



ASSOCIATION INTERNATIONALE DE L'INSPECTION DU TRAVAIL
INTERNATIONAL ASSOCIATION OF LABOUR INSPECTION
ASOCIACION INTERNACIONAL DE LA INSPECCION DE TRABAJO
INTERNATIONALE VEREINIGUNG FUR ARBEITSINSPEKTION

الجمعية العالمية للفحص الشغل

МЕЖДУНАРОДНАЯ АССОЦИАЦИЯ ИНСПЕКЦИИ ПО ТРУДУ

SUMMARY REPORT
OF
10TH CONGRESS
17-18 JUNE 2002

International Labour Office, Geneva

English version

10TH CONGRESS OF THE INTERNATIONAL ASSOCIATION OF LABOUR INSPECTION

Geneva, 17 – 19 June 2002

The International Association of Labour Inspection (IALI) holds its Congress once every 3 years, and the 10th IALI Congress was held on 17-19 June 2002 in the ILO Building, Geneva, as in previous years. On this occasion, the key themes were:

1. Securing basic rights at work: how can Labour Inspectorates contribute?
2. “New” hazards (stress, violence at work and other psychosocial hazards)
3. Challenges and expectations for Labour Inspectorates.

127 delegates attended the Congress, including 93 from IALI member countries and 34 observers from non-member countries and the ILO.

Speakers from Europe, Africa, Asia, Australia and North America gave presentations on the above key themes. All speakers provided abstracts or full texts of their presentations, copies of which are available from the IALI Secretariat. For the sake of brevity they are not included in this report, but readers are invited to contact the authors themselves (postal and e-mail addresses are provided in Annex 1:List of Participants) if they would like to see any of the papers. Alternatively readers may contact the IALI Secretariat at:

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The Congress was followed by the General Assembly on 19th June 2002, for which a separate report is available.

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PROGRAMME

Monday 17 June

0830 **Registration, coffee on arrival**

1045 **Welcome and opening addresses**

Gerd Albracht, IALI President, Germany

Assane Diop, ILO Social Protection

1130 **Session 1 : Securing basic rights at work : how can Labour Inspectorates contribute ?**

Chairman : Nils-Petter Wedege, IALI Vice-president, Norway

1.1 Keynote address - Roger Bohning, ILO

1.2 Promoting compliance : inspection and other interventions - Viondette Lopez, USA

1230 *Break*

1430 **Session 1 continued...**

1.3 Conclusions and recommendations of the ILO/IALI conference on Combating Child Labour – Paul Huijzendveld, Netherlands

1.4 Checking general work conditions - Chaker Sahli, IALI Vice-President, Tunisia

1.5 Inspecting general work conditions - András Békés, IALI Vice-President, Hungary

1.6 Companies at the edge of organised work-life - Employees on the edge of the company - Ola Winsvold, Norway

1545 *Break*

1615 **Session 1 continued...**

1.7 Moral harassment at work - Margaret Graf, Switzerland

1.8 Moral harassment and the law in Spain - Ana Escudero Garcia, Spain

1.9 Concluding presentation - Mr. Wolfgang von Richthofen, ILO Safework

1745 *Reception hosted by the Genevan authorities (in ILO)*

Tuesday 18 June

0930 **Session 2 : New hazards**

Chairman : Gerd Albracht, IALI President, Germany

- 2.1 Keynote address** : Bertil Remaeus, Sweden
- 2.2 The prevention of psychosocial risks at work** - Paul Weber, Luxemburg
- 2.3 Call centres : the physical and psychological health risks** - Mike Garton, United Kingdom
- 2.4 The control of new hazards in France** – Mme. Christiane Giraud, France

1045 *Break*

1115 **Session 2 continued...**

- 2.5 New hazards : Extent of the problem and economic consequences** - Elisabeth Conne-Perréard, Switzerland
- 2.6 Stress and how to prevent it** - José Lara Ruiz, Spain
- 2.7 New hazards : methods and strategies of German Labour Inspectorates** - Bettina Splittgerber, Germany

