



Latvian Presidency
of the Council of the
European Union

EU2015.LV

Expanding the outreach and impact of occupational safety and health standards in micro and small enterprises

Informal Meeting of Ministers of Labour and Social Affairs
hosted by the Latvian EU Presidency



Permanent Delegation of the European Union to the UN Office
and other international organizations in Geneva

10 June 2015

Contents

1. Introduction	3
2. Rationale	4
3. Participants and Objectives.....	6
4. Session highlights	7
4.1 OSH and MSEs: challenges	7
4.2 OSH and MSEs: good practices	8
4.2.1 <i>Legal framework</i>	9
4.2.2 <i>New technologies and innovative tools</i>	11
4.2.3 <i>Promotion of social dialogue and collaboration with stakeholders</i>	13
4.2.4 <i>International cooperation</i>	15
5. Conclusions: the way forward	17
Annexes	
Annex 1: List of participants	i
Annex 2: Programme of the meeting	iv
Annex 3: Concept note of the meeting.....	v

1. Introduction

Micro and small enterprises (MSEs) represent the majority of businesses around the world and employ a very large share of the global workforce. In the OECD countries, they represent more than 95 per cent of all firms and account for around 46 per cent of total employment.¹ In the EU, micro, small and medium account for 99.8% of all enterprises in the non-financial business sector, 66.8% of total employment and 57.9% of total value added generated by this sector.² Even in developing and emerging countries, MSEs employ more people than large enterprises do.³ Overall, the significance of MSEs for local and global economy is enormous if investments, production, exports and taxes are taken into consideration.⁴ Regardless of the recent economic crisis, they are still in the forefront of wealth and employment creation.

However, despite their pivotal role for economic growth, MSEs also face considerable challenges in overcoming the various deficits of decent work they often represent, including risks to workers' lives and health. Employment in MSEs is often characterised by low-quality and low-skilled jobs that offer low wages under poor and unsafe working conditions. Moreover, the harsh competition among an increasing number of MSEs integrated into global supply chains and the dire economic effects of the financial crisis have put additional pressure on investments in safety and health. For these reasons, occupational risks in micro and small enterprises are much higher compared to large firms and the fatal accident rate in MSEs is nearly double that of larger companies.⁵ In spite of a lack of available comparable data, it is likely that in developing countries this number is even higher. The magnitude of the problem can be grasped if it is recalled that more than 2 million workers die every year from occupational injuries and over 313 million workers suffer non-fatal occupational injuries each year, equating to 860,000 people injured on the job daily. In addition to the human tragedy every death, injury and illness

1 OECD (2000), *Small and Medium-sized Enterprises: Local Strength, Global Research, OECD Policy Brief*, Paris. For latest figures, see OECD (2014), *Entrepreneurship at a Glance 2014*, OECD Publishing. http://dx.doi.org/10.1787/entrepreneur_aag-2014-en.

2 European Commission, *Annual Report on European SMEs 2013/2014 – A Partial and Fragile Recovery, 2014*. See also <https://osha.europa.eu/en/themes/safety-and-health-micro-and-small-enterprises>.

3 Croucher R. et al., cit., fn. 1. In the Philippines, MSEs represented more than 99 per cent of business enterprises and accounted 57 per cent of employment in 2013. In Tunisia micro enterprises represent more than 90 per cent of all enterprises and employ more than 20 per cent of the workforce. For more information on these two countries, see respectively <http://www.dti.gov.ph/dti/index.php/msme/msme-statistics> and <http://documents.worldbank.org/curated/en/2014/03/19426862/tunisia-micro-small-medium-enterprise-development-project>

⁴ In Turkey, for instance, in 2014 99.8 per cent of total enterprises, 75.8 per cent of employment, 54.4 per cent of gross wages and 54.5 per cent of exports were generated by micro, small and medium firms. In addition to the information provided by the Turkish Government during the meeting, see http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/performance-review/files/countries-sheets/2013/turkey_en.pdf

⁵ EU- OSHA, *Promoting Health and Safety in European Small and Medium-sized Enterprises (SMEs)*, 2005.

represents, there are also the costs that, according to our estimates, amount to around 4 per cent of the world's GDP.⁶

Occupational accidents and diseases create a human and economic burden, which constitutes a serious concern for the ILO and its constituents, national Governments and regional institutions, such as the European Union. Tackling this challenge requires a collective effort to build, implement and continuously strengthen a preventative safety and health culture.

2. Rationale

Against this backdrop the Latvian Presidency of the Council of the EU, under the chairmanship of Minister for Welfare Uldis Augulis, identified the issue of occupational safety and health in MSEs as a topic for the Informal Ministerial Meeting (hereinafter IMM) during the Latvian Presidency. The International Labour Organisation (ILO) was invited to collaborate with Latvia in its preparations for and conduct of the IMM. The event, entitled *"Expanding the outreach and impact of occupational safety and health standards in micro and small enterprises"*, took place in Geneva on 10 June 2015, alongside the 104th Session of the International Labour Conference.

The 2015 IMM followed a tradition according to which the holder of the rotating presidency of the EU Council organises during the International Labour Conference an informal meeting of labour and social affairs ministers to discuss and share good practices and experiences on a theme falling within the remit of the ILO. The most recent informal ministerial meetings took place under the Irish and Hungarian presidencies in 2013 and 2011, respectively. The Irish meeting, chaired by Minister Richard Bruton, discussed ILO Convention No. 189 and the formalisation of domestic workers, while the Hungarian IMM examined the issue of youth employment in Eastern Europe.

The strategic and technical framework for the 2015 IMM was a result of extensive consultation between the Latvian Presidency of the Council of the EU and the ILO, and was informed by both their mandated and key priorities. More specifically it built on the work of the EU and the ILO in the following areas:

- Improving health and safety at work has been an important issue for the EU since the 1980s. When the Lisbon Treaty entered into force, the Charter of Fundamental Rights of the European Union became legally binding, making health and safety policy an even more important area of EU legislation. Nowadays, health and safety at work is regarded as a fundamental right and one of the areas where the EU has had the biggest impact with a solid legal framework covering the maximum number of risks with the minimum number of

⁶ See <http://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/occupational-safety-and-health/lang--en/index.htm>

regulations. On the basis of Article 153 of the Treaty on the Functioning of the European Union (TFEU), the EU encourages improvements in the working environment by harmonising working conditions in order to protect workers' health and safety. To this end, minimum requirements are laid down at EU level, allowing Member States to introduce a higher level of protection at national level.⁷ The Treaty stipulates that directives adopted with a view to introducing such minimum requirements must not impose administrative, financial or legal constraints in a way that would hold back the creation and development of small and medium-sized undertakings. Between 1978 and 2002, EU action on OSH has been pursued through a series of multiannual action programmes, followed by European strategies (covering 2002-06 and 2007-12), to identify priorities and common objectives, to provide a framework for coordinating national policies and to promote a holistic culture of prevention. As a result of the 2007-12 strategy, the EU Member States have put in place national strategies. Recently, the Strategic Framework on Health and Safety at Work 2014-2020 adopted by the European Commission in June 2014 has identified among its three major challenges the enhancement of micro and small enterprises' capacity to put in place effective and efficient risk prevention strategies. The centrality of this issue is widely recognised also in several OSH strategies of EU members States.

