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A particularly important feature of the exchange of information among trade unions in different countries is to try to prevent the export of hazards from industrialised countries to regions or countries where controls are more lax.

It is important to note the connection between the legislative and collective bargaining structures and practices on one hand, and the specific forms of trade union participation in health and environmental legislation and policy-making on the other hand. Where the labour movement has traditionally been a part of the political structure of a society, legislation would provide for a high degree of integration of the unions' own work and that of the authorities (Scandinavian countries). Where trade unions generally are in opposition to the political hierarchy of the society, or where the relationship fluctuates, health and safety concerns receive lower priority among the tasks of trade unions and, even then, the approach is more controversial.

Quite different practices exist in the OECD countries as to the division between legislation and collective bargaining. In some countries, legislation is very comprehensive, centralised and covers extensively issues beyond the traditional scope of terms and conditions of employment (Sweden). In other countries, almost everything concerning the conditions of work is regulated through collective bargaining (United Kingdom). Again, in some OECD countries, collective agreements are reached at national level, covering whole branches of industry or even all branches, whereas in other countries negotiations take place at company or plant level. There are substantial differences in the legal concepts covering collective agreements in different OECD countries.

Whether an issue is regulated through legislation or collective bargaining agreements, is thus very directly dependent on the national circumstances.

For accident response to be meaningful, it is necessary to be able to establish the exact location of the responsibility within the management of a company. Workers should have clear information as to which management level is responsible for what part or level of the company's activities, including safe operation of that part. Specific attention should be paid to the role of lower level management (supervisors, foremen) whose responsibility can only extend to the limits of their authority to take independent action, and who should not be penalized for accidents which are caused by factors beyond their influence.

Top management must be fully committed to achieving safety, health and environmental protection throughout their company or group of companies, with appropriate participation by workers, and workers should support management efforts in this regard. Furthermore, employees at all levels should be accountable for carrying out their designated responsibilities. Technological controls and written procedures cannot replace poor leadership.



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The policies and procedures related to the role of workers in accident prevention are applicable to all companies, including small and medium-sized enterprises. It may be necessary to develop special mechanisms to assist small and medium-sized enterprises in the implementation of these policies and procedures such as special funding means.

If certain responsibilities of management for safety are delegated to supervisory staff, such staff should receive the necessary means and training to fulfill these responsibilities.

With respect to accident prevention, government should set safety objectives, with appropriate mechanisms to enforce them, and provide for worker involvement in development, implementation and enforcement of these objectives.

Workers, and their representatives where they exist, should be consulted by governmental agencies and international organisations in the process of developing or implementing policies for accident prevention and response, where workers have a particular interest or expertise. Tripartite mechanisms can be of special value in this process.

#### IMPLEMENTATION AT PLANT LEVEL

Workers' responsibility in preventing accidents is to carry out their work safely and not to compromise their ability, or the ability of others to do so.

In order to carry out their role, workers need:

- information;
- training;
- representation on safety matters;
- channels of communication and consultation;
- structures for influencing their work and environment;
- laws and other regulations to govern their safety;
- implementation of those regulations.

This chapter includes considerations and suggestions for ensuring that facilities exist for workers to work safely in a safe environment. It should be noted that the items are not discussed in the order set out above.

The strategies to prevent accidents involving hazardous substances must aim at the earliest possible link in the chain of causality. Accident response should be used as a source of information to stop similar accidents from happening. This self-evident statement is often modified



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by arguments on cost-benefit basis, but it has to be the starting point of any effective guidance. Trade unions and particularly workers employed by companies involved with hazardous substances are often receptive to the employer's argumentation on competitiveness and its relationship to employment. One function of responsible trade unions is to protect workers from themselves.

After the spectacular and well publicized accidents of recent years, a new phenomena has emerged; workers employed by chemical, nuclear or otherwise hazard-involved companies are subjected to criticism by their neighbours and friends for the dangers which their work causes. This, properly used, can provide a good starting point for intensified education on environmental issues.

The most important factor in ensuring the co-operation of workers in accident prevention at plant level is the existence of well-functioning channels for workers to receive information and to pass on initiatives and complaints being able to trust that what they say is seriously considered.