1230 *Break*

1430 **Session 3 : Challenges and expectations for Labour Inspectorates**

Chairman : Adrian Ellis, IALI Secretary-General, United Kingdom

- 3.1 Keynote address**: Michele Patterson, New South Wales, Australia
- 3.2 Partnerships and co-operation: the role of the labour inspector** - Davis Eves, IALI Technical Adviser, United Kingdom
- 3.3 A model for the analysis of risks** - Marlies Struyve, Netherlands
- 3.4 Increasing the effectiveness of Labour Inspection: The case of Africa** - Sammy Nyambari, ARLAC – Africa

1545 *Break*

- 3.5 Improving OSH standard in Construction** – compliance inspection - Mokhtar Musri, Malaysia
- 3.6 Revitalising Health and Safety in Great Britain** - Malcolm Gifford, United Kingdom
- 3.7 ASEAN network: Health and safety at work** - Zulmiar Yanri, Indonesia

Discussion

1730 **Close of Congress**

Summary of Presentations

Monday 17 June

Welcome and opening addresses

Mr Gerd Albracht, President of IALI, opened the Congress and welcomed all delegates and observers. He expressed his deep thanks to the ILO and to Mr Michel Gisler and his team in the Geneva Cantonal Office for all their hard work in the organisation of this Congress.

Mr Albracht referred to the important challenges ahead for IALI, and the need to focus more on preventive measures within modern health and safety strategies, and to the building of partnerships. These were crucial if Labour Inspectorates were to be able to tackle 'new risks' such as psychosocial ones, and to address the need for good management systems for health and safety at work. He looked forward to interesting and stimulating presentations during the Congress.

Mr Assane Diop, Director of ILO's Social Protection Directorate, welcomed participants to the Congress on behalf of Mr Juan Somavia, ILO Director General. Mr Diop spoke of the IALI as a valued partner of the ILO, mentioning several jointly organised IALI/ILO conferences held in recent years. In the present context of the Decent Work Programme, Labour Inspectorates had a vital role.

Although many ILO member countries had ratified Convention 81 (labour inspection), full and effective implementation of the Convention was not always achieved. Labour inspectorates were under constant pressures with shortage of resources, the continuing fragmentation of industry, the growth of illegal employment etc, and they faced new challenges from these and other areas. They thus needed the active support and cooperation of each other, with the help of ILO Safework. Worldwide, it was estimated that numbers of workplace fatalities were now around 2 million per year, which amounted to about 5% of the world's Gross National Product, more than 10 times the aid given to developing countries. By working more effectively together, through IALI and with support from the ILO, labour inspectorates would continue to receive the support they needed to meet these challenges.

Finally Mr Diop commended the recent ILO publication "Labour Inspection – A Guide" by Wolfgang von Richthofen, which should be an invaluable resource for labour inspectorates.

Session 1: Securing basic rights at work: how can Labour Inspectorates contribute?

Session Chairman: Nils-Petter Wedege, IALI Vice President

1.1 Keynote address: The 1998 ILO Declaration on Fundamental Principles and Rights at Work – Roger Bohning, Head of ILO's In-Focus Programme on Promoting the Declaration.

Mr Bohning outlined the history of the Declaration and its links with labour inspection. He referred to its global importance, explaining the essential role that labour inspectors had in turning the Declaration's principles into reality. Quoting a former ILO Director General, he said, "Labour legislation without labour inspection is an exercise in morals, but not a binding social discipline". Mr Bohning referred to several projects in South East Asia, Africa, South America and elsewhere, in which the training of labour inspectors in the principles of the Declaration had been an important feature.