- The promotion of decent, safe and healthy working conditions and environment has been a constant objective of the ILO action since its establishment in 1919. A significant body of international instruments and guidance documents has been developed over the past 90 years to assist constituents in strengthening their capacities to prevent and manage workplace hazards and risks. Many of these standards directly or indirectly address the specific challenges posed by smaller enterprises. The ILO's Recommendation concerning the Promotional Framework for Occupational Safety and Health, No. 197, adopted in 2006, advises member States to address the constraints of micro-enterprises, small enterprises and contractors in the implementation of occupational safety and health policy and regulation. In its Plan of Action 2010-2016 to achieve widespread ratification and effective implementation of the occupational safety and health instruments (2010), the ILO further recognised the importance of a culture of prevention in small firms and the promotion of an OSH culture in the process of transition from informal to formal economy as some of its fundamental strategic goals. The plea for higher job quality, adequate social protection systems and sustainability of small businesses also reflects the priorities outlined in the Oslo Declaration "Restoring confidence in jobs and growth", adopted in April 2013 by governments', workers' and employers' delegates from 51 European and Central Asian ILO member States. In order to tackle this crucial issue in a comprehensive and proper manner, the ILO programmatic and budgetary framework has changed accordingly to include OSH and support ILO activities in this field. Recently, the ILO has also announced its OSH flagship programme, the "OSH Global Action for Prevention", which is harnessing additional resources to focus on priority OSH issues particularly in developing countries.

⁷ For more information, see
http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU_5.10.5.html

This meeting also built on the work of other international *fora*, such as the G20 and the G7, where the EU and the ILO played an important role and provided tremendous support in keeping the topic of OSH high in their agenda. In 2014 Turkey and the United States co-chaired the “G20 Sub-group on Safer Workplaces” results of which proved to be effective and resonated well. In particular, the G20 Statement on Safer and Healthier Workplaces, endorsed by the G20 Labour and Employment Ministerial Declaration in Melbourne on 10-11 September 2014, clearly underscores – among other pledges – the participating states’ commitment to “raise awareness, particularly among small and medium enterprises, about the importance of OSH and the positive impact that safer and healthier workplaces have on productivity, workforce participation economic growth, and sustainable development.” Recently, the G7 “Vision Zero” fund and other related activities to foster decent work and fair working conditions in supply chain also invite to do more in this field.

3. Participants and Objectives

Given this context, the 2015 IMM served as a good opportunity for the Latvian Presidency of the Council of the EU to bring together ministries of labour and social affairs from the following countries: France, Georgia, Luxembourg, the Netherlands, the Philippines, Tunisia, Turkey and the USA. In addition, the EU Commissioner for Employment, Social Affairs, Skills and Labour Mobility, the ILO Director General and its Deputy participated, alongside with international social partners’ representatives (the ITUC and the IOE).⁸

The 2015 IMM aimed at:

- a) exchanging experiences and good practices on effective ways and strategies, including new technologies and innovative tools, to expand the outreach and impact of occupational safety and health in MSEs;
- b) providing valuable inputs to international, regional and national current and future efforts and work in the field of improving working environment in small and micro enterprises, including the General discussion for the 105th Session (2016) of the International Labour Conference on “Decent Work in global supply chains” and the adoption of the Sustainable Development Goals under the post-2015 UN exercise.

⁸ See Annex 1: List of participants.

4. Session highlights

4.1 OSH and MSEs: challenges

All keynote speakers emphasised the importance and timeliness of addressing the issue of OSH in MSEs, not least because the occupational risks in these firms are higher in comparison to larger firms. During the meeting, several participants, including social partners and the EU Commissioner, highlighted the need to change the approach of tackling OSH in MSEs. Small and micro enterprises cannot be considered “mini larger” enterprises and they need a different, tailored and action-oriented approach able to take their specific needs and features into consideration. By quoting the IOE Vice-President, “addressing the issue of OSH in MSEs cannot be done in the same way as it is done for bigger enterprises”.

As emphasised by the EU Commissioner, a distinctive feature on which governments, institutions, stakeholders and social partners should build on, is the fact that employers and workers in MSEs often work side-by-side, meaning that they face the same occupational health risks and problems. Consequently, as the ILO representative emphasised in her closing remarks, education and promotion that highlights the “human impact” of workplace injury and ill health may be an effective communication tool, as preventing death or injury of a family member or long-time employee may be a strong incentive. This may also help in enhancing a different culture according to which OSH legislation cannot be considered an extra burden, as Luxembourg highlighted, but, conversely, a win-win scenario that is good for workers, enterprise-owners, communities and economies.

Based on participants’ interventions, and despite the lack of data particularly in developing countries, vulnerability factors identified as explaining the higher risk of injuries and illness facing workers in MSEs include the following:

- MSEs are often resource-constrained companies and therefore the lack of financial and human capital may limit the ability of MSEs to invest in OSH preventive measures, such as training, and to implement and maintain OSH interventions;
- More than in other companies, MSEs are characterised by high turnover of staff, discouraging the necessary higher investment in training;
- In MSEs, organisational and work cultures are aligned to the personality of the owner/manager, who takes on several roles within the enterprise and does often not seek specialist advice unless there is an inherent need;
- MSEs are often characterised by a lack of safety culture and therefore tend to apply reactive rather than preventive measures;

- High administrative burden to comply with legislation and regulations, whose language and approach is often very large businesses and industry specific;
- MSEs often have low awareness about obligations and risks, including new risks, and about the cost implications of occupational accidents or work-related diseases;
- In MSEs work insecurity stems from increasing non-standard forms of work; lack of formal representative participation; economic vulnerability and concerns over job security; and disproportionate representation of disadvantaged groups, including migrants, young and older workers;
- Worldwide, and more pronounced in low income economies, a substantial part of MSEs operate in the informal economy, characterised by a lack of regulation: according to recent estimates, as many as 90 per cent of small and medium enterprises with 10 to 250 employees are informal;⁹
- MSEs operating towards the bottom of a supply chain or subcontracting network are subject to considerable competitive pressures, which definitely influence the decision-making processes affecting OSH;
- MSEs are often physically difficult and costly to reach with interventions and services provided by labour administrations and other relevant institutions, as they are, among others, numerous, geographically dispersed and diverse;
- Worldwide, the limited capacity of labour administration to inspect and to provide services and information to enterprises has a negative impact upon job quality in the MSE sector. Yet in many developing countries the labour administration is often understaffed, lacks effective reporting system for work-related accidents and illnesses, equipment, skills and training to ensure effective implementation of labour laws and regulations. However, also developed countries report budgetary constraints, low staffing levels and managing new responsibilities as the key factors shaping the poor situation of labour enforcement particularly in MSEs. Consequently, many MSEs are less exposed to enforcement systems and labour inspection.

4.2 OSH and MSEs: good practices

A lot of work has been done at the international, regional and national level to address these challenges. The Latvian EU Presidency praised on-going activities and projects to improve

⁹ See http://www.ilo.org/ilc/ILCSessions/104/media-centre/news/WCMS_375615/lang--en/index.htm

the working environment both at the national and the international level. As highlighted by several participants, these initiatives and efforts have been more successful when multifaceted and part of a coordinated effort aimed at tackling several dimensions, such as improving international and national legal frameworks, fostering labour administration and inspection systems, promoting a better and wiser use of new technologies and innovative tools, supporting social dialogue and stakeholders' participation, and encouraging international cooperation projects and activities.

4.2.1 Legal framework

All participants shed light on the improvements made on their own legal framework. It was clear from the discussion that having strong and accurate **legal framework**, including sound labour administration and inspection systems, is necessary. As highlighted by ITUC representative, within this context, **ILO standards** are an important benchmark and serve as guidance. As the Director General of the ILO underscored, the increasing number of ratifications of OSH conventions, particularly by EU countries, must be considered a positive sign of the acknowledged relevance of those standards. Even ILO efforts to revise standards and to keep them up to date to today's world of work have been appreciated. The representative of **France** recalled the historical international labour standard for the informal economy discussed during the 104th International Labour Conference.¹⁰ These standards are expected to help hundreds of millions of workers and economic units move out of informality and into the formal economy. As mentioned above, given the high share of MSEs in informal economy, this standard is of fundamental importance.

