

## TIMBER LEGALITY DEFINITION 7: LABOUR OBLIGATIONS IN FORESTRY, WOOD PROCESSING AND TRADING OPERATIONS

<b>PRINCIPLE 7.1 RIGHTS AND BENEFITS FOR EMPLOYEES IN TIMBER HARVESTING, WOOD PROCESSING AND TRADING</b>		
<b>Criterion 7.1.1</b> Compliance with law and regulations on the rights for employees of timber harvesting, wood processing and trade		
<b>Indicators</b>	<b>Verifiers</b>	<b>Legal references</b>
7.1.1.1 The operator has made contracts of employment with employees in written form and the contents of the contracts shall be consistent with the Law on Labor.	7.1.1.1.1 Inspection report of the Labor Inspection Organization on -employment record of the operator.	<ul style="list-style-type: none"> <li>• Law 43/NA (2014), articles 75, 76, 77, 78, 171(3) and 175</li> <li>• Decision 4277/MoLSW (2016), articles 4, 7 and 8.</li> <li>• New Decision on the use of on-line labor inspection report system.</li> </ul>
<b>Criterion 7.1.2</b> -Compliance with law and regulations on the benefits for employees of timber harvesting, wood processing and trade		
<b>Indicators</b>	<b>Verifiers</b>	<b>Legal references</b>
7.1.2.1 The operator has regularly paid salary/wage to its employees not lower than minimum wage defined by the Government.	7.1.2.1.1 Inspection report of the Labor Inspection Organization on monthly pay list of salary payment of the operator.	<ul style="list-style-type: none"> <li>• Law 43/NA (2014), articles 104 - 109, 171(3) and 175.</li> <li>• Decision 4277/MoLSW (2016), articles 4, 7 and 8.</li> <li>• New Decision on the use of on-line labor inspection report system.</li> </ul>
<b>PRINCIPLE 7.2 SOCIAL SECURITY FOR EMPLOYEES IN TIMBER HARVESTING, WOOD PROCESSING AND TRADING</b>		
<b>Criterion 7.2.1</b> Compliance with requirements of social security for employees in timber harvesting, wood processing and trading		
<b>Indicators</b>	<b>Verifiers</b>	<b>Legal references</b>
7.2.1.1 The operator with 10 and over employees has paid contribution to the national social security fund based on the law.	7.2.1.1.1 Inspection report of the Labor Inspection Organization on the contribution to the national security fund of the operator.	<ul style="list-style-type: none"> <li>• Law 34/NA (2013), articles 06, 55(2) and 56(2).</li> <li>• Decision 4277/MoLSW (2016), articles 4, 7 and 8.</li> <li>• New Decision on the use of on-line labor inspection report system.</li> </ul>
<b>PRINCIPLE 7.3 OCCUPATIONAL SAFETY AND HEALTH IN TIMBER HARVESTING OPERATION</b>		
<b>Criterion 7.3.1</b> Compliance with requirements of occupational safety and health in timber harvesting operation		
<b>Indicators</b>	<b>Verifiers</b>	<b>Legal references</b>
7.3.1.1 The operator has implemented regulation on OSH in timber harvesting operation.	7.3.1.1.1 Inspection report the Labor Inspection Organization on the implementation of OSH	<ul style="list-style-type: none"> <li>• Law 43/NA (2014), articles 119(7), 171(3) and 175.</li> <li>• Instruction 1035/DOF (2010), section 3.</li> </ul>

	regulation in timber harvesting operation of the operator.	<ul style="list-style-type: none"> <li>Decision 4277/MoLSW (2016), articles 4, 7 and 8.</li> <li>Draft Decree on OSH No. /GOV, articles 10 and 11.</li> <li>New Decision on the use of on-line labor inspection report system.</li> </ul>
7.3.1.2 The operator has conducted trainings for employees on harvesting operation -and use of chainsaw.	7.3.1.2.1 Inspection report of the Labor Inspection Organization on training and use of chainsaw by- the operator.	<ul style="list-style-type: none"> <li>Guideline 2157/ DOF (2006), section X (2).</li> <li>Decision 0182/ MAF (2009), article 20 (20.5).</li> <li>Decision 4277/MoLSW (2016), articles 4, 7 and 8.</li> <li>Draft Decree on OSH No. /GOV, articles 10 and 11.</li> <li>New Decision on the use of on-line labor inspection report system.</li> </ul>
7.3.1.3 The operator including smallholder plantation who has imported and -used -chainsaw has received safety training requirements before registration with PAFO.	7.3.1.3.1 Training certificate and chainsaw registration letter.	Decision 0080/ MAF (2012), article 8. To be amended to meet the requirements of the indicator <sup>1i</sup> .
<b>Criterion 7.3.2 Compliance with requirements for personal protection of timber felling</b>		
<b>Indicators</b>	<b>Verifiers</b>	<b>Legal references</b>
7.3.2.1 The operator has provided personal protective equipment and trained harvesting employees.	7.3.2.1.1 Inspection report of the Labor Inspection Organization on the supply and use of personal protective equipment.	<ul style="list-style-type: none"> <li>Law 43/NA (2014), articles 119(8), 171(3) and 175.</li> <li>Guideline 2157/ DOF (2006), section X (1).</li> <li>Decision 4277/MoLSW (2016), articles 4, 7 and 8.</li> <li>Draft Decree No. /GOV, articles 10 and 11.</li> <li>New Decision on the use of on-line labor inspection report system.</li> </ul>
<b>PRINCIPLE 7.4 OCCUPATIONAL SAFETY AND HEALTH IN WOOD PROCESSING AND TRADING</b>		
<b>Criterion 7.4.1 Compliance with law and regulations on occupational safety and health in wood processing and trade</b>		
<b>Indicators</b>	<b>Verifiers</b>	<b>Legal references</b>
7.4.1.1 The operator has implemented guidelines on OSH for wood processing and trade according to the labour law and scale of enterprises.	7.4.1.1.1 Inspection report of the Labor Inspection Organization on the implementation of the guidelines on OSH for wood processing and trade.	<ul style="list-style-type: none"> <li>Law 43/NA (2014), articles 119/7, 171(3) and 175.</li> <li>Decision 4277/MoLSW (2016), articles 4, 7 and 8.</li> <li>Decision 0719/MOIC (2009), articles 6, 9(9.1-9.7) and 10.</li> </ul>

<sup>1</sup> [To include the training requirements for use of chainsaw prior to the license.](#)

		<ul style="list-style-type: none"> <li>• Draft Decree No. /GOV, articles 10 and 11.</li> <li>• New Decision on the use of on-line labor inspection report system.</li> </ul>
<b>Criterion 7.4.2</b> -Compliance with law and regulations on personal protection at the work place -in wood processing and trade		
<b>Indicators</b>	<b>Verifiers</b>	<b>Legal references</b>
7.4.2. 1 The wood processing and trade operator has supplied and enforced the use of personal protective equipment for employees and scale of enterprises.	7.4.2.1.1 Inspection report of the Labor Inspection Organization on the use of personal protective equipment.	<ul style="list-style-type: none"> <li>• Law 43/NA (2014), articles 119/8, 171(3) and 175.</li> <li>• Decision 4277/MoLSW (2016), articles 4, 7 and 8.</li> <li>• Decision 0719 /MOIC (2009), articles 6, 9 (9.4) and 10 (10.6).</li> <li>• Draft Decree No. /GOV, articles 10 and 11.</li> <li>• New Decision on the use of on-line labor inspection report system.</li> </ul>

~~†To include the training requirements for use of chainsaw prior to the license.~~