1.2 Promoting Compliance Methods and Other Interventions – Viondette Lopez, US Department of Labour.

Ms Lopez presented two systems approaches with the aim of improving the understanding of some of the complexities and obstacles faced by field inspectors. The first approach focussed on a field investigation in which the investigators had the powers necessary to make official enquiries and collect evidence that could be used to redress illegalities. In the second approach, investigators could only make unofficial enquiries and compare records; formal statements could only be required by the judiciary. A third approach could require greater cooperation by employers and employees, assisting the investigators. Ms Lopez applied the different approaches in the areas of wage infringements, child labour, and protection of basic standards at work.

1.3 Conclusions and recommendations of the IALI/ILO Conference on Combating Child Labour, The Hague, February 2002 – Paul Huijzendveld, General Director, Labour Inspectorate, Netherlands.

Mr Huijzendveld reviewed the global situation with regard to child labour: an estimated 352 million children (aged 5-17) work, of which 180 million are caught up in the worst forms. The conference in February 2002 had been very successful, with over 60 Labour Inspectorates represented from all continents. The level of commitment to tackle the problems was evidently very high, as was the willingness to strengthen networks between labour inspectorates to combat child labour, especially in its worst forms. Most importantly, the conference showed that IALI was working alongside government representatives and social partners in combating child labour. The conference's recommendations were summarised in the conference report which is available on the IALI website (www.iali-aiit.org). Mr Huijzendveld concluded by referring to the creation of a help-desk function, to be set up by Netherlands for the benefit of labour inspection, linked to the IALI website. Further work would be done to strengthen links between IALI and the ILO in several areas. He also referred to the ILO Handbook for Labour Inspectors on Child Labour (produced June 2002), which should be an invaluable resource for all labour inspectorates.

1.4 Checking General Work Conditions – Chaker Sahli, IALI Vice President, Tunisia.

Mr Sahli described the history and development of labour inspection systems in Tunisia since 1910. With recent changes in work patterns, and updating of national legislation, the labour inspectorate had developed preventive inspection approaches and greater social dialogue with employers and workers. The Labour Inspectorate now conducted campaigns targeted at particular sectors eg construction, and worked effectively in partnership with the industry. Specialists, such as doctors and engineers, were called upon as needed, and special training given to labour inspectors engaged in the programmes. Questions were raised about implementation of ILO Convention 81; Tunisia had successfully done so, but there were difficulties for certain other countries because of the need to get agreement at all levels.

1.5 Inspecting General Work Conditions – András Békés, IALI Vice President, Hungary.

Mr Békés gave an account of the inspection of general conditions of labour in Hungary, namely hours of work, wages and safety and health. He described the functions required to deal with these issues, inspectors' powers and the sanctions available. The Labour Inspectorate in Hungary comprised occupational safety inspectors (50%) and employment inspectors (50%). There was much emphasis on employment contracts and the need to have these before work started. Finally he described management methods and the advantages of integrated management systems.

1.6 Companies at the edge of organised work life – Ola Winsvold, Labour Inspectorate, Norway.

Mr Winsvold described how the inspectorate's former preoccupation with safety had developed into a more holistic approach, focusing on the working environment as a whole in recent years. The emphasis nowadays was more on 'health and participation'. This change of approach was shown to be successful in 2 examples – inspecting restaurants and engaging ethnic minority workers. Mr Winsvold described successful interventions in "semi-legal" restaurants, in partnership with other authorities (the Police). Efforts to engage ethnic minority workers in health and safety at work were rewarded as the Inspectorate themselves recruited inspectors from ethnic minority backgrounds. Mr Winsvold made links between the decision makers, the environmental factors and the impact in terms of health effects.

1.7 Moral Harassment at Work – Margaret Graf, State Secretariat for Economic Affairs, Switzerland.

Ms Graf described a national survey to assess the extent of workplace stress. About 3500 people were contacted initially by telephone of which 900 were identified for in-depth interviews. Questions covered issues such as social exclusion, bullying and sexual harassment, in order to evaluate the frequency and nature of social stress in the workplace. Although only 1% of the group satisfied the scientific definition of harassment, many more people were affected, causing frequent job changes, lost time and ill-health. The study showed that this aspect of work needed to be taken seriously and measures developed to counteract it. This posed a challenge for the labour inspectorate who needed to develop new approaches to protect employees from these kinds of risks.

