

From policy to practice: Safety and Health in Micro and Small Enterprises in the EU

European Risk Observatory

National Report: Belgium

Authors:

Laurianne Terlinden and Monique Ramioul, Research Institute for Work and Society, KU Leuven.

Project management: Malgorzata Milczarek, Marine Cavet, EU-OSHA.

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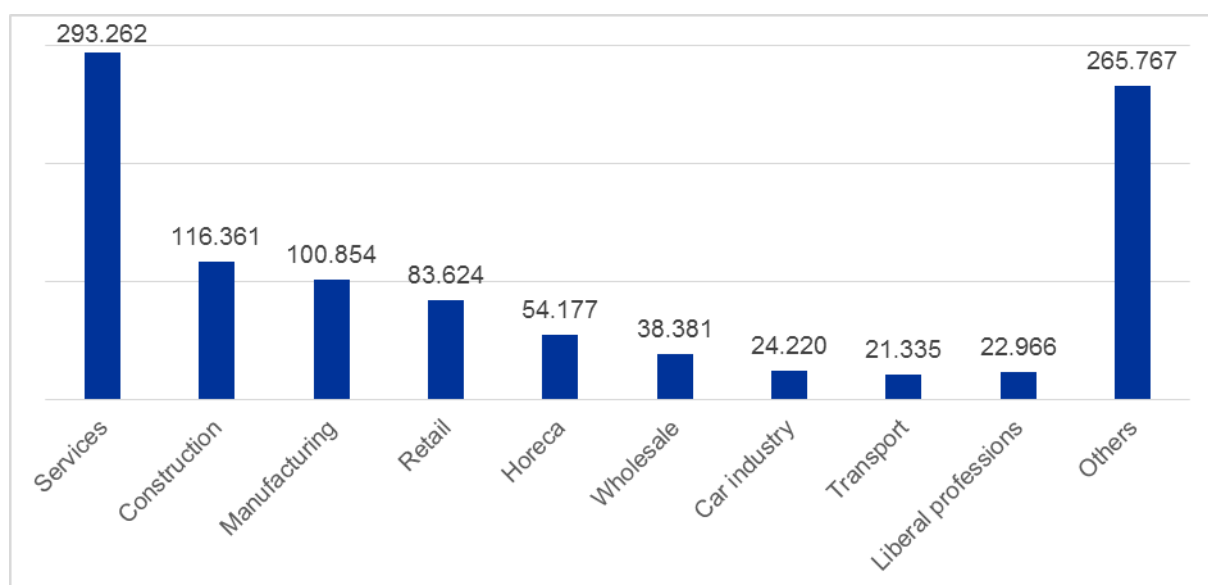
1 Introduction

1.1 MSEs in the landscape of Belgian companies

As in other EU Member States, micro-and small enterprises (MSEs) dominate the Belgian business economy, accounting for about 96.7 % of all private enterprises in 2014. We see some disparities according to the region. This proportion comes to 97.40 % for MSEs which have their headquarter in Wallonia, 96.52 % in Flanders and 96.26 % in Brussels (National Social Security Office, 2014).

Figure 1 shows the number of small and micro-enterprises by sector, for Belgium. Services account for nearly 30 % of the MSEs in Belgium, followed by construction and manufacturing, which account for 11 % and 10 % respectively. Retail comes in fourth place, with 8 %. Other sectors account for 5 % (hotels, restaurants and catering, Horeca) or less of the total number of MSEs in Belgium.

Figure 1 Number of MSEs by sector, Belgium, 2014



Source: Unizo et al., 2016.

Looking at employment in Belgian (private and public) enterprises with fewer than 50 employees, this represents around one third (32 %) of the total employment: 14 % in micro-enterprises (fewer than 10 employees) and 18 % in small enterprises with 10 to 49 employees (Valenduc, 2014).

1.2 Role of authorities, social partners, insurance companies and other stakeholders

The Belgian Federal Public Service Employment, Labour and Social Dialogue (FPS Employment) — formerly Ministry of Work — offers a number of services such as providing information and documentation, occupational safety and health (OSH) training and project funding. The FPS Employment has developed several tools for MSEs, such as the SOBANE-Déparis tool (screening, observation, analysis and expertise, and '*Dépistage participatif des risques*', that is participative risk screening), the Online interactive Risk Assessment Tool (OiRA) and the indicators for psychosocial risks at work.

Companies' compliance with the law is verified by the labour inspectorate. This includes three departments which each play an important role regarding health and safety at work: Supervision of Well-Being at Work (hereafter referred to as the labour inspectorate), Supervision of Social Legislation (checking working hours, night work, temporary work, maternity protection, and so on) and the Social

Inspection (checking compliance with the social security legislation — such as health and disability insurance — wage calculation, and so on).

Supervision of Well-being at Work inspects occupational safety, health and wellbeing standards. It verifies if the employers have set up the proper working environment and OSH management to control the risks for their workers. The labour inspectorate also encourages employees and their representatives to take part in creating safe and healthy workplaces. The regulations regarding well-being at work serve as a basis for this. The labour inspectorate also has the task of improving the regulation.

With respect to the role of the social partners in OSH in MSEs, *trade unions* are rarely present in MSEs. Nevertheless, they can still have an impact on these companies through the generally applicable collective labour agreements concluded with employers' representatives at Joint Committee level, as explained later in this section. Moreover, trade unions have an MSE department where workers of these small firms can find information about wages, working conditions and so on. *Employers' organisations* also try as much as possible to make OSH regulations accessible and understandable for MSEs, as these make up most of their membership. They provide employers with information on several OSH themes in their newsletters, organise events on current OSH topics, respond to all kinds of questions about their business, and so on.

The role of social partners is not limited to the information and support they offer to their members, but also lies in joint bodies. *Joint Committees*, for example, are set up for each industrial sector, covering the entire private sector (including MSEs). These committees are made up of equal numbers of representatives of the relevant trade unions and of employers' organisations. The principal task of a Joint Committee is to negotiate and conclude collective labour agreements for the sector. These collective labour agreements have explicitly to be declared binding on all employers of the industrial sector they cover. In practice, however, this is the rule and all sectoral collective agreements are extended to all companies of the sector. Nevertheless it is still possible that there are explicit exceptions to this general applicability. Collective agreements regulate working conditions, wages and the management of labour relations. The content of these collective agreements is entirely determined by social partners. However, provisions that conflict with higher laws (international treaties, laws, decrees) are considered invalid.

Furthermore, at industrial sector level, *sectoral social funds* or *joint sector federations* are responsible for the payment of all kinds of social benefits for employers and employees of a specific sector. In some sectors, they fulfil other tasks such as prevention, constructing and maintaining sectoral function classifications, and the promotion of employment and vocational training. Some sectors or subsectors have their own *training centre*, established by the social partners to train people wishing to work in the sector (such as in the wood sector) or to retrain workers to adapt them to technological and other developments. In addition, *sector knowledge centres* have the mission to professionalise the sector and help setting up a sustainable employment strategy, for instance to take into account the ageing workforce or to tackle turnover. To do so, they conduct research for and about the sector and develop practical instruments for employers and workers, for example for starting a business or for improving job quality and learning at work. These well-developed bipartite organisations, which in practice cover all workers and employers, are funded based on a percentage of the entire wage mass of the sector. This percentage is negotiated in the collective agreement cycle. The sector funds imply strong regulation of working life by trade unions and employer organisations at the sectoral level. As these organisations are governed by representatives of both trade unions and employer organisations, there is a strong corporatist institutionalisation of the sectoral social dialogue. In practice, it means that these representatives know each other very well and that they collaborate on a wide range of themes related to working life in companies belonging to the sector. As they systematically meet on a regular basis in the different sectoral governance and bargaining fora, they are familiar with the different positions their respective organisation representatives take with respect to all issues of collective bargaining, vocational and educational training, and OSH, and they are used to negotiating with each other on these themes with a view to reaching a workable consensus. This also implies that positions and negotiations at these different levels and on these different working life issues may be linked and that there may be a trade-off in outcomes.

Finally, *insurance companies* are responsible for financial compensation for occupational accidents, but also play a role in OSH prevention as explained further in this paragraph. Each employer is obliged to subscribe to a recognised occupational accident insurance (of the employer's choice) for his or her workers. There is no legislation organising the prevention services of these insurance companies, but there are ministerial circulars including (non-compulsory) pieces of advice on prevention of occupational risks and on reporting. Hence, each insurance company works its own way. The only issue that insurance companies agree on, together with the other prevention actors deciding on this measure, is 'aggravated risks'.

