

## ABSTRACT

### **The Study on the effective Operation of the administrative Penalty for Improving of Execution in Workplace**

#### **1. Objectives**

An administrative penalty is a monetary penalty and these can be imposed against employer, employee regulated by the Industrial Safety and Health Act. These penalties aim to encourage improved compliance with health and safety regulations, and are meant to work as a persuasive deterrent against those who demonstrate for health and safety in the workplace. Therefore, the objectives of this study was to improve the impose guideline of the administrative penalty.

#### **2. Methods**

There are the 2 efficient method to achieve of the aim of this study:

##### **1) Step 1**

The first step examines 1) the structure and content of the Industrial Safety and Health Act, 2) the current status wit regard to administrative penalty executing in workplace. 3) and comparative analysis of domestic Laws, that is the Health and Safety related Law.

## 2) Step II

This step is application of Foreign Law in Japan, UK and Germany. The study of Foreign law provide an overview of the legal system and an implication of the comparative research.

## 3. Results

As the focus of this study is Regulation(strengthening) and Deregulation of impose guideline of the administrative penalty. Regulation in general can be classified into two categories, economic and social. Social regulation includes environmental controls, health and safety of the workers. Thus the Industrial Safety and Health Act is social regulation related Legislation.

Strengthening of Regulation consist of the following components:

- Security Health Management Provision
- Material Safety Data Sheet(MSDS) writing and placement Duty
- Violation of Employee's Duty
- Health Examination
- Duty of Indication
- Education related Duty in various shapes

On the other hand Deregulation involve the following components:

- Asbestos
- Hazard·Risk Assessment of chemical materials

## 4. Application Plans

This study would be utilized to make and improve safety and health policies and legal in connection with administrative penalty at work.

## **5. Key Words**

The Health and Safety Law at Work, Administrative Penalty, Violation of Duty, Impose Guideline, Asbestos, Health Examination.