

Joint ILO/IALI international
symposium on:

*«Labour inspection
and occupational safety
and health
management systems»*

Summary Report

Düsseldorf, Germany, May 2001



ARBEIDSTILSYNET
Directorate of Labour Inspection

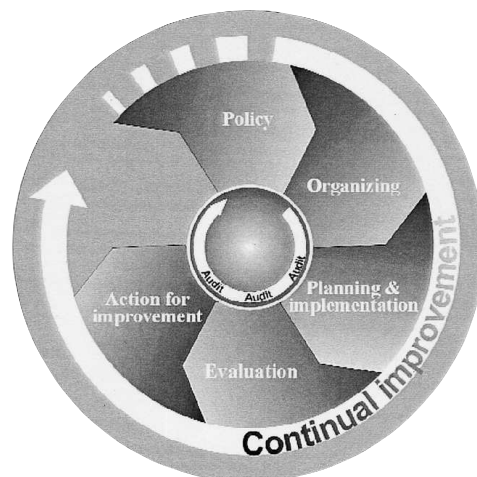


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Introduction

After several years of preparation and discussions with its tripartite international constituency, the ILO adopted in April 2001, new Technical Guidelines on OSH-MS in the form of a Code of Practice. This new instrument incorporates a novel concept for the majority of ILO member States, as well as social partners and enterprises worldwide.

Labour inspectorates systems are the main governmental organisations (in most countries) that impact directly on the working environment at enterprise levels. They have potentially a major role in promoting such new OSH-MS, whether international or national, in introducing and monitoring their effective application in enterprises, and in enforcing correlating statutory requirements. However, these new policies and instruments also require a radically new approach of the inspectorates themselves. This recognition was the central message of the International Symposium on “Modern Management Systems in Labour Inspection” which the IALI organised in 1997 in cooperation with the ILO and the French Labour Inspectors in Lyon.

SafeWork, the new ILO global OSH Programme, in collaboration with the International Association of Labour Inspection, **IALI**, the Government of **Norway**, and several German partners organised an International Symposium on the above subject on the occasion of A+A 2001, from **14 to 16 May 2001 in Dusseldorf**, with the following aims:

- to introduce, for the first time, the newly adopted ILO Technical Guidelines on OSH-MS to a wider, international professional audience;
- to analyse, discuss, define and document the impact of this and similar instruments and comparable national policies and concepts, on the role, organisation, management, intervention methods, etc. of labour inspection systems;
- to discuss the involvement and contribution of labour inspection services to the establishment and implementation of OSH-MS;
- to deal with the special situation of Small and Medium Enterprises (SME’s) in this context;
- to ascertain the impact and suitability of such standards also in dealing with new and unfamiliar occupational hazards, such as stress, violence, etc.; and
- to produce tangible results for inspection systems on how to move forward.

Special thanks are due to Mr. Nils-Petter Wedege (Norway) for organising and implementing the symposium in cooperation with Mr. Wolfgang von Richthofen (ILO) and to Mr. Wedege for drafting of the report. Special thanks also to Ms. Natalja Lux (ILO) for her valuable assistance throughout the process.

We would also like to thank the Norwegian Government, Mrs Schröder, Mr Müller and Mr Zwingmann from Basi(Germany) and Mr. Thielmann from the Düsseldorf Trade Fair for their support which made it possible to arrange the Symposium.

This report presents summaries of some of the 27 papers presented at the conference.¹

Jukka Takala
Director, Safework, ILO

Gerd Albracht
President IALI

¹ The complete papers can be obtained either by contacting Mr. Nils P. Wedege or the authors directly. The List of Participants with addresses and the Program of the Symposium are Appendixes to the report.

Opening Ceremony

Opening words by

Dr. Jukka Takala, Director, SafeWork, ILO

The IALI, the International Association of Labour Inspectors, and the ILO have jointly organised this symposium and it is sponsored by both the Norwegian Government, represented by Mr. Wedege, Deputy Director General, the Messe Dusseldorf, Federal Ministry of labour of Germany, the Federal Ministry of Economics and Development Cooperation, and the Federal Association for Occupational Safety and Health, BASI. I would like to thank and congratulate all the organisers for taking up this initiative.

I quote the Director General of the International Labour Organization, Mr. Juan Somavia: “The right to life is the most fundamental right. Yet every year 1,2 million men and women are deprived of that right by occupational accidents and work-related diseases. Workers suffer 250 million accidents and 160 million work-related diseases each year”. Coverage of legal protective measures, compensation or occupational health services are unknown to most workers of the world. They are unlikely ever to see a labour inspector, either.

The Secretary-General of the United Nations, Mr. Kofi Annan, said that “...occupational safety and health must remain a high priority on the international agenda. Policy makers and employers need to ensure that the provision of a safe and healthy working environment is a key consideration in all investment and production decisions, and that workers are involved in those decisions...”

Two weeks ago the ILO successfully completed in a tripartite meeting of experts the historical guidelines on occupational safety and health management systems. Why historical: these are the first such guidelines directly targeted at enterprises, big and small, governing all industries and all hazards. From construction to agriculture. From New Zealand to Norway. A solution to change sweatshops to safe and productive places of work. We hope to get an audience of not only a few thousands but tens – or hundreds of thousands enterprises. Multinationals and small entrepreneurs. Companies from Sony to Motorola, from small coal mines in China to sisal rope factories on the African coast. These can gain in both productivity and safety.

The ILO was selected as the forum for the preparation of these Guidelines in particular because of its role in the national regulatory framework, the ILO standards and the tripartite way of dealing with safety and health.

The Guidelines are expected to be linked to such national frameworks and we hope that the national safety and health enforcement mechanisms – or labour inspection – adopt and promote these Guidelines as a crucial tool for improving safety and health at work.

Our ILO objectives include ratification and implementation of standards, codes and guidelines, and setting up national SafeWork programmes all over the world. Let us use the ILO 2001 Guidelines in reaching all these.

The ILO’s vision is Decent Work, our joint vision is Safe Work.

Thank you!

