



International
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UNITY BEYOND DIFFERENCES: THE NEED FOR AN INTEGRATED LABOUR INSPECTION SYSTEM (ILIS)

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STRENGTHENING LABOUR INSPECTION IN A GLOBAL ECONOMY

Assane Diop,
Executive Director, Social Protection Sector, ILO

Globalization is changing the ways that individuals work and the hazards they have to face. Tackling these changes on working life demands an integrated approach, merging the traditional, technical and medical issues with the social, psychological, economical and legal ones. The new reality demands global strategies and local responsiveness to enable countries to react by adopting adequate socio-economic policies, avoiding economic turbulence and promoting industrial peace.

The European Union and the ILO are, as strategic partners, increasingly focused on developing coherent and integrated approaches towards resolving social problems associated with the globalization of the world economy. Both promote the notion of “fair globalization” that should go hand in hand with the promotion of social values, decent work, enforcement of labour standards and the further democratization of societies.

In this process, it is of utmost importance to enhance the protection of people at work and ensure their right to a safe and healthy working environment. In this context, labour inspection plays a key role in promoting compliance with national and international standards, monitoring conditions of work, enabling workers to lodge complaints and seek remedy without intimidation. Given their position as government representatives at the workplace, labour inspectors have a crucial role to play in promoting Decent Work in order to achieve sustainable economic and social development throughout the world.



The Conference – “Unity Beyond Differences: The Need for an Integrated Labour Inspection System” - organized by the Grand Duchy of Luxembourg, together with the ILO, was a landmark event. Highlighting the importance of strengthening labour inspection systems throughout the world, tripartite participants from over 75 countries agreed:

- To promote the development of policies which complement regulatory functions with solution-oriented approaches
- To take a comprehensive approach, taking account of the different dimensions of working life
- To reinforce the technical and administrative capacity of labour inspectorates, including using the integrated labour inspection training system (ILITS)
- To exploit the potential of labour inspectorates to be bridges in promoting safe and healthy working environments in the informal economy



The EU and the ILO share common goals on labour inspection. This is reflected in the EU Framework Directive (89/391/EEC) and the Labour Inspection (in Industry and Commerce) Convention, 1947 (No. 81). The Luxembourg Conference's recommendation that labour inspection should be one of the key elements for future EU/ILO partnership, reconfirms the shared commitment and the shared vision. ILO and EU technical cooperation experiences show that it is possible to turn a labour inspectorate into a modern, well-performing and efficient system, based on competent advice and enforcement. Strengthening labour inspectorates in accession countries to the EU and in selected transition and developing countries is high in the agenda of both the EU and the ILO.

Much has been done to strengthen labour inspectorates, much more remains to be done in today's global economy. Labour inspectors have a vital role to play in development, ensuring a "fair globalisation" and making Decent Work a Global Goal. The Luxembourg Conference established the platform for action. We should seize this unique opportunity to move forward together and strengthen labour inspectorates for the challenging role they have today and in the future.



ITM: AN ORGANISATION IN FULL CHANGE

François Biltgen,
Minister of Labour and Employment

In the context of Luxembourg's Presidency of the Council of the European Union, the Minister of Labour and Employment, François Biltgen, has entered upon the main lines of the series of conferences held by the Labour Inspectorate (Inspection du Travail) in Mondorf-les-Bains in March 2005.

The past and the challenges of the Labour and Mines Inspectorate (Inspection du Travail et des Mines)

The Labour and Mines Inspectorate (Inspection du Travail et des Mines - ITM) was created at a time when iron and steel production was the predominant activity in the Grand-Duchy of Luxembourg. The functions that were related to this activity were thus defined in a period when industrial growth had just begun. However, our world of work has changed considerably since, due among other things to the globalisation of the economy and, moreover, the tertiary sector has undeniably become the predominant economic sector in our country.

It is consequently quite legitimate to ask whether the ITM, in its present incarnation, is still up to the task of responding to numerous challenges, such as harassment or passive smoking, to name only a couple, with which our world of industry is being confronted every day.

A reform of the ITM therefore is an absolute necessity.

In order for this renewal to be as efficient as possible, the principles of the reform will draw much of their inspiration from the audits conducted by the International Labour Office (ILO) and by the Committee of Senior Labour Inspectors, and its main lines will remain in keeping with the definition of the Labour Inspectorate adopted by the ILO.



Defining the role of the ITM

The International Labour Office has defined the role of the Labour Inspectorate as follows:

- the inspectorate must work according to a proactive targetted awareness-raising, information and prevention system, whereas its present approach is rather reactive;
- the inspectorate must define the main lines of its policy in collaboration with the Ministry of Labour and with both sides of industry;
- the areas of activity of the labour inspectorate must be multidisciplinary;
- the future inspectors must have adequate skills;
- the sanctioning system must be modified: by way of example, the refusal of a company to correct errors that have been detected by the Inspectorate must be punished through the new system of immediate fines. In other words, it is no longer necessary to wait for an accident to happen before proceeding to inspection and, consequently, to sanction the company. A more preventive approach would therefore make it possible to avoid a considerable number of legal proceedings.

Since it does not fall within the authority of the ILO to conduct systematic audits in all Member States of the organisation, Mr. Biltgen has chosen to present the draft reform of the ITM of the Grand-Duchy as an example, leaving each Member State free to draw its own inspiration from this example.



Posting of workers

Without prejudice to its other powers, the ITM has the task of ensuring the application of the legislation in the matter of the posting of workers. In fact, in the Grand-Duchy a quite considerable number of salaried workers are benefiting from temporary postings, especially in the construction sector.

Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services has been incorporated into national law by a law dated 20 December 2002.

Besides the incorporation of the Directive, this legal text provides a regulation on the control of the application of the labour legislation.

In accordance with this law of 2002, any foreign enterprise not having a regular establishment in Luxembourg must appoint an ad hoc authorised agent to regularise the administrative files of the posted workers.

At the request of the ITM this authorised agent must be able to place at its disposal any information and all documents relative to the posted workers which are indispensable for exercising control.

In the framework of its mission, the Labour and Mines Inspectorate is working in close cooperation with other public services with competence in the matter, and may proceed to pinpoint or systematic controls on work sites in order to verify the respect of the provisions of the law.

Scope of the reform

Within the European Union, the persons responsible in many Member States take the view that the checks carried out by the Labour Inspectorate must be made increasingly efficient so as to restrict social dumping. In this context it is therefore also a matter of guaranteeing a good cooperation between the authorities of the countries of origin of the enterprise and the country to which the worker is posted.

Exchanges at international level

It is most certainly not the task of the European Union, nor of the ILO (International Labour Organisation) to create homogeneous labour inspectorates across the different Member States. However, the latter are free to share their experiences and to exchange examples of good practice.

In fact, the ITM has already had such an experience thanks to a cooperation project with the Socialist Republic of Vietnam, consisting of offering to the Vietnamese authorities advice and training in the matter. By exchanging ideas and by completing the national systems with values recognised at international level, labour inspectorates might gradually optimise their efficiency.

Generally speaking, we should mention the pre-eminent role to be played by the ILO at international level. In fact, it largely encourages cooperation between the Member States to promote respect of the recognised values in the field of Occupational Safety and Health (OSH), in other words, in the field of safety and health at work.

In order to respond to these needs, the ILO develops practical tools, such as standards and conventions, after which it belongs to the Member States to ensure respect of the same.

At this level, the agents of the Labour Inspectorates undeniably have a key role to play. However, their missions must not be limited to controlling and monitoring. They must also be able to contribute actively, for instance to the development of action plans and to any innovation in the field of action of the Labour Inspectorate.



A NATIONAL INTEGRATED LABOUR INSPECTION SYSTEM AND THE STANDARDS FOR WORKING LIFE CONTROLLED BY COMPETENT AUTHORITIES

Paul Weber,
Director Luxembourg Labour and Mines
Inspectorate (ITM)

In order to protect the occupational health and safety, the director of the Labour and Mines Inspectorate in Luxembourg, developed an action plan for an Integrated Labour Inspectorate System (ILIS).

The ILIS framework is based on the conventions and the standards for working life, which are developed by the International Labour Office (ILO).

The international networks as IALI are a tool to support and to help the member states to apply their national action plan.

These standards aiming at social peace where the culture of "good fatherhood" and the well-being of the workers is respected, where everyone has the right to decent work and where prevention takes an important place, are recommended to be applied in the global policy of every single Member State.

To promote the occupational safety, health and well-being on a national level, a tripartite, consultative committee for labour has been initiated, grouping all the key actors to define the national priorities.