'Aggravated risks' is a measure imposed by the Royal Decree of 23 December 2008 which applies to employers who, based on data spanning 3 financial years, have an atypically high level of accidents (concerning frequency and seriousness) compared with the average of their sector. 'Aggravated risks companies' are a formal category of enterprises (200 per year) that are specified by the Fund for Occupational Accidents, which communicates them to the policyholders and the insurance company to which the company has subscribed. In 2016, 95 % of the declared aggravated risks companies were MSEs, mainly from the following sectors: construction (38 %), manufacturing (24 %), wholesale and retail (10 %) and transport and warehousing (9 %). Two explanations were suggested to explain the overrepresentation of MSEs. On the one hand, MSEs are clearly the target group of this measure, because there is no trade union representation which could raise issues of unsafe working environment, and because they are often out of reach of the labour inspectorate and insurance companies and have in practice very little chance of being visited. Recently established businesses and strongly growing companies are also often included in this measure, as their production and turnovers often grow faster than their OSH prevention strategies. On the other hand, the overrepresentation can also be linked to the method used to calculate the risk index ((frequency + seriousness) / number of full-time equivalents), whereby larger enterprises deviate less from the average because they have more weight on it (through the number of full-time equivalent employees).

Aggravated risks companies have to pay a fine of EUR 3,500 (for an MSE) to cover the costs of additional support from their insurance company, which includes setting up an action plan in order to sustainably improve their OSH, an organisational audit and an analysis of occupational accidents which have occurred during the last 3 years and their causes. An engineer from the insurer's prevention department also visits the company to see the obvious risks. He or she then proposes an action plan, which can be rejected only if the company has a counter-proposal to achieve the objective of a safer workplace. Once the action plan is implemented, the insurance company follows it up at least every 3 months (at the workplace or by phone depending on the company's needs).

1.3 National policies for MSEs with impact on OSH

Specific provisions for MSEs can mainly be found in the exceptions of articles of law. First, regarding workers' representation on OSH matters, a Committee for Prevention and Protection at Work (safety committee) must be set up in companies that usually employ an average of at least 50 workers. This committee is a bipartite consultative body which meets at least once a month. In MSEs where no committee is elected, the trade union delegation takes on its role within the company. If there is no trade union delegation — as is the case in most Belgian MSEs — the employer must consult the employees directly on matters concerning their wellbeing at work.

A second exception is made with respect to the establishment of an internal prevention service. In companies with at least 20 employees and in high-risk companies, the internal prevention service is an interdisciplinary OSH department with one or more prevention advisors, who support the employer and its employees in carrying out a company level policy on wellbeing at work. In other companies, the employer him- or herself can fulfil the role of internal prevention advisor, and does not have to take a specific OSH course for this. The law only stipulates that he or she has to have sufficient basis knowledge of OSH, including risk assessment and coordination of prevention activities. When there are 20 or more employees, this position must be taken up by one of the workers, who has to undergo specific training for this purpose. In MSEs, the internal prevention advisor often combines this task with another position in the company and therefore has to combine a number of different tasks.

1.4 Available expertise for MSEs regarding OSH issues

Each employer has to subscribe to an external service for prevention and protection at work (ESPPW), which delivers complementary skills to the internal prevention service. External prevention services are non-profit organisations certified by the PFS Employment; there are 11 of them in total in Belgium. Each external prevention service is an organisation consisting of two divisions: a division in charge of multidisciplinary risk management and a division responsible for medical supervision. Employers are free to choose their external service provider and each external service provider sets its tariffs for the services offered. This leads to competition between the different external service providers.

A reform of external service providers took place in 2015-2016. This includes new (minimum) tariffs based on the number of employees (more or fewer than five employees) and on the principal activity of the company, based on its Statistical Classification of Economic Activities in the European Community (NACE) classification.

The new service package for small companies and low-risk companies includes, among other things, a risk assessment and a proposal for prevention measures based on this assessment, health check-ups (focusing on workers with health problems and their re-insertion in the company as well as on keeping older people at work), treating informal individual requests or formal collective requests regarding psychosocial risks, and giving advice regarding prevention management.

2 Design of the data collection

2.1 Workshops

Following the original research design proposed for this project, the research team organised three dialogue-based workshops in order to collect information about the experience of the different prevention actors with respect to raising awareness of and management of OSH in MSEs. At the same time, the aim was to facilitate a dialogue between actors in order to identify areas of consensus and diverging opinions through sharing these experiences. The three national workshops were organised in following sectors: construction, Horeca and manufacturing.

The Belgian focal point supported the research team in organising the workshops, by giving the opportunity to present the project and the workshops during sectoral Joint Committee meetings and related bipartite events such as the presentation of OiRA for the Horeca sector. At the end of these meetings, a date was set up with the social partners. Two of the three workshops (construction and Horeca), were organised straight after a Joint Committee meeting. The research team distributed the invitation (by email) to other stakeholders: external prevention services, insurance companies, inspectorate, joint sectoral federations, and so on. The contact persons were asked to forward the invitation to their colleague(s) with the most experience in MSEs from the sectors for which the workshop was organised. The research team aimed at a balance in gender and language (French/Dutch) of the participants. However, this could not be achieved in all three workshops to the same extent.

The following categories of stakeholders were present in the three workshops, each time represented by one or more actors with knowledge about the sector:

- employers' organisations;
- trade union organisations;
- joint sectoral organisation;
- external prevention advisors;
- insurance companies;
- labour inspectorate.

Besides this 'core group', other stakeholders were present, depending on the sector:

- Preventie & Interim (construction);
- sector knowledge centre (Horeca)
- sector training centre (manufacturing)

In addition to these national and regional OSH actors, employers and employees who were interviewed in the previous phase of the project were invited to take part in the workshops. Social partners were also encouraged to invite their members from the shop floor. However, this was successful for only one workshop (the construction sector). Still, given the broad and comprehensive knowledge on MSEs and OSH of the participants, who all have intensive contacts with their members in enterprises, the workshop provided very interesting insights, which very clearly reflected the different realities existing on the shop floor. Moreover, the key insights and conclusions from the case studies were presented, intensively discussed and generally confirmed during the workshops, which leads us to assert that we are not missing any insights because of the absence of workers and owner-managers from the workshops.

The research team encountered some difficulties in involving a larger number of participants from each stakeholder category because that period of the year (November 2016) is busy, being traditionally the period of trade union congresses as well as for scheduling the next working year. Nevertheless, we experienced much interest and commitment from all stakeholders, who greatly appreciated the initiative and in particular the focus on MSEs. As explained earlier, social dialogue in Belgium is mostly organised at sector level, so the social partners are used to meeting regularly in different fora. Hence, they know each other well, and each other's position with respect to OSH. On the one hand, this facilitated the smooth progress of the workshops, but, on the other hand, it is not excluded that mostly the well-known positions and opinions on OSH were reflected during the workshops while no diverging or 'surprising' opinions were expressed. In other words, the research team experienced during the workshops that the smooth relations between social partners and the long tradition of collaborating together on such topics facilitated the progression and insights of such workshops. This became clear, for instance, in discussions with the external service providers, where both employer organisations and trade unions jointly expressed the same concerns, or in the fact that they did not challenge each other's interventions at the workshops.

Each workshop lasted 4 hours in total, including a light lunch for participants. The precise course of the workshops varied for each workshop, depending on the starting hour, but always followed the same pattern (see Table 1 in Appendix).

2.2 Interviews

With respect to additional interviews, participants were selected in order to supplement the information gathered during the workshops, giving a 'supra-sectoral' helicopter view of the topic of OSH in MSEs. The following persons and groups were interviewed:

1. the head of the prevention department of a large insurance company;
2. the person responsible for collective prevention in MSEs in a large external prevention service and the General Director of this external prevention service;
3. a member of the publishing committee of a periodical magazine about safety, a former director of the risk management division of an external prevention service and a former health and safety manager of several large companies (retired);
4. the principal advisor of the competence centre on work and social security of the Federation of Enterprises in Belgium (FEB), responsible for the subject of OSH.