However, effectively matching the needs and the supply of OSH resources within a sound and up-to-date legal framework remains a main challenge. Best practices that emerged during the meeting appear to be tailored, action-oriented, timely and low-cost approaches, combining health and safety with other management goals. All participants agreed that this requires, first of all, a comprehensive legal system in line with relevant international standards. The representative of **Georgia**, for instance, shared their recent efforts, supported by the ILO, to adopt a general reform of the Labour Code and to put in place a labour inspection system enabling the overall legal environment. The representative of **Turkey** mentioned that, following the ratification of ILO Conventions No. 167 and No. 178 respectively on Safety and Health in Construction and Labour Inspection (Seafarers), a "Law on Occupational Safety and Health" and its secondary legislation were approved in 2012, also in line with relevant EU Directives (OSH Framework Directive No. 89/391).¹¹

¹⁰ See Transition from the Informal to the Formal Economy Recommendation, 2015, No. 204 at http://www.ilo.org/ilc/ILCSessions/104/WCMS_376605/lang--en/index.htm.

¹¹ The new Law: a) enables each and every worker to benefit from OSH services regardless of the size of the company they are working at, b) introduces a preventive approach based on risk assessment, c) promotes active participation of workers' representatives, and d) provides micro-sized enterprises with subsidies.

Steps must also be taken to close legal coverage or compliance loopholes that allow enterprises to avoid responsibility for non-compliance and leave out workers who do not fall within legally prescribed categories. In fact, as pointed out by ITUC representative, the way forward is not to exempt MSEs from OSH legislation, but to draft legislation that meets MSEs specific features, needs and new challenges, including the new non-standard forms of employment. In the **Philippines**, specific OSH compliance standards for MSEs have been developed, including the mandatory provision of a trained safety officer for all establishments regardless of their size.

Moreover, based on the meeting's discussion, a successful approach requires **simplifying legislation** where appropriate. In **France**, for instance, simplification is one of the goals of the 3rd Health at Work National Action Plan (*Plan Santé au Travail* 2015-2019). Even the ILO emphasised that the creation and dissemination of tailored and simplified OSH implementation systems can be particularly helpful to OSH. In addition, this simplifying legislation needs to be **timely** and requires **permanent attention and work** in order to be kept up-to-date and promptly respond to the labour market changes. In this regard, participants commended the EU initiative to revise legislation concerning carcinogens and mutagens to make it more effective and up-to-date to today's risks, based on the latest available scientific evidence.¹² Participatory and decentralised ways to identify new risks were lauded, such as the national survey to be carried out in **Tunisia** at the end of 2015 or the establishment of tripartite regional committees in **France**, in charge of providing national authorities with information about OSH.

During the meeting the importance of **education, vocational training, skills development and lifelong learning** were recalled as key: a) in stimulating a sustainable development process, b) in facilitating the transition from the informal to the formal economy, c) in addressing opportunities and challenges to meet new demands of changing economies and new technologies in the context of globalisation and, last but not least, d) in increasing awareness-raising about OSH legislation and, therefore, extending its outreach and impact. As highlighted by the EU Commissioner, governments, working with social partners, should link and strengthen employment policy coherence by linking education and skills development to OSH principles and standards. In the **US**, for instance, OSHA provides grants through its Susan Harwood Training Grant Program to fund the creation of in-person, hands-on training and development of training materials for vulnerable workers and employers in small businesses and high-hazard industries. Sectorial initiatives were particularly appreciated and commended as key to address specific needs, risks and hazards in each sector and industry. In **Luxembourg**, the social partners in the construction sector have established their own training and safety institutes to root a prevention culture.

¹² The ILO estimates there are some 100,000 fatal work-related cancers a year in the EU. Between 4 and 8.5 per cent of the total number of cancers is attributable to occupational exposure.

If all workers, regardless of the size of their employer or the type of employment contract under which they are hired, have a right to the highest level of protection regarding health and safety in the workplace, the effectiveness of OSH management continues to remain a challenge for micro and small enterprises. For this reason, actions to promote compliance and effective OSH management by these enterprises are essential. In the **US**, for instance, OSHA's Compliance Assistance Specialists and other field staff provide outreach to small employers and workers around the country. In **Tunisia**, the Health and Safety at Work Institute (*Institut de Santé et Sécurité au Travail*) provides all companies, despite their size, with occupational health and safety services through the so-called *Caisse Nationale d'Assurance Maladie*. Mobile medical units are also available to better reach out all micro and small enterprises. Financial measures, such as microcredits under more favourable rates, and other proactive measures to help MSEs comply with OSH standards, are considered to have a positive impact on improving compliance, as the representatives of **Tunisia** and **France** highlighted.

As known, labour inspectorates play a key role in the effective enforcement of OSH legislation, as the Director General of the ILO emphasised. Companies can benefit from the assistance and information provided by labour inspectors regarding preventive measures and legal requirements. Increased staffing and resources is therefore essential for labour inspectorates to carry out their duties. The meeting highlighted the greatest impact that **crafted labour inspectorates' enforcement strategies** may have on compliance. For instance, in the **US**, OSHA is increasingly targeting its inspection efforts on high-risk sectors characterised by a high proportion of SMEs, in which workers may have little information about the law and employers face challenges in ensuring safe and healthy workplaces. In the **Philippines**, thanks to the technical assistance of the ILO, the new Labour Law Compliance System has changed the national enforcement system from purely regulatory to one that combines regulatory and compliance-enabling approaches.¹³ Moreover, enforcement actions should also aim to create **deterrent effect** to enhance their impact. Therefore, publicizing results of non-compliance seems to positively influence the compliance of other businesses within a geographic area surrounding that business.

4.2.2 New technologies and innovative tools

The meeting highly stressed the increasing importance that new technologies and innovative tools can play in extending the outreach and impact of OSH legislation in MSEs. There was a consensus that new technologies foster the autonomy of MSEs when it comes to risk assessment or managing OSH in general, and continuous and further work on this should be promoted and supported at the international, regional and national level. In fact, these tools are

¹³ The compliance-enabling approach is through technical assistance to both the workers/unions and the employer in the establishments where labour laws are explained and DOLE assistance is administered by the Labour Law Compliance Officers (LLCOs) with a view to inculcate a culture of voluntary compliance. The LLCOs has moved away from self-assessment as it adopted three (3) approaches: (1) tripartite joint assessment, (2) compliance visit, and (3) occupational safety and health investigation.

easy to disseminate and could be an answer to reach out to more MSEs, which are so numerous, geographically dispersed and diverse. Moreover, they can simultaneously improve both health and safety, and productivity.

New technologies can also play a unique role to raise awareness and promote a culture of prevention. For example, public websites and apps specifically devoted to promoting OSH in MSEs can enhance access to tools, legislation, advisory services, guidance and other information. As emphasised during the meeting, initiatives that are part of broader campaigns that make good use of the media have had notable success in changing general public attitudes towards OSH, including attitudes of MSEs owners. Moreover, appropriate IT-based tools (for example: social networks, games, quizzes, mobile applications) are an effective way of reaching out to employees and to children and youngsters as part of their training and education programmes in **Latvia**. They can also stimulate the interest of people who might be resilient to traditional ways and means of proposing OSH training, as the representative of the **Netherlands** pointed out.

In this regard, the **preventive tools and participatory approaches** developed by ILO were highlighted, such as the Sustaining Competitive and Responsible Enterprises (SCORE) programme, the Work Improvements in Small Enterprises (WISE) training programme and the System for Integrated Measurement and Improvement of Productivity (SIMAPRO) programme in Latin America. These instruments have successfully encouraged enterprises to implement management tools for applying decent work practices in the workplace that improve health and safety and productivity simultaneously. The **ILO** has also developed new apps aimed at improving occupational safety and health in the workplace. The reference is to the Checkpoints Apps, comprising Stress Prevention, Ergonomics and Ergonomics in Agriculture¹⁴, a new digital tool through which users can explore illustrated descriptions of each checkpoint and creates interactive checklists tailored to their workplace. Each app also includes best practice recommendations for taking action and implementing effective improvements.

