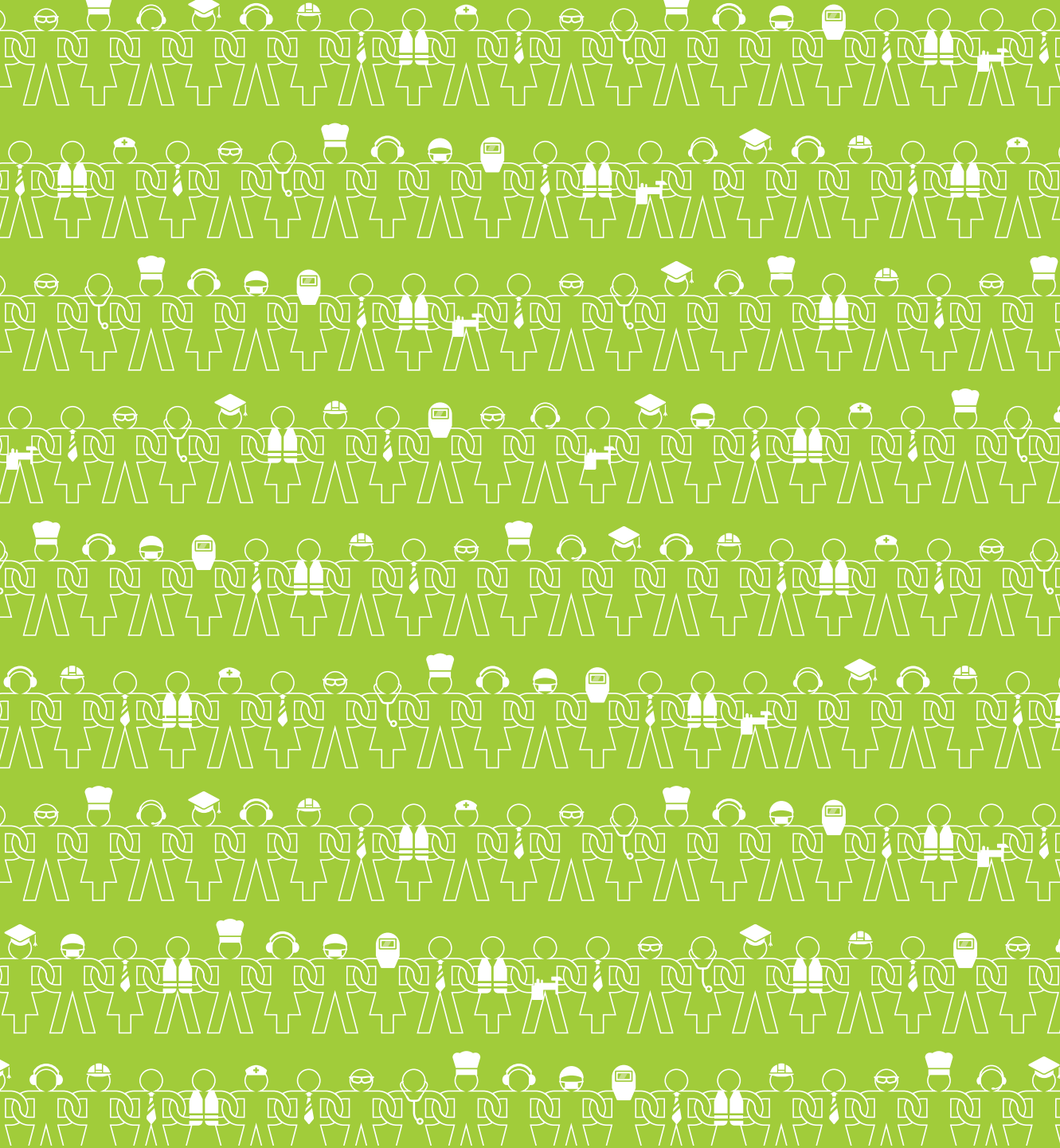




Worker Participation in Occupational Safety and Health

A PRACTICAL GUIDE



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"Workers and managers must work together closely to find joint solutions to common problems."