2.3 Data analysis

For the data analysis, each dialogue workshop and peer group discussion was conducted by a junior or senior researcher, who took notes of the discussion and reported to the national project team on the content and the dynamic of the discussion. These notes served, together with the notes of the plenary discussions, as a basis for a report to be circulated to the participants. With regard to additional interviews, notes were taken during the interview and gathered in interview reports. All these notes and reports served as a basis for writing this national report.

Because the supplementary interviews generally supported the findings of the workshops, the research team chose not to make a distinction between the two steps in the data analysis. When the opinion of interviewees diverges from the conclusions of the workshop, this will be clearly stated.

3 Findings

3.1 Role and function of intermediaries in OSH improvements in MSEs

The Belgian context of intermediaries regarding OSH is quite complex. The research team already observed during the case studies that there was some confusion in companies about the role and function of each actor. This problem was also addressed by the participants in the workshops. This section aims to give better insights into the role and function of the different actors involved in OSH policy in Belgium, based on how they described themselves during the workshops and interviews.

3.1.1 Employers' organisations

Employers' organisations play an informative role towards their member-employers: they inform employers and offer them social and legal advice on different business matters, including safety and health at work. This occurs at the employers' request, or through several communication channels such as the organisation's website, social media, magazines, newsletters or advice letters (with frequently asked questions). They also refer employers to the right organisation to help them set up an OSH prevention policy (joint sector federation or external prevention service), and during the workshop in the construction sector the organisation's representative especially recalled the importance of doing so.

At national and sector levels, they sit on the Supreme Council and the sector Joint Committees, which enter into agreements regarding, for example, organisation of work and safety and health at work. They also collaborate in several projects such as the development of OiRA tools in the different sectors (construction, Horeca and woodworking).

3.1.2 Trade unions

As companies employing fewer than 50 employees are exempted from elected worker representation (trade union delegation), trade unions admitted during the workshops that they find it difficult to have a voice in MSEs. They can still inform their individual members and raise awareness through their newsletters (where OSH is a recurrent theme) and in response to individual requests.

Still, trade union representatives at the workshops highlighted their role at national and sector levels, where they negotiate collective agreements, which are as a rule also applicable to MSEs, taking their particular situations into account. They also collaborated to the development of OiRA tools in the different sectors (construction, Horeca and woodworking).

3.1.3 OSH regulators

The labour inspectorate informs and inspects companies on OSH matters. It proposes measures of prevention and conducts campaigns on sector-specific themes, such as psychosocial risks in Horeca or working at height in construction. It also works in a reactive way, visiting companies and building sites, and imposing sanctions on companies which do not comply with the OSH regulations.

The role of the labour inspectorate was often considered too formal. Participants in the workshops argue for a more supportive role towards companies, especially MSEs, guiding them and referring them to the right organisation or tool to support them with their OSH policies. In the three sectors where workshops were organised, for instance, the labour inspectorate actively took part in the development of an OiRA tool for each sector. It was also involved in the promotion of this tool in MSEs to help them start operating an OSH management system. In the Horeca sector, OiRA is accepted by the inspectorate as an action plan if it is well implemented and leads to dynamic OSH management. Still, labour inspectors present at the workshops report that the tool is not always accepted by some colleagues, who do not promote it in companies they visit. The reasons for this reluctance, however, were not clarified during the workshops.

3.1.4 Joint sector federations

Important prevention actors are the joint sector federations, which play an informative and advisory role in relation to companies from their sectors. These federations are established as bipartite, and financed by the compulsory contributions of companies and employees from the sector as well as public funding. Each sector has one or more joint (sub)sector federations, which aim to promote the general interests of the (sub)sector.

In the construction sector, for example, the federation is called Constructiv. It organises wellbeing campaigns, together with the labour inspectorate, and offers support and advice to employers with respect to OSH matters through its OSH advisors spread over the different regions of the country. It also offers training to workers and unemployed people who would like to start a career in the sector. Finally, Constructiv grants social benefits to the active workers in the sector, but also to retired, sick and disabled workers. Social benefits for active workers are, for example, fidelity stamps (9 % of the gross salary) to reward workers' engagement in the sector, and weather stamps (2 % of the gross salary) to compensate workers working outside and dependent on the weather (whose employer pays only half of their wage if they cannot work because of the weather conditions).

3.1.5 External prevention services

All companies, whatever their size, have to subscribe to an external prevention service provider which provides complementary skills to the internal prevention service (the employer in micro-companies, supported by a worker who takes up the role of internal prevention advisor in companies with more than 20 employees and in high-risk companies). Besides the workers' medical checks, the role of external prevention services is also to assist companies and employers in the implementation of a prevention strategy regarding safety and health at work.

Every external prevention service provider is free to organise the way it works, as long as it complies with the legalisation regarding external prevention services and their tasks. Although most of them admit they have too limited (financial and human) resources to offer sufficient personal support to each MSE, several tools exist to support them. It seems from the workshops that these limited resources dedicated to MSEs are the result of a rational choice. Indeed, as a workshop participant from an external prevention service mentions, 'when you go to a micro-company, you spend 1 hour there and you maybe reach five people. If you spend the same amount of time in a large company, you directly reach a far larger population of workers'.

The external prevention service where the research team conducted a supplementary interview has developed a comprehensive process guide for MSEs, which starts with a visit to the company within the first year the company contracts the service. This visit is preceded by a first phone contact and a training session at the external prevention service's premises. Subsequently, the frequency of company visits depends on the type of risks.

A large difference is observed by the research team between the discourse of external services, with regards to company visits, and the experience of companies reported in the case studies as well as during workshops. Indeed, many companies — especially MSEs — consider external services too expensive for what they receive in exchange, having barely received a visit from their external service during the last 10 years. The reform of these services which took place in 2015-2016 should (partly) solve this problem by offering a standard package for small companies and low-risk companies, including support and advice for OSH prevention management (risk assessment, proposition of prevention measures, and so on). The first year of this reform being a 'test-year', it was hard to say at the time the research was carried out — in 2016 — if it actually is an improvement for MSEs. An interviewed expert considers that the main problem is not the price of external prevention services, but rather what companies receive in return. According to the same interviewee, external services should invest more in visiting companies and proposing concrete prevention measures, rather than in medical checks of employees.

Indeed, in the view of several participants in the workshops and interviewees, the role of external services is often considered limited to medical checks only (considered the most lucrative part of the business of external services). The supportive role is in some sectors, such as the construction industry,

therefore taken over by the joint sector federations, which offer free support to their members, including on OSH. Hence, we observed in the three workshops that it is especially the role of the external prevention service providers that is most contested and discussed, both by the social partners (employer organisations and unions having a strongly shared position and opinion here) and by the joint sector federations.

3.1.6 Insurance companies

While the first and most important role of insurance companies is to insure companies and reimburse costs when OSH accidents occur, insurance companies may also offer information and support to their clients regarding their OSH prevention strategies. This happens for example in the frame of aggravated risks companies (described in section 1.2), to which insurance companies offer support to set up an action plan in order to sustainably improve OSH. Besides their role in these aggravated risks policies, insurance companies also work on prevention in their other client companies. In large enterprises, this includes personal support from an engineer from the prevention department of the insurance company. In small companies, insurance companies rather offer a general, standardised prevention programme.

Because most insurance companies work with a system of cost sharing for small companies up to about 200 employees (this number can vary from one insurance company to another), the insurance premiums of MSEs do not cover the actual cost of an accident in such small company. The so-called bonus-malus insurance system, that is rewarding MSEs which have good OSH management by lowering their premium and penalising them with a higher premium when they have accidents, is therefore complicated. Granting a lower premium to one MSE implies that all the others have to pay more. Furthermore, insurance companies often do not cover the latent risks (occupational illnesses, ergonomic and psychosocial risks, and so on) and hence cannot reward companies for their comprehensive OSH management including all fields imposed by the Law on well-being of workers in the performance of their work¹.

3.1.7 General comment on the intermediaries

During the workshops, the research team observed an overall good understanding among the different actors and, as most social dialogue occurs at sector level, a certain habit of meeting and collaborating in different fora. Recently, most of them collaborated on the development of OiRA for their respective sectors, which had already launched the discussion on OSH in MSEs. Hence, the workshops generally occurred in a good and constructive atmosphere. Disagreements, such as regarding the role of the external prevention service providers, emerged especially during the workshop in the construction sector; their role was raised in other workshops but somewhat less debated. The disagreement between in particular the social partners and the external prevention advisors about the role of the latter boils down to the question of whether or not small companies get sufficient in return for the fee they are legally obliged to pay to the external services. The effectiveness of their approach was also questioned. Critiques in this respect considered among others the facts that they are expensive, that they only offer standardised packages to MSE rather than supporting the development of tailor-made responses and that they do not sufficiently visit their clients. The discussion about the fees versus services offered seems to undermine their legitimacy, especially because MSEs are not necessarily convinced of the need for prevention in general (let alone on psychosocial risks, which is now also a legally required prevention domain).