The safety committee and the safety representative should be involved in the planning of changes in the production process or in the substances involved. One useful approach is that of collective agreement covering the Finnish paper industry which stipulates that no new or substantially changed conditions of work can be introduced, until there is agreement with the local trade union.

Workers should be represented in preparing and updating a hazard analysis of the worksite. It should cover the substances themselves; the process and the equipment; the operating procedures and the relations between the workers and the job.

All of the above requires that there is good communication between management and workers as well as among workers. For workers of hazardous installations, a set of instructions is not enough. They must have a broad understanding of the process as a whole and their specific part in it. This is necessary not only to carry out their work, but also to be able to determine what effects a small incident in one part of the process may have on the whole, and how to mitigate that effect.

Trade unions have an important role in promoting safety awareness and the receptiveness of the workers to this information. The communication has to function also from workers to management through their representatives, or directly. Training should encourage workers to note and report any potential safety problems. They should know who to go to. One well-functioning system is to ensure that the workers of every department of a worksite are represented in the safety committee. The department representative should, together with their supervisor, establish an easy system of forwarding remarks to the management and the safety committee.



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It is necessary to establish safeguards against any adverse reaction to safety concerns presented by workers. This can be done by legal or contractual guarantees, but more importantly by management training which should emphasize the advantages of workers' pointing out potential problems.

Hazard premiums (higher pay for dangerous work) should be avoided and discouraged jointly by management and trade unions. They contribute to a false sense of safety and function against correcting the problems, partly because this would then mean reduction in earnings.

In many countries, there are legal, contractual or voluntary arrangements whereby people who have to do certain jobs, need specific authorisation for that (driving cranes and fork lifts). This system of licensing could be expanded to cover certain maintenance functions (opening/closing certain valves, pressurizing tanks, etc.) and other functions which involve more than normal risk.

Manning of hazardous facilities should be sufficient to ensure the safety of the facility and to control potential accidents. Specific attention should be paid to sufficient manning during nights and weekends. One-person workplaces should be avoided. Jobs should be designed to avoid safety risks.

Shift work, continuous three-shift work in particular, increases the risk of accidents, because it interferes with normal bodily rhythms. The same is true for daily overtime work. Controls on overtime and shift work should be especially stringent in workplaces where hazardous substances are present.

The workers who are elected to be safety representatives or members of safety committees should have adequate facilities to carry out those tasks. Time should be given at the employer's expense not only for training, but also for inspections, meetings, discussions with authorities, contact with their union and other sources of information.

If environmental issues are added to their workload, the need for external communication is even greater. The adequate amount of time should be determined in relation to the number of workers, the geographical area covered, the complexity of the work and other relevant factors.

A particular problem to the workers are people working temporarily at the worksite. They are not always aware of production or safety procedures and may cause risk by interfering with it. This includes any subcontracting, maintenance or installation work by outside companies and transport workers temporarily at the workplace. No contracts should be signed by the company which involve people of another employer present at the worksite, unless the outside contractor is bound by the same safety regulations and practices that are implemented at the normal production lines. The safety representative should be informed of the presence of such workers and have access to



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them. Before their work begins, sufficient information should be given to ensure that they understand the potential hazards and safety procedures, and that the regular workers know of their presence and task.

Workers, and their representatives where they exist, should participate in decision-making concerning the design of their workplace, the organisation of their activities and the staffing of the installation, to the extent that these may affect safety.

All parties should encourage, and management should promote, full reporting of accidents, incidents, near misses and unsafe situations. Such information should be analysed, and the conclusions of this analysis should be acted upon and used to promote safety. The concept of rewards for safety performance and lowering of accident rates can be counterproductive when they lead to under-reporting of accidents. While the idea of rewards for safety suggestions leading to safe working conditions could be acceptable, in any event safety should be for safety's sake.

Formal mechanisms should exist to ensure that there will be no repercussions to workers for reporting incidents, near misses and unsafe conditions and, in general, for participating in activities related to protection of health, safety and the environment. Trade unions, where they exist, can be effective in assisting workers when problems arise in this respect.

