

## Results of supervision and instruction activities for employers of decontamination workers

The Labour Standards Inspection Office under the jurisdiction of the Fukushima Prefectural Labour Bureau (Director: Mutsuo Hikichi) carries out focused activities to provide supervision and instruction for employers of decontamination workers for the purpose of ensuring the working conditions and industrial safety and the health of these workers.

Here, we describe the summarized results of such supervision and instruction activities carried out from January to June 2015.

### Overview of results of supervision and instruction activities (Implemented from Jan. to June 2015)

- The number of employers for which supervision has been carried out **342**  
Among the above, those employers which violated laws and regulations related to labour standards  
**233** (Violation rate: **68.1%**)
- The number of violation cases **364** cases
  - Working condition-related **134** cases  
(Such as regarding clarification of extra pay, working hours and working conditions etc.)
  - Safety/health-related **230** cases  
(Preliminary survey, dosimetry, use of protective gear etc.)
- \* Status of each ordering organization
  - Special decontamination areas (Ordered from the national government)  
Supervised employers **184** Employers with violations **109** (Violation rate: **59.2%**)
  - Intensive contamination survey areas (Ordered from each municipality)  
Supervised employers **158** Employers with violations **124** (Violation rate: **78.4%**)

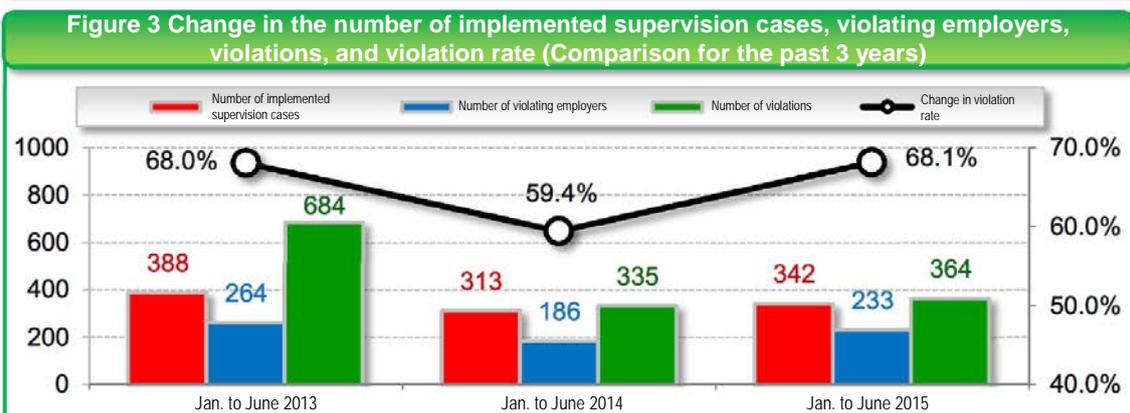
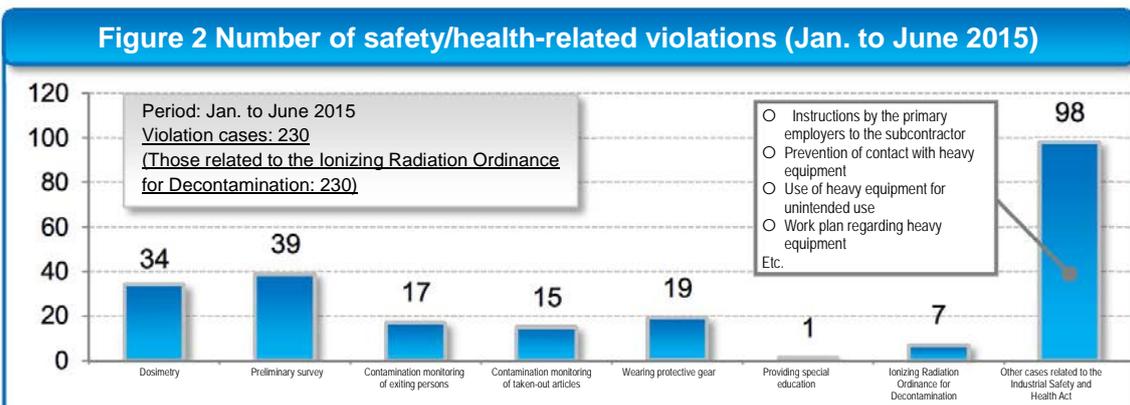
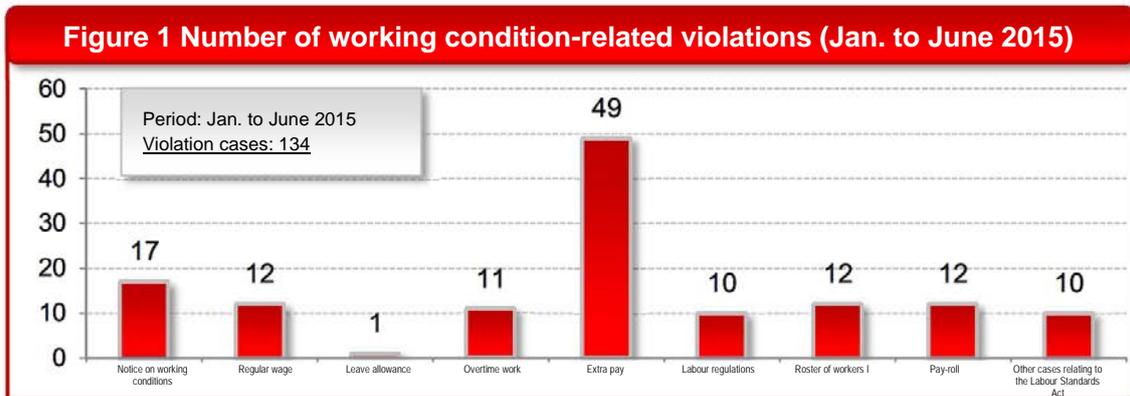
The Fukushima Prefectural Labour Bureau will continue to implement focused supervision and instruction activities for employers of decontamination workers, while at the same time the Bureau requests that the primary employers for contamination work should improve their compliance with laws and regulations on a voluntary basis, etc. to thoroughly comply with related laws and regulations and ensure the statutory working conditions, safety and health of workers engaged in decontamination works.