On the competent authority level (Labour and Mines Inspectorate (ITM)), multidisciplinary teams have been created. The inspectors / controllers act in the field as generalists and work on both disciplines: OSH and working conditions (WC). They apply the principle of 1 inspector for 1 enterprise. If the problems are too complicated, internal specialists, respectively external know-how such as from the ministry of health,



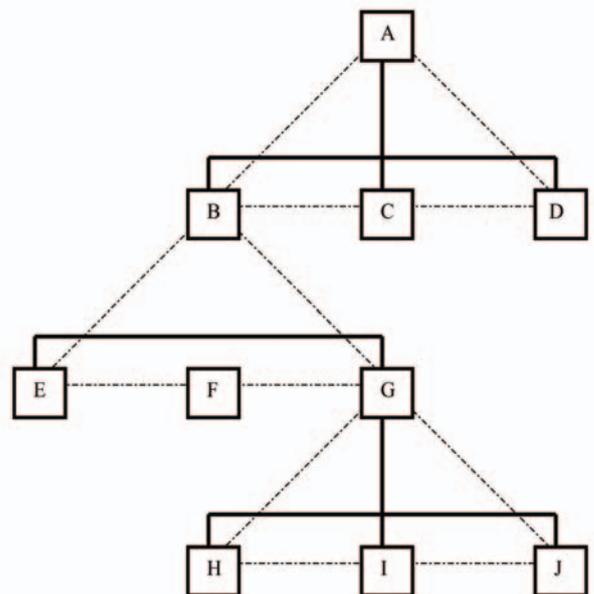
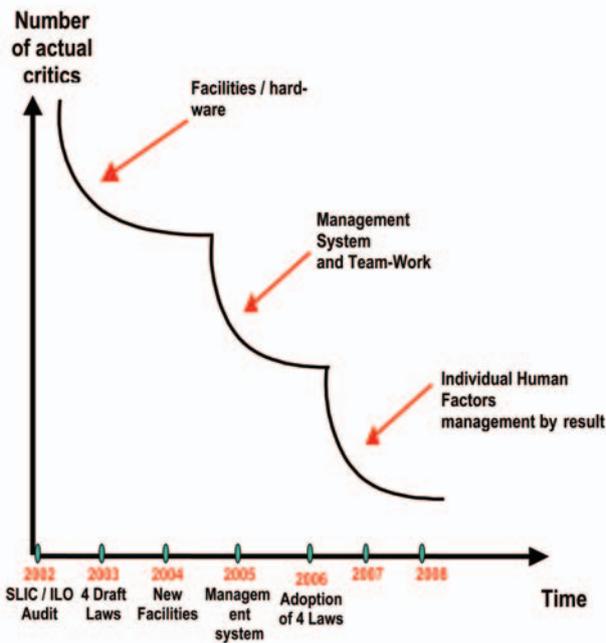
physicians from the division of occupational health, assist the inspectors / controllers of the ITM.

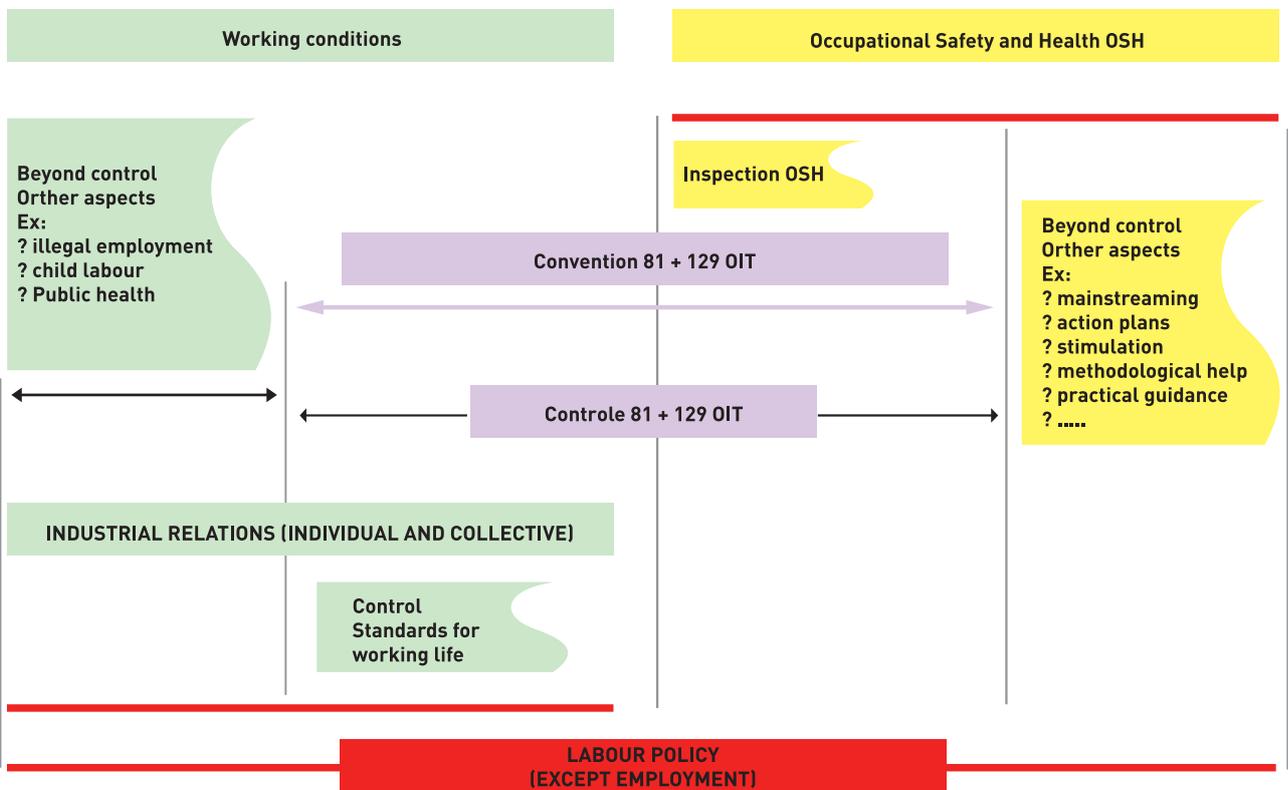
At the demand of ITM, the International Labour Organisation (ILO) and the Senior Labour Inspectors Committee (SLIC) realised an audit in July 2002. The final report proposed some modifications concerning the organisation in order to be able to respond to the new challenges due to the globalisation of the world economy. The reform of ITM takes place step by step. To institutionalise this reform, the existing laws are about to be adopted. One year after the audit, 4 new draft acts were proposed to the Parliament. In 2004, the ITM moved to new premises in two new locations. The lay-out of these new office buildings is adapted to the re-organisation. The infrastructure gives the possibility to organise the work according to the new management system. Once the 4 laws will be officially published, the inspectors / controllers will be trained and attention will be paid to the psycho-social aspects and the motivation of the individual collaborator.

The management system (MS) of the ITM exists in three levels. Before the reform this MS followed the structure of a vertical line : one manager who was responsible for all the staff. The new MS is more detailed and has the form of a "triangle team", which gives more responsibilities to the deputy directors and heads of specific services / regional agencies. Multidisciplinary operational

