



## **THIRD HEMISPHERIC WORKSHOP ON OCCUPATIONAL HEALTH AND SAFETY**

*An activity of the Inter-American Network for Labor Administration (RIAL)*

October 21 and 22, 2008 – Cusco, Peru

### **SUMMARY OF DISCUSSIONS AND LESSONS LEARNED**

#### **DESCRIPTION**

The Third Hemispheric Workshop on Occupational Health and Safety was held in Cusco, Peru on October 21 and 22, 2008. It was organized by the Ministry of Labor and Employment of Peru and the Organization of American States (OAS), in partnership with the Pan American Health Organization (PAHO) and the International Labor Organization (ILO), and funded by the Government of Canada, through the contribution it has provided to the RIAL.

It was attended by specialists and officers responsible for OHS issues from 26 Ministries of Labor, representatives from COSATE and CEATAL, international organizations, experts, and OHS collaborating centers.

This document presents a summary of discussions and lessons learned during this Third Workshops. These are complemented by some strategic guidelines (*in italics*) that emerged in the Second Workshop on OHS, held in May 2006, in El Salvador. The purpose for including the guidelines of the Second Workshop is to consolidate in one document the discussions held among experts on this matter and facilitate countries in identifying the recommendations and actions that might be undertaken on OHS.

Additionally, at the end of this document some next steps have been included.

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

- Inclusion of the subject of occupational health and safety (OHS) in national policies, national development plans and decent work programs places it at the highest level in each country and strengthens actions now being carried out in different areas. Therefore, this inclusion should be promoted in each country.
- The countries need to decide to have a national strategy to prevent and control work-related injuries and diseases. Some countries have been successful in developing prevention strategies, others in developing effective strategies that integrate international experiences and national capabilities including tripartite and multisectorial participation. Some examples are the elimination of asbestosis, reduction of the use of pesticides and the elimination of the silicosis in the Americas.
- It is a well-known fact that most of the region's countries have intersectoral tripartite bodies that have contributed to developing occupational risk prevention strategies and play an important part in consolidating a culture of occupational health and safety. Accordingly, they must be strengthened on an ongoing basis.

*Strategic Guideline:*

*The tripartite focus should continue to be consolidated, reinforcing the concept of shared responsibility on OHS. Technical efforts in this area will be insufficient or scarcely effective if they cannot be backed up by a strong culture of dialogue that involves all sides in a constructive effort to carry out the mandates of the Summits. Social dialogue guarantees that technical efforts and political priorities enjoy consensus and legitimacy.*

- In developing national OHS management systems, most countries have made progress with regard to the following aspects:
  - a. Development of national assessments and applied research, emphasizing a need for impact indicators in this area;
  - b. Design of national action plans and development of specific projects;
  - c. Existence of National intersectoral, interagency and tripartite structures;
  - d. Efforts to update OHS legislation to include the principles contained in the main ILO international conventions and recommendations in this area and to regulate aspects related to management programs in companies, risk management and evaluation undertaken by company peer committees (“comités paritarios”), and the operation of those committees;
  - e. Strengthening of self-management systems and development of company educational and training programs as useful tools in disseminating occupational risk prevention.
  
- However, there are elements remaining to be strengthened to ensure the articulation of national OHS management systems, such as:
  - a. Design National policies promoting a culture of occupational risk prevention and establishing the main guidelines in this area;

*Strategic Guideline:*

*It is necessary to formulate national policies on occupational safety and health that reaffirm the commitment of the states in the promotion of effective action in this area. These national policies should have an inter-sectoral focus.*

- b. Strengthen initiatives for interagency and intersectoral coordination in implementing OHS actions that provide for broad partnerships between government, employers’ and workers’ organizations, civil society organizations, and specialized professional organizations;
- c. Improve systems for recording and notification of occupational accidents and professional diseases to obtain relevant data for use in defining priorities and strategies.
- d. Undertake national assessments, which should be accompanied, insofar as possible, by the development of national surveys on occupational health and safety conditions;
- e. Expand the coverage of social security system occupational risk records;
- f. Efforts to include OHS at all educational and training levels, through the pertinent institutions in each country.