Foreword



European workers have enjoyed improvements in safety and health over recent decades. However, workplace accidents, sickness and death continue to exact an unacceptable toll on Europe's workers. If we are to improve workplace safety and health, workers and managers must work together closely to find joint solutions to common problems.

For workers it is about preventing themselves from being harmed by their work. For employers it is about obtaining help to identify the real problems and finding the right solutions and having a motivated workforce. For these reasons, **EU-OSHA's Healthy Workplaces Campaign 2012-13** aims to encourage managers, workers, their representatives, and other stakeholders to join forces to improve safety and health.

This practical guide for worker participation in occupational safety and health describes what effective participation means in practice and the part that workers and their representatives can play to reduce risks in the workplace. It emphasises that workers need to have an active role and work together with co-workers and managers in order to make meaningful improvements in their workplace. It explains how individual workers can get more involved, but should also help worker representatives work with their employers to improve the participation of the whole workforce – managers, workers and worker representatives. The overall aim is to help promote open dialogue and a culture in which health and safety is integrated into everyone's roles.

Christa Sedlatschek,
Director European Agency
for Safety and Health at Work



The European Trade Union Confederation (ETUC) wholeheartedly endorses this guide because a core principle of our organisation is the right to decent working conditions and the promotion of workers' safety, health and welfare for the benefit of all. The ETUC, our affiliated national trade unions and our European industry federations regard workers' information, consultation and participation as key to achieving these objectives and for promoting innovation, productivity and growth in Europe.

For these reasons and more, we actively encourage workers and their representatives to work with their employers to improve workplace safety and health. To strengthen this essential part of safety management we will encourage our affiliates and employers to use the guide and ensure that true and genuine dialogue on health and safety takes place. We will also urge labour inspectors to play their role to promote genuine worker involvement and discourage bad practice.

We will be addressing the increasing problem for worker representatives who have to work additional hours to complete their regular work as well their worker representative tasks. We want to see worker representatives receiving the support they need not only from employers, but from the workers they represent and from trade unions. And we are campaigning for measures to strengthen worker, worker representative and trade union participation to help ensure that workers return home safe and sound after a day's work.



A handwritten signature in black ink, appearing to read 'B. Ségol'.

Bernadette Ségol,
Secretary General of ETUC



European Trade Union Confederation (ETUC)
Confédération européenne des syndicats (CES)

Introduction: Why worker participation is important

Every year more than 5500 people lose their lives in the EU as a result of workplace accidents. A further 159,000 die as a result of work-related illnesses. A great many of these lives could have been saved if workplace risks had been sensibly and properly managed by anticipating the risks and putting adequate measures in place.

While employers have the duty to provide workplaces where risks to health and safety are properly controlled, the law also requires employees to help. In addition, employers must consult workers and their representatives as part of the process. Managers do not have the solutions to all health and safety problems. Workers and their representatives have the detailed knowledge and experience of how the job is done and how it affects them. For this reason, workplaces in which workers actively contribute to health and safety often have a lower occupational risk level and accident rates¹.

What is worker participation?

Worker participation on health and safety is a simple two-way process where employers and their workers/ worker representatives:

- talk to one another;
- listen to each other's concerns;
- look for and share views and information;
- discuss issues in good time;
- consider what everyone has to say;
- make decisions together;
- trust and respect each other.

Workers must be informed, instructed, trained and consulted on health and safety. Full participation goes beyond consultation - workers and their representatives are also involved in making decisions.

"If workers are given the opportunity to participate in shaping safe work systems, then they can advise, suggest, and request improvements."



¹ EU-OSHA – European Agency for Safety and Health at Work: Worker representation and consultation on health and safety - An analysis of the findings of the European Survey of Enterprises on New and Emerging Risks (ESENER), 2012



The main reasons why workers should actively influence management decisions:

- Worker participation helps in developing effective ways of protecting workers.
- By getting involved in an issue at the planning stage, workers are more likely to identify the reasons for taking a particular action, help find practical solutions, and comply with the end result.
- If workers are given the opportunity to participate in shaping safe work systems, then they can advise, suggest, and request improvements - helping to develop measures to prevent occupational accidents and ill-health in a timely and cost effective manner.