Even at the **European level**, as recalled by the EU Commissioner, new technologies have been used to extend the impact and outreach of OSH legislation, particularly, in MSEs, with a view to improve both working conditions and productivity. Through the EU's Occupational Safety and Health Agency in Bilbao (EU-OSHA) free and easy-to-use online interactive risk assessment tools for MSEs have been developed, such as the *Online Interactive Risk Assessment* (OiRA), which is available for around 40 sectorial and occupational activities, with many more under preparation. During the meeting, these efforts were very much appreciated and, as the representatives of **Luxembourg, Latvia and Tunisia** explicitly underscored, many countries have promoted their usage within their own national borders. The EU-OSHA also organises bi-yearly Healthy Workplaces Campaigns, for which the Agency developed a wide range of digital tools and campaigning materials conveying simple and clear messages tailored for all relevant

¹⁴ www.ilo.org/apps

stakeholders. A “*Good Practices Award*” further contributes to the dissemination of best practices from all across the continent.¹⁵

Several good practices can be found at the national level as well. In the **US**, for instance, a toll-free 800 number, an e-mail response system to answer questions, e-publications and, more recently, an On-site Consultation Program are among the new ways developed by OSHA to reach and provide information to workers and employers in small and micro enterprises.¹⁶ In addition, OSHA has also developed a heat safety smart phone app, in English and Spanish, to help protect workers from heat illnesses, and an Hazard Identification Training Tool, which is an interactive, online, game-based training tool for small business owners, workers and others interested in learning the core concepts of hazard identification. Similarly, in the **Netherlands**, the Government has built a game for smartphones and PCs to create awareness about OSH. Also in **Tunisia**, quizzes, radio and TV spots are largely used to raise awareness and promote a new culture of prevention, while in **Latvia** and **Turkey** attention has also been given to creative media, respectively cinema and theatre. In **Georgia**, a new, easy to access and user-friendly website provides information on working conditions and workers’ rights, including OSH. Moreover, the Government is launching a new hotline to provide workers and employers with information about their rights and obligations, including OSH. **France** and **Luxembourg** have developed and promoted online sector-specific evaluation tools.¹⁷ In the **Philippines**, an online e-BOSH (Basic Occupational Safety and Health) course is available to workers and employers. The online course, launched in 2011, includes topics such as good housekeeping; materials handling; machine, fire, chemical, and electrical safety; occupational health; and OSH legislation.

4.2.3 Promotion of social dialogue and collaboration with stakeholders

As repeatedly mentioned during the meeting, the promotion of OSH is a shared responsibility. Governments, employers and workers and their organisations all have a role to play in extending the outreach and impact of OSH legislation. In fact, and as highlighted by all the participants, the commitment of management and the involvement of employees are important drivers for health and safety management in enterprises of any size, including MSEs. In fact, as recalled by ITUC representative, unionised workplaces have lower rates of occupational accidents and injuries. It does then not come as a surprise that MSEs score higher rates of occupational injuries and fatal accidents and, at the same time, have low levels of unionisation and a lower likelihood to engage in collective bargaining, particularly among low-paid workers.

¹⁵ For more information, see <http://toolkit.osha.europa.eu/>

¹⁶ US-OSHA funds an On-site Consultation Program in all states and most U.S. territories. Occupational health consultants from state agencies or universities work with employers to identify workplace hazards, provide advice on compliance with OSHA standards, and assist in establishing injury and illness prevention programs.

¹⁷ For more information about France, see www.travailler-mieux.gouv.fr

During the meeting, all the participants lauded initiatives and approaches aiming at fostering collaboration and social dialogue at the national and company level. These good practices include, for instance, the **Tunisian** National Strategy on Prevention of Occupational Risks, which brings together all relevant stakeholders, *in primis* social partners, to develop a multifaceted OSH prevention strategy. In addition, in Tunisia, a new collective agreement was signed on 14 January 2013, which constitutes the legal framework for any future work on OSH. Along the same lines, in **France** the Government has been working with social partners on the elaboration of the 3rd National Plan on OSH and on the creation of tripartite commissions at the regional level, able to provide workers and employers with advice and information, including OSH, and to inform Government policies and decisions about local needs and challenges in complying with OSH legislation. In **Turkey**, recognizing the importance of social dialogue during the development of OSH policies, the “National Council on Occupational Safety and Health” has been established. In **Georgia**, social dialogue and tripartism have recently been revamped. In particular, a tripartite commission has been established with a view to provide the Government with advice and recommendations on working conditions, including OSH.

Social dialogue has been recognised as a central prerequisite for successful OSH action not only at the national level, but, more importantly, at the enterprise level. Information provided by employers’ and workers’ organisations is very important, as the social partners are the best source of information on how OSH standards are implemented in practice. In addition, enhancing social dialogue at the company level can play a crucial role in rooting a culture of prevention, as the ILO Director General pointed out. In the **Netherlands**, the Government has traditionally cooperated with workers’ and employers’ representatives on a national scale, but it has increased cooperation also with representatives of small and medium enterprises.

The involvement of social partners at the company level has demonstrated to have a greater impact even on addressing the new challenges and risks rising from the use of new non-standard forms of employment and new technologies as well. In the **Netherlands**, for instance, practical tools aiming at addressing OSH are developed in a participatory manner with MSEs representatives. They select the topic and design the intervention based on their effective knowledge and experience, whilst the Government help spread and promote them. In **Luxembourg**, the Government and social partners are working on a new collective agreement to improve duties of providing timely and accurate OSH information to seconded workers and to increase awareness-raising on occupational risks and hazards.

The meeting highlighted the positive effect that social dialogue and the promotion of businesses’ networks can play in developing effective and innovative responses to important labour issues, such as the problem of ageing population in Europe. It is well known that the workforce in many member States, particularly in the EU, is ageing and the demographic changes point to the need to promote a safe and healthy working environment for all workers throughout the working life cycle. The economic benefits of ambitious policies in the area of occupational health and safety are well documented and include productivity and labour force

participation as well as increased sustainability of social security systems. Nevertheless, social dialogue can play a pivotal role in supporting, enhancing and complementing legislative efforts. In particular, the **Netherlands** shared the encouraging results of a project aimed at stimulating medium and small companies to work on sustainable employability of their staff. In this project the Netherlands required MSEs representatives to take the following three actions: a) developing new instruments to identify good practices of sustainable employability; b) inspiring a wider group of SMEs to work on sustainable employability; c) developing a commercial market for sustainable employability instruments and advice.

Finally, the meeting highlighted the opportunity to enhance collaboration even with different stakeholders that might influence MSEs both in their international and external environments (i.e. customers, insurance companies, suppliers, chambers of commerce). These actors might serve as a vehicle to provide MSEs with information, guidance and assistance in their efforts to expand the outreach and impact of OSH. In the **US**, OSHA has developed innovative consular partnerships with a variety of foreign embassies and consulates in the U.S. to directly reach foreign workers in the U.S. and ensure they know their rights at work. Moreover, in the **US**, OSHA works with small business assistance entities, such as Small Business Development Centres (SBDCs)) to leverage small business safety and health outreach efforts.

4.2.4 International cooperation

The meeting acknowledged the importance of international cooperation. As the EU Commissioner pointed out, “in our increasingly globalised economy, in which the production of many goods and services involves the collaboration of a number of enterprises throughout the world, the health and safety legislation and practices of country matter to all the others.” Consequently, it is a shared interest “to cooperate and develop a global approach to improve the effective application of OSH standards”. Cooperation with other international organisations and bodies involved in various fields related to OSH is an effective way of ensuring that international labour standards in this area are taken into account in the development of related international instruments and technical standards.

Through international cooperation, the ILO is at the centre of global networks and alliances that are vital for maintaining the currency of its technical knowledge bases, as well as for influencing those of its partners. Such cooperation provides opportunities for employers’ and workers’ experts to influence the shaping of standards and outputs developed in the context of inter-organisation work. For instance, in **Georgia**, social partners contribute to the reform of the Labour Code and the Labour Inspection System thanks to technical projects such as the ILO-EU one on “*Promoting Labour Relations and Social Dialogue in Georgia*” and the US-funded project on “*Improving Compliance with Labour Laws in the Republic of Georgia*”.

