

RESPONSES TO GUIDING QUESTIONS

Note: These questions will guide the presentations and dialogue sessions during the Workshop. Therefore, we kindly ask all participants to send their answers to the OAS before October 15 (aangarita@oas.org). Due to the number of questions, we suggest participants to give emphasis to those questions where their country has more experience and lessons learned.

Theme 1- Promotion of safety and health in the workplace and worker protection: guaranteeing decent work

- Is there a national policy on OHS in your country in line with ILO Conventions 155 and 187? Is there a national strategy/plan of action on OHS in your country? What are the strengths, challenges and lessons learned of their design, implementation, and enforcement?

R: Currently Barbados has no national policy in line with ILO Conventions 155 and 187. There is new legislation addressing all categories of workers except workers in the armed forces, domestics in private household and some aspects of work on-board ships that are exempt. This legislation – the Safety and Health at Work Act, 2005 is yet to be proclaimed. The Safety and Health at Work Act places more responsibility on employers to ensure the safety of their workforce by conducting risk assessments, and requirements to develop workplace polices. Enforcing Officers also have more authority, in that, there are provisions in force for the issuing enforcement and prohibition notices. This Act is more comprehensive than the current legislation, the Factories Act Cap. 347. Additionally the new Act makes provision for the right to refuse dangerous work. Regulations to support the Act are very necessary and drafts are in circulation to the representative tripartite organizations.

There is currently a national profile being drafted. It is still very much in the developmental stages and guidance is taken from the ILO Guidelines for the preparation of a National Profile on Occupational Safety and Health, and ILO Guidelines on Occupational Safety and Health Management Systems.

- Were situational analyses and/or country profiles used in developing OHS policies/plans of actions and how were they used?

R: In the absence of policies, observation of trends in the different economic sectors often guide plans for focus on inspections, training and educational outreach programmes. For example, in 2002 there were two fatalities in the construction sector involving trenching. As a result, inspection activity in the construction sector was heightened. Seminars and workshops specific to safety in the construction sector were hosted and guidelines relative to working safely in the

construction sector, based on the ILO convention on construction safety (C 167) and tripartite discussions were initiated.

- Have actions on OHS at the national level (e.g. legislation, policies and programs, technical and promotional activities and training) used existing international guidelines from the ILO, PAHO/WHO or other, as a reference? Please provide examples.

R: Provisions of the Safety and Health at Work Act, 2005 were based on the ILO convention 155 and recommendation 164. The draft guidelines for the Construction sector and the policy for the Agriculture sector were prepared using the ILO conventions C167 - Safety and Health in Construction and C184 - Safety and Health in Agriculture, respectively, as a basis. Technical assistance was also received from the ILO during these processes.

- Are you aware of the commitment assumed by ILO member States to comply with decent work in the context of OHS, as outlined in the *Hemispheric Agenda for the Americas 2006-2015*? What are some of the decent work indicators related to OHS that are currently implemented at the country level? How are these indicators evaluating OHS actions and their contribution to policy development?

R: The Ministry of Labour is aware of the commitment assumed by ILO member States to comply with decent work in the context of OHS.

The decent work indicators of employment opportunities, remunerative employment and conditions of work have been discussed with an aim to improving conditions of work to attain acceptable standards. The Ministry of Labour organized a two day decent work workshop in December 2007 in collaboration with the ILO; and a follow-up to that workshop in April 2008 with specific focus on decent work issues in the tourism sector.

Some of the indicators observed include an increased level of safety organization and establishment of active and functional safety and health committees; and an increase in the requests for training for employees and for members of safety committees. As a result of special attention to the construction sector, there has been a noticeable reduction in serious accident reportable to the Labour Department. Both the Financial Services Sector and the Construction Sector have become more organized in relation to OSH.

Conditions of work are monitored by inspections by Labour Officers and Safety and Health Officers. Current legislation guides these inspections, some of which are under review. Compliance to legislation and Custom and Practice generally obtain in Barbados. As such, where there is an absence or weakness in statutory instruments, the workers are not disadvantaged. The Labour Department has guidance document for formulation of OSH policy in the hospitality sector and will next prepare a general guidance policy document.

- Within your country, is there coordination among various Ministries to implement OHS interventions and policies? Is there an institutional mechanism for inter-Ministerial coordination to take place? What are the strengths and challenges of coordination?

R: There is no formal documented coordination among various Ministries, however, there are regularly scheduled meetings of Permanent Secretaries of all Ministries. While the focus of these meetings is not specific for OSH matters, they may and

have been raised during such fora. There is coordination between the Ministry of Labour and other Ministries as outlined below.