*Strategic Guideline:*

*To build a genuine culture of prevention in OHS it is necessary to include this issue within the educational content, even from the basic level. Therefore, in the framework of the strategic alliance among the labour, health, education and environmental sectors, work will be carried out to incorporate the teaching and promotion of OHS into study plans.*

- In the framework of national action in the OSH area, it is of vital importance to develop strategies that target high-risk sectors (agriculture, construction, mining, and shipping). In

fact, many countries mentioned they give a high priority to improving safety and health in those sectors. It is also essential to design innovative strategies to address the informal economy and work systems that have become widespread, such as subcontracting.

- Programs must be promoted that take account of legal mechanisms for joint responsibility in the OHS area by the lead company and the other companies involved in subcontracting chains. Inclusion of the subject must be promoted in public works contracts.

*Strategic Guideline:*

*The large corporations incorporate occupational safety and health management systems into their processes with the outstanding collaboration of their labour organisations, which contributes to a good labour climate and competitiveness. As a contribution of the business community, the large corporations promote good practices among its providers, helping them in applying these practices, which in turn contributes to the development of medium- and small-sized enterprises. (Text jointly drawn up by COSATE and CEATAL)*

- Active worker participation in OSH must continue to be promoted through access to information and training that facilitate their active participation in company peer committees (“comités paritarios”)<sup>1</sup>, through collective bargaining and through the exercise of the right to refuse to do a job that may involve grave and imminent risk to their health. Workers also have a duty to cooperate with their employers in complying with OHS measures in their workplaces.
- Given the region’s large percentage of micro and small-sized enterprises, it is important to promote specific assistance programs for them and disseminate among them tools for risk management, consistent with an OHS management systems approach.
- Recent efforts are recognized, such as the regional trade union strategy on occupational health and safety designed by the Trade Union Confederation of the Americas, whose action plan establishes, among other objectives, the participation of workers in the design of policies and proposes to design, on a tripartite basis, monitoring and evaluation indicators.
- Corporate social responsibility begins where the employer’s legal obligation ends, and goes beyond it through beneficial investments that include training programs, awareness-raising, and implementation of management systems. It entails being effective in generating a culture of prevention that not only improves the work environment but also impacts productivity.

*Strategic Guideline:*

- *The management systems will make it possible to introduce the companies into a virtuous circle where OHS stops being an isolated and momentary event but is converted into an element of continuous improvement of conditions of work, health and safety of workers, the productivity and competitiveness of the company. To that extent, these management systems should be promoted following the available international models of a general character like the ILO guidelines, or of a sectoral character such as the PAHO Health and Safety Manual for health sector workers. Likewise, the adoption of these management systems requires adaptation of these models to the reality, the sector and the size of the company. Therefore, the design of the actions for the implementation of management systems should give priority to small and micro-enterprises as well as those in the informal sector, with the goal of facilitating the fulfilment of existing laws.*

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<sup>1</sup> CEATAL representative requested to include his disagreement with the participants of the meeting. From his point of view, the company peer committees (“comités paritarios”) should be created through collective bargaining not through national legislation.

## **PANEL 2 – “Expansion and strengthening of schemes to prevent and control occupational hazards”**

### **Summary and Lessons Learned on OHS information systems**

#### *Strategic Guideline:*

- *Incorporate the information systems within a broader framework of knowledge management that includes investigation, analysis of information, and quality control, utilizing the new information and communication technologies.*
- One of the roles of information systems is to collect useful data that focuses on preventative action. Additionally, surveillance data is very useful to evaluate the degree of success of an intervention. One example is an ongoing project to prevent occupational exposure to blood-borne pathogens among health care workers in the Region.
- The success of information systems depends on the completeness of data. Data may be collected by many agencies, as it actually happens in many countries, but it is important that people who need to use the data are able to access it completely. With respect to occupational health and safety strategies, it is important to have communication, collaboration and agreement among different stakeholders that are collecting, sharing and applying data.
- Many institutions have health and safety information such as the Ministries of Health, Labour, Social Security, and Environment. Experience has demonstrated that through research and epidemiology some Public Health information is more accurate and relevant to the occupational health and safety sector.
- It is important to consolidate the region’s existing health and safety information platforms and networks so as to be able to continuously share successful experiences and work in a coordinated manner across countries.