**1 Results of supervision and instruction (Implemented from Jan. to June 2015)**

The Labour Standards Inspection Office under the jurisdiction of the Fukushima Prefectural Labour Bureau carried out supervision and instruction activities during the period from January to June 2015 for the purpose of ensuring the working conditions, safety and the health of decontamination workers. **The number of employers for which such activities were carried out was 342.**

Among these, **the number of employers who violated laws and regulations related to labour standards (Labour Standards Act, Industrial Safety and Health Act) in some form were 233 (Violation rate: 68.1%)**. The employers which were deemed to have committed these violations were given instruction to correct them, and those violations were later confirmed to have been corrected.

Meanwhile, **the number of violation cases was 364**, of which the number of working condition-related violation cases was **134 (Figure 1)**, with cases related to extra pay (Article 37, Labour Standards Act) being the most. As for the remaining **230 cases (among which those related to the Ionizing Radiation Ordinance for Decontamination numbered 132 cases) (Figure 2)**, violations on delivery of notice on working conditions, creation of pay-rolls (Article 108 of the same Act), adjustment of the roster of workers (Article 107 of the same Act) etc. and safety/health-related violations were found including cases related to the (i) preliminary survey (Article 7 of the Ionizing Radiation Ordinance for Decontamination), (ii) use of protective gear (Article 16 of the same Ordinance), (iii) dosimetry (Article 5 of the same Ordinance) etc. (Refer to Material 2 for the details, and Material 3 for the provisions of related laws and regulations.)



## Major violation cases (Jan. to June 2015)

### < Working condition-related cases>

- When workers were employed, the documents describing the working conditions (notice on working conditions) had no descriptions on the “contract period” or “contract update” conditions (Article 15, Labour Standards Act).
- (i) Dormitory fees/food expenses, etc. were deducted from the wage without any labour-management agreement.  
(ii) The time spent on taking the special education course required for engaging in decontamination work and on taking the health check regarding ionization were not included in working hours, and the wages for the times were not paid. (Article 24 of the Act)
- (i) No extra pay, calculated at the rate of no less than 25% of the overtime jobs carried out over 40 hours a week, was provided.  
(ii) In calculating the unit price of extra pay, various allowances such as the special work allowance etc. were excluded, and the unit price was calculated only on the basis of the basic wage. (Article 37 of the Act)
- The wage ledger had no descriptions on “working days” or “working hours”, which were legally required entry items. (Article 108 of the Act)