Opening words by

Min. Dir. Dipl. Chem. Gerd Albracht, President, International Association of Labour Inspection (IALI)

On behalf of the IALI, I most warmly welcome the employers' representatives and trade unions, the government representatives, and the labour inspectors from all parts of the world. The IALI is the professional organisation, in which labour inspectors from all parts of the world cooperate. More than 90 member organisations in more than 60 countries throughout the world have a common goal: to put into practice humanity and human dignity in the world of work, step by step, and to improve on these. Non-government organisations from the developing, borderline, and industrial countries, work together towards this objective. The IALI provides a forum for the exchange of information and experience in the field of health and safety at work. It is our sole task to assist in successfully implementing the protection and safety of people at work all over the world. In doing so, we take account of the fact that labour inspectors and those concerned with managing health and safety at work in different countries are involved in, and subject to, equally different political, economic, legal, social, and cultural systems. Our attention is directed to the situation of employees, not only in small and medium-sized operations, but also in globally active organisations.

Safety-at-work management systems have become a central theme in Safety at Work in Germany, Europe, and worldwide. As president of the IALI, I am particularly pleased to note that numerous delegates from Asia, Africa, and Latin America, as well as from Australia have followed the invitation to attend this important symposium. The recognition that such Safety-at-Work management systems represent an instrument of sustained effect for the prevention and for marked improvements of safety at work, and will therefore serve the well-being of employees, must gain acceptance on a global basis.

Moreover, since these systems also contribute to the economic success of an enterprise, their acceptance and distribution must be promoted. In the application and quality assurance of such systems, labour inspectors play a key role.

Good Safety-at-Work management must provide the optimum deployment of all available resources to protect health and safety of employees, increase their motivation to act mindful of health and safety, and to raise their willingness to perform, leading to a higher economic performance of the enterprise, creating safe places of work, and in the medium term, contribute towards an optimised atmosphere at work. Safety-at-Work management systems must play their part in ensuring that Health and Safety at Work are improved so as to have a lasting effect in preventing ill health or accidents. New approaches, providing greater efficiency, can thereby also be opened up for the monitoring activity of Labour Inspectorates. This applies in particular in view of the fact that it is possible to optimise the Management System via a system check and an assessment by government inspectorates, such that the behaviour of managers and employees alike are influenced with lasting effect

I wish the Conference a successful outcome.

Session 2 – Key presentations

„The new ILO Technical Guidelines on OSH-MS”

Presented by: **Dr. Jürgen Serbitzer**, Coordinator, Occupational Safety, SafeWork, ILO.

A summary:

The ILO Guidelines on OSH –MS was adopted at a tripartite Meeting of Experts from 19 – 27 April, 2001.

The Guidelines has been designed as a practical tool for assisting *organisations* and competent institutions as a means of achieving continual improvement in OSH performance

The Guidelines are:

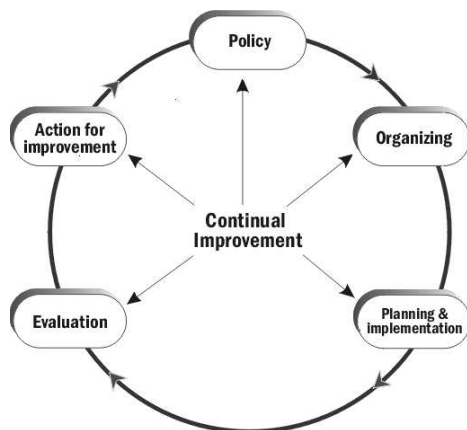
- Unique international model and compatible with other management systems and guides
- Not legally binding and not intended to replace national laws, regulations and accepted standards
- Application does not require certification
- Flexibility in the application
- Adaptation to national conditions and specific needs of organizations

The guidelines recommend:

- Formulation of a National Policy on OSH-MS
- Establishment of a National Framework
- Direct implementation in organizations
- Implementation through the development of national guidelines
- Implementation through the development of tailored guidelines

The main elements of an OSH-MS as envisaged in the Guidelines are shown in Fig.1 below.

Fig. 1 Main elements of an OSH-MS



A detailed description of each single element is to be found in the issued Guidelines.²

² Guidelines on occupational safety and health management systems, ILO-OSH 2001. ISBN 92-2-111634-4.

“Labour Inspection and Occupational Safety and Health Management Systems (OSH-MS)”

Presented by Mr. Nils-Petter Wedege, Vice-President IALI, Deputy Director General Norwegian Labour Inspection.

1. Introduction

Working life is changing rapidly and emerging hazards at work place have to be dealt with. The introduction of OSH-MS is an attempt to meet these new challenges. The strategy of the labour inspectorates might therefor also have to change.

The introduction of OSH-MS is an attempt to meet the new challenges in “a holistic, coherent, flexible and sound” way.

There exist a lot of regulations, guidelines and standards. Some are statutory, i.e. regulations, other are voluntary, some are meant only as a national tool while others take an international approach.

All are meant to be a tool for the enterprises to manage the working environment.

The question that has to be answered is if OSH-MS is also a useful tool for Labour Inspection.

2. OSH-MS and Labour Inspection

Inspection Methods

Labour Inspection should run System Audits to verify if enterprises comply with laws and regulations. This is an effective but comprehensive and demanding exercise.

Inspection will be to carry out *System Audits* to assess if the enterprises efforts are securing the working environment and that it complies with law and regulations.

System Audit is for many labour inspectorates a new concept that needs time to be adopted and fully understood.

OSH-MS and resources

System Audits are resource demanding because the inspection as such will take longer time than before. System Audits are far more demanding than the simple and detailed on-site inspection. In addition the concept is new for most enterprises, the inspectorate will have obligations to inform and advice enterprises on how to establish an OSH-MS and how to make it work continuously.

Competence

Introducing OSH-MS means for both enterprises and Labour Inspection a new approach on how to improve the working environment in enterprises that requires competence different from the traditional one.

It is a question of the competence of the Inspectorate as well as of the competence of the individual inspector, the competence of the management as well as of the OSH professionals and the workers representatives.

For the inspectorate it might be a question of cultural change.

The first thing the manger of the inspectorate therefore should do is to introduce OSH-MS in his own organisation.