It is important to mention that all participants in the workshops and interviewees reported appreciating the fact that the initiative focused especially on MSEs, which are sometimes forgotten in discussions about occupational safety and health. This interest was reflected in some participants continuing the discussion during the breaks and staying longer at the meeting venue for lively and engaged discussions, even after lunch, when the workshop was over.

¹ Act of 4 August 1996 on well-being of workers in the performance of their work, Belgian Official Gazette, 18 September 1996. Available at: <http://www.employment.belgium.be/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=1896>

3.2 Barriers and enablers related to preventive action among MSEs

As observed and identified in the literature review and the case studies of the SESAME project, OSH intermediaries face some challenges when trying to reach MSEs. Still, some factors can play the role of enablers for prevention actions among MSEs. In the present section, we discuss barriers and enablers which are experienced by the various OSH intermediaries.

3.2.1 *Barriers and enablers in the socio-economic context identified in the literature review*

During the discussions, several of the findings from the literature as described in the literature review (EU-OSHA, 2016), and as observed during the case studies (EU-OSHA, 2018), were confirmed, such as a general lack of time and resources in MSEs and the perception of administrative paperwork involved in the development of an OSH prevention strategy as major barriers. In all three workshops, participants shared the experience that OSH is not a priority in MSEs, which contact their external service or another prevention actor only if there is a problem. Therefore, a participant from an employers' organisation suggested that OSH should make part of the business plan of a start-up. Potential risks linked to the activity should be identified in the same way as potential competitors before starting a business. Furthermore, prevention should be included in the competences which are required to start a business, to the same extent as technical, commercial and financial skills.

Moreover, advisors from external prevention services experience difficulty in access to MSEs as a supplementary barrier for external prevention actors. In the construction sector, for example, workers are often dispatched to different working sites, which cannot all be visited by prevention actors. In Horeca, the atypical working hours make it difficult to visit the company or organise info-sessions or trainings. However, prevention advisors do not have the financial resources to regularly visit these companies individually. Moreover, a supplementary barrier they experience even after they get access to the companies is the lack of attention they receive from the owner-manager (often limited to about 10 minutes).

Workshops' participants are aware that the language used by some OSH intermediaries is not always comprehensible for companies. They highlight the importance of using a comprehensible language to explain the legislation and the concrete impact on the company as being a strong motivating factor for companies to actually set to work. As an employers' representative from the construction sector stated, once they know and understand their obligations, they can use their 'common sense' to fulfil them.

All workshop participants agree that OSH prevention should start at a much earlier stage, more precisely in vocational education from the earliest age, starting with teaching children to recognise risks around them, and continuing in operational and management training, where requirements and instruments for risk prevention must be taught. OSH management must be integrated in this training in such a way that it is not a separate course but is integrated into all topics. Each time students learn to work with a new machine, for example, the risks linked to this machine must be taught.

OSH must be taught step by step, dealing with one theme at a time, making it concrete and assisting companies in the implementation and execution of the requirements in this regard. This method can avoid the employer feeling overwhelmed by the amount of information and finally not doing anything, because it is all too much or too difficult.

3.2.2 *Intermediaries: overlap and confusion*

All prevention actors agree that there is a lot of confusion for the MSEs about the role and function of the different actors. In principle, the labour inspectorate must enforce the law, external prevention services must help companies implement a systematic prevention management strategy, and insurance companies must compensate victims of occupational accidents. Besides these key actors, sector-specific actors such as joint sector federations can also advise and support companies on their prevention strategy. In reality, employers often expect the labour inspectorate or the insurance companies to give them tailor-made solutions to set up their prevention strategy, while they do not fully

use the services of external prevention service providers they actually pay for. Confusion is also created by the fact that companies are legally required to hire an external prevention advisor. The visits these advisors make to the company related to the services they offer are often misunderstood as an inspection by the labour inspectorate. This is reinforced by the fact that, in practice, MSE are very rarely visited by the labour inspectorate itself.

Participants in the different workshops argue for more and better collaboration between the various prevention actors, to have a uniform message towards companies and find a consensus about minimum requirements, so that it becomes clearer to employers who they must call on for specific questions and what they must actually do regarding OSH.

Nevertheless, prevention actors also have some successful experiences of collaboration on a shared tool or action. The most obvious example is OiRA, developed in all three sectors for which the workshops took place. Different prevention actors collaborated on the development of the tool for the sectors: the labour inspectorate, social partners, joint sector federations, sector training centres and the external prevention services. Moreover, they have committed themselves to disseminate the tool in their client/member companies.

Another example is the 'working at heights' campaign launched in 2015 in the construction sector by the labour inspectorate and Constructiv and in the framework of which several intermediaries (FPS Employment, insurance companies, employers' organisations, trade unions, external prevention services but also a wholesale company from the sector, for example) signed a cooperation agreement to promote safe working at heights to their client/member companies.

In the Horeca sector, the labour inspectorate conducted a campaign on psychosocial risks (PSR) in the framework of a European campaign in 2012. This campaign was conducted in two phases: firstly, a first visit from the labour inspectorate in companies was conducted to underline the importance of a risk assessment and of prevention measures ensuing from the risk assessment; secondly, a follow-up visit was organised in companies which did not comply with the law (80 % of the companies), in order to check if they had implemented a policy regarding PSR in their company. However, joint sector federations and other prevention actors were not involved in the campaign to agree on an action plan. The interviewed insurance company, for example, had launched a prevention campaign in the Horeca sector about the same period, as it had not been told about the campaign of the labour inspectorate in time. This is, according to the interviewee, a typical example of the lack of coordination between the different actors.

3.2.3 Contextual factors

In the construction sector, different factors have an influence on OSH management. In general, there is little (or no) wellbeing culture in the sector, and the 'macho behaviour' of some workers and employers can imply an underestimation of the risks and an overestimation of the workers' capacity and willingness to prevent these risks (using their common sense). Hence, there is a strong individualisation of the risks and responsibilities of workers. Some prevention actors confirm an observation that had already been made during the case studies; that is, that employees follow this path because they will often also give priority to the business's survival, rather than to their personal safety. Regarding risks, a prevention actor observed during the workshop that, even if some employers are of good will, the large range of tasks and specific risks linked to these tasks makes it difficult for small companies to set up comprehensive OSH management, including all aspects prescribed by law. Moreover, the typical camaraderie in small construction companies, which was mentioned during the workshop and was also observed during the case-studies, leads employers rather to pay 'informal' attention to the wellbeing of their workers, which is perceived as being sufficient in terms of prevention, avoiding formal procedures. On the other hand, the high impact of missing a worker for 1 day (because of an occupational accident, for example) is also often acknowledged by the employers as a good reason not to take risks, even if this general awareness does not necessarily lead to effective OSH management.

A typical factor for the Horeca sector, which was a common theme of the workshop's participants, is the easy access to the profession. Indeed, many owner-managers start their businesses as sole traders with no staff, and are not prepared for the quantity of administrative and management work which is

added when hiring employees because they often did not foresee becoming employers when they started their businesses. Therefore the different obligations and responsibilities as an employer that are initiated when hiring the first employee are often not understood and certainly underestimated. As a participant puts it, the threshold to start a business is too low, while the amount of legal requirements to run the business is high and often underestimated. The priority is given to the operational functioning of the company, and other managerial matters such as OSH are not major issues for owner-managers.

In the three sectors, company size was also mentioned as an important context factor, including within the MSE category. Small companies often have some more OSH knowledge than micro-enterprises. This partly comes from the fact that managers often step further back from working in the field as the number of employees increases, and have more time for management tasks, of which OSH management is one. In some cases, increasing the company size means hiring employees with the necessary expertise to handle OSH matters. As further developed in section 3.3.1, companies with 20 employees or more have an employee who takes up the role of internal prevention advisor and supports the employer in the company's daily risk management. Even if internal prevention advisors often have little time to take up this role, they can always remind the employer of his duties. Moreover, external prevention advisors especially appreciate having them as contact persons in small and micro-companies, because owner-managers often do not have/take the time to meet them.

