

Worker participation in the management of occupational safety and health — qualitative evidence from ESENER-2

Country report - GREECE

European Risk Observatory

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Abbreviations

ADEDY	Civil Servants' Confederation
EEX	Greek Chemists' Association
EL.STAT	Hellenic Statistical Authority
ESEE	National Confederation of Hellenic Commerce
ELINYAE	Hellenic Institute for Occupational Health and Safety
ELSTAT	Hellenic Statistical Authority
GSEE	General Confederation of Labour
GSEVEE	Hellenic Confederation of Professionals, Craftsmen and Merchants
HSC	Health and Safety Committee
IKA-ETAM	Social Insurance Institute - Unified Insurance Fund for Employees
OKE	Economic and Social Council
OSH	Occupational safety and health
PIS	PanHellenic Medical Association
PPE	Personal protective equipment
SEPE	Labour Inspectorate
SETE	Association of Greek Tourism Enterprises
SEV	Hellenic Federation of Enterprises and Industries
SME	Small and medium-sized enterprise

1 Introduction

The present report was carried out as part of the European project 'Worker Participation in the Management of Occupational Safety and Health – Qualitative Evidence from the Second European Survey of Enterprises on New and Emerging Risks (ESENER-2)'. It describes the situation of worker representation in occupational safety and health (OSH) in Greece.

This report is structured as follows: **Chapter 2** deals with the national context in terms of economic data, labour relations, OSH situation in general and worker representation framework. Details on the field study are presented in **Chapter 3**. Finally, **Chapter 4** provides general conclusions based on the literature review and the field work.

2 National context

2.1 Facts and figures about Greece

Greece is a member of the European Union and the euro area. Between 2000 and 2008, Greek real output grew on average by 4.2 % per year, just a little less than double the euro area average. By 2008, Greece managed to reduce its unemployment rate to 7.7 %, compared with 7.6 % in the euro area (ETUI et al., 2012).

The financial crisis and the signing of the Memorandum of Economic and Financial Policies, on 02/05/2010, between the Greek government and the European Commission, the European Central Bank and the International Monetary Fund (the so-called 'troika'), put Greece on a trajectory of unprecedented austerity measures (Voskeritsian and Kornelakis, 2011). Because of these measures, fundamental reforms have been made regarding nominal wages, labour relations, collective bargaining (decentralisation, reform of the mediation and arbitration system, etc.), working time, atypical work, changes in dismissal regulations, introduction of a sort of 'trial contract' of 1 year for the young unemployed with a wage corresponding to 80 % of the national minimum wage, a contract for young workers with a wage corresponding to 84 % of the national minimum wage, etc. (ETUI, 2012; Voskeritsian and Kornelakis, 2011; Kousis and Karakioulafi, 2013).

There were 571,945 flexible work contracts in 2013 compared with 280,734 in 2005 (SEPE, 2013). According to the Labour Institute of the Greek General Confederation of Labour (INE-GSEE) (2013): 'The unemployment rate rose dramatically during 2009-2013 to 27 % in average level. For the period 2009-2012 the uninsured and non-declared work has shown a significant increase, the rate of which exceeds (2012) 36 %. During the same period collective agreements at company level have increased from 238 in 2010 to 976 in 2012, of which only 17.4 % were signed by company trade unions.'

According to INE-GSEE (2015), during 2009-2014 full-time employment contracts increased by only 3.79 % while part-time contracts increased by 259.06 % and rotating employment contracts increased by 454.58 %.

Flexible forms of employment represent almost half of the new contracts signed today. Therefore, flexible employment in the Greek labour market rose from 21 % in 2009 to 50.5 % in 2014.

Some sectors have suffered more from recession than others. Construction activities declined by 77% the period 2009-2014 (ELSTAT). In the public sector, health care lost many jobs and the resources declined significantly. Significant mergers were observed in the banking sector. Flexible employment has become practically the norm in the hotel sector. About 250,000 small and medium-sized enterprises (SMEs) closed down, most of them in the wholesale trade sector.

Table 2.1.1 gives some figures regarding the Greek economy.

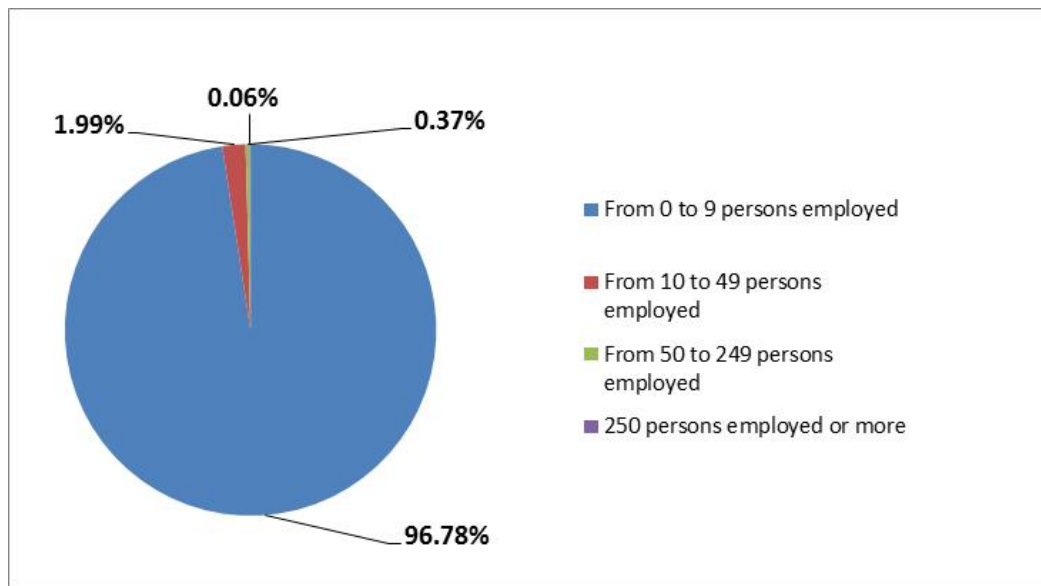
Figure 2.1-1: Greece facts and figures

Indicator	Value
Gross domestic product at current prices per head of population (2016)	20,400 purchasing power standard (EU 29,300, euro area 31,100)
Gross domestic product at current prices per person employed (2016)	€43,000 (EU €64,800, euro area €70,000)
Gross domestic product at current prices	€174.4 billion (2016)
Total population	10.99 million
Unemployment rate	25.6 %
Total unemployment	1.22 million
Total gross value added at current prices (2016)	€152 billion
Total gross value added at current prices (2014)	€156.8 billion
	€6 billion
Agriculture, forestry and fishery products	3.9 %
	€20.1 billion
Industry excluding building and construction	12.8 %
	€14.7 billion
Manufacturing industry	9.3 %
	€4.6 billion
Building and construction	2.9 %
	€126.1 billion
Services	80.4 %

Source: Data are drawn from AMECO database (European Commission AMECO, last updated 4 Feb 2016, http://ec.europa.eu/economy_finance/ameco/user/serie/SelectSerie.cfm).

The Greek economy is dominated by SMEs. This is shown clearly in Figure 2.1.1 regarding industry by employment class.

Figure 2.1-2: Greek businesses by size



Source: Data are drawn from Eurostat, last update 25.09.15, <http://ec.europa.eu/eurostat>.

2.2 Occupational safety and health

2.2.1 Occupational safety and health legislative framework

The first legislation in Greece concerning OSH was Law 3934/1911 on Workers' Health and Safety and Working Hours (Greek Law 3934, 1911) and Presidential Decree (PD) 14/3/1934 on Workers' Health and Safety in Industries, Manufactures, Workshops etc. (Greek PD 14, 1934). A milestone in the development of OSH in the country was Law 1568/1985 on Health and Safety at Work (Greek Law 1568, 1985).

Framework Council Directive 89/391/EEC of 12 June 1989 (EEC, 1989) and Council Directive 91/383/EEC of 25 June 1991 (EEC, 1991) have been incorporated into Greek law in PD 17/1996 on Measures for the Improvement of Safety and Health of Employees at Work (Greek PD 17/1996).

Given the complexity of the legislative framework, Law 3850 of 2 June 2010 has collated all the above OSH matters into a Code of Laws for the Health and Safety of Employees (Greek Law 3850, 2010). This legal document covers a wide range of issues (Dontas, 2014):

- the Committees for Health and Safety at Work (EYAE) at the enterprise level (election procedure, role and number of representatives, etc.);
- the safety engineer (qualifications, duties, etc.);
- protective and preventive services (either external or internal, minimum conditions for their establishment and function);
- classification of enterprises in three different risk categories (A, high; B, medium; C, low);
- the occupational physician (qualifications, duties, minimum working time in an enterprise);
- health monitoring;

- training of employees, safety engineers and occupational physicians;
- the Council for Health and Safety at Work (SYAE) at the national level;
- Prefectural Committees for Health and Safety at Work (NEYAE);
- Special Committees for Health and Safety at Work (e.g. in shipyards);
- general requirements for buildings;
- protection of workers from physical, chemical and biological agents, fire, etc.;
- employers' obligations (e.g. risk assessment, social dialogue).