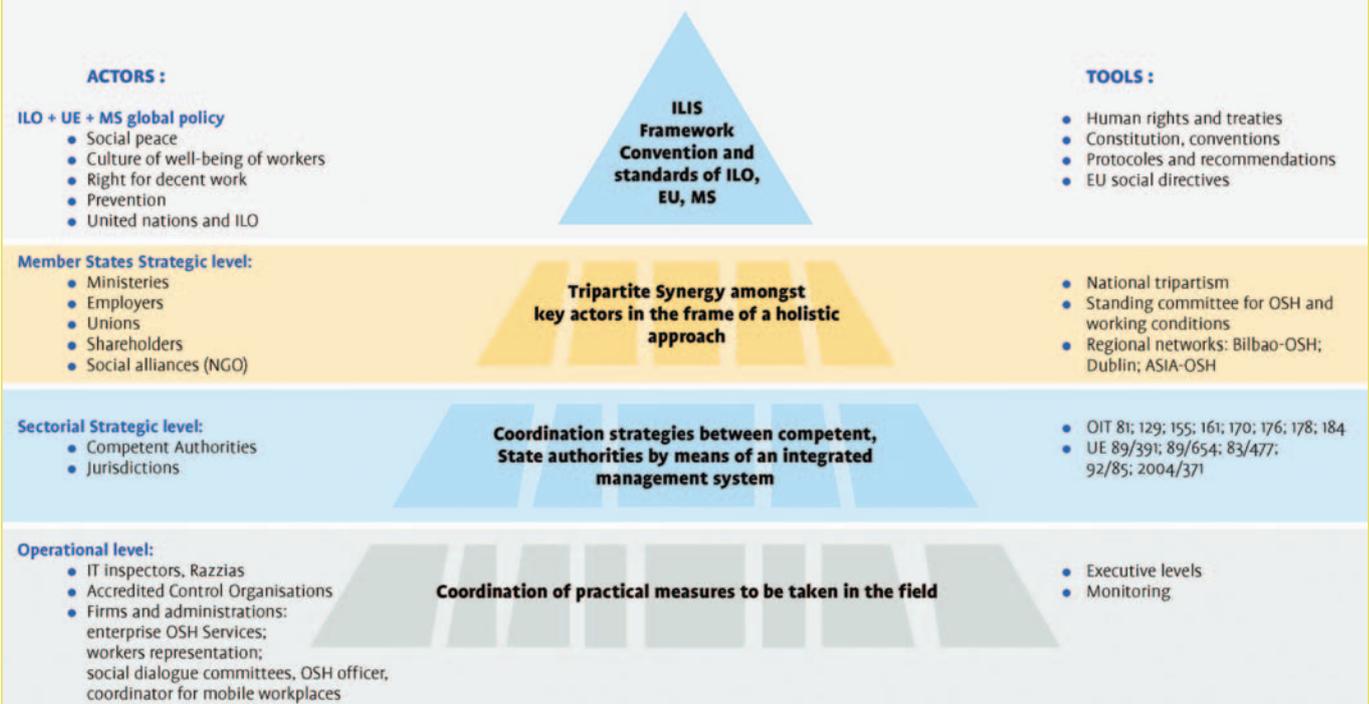


teams have been installed in divisions and in the regional agencies. The activities of the inspectors imposed by the conventions of the ILO cover two domains : OSH topics on one side and WC on the other side . The inspectors' tasks go beyond this control. They are also responsible for the setting up of a number of specific national priorities such as the respect and follow-up of the industrial relations conventions. The control does not involve the unemployment matters (cf. chart on the next page).





Process for setting up an Integrated Labour Inspection System



Paul WEBER



1 INTRODUCTION

While presiding over the Council of the European Union, the Grand Duchy of Luxembourg, together with the ILO provided a platform for the exchange of experiences between governments and social partners with regard to the role of state labour inspection services.

The purpose of the conference in Mondorf-les-Bains was to develop effective policies, adapted to promote an action plan for implementing an integrated labour inspection system. During the two day conference, examples of good practices were presented to illustrate successful instances of the implementation of integrated labour inspection systems at national and company level. An integrated labour inspection system is a holistic, coherent and flexible concept that contains elements, such as administrative, procedural and technical integration. In its 'Decent Work, Safe Work' programme, the ILO entrusts labour inspection and its social partners with new roles and responsibilities. The idea is to ensure workers' health and safety by improving working conditions and guaranteeing decent labour relations through an Integrated Labour Inspection System.

Some 200 worker, employer and government representatives as well as observers from international and European organizations from 75 countries and several labour ministers and vice-ministers discussed the multiple roles of the labour inspector as an investigator and facilitator as well as a control agent facing the challenges of globalization.

The objective is to raise European and worldwide awareness to the social dimensions of the workplace. Social considerations must be given the same status as economic, financial and environmental concerns in a holistic approach. It is time for global thinking and local action. The implementation of the Core Labour Standards and the laws and regulations that give effect to them at national levels can be significantly enhanced if the capacities of national labour inspectorates are built up and strengthened. Labour inspectors have a crucial role to play because they are the only ones with the authority to directly access and impose changes in the workplace.

Gerd Albracht,
Coordinator of Labour Inspection Systems, ILO,
Geneva



2 SAFETY, HEALTH AND WORK: TOWARDS A HOLISTIC APPROACH

The global economy is changing the way individuals work and the hazards workers face. The changes in the working life need to be tackled by an integrated approach, merging the traditional technical, medical, social and legal fields towards effective prevention. Globalization requires an increased need for creative and holistic approaches, taking into account the changes in the world of work and the emergence of new risks.

Changing world of work

The world of work has changed dramatically over the last decades. The global market, the shift towards a knowledge society and the shift from industry towards a new service economy has led to important changes in the world of work such as an increased flexibility and mobility of the workers, the use of new technologies, changing industrial organisation and globalisation.

New risks are emerging, especially psychosocial risks and musculo-skeletal disorders, while the well-known physical risks such as intense noise, painful and tiring positions, and handling heavy loads are still prevalent and increasing. The various changes in the work situation also lead to an increase of mental workload and psychological problems. The increase of mental workload can lead to stress and human errors.

The changing world of work calls for a holistic approach, and for special attention to be paid to the labour inspectors. The new and emerging risks place greater demands on the competences, capacities and resources of the Labour Inspectorate.

Observation

It is vital to keep a close watch on the workplace in order to further the prevention of occupational diseases and accidents. This provides the necessary information to draw attention to the magnitude of workplace health and safety problems, to set research priorities, and to target and evaluate interventions to improve worker safety and health. It can provide information that could help to detect and to anticipate new emerging

risks. Current data are being retrieved through the collection of statistical data and a number of scattered surveys.

The ESWC

The European Surveys on Working Conditions from the European Foundation in Dublin are the first to draw conclusions for all European Member States.

The Nordic Scoreboard

The Nordic Countries set up an international scoreboard of the national policies implementing the European Strategy 2002-2006 on occupational health and safety. The pilot project is based on a questionnaire. The aim is to give an overview of some of the actions taken in different States (Denmark, Finland, Iceland, Norway and Sweden) and to monitor how they perform in relation to the main objectives of the strategy. The scoreboard is built on a principle of self reporting from the participating States.

The Scoreboard gives priority to a number of parts of the strategy in order to measure the progress. The challenge is to make it possible to measure the effectiveness of a strategy. It has shown already some success and it could serve as an example for the European Union and other regions of the world.

Risk Observation

The European Agency in Bilbao is developing a Risk Observation programme that aims to identify emerging risks and corresponding good preventive practices. The Risk Observation programme will organise the Agency's activities so that the subject of emerging issues is covered in a holistic and integrated way through the key areas of OSH monitoring, good practice/systems and programmes and research.

Ageing

Today's aging workforce is one of the most important issues affecting the workplace today. The aging worker's ability to work has a substantial impact on the productivity and efficiency of enterprises. Good prevention strategies, such as



ergonomic adaptations need to be developed in order to maintain the work ability and employability of aging workers. Especially in physically demanding jobs, the risks of an early exit from the workforce are high. Maintaining work ability is a key challenge given the ageing of the workforce.

The Community Strategy Paper on health and safety at work 2002-2006 confirms that the active population in Europe will, over the coming decades, see an increase in the proportion of workers aged 50 and above, with a corresponding reduction in the proportion of young workers.

Age-related comparisons show that young people tend to suffer more accidents at work, while workers aged 55 and above tend to suffer the most serious accidents, with a fatality rate above the European average. The 55-plus age group is also the one with the greatest incidence of long development-time occupational illnesses, such as cancers (the majority of which are still due to asbestos exposure) and cardiovascular diseases, while the younger workers tend to develop more allergies and infectious illnesses.

These differences show that we need to adopt a global approach to the quality of employment, paying heed to the specific situation of the generations and age groups in the world of work.

SME's

Small and medium sized enterprises are especially vulnerable; they employ few employees and they are often modestly resourced. Nevertheless, SME's are an important target group as they are a driving force in the economy. Ensuring a working environment that is safe and healthy within the firm is a matter of survival for small enterprises. A safe and healthy working environment is a factor that has a bearing on the firm's economic performance. Small enterprises need to be aware of this prevention culture, which needs to be supported through a partnership between all the players involved. A prevention policy cannot have convincing results without specific involvement of the workers or without the support of advisory and professional bodies. The role of the inspection bodies is particularly important in the development and maintenance of the prevention culture.

The Community Strategy Paper on health and safety at work 2002-2006 emphasizes the SME's as vulnerable target group. SMEs and very small businesses, as well as self-employed workers and unpaid family helpers, should all be the subject of specific measures in terms of information, awareness and risk prevention programmes.

The European Employment strategy states that Member States will endeavour to ensure better application of existing health and safety legislation at the workplace level by strengthening enforcement, providing guidance to help enterprises, especially SME's, to comply with existing legislation. It will also work to improve training on occupational health and safety, and promote measures for the reduction of occupational accidents and diseases in traditionally high risk sectors.