International cooperation has also proved to be very effective in ensuring avoidance of duplication of efforts and supporting the complementarities of mandates, particularly in a complex field such as OSH. In **Turkey**, for instance, through a pilot project titled “Improvement of OSH at Workplaces in Turkey”, consultancy services were provided to SMEs and their employees in high-risk sectors, such as construction, mining and metal sectors. As a result of these activities, the number of work accidents in targeted enterprises has been reduced by 35 per cent (construction), 10 per cent (mining) and 21 per cent (metal sector). The **Philippines** has been implementing OSH programmes for MSEs with the technical support and cooperation of the ILO and other relevant donors, such as the Canadian Centre on Occupational Health Safety. The main focus has been to ensure that the Philippine workforce and workplaces, especially, MSEs and informal sector, are adequately protected from hazards and risks through the transfer of new learning and skills on OSH, and the development of capacity building initiatives and training programmes, particularly for MSEs in supply chain.

As the ILO Director General emphasised, dissemination of good practices is a repeatedly articulated need and should definitely be encouraged further. At present, the ILO, the EC (through EU-OSHA and Eurofound), and other regional *fora* such as ASEAN-OSHNET, are strengthening bilateral cooperation, exchanging good practices, sharing information and promoting decent work in the global agenda through joint activities and projects, in line with the G20 Melbourne Declaration. In particular, the meeting was also an opportunity for the ILO to reiterate that the technical cooperation on OSH that will be provided through the new ILO flagship programme “*OSH Global Action for Prevention*” would be very useful for global efforts to accelerate workplace prevention and contribute to the reduction and elimination of workplace injuries and illnesses. So far, the United States and the European Commission's Directorate General for Employment have offered initial funds. Other donors, including Finland and Korea, are in the process of a final review of possible commitments. The Philippines, together with Vietnam, have been selected as the two countries in the ASEAN to pilot the programme on OSH with focus on young workers in the manufacturing and construction sectors. This programme will strengthen the country's strategic initiatives to address OSH in all establishments, particularly those in the MSEs and the informal sector.¹⁸

All the participants stressed the relevance and importance of international **events and meetings** as a catalyst to share good practices and ideas on OSH. For instance, participants mentioned the “19th World Congress on Safety and Health at Work” organised by **Turkey** in cooperation with ISSA (International Social Security Association) and ILO, where the “Istanbul Declaration on Safety and Health at Work” was adopted. Particular emphasis was given to the initiatives organised within the context of the G20. In particular, the “G20 Sub-group on Safer Workplaces” co-chaired by Turkey and the United States, the results of which proved to be effective and resonated well and, more recently, the second informal meeting of the G20

¹⁸ The U.S. Department of Labor is one of the founding members of this initiative and has awarded \$10.5 million to the ILO for a global project to promote and advance occupational safety and health, with particular attention to addressing those safety and health issues that affect working youth.

Employment Working Group, held in Istanbul on 7-8 May 2015. All the participants mentioned the opportunity to discuss OSH-related issues during the 104th International Labour Conference where OSH happened to be a cross-cutting issue in a number of thematic discussions such as informal economy, SMEs and creation of employment, and labour protection.

5. Conclusions: the way forward

As highlighted above, the IMM created a forum to share good practices and ideas on how to improve occupational safety and health in MSEs. Based on the participants' interventions, the following key messages and priorities can be identified as a basis for future work and actions:

a) Implementing international standards and strengthening national legal frameworks

1. ILO Conventions and Recommendations related to OSH continue to have a defining role. Governments and social partners, with the assistance of the ILO, must continue to cooperate in establishing a preventive safety and health culture as advocated in the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and Recommendation, 2006 (No. 197). This framework's foundation is the ILO Convention on Occupational Safety and Health (No. 155), its 2002 Protocol and Recommendation No. 164, and the Convention on Occupational Health Services (No. 161). These standards should be promoted and given effect to as a matter of priority.
2. Governments, in consultation with the most representative organisations of employers and workers, should work to craft regulations that are not unnecessarily complex, while ensuring that they provide necessary protection and working conditions for workers, as stated in the SMEs and Employment Creation Resolution and Conclusions, adopted during the 104th International Labour Conference.¹⁹ Regulations should take into account differences among enterprises and should be designed to remove complexities that create disincentives for compliance by MSEs. Efforts should also be promoted to support the formalisation of MSEs in line with the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204).²⁰
3. Consistent with the Social Protection (Labour Protection) Resolution and Conclusions adopted during the 104th International Labour Conference,²¹ Governments and social partners should identify and close gaps in the coverage of social protection (labour protection), paying special attention to workers, occupations and sectors that are excluded,

¹⁹ See <http://www.ilo.org/ilc/ILCSessions/104/committees/sme/lang--en/index.htm>

²⁰ See <http://www.ilo.org/ilc/ILCSessions/104/committees/informal-economy/lang--en/index.htm>

²¹ See <http://www.ilo.org/ilc/ILCSessions/104/committees/social-protection/lang--en/index.htm>

to non-standard forms of employment, to social groups that are most at risk, to emerging challenges associated with new ways of working and the changing of the world of work. In the area of occupational safety and health, governments and social partners need focus on issues such as the ageing worker population, psychosocial risks, risks of violence, and the use of new chemicals and other potentially toxic substances in workplaces. Collective bargaining is an important complement to effective legislation and enforcement in achieving such objectives.

b) Delivering sustainable impact

4. Eliminating unfair competition and social dumping is crucial to achieving the decent work agenda. In developing countries, intense competition among MSEs, particularly those vying for places in supply chains has often been accompanied by major incidents, injuries and fatalities. As agreed in the Social Protection (Labour Protection) Resolution and Conclusions adopted during the 104th International Labour Conference,²² due regard should be paid to labour protection, including OSH, in global supply chain in the upcoming discussion of the 105th International Labour Conference of 2016. Promoting responsible business conduct and due diligence throughout supply chains is necessary and is in line with internationally recognised instruments, such as the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (ILO-MNE Declaration) which calls on MNEs to maintain high standards of safety and health in all sectors, including supply chains, and to assist smaller enterprises in implementing preventive measures.
5. As the most essential means to achieve decent, safe and healthy working conditions and environment, Governments, employers and workers and their organisations, should work to provide greater access to training and information on OSH, and integrate OSH at all levels of technical and vocational education and training (TVET) systems, lifelong learning and apprenticeship schemes, in line with the SMEs and Employment Creation Resolution and Conclusions, adopted during the 104th International Labour Conference.²³
6. Compliance with OSH is a significant challenge in MSEs requiring proper levels of labour administration and inspection. Continuing efforts to strengthening labour inspectorates and other related labour enforcement systems, and improving the collection and quality of data on work-related injuries, ill-health and disease remain important parts of governments' and social partners' work to achieve decent work by strengthening OSH capacities.
7. Well-trained and appropriately staffed labour administrations and inspectorates are essential for the enforcement of labour laws. Labour inspectorates need to effectively use the full scope of their authority in a balanced way, including their authority to sanction, advise, educate and raise awareness, in order to achieve compliance with the labour laws.

²² See <http://www.ilo.org/ilc/ILCSessions/104/committees/social-protection/lang--en/index.htm>

²³ See <http://www.ilo.org/ilc/ILCSessions/104/committees/sme/lang--en/index.htm>

c) Developing new technologies and innovative tools

8. Innovative information technology and digital tools can be effective to advise, educate and raise awareness of OSH issues in small and micro enterprises. International organisation, governments and social partners should continue to develop and assess the effectiveness of information technology and digital tools, to assist MSEs in complying with legal requirements and to inform workers of their rights and protections.