At national level all issues concerning OSH (Dontas, 2014) are under the responsibility of the Ministry of Labour, Social Security and Social Solidarity, that is, the Directorate for Safety and Health at Work and the Labour Inspectorate (SEPE). According to the Regulation of Mining and Quarrying Activities, the Mines Inspectorate is responsible for the work conditions in these workplaces (Greek Ministerial Decision D7/A/12050/2223, 2011).

The Directorate for Safety and Health at Work promotes all issues related to OSH (except the inspection of the OSH legislation) (Dontas, 2014). It is the principal OSH administration agency (responsible for, among other duties, the planning, organisation, implementation, monitoring and evaluation of the national OSH strategy and policy, the national OSH system and the national OSH programme, in accordance with national priorities and the current EU OSH strategy). Its activities are mainly in the fields of OSH legislation, policy, administration, information management, training and research.

SEPE is responsible for the inspection and application of legislation on OSH either on social matters (work times, wages, social security, etc.) or on safety and health at work issues. Law 3996/2011 (Law 3996/2011) has introduced reforms to the inspectorate.

2.2.2 Occupational accidents and diseases – compensation and insurance

The institution, which, up to now, has registered occupational accidents in Greece and sent the official data to the Hellenic Statistical Authority (ELSTAT), which sends them to Eurostat, is the national insurance institution, IKA-ETAM. In the near future an umbrella national insurance institution including IKA-ETAM and other insurance funds will be created.

People insured by IKA-ETAM constitute 42-45 % of the total working population. Consequently, the indicator of occupational accidents is not absolutely representative. SEPE also registers accident data. Still, SEPE collects one-fifth as many occupational accident data as IKA, although it lists twice as many fatal accidents as IKA. Therefore, IKA's data for non-fatal accidents are considered more reliable.

During 2013, 4,114 accidents at work were recorded by IKA-ETAM. The trend in occupational accidents during 2008-2013 is downward. The incidence rate of occupational accidents per 1,000 workers tends to decrease. The rate was 4.4 in 2008 and fell to 3 in 2013 (IKA, 2013).

During 2013, 67 fatal accidents were recorded by SEPE, 26.9 % of these in the construction sector (SEPE, 2013).

Occupational accidents fell in Greece during the last years of the recession because unemployment and undeclared work increased. According to SEPE, 'black work' (undeclared employment) increased from 25 % in 2010 to 30 % in 2011 and 36.2 % in 2012. This resulted in under-declaration of accidents (SEPE, 2012).

Reduction of accident incidence rates in recent years can be attributed to the severe contraction in high-risk sectors such as construction. According to ELSTAT, construction activity shrank by 77 % during 2009-2014.

Occupational diseases in general are not diagnosed in Greece. The reasons are twofold: firstly, the infrastructure for this task is not adequately developed in the health services system. Secondly, workers with occupational diseases have no particular motive to pursue retirement. Their disability pension is significantly lower than their remuneration when they are active.

In 2012, PD 41/2012 (Greek PD 41, 2012) was published with a list of occupational diseases resembling the EU schedule (about 150 occupational diseases). However, this schedule has not yet been activated, since to date no legislation defines the diagnostic criteria. These criteria are currently being drafted by a relevant national technical committee.

Misdiagnosis and consequent underreporting of occupational diseases is a chronic problem in the country. In 2009 (the last year with data published by IKA-ETAM), only 19 cases of occupational diseases were recorded (IKA-ETAM, 2009). Of these 19 cases, 5 were examined for the first time in 2009 and 14 were old cases being reviewed and concerned diagnoses from 1978 to 2009.

Allergic contact dermatitis was the most frequent diagnosis (9 cases, 47.4 %). Seven cases (36.8 %) resulted in disability ranging from 15 % to 40 % and the rest of them (12, 63.2 %) resulted in disability ranging from 50 % to 80 %. Seven (58.3 %) of the cases resulting in disability exceeding 50 % were of allergic contact dermatitis, three were caused by toxic effects of metals, one was of chronic bronchitis and one was of asbestosis.

In the last 7 years of available data about recording and processing of occupational diseases, from 2003 to 2009, 112 cases were recorded. The basic diagnoses were 33.9 % allergic contact dermatitis, 13.4 % toxic effect of metals and 11.6 % asthma.

In Greece the old Royal Decree 473/1961 (Greek RD 473, 1961) concerning Contributions for Occupational Risk is still in force. This decree obliges nearly all employers to pay an insurance contribution to IKA-ETAM amounting to 1 % of total wages. Theoretically this contribution is paid for protection against occupational risks. However, in reality the sum is not used for this purpose and is redirected to finance IKA-ETAM's other obligations (pensions etc.). Given that occupational diseases are significantly underreported, this leads to reduced insurance coverage. Trade unions have constantly demanded the establishment of a Body of Insurance against Occupational Risks under IKA-ETAM's umbrella (Dontas, 2014).

An important provision is the recognition of 'heavy and health-hazardous occupations'. There is a list of occupations accepted as being particularly dangerous to safety and health. Employees in these occupations have the right a benefit payment and a pension 5 years earlier than other employees. In 2011 changes were made to this list and some occupations were excluded.

2.3 Labour relations

2.3.1 Trade unions

Law 1264/1982 (Greek Law 1264, 1982) deals with the democratisation of the trade union movement to safeguard the freedom of workers' trade unions.

The trade union movement is structured at three levels: primary (trade unions, at sectoral, occupational or enterprise level), secondary (federations, at sectoral or professional level, and labour centres, at local level) the tertiary (confederations, at national level) (Lampousaki and INE/GSEE, 2014).

In Greece the trade union movement is fragmented and characterised by the presence of a large number of trade union organisations of all grades. About 180 second-level and 3,700 primary unions exist in the public and private sectors (Robolis, 2008).

At the national level (tertiary) there are two confederations: the General Confederation of Labour (GSEE) and the Civil Servants' Confederation (ADEDY).

The GSEE includes all trade unions covering employees under private labour relations in the private sector and the broader public sector (e.g. the public utility companies). The GSEE is made up of 81 labour centres and 73 federations (ILO, 2011).

ADEDY includes the trade unions in the core and wider public sector (central government, municipalities, local governments, state agencies and public institutions). It includes both civil servants and employees in the wider public sector with private contracts (ILO, 2011).

According to Robolis (2008), 'primary trade union organizations consist of the rank-and-file unions, which may be created on the following levels: ... enterprise-level unions, whose members are employed by one specific enterprise, ... sectoral trade union organizations, whose members are employed in enterprises of the same type in the same sector (e.g. Piraeus metalworkers' union), ... occupation-based trade union organizations: a distinctive feature of their members is that they perform a specific occupation, irrespective of the type of enterprise or sector in which they are employed (e.g. Athens accountants' union)'.

According to the same report, second-level organisations are created from two or more primary organisations. They can be divided into the following categories (Robolis, 2008):

The organizations that are vertical by grades include the federations, which relate mainly to the level of sector of economic activity (e.g. nationwide federation of workers in the metalworking industry). They are also created both on the basis of occupation (e.g. PanHellenic Federation of Accountants), and on the enterprise level, as in the large public enterprises (e.g. General Federation of Employees in the Public Power Corporation), where they include many primary occupation-based unions. The federations are part of the organizational structure both of GSEE and of ADEDY, where they number 62 and 45 respectively.

In the horizontal structure we can distinguish the Labour Centers, which are encountered only in the structure of GSEE. They gather together the primary unions operating on the local level, irrespective of whether they are organized on the basis of enterprise, sector or occupation.

The number of trade unions at the company level in Greece is low. According to ESENER-2, 7.9 % of surveyed establishments in Greece reported having a trade union representative in the workplace (Irastorza et al., 2016). Greek Law 1264 (1982) requires the existence of 21 members to set up a trade union. The number of private enterprises employing over 20 workers in Greece is relatively small.

Some studies concerning trade union density in Greece, that is, worker participation in trade union organisations, mention that it is difficult to come up with reliable data. However, in all these studies it is noted that there is a substantial difference between the private and public sector. Trade union density in the private sector is especially low.

More precisely:

- Trade union density seems to be about 28 % (2007 data). These data were determined from the number of participants involved in procedures to elect representatives. Specifically, union density was less than 18 % in the private sector and about 60 % in the public sector, whereas in certain areas it reaches 90 % (e.g. state banks and enterprises). This last percentage did not include unionised employees from security and military personnel (Stamati, 2013; Robolis, 2008; Kouzis, 2005).