SME's often complain about the overwhelming administrative burden caused by regulations and government requirements. Labour inspectors can assist SME's in meeting their legal requirements and providing easy-to-understand and clear guidelines. Furthermore, it would be interesting to offer SME's a 'one-stop-shop', where information could be shared.

Quality of work and employment

Quality of work and employment is a central element in the holistic approach to safety and health at work. The four dimensions of quality of work and employment are: ensuring career and employment security, maintaining and promoting the health and well-being of workers, developing skills and competences, and reconciling work and family life.

The Community Strategy Paper on health and safety at work 2002-2006 outlines a global approach to well-being at work. It takes changes in the world of work and the emergence of new risks, particularly risks of a psycho-social nature into account. As such, it is geared toward enhancing the quality of work, and looks to promote a safe and healthy working environment. Health and safety are essential elements in terms of the quality of work, and are featured among the indicators adopted in the wake of the Commission's communication "Investing in quality."



A safe and healthy working environment and working organisation are performance factors for both the economy and for companies. “Non-quality” of work is expressed by a loss of productive capacity and compensatory payments and benefits. This issue has a huge financial impact on companies.

The inspection bodies are facing challenges and measures need to be taken. Occupational safety and health is not only about the workplace, it is about the human dignity and standard of living of everybody in the society. Improved working conditions will reduce deaths, injuries and diseases, and simultaneously improve the quality of life.

Michele Patterson, Executive director, Workplace services, South Australia

A model called “Future 500” in China has been established recently. This is a model for socially responsible policies in companies. The Future 500, a non-profit alliance of Fortune 500 companies, to bring together executives from leading companies to share experiences, debate issues, and identify best practices in corporate social responsibility. The new standard, Future 500, differs from the popular Fortune 500 because it emphasizes businesses’ social and environmental responsibilities. The Future 500 system is based on enterprises’ three kinds of responsibilities in economic development, social progress and environmental protection.

Jin Zhouying, director Chinese Academy of Social Science

Three levels

Labour Inspectors need to influence three different levels: the workplace, the stakeholders (tripartite), and the state (national, international).

The workplace

Inspection of health and safety conditions can be aligned with inspection of general working conditions to produce a better outcome for the entire workplace. In order to improve labour inspection, its functions must be brought together with an integrated and holistic approach. Many current workforce issues cross the boundaries between OSH, working conditions and industrial relations. The solutions to these workforce problems can be addressed most effectively by using the benefits of one labour inspection function to develop workforce cooperation with another.

Corporate Social Responsibility

CSR is becoming an increasingly important priority for companies of all sizes and types. Occupational safety and health is an essential component of CSR and this presents managers and OSH professionals with a variety of opportunities and challenges.

The Commission’s Green Paper, “Promoting a European Framework for Corporate Social Responsibility,” stressed that health at work is an ideal area for voluntary “good practices” on the part of firms that want to go beyond existing rules and standards. The ensuing consultation exercise, which covered a wide range of interested parties, will enable a number of possible responses to be identified.

The stakeholders

Cooperation among all actors is called for, as well as the strengthening of the role of public authorities and social partners, deepening of the social dialogue, and capacity building especially in the new EU Member States.

Also a tight collaboration between the different departments of the government would enable a ‘one-stop-shop’ opportunity for all companies including SME’s.



The state

The role of governments is crucial in developing occupational safety and health, and this role should be strengthened. Following the need for a global strategy, it is important to establish a worldwide health and safety culture.

Labour Inspection will continue to remain an essential function of the State. It is a key actor in promoting, advising on, monitoring, and enforcing national provisions that put the 8 ILO Core Labour Standards into effect. These standards make up the ILO Declaration on the Fundamental Principles and Rights at Work. The role that labour inspectors must play in a globalizing world cannot be overemphasized. They are the principal government agents with a direct impact on the workplace and are therefore equipped with powerful tools to make improvements in the working environment and working conditions. Labour inspectors are the vector that make Decent Work a reality, to raise economic and social capabilities and strengthen institutions for gender equality, representation and dialogue. Labour inspectorates are capable of addressing global issues at the national and shop-floor level. The main functions of labour inspection according to ILO Convention 81 are to secure the enforcement of legal provisions, to supply technical information and advice to employers, workers and respective organizations and to bring any defects or abuses not covered by existing legal provisions to the notice of competent authority.

A system to monitor progress must be installed. The use of such a system facilitates comparative analysis and allows a focus on strategic issues. The Labour Inspectorate should develop a preventative strategy, based on its capacity of building partnerships, the development of the preventive potential at enterprise level and the anticipation of emerging risks. The preventative and enforcement strategy will help reduce deaths and injuries in the workplace.

Modern work life requires new, more comprehensive, approaches. Basic Occupational Health Services (BOHS) was adopted as priority for collaboration between the ILO SafeWork Programme, the WHO Occupational Health Programme and the ICOH particularly for countries which have low coverage of services and limited resources for health and safety.

The need for basic safety is as urgent as the need for occupational health services. These two activities need to be developed parallel and, if possible, together within a framework of Basic Occupational Health and Safety Services (BOHSS). The BOHS model is being expanded in the direction of an integrated occupational health and safety model. The practical implementation of both the BOHS and the BOHSS needs the development of tools for health and safety services at the workplace level.

Jorma Rantanen, President ICOH



3 EU AND ILO: THE ESTABLISHMENT OF A SAFETY CULTURE

EU and ILO have never accepted the proposition that injury and disease “go with the job”. In the face of globalization, the new challenge is to ensure that increasing numbers of working people enjoy a safe and healthy working environment. 134 countries have ratified the ILO Labour Inspection Convention, 1947 (N° 81), making it one of the most ratified instruments of the organization and a “door-opener” for technical cooperation as well as a tool for establishing a worldwide health and safety culture. This culture is part of the new ILO Global Strategy on Occupational Safety and Health, which aims at promoting, building and maintaining good safety and health standards at national level.

Europe

The European Strategy for Safety and Health at Work has adopted a global approach to well-being at work, calling upon the establishment of a prevention culture. The strategy is taking into account of changes in the world of work and the emergence of new risks, especially of a psycho-social nature. The strategy addresses safety, health and well-being on the background of increasing psychosocial risks, work-life balance, and changing traditional risks.

The Strategy of the European Commission

The New Community strategy on health and safety at work 2002–2006 introduced three features:

- It adopts a global approach to well-being at work, taking account of changes in the world of work and the emergence of new risks, especially of a psycho-social nature. As such, it is geared to enhancing the quality of work;
- It is based on consolidating a culture of risk prevention, on combining a variety of political instruments and on building partnerships;
- It points up the fact that an ambitious social policy is a factor in the competitiveness equation and that, on the other side of the coin, having a “non-policy” engenders costs which weigh heavily on economies and societies.

The objective of the Community’s policy on health and safety at work is to bring about a continuing improvement in well-being at work. The Community’s policy on health and safety is based on preventive approaches, anticipation risks and bring them under control. The means to strengthen the prevention culture is improving the knowledge of risks through education, awareness raising campaigns and anticipation of new and emerging risks and by a better application of existing laws.

The role of the Labour Inspectorate

The Community Strategy sees a better application of the existing laws as an element of a strong prevention culture. There must be practical encouragement for common inspection objectives as part of an annual national action plan. The importance of which has been underlined by the European Common Principles of Labour Inspection in the field of health and safety at work, and ways and means of evaluating national inspection systems by reference to these principles.

The implementation of the Strategy asks for an adaptation to the existing OSH structures. Labour inspection activities must be capable of appraising all the risks, particularly in those sectors where they tend to be complex and cumulative. The inspectorate services must combine their inspection role with a prevention function vis-à-vis firms and workers.



The inspectorate services must in turn be open to audit, using result and quality indicators to promote innovative approaches. Quantitative inspection objectives are asked for allowing a methodology for assessing the effect of labour inspection action.

The checks carried out by the inspection services must give rise to uniform sanctions that are dissuasive, proportionate and effectively applied.

Searching for a better cooperation and building partnerships is of utmost importance to the inspection services. Strategic partnerships with industry and employers and employees representatives setting out common objectives will create synergies. Cross-border enforcement cooperation is needed as well as a holistic approach to health and safety, tackling different levels simultaneously.

Promoting a quality working environment, taking account of all the aspects, requires a global approach, using the legal and institutional framework, encouraging innovative approaches through benchmarking and voluntary agreements, corporate social responsibility and economic incentives, and mainstreaming health and safety in other Community policies.