New technologies can support improving the capability of MSEs to engage in risk and hazard assessment and establishing OSH management systems, practices that frequently result not only in improved health and safety but also productivity. Work in this area should be promoted and supported at the international, regional and national level, through the continuing development and promotion of assessment tools and customised guidance that can overcome existing information gaps. Innovative tools are ideally developed in a participatory way and in partnership with employers and workers in order to meet their specific needs and challenges.

d) Promoting an enabling environment for MSEs

9. Work-related fatalities, injuries and diseases, the vast majority of which are preventable, have a devastating impact on workers, their families and society. They affect productivity and competitiveness of enterprises, impose costs on households and governments, and impede economic growth. In line with the SMEs and Employment Creation Resolution and Conclusions, adopted during the 104th International Labour Conference,²⁴ efforts should be undertaken to create and improve an enabling environment for overcoming challenges faced by MSEs and their workers, and for the creation of decent and productive employment.
10. Sectorial policies and approaches should be enhanced and further strengthened with a view to increase productivity by promoting investment in specific sectors and engaging in industrial policy initiatives which are important to increase the employment component of growth and to decrease the rate of occupational accidents and diseases by addressing OSH gaps and needs. In line with the ILO 2007 *Conclusions concerning the promotion of sustainable enterprises*, these policies should fully incorporate social and environmental objectives, take into account the whole of the value chain and not hinder or stifle domestic investment initiatives, nor weaken workers' rights.

²⁴ See <http://www.ilo.org/ilc/ILCSessions/104/committees/sme/lang--en/index.htm>

e) Promoting social dialogue and collaboration with stakeholders

11. The promotion of OSH is a shared responsibility. Governments, employers, workers and communities all have a role to play. It is therefore imperative that all these parties cooperate in developing and enhancing measures for social protection and healthy and safe working conditions. Priorities for action include increasing efforts to build the capacity of workers and employers' organisations on issues pertaining to OSH; raising awareness on OSH and enhancing national capacities to acquire and use OSH knowledge and information to develop effective prevention policies, systems and programmes.²⁵
12. Social dialogue, worker representation and management commitment is important to successful risk and hazard prevention at the workplace and more should be done to provide training about and to promote safety and health committees and safety and health representatives, particularly in MSEs.
13. Through the showcasing of country examples, participants recognised the importance of developing creative and innovative alliances and partnerships with trade unions, business associations and other relevant stakeholders with the aim to extend the impact of OSH, to help to close representational gaps and to better reach out to MSEs, including those in the informal economy.
14. In line with Social Protection (Labour Protection) Resolution and Conclusions adopted during the 104th International Labour Conference²⁶ and in view of the transformation of the world of work, special attention needs to be given to examine and address the possible barriers to freedom of association and collective bargaining in order to enhance the ability of workers in MSEs, particularly those in non-standard forms of employment, to exercise their rights, and to facilitate sharing of good practices and innovative approaches and offer governments and social partners guidance, training and technical support to address these barriers.

f) Enhancing international cooperation

15. Dissemination of good practices is a repeatedly articulated need and should be encouraged further through the ILO, EU-OSHA and through existing networks such as ASEAN-OSHNET, and also through support for the development of a global OSH collaboration network;
16. The ILO should continue to increase its efforts to strengthen international cooperation activities as effective means for promoting ILO standards and tripartite consensus-based

²⁵ See Social Protection (Labour Protection) Resolution and Conclusions adopted during the 104th International Labour Conference at <http://www.ilo.org/ilc/ILCSessions/104/committees/social-protection/lang--en/index.htm>

²⁶ See <http://www.ilo.org/ilc/ILCSessions/104/committees/social-protection/lang--en/index.htm>

approaches. The new ILO flagship programme, the “OSH Global Action for Prevention”, will enable the ILO to harness additional resources to focus on priority OSH issues particularly in developing countries;

17. Governments and social partners recognise that global platforms – such as this Informal Ministerial Meeting organised by the EU – are essential in maintaining the national and international discourse focused on the need to ensure that all workers, regardless of the size of enterprises they work in, are accorded the right to safe, healthy and gainful employment. Efforts should be taken to promote further initiatives and events, and to keep OSH high in the agenda of international *fora* such as G20 and G7;
18. Governments and social partners should further support the importance of OSH within the UN System by convening their consent and support towards the adoption of the proposed Sustainable Development Goals under the post-2015 UN exercise and, in particular, Goal No. 8 which explicitly ties decent work and sustainable development to safety and health for all workers.

Annex 1: List of participants

Country	Person
LATVIA	Mr. Uldis Augulis Minister of Welfare
	Ms. Ieva Jaunzeme President of the International Labour Conference
	Mr. Raimonds Jansons Ambassador
	Ms. Liene Užule Head of Minister's Office Ministry of Welfare
	Ms. Jolanta Geduša Senior Expert Labour Relations and Labour Protection Policy Department Ministry of Welfare
	Ms. Iveta Šķiliņa Attaché Permanent Mission of Latvia to the UN Office in Geneva
FRANCE	Mr. François Rebsamen Minister of Labour, Employment, Vocational Training and Social Dialogue
GEORGIA	Mr. Gaioz Talakvadze Deputy Minister Ministry of Labour, Health and Social Affairs
	Mr. Vakhtang Tsetskhladze
LUXEMBOURG	Mr. Nicolas Schmit Minister of Labour, Employment and the Social and Solidarity Economy
	Mrs Nadine Welter
	H.E. M. Jean-Marc Hoscheit, Ambassador, Permanent Representative of Luxembourg to the UN
THE NETHERLANDS	Mr. Lodewijk Asscher Deputy Prime Minister and Minister of Social Affairs and Employment
	H.E. Roderick van Schreven Ambassador
	Mr Roel Gans Director for International Affairs, Ministry of Social Affairs and Employment
	Mr Wiebren van Dijk First secretary, social and labour affairs attache
THE PHILIPPINES	Hon. Rosalinda Dimapilis-Baldoz Secretary of Labor and Employment
TUNISIA	M. Ahmed Ammar Younbai Ministre des Affaires sociales
	M. Walid Doudech, Ambassadeur Représentant permanent de Tunisie à Genève
	Mme Meriem Hassen, Chargée du Bureau de Presse au Cabinet du Ministre des Affaires sociales
	Mme Feriel Ghorab, Directrice de la Coopération internationale et des Relations extérieures au Ministère des Affaires sociales



TURKEY	H.E. Mr. Mehmet Ferden CARIKCI, Ambassador, Permanent Representative of Turkey to the UN Office at Geneva
	Mr. Kasim OZER, Director General for Occupational Safety and Health, Ministry of Labour and Social Security
	Ms. Fatma Feyza KALE, Expert, Ministry of Labour and Social Security
THE USA	Mr. Mark Mittelhauser Associate Deputy Undersecretary for International Affairs U.S. Department of Labor
	Ms. Kristin Sparding International Relations Officer/Advisor for Europe and Eurasia U.S. Department of Labor
ILO	Mr. Guy Ryder Director – General
	Ms. Sandra Polaski Deputy Director General for Policy
	Mr. James Howard Special advisor to the DG
	Mr. Morten Hovda Special advisor to the DG
	Mr. Heinz Koller Regional Director for Europe and Central Asia
	Ms. Rie Vejs-Kjeldgaard Deputy Regional Director for Europe and Central Asia
	Ms. Maria-Luz Vega Special Adviser Regional office for Europe and Central Asia
	Ms. France Auer Special Adviser Regional office for Europe and Central Asia
	Mr. Matteo De Simone Junior Technical Officer Regional office for Europe and Central Asia
	Ms. Claire Courtelle Director of the Brussels Office
	Ms. Nancy Leppink Director of the Labour Administration, Labour Inspection and OSH department
	Mr. Wolfgang Lutterbach Senior Specialist in Workers' Activities Desk Officer for Europe
	Mr. Adam Greene Sr Relations/Technical Specialist
	Ms. Edit Horvath Communication officer
	Ms. Carla Drysdale Communication officer
	Ms. Valentina Beghini International Consultant