- Two studies conducted by VPRC in conjunction with the GSEE in 2003 and 2004 revealed that worker participation in trade unions was around 21 % and 17 %, respectively. These studies were based on answers to questionnaires obtained from a sample of employees (Vernadakis et al., 2007).
- Fewer than 50 % of the employees who took part in a study conducted by VPRC (2010) answered that a trade union existed in the company in which they were working. According to the same study only 44 % of the members of trade unions take part in trade union procedures (VPRC 2010).
- According to the key facts presented in “The gateway to information on worker participation in Europe’ (worker – participation.eu, 2016), ‘between a fifth and a quarter of employees in Greece are union members, but the position is very different in the public and state-owned sector, where unions have high levels of membership, and the private sector, where unions are weak’.
- According to Kousis and Karakioulafi (2013), ‘OECD [the Organisation for Economic Co-operation and Development] puts union membership at 25.4 % for 2011, a number confirmed also by the ICTWSS [institutional characteristics of trade unions, wage setting, state intervention and social pacts] database of union membership’.

These studies mention that one reason for the large discrepancies between the private and public sectors is the fact that the private sector is dominated by small enterprises (97 % of enterprises in the private sector have fewer than 20 employees, and thus cannot be unionised) (Kouzis 2005; Robolis, 2008). The signing of enterprise-level collective labour agreements was possible only in companies with at least 50 employees (Eurofound, 2013). Usually enterprise-level unions are created only in large enterprises (usually those employing more than 100 people). The public sector has always displayed a high rate of unionisation. The main explanation of this phenomenon is the job security felt by employees in the public sector, where union membership entails no adverse consequences (Robolis, 2008; Eurofound, 2013; Kouzis, 2005). It is also mentioned that ‘the most vulnerable categories of the workforce (women, young people, precarious, unemployed, immigrants) remain under-represented in trade unions (Kousis and Karakioulafi, 2013). Many reports stress the negative influence of new technology, changes in the production sectors, flexible working patterns and work intensification on workers’ unionisation.

The economic crisis in Greece has given new powers to another body representing workers, the so-called ‘associations of persons’. These associations neither are subject to the laws on the protection of trade union members nor have the good reputation of trade unions. As mentioned in the ILO (2011) report, ‘although it has been possible to set up associations of persons since 1982, in the past they could only have a temporary existence, normally six months; they could only be set up in small companies – fewer than 40 employees; and they could not sign collective agreements. However, under the new arrangements there is no limit on how long they operate and they can sign collective agreements for companies of any size, provided 60 % of the workforce belongs to them. Those representing these associations of persons have no permanent mandate and no protection against mistreatment by the employer’.

2.3.2 Employers’ organisations

In Greece the employers’ organisations are organised at three levels: primary, secondary (federations) and tertiary (confederations, at national level).

At the tertiary level there are four employers’ organisations. The ILO (2011) report describes them:

The Hellenic Federation of Enterprises and Industries (SEV): *The SEV is the main independent employers' organization representing most branches and sectors of the present day Greek economy. It was founded in 1905 and is a member of the International Organization of Employers (IOE) and the Union of Industrial and Employers' Confederations of Europe (BUSINESSEUROPE).*

The Hellenic Confederation of Professionals, Craftsmen and Merchants (GSEVEE): *The GSEVEE was founded in 1919 and is a national level employers' organization which represents 87 federations and 1,100 associations with 160,000 employers as members. It represents micro, small, medium enterprises and self-employed persons.*

The National Confederation of Hellenic Commerce (ESEE): *The ESEE was founded in 1994 as a result of a longstanding process, dating from the 19th century. It represents 13 federations, 252 commercial associations and four commercial representatives' associations, throughout the country.*

The Association of Greek Tourism Enterprises (SETE): *The SETE informed the High Level Mission that, as an umbrella organization formed 20 years ago; it covered all tourism-related enterprises, including hotels, apartments, car rentals, cruise ships, ferries, aviation, tour operators, etc. It represented 30,000 businesses with 300,000 employees.*

2.3.3 Social dialogue: collective bargaining

The highest social dialogue body is the Economic and Social Council (OKE), which advises the government on specific issues, by submitting documented opinions. OKE comprises three parts representing employers, workers and a group that includes independent professionals, self-employed people and local government organisation representatives (Lampousaki, 2014).

The system of collective bargaining has been in force since 1990. The traditional collective bargaining system in Greece was based on Law 1876/1990 on free collective bargaining and on Greek Law 1264 (1982) on the organisation and functioning of the trade union movement.

There are four categories of collective agreements (Eurofound, 2013): '(a) The National Collective Agreement (EGSEE) which is cosigned by GSEE on behalf of the trade unions and the SEV, the ESEE, GSEVEE and SETE on behalf of the employers; (b) Sectoral collective agreements, which are cosigned by sectoral federations of employers and employees; (c) Company collective agreements which are cosigned by the plant-level trade union and the company management and cover all employees of a single company; (d) National occupational and local or regional occupational collective agreements, which cover employees engaged in a specific occupation or profession at the national or local level, are cosigned by employer federations and occupational trade unions'.

Because of changes in legislation in response to austerity measures in Greece, substantial changes have been made with regard to collective bargaining. Social partners have no longer the ability to set the national minimum wage through the National General Collective Employment Agreement (EGSSE); it is now set by law.

Reforms have been also made to the mediation and arbitration system for collective bargaining. As mentioned by Koutroukis and Roukanas (2014), 'as the negotiation of workplace regulations will no longer result in arbitration, it is likely that the future employment relations will be introduced by employers through signing individual agreements rather than collective ones'.

Changes have been made to enterprise-level collective agreements. It is now possible to sign company-level collective agreements that may be less favourable than industry-wide agreements (Kousis and Karakioulafi, 2013). According to Lampousaki (2014), 'before the Memorandum laws came into force in 2010, representation at an enterprise level was quite

limited and so was the number of enterprise-level collective labour agreements. The Memorandum Laws stipulate that enterprise-level collective agreements shall prevail in case of overlap with a sector-level collective agreement, but may not contain working terms less favorable to the workers than those of the National General Collective Employment Agreement.'

The study on collective bargaining by Ioannou and Papadimitriou (2013) showed that 976 enterprise-level collective agreements were sent to the Ministry of Labour in 2012, compared with 179 in 2011 and 238 in 2010. In 2012, the majority of enterprise-level collective agreements (72.6 %) were concluded by 'associations of persons', while only 17.4 % of such agreements were concluded by company trade unions and 9.9 % by primary local sectoral and company trade unions. Only one enterprise-level collective agreement was concluded by a federation.

According to Lanara (2012) 'the changes in industrial relations due to austerity measures have weakened trade unions' institutional role and standing at all levels by depleting their bargaining power and curtailing fundamental institutional tools and safeguards. These changes undermine the functioning of trade union organizations and threaten the cohesion of collective representation. Furthermore, workers and trade unions in a fragmented labour market characterized by great precariousness and flexibility now face an uneven playing field, since employers' options are being excessively reinforced'.

2.4 Worker participation in Greece

2.4.1 Introduction

Worker participation in Greece is achieved through consultative processes as stipulated by legislation, work councils, trade unions and direct involvement in the administration board. Worker participation is also foreseen through OSH legislation at national, regional, branch and company levels (Georgiadou and Dontas, 2013).

Council Directive 2002/14/EC (EU, 2002), which establishes a general legal framework for informing and consulting employees in the European Union, was incorporated into Greek law by PD 240/2006 (Greek PD 240/2006). Greek Law 1767/1988 (Greek Law 1767/1988) establishes the general framework for the function of work councils. Work councils are consultative bodies whose aim is to improve the working conditions of employees. The functions of work councils do not negate the rights of trade union activities.

Related studies revealed that the statutory framework for workers' consultation has not been effectively implemented in Greece (Lampousaki et al., 2009). According to an empirical analysis of the extent and nature of workplace social dialogue (Bryson et al., 2009), fewer than 5 % of workplaces have either form of employee representation. The main form of general representation is the trade union. Work councils exist in theory but not often in practice (EU-OSHA, 2012; Robolis, 2008). Work councils have been set up in only a few hundred companies at most (Eurofound, 2013). Focusing on ESENER-2, as pointed out above, only 7.9 % of surveyed Greek workplaces report having a recognised trade union representative, the shares being highest, as expected, among the largest sizes (38.8 % of enterprises with 250 or more workers). By sector, public administration report the highest figures, slightly over 30 %. More than 90 % of surveyed Greek establishments report not having a works council.

According to Koutroukis and Jecchinis (2010), 'many unions apparently chose not to exercise their right of forming works councils, and they influenced their members accordingly. This begs for a further explanation: The union or unions were either genuinely satisfied with the informal joint consultation arrangements, or that the union leadership were afraid that the elected members of the works council within the enterprise would not be under their control, and thus become their competitors, especially in those cases where a small minority could be the balance of power in the political control of the union's executive council'.

2.4.2 OSH and worker participation in Greece

▪ General framework

Law 1568/1985 on Health and Safety at Work (Greek Law 1568/1985) has allowed the establishment of a number of institutions, such as OSH representatives and committees at the enterprise level and the Health and Safety at Work Council at the national level.

Law 3850/2010, which has amalgamated several laws and presidential decrees regarding OSH matters (Greek Law 3850/2010) includes provisions regarding consultation of workers; the right of workers and their representatives to make proposals; and balanced participation in accordance with national laws and practices.

