URUGUAYAN REGULATIONS

What a Uruguayan labor inspection checks on health and safety

What an inspector can ask for with an article in hand, by company size and by what's on site. Plus the list the inspectorate itself published for the prevention plan.

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Workplace health and safety inspections in Uruguay are carried out by the labor inspectorate (IGTSS) of Uruguay's Ministry of Labor (MTSS). No regulation gives a closed list of what they check. This guide brings together what can be requested with an article in hand: each point names the decree and the article. The official texts are in Spanish, on IMPO, Uruguay's official source for legislation. Decree 406/988 restarts its numbering in each title, so it's cited with the title (T.V art. 1).

A group-wide HSE standard can cover the substance and still miss the local format: who has to sign, how often, and which document the inspector asks to see.

The first thing depends on headcount

- **5 to 50 workers: the Occupational Risk Prevention Plan** (Plan de Prevención de Riesgos Laborales). It's prepared by a technician holding one of the qualifying degrees, covers all of the company's activities, and includes hazard identification, risk assessment, corrective measures and a schedule. It has to be redone at least every six months and whenever working conditions change (Decree 127/014, art. 5 BIS, added by Decree 52/023).
- **50 to 300: an occupational health and safety service,** which can be external, made up of an occupational medicine specialist and a qualified technician or professional, and which intervenes at least every three months (Decree 127/014, art. 5, as worded by Decree 126/019).
- **More than 300: an in-house integrated service** with the same minimum makeup (same article).
- **At any size, a current health certificate (Control en Salud).** No one without one may work (art. 5 BIS). It's valid for two years at most (Decree 274/017, art. 3). If it was issued by an institution other than the person's own healthcare provider, it's provisional, lasts six months, and two provisional certificates can't be chained (art. 4).

What the inspectorate says it checks in the plan

On August 31, 2023, the IGTSS division for environmental working conditions published the minimum requirements for reviewing documents under Decree 52/023. This is the inspectorate's criteria, not the text of the decree, and it adds things the article doesn't say:

- the date the plan was prepared and the date of its next review;
- a risk assessment "por métodos reconocidos y específicos" (by recognized, specific methods);
- the technician's opinion on whether the company needs a prevention service;
- the technician's signature and identification, and **the signature of the owner or legal representative**;

- proof that the plan was presented to the joint worker-management body (or, if there isn't one, that it was communicated to the workers);
- current health certificates, checked against the staff list.

Worker participation

- **A cooperation body** between the company and its workers, with set duties: planning prevention, ergonomics, new technologies, training, recording incidents, and statistics (Decree 291/007, art. 5).
- **At least one worker safety delegate and an alternate,** appointed by the union, or elected by the workers where there is none (arts. 11 BIS and 5 BIS, added by Decree 244/016).
- **At least 24 hours of training per delegate per year** (art. 11 BIS).
- **The agreed form of cooperation reported to the Sectoral Tripartite Commission,** and reported right away if no agreement was reached (art. 10).
- **A record of incidents, failures, accidents and occupational diseases,** and of the consultations held (art. 5 lit. e).

What's requested depending on what's on site

- **Personal protective equipment:** free of charge, with instructions for use and maintenance, for individual use and marked with the name or number of the person who wears it (Decree 406/988, T.V art. 1), with a type-approval certificate (T.V art. 2).
- **Machinery:** no one works on a machine without the necessary training (T.III art. 29). Before a task is assigned, a training period (T.IV art. 52).
- **Lifting equipment:** maximum load marked on the equipment (T.III art. 47), a logbook with the inspection and testing of each new device (art. 48), and a thorough inspection every three months (art. 50).
- **Boilers and pressure equipment:** authorization from the authority (T.III art. 129), a boiler operator with a qualifying certificate (art. 130), and testing of valves, pressure switches and thermostats at intervals of no more than 30 days (art. 138).
- **Electrical installations:** locks on isolating devices, and their mandatory use during maintenance (T.III art. 4).
- **Chemicals:** documented inspections of the installations they flow through, and written authorization to maintain or repair them (T.IV art. 9).
- **Chemical, physical or biological agents:** systematic, periodic monitoring of the work environment (T.IV art. 2). Hearing protection is mandatory above 80 dBA at the workstation (Decree 143/012, art. 1).
- **Work at height:** a safety harness is mandatory from two meters (T.V art. 21, as worded by Decree 7/018). IMPO still shows "three meters" in the text of 406/988.
- **Confined spaces:** atmosphere tested, breathing apparatus, rescue harness, and someone watching from a safe place (T.II art. 55, as worded by Decree 474/009).
- **Exits:** doors that open outward and none locked during working hours (T.II art. 36). Emergency lighting where people work at night or without daylight (T.II art. 48, as worded by 474/009).

The other reading

Decree 406/988 rarely sets frequencies: “periodically” and “regularly” are the rule. When a company or a technician sets a date, that’s their own criterion, and it’s worth being able to say so. Some sectors, such as construction and chemicals, have their own tripartite bodies that Decree 291/007 preserves, so check whether the company falls under one before calling something noncompliant. And not everything that gets called “mandatory” has an article behind it: if it doesn’t, it isn’t here.

What to keep at hand

1. The prevention plan or the service’s latest record, with its date, next review and both signatures.
2. The staff list with each person’s health certificate expiry date.
3. The minutes of the joint body, the appointed delegates and their training hours.
4. The incident and accident log.
5. PPE handover and training records, per person.
6. The site’s own records: lifting equipment logbook, boiler tests, environmental measurements, work permits.

A plan signed once and filed away expires after six months, whether or not anyone notices.

This is handled by **VivoGRC HSE**

In VivoGRC, what comes due (health certificates, the plan, training, equipment inspections) shows up by person, equipment or location, with a reminder before the date.

SOURCES

1 Decree 127/014, occupational health and safety services (IMPO, in Spanish)
https://www.impo.com.uy/bases/decretos-reglamento/127-2014

2 Decree 126/019, new wording of art. 5 of Decree 127/014 (IMPO, in Spanish)
https://www.impo.com.uy/bases/decretos-originales/126-2019

3 Decree 52/023, art. 5 BIS of Decree 127/014 (IMPO, in Spanish)
https://www.impo.com.uy/bases/decretos-originales/52-2023

4 MTSS, “Cumplimiento del decreto 52/2023: requisitos mínimos para control documental” (8/31/2023)
https://www.gub.uy/ministerio-trabajo-seguridad-social/comunicacion/noticias/cumplimiento-del-decreto-522023-requisitos-minimos-para-control-documental

5 Decree 274/017, Control en Salud (IMPO, in Spanish)
https://www.impo.com.uy/bases/decretos/274-2017

6 Decree 291/007, application of ILO Convention 155 (IMPO, in Spanish)
https://www.impo.com.uy/bases/decretos-reglamento/291-2007

7 Decree 244/016, amendments to Decree 291/007 (IMPO, in Spanish)
https://www.impo.com.uy/bases/decretos-originales/244-2016

8 Decree 406/988, Occupational Safety and Hygiene Regulation (IMPO, in Spanish)
https://www.impo.com.uy/bases/decretos-reglamento/406-1988

9 Decree 474/009, amendments to Decree 406/988 (IMPO, in Spanish)
https://www.impo.com.uy/bases/decretos-originales/474-2009

10 Decree 7/018, amendments to Decree 406/988 (IMPO, in Spanish)
https://www.impo.com.uy/bases/decretos-originales/7-2018

11 Decree 143/012, noise exposure (IMPO, in Spanish)
https://www.impo.com.uy/bases/decretos/143-2012