Furthermore, the vulnerability of MSEs, as especially highlighted in the literature review, was also mentioned by workshop participants: Horeca for example is experienced by interviewed workers and managers in the case studies, as well as by participants in the workshops, as a particularly vulnerable sector with atypical working hours, high personnel turnover, seasonal workers, and so on. This vulnerability is reinforced in MSEs, which often experience high work pressure and competition, which has been increased over the last few years by the introduction of new types of businesses which are not subject to the Belgian labour law, such as Airbnb, private persons working as 'caterers' at home, and so on. Prevention actors observe that priority is often given to the firm's survival to counter this unfair competition and that, consequently, risk awareness comes at the bottom of the list. In the construction sector, the unfair competition rather seems to be related to the inflow of subcontracted migrant workers. Belgian construction companies, which pay wages set at a national level (with a minimum hourly wage in the sector of EUR 13.60), can hardly compete with foreign workers who work for some EUR 10 per hour and often do not pay their social security in Belgium (which is a high cost for Belgian employers). An employers' representative present at the workshop for the construction sector estimated that some 80 % of the Belgian companies in the sector have ever lost a business deal to a foreign company.

Whatever form the unfair competition takes, the workshops' participants observe that it results in a beating down of the standards regarding OSH in MSEs. Foreign companies from the EU, for example, do not have the obligation to contract an external prevention service provider in Belgium, as the prevention and medical check-ups conducted in their country of origin are valid in Belgium. Hence, in the construction sector, some participants speak in favour of a 'charter' for migrant workers, including a number of requirements regarding OSH. The responsibility of the prime contractor to subcontractors is also underlined, participants stating that it should be strengthened in such a way that more attention is paid to OSH in tenders and terms of reference of construction works.

Language is also mentioned in the different workshops as being an important barrier for foreign workers and employers. Hence, participants highlight the importance of checking that OSH instructions have been fully understood. Therefore, they argue for better consideration of language diversity in training. Alternative learning opportunities must be offered to those who cannot read the language, such as movies or pictograms. Taking the example of OiRA, which exists in several languages, a workshop participant suggests the possibility for respondents to switch into another language in which the tool has also been developed. Some participants, especially in the construction sector, rather speak up for imposing minimum language requirements during the recruitment process.

Finally, the SESAME-research team suggested that high staff turnover in the construction sector (especially of young employees) and in the Horeca sector could be expected to lead to underinvestment in workers' OSH training. However, the response of workshop participants — especially joint sector federations — to this question was that they already try to remedy this by organising training at sector level, in order to consolidate and limit costs for individual employers and employees. Indeed, in that

case, training is offered for free or at a low price thanks to the fact that the joint sector federations are financed by the contributions of companies and employees from the sector, and by public funding. Hence, workers' training costs do not rest on the employer, but are solidified at the sector level.

3.2.4 Drivers and motivation

All prevention actors agree on the difficulty of working proactively on OSH. Even if employers are aware of the fact that things can go wrong, they mostly do not sufficiently realise all consequences of an incident, such as their legal liability. As a result, employers tend to rely on the use of 'common sense' as the dominant risk approach and they also expect workers to do so. A severe occupational accident is mostly the first trigger for employers to start working on OSH in their company, and develop some risk awareness.

Personal contact with the external prevention actors is experienced by different actors as important for employers to receive proposals of solutions that take the specific context of their company into account. Moreover, employers who were interviewed in the previous phase mentioned that they would be more willing to seek external support if they had a close link with external prevention actors and knew they would be listening and helping. As a workshop participant from the Horeca sector put it: 'this is not a sector of written statements, only of spoken words'. This quote does seem to apply to most MSEs, whatever the sector.

3.2.5 Target groups: who can be reached and who cannot?

In general, the so called 'prevention-minded' companies, where the employer is aware of the necessity of OSH management, are far easier to reach for the prevention actors. Furthermore, the presence of an internal prevention advisor in companies helps too, as this person can be the contact point who also has time for OSH — even if often limited — while the employer is overloaded and sets other priorities for the business. However, internal prevention advisors in small enterprises often do not have much time to spend on their OSH tasks, as they mostly come on top of their main job, such as accountancy or customer relations for instance. Hence, some external prevention advisors argue for better regulation of the minimum amount of time spent by an internal prevention advisor on OSH matters.

Still, a large group of employers seem not to be responsive to any support in developing an OSH strategy at all. They seem to be impervious to the amount of information circulating about OSH and to the attempts of external actors to convince them to set up a prevention strategy. As mentioned earlier, this is mainly due to a lack of time and other priorities.

Other sector-specific target groups are difficult to reach for prevention actors. In Horeca, for example, the high turnover of companies — some of the businesses closing as soon as 3 months after opening — makes it very difficult to reach all start-ups. As already mentioned, in the construction sector, foreign companies from the EU do not have the obligation to contract an external prevention service provider in Belgium. Participants in the workshops for the construction sector speak in favour of more verification of the quality of OSH prevention and medical checks conducted in other (European) countries. Some participants (especially from external prevention services) suggested requiring foreign companies to contract a Belgian prevention service provider.

3.2.6 Common understandings among and divergences between the stakeholders

In MSEs from the three sectors studied, OSH is typically not prioritised and often secondary to the core business. It is thus not systematically integrated into the overall company management. While most employers know that something can go wrong, they often underestimate the consequences of an occupational accident. Risk awareness mostly arises after a severe occupational accident. Hence, the need to define OSH as a business issue instead of making individual workers responsible for their health and safety is often mentioned, both during the workshops and in the complementary interviews.

In the present context, the role of the labour inspectorate is considered very important when a serious accident has occurred. Participants in all three sectors agree that the OSH legislation as it is written now is mostly a deterrent for MSEs. Indeed, MSEs do not have the in-house knowledge to understand the legislation, even if they are often of good will. It is important that the inspectorate speaks the language of the employer so that the employer understands the requirements and advice and can directly put them into practice. Hence, it was argued during the workshops, especially in the manufacturing sector, that the labour inspectorate must shift from a repressive to a constructive and supportive role.

Still, participants agree that prevention must remain the leitmotiv in MSEs. Therefore, a good collaboration between the different prevention actors — external prevention services, insurance companies, labour inspectorate, trade unions, employers' representatives and sector federation advisors — is necessary. This collaboration implies a better definition of each actor's role. The labour inspectorate and insurance companies, for example, which are often asked to offer companies support for a prevention strategy, must refer to the external prevention services. It is at that moment that external prevention services must intervene and take the opportunity to assist companies in the development of their prevention strategy.

The collaboration between the different actors must thus also be organised at a higher level, by exchanging information and data on OSH. However, this is limited by issues of anonymity (of the companies), privacy and feasibility, as there is no harmonisation of the data for the moment (the identification number of companies, for example, differs from intermediary to intermediary). Especially in the construction sector, such harmonisation of data was strongly requested by both the employer organisations and trade unions in consensus. One example given was the fact that in construction two acknowledged risks are alcohol abuse and obesity. While these problems are detected during the medical check-ups carried out by the external service providers, it is to date not possible to receive integrated and aggregated data on these health problems from all external service providers with a view to developing effective strategies to tackle these risks. The prevention services represented at the workshops stressed the difficulties and limitations of this related to data protection issues but also emphasised that they are currently setting up projects to investigate how these can be solved in view of harmonising data.

3.3 What works for whom — and why?

Training drawn up for the sectors and for MSEs is seen as a key mechanism to promote risk awareness and give workers and employers a good basis to work in a preventive way. Respondents from the three sectors agree that OSH training must firstly be integrated into the operational training programme. Furthermore, OSH training must be offered to (or imposed on) employers starting their own businesses. Finally, lifelong learning on OSH topics must also be promoted, especially by joint sector federations. Still, sector training centres present at the different workshops observe that it is often the same people — who already have a certain risk-awareness — who make use of the training courses, even when they are offered for free to attract other owner-managers. They believe that the assumption that training works for raising MSEs' awareness on OSH matters may therefore be wishful thinking rather than an actual effect of training, at least in the way it is organised now.