It is important to notice that, according to legislative provisions, workers and their representatives must not incur unfavourable consequences due to OSH activities (Greek Law 3850/2010). In addition, worker representatives (trade unions and OSH representatives) are protected against dismissal (Greek Law 1264/1982).

In this context, workers and their OSH representatives shall take part or shall be consulted by the employer with regard to (Greek Law 3850/2010):

- anything which could have consequences on OSH;
- OSH training programmes;
- safety and health regulation;
- persons who will undertake the duties of safety engineer and occupational physician;
- external OSH services;
- preparation of the risk assessment document;
- problems associated with the interaction of a specific work environment and the wider general environment.

Workers and their OSH representatives have the right:

- to ask the employer to take appropriate measures;
- to submit proposals to him/her with the aim of mitigating OSH hazards and to remove risk sources;
- to approach the inspection authorities if they judge that the safety and health measures taken are inadequate for the protection of workers;
- to participate in visits conducted by inspection authorities at the workplace and to mention their observations.

Other regulations also include provisions for information and consultation on OSH matters. For example, such provisions are included in:

- protection of workers from noise (Greek PD 149, 2006);
- protection of workers from vibrations (Greek PD 176, 2005);
- protection of workers from artificial optical radiation (Greek PD 82, 2010);
- protection of workers from **dangerous** substances (Greek PD 338, 2001) and carcinogens (PD 399/1994);
- control of major-accident hazards involving dangerous substances (Greek Joint Ministerial Decision 172058, 2016);
- protection of workers from **biological** agents (Greek PD 186, 1995);
- working at **display screen** equipment (Greek PD 398, 1994);

- **work equipment** (Greek PD 395, 1994);
- **manual handling of loads** (Greek PD 397, 1994).
- **OSH representatives and OSH committees**

According to Law 3850/2010 (Greek Law 3850, 2010), in companies with fewer than 50 employees, workers have the right to set up safety and health representatives (one representative through negotiation among the employees in companies with fewer than 20 employees, or two representatives through elections in companies with 20 and more employees). OSH workers representatives are consultative bodies. They advise employers on OSH measures to be taken, but they are not responsible for taking these measures; the employer has to take them. If there is no work council in the company, the law provides that workers shall elect a health and safety committee (HSC) every 2 years. Otherwise the work council can nominate the members of the committee.

Workers in companies which employ more than 50 persons have the right to set up a HSC through elections. More precisely, this committee shall consist of:

- two members in a company employing 100 workers or fewer
- three members in a company employing 101 to 300 workers;
- four members in a company employing 301 to 600 workers;
- five members in a company employing 601 to 1,000 workers;
- six members in a company employing 1,001 to 2,000 workers;
- seven members in a company employing more than 2,000 workers.

OSH representatives have the right (Georgiadou and Dontas, 2013; Greek Law 3850, 2010):

- to be consulted on risk assessment;
- to supervise compliance with safety and health measures and contribute to their implementation by the workers;
- to be trained appropriately (employer's responsibility);
- to be informed of the company's accident records;
- to be informed about the introduction of new manufacturing procedures, machinery, tools and materials, new installations;
- to call on the employer to undertake appropriate measures, which may include shutting down machinery and installations or even the cessation of the production process (in the event of immediate or serious hazards);
- to request the advice of experts with the consent of the employer;
- to be absent from work in order to execute their duties without loss of pay;
- to be provided by the employer with the necessary means to exercise their rights and functions;
- to hold at least one meeting with the employer or his/her representative within the first 10 days of each 3-month period (the safety engineer and the occupational physician shall participate in these joint meetings).

The few studies that have been conducted in Greece have revealed that the institutions of OSH representatives have not been widely implemented (Walters, 1995; EU-OSHA, 2010; Eurofound, 2007; Boukouvalas, 2005; Krieger, 1990; Banoutsos, 1994). According to ESENER-2, more than 82 % of the establishments surveyed reported not having a health and safety representative, while 90 % reported not having an HSC. The presence of these forms of

OSH-specific worker representation bodies is more frequently reported, as expected, as establishment size grows.

The need for enforcement in this area is mentioned in the Greek national strategy for OSH matters for the period 2010-2013 (Ministry of Labour and Social Security, 2010).

In studies concerning workers' participation in OSH, the size of the company and low trade union density are considered primary factors (Walters, 1994; Banoutsos, 1994; Koutroukis and Jecchinis, 2010).

According to Lampousaki (2014), 'Health and safety committees can be set up in companies employing over 50 workers; however, such companies represent only 2 % of the total number of enterprises and, in any event, health committees have been established in only 30 % of the eligible companies. Thus, worker representation in the workplace is, overall, inadequate.'

The GSEE used questionnaires to study the presence of HSCs in Greek companies. This study revealed that: 'Only 32 % of the respondents stated that this committee exists in practice in their workplace, and about two in three respondents (68 %) reported that it does not exist or that they did not know whether it did.' (Eurofound, 2007; Boukouvalas, 2005)

A study conducted by the Labour Centre of Athens in 1998 revealed that only in 18.5 % of the workplaces did an elected or appointed OSH committee exist (EKA, 2000).

According to Banoutsos, based on figures from the Ministry of Labour, 'OSH committees have been set up in about 45 % of the enterprises in manufacturing with more than 150 employees. Considering the very small percentage of enterprises with more than 150 employees, it is evident that the actual implementation of statutory provisions is very limited, even if one takes into account the public sector' (Banoutsos, 1994).

Concerning the effectiveness of HSCs, Walters pointed out that the most important factors are employee workplace organisation, employee and public awareness, some minimum legal rights, the support of trade unions, support from the employer and finally the support of the enforcing authorities (Walters, 1994). Walters's findings relate to eight European countries, including Greece.

According to Banoutsos two conditions are necessary for workers to establish and run an effective HSC: the effective implementation of existing legislation supported by the national institutions, e.g. the labour inspectorate; and adequate infrastructure for preventive and monitoring services (Banoutsos, 1994).

Koutroukis and Jecchinis also stress insufficient implementation of legislation as a factor that negatively affects employee participation (Koutroukis and Jecchinis, 2010). Management commitment is a facilitating factor. The nature of labour relations, tradition and the culture of social dialogue also determine the effectiveness of workers' participation in OSH.

The experience of the authors is that, where HSCs are active, OSH performance is improved. There are HSCs that make use of most of their rights such as participation in risk assessment procedures, calling in external experts and stopping unsafe operations.

On the other hand, in some cases active participation in an HSC led to the employee's demotion or even dismissal.

▪ **Work councils**

The work councils in conjunction with the employer decide on the preparation of the Occupational Health and Safety Internal Rules of Procedure for the company (Greek Law 1767/1988; Greek Law 2294/1994). They also decide jointly on the reintegration in appropriate work tasks of persons who have some disability as a result of a previous work accident in the

company. As mentioned above, work councils are rarely found in Greek companies – fewer than 10 % of the establishments surveyed in ESENER-2 reported having a works council.

- **Other bodies for OSH representation and consultation**

There are other institutions in Greece which promote dialogue on OSH matters between representatives from employers and employees, as well as professional associations and the state, at a national or sectoral level (Georgiadou and Dontas, 2013):

- The Council for Health and Safety at Work (SYAE) consists of representatives from social partners, the Technical Chamber of Greece (TEE), the Pan-Hellenic Medical Association (PIS), the Greek Chemists' Association (EEX), the social partners and the National Association of Local Authorities (KEDKE) as well as representatives from the Ministry of **Development, Competitiveness and Shipping**, the Ministry of Health and Social Solidarity, the Ministry of Labour, Social Security and Social Solidarity, and the Ministry of Finance.
- The Council for Social Inspection of the Labour Inspectorate (SKEEE) is a consulting body of the Labour Inspectorate and at the same time examines, evaluates and controls its function. It consists of representatives from the employees' organisations such as the GSEE and the ADEDY, from employers' organisations, such as the SEV, the ESEE, the GSEVEE and the SETE, one representative from the Labour Inspectorate and one representative from the Union of Prefectures.
- The Hellenic Institute for Occupational Health and Safety (ELINYAE) is a bipartite (employers and employees) non-profit organisation which was founded in 1992 by the GSEE, SEV, ESEE and GSEVEE. The ELINYAE conducts research on safety and health matters for different sectors. It also participates in European research programmes and organises training programmes and seminars. It provides information through its website, its documentation centre and its publications in the safety and health field.
- The consulting committee for the provision of licenses to external services for protection and prevention consists of two employees from the Ministry of Labour, Social Security and Social Solidarity, one employee from the Ministry of Health and Social Solidarity, and one representative from each of the social partners, the Technical Chamber of Greece, the PanHellenic Medical Association (PIS) and the Greek Chemists' Association (EEX).
- The Prefectural Committees for Health and Safety at Work (NEYAE) coordinate OSH matters at local level and they consist of the prefect, a labour inspector from the region, a representative from the Ministry of Health and Social Solidarity, representatives from the ADEDY, the Organisations of Local Authorities etc.
- The construction industry and the shipyard and repairing industry have sectoral OSH joint committees. In the construction industry the committee comprises representatives from the inspectorate, the trade unions and the Technical Chamber of Greece. In the shipyard and repairing industry the committee comprises representatives from the inspectorate, the employers, the trade unions, the Technical Chamber of Greece, the Port Authorities and the General State Laboratory.
- There is a consulting committee for the provision of licences to companies involved in asbestos removal: the members of this committee consist of two representatives from the Ministry of Labour, Social Security and Social Solidarity and one representative

each from the Ministry of Health and Social Solidarity, the GSEE, the SEV, the Technical Chamber of Greece, the PIS and the EEX.