Framework for worker participation

- Employers must consult workers and/or their representatives and allow them to take part in discussions on all questions relating to safety and health at work in a balanced way.
- Workers/workers' representatives have the right to ask the employer to take appropriate measures and to submit proposals.
- National laws and/or practices set specific requirements on information provision and consultation, especially regarding worker representatives and their rights and the establishment of forums such as joint safety committees.
- Using a combination of arrangements and methods, both formal and informal, is usually best. In particular, direct worker participation and worker representatives should not be seen as alternatives, but as different avenues to be combined as effectively as possible.

The role of employers

Under the law, employers are responsible for health and safety management. This means making sure that workers are protected from anything that may cause harm by effectively controlling any risks to injury or health that could arise in the workplace.

Employers have duties under health and safety law to assess risks in the workplace. Risk assessments should be carried out that address all risks that might cause harm in the workplace in order to determine what control measures are needed.

Employers must give workers information about the risks in their workplace and how they are protected, and also instruct and train them on how to deal with the risks.

Employers must consult workers on health and safety issues. Depending on national legislation, consultation may be direct or through a worker representative. Often a combination of the two ways is used. Employers may need to set up a joint worker-employer safety committee which can discuss more strategic matters.

Employers need to promote a culture in which health and safety is integrated into everyone's roles. Consultation needs to take place whatever the size of an organisation. The principles are the same – encouraging open dialogue, listening to what is said, learning from it and acting upon it - but the format will vary.



"Looking after health and safety together."



The role of workers



Both employers and employees have the responsibility to look after health and safety at work. Employers have the main duties to prevent risks to their workers by putting in place protective measures including safe ways of working, safe equipment, suitable personal protective equipment and information, instruction and training for workers. But the law also requires workers to play their part and help their employer to protect them by:

- taking care of their own and other people's safety and health;
- cooperating actively with their employer on safety and health;
- following the training they have received for doing their job safely, and for using equipment, tools, substances etc;
- telling someone (employer, supervisor or worker representative) if they think the work itself - or inadequate safety measures - are putting anyone's safety and health at risk.

The legal requirements reflect the reasons why workers should get involved to help raise health and safety standards for themselves and their workmates. Firstly, health and safety is about stopping them getting harmed by work. And secondly, they know the risks in their workplace and should contribute to managing them.

"Both employers and employees have the responsibility to look after health and safety at work."



Employers first need to promote a health and safety culture which supports worker participation. But workers should not then limit their participation to just passive cooperation and following safety rules. If workers are to get the most effective protection for their own health and safety, they need to make full use of the worker participation arrangements at their workplace.

Ways in which workers can have their say and get involved include:

- asking questions, raising issues and making suggestions during meetings, team talks, training sessions, one-to-one talks with supervisors or managers;
- taking part in any consultation activities. These could be taking part in surveys or joining in suggestion schemes or safety competitions;
- being involved in trials, e.g. selection trials for personal protective equipment;
- volunteering to take part in occupational safety and health activities such as working groups;
- reporting accidents, near misses or anything else they think could be unsafe, unhealthy or obstructive, but also pointing out any ideas for improvements;
- speaking with their worker representative, if they have one, and participating in any activities they organise (meetings, surveys, etc.). Consider volunteering to be a worker representative;
- contributing to health and safety news in the company newsletter;
- applying the knowledge received in training to work tasks;
- setting a good example to new recruits and helping them on the health and safety aspects of their work.



"If workers are to get the most effective protection for their own health and safety, they need to make full use of the worker participation arrangements at their workplace."



The role of worker representatives



Worker representatives combined with direct worker participation is an effective way of obtaining views and involving workers in health and safety. The role of the worker representative is to ensure that workers have an input into managerial decision-making when preventive and protective measures are being developed, by reflecting their views, concerns and ideas. This role is distinct from employees such as supervisors whose job description includes tasks to help manage health and safety. Their rights and responsibilities are defined in national law. These include paid time-off to carry out their functions and training.



There may be a joint worker-employer safety committee in which worker representatives take part. Safety committees are used as a discussion forum and advisory body for company decisions. A safety committee allows worker representatives, health and safety advisors, managers and supervisors to meet and identify health and safety issues and jointly influence health and safety performance in the company. Again, national legislation and guidance set out how they should be formed and operate. They should contain a balanced number of worker and management representatives, and should discuss more strategic issues and more significant problems.