That will in addition of securing a good process of change give the organisation itself and

the individual inspector useful experience in the problems of introducing OSH-MS in an enterprise.

Challenges for the inspectors.

Inspectors will meet a more demanding situation. They need to have a holistic approach and simultaneously maintain their skill regarding specific working environmental problems.

To ensure that the inspections are carried out in a coherent and consistent way the inspectorate has to issue guidelines for the inspectors. But such guidelines will only be a tool or a framework for the

The inspector must himself exercise discretion in this process.

It is important that the inspectors in this new situation get all possible support to gain self-confidence and be able to exercise discretion.

Challenges for the management of labour inspectorates

The main challenge for the management of the labour inspectorate will be to lead a cultural change in his institution. New strategies have to be implemented and new alliances have to be established.

Another challenge for the inspectorates will be to seek alliances with other organisations and agencies that also are working for improvement of the working.

It is of vital to develop dialogue and co-operation with those organisations, institutions and public agencies that can influence the will and ability to work systematically on H&S in enterprises. It is of utmost importance to create as far as possible, a joint understanding regarding problems, opportunities and measures.

The strategy should be to work through others to achieve the goals.

Session 3 – “Experience with Statutory OSH-Management Systems”

Chairperson: **Dr. Adrian Ellis**, Secretary General, IALI, and
Director, Field Operations Division, HSE, UK

1. Experience with statutory OSH-MS in Norway

Presented by **Ms Berit Bøe**, Acting Assistant Manager, The Norwegian Labour Inspection

Ten years ago the Internal Control Regulations was introduced in Norway. This regulation made it obligatory for the employer at each workplace to work systematically to integrate preventive action in the Safety and Health area into the management system of the enterprise.

The Internal Control Regulation is generally binding. The demand for IC-activities is equally obligatory for all Norwegian enterprises, for public institutions as for trades and industries. We had to change the methods of inspection, from the traditional on-site detailed inspections to a system-oriented approach.

A study from 1999 show that only 14 % of the enterprises had not established any systematic activities, while 86 % had started or implemented such activities. As expected the larger enterprises are in the lead. For the smallest enterprises (less than 11 workers) there is more than 40 % that has not established any systematic activities

A project carried out from 1997 to 2000 clearly shows the need of using different approaches. 558 smaller enterprises (1-20 employees) have been included in the project. Mainly from the sector of Manufacturing of metal products and machinery.

All the selected enterprises were inspected by the Labour Inspection in the spring 97.

Half of the 558 enterprises were then placed in a ”control group” and given the message that the inspector would come back to evaluate their systematic activities in the autumn of year 2000.

The other half were followed up by the inspectors during the next years.

In the autumn 2000 all the 558 enterprises were inspected again, including the control group. The status in each enterprise was evaluated and registered according to the check-list from –97.

The results for the enterprises that have been followed more closely up are among other things that 30 % of the enterprises make better priority plans in 2000 than in 1997 and in 37 % of the enterprises there has been improvements in the organizing of work – and in such a way that the workers are less exposed to risks than before.

The project shows that the Labour Inspection has to use many methods. The first inspection is very important, but more than one inspection is necessary to change attitudes in the enterprises.

2. Systematic Management vs OHS Systems.

Presented by: **Ms Michele Patterson**, Assistant General Manager, WorkCover, New South Wales, Australia

In Australia, all states and territories have similar OHS legislation which places duties on employers and others to provide a safe workplace. In NSW (an Australian State), WorkCover

NSW is the authority which regulates occupational health and safety laws. WorkCover has developed 5 elements to reduce injuries and illnesses in the workplace. These elements are:

1. **Legislation** - new OHS legislation which requires employers to identify, assess and eliminate or control risks;
2. **Safety Toolkit** – an innovative *Workplace Safety Toolkit* designed to assist employers to implement a systematic approach to managing their OHS;
3. **Incentive Scheme** – a financial incentive scheme to encourage employers to manage safety systematically;
4. **Industry Teams** – reorganisation of the OHS Inspectorate into industry teams to deliver a comprehensive range of services to industry; and,
5. **Development of OHS Inspector skills** - the retraining of OHS Inspectors to meet new skill levels so that they can deliver professional assistance to people in workplaces.

Legislation

In 2000, a new *Occupational Health and Safety (OHS) Act 2000* was passed by the Parliament in NSW. This will be supplemented in 2001 by a new *OHS Regulation 2001*. The Act and the Regulation are designed to lead to a more systematic approach to the management of occupational health and safety in workplaces.

In the new act the objectives are clarified so that it is clear that employers must identify, assess and eliminate or control risks; and consultation with workers on OHS matters is introduced as a clear duty for employers.

Workplace Safety Toolkit

A major problem is that smaller enterprises often feel that regulatory requirements like this are a burden because they see them as difficult and costly. Small businesses need to know how to go about implementing systematic management and where to start.

Therefore, to assist businesses – especially small ones – to systematically manage their OHS, WorkCover NSW has developed a *Workplace Safety Toolkit*.

Incentive Scheme

To encourage enterprises and in particular the smaller ones to systematically manage their safety, WorkCover NSW has introduced a scheme where employers who meet certain levels of safety management (benchmarks), receive a discount on their workers compensation premium

Session 4 – “Experience with Voluntary OSH-MS Systems/Standards”

Chairperson: **Mr. Seiji Machida**, Safework Task Force Coordinator, ILO.

1. Safety management – The Hong Kong Experience and Approach

Presented by: **Mr. Chung Ping-wor**, Labour Department, Hong Kong.

In Hong Kong the “general duty provisions” is imposed by laws that place the maintenance of workplace safety and health as a continuous legal responsibility on all those who have control over the workplace environment.

Implementation of safety management system was made mandatory with introduction of the Factories and Industrial Undertakings (Safety Management) Regulation which passed on 24 November 1999.

Under this regulation proprietors or contractors of certain industrial undertakings are required to develop, implement and maintain in respect of the undertakings a safety management system which contains a number of key process elements..