### < Safety/health-related cases>

- (i) While the external exposure of all workers was measured by requiring a representative worker to wear a dosimeter, when the representative worker left the work place, no correct exposure dose was measured.  
(ii) The place where the worker attached the dosimeter was not appropriate. (The dosimeter should have been attached to the chest, but the worker put it in a trousers pocket.) (Article 5, Ionizing Radiation Ordinance for Decontamination)
- The concentration of radioactive substances contained in the contaminated soil and wastes of the work place was not measured in advance by the method provided for in the Act. (Article 7 of the Ordinance)
- When the workers left the work place, no contamination inspection was carried out for provided equipment or articles to be brought out. (Articles 14 and 15 of the Ordinance)
- At the place where contaminated soil containing radioactive substances was handled, the workers used surgical masks instead of dust masks. (Article 16 of the Ordinance)
- The workers were allowed to use heavy equipment incapable of hoisting loads (a drag-shovel and a gripper for dismantling etc.) to hoist loads including flexible container bags, etc. (Article 164 of the Ordinance on Industrial Safety and Health)

## 2 Other efforts

### (1) Cooperation with the Fukushima Office for Environmental Restoration

Since November 2012, when any unpaid special work allowance (decontamination allowance) etc. was found, the Fukushima Prefectural Labour Bureau has provided that information to the Fukushima Office for Environmental Restoration, which has amounted to a total of 21 cases. (There were no cases during the period from Jan. to June 2015.)

### (2) Labour Consultation Service Concerning Decontamination Work

The Fukushima Prefectural Labour Bureau and the Labour Standards Inspection Office accept consultations concerning such work conditions as the payment of wages and dismissal etc. from workers engaged in decontamination work.

**Table 1 Status of implementing supervision and instruction activities**

Item	Period	2013	2014	2015
		Jan. to June	Jan. to June	Jan. to June
Number of supervised employers		388	313	342
Number of violating employers		264	186	233
Violation rate (%)		68.0	59.4	68.1
Number of violation cases		684	335	364
	W working condition-related	473	160	134
	Safety/health-related	211	175	230

**Table 2 Contents of major violations**

(1) Violations of the Labour Standards Act

	Item	Period	2013	2014	2015
			Jan. to June	Jan. to June	Jan. to June
Article 15	Clarification of working conditions		82	20	17
Article 24	(Major breakdowns)	Payment of regular wages*	67	18	12
		• Excluding social activity fees and dormitory fees/food expenses etc. from the wages without concluding any labour-management agreement	36	9	6
		• Failure to pay the wages in proportion to the time required for the assessment of internal exposure.	6	1	0
		• Failure to pay the wages in proportion to the time required for taking the special education course.	16	0	5
		• Failure to pay the wages in proportion to the time required for special health checks.	0	7	3
Article 26	Leave allowance		0	2	1
Article 32	Working hours		53	17	11
Article 37	Extra pay		108	59	49
Article 107	Creation of roster of workers		52	9	12
Article 108	Creation of pay-roll		90	18	12

\* Because of the double counting in the case where each item of "Major breakdowns" has that violation as well as other forms of violations, the total number of cases included in "Payment of regular wages" and "Major breakdowns" does not match.

(2) Violations of the Industrial Safety and Health Act/Ionizing Radiation Ordinance for Decontamination

Provisions (Industrial Safety and Health Act)	Provisions (Ionizing Radiation Ordinance for Decontamination)	Item	Period	2013	2014	2015
				Jan. to June	Jan. to June	Jan. to June
Article 22	Article 5	Dosimetry		13	25	34
	Article 7	Preliminary survey		20	35	39
	Article 9	Operation leader		6	0	0
	Article 14	Contamination monitoring of exiting persons		14	7	17
	Article 15	Contamination monitoring of taken-out articles		2	3	15
	Article 16	Use of protective gear		7	11	19
Article 59	Article 19	Providing special education		16	0	1
Article 66	Article 20	Performing special health checks		8	3	0

**Table 3 Status of implementing supervision and instruction activities by each ordering organization (limited to decontamination work) Jan. to June 2015**

Item	Decontamination ordered from the government	Decontamination ordered from each municipality
Number of supervised employers	184	158
Number of violating employers	110	124
Violation rate: (%)	59.8%	78.4%
Number of violation cases	133	231
Working condition-related	54	80
Safety/health-related	79	151