Subcontractors require special attention since evidence indicates that accidents are often associated with subcontracted work. Subcontracted workers should receive appropriate training prior to working in hazardous installations. They should be required to respect the safety rules and practices of the company in which they operate as well as any additional rules and practices particular to their task. In general, subcontractor personnel should only carry out their work under the surveillance, or with the assistance, of appropriate company personnel.

Subcontractors should not be used to perform jobs if this could compromise safety.

Safety considerations should be taken into account in staffing policies. For example, temporary workers should also receive appropriate training prior to taking up their duties and receive continuing assistance, as necessary, by more experienced workers. Furthermore, overtime work should never be scheduled if this could jeopardise safety.



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### INFORMATION, TRAINING AND EXERCISES

Information is the prerequisite of any other action to prevent accidents. "Right to know" is a fundamental right of workers, without which their contribution to safety cannot be expected. It should cover the overall design and functioning of the process they work with. Emphasis should be given to the hazards of their jobs, the health effects of the chemical and other substances with which they come into contact, how to deal with any unexpected events and to mitigate the adverse effects and keep the operation safe.

The safety representatives and committees should have the right to receive any and all information concerning the safety analysis of the worksite, including its supporting studies and documentation. They should also have the right to participate in and receive full information on inspections by authorities, as well as accidents which have occurred.

The safety representatives' and committees' right to know should be expanded to include data on emissions into the surrounding environment and its potential effects in atmosphere, waterways and ground, plants and animals. They should have the right to participate in the preparation of any information material intended for the surrounding community.

The format of the information to be provided to workers should be designed to ensure that every worker understands it. It should contain a simple description of the substance; its potential effects and their symptoms; steps necessary to handle the substance safely and what must be done in case of exposure. A useful approach would be the International Chemical Cards which are being prepared jointly under the auspices of WHO, ILO and IPCS (International Programme for Chemical Safety).

The safety representatives and committees should receive more complete details on the substances present at the facility. They should have the right to make the information available to trade union experts for assistance.

The employer's need for confidentiality (trade secrets) should not extend to the health or environmental effects of a substance nor to ways to mitigate those effects. In properly functioning negotiating structures, sufficient confidentiality can be maintained. The right to know, in this regard, should also cover the trade unions' own experts who assist the union and its local representatives in their control tasks.

Workers and supervisory personnel should be adequately trained. This training must include an understanding of the overall process of the plant and the person's specific function in relation to upstream and downstream parts of the process. Specific training should be given on the hazards of the whole process and those of the individual's own job as well as the steps necessary to ensure safe operation. This training



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should include theoretical instruction, training at the actual place of work, and simulated deviations from the normal situation and coping with them, including the worst-case situations. Sufficient training should be given when a new worker is employed and when he/she changes jobs. Periodic re-training should be organised. The training programmes should be under constant review, particularly when the processes change or new equipment or substances are introduced.

The safety committee should be consulted on the safety aspects of the training programmes and the safety representative should be allowed to address new employees on safety issues.

It is important that the training of supervisory personnel happens at least partly together with workers to ensure understanding of everyone's functions in different situations.

In addition to the company-specific training, workers and in particular members of the safety committee and the safety representative should have the right to attend training courses on health and safety issues organised outside the worksite, for example by their trade unions. This training should take place without loss of earnings. National safety committees should also organise their own training courses for both supervisory personnel and workers.

Workers should be involved in the preparation of on-site and off-site emergency plans, along with representatives of management, workers, local authorities and representatives of the public.

Workers should be involved in the testing of the emergency plans first to ensure the execution of the plan and then to keep them clearly in everyone's memory, including subcontractors' workers and other workers temporarily at the worksite. Before any workers start to work, they should be given clear, concise instructions on what to do in an emergency.

Workers, and their representatives where they exist, have the right to comprehensive information of relevance to the prevention of, and response to, accidents involving hazardous substances. Consistent with this, mechanisms should exist to protect commercial or industrial secrets where necessary.