- The Ministry of Agriculture which hosts the Pesticides Control Board (PCB). The PCB considers the safe use of pesticides relative to the effects on users and other persons exposed; and the impacts on land and water supplies. The Labour Department is represented on the Board. There is also collaboration with the establishment of an agriculture policy.
- The Environmental Protection Department (EPD) hosts the Chemicals Control Board (CCB) which monitors chemicals on the island, and the Risk Analysis and Monitoring Committee on Industrial Development (RAMCID) which oversees national industrial development. The Labour Department is represented on both committees. The EPD is also in the process of undergoing the strategic approach to international chemicals management (SAICM) project which includes revising the National chemicals management profile among other things.
- The National Insurance Office provided to the Labour Department information in relation to payees of injury benefit. This allows the Labour Department to follow-up on unreported accidents and monitor injury and disease trends in the workplace.
- There is a more informal arrangement with the Environmental Health Department where joint visits are executed when necessary and there is a high level of cooperation and sharing of information.
- The Labour Department hosts the National Advisory Committee on Occupational Safety and Health (NACOSH) which meets monthly and advises the Minister of Labour on safety and health related matters. The agencies represented on the committee include the Barbados Fire Service, the Barbados Employers' Confederation, the Congress of Trade Unions and Staff Associations of Barbados, the Environmental Protection Department, the National Insurance Office, the Barbados National Standards Institute, the Barbados Association of Medical Practitioners, the Barbados Association of Professional Engineers, the Barbados Small Business Association, the Barbados Manufacturers' Association, the Construction Sector, the Ministry of Agriculture, and the Ministry of Health.

The strengths associated with co-ordination among various ministries can be summed up as follows:

- discussion and decision making is convenient during a meeting where the mandate of each agency would be considered.
- there is also an opportunity to benefit from diverse expertise and shared knowledge and in some cases resources. Arrangements have been made for successful borrowing and lending of technical equipment as a result of such interaction.

One of the main challenges is the irregularity of meetings, as this sometimes inhibits the speedy conclusion of matters. There are in some instances legislative restraints with particular regard to the mandate of specific agencies.

- How have employers, workers and their representatives participated in the definition, implementation and/or evaluation of OHS policies?

R: The employers and employees organizations are invited to participate in all major discussion either through meetings or circulation of documentation. All concerns raised are addressed. They were involved in the discussion of the draft Safety and Health at Work legislation and their comments contributed to the final document. They are currently involved in reviewing the regulations. They are

also invited to be represented at seminars and workshops hosted by the Labour Department. There is tripartite representation on NACOSH as well as a multi-agency approach as was outlined in the previous response.

- What successful experiences demonstrate the commitment of employers, workers and their representatives to enhance OHS in the workplace? This may include their participation in national tripartite bodies dealing with this issue, such as OHS National Councils, as well as committees in the workplace and initiatives that promote healthy workplaces.

R: During 2004 to 2005, NACOSH activities included two (2) occupational safety, health and wellness surveys. One was a comprehensive survey among employers and employees with-in a cross-section of industrial and non-industrial workplaces, with respect to building related illnesses, repetitive motion injuries & ergonomics and non-communicable diseases. The other was based on empirical, scientific testing of a range of Indoor Air Quality (IAQ) indicators within a selection of industrial and non-industrial workplaces. The reports were submitted to the Labour Department and serve as useful baseline data. Both employers' and workers' organizations host regular scheduled training for their members which serves to enhance and reinforce safety and health practices in the workplace. The Labour Department hosts a biennial safety and health week of seminar and workshops addressing specific issues or relevant to specific sectors, which are always well attended. There has also been an increase in the number of joint safety and health committees being established in organizations.

In collaboration with:



Theme 2 - Expansion and strengthening of schemes to prevent and control occupational hazards

- Describe effective programs and occupational health services in your country designed to prevent and control work-related injuries and diseases. Have these programs been expanded or strengthened during the last 5 years?

R: The Occupational Safety and Health Section of the Labour Department has responsibility to enforce labour legislation and to promote safety and health 'best practice' towards the achievement of acceptable working conditions in Barbados. The Department pursues this goal, by working collaboratively with employers, workers and their representatives, through a national programme which includes: routine factory inspections; complaint and accident investigations; responding to concerns; public awareness training and consultancy.

In 2007, the safety and health inspectorate was increased from 4 to 9 officers. This enhanced the functions and services offered by the Department and in so doing, enhanced the development of an appropriate structure to assist with the

effective monitoring and enforcement of the legislation, through routine inspections and other activities.