EUROPEAN COMMISSION	Ms. Marianne Thyssen European Commissioner for Employment, Social Affairs, Skills and Labour Mobility
	Mr. Stefaan Hermans Head of Cabinet of European Commissioner for Employment, Social Affairs, Skills and Labour Mobility
	Mr. Raf De Backer Member of the Cabinet of European Commissioner for Employment, Social Affairs, Skills and Labour Mobility
	Mr. Thomas Bender Head of Unit for External Relations, Neighbourhood Policy, Enlargement, IPA, Directorate-General for Employment, Social Affairs and Inclusion, European Commission
	Ms. Evelyne Pichot Team leader Unit External Relations, Neighbourhood Policy, Enlargement, EPA, Directorate-General for Employment, Social Affairs and Inclusion, European Commission
	Mr. Lamine Diallo Assistant Policy Officer Unit External Relations, Neighbourhood Policy, Enlargement, IPA, Directorate General for Employment, Social Affairs and Inclusion, European Commission
	Ms. Valentina Remida Intern Unit External Relations, Neighbourhood Policy, Enlargement, IPA, Directorate-General for Employment, Social Affairs and Inclusion, European Commission
EU Council	Ms. Petra RABOTA Political Advisor Employment and Social Policy, Council of the EU, General Secretariat
IOE	Mr. Jorgen Ronnest Vice-President
	Mr. Matthias Thorns Senior Adviser for Europe
	Mr. Roberto Suarez Santos Deputy Secretary General
ITUC	Mr. Luc Cortebeeck Chair of the ILO Workers' Group
	Ms. Raquel Gonzalez Director of the ITUC Geneva Office

Annex 2: Programme of the meeting

Informal Ministerial Meeting

**“Expanding the outreach and impact of occupational safety and health standards
in micro and small enterprises”**

Wednesday 10 June 2015

Meeting Room E, 5th floor

Offices of the Permanent Delegation of the European Union

Rue du Grand-Pré 64, 1211 Geneva, Switzerland

14:00	– Round Table – Informal Ministerial Meeting
16:00	
14:00	– <i>Opening session</i>
14:30	<ul style="list-style-type: none">- Welcome remarks by Mr. Uldis Augulis, Minister of Welfare of Latvia- Intervention of Mr. Guy Ryder, Director-General of the International Labour Organization- Intervention by Ms. Marianne Thyssen, European Commissioner for Employment, Social Affairs, Skills and Labour Mobility
14:30	– <i>Interventions by participating ministers</i>
15:30	
15:30	– <i>Interventions by ITUC and IOE</i>
16:00	<i>Discussion</i>
	<i>Concluding statements</i>
	<ul style="list-style-type: none">- Closing remarks by Ms. Sandra Polaski, Deputy Director-General of the International Labour Organization- Closing remarks by Mr. Uldis Augulis, Minister of Welfare of Latvia
16:00	– Family photo, followed by refreshments offered by the Latvian
17:00	Presidency

Annex 3: Concept note of the meeting

Expanding the outreach and impact of occupational safety and health standards in micro and small enterprises

*Concept note for the Informal Meeting of Ministers of Labour and Social Affairs hosted by the
Latvian EU Presidency during the 104th Session of the International Labour Conference*

Geneva, 10 June 2015

Introduction

Small and micro enterprises (MSEs) represent the majority of businesses around the world and employ a very large share of the global workforce. In the OECD countries they represent more than 95 per cent of all firms and account for around 46 per cent of total employment.²⁷ In the EU, legally registered micro and small enterprises contribute to about 50 per cent of total employment.²⁸

More and more countries emphasize the economic and social relevance of MSEs as engine for growth and employment, and, hence, acknowledge the need to address the major difficulties affecting them. The interest in working conditions and in particular in Occupational Safety and Health (OSH) issues in small enterprises has grown in the last decade, as they are characterized by a much higher rate of accidents than larger establishments. Moreover, the harsh competition among an increasing number of MSEs integrated into global supply chains and the dire economic effects of the financial crisis have put additional pressure on investments in safety and health.

The Latvian Government has identified the issue of OSH in MSEs as of fundamental relevance, in line with its program for the Presidency of the Council of the European Union, which explicitly stresses “the need to improve health and safety at work and to reduce the number of accidents in the workplace”. Furthermore, the centrality of this issue is widely recognized also in several national OSH strategies, including the Latvian one. The plea for higher job quality, adequate social protection systems and sustainability of small businesses also reflects the priorities outlined in *The Oslo Declaration: Restoring confidence in jobs and growth*, adopted in April 2013 by government, worker and employer delegates from 51 European and Central Asian ILO member States.

Also in the context of the ILO’s Oslo Declaration, the Informal Ministerial Meeting organized by the Latvian government and its European Presidency will offer to participants an interactive platform for sharing experiences and good practices, including the use of new information and communication technologies, in order to raise awareness on safety issues and promote a preventive culture in MSEs. The involvement of different stakeholders at the national and local level will be given special consideration, as they are essential to guarantee the effective implementation of any possible action. Finally, the Meeting will represent an important input for the preparation of the General discussion for the 105th Session (2016) of the International Labour Conference on “Decent Work in global supply chains”. The Ministerial delegations of the following countries are expected to participate: France, Georgia, Luxembourg, the Netherlands, the Philippines, Tunisia, Turkey and the USA, alongside with the Latvian presidency, the European Commission, the ILO, the IOE and the ITUC.

Strategic framework for OSH in micro and small enterprises

Several international declarations and strategies express the high relevance of safety and health in smaller enterprises at the global and regional level.

There are more than 40 ILO International Labour Standards related to OSH and workplace compliance,²⁹ many of which directly or indirectly address the specific challenges posed by

²⁷ OECD (2000), *Small and Medium-sized Enterprises: Local Strength*, Global Research, OECD Policy Brief, Paris.

²⁸ De Kok J., et al., *Do SMEs create more and better jobs?*, EIM Business & Policy Research, 2011.

²⁹ These include the Occupational Safety and Health Convention, 1981 (No.155), the Protocol of 2002 to the Occupational Safety and Health Convention, 1981, the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) and the Promotional Framework for Occupational Safety and Health Recommendation, 2006 (No. 197), the Labour Inspection Convention, 1947 (No.81), the

smaller enterprises. The importance of a culture of prevention in small firms and the promotion of an OSH culture in the

process of transition from informal to formal economy have been recognised as some of the fundamental strategic goals of the *Plan of Action 2010-2016 to achieve widespread ratification and effective implementation of the occupational safety and health instruments*, adopted by the Governing Body of the ILO at its 307th session in 2010. Workplace safety and health in small enterprises is thus a frequent and cross-cutting item in the agenda of the Organization and it is regularly emphasized in a number of ILC thematic discussions such as those on global supply chains, informal economy, non-standard forms of employment, sustainable SMEs, etc.³⁰

On the other hand, the *G20 Statement on Safer and Healthier Workplaces*, endorsed by the G20 Labour and Employment Ministerial Declaration in Melbourne on 10-11 September 2014 and building upon the commitments made in Moscow in July 2013, clearly underscores – among other the pledges – the participating states’ commitment to “raise awareness, particularly among small and medium enterprises, about the importance of OSH and the positive impact that safer and healthier workplaces have on productivity, workforce participation economic growth, and sustainable development.”

At the EU level, and following consultations with social partners, a new *Strategic Framework on Health and Safety at Work 2014-2020* was adopted by the European Commission in June 2014. The Framework identifies among its three major challenges the enhancement of micro and small enterprises’ capacity to put in place effective and efficient risk prevention strategies.