The regulation provides for 14 elements to facilitate the duty holders to implement a safety management system as for instance:

A safety policy which states the commitment of the employers

Training to assure workers with knowledge to work safely

Evaluation of job related hazards or potential hazards and development of safety procedures

A programme to protect workers from occupational health hazards

Duty holders to implement Safety management System

Depending of the situation, the main body of the Regulation would likely come into effect in the 2nd half of 2001.

2. Guidelines for OSH – MS in Japan

Presented by **Mr. Thoshihiko Kato**, Central Labour Standards Administration Inspector, Japan

In order to assist employers in reducing potential safety risks, the government of Japan has established the guideline for occupational safety and health management system and announced it in April in 1999.

The system requires cooperation between workers and employers. On making this guideline at national level, the government organised an expert committee consists of representatives of workers and employers as well as people of experience or academic standing.

The system respects traditional safety and health activities in workplaces. In Japan there are some safety and health activities, which are very effective for prevention of occupational accidents, such as 4S activity and foreseeing danger activity, “Hiyari-hatto” activity.

The guideline requires integrating these activities into safety and health plan.

The system applies to workplaces of all scales and of all types of industry. Measures for prevention of occupational accidents should be implemented regardless of the scales of enterprises. Workers safety should be ensured even in small and medium-sized enterprises.

The system is regarded as a **voluntary** program. The government does not lead workplaces to introduce OSH-MS by inspection but only explains the necessity of OSH-MS.

3. Facilitating and promoting OSH MS by Polish Labour Inspectorate (PIP)

Presented by **Dr. Lucjan Mochowski**, PIP.

While the positive impact of introducing OSH MS is recognised at the governmental and decision making level, so far the very concept of that system is not common in Poland. In part it is due to the fact that a national framework for OSH MS has not been completed yet. OSH MS seems to be familiar to larger companies, which in recent years have implemented the quality and environmental protection management, and have already achieved measurable economic results.

Polish labour legislation has some generic provisions for risk assessment, although more precise implementation arrangements are needed.

With a view to a growing interest in OSH MS, Polish standardisation authority established in the years 1999 – 2000 standards - series 18000 on OSH-MS.

Application of all the standards on OSH MS is voluntary.

The standard PN-N-18001 defines general requirements for occupational safety and health management systems. Requirements are relevant to any organisation, independently of the type of activities, services and products.

Another standard PN-N-18002 “Guidelines for Occupational Risk Assessment” specifies the ways of carrying out risk assessment in any organisation.

PIP management assumes that in large companies the attention should be put on inspecting the systemic solutions, thus a labour inspector’s attention should be focused on checking the effectiveness of enterprise OSH MS, and if needed to propose improvement of the applied procedures. Supervision strategy in the case of small and medium-sized enterprises would still be based mainly on detailed inspections with the use of relevant check-lists.

Promotion of OSH management systems has become one of the key elements of PIP’s policy as a strategic preventive approach, and is included in its current and long-term work programme. In the coming years PIP will monitor and promote achievements and effects both in the OSH sphere and the economy dimensions.

4. OSH-MS in UK

Presented by: **Mrs K E Clayton**, Operation unit, HSE ,UK

Modern health and safety legislation in the UK is moving away from the detailed prescriptive approach to a more goal setting approach with risk assessment as one of the key requirements of the Management of Health and Safety at Work Regulations 1992 which were updated and amended in 1999. At the core of these regulations is the requirement for risk assessment and arrangements for the effective planning, organisation, control, monitoring and review of the preventive and protective measures needed. In effect the requirement to manage health and safety.

HSE has advocated the need to manage health and safety effectively for many years predating the requirements contained in legislation. In 1991 we updated previous guidance published HSG65 “Successful Health and Safety Management”.

The document outlines a framework for describing the issues which organisations need to address to manage health and safety effectively. This framework is commonly known as the “HSG65 approach” and is basis of one of the approaches in British Standard 8800. Together with the Approved Codes of Practice on the various sets of Regulations which include a requirement for arrangements to manage health and safety, HSG65 provides the basis of HSE’s guidance to employers on managing health and safety.

HSE’s inspectors also use the HSG65 framework when assessing an organisation’s arrangements for managing health and safety.

Health and safety management can also be considered quality management of health and Safety, where the desired “output” of the process (of health and safety management) is a situation where hazards have been identified and health and safety risks are being controlled across all the organisation’s activities. Again, proactive approach is required rather than the traditional approach of many organisation’s which only react after an accident occurs.

5. Health and Safety at the workplace – the Tunisian Model

Presented by **Mr. Chaker Sahli**, Chief Inspector, Tunisia and Vice-president of IALI

The legal and institutional framework that regulates OSH in Tunisia is characterised by three dominant features.

1. Strengthening of the policy for preventive measures.

The preparation of a new national policy concerning OSH has been necessary to limit the accident compensation payment.

At the structural level:

- A National Institute for OSH has been established. The institute operates in close co-operation with the Labour Inspectorate
- The supreme council for prevention of occupational accidents and illnesses has been established
- Economic incentives for enterprises have been introduced.

2. Incentives to involve the social partners in OSH matters.

Due to the economic growth, new technology, industrial growth and structural changes there has been a growing risk of occupational accidents and ill-health. This has led to greater interest from the social partners.

The social partners are now taking part in the development of a national plan for prevention and they are represented both in the National Institute and in the Supreme Council mentioned above. There has also by law been established a tripartite Consultative Industrial Council which task is to decide on preventive plans and instructions

3. Strengthening of the Labour Inspectorate.

The efforts to strengthen the labour inspection have in particular been directed towards training of inspectors regarding preventive work. Courses on hygiene and safety have been established.

The Labour Inspectorate also runs more systematic inspection programmes on the management of health and safety in enterprises.

The power of the individual inspectors to execute sanctions have been broadened and the inspector may for instance issue orders to improve working conditions or to have risks removed.

Session 5 – “OSH-MS/Standards and Small Enterprises”

Chairperson: **Mr. Wolfgang von Richthofen**, Coordinator, Development of Inspection Systems, SafeWork, ILO

1. Health and Safety Management Systems – the needs of different enterprises particularly SMEs

Presented by **Dr. Peter J. Claffey**, Deputy Chief Inspector, HSA, Ireland

Workplace health and safety management systems lay down the ground rules for health and safety within an organisation. They set the direction for the organisation to follow in order to comply with the national health and safety laws as a minimum and more importantly to put accident and ill health prevention on a sound business level.