Source:

- Adapting to change in work and society: a new Community strategy on health and safety at work 2002-2006



ILO

The ILO Global Strategy on safety and health sets out its fundamental pillars, including the building and maintenance of a national preventative safety and health culture and the introduction of a systems approach to OSH management. Building and maintaining a preventative safety and health culture require making use of all available means to increase general awareness, knowledge and understanding of the concepts of hazards and risks and how they may be prevented or controlled.

The Global OSH Strategy of the ILO

The Global Strategy on Occupational Health and Safety has been adopted by the International Labour Conference in 2003. The Global Strategy pinpoints the need for tripartite national commitment and national action in fostering a preventative approach and a safety culture which are keys to achieving lasting improvements in safety and health at work.

The Global Strategy document recommended the development of a new instrument establishing a promotional framework in the area of occupational safety and health (OSH). ILO prepared a Report entitled Promotional Framework for Occupational Safety and Health in which it discusses the elements of a possible future ILO instrument to promote national strategies for the improvement of OSH based on a preventative safety and health culture and the management systems approach.

The fundamental pillars of a global OSH strategy include the building and maintenance of a national preventative safety and health culture and the introduction of a systems approach to OSH management.

Safety culture

The fostering and promotion of a preventative safety and health culture is a fundamental basis for improving OSH performance in the long term. Therefore, multiple approaches have been developed, such as the World Day for Safety and Health at Work, the global knowledge and awareness campaign focusing on promoting the concept of 'sound management of safety and health at work' and the presence at international meetings.

A management systems approach

The systems approach to OSH management includes the ILO Guidelines on OSH Management Systems ILO-OSH 2001. The ILO Guidelines encourage the integration of OSH Management System with other management systems and state that OSH should be an integral part of business management. The guidelines provide guidance for implementation on national and organizational level.

A key element in making a management systems approach operational at the national level is the



formulation and development of national OSH programmes. These programmes are strategic time-bound programmes that focus on specific national priorities for OSH, based on analyses of the situations in the countries concerned, which should preferably be summarized as national OSH profiles. A national OSH profile summarizes the existing OSH situation, including national data on occupational accidents and diseases, high-risk industries and occupations, and the description of national OSH systems and capacity.

National OSH programmes should be developed with due regard to ILO OSH Instruments: ILO Conventions and Recommendations, codes of practice and technical guidelines. The OSH programmes should then be introduced in the national OSH systems.

Role of Labour Inspectorate

Tripartite collaboration, inspection and enforcement are vital components of any national OSH system. There is a need to develop other elements of the system covering specific functions – either within or in collaboration with key players such as labour inspectorates. For example, most employers, particularly those of small enterprises, need various supports just to comply with the legislation, such as providing OSH training to workers handling hazardous substances, conducting technical inspection of dangerous machines and carrying out medical surveillance.

Inspectors gain much valuable expertise about risks and how to avoid them through the inspection and investigation of accidents. They are thus in a good position to share that expertise with others through their educational and promotional activities and by giving practical advice on preventive measures.

ILO Action Plan

The ILO action plan for the promotion of safety and health at work includes furthermore technical assistance and cooperation activities to help countries to establish and implement national OSH programmes. Each Member State is expected to establish its own national programme including a vision statement, national priorities, strategies and measurable time-bound targets based on a set of indicators. As a result a national

system will have better capacity to tackle all issues within the control of labour inspectorates.

Knowledge development, management and dissemination are key elements in the identification of priorities, the development of coherent and relevant strategies, and the implementation of national OSH programmes. ILO assists constituents in developing their capacities in this area and responding to their specific needs through its national and collaborating information centres.

There are several key steps that must be taken to strengthen labour inspection. An appropriate structure must be created, integrating the ILO Core Labour Standards into national labour policy. Labour inspection programmes must also be streamlined through more effective training and better utilization of resources. In addition, labour inspectors must be given an active role as a supervisor, an advisor, and an enforcement agent. Labour inspectors must be given the best tools that are available to work with, including the most up to date statistics and research that are available. Finally, the steady flow of information between inspectorates and other organizations must be promoted.

Collaboration with international organizations and bodies involved in various activities related to OSH has proven its importance and encouraged and strengthened, particularly in areas where common interests and mandates are shared between several organizations.

Source:

- *The Global Strategy on Occupational Health and Safety, ILO, 2003.*

- *The Promotional Framework for Occupational Health and Safety, 2005*



4 THE CHANGING WORLD OF WORK: A CONTINUING CHALLENGE FOR A TRIPARTITE PARTNERSHIP

Labour inspection demands an involvement of all stakeholders. Employers, trade unions, civil society and public authorities should work together to raise acceptance and credibility of good practices and valuable instruments. The support of employers and workers organisations significantly raises the efficiency of labour inspection services. An exchange between the partners is needed to improve knowledge and facilitate innovation. Social dialogue serves to provide an international social framework to counterbalance economic globalization and helps the enterprise to increase competitiveness and respect obligations of social justice.

Legislation versus self-regulation?

Occupational safety and health is an area where compliance with the law is most important. Legislation is needed in order to achieve progress and to avoid dumping of occupational safety and health. Clear and understandable standards are required, which guarantees decent jobs, ensures control and verification, ensures participation and offers preventive and enforceable means.

The ILO has a wealth of standards, which cover all OSH and labour relations areas: conventions, recommendations. Codes of practice, guidelines and other initiatives provide a lot of flexibility in the changing world of work. This is a joint project of the IOE and the ICFTU, which aims to put occupational safety and health higher on the international, national and local agenda. The communication between labour inspectorates and employer and worker organizations is important. Here, labour inspectors have an educational role to play. There is also the need for easily understood information to assist employers with compliance.

Legislation is sorely needed; it guarantees decent jobs, ensures control and verification, avoids dumping of OSH, offers a basis for clear and understandable standards, ensures trade union and worker participation, and offers preventive and enforceable means. Labour Inspectorates should follow up the standards, support enthusiasts, ensure the use of OSH management systems, control verification, and nail the violators. If the violators are not dealt with properly, it undermines the legislation.

Mr. Björn Erikson, International Confederation of Free Trade Unions

It is difficult for labour inspectors today to provide worker protection under current circumstances. The multi-causal health and safety risks, the changes in labour relations, the emerging concepts of workplace health promotion and well-being demand for a holistic approach. A holistic and integrated approach is needed to achieve a lasting and sustainable situation.

Traditional strategies of labour inspection are site inspection, enforcement activities and advisory tasks. Supplementary policies are needed. Labour inspection must be strengthened and included in all aspects of the workplace.

While all stakeholders in occupational safety and health and labour relations need to take an active and responsible role. Active participation is needed in order to achieve social progress, and enforcement policy is the most crucial step towards effecting a working model. Voluntary agreements may play an important supplementary role, as shown by the many successful Public Private Partnership agreements. However, labour inspection must have a presence in these arrangements as well in order to have a completely effective system.



Good health and safety at work is not only a moral issue, but makes economic sense as well. A total of 4,900 fatal accidents are reported each year. In addition, 350 million workdays are lost because of occupational diseases. The economic loss is estimated at 2.6-3.8% of the Gross Domestic Product of the EU.

Mr. Ramon Biosca de Sagastuy, Head of Unit, Health, Safety and Hygiene at Work, DG Employment and Social Affairs, European Commission

The dominant economic philosophy becomes neo-liberalism – measures of social and labour protection are seen to impose ‘unnecessary burdens’ on business. At European level there is an increasing acceptance of many of the assumptions of the neo-liberal ideology putting the new emphasis on growth and competitiveness to the prejudice of social issues of protection. Part of that shifting emphasis is a growing search for alternatives, programmes for non-regulatory reforms. The EU is embarking on a programme of updating and simplifying the social acquis. Voluntary initiatives such as Corporate Social Responsibility, Soft Law, Self-regulation, replace the traditional Community instruments.

Especially transitional societies such as the Central and Eastern European countries are facing a poor architecture of labour relations and poor working conditions. Statistical figures show that the working environment is getting worse over time. It is feared that the labour relations and the working conditions will continue to deteriorate by the lack of strong legislative and enforcement measures.

The setting of secure labour standards is needed through the re-activation of the international standards of labour protection embodied in ILO conventions.

Charles Woolfson, Marie Curie Chair, Eurofaculty, University of Latvia, Latvia

Self-regulation and self-management cannot substitute labour inspectorates’ field inspection. Enforcement and co-operation are mutually dependent.

Strengthening Labour Inspection

Social Dialogue and co-operation will be used as strategic fields of activities of the labour inspectorates. The Lisbon Strategy of the European Commission has commented on the field of activities carried out by the Labour Inspectorates. The Social Agenda details a new strategy for occupational safety and health. It also calls for partnership and social dialogue at the core of the system. The Commission will continue to promote the European social dialogue at cross-industry and sectoral levels, especially by strengthening its logistic and technical support and by conducting consultations.

