

Engaging social partners EU – North Africa Seminar

Károly GYÖRGY

Hungarian Trade Union Confederation

MSZOSZ

Engaging social partners EU – North Africa Seminar

OSH is a fundamental right

Every worker has the right to working conditions which respect his or her health, safety and dignity

(Art. 31 of the European Charter)

1989 Framework directive + 23 specific directives

Decent work agenda

ILO Agenda

Challenges to be met - workplace and workforce trends:

- Economic structure
- Employment structure
- Legislation and best practice
- Ageing population
- Increasing number of women at work
- Increasing number of migrant workers

Working together – Shared values of all stakeholder - Tripartism in OSH

- There is a general correlation between how far the tripartite OSH system is established - and the accident rate
- Essential component of good practice – hazard identification, prevention solutions
- Exemplary national and regional tripartite cooperation and partnership have to set the role model for the workplace

Working together – Shared values of all stakeholder - Tripartism in OSH

- Improving working conditions, OSH situation is priority:
 - higher level of employment
 - creation of more jobs
 - safe, healthy and decent work
- Clear division of roles:
 - responsibility of employee
 - responsibility of employer
 - determinant role of authorities

Working together – Shared values of all stakeholder

- ***Social dialogue – No fear please!!!***

Practice of „3 C“:

- Consensus
- Compromise
- Conflict

Working together

- Legal systems – the basis, which exist everywhere
- But: can really work and effectively put in practice through meaningful cooperation of the actors
- And that is the partnership
 - Bipartite at workplace / sectoral
 - Tripartite at national level

The role of social partners at EU

European Union level

Tripartite

- **Advisory Committee on Health and Safety at Work**
- **European Agency for Safety and Health at Work**

Bipartite

- **Social partners:**

CROSS-INDUSTRY SOCIAL DIALOGUE

SECTORAL SOCIAL DIALOGUE

The role of workers' representation at EU and national level

- European Union**
 - National**
 - Workplace**
- Central to national and European preventive strategy agendas**
 - Most widespread of shop floor representation**
 - Closely associated with a more systematic prevention**
 - Enables more weight be given to workers' interests/ concerns**
 - Vast potential of workers' safety representation**

A pillar of Europe's social model

Strong institutional recognition

- Art. 152 TFEU: Union recognises and promotes the role of social partners at Union level + Tripartite Social Summit
- Article 154: promotion of **consultation** of European social partners by the Commission + balanced **support** for their dialogue
- Article 155: **agreements** concluded by social partners

The role of social partners at EU level – tripartite cooperation

Advisory Committee on safety and health at work (ACSH) is a tripartite body set up in 2003 to streamline the consultation process in the field of occupational safety and health

- to assist the European Commission in the preparation, implementation and evaluation of activities in the fields of safety and health at work,
- in giving opinions on EU initiatives in the area of OSH (e.g. draft proposals for new legislation, EU programmes / strategies, any other EU initiatives having impact on health and safety policy);
- contributing pro-actively to identifying OSH policy priorities and to establishing relevant programmes / strategies;
- encouraging the exchange of views and experience between Member States and stakeholders, operating as an interface between EU and national level.
- The Committee is composed of three full members per Member State, representing national governments, trade unions and employers' organisations.
- The Committee meets twice a year in a plenary.
- A number of working parties are established within the Committee to deal with specific technical issues and to prepare draft opinions

The role of social partners at EU level – tripartite cooperation

- EU-OSHA
 - Tripartite management board
 - Cooperation for implementation of commonly set policies / programmes
 - EU and national level (FOP networks)
 - Increasing involvement of OSH community

The role of social partners at EU level – bipartite cooperation

- Autonomous social dialogue / Framework agreements – the ways to implement:
- European social partners ask the Council to adopt a decision - in this way, the agreement becomes part of EU law (parental leave; part-time work; fixed-term contracts agreements; *European framework agreement on health and safety in hairdressing*)
- European social partners themselves take responsibility for implementing measures at national, sectoral and enterprise level (telework; work-related stress; harassment and violence at work; inclusive labor markets)

The role of workers' representation

National level

- **Workers' participation / representation still largely based on national laws, political traditions**
- **Tripartite forms: national OSH committees**
- **Bipartite forms: sectoral level – increasing importance**

The role of workers' representation at EU and national level

Workplace levels

Health and safety representatives

- selected / appointed / shop stewards with OSH duties / works councils – **REPRESENTATIVE PARTICIPATION is MOST EFFECTIVE**
- mandated (by law / Collective Agreement) – give rights and responsibilities

Specific form: **regional health and safety reps**

Health and safety committees

- composed of workers' and employers' representatives

But: **how about micro/ small enterprises?**

Models of workres' safety representatives I.

Most frequently used is a combination of

- employee health and safety representatives, elected or chosen -have their own specific rights, and
- joint employee/employer health and safety committee in larger workplaces
- members of this joint committee are typically the employee health and safety representatives, and the employer (or a representative) plus the health and safety professionals in the company (works doctor, safety expert, etc.)

Models of workres' safety representatives II.

- employee health and safety representation is provided through the employee members of a joint employee/employer health and safety committee, and there are no separate health and safety representatives with their own rights (BE; BG; DK; F; LI). In Belgium the union, in France the employee delegates take on health and safety functions where there are not enough employees to have a joint committee.

Models of workres' safety representatives III.

- the structure provides only for employee health and safety representatives not a joint employee/employer committee (CZ; GR; IT; LA; MA). In the case of GR and LA there is also an employee-only committee in larger workplaces.
- Although these countries do not have a joint committee as such, in two states the legislation provides for regular meetings between the employer and the employee health and safety representatives – in Greece they should be every three months, in Italy once a year.

Models of workres' safety representatives IV.

- health and safety issues are primarily dealt with through the works council or a works council subcommittee (A; DE; LU; NL; SLO - with important differences).
- NL and SLO: works council plus, in some cases, a subcommittee is all that exists.
- A and DE: there is also a joint employee/employer health and safety committee and individual employees with a particular health and safety tasks – not experts but employees enjoying the confidence of their colleagues.
- LU: works council is not a purely employee body; there is also an employee representative with specific health and safety tasks and the existing employee delegates have an ongoing health and safety role.

The role of workers' representation

Factors affecting the strength and effectiveness of safety reps

- Level of employers responsibility
- Coverage and election of safety reps
- Compulsory assessment of work related hazards
- Implementation of health services
- Development of information / consultation / training
- Participation among workers

The role of workers' representation

Collective bargaining – key to improvement

- The means to adapting general legal preventive provisions to concrete realities of sectors / companies /workplaces, conditions
- Collective negotiations based on two pillars:
 - experience and knowledge of stakeholders
 - power of stakeholders

Evidence shows: stronger trade unions ➡ improved information and standards on workplace hazards ➡ health and safety systems work better

The role of workers' representation – for efficient OSH

Strengthening the position of workers safety reps

The strategy to success

- 1 - Provision of knowledge, information and training to safety reps – go beyond a technical approach – use participatory methodology
- 2 - Creation of safety reps' networks / useful, regular information channels / provision of legal, technical advice by unions
- 3 – Providing essential logistical support for safety reps and other participatory mechanisms

Challenges for efficient OSH – on both side of the Meditteranean

- Workplaces with 10> employees (micro/small)
- Undeclared employment / work
- Domestic workers
- Agriculture

Potentials for future joint work!

Engaging social partners for efficient OSH

Thanks for your attention