## Labour Consultation Service

Office name, etc.	Location	Phone number	Jurisdiction
Fukushima Prefectural Labour Bureau	〒 960-8021 Fukushima Regional Government Office 5F 1-46 Kasumi-Cho Fukushima City	024-536-4602  (Inspection Division)	Fukushima Pref.
Fukushima Labour Standards Inspection Office	〒 960-8021 Fukushima Regional Government Office, 1 F 1-46 Kasumi-Cho Fukushima City	024-536-4610	Fukushima City, Nihonmatsu City, Date City, Date County, Soma County Idate Village
Koriyama Labour Standards Inspection Office	〒 963-8025 2-1 -18 Kuwano-Cho Koriyama City	024-922-1370	Koriyama City, Tamura City, Motomiya City, Tamura County, Adachi County
Iwaki Labour Standards Inspection Office	〒 970-8026 Iwaki Regional Government Office, 4F 4-11 Taira Aza Done-Machi Iwaki City	0246-23-2255	Iwaki City
Aizu Labour Standards Inspection Office	〒 965-0803 2-10 Shiromae-Cho Aizu-Wakamatsu City	0242-26-6494	Aizu-Wakamatsu City, Onuma County, Minami-Aizu County Aizu-Wakamatsu City, Onuma County, Minami-Aizu County Yama County (Inawashiro Town, Bandai Town) Kawanuma County
Shirakawa Labour Standards Inspection Office	〒 961-0074 1-124 Kakunai-Cho Shirakawa City	0248-24-1391	Shirakawa City, Nishi-Shirakawa County, Higashi-Shirakawa County
Sukagawa Labour Standards Inspection Office	〒 962-0834 204-1 Asahi-Cho Sukagawa City	0248-75-3519	Sukagawa City, Iwase County, Ishikawa County
Kitakata Labour Standards Inspection Office	〒 966-0896 91 Suwa-Cho Kitakata City	0241 -22-4211	Kitakata City Yama County (Nishi-Aizu Town, Kita-Shiobara Village)
Soma Labour Standards Inspection Office	〒 976-0042 68 Nakamura Aza Sakuragaoka-Cho, Soma City	0244-36-4175	Soma City, Minami-Soma City, Soma County Shinchi Town
Tomioka Labour Standards Inspection Office	(Temporary office) 〒970-8026 LATOV Building, 8F 120 Taira Aza Tamachi Iwaki City	0246-35-0050	Futaba County

**A List of Provisions from the Related Laws**

**Labour Standards Act (Extracted)**

(Clear Indication of Working Conditions)

**Article 15.**

1. In concluding a labour contract, the Employer shall clearly indicate the Wages, working hours and other working conditions to the Worker. In this case, matters concerning Wages, working hours and other matters stipulated by Ordinance of the Ministry of Health, Labour and Welfare shall be clearly indicated in the manner prescribed by Ordinance of the Ministry of Health, Labour and Welfare.
2. In the event that the working conditions clearly indicated under the provisions of the preceding paragraph differ from actual fact, the Worker may immediately cancel said labour contract.
3. In cases under the preceding paragraph, in the event that a Worker who has changed his or her residence for the purpose of work returns home within 14 days from the date of contract cancellation, the Employer shall bear the necessary travel expenses on behalf of the Worker.

(Payment of Wages)

**Article 24.**

1. Wages shall be paid in currency and in full directly to Workers; provided, however, that payment other than in currency may be permitted in cases otherwise provided for by laws and regulations or collective agreement, or in cases where a reliable method of payment of Wages defined by Ordinance of the Ministry of Health, Labour and Welfare is provided for; and partial deduction from Wages may be permitted in cases otherwise provided for by laws and regulations or in cases where there exists a written agreement with a labour union organized by a majority of the Workers at the workplace (in cases where such labour union exists), or with a person representing a majority of the Workers (in cases where such labour union does not exist).
2. Wages shall be paid at least once a month on a definite date; provided, however, that this shall not apply to extraordinary Wages, bonuses, and their like as defined by Ordinance of the Ministry of Health, Labour and Welfare (referred to as "Special Wages etc." in Article 89).

(Allowance for Absence from work)

**Article 26.**

In the event of an absence from work for reasons attributable to the Employer, the Employer shall pay an allowance equal to at least 60 percent of the Worker's average Wage to each Worker concerned during said period of absence from work.

(Working Hours)

**Article 32.**

1. Employers shall not have Workers work more than 40 hours per week, excluding rest periods.
2. Employers shall not have Workers work more than 8 hours per day for each day of the week, excluding rest periods.