Furthermore, the collaboration between the different prevention actors is experienced by all workshop participants and interviewed experts as important. They state that it can be confusing for employers to hear the message from different actors who each put nuances and stresses on different aspects. Better coordinated communication would be more efficient, as the employer would better understand what is actually expected. Moreover, the action plans of the different stakeholders are not coordinated. For instance, in the construction workshop it was mentioned that working at height was featured in an action plan of the sectoral fund in one year and the next year a similar action plan on the same risk was promoted by the external prevention service. A participant in the workshop of the manufacturing sector reports that better coordination between the different actors has already proven itself in a specific subsector. In the manufacturing sector, there is a project to organise a workshop in collaboration with machine builders to make safety with respect to the machines very concrete for workers and employers. It would also be an opportunity to bring the different actors involved in OSH prevention in contact with each other. Another recent example which took place in each of the three sectors is the development

and promotion of OiRA, on which different prevention actors collaborated. However, it was also reported during the workshops that it is not yet sufficiently supported and hence promoted by all intermediaries.

With respect to the content of the support offered to MSEs, the external prevention advisor responsible for collective prevention in MSEs who was interviewed confirms that working step by step on small and concrete OSH themes with personal contacts in MSEs can lead to a good integrated OSH management strategy in the long run. Companies must then be followed up to ensure systematic, integrated OSH management. For employers who do not cooperate, the labour inspectorate can then play an important role, putting some pressure on employers. All respondents agree that this is sometimes the only way to get companies to adopt an OSH management strategy.

Some participants from insurance companies who took part in the workshop for the manufacturing sector argue for grouping the role of external prevention services and of insurance companies. Indeed, external prevention services deliver good informative work, but find it difficult to make contact with companies, while insurance companies can exert pressure on employers because they fear their insurance premium will increase if they do not comply. However, as discussed in the section about incentives, the bonus-malus system is difficult for insurance companies to apply in MSEs. Moreover, while insurance companies do invest in prevention in some cases, their economic position does not allow them to work on prevention in all MSEs, when they are not paid for it.

Finally, a workshop participant from an employers' organisation observed that, besides the prevention actors present during the workshops, it is important that other actors working with MSEs, such as accountants or machine builders, be sensitised and involved in the OSH management of the companies they work with. The installation report delivered with machinery is insufficient; machine builders must be given a sense of responsibility for the safety of the workers who are going to use it. This can, for example, mean imposing the use of specific protection equipment when using the machine.

3.3.1 Regulation

All participants agree that the OSH legislation is made for large companies and not adapted to MSEs. Hence, even if MSEs' employers are of good will, they do not understand the law and what it involves in their specific situation. Few exceptions apply to them, and these are often difficult to understand for employers who do not have the necessary knowledge in this regard. Moreover, even when the legislation is applied, for example regarding risk assessments, it rarely leads to a systematic prevention strategy, but is often a quick filling in (or copy-paste) of a ready-to-use risk assessment form which is then immediately put in a drawer without any follow-up.

Despite these limitations of the OSH legislation for MSE, legislation remains crucial to support MSEs with their prevention strategy, such as the law on severe occupational accidents, which offers an opportunity for prevention actors to catch the attention of MSEs on OSH. Some participants speak up for a compulsory company visit from the labour inspectorate following a serious occupational accident, as this is an additional key moment to raise awareness in MSEs about the importance of prevention. However, it is argued that regular company visits (not necessarily related to serious incidents) in general do not happen systematically in these MSEs. While there are no official figures available in this regard, several respondents estimate the chance for MSEs to receive a visit from the labour inspectorate as once every 20 or 25 years.

Another measure is that of 'aggravated risks' imposed by a Royal Decree, as explained earlier in this report. Even though limited to a certain number of companies (not all MSEs), this measure reaches the high-risk companies which (a priori) evade support from external prevention actors and offers them support and control to make their work environment safer.

Different suggestions were made during the workshops to adapt the legislation to MSEs from the three sectors, so that it becomes more feasible for them to comply with. One concrete proposal is more collective labour agreements at sector level, to further fine-tune the general regulation regarding specific themes related to the working environment and specific risks of each sector (especially the ones with high numbers of MSEs).

Among MSEs, an important distinction must be made between companies with fewer than 20 employees and larger ones. In companies with more than 20 employees (or smaller high-risk companies), the employer must be assisted by an internal prevention advisor for OSH matters. This makes a difference to risk awareness but also to the time spent on OSH management in companies. Even if the internal prevention advisor of a small company does not have many hours a week to do this job and is strongly dependent on the employer (who takes decisions in the end), a strong difference is noticed in terms of OSH training, awareness, knowledge and willingness to manage risks.

In MSEs, and especially in smaller companies (<20 employees), OSH management still strongly depends on the employers and their willingness to tackle OSH. According to the workshop participants, the legislation is not always clear and does not always imply clear and direct obligations for the employer (however, no concrete examples were given in this respect). Hence, it is important to have clear legislation and systematic follow-up of its application. Concrete support with practical advice for companies to comply with the legislation is also a must. Legislation for each subsector developed by the joint sector federations (for roadworks within the construction sector, for example) is also proposed by some participants.

In the construction sector, the responsibility of the prime contractor was strongly underlined. Some participants argue for making prime contractors liable for OSH matters, so that they pay more attention to safety in the tender specifications and terms of reference of construction works. Furthermore, while the idea was not shared by all participants, the proposal came up during the workshop for the construction sector to make it obligatory to mention the external prevention service's affiliation number for each subcontractor in the terms of reference. This would make sure that also foreign subcontractors are affiliated to a Belgian prevention service, which follows Belgian law rather than the legislation of the country of origin.

Finally, regarding the labour inspectorate, the awareness-raising campaigns are considered useful by workshops' participants, but should according to some participants be linked to more checks in order to better enforce the law promoted during the campaign. Checks by the inspectorate in general are experienced by all respondents as encouraging companies to take actions. Still, prevention actors present at the workshops underline the importance of the inspectorate speaking the language of employers in order for the owner-managers to quickly understand what is expected of them, instead of coming up with law texts that are not understood by employers. Indeed, all participants speak in favour of a constructive, rather than repressive, way of working.

Some participants from the Horeca sector suggest that the labour inspectorate or other prevention actors should reflect together with employers starting up businesses about management tasks which come on the top of the usual business as soon as they hire the first employee. The inspectorate does not, however, have the necessary time and human resources to do this for the moment. Another proposal is to work step by step, conducting more visits, during which labour inspectors act in a positive, advisory and supporting role, advising employers on the way to start their OSH management strategy. Checks would then be increased in companies which do not perform according to the inspectorate's requirements.

3.3.2 Information

As regards OSH information to companies, direct contact with advisors from the external prevention services or joint sector federation in the construction sector for example, when visiting companies, is reported by workshop participants and interviewees as the most efficient way to inform and communicate with employers. However, the case studies and several respondents in the workshops and interviews report that most MSEs do not remember having recently received a visit from their external prevention advisors. External prevention advisors observe that visits are difficult to make in many companies, where the employer has no time to talk with prevention actors. The interviewed external prevention advisor responsible for collective prevention in MSEs speaks up for better training of external prevention advisors to conduct company visits, in order to acquire the necessary knowledge about the sector and good social skills to convince employers. Another way in, mentioned during the workshop for the manufacturing sector, is supporting start-up companies, where OSH should be a standard theme, although this is not really the case at the moment. One external prevention advisor believes that the company visits should instead be the end-phase of the information chain, when

employers have had information by electronic or collective means (information sessions for example). This idea was not shared by all participants in the workshop.

In sectors calling on temporary workforces, such as construction and Horeca, a job sheet — imposed by law for jobs where a medical check-up is required — is used as a communication channel between the client and the temporary agency. This job sheet is completed together with the external prevention service, according to a template. It includes information about the worker, the characteristics of the job, the necessary personal protective equipment, the data from the last medical check-up and any maternity protection measures applicable. According to the external prevention services present at the workshops, this job sheet is a good way to communicate and to see if a medical check-up is necessary. However, it is still often experienced by companies as an administrative burden. It is also very important that the worker in question and the client company understand the information, to ensure that it is actually applied in the daily work.