1.8 Moral harassment and the law in Spain – Ana Escudero Garcia, Professional Association of Labour Inspectors, Spain

Ms Escudero described the origins of moral harassment, the reasons for its existence and the need to tackle it as a fundamental problem in many of today's workplaces. Workers had a basic right to dignity and privacy as well as protection from other workplace risks. The absence of specific state legislation in this area, and the lack of standards, is a difficulty, but several initiatives have recently been undertaken in Spain to tackle the problem. The issue had also been taken seriously in civil court cases, in which "mobbing" implied a breach of duty by the employer. It was important for employers to plan and organise work as far as possible so as to minimise "mobbing" and other psychosocial risks. Ms Escudero's paper describes the risks and remedial measures in considerable detail.

1.9 Labour Inspection and ILO Core Conventions – Wolfgang von Richthofen, ILO Safework, Geneva.

Mr von Richthofen described the role of labour inspectorates in promoting compliance with the ILO core conventions, especially in the context of the Decent Work Strategy, based on the ILO's Declaration of Fundamental Principles and Rights at Work. He described ILO Convention 81 and its requirements for well-organised, well-trained and empowered labour inspectorates. However many labour inspectorates fell short of these standards and many needed to be better resourced and modernised. On the other hand, the failure to involve labour inspectorates in appropriate major national projects, such as on child labour, was also reprehensible. Before labour inspectorates could be effective, however, there had to be the necessary political will and support, so that they could play their part in full. ILO's Safework Programme and IALI members must work together to make sure this happens.

Tuesday 18 June

Session 2: New hazards

Session Chairman: Gerd Albracht, IALI President

2.1 Key note address – Dr Bertil Remaeus, Deputy Director General, Swedish Work Environment Authority

Dr Remaeus said that it had always been the task of labour inspectorates to deal with "new" hazards. For example, in the 1980s, the number of reported musculo-skeletal disorders (MSD) increased dramatically in Sweden and their inspectorate took on the challenge of how to deal with this. Similarly today, the phenomenon of negative stress is increasing rapidly, and this poses a new challenge for the inspectorates. In Sweden, the Work Environment Authority aimed to take a holistic view and within this to address the challenges of work-related stress. Cases of work-related stress have increased by more than 300% since the mid 1990s, accounting for 24% (female) and 13% (male) of the total number of reported diseases. It is therefore a priority for the Swedish Work Environment Authority, and was likely to be a priority for other inspectorates too.

2.2 The prevention of psychosocial risks at work – Paul Weber, Director, Labour Inspectorate, Luxembourg.

Mr Weber described the emotional, mental and physical distress caused by mobbing, bullying etc. The solutions could be through improved technology, through better management systems, which prevented social functions, and through having more balanced attitudes within the workforce. Mr Weber spoke of a holistic approach, which was based on the integration of avoiding risks at all levels, on the job and off the job. Such an approach might take 7 years to become fully effective but the integration of safety, health, environment, personnel, technology, quality of life and economies would end in a “win-win” situation of business excellence.

2.3 Call Centres, the physical and psychological health risks – Mike Garton, Chartered Institute of Environmental Health, UK

A “call centre” is a work environment in which the main business is conducted by telephone while using display screen equipment (DSE) at the same time. The industry is growing rapidly in the UK and elsewhere. Mr Garton described some research to explore the risks associated with working practices in call centres. One of the aims of the research was to raise awareness of working practices that require special attention when inspecting call centres. The risks to a call handler’s physical and psychological health can be greater than for other office workers because of unsatisfactory working practices associated with the use of DSE and its immediate environment. Specific health issues include hearing, voice health, eyes and eyesight, musculoskeletal disorders and work related stress. There is consequently a high turnover of workers in call centres; only an estimated 10% of workers stay more than 5 years in such jobs.

