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“Towards safe, healthy and declared work in Ukraine”



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International Standards for safety & health at work

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05/11/2021

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Some ILO instruments of relevance

ILO Constitution sets forth the principle that workers must be protected from sickness, disease and injury arising from employment. (Over 40 standards 40 codes of practise on OSH)

- ▶ Promotional Framework Occupational Safety and Health Convention, 2006 (C187)
- ▶ Occupational Safety and Health Convention, 1981 (C155)
Occupational Health Services Convention, 1985, (C161)
- ▶ Sectorial : construction
Safety and Health in Construction , 1988 (C167)
- ▶ Recommendations: R097, R102, R164, R171, R197, R194
- ▶ Sectorial : R175



► **Safety and Health in Construction Convention, 1988 (No. 167)** **(not ratified by Ukraine)** **Safety and Health in Construction Recommendation, 1988 (No. 175)**

Alone good OSH working conditions won't be achieved

The convention places responsibilities on all parties

Employers

Workers; and

Governments

Employers' responsibilities

Article 7

National laws or regulations shall require that employers and self-employed persons have a duty to comply with the prescribed safety and health measures at the workplace

Article 8

1. Whenever two or more employers undertake activities simultaneously at one construction site-

(a) **the principal contractor**, or other person or body with actual control over or primary responsibility for overall construction site activities, shall be responsible for co-ordinating the prescribed safety and health measures and, in so far as is compatible with national laws and regulations, for ensuring compliance with such measures;

(b) in so far as is compatible with national laws and regulations, where the principal contractor, or other person or body with actual control over or primary responsibility for overall construction site activities, is not present at the site, he **shall nominate a competent person** or body at the site with the authority and means necessary to ensure on his behalf co-ordination and compliance with the measures, as foreseen in subparagraph (a) above;

(c) **each employer shall remain responsible** for the application of the prescribed measures in respect of the workers placed under his authority.

Workers' responsibilities

Article 11

National laws or regulations shall provide that workers shall have the duty to-

- (a) co-operate as closely as possible with their employer in the application of the prescribed safety and health measures;
- (b) take reasonable care for their own safety and health and that of other persons who may be affected by their acts or omissions at work;
- (c) use facilities placed at their disposal and not misuse anything provided for their own protection or the protection of others;
- (d) report forthwith to their immediate supervisor, and to the workers' safety representative where one exists, any situation which they believe could present a risk, and which they cannot properly deal with themselves;
- (e) comply with the prescribed safety and health measures.

Government responsibilities

Article 35

Each Member shall-

- (a) take all necessary measures, including the provision of appropriate penalties and corrective measures, to ensure the effective enforcement of the provisions of the Convention;
- (b) provide appropriate inspection services to supervise the application of the measures to be taken in pursuance of the Convention and provide these services with the resources necessary for the accomplishment of their task, or satisfy itself that appropriate inspection is carried out.



Some EU instruments of relevance

- ▶ EU Framework Directive 89/391/EEC, 1989
- ▶ Directives:
 - ▶ 89/654/EEC workplace requirements,
 - ▶ 89/656 use of personal protective equipment
 - ▶ 92/57 temporary or mobile construction sites
 - ▶ 92/58 safety and/or health signs
 - ▶ 2003/88 working time
 - ▶ 2009/104 use of work equipment
 - ▶ 1999/92 risks from explosives



Current trends & perspectives

OSH and compliance through Labour Inspection standards of ILO are increasingly important

GSP & GSP + in the future likely to incorporate also C81 and C144

ILO current Governing Body (343rd session) to address OSH becoming a fundamental right at work

Relevance for Ukraine through DCFTA/AA and possibly other FTAs

Importance of current legislation being developed on OSH and Labour Inspection to be in line with ILS and EU standards.

Дякую за увагу!

Thank you for your attention!





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