There are ongoing training and awareness activities by the Labour Department. National Safety and Health Week is one such OSH awareness campaign and is hosted every two years. Other training programmes are conducted upon request. Training is done for: workplaces of all categories; trade unions and employer organizations; training institutions; safety committees and the general public. Health services are provided at the national level, free of cost via a network of polyclinics and one general hospital. There is no formal occupation health service; however, workers may seek medical attention at the polyclinics or hospital. Occupational health services are available at some larger undertakings, which have in-house nurses and some undertakings have made arrangements with medical service providers, for their employees. Other agencies involved in environmental exposure monitoring are the Environmental Health Department and the Environmental Protection Department.

- What is the role of information systems in these preventative interventions? How effective are they in providing accurate information that allows for the monitoring and assessment of the interventions?

R: Statistics generated and made available through information systems can be analysed and used to develop strategic plans and revise policy as it becomes necessary. This is especially so from sites generated by regulate government or private institutions and agencies.

The print and electronic media also provide a wealth of useful information concerning the safety and health principles and the legislative requirements in terms of the duties and responsibilities of both employers and workers. Educational material which covers an extensive range of specialized areas including, Construction, Safety Committees and Consultation, Ergonomics and Chemical Safety have been produced by the Labour Department.

The website of the Labour Department in association with the Ministry of Labour is currently being reviewed and enhanced. This information system will offer access to the role of the Department; information pertaining to safety and health; excerpts from the labour legislation; links to related international fields for OSH research and a forum where members of the public may pose questions concerning OSH or express workplace complaints and receive responses. It will also promote the services offered by the Ministry of Labour.

- Which institution(s) have OHS information systems in your country? Do they share or coordinate the exchange of information? What are the characteristics of OHS information systems in your country? Do they focus on work-related injuries, diseases or both? What are the strengths and challenges of the systems?

R: The Occupational Safety and Health Section of the Labour Department is responsible for the management of occupational safety and health in the island. There is a national system based on legislation for recording and notification of all work-related injuries and diseases which disable workers from employment for more than three days.

The National Insurance Department (NID) is the agency responsible for the administration of the social security scheme. The NID is also involved with the collection of the statistics of occupational accidents and diseases. Statistics are collected by the National Insurance Department through the submission of claims. In most cases, the incentive of workers' compensation guarantees or highly motivates the submission of claims to be processed. Therefore these statistics tend to be closely reflective of the actual number of occupational accidents and diseases which occur. They may be used to forecast hazardous trends and can in turn be used as a preventative intervention tool.

There is no existing national system for the management of industrial chemicals. Hazardous waste disposal has been developed and administered by the Environmental Protection Department (EPD). The EPD monitors, controls and regulates all aspects of environmental pollution. This Department has the function and responsibility of environmental management and building development control; and is guided by the Health Services Act (1969) under the purview of the Ministry of Health.

Research done by the Epidemiology Unit of the Ministry of Health is readily available for use in the development of strategies and policies.

- How is labor inspection helping strengthen a culture of prevention and control of occupational hazards in your country?

R: As a result of labour inspection, there has been a heightening in the awareness of OSH and the need to develop a culture of safety and health in the workplace. This interest is evidenced by an increasing number of requests for information, training and surveys as they relate to occupational safety and health.

- How can the quality and sustainability of information systems be maximized for the use in OHS interventions and programs?

R: The use of a central database with all information in one place which is maintained and updated regularly may prove to be more easily accessible. In addition to the use of print and electronic media by the Labour Department, other forms of media could be used to reach informal and other sectors. Information can be shared via: the national print media; television; call-in programmes; mass mailing drives; the curriculum of students of secondary and tertiary institutions; and during national events such as the National Independence Festival of Creative Arts. Another means of enhancing and sustaining the information systems can be the continued participation in the various public relations programmes organized by governmental and non-governmental agencies.

Theme 3- HIV/AIDS in the workplace

- Is there a specific legislation, policy or strategy in your country that addresses the issue of HIV/AIDS in the workplace?

- If so,
 - how was it designed? Was it based on a diagnostic of the labor, social and economic conditions of people living with HIV/AIDS? Is it a national or a sectoral response? Has it been agreed upon by various sectors, public and private institutions?
 - how is it being implemented? Are there any programs directly implemented by employers, workers and their representatives, or are they just participating through the national policy or strategy?
 - Are there any mechanisms in place to measure the cost effectiveness of interventions in the workplace that respond to HIV/AIDS?