Some professional associations are known to provide services to their members on OSH matters, for example the Committee on Occupational Safety and Health of the Technical Chamber of Greece, and the Department for the Environment and Health and Safety at Work of the EEX.

▪ **Trade unions**

Most companies, especially the small ones, do not have any form of worker representation (trade union, work council or OSH representative). In the majority of the remaining companies, only trade unions at company level exist, and even so, according to ESENER-2, only 7.9 % of surveyed establishments in Greece reported having a recognised trade union representative in the workplace. In a small minority of Greek companies, trade unions and worker representation on OSH coexist.

Trade unions do not always put emphasis on safety and health matters. Their priority is salary and job security issues. They usually intervene after a serious accident. The institution of OSH representatives was not always promoted by the trade unions. They considered that the new institution would weaken their bargaining power. Lack of OSH knowledge was another important factor. Today, where trade unions and HSCs coexist, they work together on OSH matters.

Sectoral (e.g. construction, energy, metal) trade union federations (primary and secondary) play an important role on OSH. Their role is prominent after serious accidents in the sector. They also play an important role in including of occupations on the list of 'heavy and health-hazardous occupations' mentioned above.

In the construction industry and the shipyard and repairing industry, the Sectoral trade unions play an active role in risk prevention through the so-called OSH joint committees. They have the right to stop dangerous work activities.

A number of national collective agreements contain OSH-related provisions. For example:

- Article 6 of the National Collective Agreement of 1992-1993 refers to the establishment of the Hellenic Institute for Occupational Health and Safety (NGCA, 1991).
- The 1994 National Collective Agreement provides for, among other things, continuous dialogue between the SEV and the GSEE on issues of shared concern, including safety and health (Koutroukis and Jecchinis, 2010).
- The National Collective Agreement of 2004-2005 contains provisions for the enforcement of OSH measures (Article 17) and for the prevention of moral and sexual harassment in the workplace (Article 18) (NGCA, 2004).
- The National Collective Agreement of 2008-2009 contains provisions for funding the Hellenic Institute for Occupational Health and Safety (Article 12) (NGCA, 2008).

Many sectoral collective agreements also contain OSH-related provisions. Usually these provisions are related to extra benefits or premiums for highly dangerous work and for the procurement of personal protective equipment. Examples of such sectoral collective agreements can be found in the cement industry, the private health sector, telecommunications and the construction industry.

The financial crisis has certainly had a painful social and humanitarian impact. Trade unions have been severely affected. OSH was made a matter of low priority. Workers themselves accept employment in bad working conditions for fear of unemployment.

3 Field study

3.1 Introduction

The sample was drawn from the ESENER-2 survey; more specifically, from those respondents that agreed to be recontacted for future studies. From these, 20 cases were initially chosen from a pool of 103 companies that declared they had at least one kind of worker representation (trade union or HSC). Half of the companies declined after the first acceptance (six small companies and four medium-sized). The companies that declined were replaced by new ones. However, it was not always possible to find alternative companies from the same cluster. Large companies with worker representation were more likely to agree to participate in the study. Some were also misclassified by ESENER 2 as small when they were medium-sized or large (e.g. a municipality was classified as small whereas it was medium-sized). As a result, 4 of the 20 of the cases are small establishments while 9 are large establishments.

As for the different categories, seven are producing industries (two small, three medium-sized and two large), six private services (one small, two medium-sized and three large) and seven public services (one small, two medium-sized and four large). The distribution of sectors is as follows: two from the food sector, two from health care, two municipalities, two metal industries, two from the hotel and restaurant sector, one from education, one chemical industry, one paper industry, one tobacco industry, one from the telecommunication sector, one port authority, one wholesale trade company, one from the energy sector, a national airport and the national land register.

Although ESENER-2 already reports low numbers of worker representation structures in Greek workplaces, the fieldwork suggests that these numbers may be even lower. It should be noted that a significant number of companies reported having some kind of worker representation although they had none. This was noticeable in the SMEs in almost all sectors. Of those approached by the interviewers from the initial pool of companies claiming to have some type of representation (42), 20 did not have any worker representation bodies. The exception was the group of large enterprises in all sectors. Furthermore, a number of companies in the sample had ceased to exist because of the financial crisis. Consequently only 65 % of the companies selected had worker representation.

In some cases the contact person was the safety officer, who agreed to participate in the study without prior consent from top management. Therefore, a number of companies declined at the very last minute. This put an extra burden to the researchers to find new companies and get them to agree to participate. As a result, the research team was forced to accept companies with no representation.

During the field study, usually interviews were arranged by contacting the management. Management representatives were in most cases human resources or technical managers. In a few cases (small enterprises and a national port) the general director was interviewed. Safety officers were also interviewed whenever that was possible. In companies with worker representation and HSCs, there was an effort to interview both. The majority (roughly 80 %) of workers' representatives we interviewed were male. Almost all of them were experienced representatives with long working experience in the enterprise.

In 13 out of 20 cases workers were interviewed. In all cases the worker was selected on the spot either by the contact person or by the trade union.

The field study also included interviews with key respondents from sectoral trade unions from construction, the metal industry and the hotel sector.

Figure 3.1-1: Interview matrix of fieldwork establishments

Number of employees	Producing industries	Private services	Public services
10-49	Food Industry NO		Health care NO
	Food industry NO	Restaurants NO	
	Metal industry YES*	Wholesale trade NO	Education NO
50-249	Chemical industry YES	Hotel YES*	Municipality YES
	Paper industry YES		
≥ 250	Metal industry NO	Port authority YES*	National land register YES
	Tobacco industry YES*	Telecommunications YES*	Hospital YES
		National airport YES*	Natural gas YES*
			Municipality YES

YES, workers' representatives; YES*, both forms of worker representation; NO, no workers' representatives

3.2 Description of the cases

3.2.1 Type of worker representation

Regarding workers' representation, 13 cases had some form of workers' representation (8 large companies and 5 medium-sized). The small companies had no worker representation of any type. Seven companies had both a trade union and an HSC; five of them were large and two were medium-sized. In three cases more than one trade union was active in the same company, representing different occupations (e.g. engineers, technicians, administrative personnel). The large telecommunication company is a special case, having 50 HSCs dispersed all over the country, a trade union and unions representing special occupations. However this 'plurality' was reported to cause problems for the management, such as fragmented information on OSH issues, too many meetings, the need to train and retrain a large number of employees, etc.

In the majority of the cases HSCs were directly elected by the workers. In a few cases HSCs were appointed by company trade unions. In one case, in a multinational producing company, a worker representative for OSH issues was also elected but he was part of the organisational structure.

Seven cases did not have a worker representative at all. This corresponds to the reality for the large majority of small enterprises in Greece. It has been observed that OSH issues are mostly covered by the activities of the company's trade unions. Only in large companies (usually of public interest), may HSCs coexist with other forms of worker representation.

Trade unions and HSCs usually cover full-time and part-time employees but not always seasonal ones. Employees with short-term contracts are usually not members of the company's trade union. In all cases subcontractors' employees are not covered. Trade unions only inform

subcontractors about OSH issues. This is significant especially when these employees are far more numerous than those of the organisation (e.g. in a national airport).

3.2.2 Experience of worker representation and consultation on OSH

The activities of workers' representatives in general fall short of their full potential provided for by legislation. Workers' representatives are rarely involved in drafting the OSH policy of the company. In only a few companies do meetings between workers' representatives and the management, provided by legislation, happen regularly (e.g. in the national airport, the telecommunication company, the natural gas company and the paper industry).

According to ESENER-2, in 78.6 % of surveyed Greek establishments that report carrying out regular risk assessments, employees are involved in the design and implementation of measures following such risk assessments. This seemed to be confirmed by our interviews, as workers' representatives were usually consulted in the process of risk assessment. That was more noticeable when risk assessment was carried out by internal preventive services. However, in some cases HSCs had a say in risk assessment although the preventive services were external. Interestingly, in one public hospital, the risk assessment had not yet been drafted and the trade union had requested it.

HSCs carry out internal inspections and submit suggestions on OSH issues at regular intervals. Active HSCs in few large companies carried out weekly inspections documented with videos and interviews with workers. The inspection findings are forwarded to safety engineers and the management. HSCs also respond to unsafe work situations. To deal with difficult organisational issues, HSCs collaborated with second-level trade unions present in the company. In some cases they have ordered operations to stop (e.g. work under extreme weather conditions, unsafe machinery, etc.).