Worker representatives may also be trade union representatives. Trade unions play a valuable role in supporting and training their representatives and providing independent information on workplace health and safety. They frequently work with employers on projects to solve health and safety problems.

"The role of the worker representative is to ensure that workers have an input into managerial decision-making."



Effective worker participation checklists

The following two checklists cover the key points that should be considered when developing arrangements to improve worker involvement. The first checklist is designed for workers and the second is for workers' representatives. Questions answered 'no' should be looked at to see what could be done differently. They are not exhaustive and should only be considered as guides that cover the main points.

| | WORKERS | Yes | No |
|---|--|------------|-----------|
| 1 | Are workers consulted about and involved in the risk assessment process related to their work? | | |
| 2 | Have workers been trained to understand how the general principles of prevention are applied to develop health and safety measures? | | |
| 3 | Are workers encouraged to propose ideas for improving health and safety standards? | | |
| 4 | Are workers trained to report hazards and any defects in the employer's arrangements to protect people? | | |
| 5 | Are workers consulted about and involved in the drafting of instructions, procedures, policies etc? | | |
| 6 | When changes are planned, are workers consulted and involved before the final measures are adopted? | | |
| 7 | Are workers trained to be proactive in looking for improvements in arrangements for health and safety? | | |
| 8 | Are workers consulted about and involved in the selection of tools, work equipment and Personal Protective Equipment before such items are bought? | | |
| 9 | Are solutions 'trialled' with workers to get their feedback before final decisions are made? | | |



| | WORKER REPRESENTATIVES | Yes | No |
|----|--|------------|-----------|
| 1 | Are there agreed procedures for the participation of worker representatives? | | |
| 2 | Are worker representatives consulted about all questions relating to health and safety, including: risk assessments, measures, the designation of workers responsible for health and safety, first aid etc., health and safety training, introduction of new equipment, technologies etc.? | | |
| 3 | Are worker representatives consulted about and involved in the drafting of instructions, procedures, policies etc? | | |
| 4 | Are worker representatives involved in making decisions about health and safety, e.g. via advisory bodies and decision-making groups? | | |
| 5 | Do health and safety audits actively include safety representatives as well as managers? | | |
| 6 | Are worker representatives encouraged to report case studies of good practice, which could be stored in an organisational database? | | |
| 7 | Are worker representatives fully involved in the investigation of incidents? | | |
| 8 | Are worker representatives permitted paid time off work to discuss matters and provide feedback to the workers they represent? | | |
| 9 | Are worker representatives provided with administrative assistance to support them fully in carrying out their functions? | | |
| 10 | Are worker representatives properly trained in general principles of prevention and application of principles at the workplace? Have worker representatives been trained to develop their representative skills? | | |



Resources and further information

European Agency for Safety and Health at Work (EU-OSHA)

<http://osha.europa.eu>

A dedicated section on the Healthy Workplaces Campaign website has been created to provide workers and their representatives with further advice and guidance. It includes links to various publications and websites, as well as online and downloadable versions of this guide.

This web section is available in 24 languages and can be found at: www.healthy-workplaces.eu

EU-OSHA is producing various reports on good practices on leadership and worker participation which will become available during the campaign. There will also be dedicated sections on the website on leadership (www.healthy-workplaces.eu/leadership) and worker participation (www.healthy-workplaces.eu/worker-participation).

“Full participation goes beyond consultation - workers and their representatives are also involved in making decisions.”

European Trade Union Confederation (ETUC)

www.etuc.org

The ETUC has produced various publications on worker representation

European Trade Union Institute (ETUI) working conditions, health and safety department

<http://www.etui.org/Topics/Health-Safety>

For example, see:

- Main topics – safety reps
- Publications section on worker representatives
- HesaMag articles on worker representation

National trade unions provide practical support and training for their worker representatives and produce a variety of information on workplace health and safety.

