

LETTER OF UNDERSTANDING
BETWEEN
THE DEPARTMENT OF LABOR OF THE UNITED STATES OF AMERICA
AND
THE STATE ADMINISTRATION OF WORK SAFETY
OF THE PEOPLE'S REPUBLIC OF CHINA
REGARDING ADDITIONAL COOPERATION
RELATING TO WORKPLACE SAFETY AND HEALTH

Acknowledging that the Department of Labor of the United States of America (USDOL) and the State Administration of Work Safety of the People's Republic of China (SAWS) entered into an Understanding on Cooperation in Mine Safety and Health in October 2002; and

Acknowledging that both USDOL and SAWS wish to broaden their cooperation in the areas of workplace safety and health;

USDOL and SAWS intend to initiate additional cooperative activities as described below:

Overall Objective

USDOL and SAWS reaffirm their common objective stated in the October 2002 Understanding, namely, to ensure economic growth, create employment, raise living standards and support widely-shared prosperity, and to provide workers with safe work environments, in accordance with relevant international safe work principles, while fully respecting the national laws and legal provisions of each country.

Areas for Additional Cooperation

USDOL and SAWS intend to undertake additional technical cooperation activities in the area of workplace safety and health. Specifically, such activities should include but not be limited to:

- Enforcement of laws and regulations on workplace safety and health;
- Emergency response procedures generally applicable to workplace accidents and incidents;
- The role of private insurance programs in the promotion of workplace safety and health;
- Public awareness raising of workplace safety and health laws and regulations;
- Effective collection and analysis of workplace safety and health data; and
- Regulation and inspection relating to the production, handling and distribution of hazardous chemicals.

Forms of Cooperation

Unless otherwise mutually agreed, USDOL and SAWS should utilize the following forms of cooperation.

- Exchange of information and materials in the relevant fields;
- Seminars/workshops
- Exchange visit of senior officials and experts;
- Cooperation projects.

USDOL and SAWS intend to designate within each government the appropriate technical agencies to extend cooperation under this Letter of Understanding. Overall coordination for all activities under this Letter of Understanding should be done through the Bureau of International Labor Affairs of USDOL and the Department of International Cooperation of SAWS.

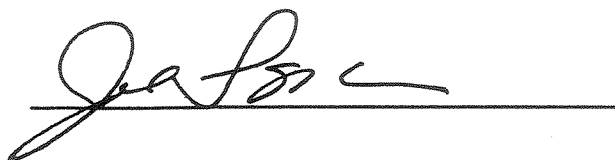
Where considered appropriate and necessary to achieve the objectives of this Letter of Understanding, upon mutual agreement, USDOL and SAWS may invite the participation of representatives of workers, employers and non-governmental organizations.

USDOL and SAWS intend to bear the cost of activities under this Letter of Understanding jointly, with each side paying for its own expenses unless otherwise specifically agreed. It is understood that the activities to be undertaken pursuant to this Letter of Understanding are subject to the availability of duly authorized and appropriated funds.

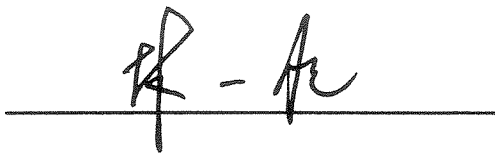
This Letter of Understanding is effective from the date of the signing for a consecutive twelve-month period. It may be amended or extended by written consent of USDOL and SAWS. This Letter of Understanding is void three months following written notification by either USDOL or SAWS to the other.

Signed in Beijing, in duplicate, on this 21st day of June 2004, in English and Chinese.

FOR THE DEPARTMENT OF LABOR
OF THE UNITED STATES OF AMERICA



FOR THE STATE ADMINISTRATION OF
WORK SAFETY OF THE PEOPLE'S
REPUBLIC OF CHINA:



中华人民共和国国家安全生产监督管理局
与
美利坚合众国劳工部
关于工作场所安全与健康合作的补充谅解书

鉴于中华人民共和国国家安全生产监督管理局（以下简称国家安监局）和美利坚合众国劳工部（以下简称美国劳工部）已于 2002 年 10 月就矿山安全与健康合作达成谅解；且

鉴于国家安监局和美国劳工部希望扩大双方在工作场所安全与健康领域的合作；

国家安监局和美国劳工部拟启动下述补充合作事项：

总体目标

国家安监局和美国劳工部重申双方在 2002 年 10 月达成的谅解中所陈述的共同目标，即：在充分尊重双方国内法律法规的前提下，按照相关的国际安全生产原则，确保经济增长、创造就业机会、提升生活水平、保持广泛共享的繁荣，并为劳动者提供安全的工作环境。

补充合作领域

国家安监局和美国劳工部拟在工作场所安全与健康领域开展进一步的技术合作。这些合作事项应具体包括，但不局限于：

- 工作场所安全与健康法律法规的执行
- 普遍适用于工作场所事故和偶发事件的应急程序
- 个人保险计划对于促进工作场所安全与健康的作用
- 工作场所安全与健康领域公众法律法规意识的提高
- 工作场所安全与健康数据的有效收集与分析
- 危险化学品生产、搬运和销售的监管与监察

合作形式

除非双方另有协议，国家安监局和美国劳工部应采取下列形式进

行合作：

- 相关领域信息和材料的交换
- 座谈/研讨会
- 高级官员和专家的互访
- 合作项目

国家安监局和美国劳工部拟在各自的部门中指派合适的专门机构来推进本补充协议所确定的合作。本补充协议所确定的各项工
作应通过国家安监局国际合作司和美国劳工部国际劳工事务局来全
面协调。

为实现本补充协议的目标，国家安监局和美国劳工部在认为适
当和必要的情况下，可以邀请工人、雇主和非政府组织参与。

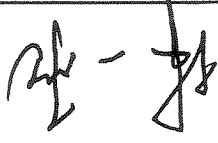
国家安监局和美国劳工部拟共同承担根据本补充协议所开展
工作的费用；除非另有具体商定，双方将分别支付各自的费用。双方
同意，按照本补充协议所进行的工作将取决于可否获得适当授权并
划拨的经费而定。

本补充协议自签署之日起连续 12 个月有效。经国家安监局和
美国劳工部书面认可，本补充协议可以修订或延长。本补充协议
于国家安监局或美国劳工部书面通知对方之日起 3 个月后失效。

本补充协议以中、英文写成，一式两份，于 2004 年 6 月 21 日
在北京签署。

中华人民共和国

国家安全生产监督管理局代表



美利坚合众国劳工部代表