Sharing good practices: Some examples

During the last decade, national governments, regional institutions and international organizations have been developing different strategies, including information campaigns and practical tools, in order to support compliance in MSEs. Checklists, guides and other general preventive programmes such as simplified forms for risk-assessment are of great assistance in facilitating compliance with law and regulations. Corporate codes of conduct, as well as international standards such as ISO standards, have been around for decades with the intent of preventing the problems related to working conditions in supply chains. The ILO and the European Commission have identified nearly 300 transnational and international company agreements concluded by multinational enterprises and global union federations in order to promote safe working conditions across corporate operations worldwide.

However, effectively matching the needs and the supply of OSH resources remains a main challenge, thus a more concentrated effort is needed at the national and international level. Best practices that emerged in recent years appear to be tailored, action-oriented, timely and low-cost approaches, combining health and safety with other management goals. This requires simplifying legislation where appropriate, and providing guidance and support to MSEs in order to facilitate risk assessment in a consensual, creative and a more focused way. In this context, promoting an exchange of good practises, developing awareness-raising campaigns and improving the use of new technology, as well as exploring new forms of social partners cooperation in the area of compliance assistance will be key steps.

Some example serves to illustrate these new trends. The already mentioned EU *Strategic Framework on Health and Safety at Work 2014-2020* proposes the deployment of specific technical assistance and practical tools, such as the [Online Interactive Risk Assessment](#) (OiRA).

Labour Inspection (Agriculture) Convention, 1969 (No.129), the Labour Administration Convention, 1978 (No. 150).

³⁰ Among others, the standard setting on facilitating the transitions from the informal to the formal economy, the general discussion on SMEs and decent and productive employment creation, the tripartite meeting of experts on *Non-Standard Forms of Employment*,

The EU-OSHA also organizes bi-yearly Healthy Workplaces Campaigns, for which the Agency developed a wide range of digital tools and campaigning materials conveying simple and clear messages tailored for all relevant stakeholders.³¹ A “Good Practices Award” further contributes to the dissemination of best practices from all across the continent.

Experience has shown that institutional cooperation initiatives – such as the project “Improving safety and health at work through a Decent Work Agenda” implemented by the ILO and the European Commission between 2010 and 2012 in five pilot countries,³² or the different technical cooperation projects undertaken for instance in Bangladesh and Turkey – can effectively contribute to the streamlining of OSH issues in national political agendas, while at the same time assisting in developing a pool of resource persons at the enterprise level with appropriate risk assessment and risk management competences.

At the national level there are also several examples of innovative practices. These include for instance the use of creative media such as cinema in Latvia or theatre in Turkey, eTools and free on-site consultations as in the United States, crowdsourcing and social networks campaigns as in Finland, online sector-specific evaluation tools and multimedia as in France and Luxembourg, free online courses and an online risk assessment tool for small business as in Ireland, quizzes, radio and TV spots as in Tunisia, free OSH courses for workers in the informal sector as in the Philippines, or the creation of small businesses’ safety networks as in the Netherlands.

OSH initiatives are more successful when part of a coordinated effort, as in the case of New Zealand, which developed a comprehensive series of initiatives specifically targeting small business, combining information campaigns, mentoring programs and incentive structures that reward financially firms that register substantive improvements in prevention and safety.

Several regulatory and legislative initiatives have been also undertaken to improve health and safety. Turkey, for instance, passed in 2012 a law on OSH, according to which micro enterprises carrying out hazardous economic activities are entitled to receive financial aid in order to allow them to access OSH support services. OSH-specific statutory requirements on procurement introduced in some European countries such as Belgium,³³ the Australian provisions in the clothing industry, and the EU’s REACH regulatory regime³⁴ aim at improving standards in supply chains.

The ILO has also issued numerous capacity building instruments and training materials to foster sustainable OSH management practices in MSEs around the world. These are all the more effective when taking advantage of new mobile technologies, which greatly enhance their outreach capacity, transparency and quality of delivery, while allowing for substantial cost savings. For instance, the ILO has developed an OSH Checkpoints app series allowing users to create interactive checklists tailored to their workplace, while similar applications have been developed by several OSH Agencies, labour inspectorates and other agencies worldwide.

Facing needs and challenges

³¹ For more information, see <http://toolkit.osha.europa.eu/>

³² Honduras, Malawi, Republic of Moldova, Ukraine and Zambia.

³³ EU-OSHA, *Occupational health and safety in marketing and procurement*, 2000.

³⁴ REACH obliges all the companies in a supply chain to exchange information about substances and mixtures and their safe use.

MSEs are characterized by shorter communication lines, simpler structure, and less formalised management. As a result, they often lack a structured approach to OSH management. The absence of directly available guidance and expertise, as well as low awareness about risks and obligations, are the main factors behind deficient OSH enforcement in MSEs. Micro and small enterprises are often faced with high resource constraints and operate under strong financial pressure, which means higher compliance costs in relative terms. Moreover, the growing use of temporary contracts, bogus self-employment, and contractual arrangements involving multiple parties such as subcontracting have added new challenges to the prevention of physical and psychosocial hazards.

For these reasons, occupational risks in micro and small enterprises are much higher compared to large firms: in MSEs the fatal accident rate is nearly double than that of larger companies.³⁵ Smaller establishments tend also to show lower levels of compliance with national and international legislations, and report fewer OSH management measures as compared with larger ones.³⁶

In developing countries in particular, the intensified competition among small firms integrated into supply chains has been accompanied by major incidents, injuries and fatalities.³⁷ The increasing internationalization and complexity of decentralized production systems raise entirely new questions in terms of workplace safety and health, placing the need for an effective culture of prevention at the forefront in the efforts to guarantee safe and healthy workplaces.

The economic and social challenges experimented by numerous countries in the last decade have introduced new potential hazards, the causes of which are to be found beyond the lack of safety measures and prevention plans. The diffusion of new technologies and production processes such as the use of nanotechnology or biotechnology has greatly benefited productivity growth and investment levels in developing and developed economies. At the same time, it has generated new concerns and needs for innovative OSH strategies, in particular for small enterprises. In fact, some of the new work organisation processes, as well as the problems related to job security, are sources of occupational stress, psychosocial risks and musculoskeletal disorders.

Governments and social partners should consider the particular circumstances and limitations of MSEs when setting out and putting in place OSH regulatory measures. In order to keep pace with a fast-changing world of work, new and more effective tools, awareness-raising campaigns and guidance for small and micro businesses need to be developed, taking advantage of the opportunities opened up by new communication technologies and social media platforms. This can only be achieved through the involvement of and collaboration with both traditional and non-traditional stakeholders in the world of work, and in particular by strengthening the voice of worker and employer representatives.

Discussion points

1. *Sharing experiences*: What initiatives and measures have governments and social partners in the participating countries taken – or plan to take – to effectively deliver information on safety standards at the workplace to MSEs?

³⁵ EU- OSHA, *Promoting Health and Safety in European Small and Medium-sized Enterprises (SMEs)*, 2005.

³⁶ In the EU. i.e. the size of the establishment, the industry and the country are the strongest determinants of the scale of OSH management in establishments, according to the 2012 Enterprise Survey on New and Emerging Risks (ESENER) report

³⁷ Dramatic cases such as the Rana Plaza collapse in Bangladesh in April 2013 (where 1,132 garment workers lost their lives) are a clear illustration of the potentially catastrophic consequences of poor working conditions and safety measures.



2. *New technologies and innovative tools to improve compliance:* Are there examples of successful awareness-raising

and outreach campaigns at the national level involving the use of new communication technologies to promote a culture of safety in MSEs? What were the main elements of their success? What is the role of social partners in the development of new tools to improve compliance?

3 *Promoting collaboration and social dialogue:* what are the main opportunities and challenges for a greater involvement of relevant stakeholders, in particular workers and employers representatives, in micro and small enterprises (both within and outside supply chains)?

4. *The way forward:* How can the ILO better support member States' initiatives to improve OSH in MSEs?