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SS076-6 Responsibility of the Employer Related to the Occurrence of Professional Illnesses in Colombia

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In Colombia all the companies have to take care of the health of their employees related to the conditions of the place the work in. They have to prevent all the dangers that may cause harm or sickness derived from the activities they perform. They have to install the substructure and provide the suitable elements for their security and protection.

If the employer does not comply with the existing regulations he will be responsible and he will have to indemnify for the injures or illness caused to the employees.

In this country the employer is responsible for the health of their employees in three different ways:

1. Labor Responsibility

He will have to pay the expenses caused for the sickness of the employee.
 He will have to pay fines to the professional risk system.
 He will be liable of closure of his company

Civil Responsibility

This responsibility has civil foundation but comes from the labor relation.
 The employer will have to indemnify the employee or his family if the company has not taking all the prevention measures to avoid the injure or illness of the employee.

2. Penal Responsibility

If the employer is guilty for not conforming to the regulations, there is a penal responsibility, for the harm or death of the employee.

Some previous studies made by the Colombian system of professional risks indicate that there is an increase in the number of professional illness. However the main causes of professional illness are the muscle skeletal disorders, the chronic respiratory problems and the stress.

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