At sector level, the campaigns of the labour inspectorates and information sessions from employers' organisations are experienced as important to raise employers' awareness about OSH. However, some participants also observe that it is increasingly difficult to gather people for an information session. Other information channels must be found, such as the use of social media and apps, which are starting to be used by some OSH prevention actors (which could not yet evaluate their effectiveness). Letting employers or workers from the sector tell others their experience of severe occupational accidents during information sessions was mentioned during the workshop for the manufacturing sector as an idea to raise employers' awareness. They mostly do not realise such accidents can also happen to them, because generally speaking these do not often happen in MSEs given the limited number of workers — although accidents are still more frequent in proportion to the number of workers. An issue raised about this idea is that companies are often reluctant to share information on their management practices, including on OSH, with competitors, as this may inspire these competitors to develop practices that are cheaper. During the same workshop, a participant from an employers' organisation gave the example of groups of employers meeting at each other's premises (each time a different company). This way, they can observe how the workplace is organised in other companies, and can get inspiration from this. This seems to stimulate employers in their OSH management.

Regarding written information, traditional brochures seem not to be sufficient. Respondents agree on the need to clearly and concretely demonstrate how good OSH management can be beneficial for employers, for instance by calculating the costs of working with one employee fewer (delays for clients, loss of available expertise, additional burden on the rest of the team, and so on). While more custom-made information, based on the company's size and needs, would be more effective, it would be too costly for prevention actors, which have developed standardised instruments to help companies in the context of limited resources and time.

Given the quantity of information and communication about OSH from the different prevention actors, workshops' participants insisted on the importance of good collaboration between the different prevention actors about the information which is sent to companies. External prevention services, for example, already have an association (Co-Prev) and they try to agree on the way legislation is put into practice and introduced in MSEs. Speaking with one voice and bringing clarity on OSH matters can only be beneficial to avoid employers getting discouraged. Clarity implies interpretation of specific matters and consensus at sector level about this interpretation.

Finally, within companies themselves, a structured social dialogue and information network in the absence of an internal prevention advisor (that is in companies with <20 employees) or of a safety committee (in companies with <50 employees) can have a positive influence on the risk awareness of a small company.

3.3.3 *Fines versus incentives*

Two prevention actors seem to play a key role as drivers for companies to start an OSH prevention strategy: the labour inspectorate and the insurance companies. Employers fear the labour inspectorate, which they expect will come when a severe occupational accident occurs in the company. However, it has been observed by several respondents that not all companies where a serious accident happens

are actually visited by the labour inspectorate. Moreover, as mentioned during the workshop in the manufacturing sector, fines on employers when they do not comply with the labour law are sometimes lower than the price of new equipment in order to work more safely in the future. Some MSEs therefore make the choice not to follow the requirements of the inspectorate. This behaviour is reinforced by the low probability of being inspected again and caught. More inspections would be necessary in order to increase the chance of being caught, including for MSEs. The obligation to change something when an occupational accident occurs must also be strengthened.

On the other hand, the ways for the labour inspectorate to reward good employers were mentioned during the workshop for the Horeca sector, such as a list with the 100 best employers of the sector in a specific region or a notice which employers can put at their shop window, a sort of label which testifies to good OSH prevention. Reporting 'best practices' which are easily available for employers who are looking for good practices in the sector is also mentioned as a potential good practice in the manufacturing sector.

With regard to insurance companies, the so-called bonus-malus system (explained in section 3.1.6), to reward employers who have a good prevention strategy and penalise the ones where no measures are set up to prevent risks, is sometimes mentioned. However, as discussed during the interview with the head of prevention of a large insurance company, and checked with other insurance companies, the opportunity to do so is in fact quite limited when working with MSEs, as they are in a cost-sharing system, meaning that the premium they pay to the insurance company does not cover the real costs of an occupational accident, even in the long term. She gave the example of an accident which causes the loss of one eye to a worker. This costs in reality some EUR 300,000. The insurance premium of a MSE being about EUR 3,000, it would take 100 years for the accident to be reimbursed by the company. In larger enterprises, the insurance premium is closer to the cost price of accidents, and an advantage for the companies which run a good OSH prevention strategy can be negotiated. Regardless of the bonus-malus system, insurance companies certainly play an important prevention role in the case of aggravated risks companies, which they support in setting up an action plan to prevent new accidents from occurring.

This system of aggravated risks itself — implemented by a Royal Decree — can have a strong enforcement effect on MSEs, knowing that they will have to pay a fine about EUR 3,500 if they are on the list. This system was not mentioned by companies interviewed for the case studies, but the insurance companies mentioned that some companies have higher risks of serious accidents, more precisely those companies that we could characterise as being forced into low road business strategies. Hence, the system of aggravated risks may be considered as a way to reach companies which are less inclined to develop a prevention strategy through the traditional/voluntary ways.

Regarding interventions from prevention actors in general, the employers' representatives argue for a strategy shift from repression to more sustainable support. According to them, it is important in this respect to follow the employers' logic, who are mainly looking for 'what's in it for them'. They can be motivated towards change and more efforts for OSH if they understand the direct advantage and benefits. This stresses the importance of presenting poor OSH as an element which can disrupt the smooth running of the business. OSH must be part of the business plan of start-ups, and the financial consequences of an occupational accident, including the cost of missing an employee, must be emphasised. Quality certificates such as ISO and the Dutch and Belgian Safety, health and environment Checklist Contractors certificate (VCA) that is required for subcontractors in manufacturing industries demonstrate that it is possible to convince employers to make time to fill in documents, organise toolbox meetings and perform last-minute risk assessments if it allows them to get an important contract.

Other incentives such as training vouchers which can be used to pay for OSH courses are good, but, as a manufacturing sector training centre mentions, it is always the same employers — who already have some risk awareness and invest in an OSH management strategy — who use them. As stated earlier, even though training was often mentioned during the different discussions as a good way to raise awareness of OSH, it is probably wishful thinking that making training more attractive will help reach all MSEs.

Given the context of competition from foreign companies, an important remark regarding incentives and sanctions which has been made in the manufacturing sector concerns foreign companies, which should be rewarded and sanctioned the same way as local companies. Concretely, this means for example that in the event of an occupational accident these firms should be obliged to report their occupational accidents to the Belgian Fund for Occupational Accidents, listed as aggravated risks companies and obliged to set up an action plan as a response.

3.3.4 Characteristics/strategies/methods contributing to success

All prevention actors present at the workshops or interviewed individually agree that previous experiences did not offer any ready-for-use solutions for the sectors which were studied. Each of the numerous tools which have been developed has its advantages and disadvantages, and its application is affected by drivers and barriers, such as mentioned earlier in this report.

Tools such as OiRA, which have been developed for the three sectors, are recognised as having much potential to transfer basic knowledge which employers must have about OSH. However, better integration between OiRA modules and with other tools must be investigated. A participant gave the example of a company in the woodworking sector which has some activities similar to those in the construction sector. The employer should have the possibility to switch from one OiRA tool to another to get the screens he or she needs. Furthermore, several workshop participants insist that a single launching of the tool and an information campaign are not enough: the attention of employers must be sustained, and systematic support must be offered to use the tool, so that it does not peter out. In the Horeca sector, the fact that OiRA is accepted by the labour inspectorate as an action plan if it is seriously and systematically used is considered a real asset. Still, its use can be ensured only if it is steered and followed up by all prevention actors. Some participants in the workshop for the Horeca sector even speak up for imposing the use of OiRA on all employers. This is not supported by all participants, as external prevention advisors, for instance, develop and distribute their own tools in MSEs.

There is no consensus among all workshop participants on to what extent the internet is an effective channel to reach employers (with OiRA or other instruments or information). In the Horeca and construction sectors, employers rarely use their computers, and turning on the PC in order to consult websites on OSH after working hours is too much work. Many employers still prefer physical material: letters and maps instead of emails, websites and online tools. Moreover, as mentioned by one participant, Horeca is not a sector of 'written words', but one where verbal communication is strongly preferred and works better.

Developing free apps which employers can use everywhere to consult information or arrange OSH matters is often mentioned as a possibility, which has not yet been fully tested by any actor to date (especially because of the development and maintenance costs). Short and attractive information channels such as comic strips about OSH or the use of pictograms showing unsafe situations at each working station is recommended. This way, workers (including foreign workers who have not mastered the language) are involved and easily get it. New technologies also offer possibilities in this direction, such as Quick Response Codes (QR codes) on equipment with a link to a short movie showing OSH measures to be taken, or a QR code which displays safety rules every time a machine is started, and so on.