Health and safety laws apply equally to all workplaces no matter what size they are. The employer must safeguard the health and safety of their employees, whether that figure is 2 or 200. Small to medium sized enterprises (SMEs) must be told what is required of them in a simple and straightforward language.

SMEs can learn from the methodical approach to accident prevention used by the larger organisations.

Labour inspectors are required to sell the message to SME's that their responsibilities are:

- *Protect your employees,*
- *Identify your hazards and assess the risk of accidents,*
- *Decide whether you have adequate safety measures in place or whether you need to do more,*
- *Write this information down in your OSH-MS documentation*
- *Make the necessary improvements and update your assessment as necessary.*

The Irish HSA has produced a number of guidelines to help SME's set up their health and safety management system. All are available on the HSAs website at www.hsa.ie.

2. OSH – Management Systems and SMEs, Recent Projects in Austria.

Presented by **Dr. Gertrud Breindl**, Ministry of Economic Affairs and Labour

Small enterprises should not be regarded as a mini- (ausgabe) of larger enterprises of two reasons:

- OSH-MS are available also for small enterprises, but they have only to a little extent knowledge about MS`
- An OSH-MS in an enterprise with 1000 employees will differ a lot from a system in an enterprise with only 20 workers.

The advantages by introducing OSH-MS are not dependent on the size of the enterprise. But to make it efficient for smaller enterprise necessary means and support should be offered

these enterprises. The competence and the means are the main difference between larger and smaller enterprises.

Three Austrian projects have been launched to evaluate the efficiency of external support to smaller enterprises.

Project 1. OSH-MS in Smaller Enterprises.

The main conclusion of the investigation were that a successful implementation of SH-MS in SEs dependent on:

- *Public Relations:*
- *Support and Training*
- *Economic incentives*

Project 2: OSH-Managing Toolkit for Small Enterprises.

The Austrian ppm research institute has worked out a Toolkit or a model to assist smaller enterprises establishing and running a OSH—MS.

Project 3: Integrated Environment & OSH Management in SMEs.

This project is ongoing and will be finished 2001. It is carried out and organised by several Ministries and institutes.

As an overall conclusion the experience has shown that the needs for SME`are:

- Guidelines & Information
- Network building
- Good Practices
- Improvement of Internal Communication and Training
- External Support and Consulting Pools
- Involvement of suppliers and customers.

3. Examples of integration of OSH in modern management systems in small enterprises.

Presented by **Dr. Ralf Pieper**, Federal Institute for OSH, Germany

Dr. Pieper presented some results of some recent projects of the Federal Institute for Occupational Safety and Health. He concentrated mainly on the collection and evaluation of positive examples and the compilation of a catalogue of criteria/of guidelines mainly for small enterprises.

The background situation in small companies as compared to bigger companies is a.o.:

- higher risks (less safety-related and organised prevention)
- greater accident frequency
- less knowledge of relevant public-law obligations
- documentation extensively dispensed with
- entrepreneurs feel overwhelmed by the regulation jungle
- limited financial and human resources
- prevailing view: “occupational safety and health mainly gives rise to costs”
- measures taken more cure than prevention.

In Germany some small enterprises have already successfully integrated safety and health protection in their management and organisational concept.

Dr. Pieper referred to Models for Good Practice from all together 17 small companies with 3 to 48 employees who have implemented systems without Government funding.

As a conclusion Dr. Pieper referred to the Overall Assessment of the project:

- Systematic integration of OHS in the management and organisational concept for small companies is still the exception
- Positive examples demonstrate: integration is basically appropriate, practical and promising
- Frameworks exists for application of OSH-MS but still have to be broken down to suit the needs of small companies.

Session 6 – “OSH-MS, Inspection and Related Issues”

Chairperson: **Dr. András Békés**, Vice-President, IALI, and Director-General, Labour Inspectorate, Hungary

1. Managing OSH prevention in Building and Construction

Presented by **Ms Juana Montane Merinero**, Spanish Labour Inspection Association

The building and construction sector has as in most other countries the highest frequency of working accidents. The reason are many and include the large number of small enterprises, the lack of skilled workers and unclear responsibility between contractors and subcontractors.

In 1995 the Spanish regulations were harmonized with the Framework directive of EU.

To day the employer has the responsibility for the OSH activities at the workplace. The regulations require full integration of OSH activities in the internal organisation of the enterprise, in all administrative matters and in addition it comprise the duty to undertake risk assessments, to plan measures to avoid risks, appointment of caretakers, training of workers and last but not least to ensure participation of the employees in the whole process.

So far these new regulations have only been integrated into the preventive programmes of enterprises to a small extent

Lack of a culture for prevention, lack of knowledge of the OSH regulations and the frequent changings of workplaces and of workers in this particular sector is the main reason for the not complying with the regulations.

Despite the priorities given by the the OSH authorities the frequency of accidents is still increasing in the sector. The Labour Inspectorate has therefore issued a set of guidelines to make inspections more efficient:

- Prioritising of the OSH systems in the enterprises
- Development of an inspection protocol as a guideline for inspectors
- Establishment of common criteria for the duty of the employer, contractors, subcontractors etc.
- Prioritising the training of workers
- Strengthening of the use of sanctions

2. OSH-MS and Psychosocial Labour Inspections

Presented by Mr. Ole Aas Nilssen, The Norwegian Labour Inspection Authority

It is important to start working in a systematic way with the organisational and psychosocial aspects of the working environment. We have less experience and less tradition for systematic work within this area. Also the problems in this area may vary a lot depending upon the culture and location of the enterprise, and it becomes very important to assess problems or potential problems locally. It shouldn't be more difficult to handle these problems than traditional physical ones.

The role labour inspectorates must be to make the enterprises aware of the importance and necessity of this preventive work, and what elements are necessary or advisable for taking care of the OSH work in a proper way.