Worker representatives mainly focus on traditional risks (machinery safety, fire safety, falls, chemicals, etc.). However, ergonomic issues have also been mentioned in several cases. Organisational changes such as intensification and time pressure are raised with the management but not always resolved. Psychosocial issues were more prominent in services such as hospital, hotels and municipalities and in organisations where work was intensified.

When a company has only a trade union, OSH is usually considered a secondary matter.

Privatisation projects may also limit the trade union focus on OSH to basic matters. This is the case in the port authority, where trade unions face the reality of privatised sections of their company right next to them with completely different labour relations and working conditions.

In producing companies that retained their staff despite the crisis, psychosocial issues were not mentioned. Based on our case studies, only three companies have reported measures concerning psychosocial issues. No special involvement of workers' representatives has been reported in these cases. This picture seems to be slightly poorer than the findings of the ESENER-2, according to which establishments in Greece reporting measures against psychosocial risks ranged from 22 % up to 50 % and, among these, 68.4 % reported some kind of worker involvement.

Few managers consulted HSCs concerning new equipment. In one large company, only the trade union for technicians was consulted in good time to draft requirements for new equipment. Because of that, the reaction of workers' representatives to new occupational problems was slow. An exception of a prompt reaction to a new problem is an HSC in a large private company that immediately responded to the purchase of unsuitable work equipment. Another example is that of workers' representatives in a port authority. They requested personal protective equipment (PPE) and application of technical measures (glass shield positioning) to protect the

bus drivers who transported refugees, coming recently in large numbers into the country, from potentially infectious diseases or other biological factors.

Workers' representatives' involvement in accident investigation was not reported. In some cases they were not even informed promptly about the accidents.

The financial crisis and the procurement process for cutting expenses in the public sector made it difficult for OSH representatives and trade unions to intervene effectively in OSH matters. For example, calls for the lowest tender for external services and work equipment are time-consuming and do not necessarily favour high OSH standards. Recommendations from HSCs are rarely taken into account.

Regarding the different types of representatives' interventions identified by Hall et al. (2016), the second-level trade unions in large organisations usually act as 'political activists' whereas HSCs often act as technical ones, focusing on more thorough auditing for health and safety issues. However, the so-called 'knowledge activists' can be found in both groups, not only among the political activists, depending on their individual commitment and educational background.

A combined approach of technical activism with knowledge and other forms of political activism seems to be more effective especially in times of social change. This can be attributed to the fact that more traditional political interventions reassure people about solidarity while access to technical knowledge can be limited and time-consuming.

3.2.3 Support by the management

In general, the management facilitated workers' representation on OSH (paid time, training, etc.). According to the legislation, paid time for HSCs activities should be at least equal to one-third of the time of the safety engineer provided for by the same legislation. HSCs consider this time insufficient to carry out their duties effectively. In a private company even this time is not available.

A member of an HSC stated: 'I was demoted in my job because I had to spend time on HSC activities'.

The training arrangements varied from a full-scale OSH course for 150 employees who were members of HSCs all over Greece, carried out in the telecommunication sector, to basic training on first aid and fire safety in small companies. Training was mostly carried out internally by safety engineers. In the telecommunication company, training was carried out by the ELINYAE. HSCs had also the right to participate in OSH scientific conferences.

The management encouraged workers' representatives and considered them an additional source of information on OSH problems.

As a manager in a private industry said: 'we tend to see it as an extra eye observing the daily job routine; as long as it functions correctly and the workers embrace it, it is positive for parties, employees and the enterprise'.

A general manager of another private company stated: 'their participation is certainly valuable, since they have an overview of all risks in the organisation'.

Another director said: 'HSCs provide an extra source of OSH information which is taken into consideration when acting on prevention'.

In another case, the management demanded more active involvement of HSCs in OSH issues.

In the existing cases, 'the question of time off to represent workers was a significant issue.

Although in one large private company the management supported worker representation, it considered workers' demands excessive, especially compared with the situation in similar companies.

Trade unions tend to have extreme demands. What more can they ask? This is a working paradise.

In one hotel the management was committed to engaging employees from the local community. This company employed its personnel for a long period and encouraged their unionisation.

Good labour relations favour worker representation, especially in establishments with a long tradition of trade unionism. This applies also to companies covered by strong sectoral trade unions. Job security for whatever reason (e.g. in some public services, or in establishments with a management style favouring low rotation) positively influences worker representation in general. Financial constraints impede trade unions and put the focus of their activities on salary matters. OSH issues are usually a low priority.

3.2.4 Communication between representatives and workers on OSH

OSH matters are usually brought directly to workers' representatives by all employees. When more than one trade union is active for different occupations (technicians, administrators, etc.) in one organisation, communication on OSH problems is divided. However, there is coordination between them. Trade unions coexisting with HSCs usually have direct contact with employees encouraging them to collaborate with HSCs. In addition to this, HSCs forward their findings to the relevant trade union for each occupation in the company (e.g. safety hazards concerning technicians are forwarded to their trade union).

The different HSCs collaborate with the trade union in the telecommunication company on addressing their demands to the management. In the same company one big HSC issues a quarterly electronic newsletter informing workers and management about its activities and organised a conference.

Paid time to carry out worker representation activities effectively is essential. In the case of a large private company, two workers' representatives, although fully exempted from their duties, say that they continue to work twice a week to keep close to workers' problems. Furthermore, workers' representatives communicate with workers during inspections in workplaces. Finally, trade union conferences also provide useful information to reps.

On the other hand, workers may have difficulties in trusting delicate matters (e.g. harassment, mobbing) to workers' representatives. For example, in a large hospital, workers raised concerns about passing information to trade unions on personal medical records or inappropriate work conditions, fearing that this information would not remain confidential.

3.2.5 Collaboration between trade unions and HSCs: support from other organisations

Trade unions and HSCs coexisted in only seven companies. Trade unions usually appoint a health and safety secretary who works closely with HSCs. The relationship between the two institutions is usually close and beneficial in terms of health and safety outcomes.

HSCs are usually engaged in day-to-day basis inspections, whereas company trade unions deal with more general organisational matters including labour relations.

Coexistence of both institutions facilitates more detailed coverage of OSH issues and gives representatives a stronger voice in calling for preventive measures. A good example of such collaboration is a company in the telecommunication sector. In this company, HSCs forward OSH issues that they find difficult to resolve to the trade union, which is more powerful.

Worker representatives on OSH are supported technically by the ELINYAE, the Directorate for Safety and Health at Work of the Ministry of Labour and their sectoral trade unions. In one private company, HSCs collaborated with HSCs of other companies.

Workers' representatives consult SEPE for information or in case of a complaint. HSCs are not always informed by the management during labour inspections unless the inspectors ask for it.

3.2.6 OSH management in undertakings with formal workers' representation

OSH management in the companies with formal worker representation was in general fairly good. They all have written risk assessments, which in some cases are available to all workers. Preventive measures are usually centred on traditional risks and approaches (machine guards, chemicals, PPE, etc.). Ergonomic issues were raised, although not always tackled. Psychosocial risks were rarely included in risk assessments.

Almost all companies have internal or external preventive services from safety engineers and occupational physicians.

Workers usually receive OSH training and especially induction training. One chemical company required workers to complete an OSH test prior to undertaking a specific job. ESENER-2 shows that 76.8 % of the establishments surveyed in Greece reported that their safety and health representatives had received OSH training during work time,

In one hotel, OSH management was strongly influenced by the demands of clients (tourist agencies), which included various certifications and risk assessment of the hotel.

Multinationals are very much influenced by the OSH policy of the mother company.

Exceptions to this rule were two municipalities and a hospital, where OSH management was rather low mostly for financial reasons. Both management and employees emphatically mentioned lack of personnel.

3.2.7 Cases with no worker representation

Seven out of 20 cases had no formal worker representation. Four of them were small, two medium-sized and one large.

In small companies with no worker representation, informal ways of collecting workers' views and perceptions were applied. They included meetings, collecting suggestions (either oral or written) and open discussions. The fact that it was extremely difficult to find small companies with worker representation (let alone OSH representation) proves that size is a decisive factor. Only one small public company had a trade union. It should be noted that there is no legislative obstacle to OSH workers' representation in small companies. Companies with fewer than 20 employees are entitled to have a health and safety representative.

The executive manager of a small clinic believes that personal relations can substitute for representation or intermediation by third parties: 'If an employee has a problem, he or she feels free to share it with us, as together we can find a solution; the most important thing for everyone, owners and staff, is the survival of this enterprise'.

In companies in the same sector (e.g. food industries, health care) but of different sizes, worker representation is present only in the large ones.

In most cases, especially in small companies, employees had limited knowledge of OSH and their right to worker representation.