(Overtime Work and Work on Days Off)

**Article 36.**

1. If an Employer has entered into a written agreement either with a labour union organized by a majority of the Workers at the workplace (in cases where such labour union exists) or with a person representing a majority of the Workers (in cases where such union does not exist) and has notified the relevant government agency of such agreement, the Employer may, notwithstanding the provisions with respect to working hours stipulated in Articles 32 through 32-5 or Article 40 (hereinafter in this Article referred to as "Working Hours") or the provisions with respect to days off stipulated in the preceding Article (hereinafter in this paragraph referred to as "Days Off"), extend the Working Hours or have Workers work on Days Off in accordance with the provisions of said agreement; provided, however, that the extension of Working Hours for belowground labour and other work particularly harmful to health as stipulated by Ordinance of the Ministry of Health, Labour and Welfare shall not exceed 2 hours per day.

(Premium Wages for Overtime Work, Work on Days Off and Night Work)

**Article 37.**

1. If an Employer extends the working hours or has a Worker work on a day off pursuant to the provisions of Article 33 or paragraph 1 of the preceding Article, the Employer shall pay Premium Wages for work during such hours or on such days at a rate no less than the rate stipulated by cabinet order within the range of no less than 25 percent and no more than 50 percent over the normal Wage per working hour or working day; provided, however, that in cases when extended working hours exceed 60 hours per month, the Employer shall pay Premium Wages for the excess working hours at a rate not less than 50 percent over the normal Wage per working hour.
2. The cabinet order set forth in the preceding paragraph shall be set taking into consideration the welfare of Workers, the trends of overtime work and of work on days off, and any other relevant circumstances.
3. If an Employer stipulates that they will grant Workers entitled to Premium Wages under the provisions of the proviso of paragraph 1 leave for which the normal Wage per working hour is paid instead of paying them Premium Wages (excluding annual paid leave under the provisions of Article 39) as provided for by Ordinance of the Ministry of Health, Labour and Welfare, pursuant to a written agreement either with a labour union organized by a majority of the Workers at the workplace concerned ((in cases where such a labour union exists), or with a person representing a majority of the Workers (in cases where such a labour union does not exist), if any such Worker takes such leave, the Employer is not required to pay Premium Wages under the provisions of the proviso of said paragraph for work performed during the hours prescribed by Ordinance of the Ministry of Health, Labour and Welfare as hours corresponding to such leave taken for said work in excess of the hours stipulated in the proviso of said paragraph.
4. In the event that an Employer has a Worker work between 10 p.m. and 5 a.m. (or between 11 p.m. and 6 a.m., in cases when the Minister of Health, Labour and Welfare recognizes the necessity of the application of those hours at a certain area or time of year), the Employer shall pay Premium Wages for work during such hours at a rate no less than 25 percent over the normal Wage per working hour.
5. Family allowances, commutation allowances, and other elements of Wages as stipulated by Ordinance of the Ministry of Health, Labour and Welfare shall not be added to the base Wages underlying the Premium Wages set forth in paragraph 1 and the preceding paragraph.

(Responsibility for Drawing up and Submitting)

**Article 89.**

Employers who continuously employ 10 or more Workers shall draw up rules of employment covering the following items and shall submit those rules of employment to the relevant government agency. In the event that the Employer alters the following items, the same shall apply:

- (1) Matters pertaining to the times at which work begins and ends, rest period, days off, leave, and matters pertaining to shifts when Workers are employed in two or more shifts;
- (2) Matters pertaining to the methods for determination, calculating and payment of Wages (excluding Special Wages and the like; hereinafter in this item the same qualification shall apply); the dates for closing accounts for Wages and for payment of Wages; and increases in Wages;
- (3) Matters pertaining to retirement (including grounds for dismissal);
- (3-2) In the event that there are stipulations for retirement allowances, matters pertaining to the scope of Workers covered; methods for determination, calculation, and payment of retirement allowances; and the dates for payment of retirement allowances;
- (4) In the event that there are stipulations for Special Wages and the like (but excluding retirement allowances) and/or minimum Wages, matters pertaining thereto;
- (5) In the event that there are stipulations for having Workers bear the cost of food, supplies for work, and other expenses, matters pertaining thereto;
- (6) In the event that there are stipulations concerning safety and health, matters pertaining thereto;
- (7) In the event that there are stipulations concerning vocational training, matters pertaining thereto;
- (8) In the event that there are stipulations concerning accident compensation and support for injury or illness outside the course of employment, matters pertaining thereto;
- (9) In the event that there are stipulations concerning commendations and/or sanctions, matters pertaining to their kind and degree;
- (10) In the event that there are stipulations applicable to all Workers at the workplace in addition to those contained in the preceding items, matters pertaining thereto.