The Norwegian Labour Inspectorate uses a broad *definition* of the psychosocial environment as:

non-physical conditions where both the organisational or system oriented part, and the individual and human relations part are included.

Indicators will be:

high speed work, machine dictated work pace, physical violence, bullying, sexual harassment and monotonous work.

A systematic approach through an OSH-MS is ideal for handling this kind of hazard because these hazards so often relate to organisational matters.

Mr Aas Nilssen concluded that

- it is possible for an enterprise to work in a systematic way to improve its psychosocial working environment*
- an OSH-MS is of great value in this process*
- the concept of OSH-management systems makes the psychosocial labour inspections easier and more meaningful for everybody*

7. Session – “The Impact on Inspection Systems”

Chairperson: **Min. Dir. Gerd Albracht**, President, IALI, and Director-General, Hessen State Labour Inspection

1. Key facts from European Agency information project on the use of OSH-MS in Europe

Presented by **Hans-Horst Konkolewsky**, Director, European Agency for Safety and Health at Work.

Some of the Key facts from national OSH-MS material were:

- Scandinavian material stresses more strongly the importance of the role/ tasks of labour inspectorates related to OSH-MS*
- Labour inspectorates should advise and inform enterprises about OSH-MS*
- OSH-MS lead to higher transparency of OSH matters in an enterprise*
- Different types of inspection as result of OSH-*
- Advise on implementation of OSH- MS should be provided by labour inspectorates illustrating good practice*

Mr Konkolewsky also presented some results from a “Eoripean Survey on OSH-MS” carried out by “Senior Labour Inspectors Committee (SLIC) in 1999.

The Key facts from the European OSH-materiale were:

- *Belgium, FINland, EL, UK and Norway monitor management systems as task of labour inspectorates.*
- *Austria, Belgium and Norway inform enterprises on introduction of OSH-MS.*
- *Countries with compulsory OSH-MS mentioned potential conflict for inspectors with their role ‘advising’ and ‘controlling’.*
- *D, FIN, S, UK and Norway developed methods and processes for monitoring OSH-MS*
- *A, FIN, S and Norway provide special training to inspectors regarding OSH-MS*
- *No specific and additional resources are dedicated in the Member States to the inspection of OSH-MS.*

Improvements are needed regarding:

- *Raising awareness and motivation of employers*
- *Easily understandable instructions how to implement OSH-MS*
- *Support for the implementation,*
- *Advise for SMEs*
- *Development of control measures*

2. Information and training for labour inspectors

Presented by **Malcolm Gifford**, Strategy and Information Unit, HSE, UK

The importance of training and information on OHS-MS

- Such systems can be quite complex and therefore more time-consuming to inspect,
- A ‘holistic’ approach is needed to establish the cause of incidents,.
- Inspectors need to be competent in a range of matters relating to OSH-MS,

The Assessment of Health and Safety Management’ course

- This training course introduces inspectors to different techniques for assessing health and safety management, and aims to give them the confidence they need to intervene at a seni- or level of management of large organisations.
- On the course, delegates study the ‘POP MAR model’, i.e. **policy, organization, planning, measuring, auditing** and **reviewing**, using some case studies.

Planning in-depth inspections or audits

- Delegates are asked to bring with them to the course an example of an in-depth inspection or audit which they are planning to undertake. They carry out further work on this project during the course, under 4 headings: company description and hazard profile, key issues, interview schedules, and interview agendas.

The ‘Guide to the Inspection of Health and Safety Management’

- *The Guide*, with the above title, is a reference source for inspectors and provides information on the following topics:
 - Planning and co-ordinating inspection of management systems;
 - Inspection methods, including audits;
 - Assessment of management systems, including analysis of documents;
 - Risk Control Systems, planned plant inspections and permits to work.

3. The impact on inspection strategies from a mandatory OSH-MS regulation.

Presented by **Dr.Bertil Rемаeus**, Dep. Director-General, Swedish Work Environment Authority

The mandatory regulations on management responsibility for the working conditions have been active in Sweden since 1992 (Internal Control).

The new regulations had an impact also on the Labour Inspectorate. The focus on the responsibility of the employer has led to a need of developing alternative, or rather supplementary, inspection methods and –strategies.

The role of the inspector as a technical expert in specified areas giving the preventive solution to the problems at the place of work, has changed to a more holistic approach notifying the problems but leaving the choice of solution to the employer.

This has led to a situation where the inspectors meet other groups of representatives of the companies than before, normally on a higher management level. This creates a need of another kind of skill of the inspectors, and has in some cases caused some problems for the individual inspector. Among the new needs of knowledge it can be noted that the ability of communication, interviewing etc, is strongly underlined.

The mandatory regulations on Internal Control has now been issued in force for almost a decade. The experiences are that there is a need of:
substantial in-house training of inspectors, especially in communication.
recruitment of new competence.

development of new inspection methods.

measurable indicators of quality of work.

And also that higher quality in the working life requires the involvement and active participation of top management.

4. Inspection instruments for “new” risks

Presented by **P.J.Huijzendveld**, Labour Inspectorate the Netherlands

Examples of these new risks with physical origin are:

Repetitive strain injuries due to *high frequent repetitive work and work with computers*

Low back pains due to *wrong work postures, continual standing without sitting facilities and heavy or wrong lifting*

Examples of risks with psychosocial origin are:

Workstress, aggression and violence, sexual harassment and others forms of harassment: mobbing, and discrimination at work.

Every employer in NL is obliged to have a contract with a certified OHS Advisory Service. (“Arbodienst”). The OHS Advisory Service supports the employer in building up and maintaining a OHS-Management-system by making the Riskassessment (RA) of the company, in making an implementation plan (Plan of Action) and in carrying out a regular evaluation of the OHS-situation.

In the Dutch system the employer has to solve the problems together with his OHS-adviser. The Labour Inspectorate examines where he fails to do so.

The Dutch Labour Inspectorate has the same enforcing role also for “new” risks. We have a basic approach consisting of two elements. Enforcing actions directed on the failures in the OHS-Management system, in combination with enforcing actions directed on failures at workplace level.