#### *Strategic Guidelines:*

*Make an inventory of regional and sub-regional initiatives related to OHS information systems in order to identify common aspects and weaknesses (ILO-PAHO). Take advantage of the progress made in the production of OHS information in the region (both at the country, sub-regional and regional level), despite its current limitations, in order not to start from zero in building information systems.*

*Consolidate the knowledge base on OHS for prevention purposes in order to promote the exchange of information and good practices through the establishment of a web portal for the Americas, for which the Canadian Centre for Occupational Health and Safety (CCOHS) can provide technical support.*

- Part of strengthening a national occupational safety and health scheme is to conduct research on country needs, which needs to be written in a language that can be easily understood and used by workers and workplaces to make positive changes. If possible, research results and documents should be provided freely. It is necessary to develop practical research to support OHS goals.

#### *Strategic Guideline:*

*Publish information on work-related accidents and professional illnesses and make this information accessible to the general public. In this vein, improve the web pages of Ministries of Labor and other institutions that publish this information. Likewise, make the*

*information and results of surveys periodically carried out by international institutions more accessible to the public.*

## **Summary and Lessons Learned on Systems of Registry and Notification of Work-related Accidents and Professional Illnesses**

### *Strategic Guidelines:*

- *Develop and strengthen information systems on occupational safety and health for the registry and notification of work-related accidents and professional illnesses with the goal of defining intervention priorities and prevention management in the workplace and on the national level.*
- *Incorporate indicators on work-related accidents and professional illnesses within the basic health indicators for the Americas, based on the available international regulations.*
- *Harmonise and standardise definitions, indicators and criteria of collection and analysis on work-related accidents and professional illnesses, based on the available international regulations.*
- *Promote strategies of coordination at the national level among social security, public health, labour and private sector institutions and organisations in the framework of a national system of registration and notification to achieve a unified registry on work-related accidents and professional illnesses. These strategies will be carried out in collaboration with other programmes and projects that exist at the sub-regional and hemispheric level and with the participation of governments, workers and employers. Ask for support from the ILO and PAHO in this process.*
- *Include training in occupational medicine within the study programs of health professionals, especially regarding the recognition, diagnosis and treatment of professional illnesses.*
- *The systems are more focused on worker compensation. In spite of the progress that countries have shown, underreporting of occupational injuries continues. However, the vast underreporting of occupational illnesses remains the highest challenge.*
- *The challenges of information systems are:*
  - *Identifying all workers in both the informal and formal economies; capturing all of the important factors for human health, e.g. physical and mental exhaustion due to work.*
  - *Developing a comprehensive system that captures all occupational safety and health data.*
  - *Producing data that is updated, adaptable to new requirements, regularly improved and rapidly retrievable.*
  - *Incorporate data on exposure to selected occupational hazards e.g. Silica.*

### *Strategic Guideline:*

- *For the implementation of systems of information and registration, take advantage of the offers of technical and financial assistance in developing these core strategies, especially from the Canadian Ministry of Labor, the Programme on Work and Health in Central America (SALTRA), CCOSH, PAHO, ILO and OAS.*

## Summary and Lessons Learned on Labor Inspection Systems

- In view of the importance of OHS inspection systems, priority must be given to expanding their coverage and human resources, building their capacities, and strengthening their prevention and advisory approach, as well as their oversight of the application of laws and regulations.

### *Strategic Guideline:*

*Strengthening of the labour inspection systems through better planning and the availability of competent human resources and sufficient financial resources in line with the resolutions of ILO Convention 81 (on Labour Inspection in Industry and Commerce) and Convention 129 (Labour Inspection in Agriculture).*

- OHS inspection systems must make integrated efforts with other entities in their countries that also have inspection competencies, such as the health, environmental, and social security sectors.
- Labor inspectors need to develop new approaches and techniques to assist micro, small and medium-sized companies and the informal economy in order to improve OHS in those labor environments.
- To guarantee that labor inspections contribute to improving OHS in the workplace and to strengthen a culture of prevention and control of occupational hazards, it is necessary to assess the impact of inspections.
- Given that there are few labor inspectors it is important that others assist their work. Health and safety committees are one way to have more people inside workplaces complementing the work of labour inspectors. Other mechanisms are public outreach programs, including dissemination of information, that are undertaken with stakeholders such as unions, employer and community organizations.