The Social Dialogue intends to develop a national integrated policy. An agreement between all stakeholders needs to be ensured as well as an active role and involvement of all stakeholders and the labour inspectorate. The partnership must be maintained and preserved.

Occupational safety and health is a shared responsibility. The employer has the responsibility to provide a safe and healthy working environment. Workers have the responsibility to cooperate with the employers. The Labour Inspectorate plays a key role in encouraging such responsibilities.

The Labour Inspectorate should work with national employers’ organisations in particular where problems with compliance with the law exist to identify strategies to bring companies up to standard. Training is one key area in this respect. The communication between the Labour Inspectorate and employer and worker organizations is important. Here, labour inspectors have an educational role to play. In addition, there is a need for easily understood information to assist employers with compliance.



Tripartism is embedded in the ILO constitution. Tripartism is a process rather than an objective through which policies on social and labour market issues are discussed among governments, representatives of organisations of employers and worker organisations. The value of involving relevant stakeholders at the appropriate levels in this process we do believe that the decision making should remain solely with the tripartite partners, that is government, employers, workers.

Barbara Perkins, OSH Focal Point, International Organisation of Employers, Switzerland

Labour Inspection policy

The Labour Inspectorate has to adapt its strategies and apply an integrated approach to implement OSH and labour law. OSH and labour relations need to be integrated in the business processes and the management. A new rationale for inspection priorities is needed and the Labour Inspectorate has to organise the Social Dialogue. A new Labour Inspection Policy has to integrate enforcement, communication and co-operation strategies.

At national level

The labour inspectors need the necessary qualifications, which enable them to carry out their activities. Labour inspectors should be independent and improper from external influence. Adequate resources are necessary; the labour inspectors need the status, the material, the resources and the financial means necessary to perform their duties.

INQA www.inqa.de

The New Quality of Work Initiative is a German initiative to implement the Lisbon Strategy, the Social Agenda and the Community Strategy for Safety and Health. It is an example of active co-operation and partnership with employers' organisations and trade unions, state labour inspectorate, health insurance and accidents insurance as main partners.

New Quality of Work means:

- co-operation of and confidence between workers' and employers' representatives, state institutions and labour inspectorate, and other institutions of the civil society;
- high standards of health and safety and workplace health promotion;
- promotion of motivation, training and re-skilling;
- balance of work and home life;
- integration of competencies of all workers, old and young, men and women, national and migrants, and handicapped;
- good dialogue between workers' and employers' representatives on company level.

The project is focused on the improvement of safety and health and the strengthening of competitiveness through enhancing the quality of work. Priorities of the action programme are active ageing, life long learning, office work, self-employed, psychosocial stress, physical stress, sustainable chemistry, construction industry.

Bernd Brückner, Director Department of OSH, Hessian Ministry of Social Affairs, Germany



5 TOWARDS AN EFFECTIVE COMPETENT AUTHORITY CONCEPT IN LABOUR INSPECTION

Labour inspection activities are fundamental to balance socio-economic development and social justice and provide important services for both workers and employers. A new enforcement policy focuses on a prevention-oriented approach to all inspection functions and activities. It should define enforcement as an adequate balance of advisory and supervisory measures. Full and fair protection of all workers should be the standard approach to enforcement, supported by ongoing training to increase the competence of inspectors. Labour inspection services must ensure that enhanced productivity and compliance with national labour law, protecting workers' rights go hand in hand. Well-managed and equipped with adequate resources, they can contribute significantly to a health and sustainable, prosperous economy, social dialogue, a good investment climate and can fight illegal employment. It is obvious that the structure of the organisation of the labour inspection system and its functioning depend on the national characteristics.

The real wealth is in our people, and it is in them we must invest. People are the main resource in the workplace, and investment in their health and safety is a major concern. Social security is an issue that needs more attention. An initiative to reduce the number of years in the workplace is in progress. In addition, we are working on preventing child labour and improving the safety of women at work. All of these efforts are being carried out in collaboration with the ILO, and labour inspection plays an essential role in the process.

Mr. Amjad El Majali, Minister of Labour, Jordan



5.1 MODELS OF GOOD PRACTICE

5.1.1 Vietnam

Challenges

The continuous economic changes in Vietnam, together with the globalization and liberalization of the world economy, with the fast increase in the number of enterprises and labour forces have created new challenges to occupational health and to the role of the labour inspection. The number of labour inspectors is limited as well as the number of company visits. The state management capacity with regard to OSH has not sufficiently been developed to deal with the pace of socio-economic development.

Priority actions

In order to increase the advisory function of the labour inspectors, a great deal of effort goes to training activities. Training is focused on inspection methods to strengthen enforcement activities, as well as on developing the advisory function of the inspectors to cope with new emerging risks and the SME's as a specific target audience.

The Labour Inspectorate plans to develop the regional inspectorate, in view of the ratification of Convention No. 81, requiring the integration of the labour inspection system from the centralized to the local levels.

Success factors:

- Identification of priority targets;
- Focussing on strengthening the organisation and enhancing training tasks;
- Cooperating and extending OSH training for labour inspectors and OSH officers at enterprise level;
- Exchanging experiences with other countries, focusing on inviting expert groups to exchange experiences.

5.1.2 The African countries

Challenges

The structure of the economy is based on agriculture and therefore has a large number of vulnerable participants in its labour market such as women and migrant workers, but also is subject to child labour. Further it is rural-based and disposes of a poor infrastructure. Another important factor is the informal sector, which is not covered by legislation and therefore not traditionally covered by labour inspection. Another problem of the African economy is that it is based on ageing technology, rather than ageing workforce and undermined by child labour. HIV/AIDS and communicable diseases are major problems among the workforce today.

Traditional risks are existent, reporting and notification of accidents is poor, compensation systems are mainly inadequate and have no linkages to prevention. The capacity of the Labour Inspectorate is limited, as is the number of Labour Inspectors.

Priority actions

Actions for improvement include the development of OSH legislation and the establishment of a central accountability authority. The development of a coherent national programme is needed and OSH needs to be linked to the national development agenda. A strong political commitment is needed at the highest level. The ratification of ILO Conventions and assistance in the ratification processes is required.

With regard to the limited capacity of the Labour Inspectorate, a participatory approach is aimed for as well as the upgrading of knowledge about new and emerging risks. Collaboration and partnerships with international and regional organisations is of utmost importance.

Success factors:

- The existence of a tripartite consultation platform
- Integrating working and living conditions
- Information and awareness raising campaigns
- Training activities to enhance the knowledge and capacity building



5.2 NATIONAL STRATEGIES

5.2.1 Brazil

In Brazil, Labour Inspectorate has legal competence to check compliance with Brazilian legal provisions, international conventions, collective agreements and rules for occupational safety and health. The inspectors can give employers notice to comply with legal obligations or start the process of applying penalties to the companies that do not comply with the regulation, to secure enforcement of the legal provisions relating to the conditions of work and the protection of workers.

The Ministry of Labour establishes duties and responsibilities of social protection. The Ministry of Labour elaborates national regulations in OSH throughout a process that ensures effective participation of workers and employers representatives in a tripartite model. This tripartite model has assumed a major role in the country as a success model of performance of labour inspectors in the health and safety area, especially in the elaboration and updating of the laws and technical regulations, in the discussion on collective agreements and conventions of work, and in the promotion of social dialogue.

The management of labour inspection is based on a plan consisting of programmes aimed at ensuring compliance with national legislation, combating informality, promoting OSH and eradicating child and slave labour. In 2004, the programmes were called a success. The work of more than 700.000 workers was formalized, nearly 3000 workers were withdrawn from slavery work, 4000 child workers were registered and included in a programme enabling them to attend schools.

In Brazil, the use of physical violence against labour inspectors is not unusual. Labour ministry inspectors often travel around Brazil's interior accompanied by armed federal police officers. It is widely believed that the execution-style murder of three labour inspectors in January 2004 was related to a raid on a soybean plantation, which was, it is alleged, using illegal slave labour. In addition, in France, two labour inspectors were shot dead by a French farmer in Dordogne as they tried to perform their duties. These atrocities illustrate the need to take steps to further protect labour inspectors.

The attitudes towards labour inspection in many parts of the world are influenced by ultraliberal business values. Labour inspectors are often considered a nuisance that hampers business operations. The fact is that inspectors are following up legal requirements: laws, rules and regulations established by higher level authorities. In addition, inspectors provide valuable advice to enterprises promoting better management, and consequently better productivity.