R: *There is no specific legislation that addresses the issue of HIV/AIDS in the workplace.*

The National HIV/AIDS Commission of Barbados has a national policy as well as a strategic plan 2008 - 2013 for HIV prevention and control. The Barbados National HIV Policy is an evolving policy based on the dynamics of the pandemic. It is multi-sectoral, developmental and human rights based. The Barbados response to HIV placed emphasis on medical treatment and care for persons living with HIV (PLHIV); the reduction of stigma and discrimination; and prevention including information, education and communication programmes. As this is maintained, emphasis also needs to be shifted to communication and advocacy for behaviour change in order to reduce the incidence of HIV. HIV/AIDS was seen as more than a general health problem, but considered it to be a national issue because of the potential of the pandemic to undermine the socio-economic and social fabric of the society. The National HIV/AIDS Commission oversees the country programme and as such meets regularly with all relevant sectors, including both private and public sector entities.

The national strategic plan is guided by the policy, and outlines the plans for the future. Most employers and workers organizations have systems in place to address HIV awareness and relevant activities among their memberships. Some specific employers have initiated programmes specific to their organizations, while others have sought to address it from a public outreach initiative. Most organizations however do not have policies or programmes specific to HIV. Surveys and studies are only now really being developed to assess the efficacy of programmes initiated and sustained. This will be critical in determining the best way forward.

There was no information available to suggest that there are cost effective mechanisms in place to measure interventions in the workplace that respond to HIV/AIDS.

- How are the ILO Code of Practice on HIV/ AIDS and the World of Work and the ILO/WHO Guidelines on HIV/AIDS currently implemented in your country?

R: *The ILO Code of Practice on HIV/AIDS and the World of Work is used to guide and aid in the development of policy. It is distributed among the workforce by the Barbados Employers Confederation (BEC) and the Ministry of Labour. In addition to this, the BEC also has two printed guidelines which they distribute to their membership. One is for managers and supervisors titled 'Dealing with AIDS in the Workplace' which was first printed in 1995 and revised in 2001 and is currently under revision again; and the other titled 'HIV and AIDS Stigma and Discrimination in the Workplace' launched in 2004 and revised in 2008. The*

Ministry of Labour also distributes the Social Partners Code of Practice on HIV/AIDS and other life-threatening illnesses. In these guidance documents, prospective and current employees are not obligated to disclose HIV status.

- What are some of the challenges that your organization/country have faced in implementing the aforementioned Code and Guidelines? What are potential solutions to address these challenges?

R: *Barbados is a small society (274, 700 persons in 2007 population census) and for this reason, there is a fear about confidentiality. Confidentiality may be defined as the right of every person to have their health and personnel information kept in a private manner. The right to privacy must be protected. It will be necessary to have the officer responsible for human resource management information system and HIV/AIDS issues specifically, trained in the principles and application of data collection. The ILO Code of Practice on the Protection of Workers Personal Data would be an ideal guide document.*

- In your experience, what are some effective interventions to reduce discrimination/stigmatization in the workplace for people living with HIV/AIDS?

R: *In the absence of surveys or studies to determine whether behavioural change is exhibited after exposure to different forms of interventions, informal assessments have determined that peer education and behavioural communication change are effective mechanisms. Workplace driven programmes have been found to be a positive mechanism. A manufacturing company that was exposed to intensive peer education and behavioural change programmes has seen positive results in the attitudes of workers. The Ministry of Labour recently completed one survey based a billboard that was erected in a fishing district. The findings are to be officially released.*

- In your experience, what are some effective preventative interventions to protect workers at elevated risk of contracting HIV/AIDS due to the nature of their work?

R: *The universal precautions represent the standard set of infection control precautions that must be used consistently. All workers are asked to follow the universal precautions to prevent the spread of HIV and AIDS through practicing proper hygiene. These safety measures consist of the following:*

- *Careful handling and disposal of needles and all other sharp objects;*
- *Use of disposable gloves when handling wounds or cuts;*
- *Use of 'freshly' diluted bleach (1 part bleach to 9 parts water) to clean spilled blood and bodily fluids;*
- *Hand-washing immediately after exposure to blood;*
- *Proper disinfection of instruments, equipment and soiled linen.*

The inclusion of peer counseling; improved access to voluntary counseling and testing (VCT) facilitated by the employer; and the provision of adequate safety training for employees in high risk occupations is critical.

- In your experience, what are some effective interventions to prevent HIV/AIDS in the workplace and to promote healthy workplaces in relation to HIV/AIDS?

R: *The ILO/USDOL implemented a workplace education programme called Strategic HIV/AIDS Response in Enterprises (SHARE). The introduction of Peer Education and Behavioural Change Communication (BCC) has been found to be effective in the companies to which they were introduced. One of these was the manufacturing company previously referred to. Encouraging companies to accept the corporate responsibility of encouraging and sustaining a safe and healthy workforce is also critical.*