(Roster of Workers)

**Article 107.**

1. Employers shall prepare a roster of Workers for each workplace with respect to each Worker (excluding day labourers) and shall enter the Worker's name, date of birth, personal history, and other matters as set forth by Ordinance of the Ministry of Health, Labour and Welfare.
2. In the event of a change in any of the matters entered pursuant to the provisions of the preceding paragraph, the Employer shall make a correction without delay.

(Wage Ledger)

**Article 108.**

Employers shall prepare a Wage ledger for each workplace and shall enter the facts upon which Wage calculations are based, the amount of Wages, and other matters as set forth by Ordinance of the Ministry of Health, Labour and Welfare without delay each time Wage payments are made.

## Industrial Safety and Health Act (Extracted)

(Measures to Be Taken by Employers, etc.)

### **Article 22.**

The employer shall take necessary measures for preventing health impairment as follows:

- (1) Health impairment due to raw materials, gases, vapors, dusts, insufficient oxygen in air, pathogens, etc.
- (2) Health impairment due to radiation, high temperatures, low temperatures, ultrasonic waves, noises, vibration, abnormal atmospheric pressure, etc.
- (3) Health impairment due to operations such as gauge monitoring, precision work, etc.
- (4) Health impairment due to exhaust fumes, waste fluid or solid wastes.

(Safety and Health Education)

### **Article 59.**

1. The employer shall, when a new worker is employed, give the said worker education for safety and/or health concerning work operations in which the worker is to be engaged, as provided for by the Ordinance of the Ministry of Health, Labour and Welfare.
2. The provisions of the preceding paragraph shall apply mutatis mutandis when the contents of the operations have been changed.
3. The employer shall, when a worker is to be placed in the dangerous or harmful operations provided for by the Ordinance of the Ministry of Health, Labour and Welfare, give the worker the special education for safety and/or health concerning the said operations, as provided for by the Ordinance of the Ministry of Health, Labour and Welfare.

(Medical Examination)

### **Article 66.**

1. The employer shall, as provided for by the Ordinance of the Ministry of Health, Labour and Welfare, have medical examinations of workers conducted by a physician.
2. The employer shall, as provided for by the Ordinance of the Ministry of Health, Labour and Welfare, have medical examinations on specified items conducted by a physician on the workers engaged in harmful work operations defined by Cabinet Order. The same shall apply to the workers who have engaged in harmful work operations defined by Cabinet Order and are currently in employment.
3. The employer shall, as provided for by the Ordinance of the Ministry of Health, Labour and Welfare, have a dentist perform medical examinations on the workers engaged in the harmful work operations defined by Cabinet Order.
4. The Director of the Prefectural Labour Bureau may, when it is deemed necessary for maintaining the health of workers, instruct employers on basis of the opinion of the Medical Advisor in Industrial Health and as provided for by the Ordinance of the Ministry of Health, Labour and Welfare, to conduct a special medical examination and other necessary matters.
5. Workers shall undergo the medical examination conducted by the employer under provisions of the preceding paragraphs, provided that this shall not apply in the case where a worker who does not desire to undergo the medical examination by the physician or dentist designated by the employer, submits a document to certify the findings that the said worker has and undergone a medical examination by another physician or dentist equivalent to the medical examination under these provisions to the employer.

## **Ordinance on Prevention of Ionizing Radiation Hazards (Extracted)**

(Dose Measurements)

### **Article 5.**

Employers shall measure the external exposure dose received by workers for decontamination and related works (excluding workers engaged in handling designated contaminated soil and wastes only at the locations where the average ambient dose rate is 2.5  $\mu\text{Sv/h}$  or less. The same shall apply for Paragraph 6 and Paragraph 8 of the next Article and Paragraph 2 of Article 27.).