At the shopfloor the labour inspector checks the practice. For papers are papers, and the inspector has to see how and when nice assessments and perfect plans are and worked out in reality, in practice but he also checks whether the shortcomings are part of the Riskassessment and Plan of Action, and whether the actual plan of action is realistic and acceptable.

In order to be able to cope with the complex new risks in an efficient and effective way, inspectors need:

- knowledge of the working and failures of the OHSM-systems
- simple identifying instruments
- simple enforcement standards
- enforcing instruments
- adequate training

Panel Debate: “The Way Forward”

Chairperson: **Dr. Jukka Takala**, Director, SafeWork, ILO

The panel comprised

David Eves, HSE;

Michele Patterson, New South Wales, Australia;

Maria Narducci, President Confederation of Iberoamerican Labour Inspectors, Uruguay;

Zainuddin Abdullah, Malaysia;

Sammy Nyambara, Director African Regional Labour Administration Center, Zimbabwe.

Dr. Peter Westerholm, Sweden

Mr Takala initiated discussion, quoting H.Heinrich – unsafe acts and unsafe conditions leads to hazards; however, both are systems of poor health and safety management. Takala made a plea for concerted effort to get OSH management system higher on national agendas. Need to use media and other professional OSH association. Regulatory aspect is just a starting point but links with other tools as well.

Mr Eves continued discussion. And asked the panel the following question: Should we have more detailed legislation? Should HSE aim at raising competence in industry? Do insurance schemes help or hinder effective OHS-MS? Management system really only help large firms (in UK there are 4 million businesses, 90% employ less than 10 people). Problem for small firms previously well stated. If it is important for labour inspectorates to tackle OSH management system how do we mobilise our resources.

Mr Abdullah spoke of the need for creating awareness and understanding OSH management system. Develop in-house, need to focus on smaller firms. In the next 5 years need to ensure the Construction industry improves.

Mr Nyambara spoke of situation in Africa. Very different problems persisted here in child labour, which occupied attention of enforcing authorities. Needed to realise the effects of prohibition of children working, for example, which might lead to much worse situations.

Mrs Narducci spoke of similar problems in South America – very large “informal” sector mostly small firms. Occupational health and safety management system not really an issue for then clearly – complex, hard to set up, need to consider voluntary systems because there is no culture of accident prevention. Training for companies would be necessary on management system. Resources for Labour Ministries in South America were weaker than they had been; the economic affairs/trade departments had been enlarged. Spoke also of sanctions and enforcement, necessary to produce a decline in accident rates. Dialogue, co-operation necessary but with shortage of resources and also drop in trade union membership difficult to bring about. Spoke briefly about psychosocial disorders – South America lags far behind.

Ms Patterson spoke of financial incentives – which motivate business. Need to develop financial incentive which much be performance directive – they can work well. Where no insurance system are linked to OSH (eg UK) problems will persist. Financial grants/incentives must be put in the right places – Government contracts can also provide incentives eg not give job to contractor unless occupational health and safety management system in place. Effective approach to sub contractors needed. In Australia occupational health and safety management system ensure that main contractors ensure sub contractors also follow good OSH practice.

Questions asked from the floor: Mr Westerholm, Sweden, about incentives – “carrots and sticks”. Need to use competence in existence, either develop own staff or bring in consultants (applying to Labour Inspectorate). Mrs Nardicci spoke of responsibilities of ILO – need for guidance and cooperation with Labour Ministries. Training of inspectors important also. OSH management system are weak, new approaches will take time.

Closing ceremony

Closing words by Mr Wolfagn von Richthofen

So, in sum, I believe this meeting has been most successful and its results will, no doubt, guide future technical cooperation of ILO/SafeWork and in particular the unit responsible for Labour Inspection System Development over the coming years. All that remains for me, is to thank all those who have contributed to making this meeting success:

First of all you, the participants,
then, the organisations involved:

- the Government of Norway (NORAD)
- the Government of Germany (BMA)
- Messe Düsseldorf and BASI
- IALO and ILO

But more importantly, the people behind these abbreviations;

- from Norway, Mr. N.P. Wedege
- from BMA, Mr. Overhage and Mr. Becker, as well as the interpreters made available through their kind assistance, and who have done such a marvellous job;
- from BASI, Mr. Zwingmann and his assistants;
- from Messe Düsseldorf, Mr. Thielmann, Project Director for the A+A, and his collaborator, Ms. Sowa. Without Mr. Thielmann's inflexible belief in ILO/SafeWork's capacity to organise this meeting successfully (in spite of all the evidence to the contrary), without his commitment (that crucial word again!) and, of course, without his organisation's generous contribution and help, this meeting would never have taken place;
- and finally, my colleagues from IALI and ILO, mostly Malcolm Gifford from HSE, Jürgen Serbitzer and Natalia Lux from Safework, Irene Schwall from the ILO Bonn Office, and many others. Thank you, all, and until the next IALI/ILO Conference.

Closing remarks by Mr.Nils-Petter Wedege.

On behalf of the Norwegian Government, one of the sponsors to this Symposium, I would like to thank you for your participation at this important conference.

The intention by arranging the Symposium was manifold:

First of all it was to introduce the new ILO Guidelines for the first time to an international professional audience

But it was also to discuss, define and document the impact of OSH –MS on the role, on the organisation and inspection methods of labour inspectorates.

We also wanted to discuss the involvement and contribution of labour inspection to the implementation of OSH-MS.

ILO has put much effort into finalising the Guidelines. Many experts and organisations have been involved in the development.

But it is only a first step

Now we are facing the implementation which will be the responsibility of the different countries, enterprises and responsible national organisations.