In one medium-sized and one large company with fairly well-developed OSH management, OSH representation was thought superfluous. They had instead settled on 'alternative' management-driven schemes whereby a human resources representative or an OSH coordinator appointed by the management acted as an intermediate between the management and the workers for all labour issues (OSH included).

As a management representative put it: 'representation has a meaning when workers feel they are not heard; here we are a family business, with an open-doors policy'.

In one case, although no formal representation exists, the enterprise allows external unions to speak to the workers during their break, albeit without enthusiasm: 'what about the workers who do not want to hear but still have nowhere else to go for their break?'

OSH management in undertakings without formal workers' representation was generally fair to low. The lowest performance was recorded in a medium education establishment. In general, measures following risk assessment centred on technical issues.

The large company with no worker representation has a 'behaviour-based system' that attributes accidents to workers (indifference, excessive self-confidence, etc.). Its occupational risk management is principally implemented by providing suitable PPE.

A medium-sized company, which is a daughter company of a large multinational, claims that OSH matters are effectively addressed by the company's special intranet programme.

3.2.8 Conclusions from the cases – determinants of workers representation

- **Internal factors (preconditions) influencing OSH management in undertakings with worker representation**

It was observed from our cases that worker representation has a positive influence on OSH management. This was obvious in better communication of OSH problems, completeness of risk assessment, effective training of workers and measures covering more occupational risks. When both forms of representation (trade unions and HSCs) are in place, these positive effects are greater.

Formal worker representation usually coexists with strong management commitment to OSH matters and worker participation. This results in good OSH management.

The findings of previous research indicate that, provided certain preconditions apply, the operation of arrangements for worker representation on OSH is associated with improved safety and health performance. Such preconditions include regulatory measures on worker representation implemented at the establishment, management commitment to worker participation and to OSH, support from trade unions both within and outside the establishments, support from workers and support from the labour inspectorate.

It was obvious from our research that, although the rights of OSH worker representatives are quite broad as prescribed in regulations, they are not implemented to their full potential. For example, worker representatives do not always participate in drafting the OSH policy and they are not always consulted in good time (e.g. when introducing new equipment or production methods). The range of HSCs' activities depends very much on the workers' demands.

Support from internal unions was a crucial factor for the effectiveness of OSH representation. The work of these two institutions is complementary and it improves the OSH performance of the company. In our sample, support from external unions was less common on OSH issues. The Labour Inspectorate's was more informative towards workers' representatives, since inspectors do not always meet HSCs during inspections, unless in cases of complaint or accident investigations. Workers had, in general, good communication channels and supported workers' representatives.

Management commitment to both OSH and worker participation was rather high in the cases with HSCs.

In our sample, trade union support, workers' demands and support, and management commitment were the most decisive preconditions for effective worker representation on OSH and better OSH performance.

Another precondition influencing OSH workers' participation and OSH performance is the management's commitment to engage internal protective and preventive services. In these cases, communication with HSC and follow-up of OSH management procedures are better. In one case (a hotel), management commitment to hiring the same employees as seasonal staff for several years encouraged worker participation on OSH issues and improved OSH performance.

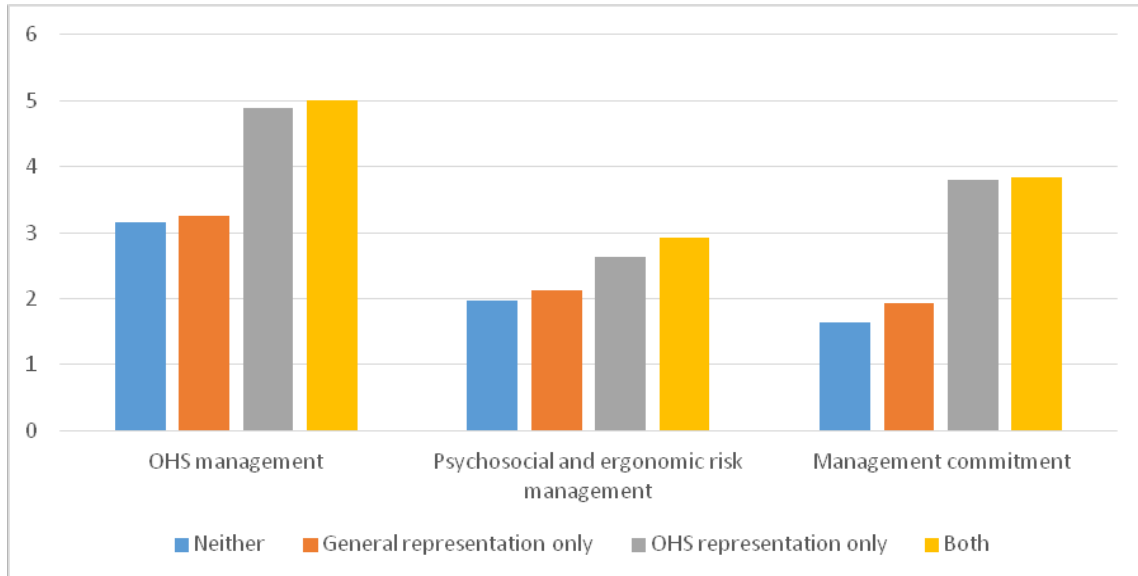
Our findings confirm the findings of the ESENER-2 quantitative analysis. Taking into account the answers of the interviewees in our sample, we have roughly estimated the scores for the three composite variables mentioned in the secondary analysis of ESENER-2 (Walters and Wadsworth, 2016). The first composite variable combined measures included in the OSH management, and scores ranged from 0 to 7. The second composite variable used the same approach to give an indication of enterprises' standing on a spectrum of good practices in relation to the management of ergonomic and psychosocial risks. Scores ranged from 0 to 5. The third composite variable combined various measures of management commitment. Scores ranged from 0 to 6.

The average scores for undertakings in our sample with both forms of worker representation were 6 for OSH management, 3 for ergonomic and psychosocial risk management and 6 for management commitment. The relevant average scores for the undertakings without formal workers' representation were 4 for OSH management, 2 for ergonomic and psychosocial risk management and 3 for management commitment. The relatively high score for OSH management in this latter group of companies could be attributed to selection bias. Only companies with relatively fair OSH performance agreed to participate in the study.

In accordance with the findings of the quantitative analysis of ESENER-2, companies with both forms of worker representation have much higher scores in OSH management and management commitment than those without worker representation. For ergonomic and psychosocial risk management, differences are smaller. This comparison is of course indicative because of the small size of our field study sample.

Figure 3.2.1 illustrates the ESENER-2 quantitative analysis.

Figure 3.2-1: Mean OHS management, psychosocial and ergonomic risk management and management commitment scores among Greek enterprises by worker representation arrangement type



- **External factors influencing OSH management in undertakings with worker representation**

How workers’ representatives operate is also influenced by external factors such as recession and financial constraints, privatisation projects, the increase of subcontracting, job (in)security, trade union density, the power of trade unions in critical sectors, sector and size of company, among others.

In our cases, the recession had struck municipalities and public hospitals more heavily. Lack of personnel was observed and the budget for OSH was reduced. One municipality claimed to be on the brink of bankruptcy. Workers’ representatives have therefore little room to play their role, since procurement procedures for protective services, equipment and PPE are very strict and the only criterion is the lowest price. Financial difficulties lead both sides, workers’ representatives and management, to demand more resources from the state for OSH issues. Therefore, management commitment is affected, since the means available are not sufficient to maintain the standards that prevailed prior to the crisis.

In the establishments with worker representation, several trade unions reported job insecurity. This was the case in organisations expecting further privatisation or restructuring. For example, labour issues were the priority for workers’ representatives in a company that was in the process of privatisation. In other cases, considerable restructuring had already occurred in previous years (early retirement, retirement, voluntary redundancy with incentives, etc.). In some other cases the number of employees had stabilised in recent years, after initial staff reductions.

In our cases, long-established trade unions remained active despite the economic crisis.

Subcontractors in all cases are not covered by the workers’ representatives of the establishments. Large establishments such as a national airport or a chemical company impose their OSH rules on subcontractors. This is not necessarily the case in other establishments, where subcontractors are perceived as external collaborators.

The size of the company influences worker representation considerably. More than 60 % of the companies (8 out of 13) with worker representation were large. Large companies are more likely to have both types of worker representation (5 out of 7). It must be noted that small companies in the sample did not have any kind of worker representation. In the legislation, workers in small companies with fewer than 20 employees are not entitled to elect general trade union representatives. There is no such limit for appointing an OSH representative. However, having a trade union usually precedes setting up an HSC. This explains the very low density of worker representation among the small companies.

It seems, therefore, that trade union support to OSH workers' representatives is stronger in large companies. Managers in large companies are more committed to worker representation and OSH. The size of the company is the most decisive factor for worker representation. This confirms earlier studies' findings about OSH representation.

Establishments in high-risk sectors, such as the national gas company, are more likely to have higher management commitment to OSH and encourage worker representation. On the other hand, high-risk public establishments such as hospitals are constrained by their limited budgets.