2. In addition to dose measurement pursuant to the provisions of the preceding paragraph, employers shall measure the committed dose received by workers for decontamination and related works in the special decontamination areas, etc. (limited to the locations above 2.5  $\mu\text{Sv/h}$ ; the same shall apply to Paragraph 8 and Article 10) or provide examinations for internal exposure according to the following specifications:
  - (1) Workers for decontamination and related works at the locations where dust concentration exceeds 10  $\text{mg/m}^3$  and contaminated soil, removed soil, or contaminated wastes are handled (Limited to those containing radioactive materials discharged by the accident that exceeds 500,000 Bq/kg of cesium-134 and cesium-137 determined by the methods specified by the Minister of Health, Labour and Welfare. These are referred to as “highly radioactive contaminated soil and wastes” in the next item) shall be measured for the committed dose once every three months (every month for female workers who are likely to receive an effective dose of 1.7 mSv or more (excluding female workers who were diagnosed with no possibility of pregnancy), and pregnant workers).
  - (2) Workers for decontamination and related works described in (a) or (b) shall be provided with examinations for internal exposure by the methods specified by the Minister of Health, Labour and Welfare.
    - (a) Work involving handling highly radioactive contaminated soil and wastes at the locations where the dust concentration is 10  $\text{mg/m}^3$  or less
    - (b) Work involving handling of contaminated soil and wastes, removed soil, or contaminated wastes other than highly radioactive contaminated soil and wastes at the locations where the dust concentration exceeds 10  $\text{mg/m}^3$ .
3. When the committed dose exceeds the standards specified by the Minister of Health, Labour and Welfare in the results of examinations performed for workers for decontamination and related works in accordance with the provisions of item (2) in the preceding paragraph, employers shall measure the committed dose of workers for decontamination and related works by the method specified in item (1) of the same paragraph.
4. The measurement of the external exposure dose pursuant to the provision of Paragraph 1 shall be conducted using the 1 cm dose equivalent rate.
5. The measurement of the external exposure dose pursuant to the provision of Paragraph 1 shall be conducted with radiation monitors on the chest for male workers and female workers who were diagnosed with no possibility of pregnancy and on the abdomen for other female workers.
6. Regardless of the provisions in the two preceding paragraphs, employers may measure the external exposure dose specified in Paragraph 1 received by workers for decontamination and related works in the special decontamination areas, etc. during decontamination related works (limited to the locations of 2.5  $\mu\text{Sv/h}$  or less) by the methods specified by the Minister of Health, Labour and Welfare.
7. The internal exposure dose pursuant to the provisions of Paragraph 2 shall be measured by the methods specified by the Minister of Health, Labour and Welfare.
8. Workers for decontamination and related works shall wear radiation monitors in the special decontamination areas, etc. where decontamination related works are implemented.

(Preliminary Survey, etc.)

### **Article 7.**

When conducting decontamination and related works, employers shall (excluding works for handling designated contaminated soil and wastes) conduct a preliminary survey in advance regarding the matters listed in the following items at the sites where decontamination related works have been implemented (excluding decontamination pertaining to works for handling designated contaminated soil and wastes; hereinafter referred to as “works for handling designated contaminated soil and wastes”). The same shall apply in this paragraph and Paragraph 3). The records of the results of the survey on the following matters shall be stored:

- (1) Conditions of the decontamination related works sites.
- (2) Average ambient dose rates of the decontamination related works sites.

- (3) Concentrations of cesium-134 and cesium-137 determined by the methods specified by the Minister of Health, Labour and Welfare of radioactive materials discharged by the accident, contained in contaminated soil and wastes, removed soil, or contaminated wastes collected during decontamination related works.
2. When implementing works for handling designated contaminated soil and wastes, employers shall conduct a preliminary survey and store the records of the matters listed in the items in the preceding paragraph for the sites where the works for handling designated contaminated soil and wastes are implemented prior to commencing work and every two weeks thereafter.
3. When employers have their workers engage in decontamination related works, employers shall specify the completion date of the survey described in Paragraph 1, and the summary of the methods and the results to the workers in advance.
4. When employers have their workers engage in works for handling designated contaminated soil and wastes, employers shall specify the completion date of the survey described in Paragraph 2 and the summary of the methods and the results to the workers prior to commencing work and every two weeks thereafter.

(Operation Leader)

**Article 9.**

Employers shall appoint an operation leader for the decontamination related works from workers who have competence and leadership in directing decontamination related works. The employers shall have the appointed leader lead the decontamination related works in accordance with the work plan described in Paragraph 1 of the preceding Article and have him/her implement all of the following matters:

- (1) Define the procedures of the decontamination related works and allocate responsibilities to workers who will engage in decontamination related works.
- (2) Inspect machinery to be used for the decontamination related works and replace any defective items.
- (3) Supervise the usage of radiation monitors and protective equipment.
- (4) Keep unauthorized personnel from entering the decontamination related works areas.

(Contamination Screening of Workers Leaving the Site for the Day)

**Article 14.**

Employers shall establish a radiation contamination screening station at or near the site, where decontamination and related works are implemented and inspect the levels of contamination on workers' bodies, clothing, shoes, protective equipment, and other equipment (hereinafter in this article referred to as "equipment") that came in contact with their bodies before they leave their work sites for the day.

