur and/or manager shall re-evaluate K3 conditions as referred to in Article 3.

CHAPTER IV

TECHNIQUE OF SAFE WORK

Part One

General

Article 10

- (1) Entrepreneur and/or manager shall ensure and realize the technique of safe work to prevent employees from falling or to reduce the impact of fall from height.
- (2) The technique of safe work as referred to in paragraph (1) covers:
 - a. working on the permanent working platform;
 - b. working on the temporary working platform;
 - c. moving vertically or horizontally to or from the working platform
 - d. working in tilted position; and
 - e. working with line access.

Part Two

Working on Permanent Working Platform

Article 11

- (1) The efforts to prevent the possibility of workers falling on the permanent working platform include :
 - a. constructing resistant walls, stable and strong safeguard fence capable of preventing workers from falling from the permanent working platform;
 - b. ensuring that each work place has safe and ergonomic access or egress route; and
 - c. ensuring that the length of work restraint line does not exceed the distance between the anchor point and the side of building having the potential to fall.
- (2) The effort to reduce the impact of fall from height can use collective fall restraint equipment in the form of nets or sleepers.

Part Three

Working on Temporary Working Platform

Article 12

- (1) The effort to prevent workers from falling from the temporary working platform can use personal fall restraint instrument in the form of :
- retractable lanyard; or
 - double lanyard with hook and absorber.
- (2) The use of retractable lanyard as referred to in paragraph (1) letter a shall ensure safe distance and fall swing.
- (3) The use of double lanyard with hook and absorber as referred to in paragraph (1) letter b, the hook must be tethered higher than the head.
- (4) If the anchor for the hook as referred to in paragraph (3) is not available, the hook can be tethered as high as the chest.

Article 13

Temporary working platform and supporting structure must not entail the risk of collapse or the risk of changing the shape or can influence safe use.

Paragraph 1

Fragile Surface, Scaffolding and Ladder

Article 14

Entrepreneur and/or manager shall ensure that there will be no workers approaching, passing through and doing jobs on or near fragile surface.

Article 15

- (1) Entrepreneur and/or manager shall ensure that work at height using scaffolding and/or ladder meet K3 conditions.
- (2) The K3 conditions for scaffolding and/or ladder as referred to in paragraph (1) shall refer to the law and regulation.

Paragraph 2

Working at Height in the Nature

Article 16

Entrepreneur and/or manager shall ensure that workers doing work at height in the nature comply with K3 conditions as provided for in this Ministerial Regulation.

Part Four

Moving Vertically or Horizontally

to and from Working Platform

Article 17

- (1) Entrepreneur and/or manager shall provide people carrier for the movement of workers to and from working platform.
- (2) If the people carrier as referred to in paragraph (1) cannot be installed for certain jobs and conditions, the movement of workers can be done through motion technique as follows:
 - a. vertical personal fall arrester;
 - b. horizontal personal fall arrester;
 - c. personal fall resistant with double lanyard with hook and absorber;
 - d. personal fall resistant with lead climbing; and
 - e. personal fall resistant with retractable lanyard
- (3) Motion technique as referred to in paragraph (2) shall be equipped with absorber device or mechanism.

Article 18

to be continued

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