Jukka Takala, Director of the ILO's SafeWork Programme.



5.2.2 South Africa and Kenya

Labour Inspectorates in Africa are faced with similar challenges as in other parts of the world. These challenges have been aggravated by globalisations and structural transformations. To address these problems, there is a need not only for the integration of services that encourage a preventive culture, but also for an effective organization and management of inspection services in order to give an added value to the competitiveness and productivity of inspectorates. In the short term, it is more cost effective, to restructure Labour Inspectorates, through change management, and to make them effective tools for socio-economic development.

There is an urgent need to re-organize Labour Inspection into one integrated, well coordinated system under one central authority to ensure that uniform inspection policies and procedures apply for each country. To improve the productivity and competitiveness of Labour Inspectorates resource mobilization and utilization is necessary, as well as the effective organization and management of Labour Inspection Systems through skills, knowledge and attitude management, reinforced by training and investment in research and development.

Options for performance improvement consist of a move towards integration of services creating a 'one stop shop'. Inspectorates should also invest in effective and efficient performance improvement strategies, in order to succeed. Furthermore a continuous change management toolkit with a holistic monitoring and evaluation roadmap and score sheet/board should be in place to inform the system on a need to know basis.

South Africa

In South Africa, the one stop service is operated and managerial decisions are made at provincial and local levels where inspectors offer integrated services. After the integration of services, the labour inspectorate outcome has risen by 100% using the same number of capital and human resources. This was achieved through, consolidating a preventive culture, advocacy and cooperation with the social partners and stakeholders who are responsible for monitoring compliance.

In Kenya, the Labour Inspectorate established concrete performance indicators, new management techniques, and regular inspections at the district and provincial level to achieve better performance. This approach was highly successful, and it led to the following:

- the tripartite ownership and participation of the social partners;
- the acceptance of and participation of top management at the national level in the change process created another level of ownership and synergy;
- the participation of provincial/regional and district heads created a trickle down effect;
- the participation of the inspectors themselves in driving the change process created the catalyst for action.



5.3 ILO AUDIT ACTIVITIES

5.3.1 Luxembourg

In recent years, the labour inspectorate in Luxembourg had developed a set of strategies to become a powerful organisation protecting occupational safety and health and improving working conditions for the workforce, thus promoting the sustainable development of socio-economic activities.

Audit Report

The strategies were a result of an audit of the labour inspectorate performed by the International Labour Organisation in 2002.

The audit report had concluded that at the time of the audit the labour inspectorate was not able to confront substantial changes occurring in the world of work because it was unable to anticipate problems and did not have the competencies and legal framework needed to tackle new dangers. Its organisation and current methods, including the distribution of powers, compromised its ability to stimulate systematic and lasting improvements in working conditions and in the working environment.

The audit had nonetheless concluded that there was potential within the labour inspectorate, but that it could be better used. "There was a lack of synergy, of corporate culture, of "alchemy"".

Facing the Challenge

The labour inspectorate had taken up the challenge and tackled different levels simultaneously, ensuring a holistic approach. In this way, it had developed a national action plan aiming to create an Integrated Labour Inspection System.

The national action plan aiming to create an Integrated Labour Inspection System operated on four levels (François Biltgen, Ministry of Work and Employment, Luxembourg):

1. On a national level four legislative proposals had been presented to parliament in October 2003: The first proposal concerned reform of the labour and mines inspectorate. The second proposed a permanent tripartite committee for

labour and employment and a tripartite mediation body. The third proposed a change to occupational safety and health legislation with more attention given to human behavioural aspects alongside physical integrity. A final proposal aimed to enable the adoption and ratification of ILO conventions and recommendations.

2. On a strategic national level a permanent tripartite committee for labour and employment had been constituted. A declaration on the safety, health and well-being of workers had been signed by government and social partners on 19 November 2003, setting out a quantitative plan to combat work accidents from 2003 to 2007.

3. On a sectoral level the Labour and Mines Inspectorate had been reorganized and a number of activities initiated by the existing departments, linking the activities of related sectors. National multidisciplinary divisions had also been initiated at sectoral level. The department responsible for granting operational permits for classified establishments had been strengthened and a single contact point established, forwarding information and monitoring illegal behaviour by posted workers. Internal management was organised according to a "management by results" system.

4. On an operational level, multidisciplinary operational teams had been installed in the regional agencies. It was foreseen that after reorganisation the career path for inspectors would be transformed, with specific vocational training being provided. These teams were responsible for the creation of a number of specific national actions – spot checks (20%) and reactive actions in businesses (80%) – complaints, occupational accidents, representation of employees, information provision and consulting. Monitoring activities had been developed. A strong network had been developed allowing collaboration on different levels: between administrations on the one hand and with businesses and insurance companies on the other hand.



Management by Results

A lot of effort had been dedicated to making better use of human resources at the labour inspectorate. A new management model had been developed, providing better distribution of powers and responsibilities. A triangular management system had been implemented involving a maximum of three hierarchical levels. More hierarchical levels would cause a lack of motivation and increase rivalry between staff.

The model had enabled structured and smooth communication. The flow of information and procedures was reaching all persons concerned and had reduced any discrepancies and feelings of isolation. A healthy flow of information and plenty of opportunities for feedback were a strong motivational factor leading to strong performance and commitment.

Labour inspection is one of the major activities ensuring the basic rights of every human being. The labour inspection activities worldwide are facing challenges that require changes in inspection approaches. A creative and holistic approach needs to be created. If labour inspection is to be strengthened, then it should be done by focusing on the core issues of regulatory effectiveness and the good management of enforcement actions. ILO SafeWork has developed a "Ten Step Plan for Strengthening Labour Inspection," to provide new tools for tackling the challenges that labour inspectors face in an increasingly globalizing world.

Friedrich Buttler, Regional Director for Europe and Central Asia, ILO

5.3.2 Serbia

The major changes in central-eastern Europe since 1990 have been sudden and brutal; they have taken away every basis for the people to rely on. The problems created by the rapid transformation to a market economy, years of political instability, high unemployment, the use of outdated machinery, and institutional legacies from the planned economy have left them seemingly helpless in the face of worsening working conditions. This traumatic change requires for new approaches.

The ILO is helping to promote awareness through programmes to help modernize labour inspection services. The ILO has carried out several evaluation and advisory missions in the region and has made practical recommendations to improve services.

The Serbian project aims to develop a modern service to increase compliance with health and safety laws. The project focuses on expanding the knowledge about regulations and encouraging compliance. The development of a strategy to increase compliance through education and outreach to employers and workers stimulates a shift from enforcing the law and punishing non-compliant employers towards stimulating employers to protect employees. Workers and trade unions will be encouraged to play their part by providing information and guidance in order to better comply with the law.

Unity through skills development on a regional level should be achieved. The experience of the other countries in the Middle and Eastern European countries should be used to improve the working conditions and the OSH level in general.



The major changes in central-eastern Europe since 1990 have been sudden and brutal; they have taken away everything that the people have been able to rely on in the past. This traumatic change requires new approaches. People are thus faced with an experience they had never encountered before, a situation that had turned everything they had ever known upside-down.

Annie Rice, Senior Occupational Safety and Health Specialist, ILO, Hungary

5.3.3 Russia

The mortality rate among Russia's working-age population is alarmingly high due to the large number of occupation-related illnesses that can affect industry workers and the poor quality of preventive health care. The Labour Inspectorate is facing a number of threats: all government inspections are suspended in SME's; the inspections have to be approved by the procurator in advance; SME's can be inspected only once in three years, big companies once annually; there is a strong pressure from government and business to limit the number of inspection services.

In the transition period after the breakdown of the soviet system it was important to combine the OSH achievements with the expectations of the newly independent countries. New labour and OSH legislation is needed, as well as new inspection systems and accident insurance systems. In the ILO OSH strategy it is important to raise awareness and increase commitment to improve safety, to disseminate information and manage knowledge, to train and build capacity, to develop a national and enterprise level OSH management system.

A key element in making a management systems approach operational at the national level is the formulation and development of national OSH programmes. These programmes are strategic time-bound programmes that focus on specific national priorities for OSH, based on analyses of the situations in the countries concerned, which should be summarized as national OSH profiles. A national OSH profile summarizes the existing OSH situation, including national data on occupational accidents and diseases, high-risk industries and occupations, and the description of national OSH systems and capacity.

A plan of action needs to be developed including the establishment of an OSH information and training centre, the setting up of adequate OSH structures, the promotion of a preventive and advisory role and the integration and cooperation between different inspectorates to avoid duplication. Cross-border cooperation is an important means to share experiences and ILO OSH Russian language information.