Training is essential to allow workers to fulfill their responsibility to perform their job safely. Therefore, training should be given before undertaking normal duties and follow-up training should be given regularly. Training should be considered as part of the workers' job for purposes of time spent and wages.

Training and retraining should be broadly-based so that workers have an understanding of the whole plant process, not just specialised knowledge of their own immediate tasks and responsibilities. For training to be



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effective, workers and their representatives need to be involved in its development, testing and subsequent revision.

The cost of developing and implementing training programmes should be paid for by the employer. Training should be carried out on the job and may be supplemented by external training, e.g., through unions. Additional funding mechanisms could be explored.

Training is a specialised skill and every effort must be made to ensure that the trainer is a high quality communicator. In many cases, the best trainers will be workers in the plant who have first hand experience in working safely and who are more likely to enjoy the confidence of their colleagues and be able to communicate in a manner easily understood.

There should be mechanisms in place for ensuring that training actually works. This means paying close attention to some form of feedback system. This could include the direct job observation or more sophisticated methods such as simulation tests. Training should be modified to reflect changes in the process used, technology applied and procedures followed at the installation.

#### ISSUES SPECIFIC TO GROUP-STRUCTURED COMPANIES

There are various issues which are specific to multinational enterprises or other companies structured as a group. In this regard, the definition of the OECD Guidelines for Multinational Enterprises is adequate (Introduction, paragraph 8): "These usually comprise companies or other entities ... so linked that one or more of them may be able to exercise a significant influence over the activities of others and, in particular, to share knowledge and resources with the others". The Guidelines reflect "good practice for all" (paragraph 9) and are thus relevant also to domestic companies.

An important issue in preparing the guidance document is the relations with non-OECD countries and companies operating in them. When establishing themselves in other countries, companies should not use processes or substances which are considered too hazardous in their home countries. The standard of safety of their subsidiaries should follow the best prevailing standard in any country where they operate. Admittedly, measuring this standard will cause some difficulty when infrastructures are at different levels, but solutions should be found to overcome those.

The workers' right to know the hazards they are exposed to cannot be fully exercised, if they and their trade unions do not have access to corporate strategies and investment and production plans concerning





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hazardous substances. One useful approach is to establish group-level safety committee with similar rights as the local plant-level safety committees (see Section C), regardless of whether the group is multinational or domestic. That committee could have consultative rights at corporate level, including access to those in management who decide on the relevant issues. There should be a group-level hazard analysis covering all installations and including the flows of hazardous substances between the various entities of the group. The group research and development data on the hazardous substances should be made available to workers and their representatives.

Unless the workers have access to group-level information and consultation, they are not in a position to form an overview of the safety concerns which affect them in each subsidiary. An ongoing exchange of information on the various substances and processes used at different parts of the company as well as exchange of experience on safety training, accident reports and other relevant material can be very useful in strengthening accident prevention. It would also give more credibility to any corporate safety policy.

The OECD Guidelines contain a specific reference to the consideration which companies are expected to give to, i.e., protection of environment and consumer interest (General Policies, paragraph 2). In 1985, the CIME (Committee of International Investment and Multinational Enterprises) adopted a clarification of this reference (see Annex II). As neither of these passages refers to any participation of workers, other than as recipients of training, they should be complemented by the guidance document.

Division of responsibility for accident prevention and response within the management of a company is an issue relevant to each enterprise. However, it is even more crucial regarding group-structured companies. Paragraph 8. of the OECD Guidelines' Introduction states that "The Guidelines are addressed to the various entities within the multinational enterprise (parent companies and/or local entities) according to the actual distribution of responsibilities among them on the understanding that they will co-operate and provide assistance to one another as necessary to facilitate observance of the Guidelines".

Multinational enterprises should apply equivalent policies concerning accident prevention and response and the role of workers and their representatives when operating in other OECD countries and non-OECD countries. The means for implementing these policies should be adapted to the particular needs and circumstances of the local facility. Multinational enterprises and suppliers should provide equivalent chemical process information to workers in other OECD and in non-OECD countries.

Member countries should provide assistance to developing countries in setting up programmes to prevent accidents. Trade unions and their international organisations may be of assistance with such programmes.