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## FOR DECISION

### NINETEENTH ITEM ON THE AGENDA

## Report of the Director-General

### Fourth supplementary report

#### **Developments in relation to possible collaboration between the International Labour Organization and the International Organization for Standardization on occupational safety and health management systems**

1. At its 295th Session,<sup>1</sup> the Governing Body invited the Office to submit a document on developments in relation to possible collaboration with the International Organization for Standardization (ISO) in the ISO's development of a guidance standard on occupational safety and health management systems (OSH-MS). These developments were to include consultations with the constituents and any discussions that the Office would have with the ISO.
2. The ISO initiated contact with the ILO to explore collaboration in the ISO's development of an international standard on OSH-MS that would offer supplementary "guidance"<sup>2</sup> based upon the ILO *Guidelines on occupational safety and health management systems (ILO-OSH 2001)*. In its discussions with the ISO secretariat on this matter, the Office has been informed by the views of the constituents expressed in consultations to date.

#### **Recent developments**

3. Based on the consultations and discussions thus far, it appears that collaboration with the ISO on OSH-MS could offer an opportunity to leverage private sector "standards" initiatives to facilitate universal recognition of the *ILO-OSH 2001* and their more effective

<sup>1</sup> GB.295/PV, para. 286. See also GB.295/16/10 (March 2006), Tenth Supplementary Report: ILO *Guidelines on occupational safety and health management systems (ILO-OSH 2001)*.

<sup>2</sup> Unlike requirement standards, "guidance" standards in the ISO system are not intended for use in certification.

implementation.<sup>3</sup> This opportunity should be considered carefully. Occupational safety and health is a subject fully within the mandate of the ILO and the primacy of the ILO's standards and related guidelines on the subject must be respected in principle as well as in the process and products of any possible collaboration. Thus, certain conditions for collaboration have been discussed with the ISO with a view to safeguarding the integrity of the *ILO-OSH 2001* and their implementation, and to seeking to ensure that any standard developed by the ISO, and any related process, would respect the ILO's mandate and instruments in this regard. From recent discussions held with the ISO, it appears that the ISO remains open to considering ways of ensuring the following:

- (a) *A unique status and role for the ILO in the process.* ILO collaboration in the ISO's development of an ISO OSH-MS standard, and any subsequent revision or other follow-up, would be based on a unique status and role for the ILO as defined by the terms and conditions to be agreed in a memorandum of understanding with the ISO, rather than on the basis of the categories of liaison status recognized under ISO rules.
  - (b) *The primacy of the ILO-OSH 2001 in developing any ISO supplementary "guidance".* The ISO guidance standard would recognize and give effect to the primacy of the *ILO-OSH 2001* so that any supplementary guidance text to be developed by the ISO, or subsequently revised, would not conflict with the *ILO-OSH 2001*.
  - (c) *Not a requirement standard.* Neither the base text nor any supplementary guidance would be designed for use as a requirement for certification by third parties (which is referred to in the ISO as a "requirement standard").
  - (d) *Recognition of the role of ILO constituents.* Government, Employer and Worker representatives would have the opportunity to participate in the process of development of the ISO standard and any follow-up promotion, support, evaluation, approval, or revision.
  - (e) *Coordination at the national level* between ISO member bodies and ILO constituents would be built into the systems that would be using ISO guidance.
4. In June 2006, the ISO's Technical Management Board agreed that a survey of ISO member bodies in 120 countries could be conducted, subject to ILO concurrence, to understand their needs and expectations relating to an ISO standard on OSH-MS and the need for collaboration with the ILO in so doing. The ISO foresaw conducting this survey on an expedited basis so as to have results before the Governing Body meeting in November 2006. Accordingly, before the end of September 2006, the ISO wished to know the ILO's position on the ISO survey proposal. The Office thus sought clarification from the constituents on this matter in September, informing them that, in the absence of concurrence by the ILO, the ISO may decide to go directly to a vote among ISO members on the proposal for developing an OSH-MS standard without first conducting a survey. When consultations with the Chairperson of the Government group and the secretariats of the Employers' and of the Workers' groups revealed diverse viewpoints, the Office informed the ISO that there was no consensus to accept or reject the survey proposal at that time, and that a Governing Body discussion of the issues was scheduled for November.

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<sup>3</sup> The ILO Promotional Framework for Occupational Safety and Health Recommendation, 2006 (No. 197), provides in its para. 6 that "Members [of the ILO] should promote a management systems approach to occupational safety and health, such as the approach set out in the *Guidelines on occupational safety and health management systems (ILO-OSH 2001)*".

5. In the context of different forms of “standards” in this field,<sup>4</sup> it is important to avoid conflictual interpretations of concepts and terms used, and rather to make optimum use of the possible complementarities of the different processes. Collaboration with the ISO on the basis of the considerations above could offer an opportunity to underscore the authority of the *ILO-OSH 2001* as the most authoritative guidance on the subject and to demonstrate its role as the primary point of reference for the development of standards used in the private sector. Such an approach to collaboration could also present an opportunity to encourage, to the extent possible, an ISO approach to the topic that would complement that of the ILO. The consideration of any risks that may be presented by collaboration would need to be balanced against the risks of non-engagement by the ILO in the ISO process that might lead to the continuing development and growing influence, in the ISO and elsewhere, of “standards” that do not refer to the *ILO-OSH 2001* as an authoritative framework. A starting point might thus emphasize the need to manage the risks of engagement through an ongoing and active role of the ILO in attempting to influence the process on the basis of a distinctive arrangement for collaboration (see paragraph 3 above). In other areas of cooperation between the ILO and the ISO,<sup>5</sup> the Office has kept the Governing Body informed of developments.

**6. *The Governing Body may wish to:***

- (a) express its views on possible collaboration with the ISO in the context of the ISO’s development of an OSH-MS international standard, taking into account the considerations above (paragraph 3); and*
- (b) in that regard, invite the Office to submit a document at its 298th Session (March 2007) on relevant developments in the matter.*

Geneva, 17 October 2006.

*Point for decision:* Paragraph 6.

<sup>4</sup> The ILO and the ISO are not the only actors in this field. An informal business grouping interested in certification of OSH-MS has developed a standards document called OHSAS 18000. Although OHSAS 18000 is not an ISO standard, certification companies are using it in a similar manner to the ISO 9000 (quality) and ISO 14000 (environment) and are calling it an international standard. This informal standard is being promoted in a number of countries, mostly by enterprises engaged in certification, in a way that is creating confusion and some conflict with the *ILO-OSH 2001*. OHSAS 18000 also appears to be playing a role in the development of a draft guidance by the OECD on an integrated management system. In addition, the European Committee for Standardization (CEN) has set up a working group on OSH-MS, although CEN will not decide on its action until the outcome of ILO/ISO consultations is known.

<sup>5</sup> See GB.289/7, paras. 3-6, concerning the ISO and follow-up to the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185), and GB.295/MNE/3/2, paras. 10-11, noting the Memorandum of Understanding between the International Labour Organization and the International Organization for Standardization in the field of social responsibility, signed 4 March 2005.