6 A MULTIDISCIPLINARY APPROACH ON COMPANY LEVEL

In a holistic approach, prevention of occupational accidents and diseases, the promotion of a long and healthy working life and the investment in a prevention culture, will allow companies to compete in a globalizing world. Companies will share their experiences with an integrated and multidisciplinary approach of prevention, focusing on the involvement of the different stakeholders such as workers or inspection services.

6.1 GOOD PRACTICES

6.1.1 RWE Rhein-Ruhr AG

RWE Rhein-Ruhr AG is an energy-generating company. Liberalisation, internationalisation and new technologies are the central challenges for RWE group. Changes in the marketplace have also put new demands on the workforce. Because of staff reduction programmes and early retirement schemes, valuable knowledge and experience has been lost. It is therefore important to make good use of the potential for creativity and innovation that is inspired by the workforce. A bottom-up system is used, initiated from the top but designed from the bottom.

The prevention programme of RWE Rhein-Ruhr established a prevention programme for health and safety. The programme concentrates not only on the prevention of accidents and work-related hazards, but also operates within a wider context using suitable tools and equipment to prevent potential risks before they occur. The prevention programme receives its most important input from the members of the workforce. The centerpiece of the programme is carefully guided and focussed teamwork with experienced moderators. Small groups are formed where everyday topics are discussed and solution proposals are worked out.

Another key area of the programme consists in a series of practical presentations and other activities aimed at everyone involved covering a wide range of topics such as stress, nutrition, physical strain caused by lifting and carrying and road safety. A number of specific projects have been

set up, such as combating the risk of working on overhead transmission systems, the prevention of psychosocial and stress related disorders.

As a result of the efficiency of the OSH programme, savings up to 9,4 million Euro have been achieved in 2003. 2,3 million Euro has been saved due to accident reduction, 1,1 million Euro has been saved on insurance premiums and 6 million Euro return on investment from the prevention project.

RWE Rhein-Ruhr started with success an energy distribution project in Rwanda and implemented the company's OSH culture in the project.

Success factors:

- close collaboration with authorities
- bottom-up system
- active involvement of all members of the workforce
- establishment of OSH teams

6.1.2 ABB AG

ABB is a leader in energy and automation technologies. The ABB Group of companies operates in around 100 countries and employs about 102,000 people. ABB in Germany employs around 12,600 people. The ABB Group established an OSH strategy with the aim of reducing the number of accidents with 50%.

Right from the start it was felt important to integrate the OSH management in the overall company management. All stakeholders and players expressed a strong and visible commitment to the so-called Alpha programme: the Board, the Executive Committee and the workers.

OSH goals and objectives were set on several levels and the management was evaluated on the basis of the achievement of the goals, while employees got incentives. A zero tolerance policy was installed, as a result of the strong believe in an accident-free environment.



Communication and training were seen as key issues in the success of the programme. A two-way communication was made possible through the use of intranet, the involvement of the workers' council, and an open discussion with the top management. All managers and staff members received training on different levels.

The programme was evaluated at several moments through system and process audits and communication of accident investigation.

Success factors:

- Integration of OSH management in the daily management of the company
- Strong and visible commitment of all stakeholders and players: the Board, the Executive Committee, the workers
- A training programme for managers and all staff members
- A strong believe in the fact that accidents can be prevented
- A two way effective communication

6.1.3 Hoang Thach Cement Company

Hoang Thach Cement Company is a state owned enterprise under Vietnam National Cement Corporation. It is one of the largest and most technologically advanced cement companies in Vietnam, employing nearly 3000 workers. The company has had no accidents in three consecutive years, as a result of an intensive OSH programme.

Elements of the programme are a solid OSH structure in which OSH responsibilities are assigned to each member of the company; an intensive training scheme; an effective information and communication policy and a built-in control system. Teams have been trained to perform controls on occupational safety, equipment safety and a safe and healthy working environment. The teams report on achievements and weaknesses to the Directors.

The re-organization of the labour inspection in Serbia focused on the real integrated labour inspection system to promote compliance as well as enforcement.

Training activities and information campaigns are organised in close collaboration with local governments and labour inspectors. Labour inspectors help the company with compliance to the legislation.

Success factors:

- Active work with trade unions
- Close collaboration with local government and labour inspectors
- Maintenance of OSH network in the company
- Exchange of knowledge and information
- Intensive training activities
- Continuous improvement philosophy



7 RATIFICATION AND IMPLEMENTATION OF ILO CONVENTIONS: A DYNAMIC PROCESS

Many challenges in a globalizing world can be tackled by a properly functioning labour inspection system. 134 ILO member states have ratified the ILO Convention on a Labour Inspection in Industry and Commerce no. 81. As one of the most widely ratified ILO instruments, it has become a door opener for prevention policy and technical cooperation and a catalyst for social dialogue and a health and safety culture. The ratification and implementation of ILO conventions are obviously elements necessary to the promotion of successful policy. In order to effectively achieve this, the ILO must ensure that each country that ratifies the conventions completely understands the implications of ratification. Labour inspection programmes must supply both technical support and conceptual guidance. Labour inspection must go beyond OSH, and incorporate a “rights-based, holistic, and multidisciplinary approach” according to Mr. Simon Steyne, ILO Governing Body, ICFTU. To fully realize the potential of labour inspection, the inspectorates need to remain independent while receiving proper support and resources. While enforcement is an important aspect of Labour Inspection, education and prevention are equally important. At the workplace, inspectors have a pivotal role to play in the implementation of national policies and legislation as well as ILO Core Labour Standards. However, their capacities need to be strengthened.

The international trade union movement views free trade unions and enforcement of good law, which complies with international labour standards, as essential ways of protecting workers. ILO conventions No. 81 and 129 are at the core of this enabling Decent Work. Another central convention is No. 144 on tripartite consultation. The relationship that labour inspectorates have with the social partners is a key component of their effectiveness.

Concerning corporate social responsibility and voluntary social auditing initiatives, it is the responsibility of the state to ratify conventions and enforce the law. However, CSR initiatives can in

crease compliance with the law among employers if they are derived from ILO standards. One example of good practice in this regard comes from the South African Wine Industry, which was also driven by social dialogue, and showed that CSR can have a complementary role for labour inspection.



8 CONCLUSIONS

The right to decent working conditions can be considered a fundamental human right. Labour inspection is one of the basic tools to put this principle into practice and has a key role in promoting compliance with EU Directives and ILO Core Labour Standards. The labour inspectorates are the state authority for many work-related activities such as health and safety, social dialogue, legislation, market control mechanisms, child labour, working conditions, the fight against illegal work, etc. Strengthening labour inspection is crucial for ensuring a high standard in labour protection. In many countries labour inspections are catalysts to start reform processes in government structures as well as for social partners when it comes to establishing a sustainable tripartite culture.

The effects of globalisation will change the role of labour inspection. To develop an integrated labour inspection approach, based on the principle of "one enterprise - one inspector" and the implementation of OSH management necessitates an increase of the effectiveness and the efficiency of inspection services, making optimal use of available resources and being able to respond to our future needs.

Adopting the Luxembourg conclusions, conference participants concluded that globalization requires more and more creative holistic approaches to labour inspection, taking into account the changes in the world of work and the advent of new risks and opportunities merging the traditional technical and medical with the social, psychological, economic and legal areas.

Competent labour inspection is an important actor in the battle for fair globalization, a door opener for technical cooperation and a securer for the enforcement of legal provisions. Labour inspection has a key role in implementing and monitoring Core Labour Standards at national, regional and community level. It also has an important part in mainstreaming decent work across all economic sectors, including the informal sector, and quality of work activities into all their functions, programmes, and activities.

The conference called for the promotion of policies with regard to labour inspection on the international and national level. This should be carried out with respect to ILO conventions, setting up and establishing national programmes on working conditions and environment and taking into account modern approaches, strategies and policies in all the fields covered by labour inspection. This is essential for the issue of regulatory and enforcement practice. Regulations are essential for safety and health and having labour inspectors to enforce them is vital. Policies should address all functions important for the safety, health and well-being of the workers, including such pressing issues as equity, gender, violence at work, migrant workers, HIV/AIDS, communicable diseases and an aging workforce in addition to the more traditional issues.

The participants agreed to strengthen integrated labour inspection systems throughout the world, particularly in developing, transition and EU candidate countries, and proposed a joint ILO-EU programme to reinforce labour inspection and prevention in these countries.

The participants called on the ILO to create an internet-based service for labour inspection to support ILO constituents. This should comprise a labour inspection training system and include policy tools and strategies for labour inspection, and the sharing of best practices.





NOTES









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