2.4 Risk Assessment and inspection – Christine Giraud, Directorate for Work Relations, France

French legislation now required employers to prepare risk assessments as part of their duty to ensure the health and safety of workers, and employers had to transcribe risk assessment results into single documents containing a risk inventory for each unit of the company. Mrs Giraud described the process for preparing risk assessments and the role of the inspection authorities. In future, the combined actions of the Labour Inspectorate will be monitored and data provided to establish national trends in professional risk prevention.

2.5 New risks: extent of the problem and economic consequences – Elisabeth Conne-Perréard, Switzerland.

Ms Conne-Perréard described a range of “new risks” from various sources in the work environment. Cardiovascular illnesses, mental health, musculo-skeletal problems and cancer could all be linked to “psychosocial” factors. She referred to a recent report of the European Commission that revealed the true impact to the economy of accidents and ill-health; the report underlined the size of “new risks” and entrusted labour inspectorates to grasp their totality, their complexity and how they might be prevented.

2.6 Stress and how to prevent it – Jose Lara Ruiz, Labour Inspectorate, Spain.

Mr Lara reviewed the traditional approaches used in Spain to identify and remedy risks, and a new model that was based on the legal requirement for businesses to have suitable arrangements for managing risks. Although the new model suffers from some legal uncertainty, it covers a wide range of risks, including work-related stress. Mr Lara described a number of stress-causing factors, their health effects and illnesses and a preventive approach to dealing

with the problems. Many practical solutions were described, from technical improvements to changes in management practices.

2.7 New hazards: methods and strategies of German Labour Inspectorates – Bettina Splittgerber, Hesse, Germany

Changes in industry and employment structures have had direct and wide-ranging effects on occupational health and safety. Government policies have therefore focused on new technologies as well as new ways of reaching businesses, to communicate information and to have some impact on improving conditions at work. Ms Splittgerber provided some examples from Germany in which inspectors from different states had developed new methods and approaches for communicating occupational health and safety information and advice on appropriate action.

Session 3: Challenges and expectations for Labour Inspectorates

Session Chairman: Adrian Ellis, IALI Secretary General

3.1 Key note address – Ms Michele Patterson, Assistant General Manager, Workcover New South Wales, Australia.

Ms Patterson identified 20 major challenges for modern labour inspectorates, grouping them into 5 categories as follows:

1. Securing basic rights through legislation.
2. Achieving compliance with performance-based Occupational Safety and Health (OSH) legislation and demonstrating that compliance will reduce injury and disease rates.
3. Providing incentives to engage employers and employees, small businesses and industry sectors in systematically managing OSH.
4. Adding value and facilitating industry and workplace initiatives and demonstrating the quality of interventions.
5. Professionalism in modern labour inspectorates to gain the respect of industry and measuring the quality, value and impact of their activities on improved OSH outcomes.

Ms Patterson amplified on all the above key headings, describing how she thought a modern labour inspectorate should be able to demonstrate its impact and value within society at large. Ms Patterson's paper describes her approach to meeting the 5 challenges in some depth.

3.2 Partnership and Cooperation: the role of the labour inspector – David Eves, IALI Technical Adviser, UK.

Progress in reducing accidents and ill-health at work has faltered in recent years in Great Britain as elsewhere; the construction industry provides an example of this. New ways of making progress are needed. Mr Eves described recent initiatives in the UK, in which partnerships with employers, employees and others have been strengthened, and in which labour inspectors have a key role. The challenge for labour inspectors has been to move on from a strategy which just relies on “the carrot and the stick” (encouragements and punishments) to a strategy in which all stakeholders have a crucial part to play. Corporate Social Responsibility would be a great ‘lever’ for Labour Inspectorates in future.