2. Employers shall not allow the workers for decontamination and related works to leave their work site when the levels of contamination on their bodies or their equipment exceed 40 Bq/cm<sup>2</sup>, when assessed in accordance with the provision in the preceding paragraph, until the following measures are taken at the contamination screening station:
  - (1) If workers' bodies are contaminated, they need to reduce their levels of contamination to 40 Bq/cm<sup>2</sup> or less by washing, etc.
  - (2) If the equipment attached to the workers is contaminated, the workers need to take off, or otherwise remove, the contaminated equipment.
3. Workers for decontamination and related works shall wash their bodies, take off, or otherwise remove, the equipment as instructed by the employers pursuant to the provisions of the preceding paragraph.

(Contamination Screening of Items to be Removed)

**Article 15.**

Employers shall survey contamination of the items to be taken from the site where decontamination and related works are conducted at the contamination screening station established in accordance with the requirements in Paragraph 1 of the preceding Article. This shall not apply when the containers in the main Paragraph 1 of Article 13 are used or measures in the proviso in the same paragraph are taken to transport them to the other sites where decontamination and related works are conducted.

2. Employers and workers shall not remove the items if they are determined to be contaminated above 40 Bq/cm<sup>2</sup> during screening in the preceding paragraph. This shall not apply when the containers in the main Paragraph 1 of Article 13 are used, or measures in the proviso in the same paragraph are taken to transport them to the decontamination facilities, storage facilities, disposal facilities, or other sites where decontamination and related works are conducted.

(Protective Equipment)

**Article 16.**

Before workers for decontamination and related works start their work specified in the items in Paragraph 2 of Article 5, employers shall prepare effective respiratory protective equipment such as dust masks, protective clothing effective against contamination, gloves, or footwear and ensure the appropriate use of this protective equipment by the workers for decontamination and related works when they conduct the decontamination related works, according to the classification of the decontamination related works specified by the Minister of Health, Labour and Welfare.

2. Workers for decontamination and related works shall use the protective equipment in the preceding paragraph when implementing works described in the same paragraph.

(Special Education Regarding Decontamination and Related Works)

**Article 19.**

Employers shall provide special education to the workers regarding the following topics:

- (1) Knowledge for effects of ionizing radiation on organisms and methods of exposure dose control.
  - (2) Knowledge for methods and procedures of decontamination and related works.
  - (3) Knowledge regarding structure and handling methods of machinery used for decontamination and other related works. (Limited to the knowledge about the name and usage of the machinery used for workers engaged in works for designated contaminated soil and wastes.)
  - (4) Relevant laws and ordinances.
  - (5) Methods and procedures concerning decontamination and other related works including how to use machinery. (Limited to the procedures for works for handling designated contaminated soil and wastes, when the employers engage the workers in works for designated contaminated soil and wastes.)
2. Necessary matters for implementing the special education program of the preceding paragraph shall be provided by the Minister of Health, Labour and Welfare, in addition to the matters specified in Article 37 and Article 38 of the Ordinance on Industrial Safety and Health (Ordinance of the Ministry of Health, Labour and Welfare No. 32 of 1972).

(Medical Examinations)

**Article 20.**

Employers shall provide workers for decontamination and related works who are regularly engaged in decontamination and related works with medical examinations by medical doctors when they assign workers for decontamination and related works, regarding the matters listed in the following items at the time of employment and periodically once every six months thereafter and at the time of reallocation:

- (1) Investigation and evaluation of the exposure history. (If the worker has an exposure history, it is necessary to confirm the location, nature of work, duration, and other details concerning radiation exposure, in addition to existence of subjective symptoms.)
  - (2) Examinations of leukocyte count and classifications.
  - (3) Examinations of red blood cell count and hemoglobin contents or hematocrit values.
  - (4) Examinations of eyes for cataract.
  - (5) Skin examinations.
2. Regardless of the provisions of the preceding paragraph, the requirements described in (2) through (5) in the preceding paragraph can be exempted if medical doctors determine those examinations are unnecessary for the workers whose effective doses did not exceed 5 mSv in the year before the medical examinations (limited to periodical examinations; the same shall apply to the present item), and their effective doses are not likely to exceed 5 mSv in the year the medical examinations will be conducted.

**Ordinance on Industrial Safety and Health (Extracted)**

(Restriction on the Use for Other than Main Purpose)

**Article 164.**

2. The employer shall not use a vehicle type construction machine to hoist loads by using a power shovel or to raise or lower workers in a clamshell, or for other than its main purpose.