In summary, the most influential external factors in our cases were the effects of recession, job insecurity and the size of the company.

4 General conclusions

We have drawn some general conclusions from the literature review and the field study. The long experience of ELINYAE (research in thousands of SMEs, training of HSCs, technical support of trade unions, etc.) was also an important source of information.

Although special legislation for OSH worker representation has existed since 1985, it is poorly implemented. The large majority of enterprises do not have any kind of worker representation at all.

4.1 Types of worker representation

The basic types of worker representation at enterprise level in Greece are:

- trade unions that coexist with HSCs;
- trade unions, no HSCs;
- employees acting as OSH representatives appointed by the management;
- rarely, HSCs in medium-sized companies without any other form of worker representation.

The first category usually covers two types of companies: private companies with active trade unions and HSCs, and public interest companies (although privatised in recent years) with long-established and active trade unions that coexist with HSCs.

In public interest companies, trade unions are sometimes represented on the board of directors. Although operating in a privatised environment, they have mostly kept their rights and prerogatives. In this category, in some cases second-level company trade unions (federations) operate, having as members primary trade unions covering different occupations (technicians, administrators, etc.). In addition to these, HSCs are elected. Actually, these second-level trade unions are more autonomous than HSCs, which are closely monitored by the management. This is because the first group has full exemption from their duties (paid time) whereas members of HSCs are considered full-time employees of the organisation with a few hours a month dedicated to their representative duties. In this category, coexistence of different trade union levels (second-level, occupation-related and HSCs) creates synergy that favours effective OSH representation. However, fragmentation may cause loss of focus and coordination. This relatively positive environment is jeopardised by further privatisation or downsizing.

In the second category, only company trade unions operate. These unions have the task of dealing with OSH issues. In some cases, mostly in the private sector, they are functioning under adverse conditions. Downsizing, outsourcing and moving of companies' activities are the most prominent risks for them. Therefore, health and safety is not among their priorities.

The third category consists of medium-sized and large companies with no trade unionism at all. Employees can be appointed to safety and health teams by the management. Some of them are daughter companies of large multinationals (chemical, electronics, etc.) with good OSH management but no worker representation mentality. An important trend observed in some companies is the monopolisation of OSH activities by the management and its consequent hegemonic attitude. This made worker representation on OSH matters practically redundant.

There is a fourth, very rare, category in which only HSCs are present.

Outside this classification fall the overwhelming majority of enterprises, usually small, that do not have any form of work representation. Small companies struggle for financial survival and

have limited resources for OSH. However, in some cases official representation is 'substituted' by direct communication between workers and management, as both parties share the same workplace and occupational risks. Bigger companies in this category are those that do not tolerate trade unionism.

4.2 Function and performance of worker representation

In Greek legislation the rights prescribed for OSH worker representatives are quite broad, including the study of working conditions, suggesting measures to avoid accidents, participation in drafting OSH policy, being informed about new equipment, the right to stop a dangerous operation, etc. Moreover, they are entitled to paid time for their activities and are protected against unfavourable consequences or dismissal.

However, not all of these prescriptions are fully implemented. The level of involvement of each HSC is different depending on the company. Cases were reported in which participation in an HSC was the reason for a negative performance evaluation or dismissal of an employee.

Usually the active HSCs carry out frequent inspections, control the content of risk assessment and propose amendments, order unsafe operations to stop, call external experts such as ELINYAE to carry out studies, issue magazines and newsletters, use social media as another means of communication with the workers, etc. Active HSCs as a rule belong to public interest companies.

However, in many cases HSCs are informed after occupational accidents occur.

Trade unions in companies classified in the second category usually focus their efforts on labour issues and are rather reactive in cases of accidents or other serious events.

When health and safety representatives are appointed by the management (third category) it is obvious that their function depends very much on the same management.

In general, worker representation has a positive influence on OSH management. In particular there is better communication about OSH problems, risk assessment is more detailed and complete, workers' training is more effective and preventive measures cover more occupational risks. When both forms of representation (trade union and HSCs) are in place (first category), these positive effects are greater.

4.3 Factors influencing worker representation on OSH

The most decisive preconditions for effective worker representation on OSH and better OSH performance are trade union support, workers' demands and support, and management commitment. Management commitment to OSH and worker representation is demonstrated by paid time for the members of HSCs to carry out their responsibilities, appropriate training and retraining, sufficient budget for OSH, regular meetings, consultation on OSH issues, etc.

Another internal factor influencing the effectiveness of worker representation on OSH is the collaboration of HSCs with internal protective and preventive services. When they work together, communication is better and follow-up of corrective measures are much easier.

Worker representatives on OSH are supported technically by the ELINYAE, the Directorate for Safety and Health at Work of the Ministry of Labour, the General Confederation of Greek Workers and their sectoral trade unions. Workers' representatives consult the Labour Inspectorate for information or to make complaints.

Our findings confirm the findings of the quantitative analysis of ESENER-2. In accordance with these findings, companies with worker representation have much higher scores on OSH

management and management commitment than those without worker representation. For ergonomic and psychosocial risk management, differences are smaller.

The main factors at macro level influencing OSH workers' participation are considered to be the following:

- low union density (about 17 % in the private sector and 60 % in the public sector);
- labour market factors (job insecurity, flexibility, subcontracting, etc.);
- the recession and its social impact (restructuring, privatisation, etc.);
- lack of adequate knowledge on OSH at the trade union and individual levels.

All these factors are interrelated and have a cumulative deteriorating effect on workers' representation.

Low union density can be attributed to the fact that 97 % of enterprises in the private sector have fewer than 20 employees, and thus cannot be unionised according to the relevant legislation. However, even small companies have the right to appoint at least one OSH representative. Usually the company's trade union or other type of workers' organisation acts as a catalyst for the formation of an HSC. This confirms earlier study findings in Greece and other countries.

All facets of labour market factors such as job insecurity, job mobility, flexible working patterns, subcontracting, etc. have increased during the years of recession. Since 2009 the country has experienced the effects of a deep recession with consequent painful social changes. The situation was also used as a pretext to intervene in social relations through new legislation. The institutional role of trade unions, as well as their bargaining power, has been weakened. Unemployment has reached 27 %, 60 % among the young. Basic rights of access to the labour market are denied, hetero-employment¹ and holding multiple jobs are surging and job insecurity is omnipresent. Job insecurity, which is higher in the private sector, negatively affects unionisation. Vulnerable groups such as young workers and immigrants are less unionised. Employees with temporary employment and other flexible forms of employment are rarely covered by trade union activities. Privatisation of several public organisations is under way. In addition to that, discussions concerning the employment status of civil servants have created a climate of insecurity. Restructuring and downsizing, especially in SMEs, puts an extra workload and variety of tasks on the employees, who cannot afford to be involved with special trade union activities. In this context, OSH matters are not a priority for existing trade unions, and the formation of HSCs is discouraged.

Lack of adequate knowledge on non-traditional OSH risks (e.g. exposure to carcinogenic and psychosocial factors) at the trade union and individual levels affects their priorities.

The vast majority of companies do not have worker representation at all, as mentioned above. Some small companies have introduced informal ways of collecting workers' views and perceptions (e.g. through meetings or written suggestions). In other cases, alternative 'management-driven schemes' are introduced that act as intermediaries between the management and the workers.

In some sectors, primary and secondary sectoral trade unions play an important role in OSH. Their role is prominent after serious accidents in the sector. In the case of companies with no worker representation, they can intervene decisively. In the construction industry and the

¹ "In Greece the notion of "hetero-employment" implies a problem of occupational relevance and raises the issues surrounding the relationship between the fast expanding higher education and employment. It is similar to the notions of mismatch and over education that are used for the graduates' labour market in the U.K. and the US respectively", (Ioannou, 1993).

shipyard and repairing industry, the sectoral trade unions play a more proactive role in risk prevention through the so-called OSH joint committees. They carry out audits and have the right to stop dangerous work activities.

Finally, there are companies where the thought of workers' participation in any form is completely alien.

In short, there are a number of critical factors that affect the effectiveness of OSH workers' participation at enterprise level. First of all, it requires adequate legislation with rights such as paid time off for trade union activities, consultation in good time, the right to order an operation to stop, protection from unfavourable consequences and dismissal, etc. Secondly, active trade unions as well as workers demanding improvements in OSH improve the quality of HSCs' representation. Management commitment on OSH and workers' representation plays a facilitating role. External factors, such as recession, job insecurity and flexible working patterns, negatively affect OSH workers' participation.

In addition to the above factors, the structure of the Greek economy, which is dominated by small and medium-sized enterprises, the low density of unionisation and the lack of a safety and health culture hinder the formation of HSCs.

Finally, the findings of our study confirm previous studies on workers' representation, including the main results of ESENER-2.

In times of recession, safety and health should be prioritised and workers need representation to safeguard their rights more than ever. Trade unions and other institutions such as the Ministry of Labour (through its national strategy), the National Council for Health and Safety and ELINYAE have a significant role to play in increasing the number of HSCs and supporting the existing ones.

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