3.3 A model for the analysis of risks – Marlies Struyve, Labour Inspectorate, the Netherlands.

Ms Struyve described a risk analysis model that could be used in a transparent way during inspection projects. The model was based on the probability of having an accident, or becoming ill through work, partly determined by the number of employees exposed. The risk values enabled inspectors to determine priorities for action (and enforcement). The top 2 priorities might be, for example, falls from heights and the lifting of heavy weights. The process could help inspectors to justify why they need to focus on certain risks at the expense of others.

3.4 Increasing the effectiveness of Labour Inspection in Africa – Sammy Nyambari, Director, African Regional Labour Administration Centre, Zimbabwe.

Mr Nyambari described several challenges facing Labour Inspectorates in Africa, resulting from a widespread poverty, socio-economic policies, globalisation and the growth of technology. Severe shortages, in terms of staffing and financial resources, faced many Labour Inspectorates. The growth of the informal economy also presented challenges. Mr Nyambari outlined 10 propositions for improving Labour Inspectorates in Africa, from ratifying conventions to promoting efficiency and addressing staff training needs. He said it was essential for Labour Inspectorates to adapt to the changes around them and to lobby for political good will, and to market themselves effectively by demonstrating the importance of their role in poverty alleviation and wealth creation for development.

3.5 Improving OSH Standards in Construction – Mohtar Musri, Department of Occupational Safety and Health, Malaysia

Mr Musri spoke of the seriousness of OSH problems in the construction industry, in Malaysia as elsewhere. Malaysia had tackled the challenges through a well-coordinated 3-year initiative, which involved a thorough training of inspectors, coordinated visits, simple checklists and enforcement. The inspectorate also worked closely with social partners to promote greater awareness and to improve standards of compliance. Multinational and large companies acted as mentors (‘anchor companies’) for smaller ones, providing guidance, information and some finance. There had been a high level of commitment from the 31 ‘anchor’ companies. The challenges for the labour inspectorate included finding sufficient finance and resources to continue its role in the initiative. The initiative’s final outcome was not yet known, but early indications were that it had had considerable impact both in improving awareness and in reducing accidents and ill-health in the construction industry.

3.6 Revitalising health and safety at work in Great Britain – Malcolm Gifford, Health and Safety Executive, UK

Mr Gifford described the background to the UK's initiative "Revitalising health and safety" which started in June 2000. Under this initiative, targets had been set to reduce the incidence rate of fatal and major injuries and the number of working days lost from accidents and ill-health, by 2010. Half the target figures had to be reached by 2004. A new strategy had been adopted focusing on 10 key areas, eg small firms, occupational health. The HSE now worked to priority programmes, focusing on particular industries and cross-industry hazards, and targeting poor performers and multi-site organisations. Partnerships were a key element in this approach. The results of the initiatives would be known in 2005 and in 2011: a good start had been made but much effort would be needed in the coming years if the targets were to be reached.

3.7 ASEAN-OSH network – Dr Zulmiar Yanri, Indonesia.

Dr Yanri described the ASEAN Occupational Safety and Health Network, which started in 1984. The aims of the OSHNET were to gather and distribute information on the prevention and control of occupational hazards, to facilitate the development and exchange of OSH standards etc, to identify OSH training needs, to facilitate OSH research and to identify OSH expertise needs. OSHNET's vision was the establishment of a community of caring societies by 2020,. Its programmes included extensive training of professionals amongst its member countries, research, standard-setting and programme coordination. OSHNET is funded by governments, private sector partnerships and international agencies. More information can be found on its website: www.asean-osh.net.

Annex 1 - List of delegates at the IALI Congress 17-18 June 2002

Pays	NOM	PRÉNOM	INSTITUTION	ADRESSE	NPA	LOCALITÉ	TÉLÉPHONE	FAX	E-MAIL
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