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**JOINT ILO/IALI INTERNATIONAL SYMPOSIUM ON
“LABOUR INSPECTION AND OCCUPATIONAL SAFETY AND HEALTH
MANAGEMENT SYSTEMS”
DÜSSELDORF, Germany, 14 – 16 MAY 2001**

PROGRAMME

MONDAY, 14 MAY

- 13.00 – 13.30 **Registration of participants**
- 13.45 – 14.00 **Introduction to the Symposium, its objectives and programme by the Co-directors (IALI & ILO).**

1. Session

- 14.00 - 14.30 **Opening ceremony**
Chairperson: **Dr. Jukka Takala**, Director, SafeWork, ILO
Speakers: **Min.Dir. Dr. Ulrich Becker**, Director, Department of Labour Protection and Occupational Medicine, Federal Ministry of Labour and Social Affairs, Germany.
 Min. Dir. Dipl. Chem. Gerd Albracht, President, International Association of Labour Inspection (IALI)
 Mr. Horst Klosterkemper, Managing Director, Messe Düsseldorf
 Mr. Ernst Kreuzaler, Director, International Labour Organisation, Office for Germany
 Eugen Müller, Director General, Federal association for Occupational Safety and Health (BASI)

2. Session

- 15.00 - 16.15 **“The New ILO Technical Guidelines on OSH-MS”**
Presented by: **Dr. Jürgen Serbitzer**, Coordinator,
Occupational Safety, SafeWork, ILO Followed by discussion.
- 16.15 - 17.30 **“Labour Inspection and OSH-MS”**
Presented by: **Mr. Nils-Petter Wedege**, Vice-President, IALI, and Deputy Director-General, Labour Inspectorate, Norway
Followed by discussion.

TUESDAY, 15 MAY

3. Session

- 09.30 - 11.00 **“Experience with Statutory OSH-Management Systems”**

Chairperson: **Dr. Adrian Ellis**, Secretary General, IALI, and Director, Field Operations Division, HSE, UK
- 09.30 – 09.40 **DR. Ursula Engelen-Kefer**
Global Basic Standards – Activities of Trade Unions
- 09.40 – 09.55 **Ms Berit Bø**, Norway.
10 years experience with a statutory system
- 09.55 – 10.10 **Ms Michele Patterson**, Australia (NSW)
Systematic Management vs OHS – The Australian Experience

4. Session

10.30 - 12.30 **“Experience with Voluntary OSH-MS Systems/Standards”**

Chairperson: **Mr. Seiji Machida**, Safework Task Force Coordinator, ILO.

10.30 – 10.45 **Mr. Chung Ping-wor**, Hong Kong
Safety Management – The Hong Kong experience

10.45 – 1.100 **Mr. Thoshihiko Kato**, Japan
Guidelines for OSH – MS in Japan

11.00 – 11.15 **Dr. Lucian Mochowsky**, Poland
OSH-MS and SMEs in Poland

11.15 – 11.30 **Mrs Kären Clayton**, HSE UK
OSH-MS in the UK

11.45 – 12.00 **Mr. Eusibio Ortiz Font**, Spain
Management of Risk Prevention

12.00 – 12.15 **Mr. Sahli Chaker**
OSH-MS, Tunisian Experience

12.00 – 12.30 **Discussion**

5. Session

14.00 - 15.30 **“OSH-MS/Standards and Small Enterprises”**

Chairperson: **Mr. Wolfgang von Richthofen**, Coordinator,
Development of Inspection Systems, SafeWork, ILO

14.00 – 14.15 **Mr. Helmut Ehnes**, Germany
The Employer Model and the “Safety with a System” concept of the StBG

14.15 – 14.30 **Dr. Peter J. Claffey**, Ireland
OSH-Management, the needs of enterprises of different sizes in Ireland – particularly SMEs

14.30 – 14.45 **Dr. Gertrud Breindl**, Austria
OSH-MS Standards and SMEs

14.45 – 15.00 **Mr. Erkki Yrjänheikki**, Finland
Finnish OSH Management Systems and Services

15.00 – 15.15 **Dr. Ralf Pieper**, Germany
Examples of integration of OSH in modern management systems in small enterprises.

15.15 – 15.30 **Ms Juana Montanè Merinero**, Spain
Managing OSH prevention in Building and Construction

6. Session

16.00 - 17.30 **“OSH-MS, Inspection and Related Issues”**

Chairperson: **Dr. András Békés**, Vice-President, IALI, and
Director-General, Labour Inspectorate, Hungary

- 16.00 – 16.15 **Mr. Ivan Majer**, Slovakia
Three dimensions of OSH Management
- 16.15 – 16.30 **Mr. Serik Bisakaev**, Kazakhstan
Labour Protection in Kazakhstan
- 16.30 – 16.45 **Mr. Ivan Seledovsky**, Belarus
Collaboration between Government, Employers and Workers in labour protection.
- 16.45 – 17.00 **Mr. Felix Aghekyan**, Armenia
Draft Labour Code of Armenia
- 17.00 – 17.15 **Mr. Gazanfar Gajiev**, Azerbaijan
Accidents at workplaces in Azerbaijan
- 17.15 – 17.30 **Mr. Gustavo E. Molina**
The training of Inspectors at Health and Safety in Chile
- 17.30 – 17.45 **Mr. Ole Aas-Nilssen**, Norway
OSH-MS and Psychosocial Labour Inspection
- 17.45 – 18.15 **Discussion**

End of Day 2

WEDNESDAY, 16 MAY

7. Session

- 09.30 – 10.45 **“The Impact on Inspection Systems”**

Chairperson: **Min. Dir. Gerd Albracht**, President, IALI, and Director-General, Hessen State Labour Inspection
- 09.30 – 09.45 **Mr. Hans-Horst Konkolewsky**, EU OSH Agency
Development of OSH-MS in the EU
- 09.45 – 10.00 **Mr. Malcolm Gifford**, UK
OSH-MS: Information and Training for Inspectors
- 10.00 – 10.15 **Dr. Bertil Remaeus**, Sweden
New strategies in supervision
- 10.15 – 10.30 **Mr. Paul Huijzendveld**, Netherlands
Inspection instruments for repetitive work and workstress
- 10.30 – 11.00 **Discussion**
- 11.00 – 11.15 Coffee break
- 11.15 - 12.30 **Panel Debate: “The Way Forward”**
Chairperson: **Dr. Jukka Takala**, Director, SafeWork, ILO
6 panellists, short statements and general debate.
- 12.30 **Closing ceremony**
Speakers from: IALI, ILO BASI, Messe Düsseldorf, Norway
- 13.00 **End of Conference**



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