### *Strategic Guidelines:*

*Consolidate the actions of forming and training of the social actors according to their framework of responsibility in OHS area. Likewise, strengthen the training of technical and professional teams in OHS.*

*Underscore the importance of public information programmes within which the use of mass media, such as the television, is recommended in order to raise awareness and train in the OHS area.*

- Some countries are using self-management tools on OHS. The government has a verifying role and should impose severe penalties for false reporting thus enabling the system to become more transparent.

### **PANEL 3- HIV/AIDS in the workplace**

- It is acknowledged that HIV/AIDS<sup>2</sup> pandemic has an impact in the world of work, as it increases the costs of labor, reduces productivity, decreases available skills and threatens the compliance with fundamental Rights
- The workplace is a propitious space to address HIV/AIDS sensitization and education actions, because it is a natural space for interaction and learning. The enterprise's environment can favor preventive programs and contribute to reducing the incidence of this scourge.
- Countries have adopted legislation on HIV/AIDS which, in some cases, include specific considerations on the treatment of this issue in the world of work. Additionally, there is a regional trend of approving specific legislation and policies on HIV/AIDS in the workplace. Even though it is not possible to make a generalization on the response that each country should have, in terms of macro or specific strategies to tackle this matter, it is important to guarantee that legislation and actions from the State ensure that workers with HIV/AIDS are not discriminated against or stigmatized in accessing or keeping a job.
- The complexity of the problem requires an integral response from different sectors. Not long ago, it was seen as an exclusive responsibility of the health sector. With regards to HIV/AIDS treatment at the workplace, the actions adopted or being planned by various countries in the region are concentrated in three spheres:
  - Prevention campaigns and actions
  - Policies and programs to guarantee non-discrimination
  - Assistance and support
- Some Ministries of Labor are working on including this issue in the inspection agenda. Training is key in this endeavour.
- Some challenges that can be identified in the region are: lack of knowledge of HIV/AIDS legislation in the world of work, lack of harmony between specific HIV/AIDS laws and labor laws, and absence of control mechanisms.
- Some areas that can be tackled in the future are: revision and dissemination of existing legislation, linkages of actions within one national strategic framework, strengthening of the role of ministries of labor – especially on issues of inspection, dissemination of practical experiences in the region, the need to incorporate economic sectors with vulnerable workers (including farmers, migrant workers, health professionals, cleaning services, policemen, among other) and local businesses. To have results evaluations is also an important challenge for the future.

#### *Strategic Guidelines:*

- *Promote actions for employers and workers including persons in training, especially technical and professional students in health sector careers, in order to increase information, knowledge and awareness of HIV/AIDS in the workplace.*
- *Based on an assessment of risks in the workplace, develop prevention programmes to reduce the risk of those workers particularly exposed to HIV given the activities they undertake in their jobs.*

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<sup>2</sup> CEATAL representative requested to indicate that “HIV/AIDS is not a professional disease”

- National legislations, in accordance with International Conventions, recognize that HIV/AIDS tests cannot be used to discriminate or stigmatize workers.

*Strategic Guideline:*

- *Press for the need and use of the guidelines relative to OHS management systems and the repertoire of recommended practices of the ILO on HIV/AIDS as instruments that contribute to drawing up strategies for the workplace that deal with prevention, protection against stigmatization and discrimination in the workplace, access, care, treatment, confidentiality and psychological support.*

**NEXT STEPS:**

- 1) Representatives of the Ministries of Labor will choose three of four themes that were covered during the Workshop and represent priority areas for their respective Ministries. In addition, they will identify the themes that require technical assistance. During the IV Hemispheric Workshop in 2010, each Ministry will provide follow-up on those topics and report on the results.
- 2) As long as the OHS topic is incorporated into the National Programs of Decent Work taking into consideration the Hemispheric Agenda, the ILO will be able to provide technical assistance.
- 3) PAHO commits itself to developing a comparative matrix with the questionnaires answered by the countries for this meeting, as well as to continue developing its action program on workers' health in the region.
- 4) The OAS will continue promoting the hemispheric cooperation on OHS through the RIAL, specifically by incorporating programs on this matter in the Portfolio of Programs and funding bilateral cooperation activities through the RIAL Cooperation Fund, whose next call opens in January 2009.