An employers' representative present in the manufacturing workshop speaks up for redefining OSH as a business case, the financial impact of which has been demonstrated. Prevention actors should talk not about 'safety', but about 'elements which can disturb the smooth running of the businesses'. There are three key moments in this regard: the creation of the company — when a risk assessment should be made in the same way as the financial analysis — the granting of the business permit and when an occupational accident occurs. While prevention should be a daily business, stressing its importance at these key moments will facilitate the interventions of intermediaries and raise owner-managers' awareness of the issue so that they integrate it into their overall management.

Finally, OSH training is mentioned by all workshop participants and interviewees as a method which could strongly contribute to raising employers' and workers' awareness of OSH matters. While it is for the moment still often too theoretical, respondents argue for seeking the integration of OSH into the

culture of the company, by teaching workers and managers to notice unsafe behaviours and confront each other in unsafe situations. Free (such as in the construction and Horeca sectors) or affordable training, as well as coaching processes in companies, is experienced by prevention actors as a good way to spread OSH awareness. OSH must also be part of operational and management training, but also of training of architects in the construction sector. However, the reality in companies, as seen in the case studies, shows that training has not yet succeeded in being a real driver for OSH management, except in companies with existing OSH awareness, which are mostly the ones that send managers and workers on these courses.

4 Conclusion and summary

The workshops and interviews organised in the framework of this project allowed the information collected in the previous phases of the SESAME project, more specifically in the case studies, to be put in context and compared with the experience of the different OSH intermediaries in Belgium working with MSEs. In general, we observed a broadly agreed diagnosis (or analysis) among all workshop participants of what problems face MSEs in developing effective OSH management, how MSEs need to be approached, what their specific needs are and so on. However, this relative consensus cannot disguise the differences in roles and functions of the various stakeholders active on the field of OSH, as we will elaborate further in this conclusion.

The general findings confirm the observations made in the previous phases, such as a lack of risk awareness and of proactive OSH management in MSEs because MSE often have other priorities. This is often understood by intermediaries as the difficulty in reaching these MSEs. All workshop participants and interviewees agree on the importance of systematically integrating OSH awareness and behaviour in schools and vocational educational training from the earliest stage on, as well as in business plans of start-ups, so that OSH is systematically applied by both workers and managers. Otherwise, as some respondents observe, once in the busy business world, it is mostly the same companies — where there is already some OSH awareness — which invest time in OSH courses (even when they are offered for free). The fact that the most vulnerable companies (and hence workers) often stay under the radar is similarly acknowledged by all participants and stakeholders. The socio-economic context which tends to increase this vulnerability was equally emphasised, especially the unfair competition from new trends such as “Uberisation”, social dumping, informal labour, and so on. Most respondents would also agree that the OSH legislation is often not sufficiently adapted to MSEs, and that a ‘simplification’ (this, however, remained unspecified) of the legislation as well as better support from the different actors (instead of merely reactive and/or repressive measures) is necessary.

Still, in the three workshops, but especially in the one for the construction sector, it became apparent that there are also sources of discontent and divergence. One key matter of concern is the lack of coordinated action where each actor and intermediary can take up its specific role but does so in close cooperation with the others. Furthermore, concerns about the role of the external prevention services came to the fore during the discussions, as will be explained. This is quite understandable, as all companies, including the smallest, are obliged to join one of the external service providers active on the market and pay a fee for their services. The actual services companies get in return for this fee are therefore a sensitive matter. This pushes external prevention services into a rather defensive position, arguing that the fees are well worth the services companies get in return. External prevention services also argue that they are often mistaken by the owner-managers for the labour inspectorate and not welcomed as a support and that they are not really given much time by them during their visits. This confusion about their role and the discussion about the fees versus services offered seem to seriously undermine their legitimacy, especially because MSEs are not necessarily convinced of the need for prevention in general (let alone on psychosocial risks). The external service providers emphasise that they try to remedy these problems by developing specific tools and approaches for MSEs and by diversifying their services. However, this seems in practice to be hampered by their financial calculations when they compare the return on investments of small and large companies.

The joint social partners, in turn, express a common concern about the lack of transparency of the services offered by the external service providers and question their effectiveness. The competition between the external service providers to have companies as their clients is noted as an important

reason for this. The social partners favour their joint bipartite organisations, funded on the basis of the total wage mass of the sector. Advisors from joint sectoral organisations — who are organised locally and offer personal support — emphasise their good relationship with owner-managers, who for instance spontaneously call them if they have a question regarding their business, including on OSH. Here too, however, there seems to be some competition between the bipartite sectoral fund organisations and the internal departments of the different employer organisations (and to a lesser extent the trade unions), each of which are also concerned to serve ‘their companies’ well in order to get sufficient members and thus resources. Hence, they want to demonstrate that they are best placed to know what the employers need and how they can be approached.

The labour inspectorate seems to suffer from a structural lack of time and staff to take up their role efficiently, and they emphasise that it is the MSEs who are the first victims of this lack of resources, since the large majority of them will never be inspected during their business lifetime. At the same time, expectations of the labour inspectorate’s tasks are increasing, as the other stakeholders argue that it should also take up a supportive role, rather than acting as ‘police officers’ only. While all participants argue for a more supportive role for the labour inspectorate, inspectors themselves argue that — while they are willing to refer employers to the right intermediary or tool — it is not their role to give solutions for companies to comply with the law, and instead they refer them to the prevention actor(s) to take up this role.

The insurance companies, finally, may also be struggling between on the one hand sticking strictly to their role, paying indemnities against accidents, and on the other hand giving information and personal advice to companies to prevent such accidents in the future. It is obvious that they also give priority to large companies, for which they can design tailor-made prevention strategies and calculate tailor-made insurance fees. For smaller companies, such an approach is not financially tenable, say the insurance companies, and both the fees and the services offered can only be standardised. In this respect, the insurance companies and the external service providers are subject to the same (market) logic, although each with a different role, insurance versus prevention respectively: they are both compulsory for companies and ask a fee for their services and they are both facing competition on the market. These two intermediaries have to operate in a financially and commercially viable way and at the same time they have to attract as many clients as possible. As stated above, the result is that their main focus remains oriented to the large companies.

Finally, the workshops and interviews gave more insight into the quantity of information and instruments which already exist to support MSEs in their OSH management, partly explaining their difficulty in finding their way in this (uncoordinated) overflow of information. Indeed, all respondents agree that there is a lack of coordination between the different actors. However, there is little consensus on the extent to which the different actors should collaborate. It seems that, in the end, each stakeholder is inclined to stick to its own agenda, strategies and programmes for its constituency rather than to align those with the other parties active in the field. External prevention services, for instance, argue that data protection issues keep them from sharing data with other actors (apart from the mandatory data exchange when a worker or employer shifts to another external prevention service), which could, however, provide a good start to join forces on tackling a particular OSH risk. The trade unions and employer organisations consider that the competition between the external service providers may instead be a cause of this reluctance to share information with them.

For the research team, it is hard to avoid the conclusion that competition between the stakeholders is prevailing over collaboration, except perhaps in the recent case of the development of OIRA, where all actors worked together. Each of the stakeholders gives priority to providing itself the best services to its member companies, which is crucial in order to attract and retain companies as members or clients and to secure its own resources and legitimacy.

5 References

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6 Appendix

Table 1 List of organisations participating in the workshops

Type	Construction sector	HORECA sector	Manufacturing sector
Trade unions	ACV	ACV voeding en diensten	ACV-Metea
	CSC		
	ABVV AC	ABVV - FGVB HORVAL	
Employers' organisation	Confederatie bouw		VBO/FEB
	Bouwunie		
External prevention service	Mensura	Mensura	Mensura
	Mediwet		
	Provikmo	Provikmo	Provikmo
	Idewe	Idewe	Idewe
	Prebes		
	Preventie & Interim		
Joint sector organisation	Constructiv	Fédération Horeca Wallonie	
		Horeca Fonds	
		Horeca Vlaanderen	
Labour inspectorate	Toezicht Welzijn op het Werk (TWW)	TWW	TWW
Insurance	Federale Verzekeringen		Ethias
	Axa	Axa	Axa
Sector knowledge/training center		Guidea	Opleidingscentrum Hout

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European Agency for Safety and Health at Work

Santiago de Compostela 12, 5th floor
48003 Bilbao, Spain
Tel. +34 944358400
Fax +34 944358401
E-mail: information@osha.europa.eu

<http://osha.europa.eu>



Publications Office