National OSH authorities provide information and guidance on the legal requirements and good practice. For example, the United Kingdom Health and Safety Executive has a web area on worker involvement: <http://www.hse.gov.uk/involvement/index.htm>

Other

Zero harm worker involvement – the missing piece, 2011, <http://www.workerinvolvement.co.uk>

Hazards Magazine – for example, see the resources sections on organising and trade union safety representatives: <http://www.hazards.org/resources/index.htm>

Barefoot research: a worker's manual for organising on work security, International Labour Organisation (ILO), 2002, <http://www.ilo.org>



About

The **Healthy Workplaces Campaign** is co-ordinated by the European Agency for Safety and Health at Work and its partners in more than 30 countries and supports a wide range of activities at the national and European level. The 2012-13 campaign on '**Working together for risk prevention**' raises awareness of the importance of OSH leadership and worker participation for the prevention of work-related accidents and illnesses.

Key dates

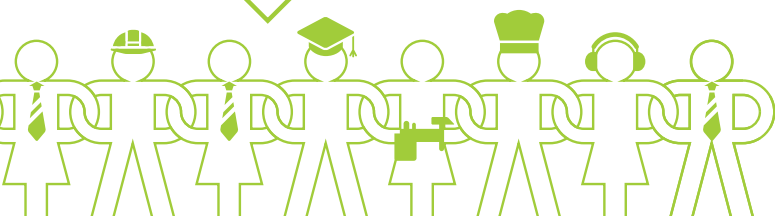
- Campaign launch: 18 April 2012
- European Weeks for Safety and Health at Work in October 2012 and 2013
- Good Practice Awards Ceremony: April 2013
- Healthy Workplaces Summit: November 2013

www.healthy-workplaces.eu

The **European Agency for Safety and Health at Work (EU-OSHA)** contributes to making Europe a safer, healthier and more productive place to work. The Agency researches, develops, and distributes reliable, balanced, and impartial safety and health information and organises pan-European awareness raising campaigns. Set up by the European Union in 1996 and based in Bilbao, Spain, the Agency brings together representatives from the European Commission, Member State governments, employers' and workers' organisations, as well as leading experts in each of the EU-27 Member States and beyond.

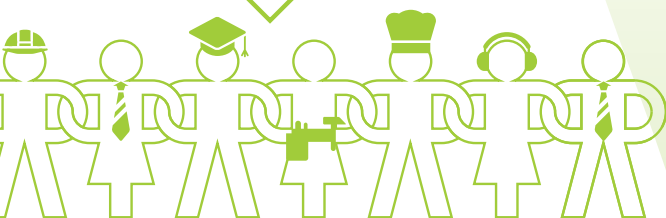
The **European Trade Union Confederation (ETUC)** is a trade union organisation which was founded in 1973, it now represents 83 trade union organisations in 36 European countries, plus 12 industry-based federations. The ETUC's prime objective is to promote the European Social Model and to work for the development of a united Europe of peace and stability where working people and their families can enjoy full human and civil rights and high living standards. The European Social Model embodies a society combining sustainable economic growth with ever-improving living and working standards, including full employment, social protection, equal opportunities, good quality jobs, social inclusion, and an open and democratic policy-making process that involves citizens fully in the decisions that affect them. The ETUC believes that workers' consultation, collective bargaining, social dialogue and good working conditions are key to promoting innovation, productivity, competitiveness and growth in Europe.

"Healthy Workplaces is Europe's biggest occupational safety and health campaign."



Worker Participation in Occupational Safety and Health – A Practical Guide

Employees often have a detailed knowledge of their work and how it can be made safer. This guide shows how workers can use this knowledge to actively liaise with managers to improve workplace safety and health. It outlines the respective roles, responsibilities and legal duties of workers, their representatives and employers. It gives concrete examples of steps that all parties can take to meaningfully improve occupational safety and health. This guide also contains a useful 'checklist' that workers and their representatives can work through to ensure that they are doing their utmost to reduce risks.



European Agency for Safety and Health at Work

Gran Vía 33, 48009 Bilbao, SPAIN

Tel. +34 94 479 4360

Fax +34 94 479 4383

E-mail: information@osha.europa.eu

<http://osha.europa.eu>

European Trade Union Confederation

International Trade Union House (ITUH), Boulevard Roi

Albert II, 5, 1210 Brussels, BELGIUM

Tel. +32 2 224 04 11

Fax +32 2 224 04 54

<http://www.etuc.org>

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