



MUNICIPAL SPECIALIST FOR SAFETY AT WORK

1. Organisations involved

District municipalities, Ministry of Social Security and Labour, Lithuanian University of Agriculture

2. Description of the case

2.1. Introduction

Restoration of independence in Lithuania in 1990 caused far-reaching changes to the state policy, various sectors of economics, social area etc. Economics suffered the largest changes as the planned economy was transferred into a market economy within a very short timescale. The agricultural sector was also affected as large collective companies were split into small private and very often family run farms. Occupational safety and health was one area where a new system was required. However, due to its complex requirements, it was not realized for a further three years when, in 1993, the Government of the Republic of Lithuania issued the Decree 'Regarding the Immediate Measures for Improvement of Safety at Work'. One of the recommended measures was to establish in the municipalities, the position of a specialist for safety at work called 'inspector consultant for safety at work' (hereinafter referred to as 'inspector consultant') from the beginning of 1994. It was believed that inspector consultants, with knowledge of both occupational safety and health requirements and local peculiarities, would help substantially with safety management and risk assessment practices. The Government placed an emphasis on improved participation of regional self-government in the management of occupational safety and health at a local level. Within the rural districts of Lithuania such an initiative was oriented towards prevention of work related accidents and occupational diseases in the agricultural sector.

The services of the inspector consultant were to be free of charge and thus economically attractive and particularly important for micro, small and medium sized companies such as farms or other small businesses in rural areas.

2.2. Aims

The main aim of the municipal inspector consultant for safety at work (municipal specialist for safety at work) is to provide advisory services on occupational safety and health to various companies, farmers and other agricultural companies situated in the municipality.

2.3. What was done, and how?

The function of the municipal inspector consultant for safety at work was approved by the Ministry of Social Security and Labour in 1996 by the 'Typical Regulations of Municipal Inspector Consultant for Safety at Work'. The regulations describe the main functions, duties and rights of the municipal (city or district municipality) inspector consultant for safety at work.

In accordance with the regulations, the inspector consultant is hired by the municipal administrator. The selected candidacy should be coordinated with the head labor inspector of the territorial department of the State Labor Inspectorate. Higher education and certification as a specialist in occupational safety are the basic qualification requirements for inspector consultants. The inspector consultant, in his/her work, shall follow the 'Law on Safety and Health at Work' and other normative acts regulating occupational safety as well as local by-laws introduced by municipal institutions.

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The main responsibilities of the inspector consultant are:

- To inform persons wishing to register companies about the occupational safety and health requirements to be followed when launching a new company.
- To consult companies situated in the municipal territory (independently on the jurisdiction and form of ownership) how to implement the occupational safety and health requirements.
- To prepare suggestions for municipal executive institutions and companies for the improvement of occupational safety.
- To inform the municipal mayor (board) on the state of occupational safety in the companies and to report to the board under the institutional order.
- To organize seminars for employers and employees about occupational safety and to promote safe practices.
- By the assignment of municipal mayor or administrator to investigate employees' (residents') complaints and statements concerning occupational safety.
- By the assignment of municipal mayor and with consent of the companies to prepare general programs and measures of occupational safety and coordinate their implementation.

The rights of the inspector consultant are:

- To visit all the companies situated in the municipality, to look at each company's occupational safety documents and to indicate the violations of occupational safety.
- To consult employers and employees on occupational safety, to make suggestions on the improvement of occupational safety and to discuss this with the company's committee of occupational safety and health.
- To receive information in the territorial departments of State Labor Inspectorate about the state of occupational safety, including accidents and occupational diseases in the companies situated within the municipal territory.
- To participate in the inspection of companies, investigation of accidents, occupational diseases and industrial accidents executed by the labor inspectors.
- To inform the municipality on violations of the requirements of occupational safety and health and to suggest to the territorial department of State Labor Inspectorate (if necessary) to organize inspections in the specified enterprises.
- To make suggestions to the territorial department of State Labor Inspectorate on fines to the persons who have violated requirements of occupational safety and health.
- To make suggestions to employers, committees of occupational safety and health in the companies and territorial department of State Labor Inspectorate to stop the work activities, exploitation of equipment or objects when violations of the requirements of occupational safety and health threaten workers' safety or health.

The range of obligations and rights of the inspector consultant fixed by the Government's decree were designed to allow them to intervene and help develop solutions to various problems relating to occupational safety and health at enterprises and to help the local authorities and the territorial departments of the State Labour Inspectorate to gather more comprehensive information on the OSH situation in the municipal territories.

Regrettably, in the period from 1990 to 2002, wider investigation on occupational safety and health in the rural districts (including farmers and other agricultural companies) was not carried out and, therefore, there were no official data on the effectiveness or results of the above described initiative.

The first wide-scale investigation of the state of occupational safety and health in agriculture was implemented in 2002. The Lithuanian University of Agriculture, according to the

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Programme of the Ministry of Social Security and Labour, carried out research on the introduction of legal OSH acts to govern agriculture, which meet the European Union Directives.

The results from the research showed that, besides other problems, almost all agricultural companies lacked adequate occupational risk assessments, health and safety committees, appointed representatives of employees, procedures for internal health and safety audits etc. Many farmers, due to a lack of competence, or even maliciously did not prepare safety and health instructions for their employees and/or workplaces, did not provide adequate training and instruction or other necessary information for their employees. Therefore, one of the conclusions of the research was that preventive work at the municipal level is possibly not efficient enough.

In 2003, the Ministry of Social Security and Labour initiated the next stage of research which aimed to develop and implement a plan to monitor and improve occupational safety and health in agricultural companies. One of the tasks carried out during the course of the research was an analysis of preventive work carried out by the inspector consultants in the municipal territories.

It was found that, of more than 50 district municipalities, only 40 percent had competent persons consulting on occupational safety and health issues within the agricultural sector, although positions of safety specialists were in 60 percent of such municipalities. Some of these municipalities had positions of specialists for safety at work and in the others the same individual performed the functions of specialist in occupational safety, civil protection and fire safety, i.e. in the majority cases the position was not called 'inspector consultant'. On the other hand, it was evident that the municipal safety specialists provided farmers OSH services very similar to the functions of inspector consultants, namely:

- Informing about the OSH legislation, relevant publications and related activities of the municipal executive institutions.
- Training them and their employees about occupational safety.
- Consulting on how to implement the occupational safety and health requirements, to inform, train and instruct employees, etc.
- Promoting safe working practices and making suggestions on the improvement of occupational safety.
- Assistance with risk assessment (to identify risks, to select preventive measures), preparation of OSH instructions, selection of personal protective equipment, investigation of accidents at work, etc.
- Investigation of employees' (residents') complaints and statements concerning occupational safety (by the assignment of municipal mayor or administrator).

Other activities of the municipal safety specialists that were similar to the functions of inspector consultants were: collecting information about the state of occupational safety and health in the agricultural and other companies situated within the municipal territory, informing the municipal mayor (board) about this state, suggesting to the territorial department of State Labor Inspectorate to organise inspections in the specified companies, etc.

It is true to say that quite a number of the district municipalities entered the initiative to improve the management of occupational safety and health at a local level by establishing positions of the municipal safety specialists and supporting their activities. Regrettably these specialists could not directly follow the 'Typical Regulations of Municipal Inspector Consultant for Safety at Work' and thus did not have some of the Inspector's corresponding rights (e.g. to participate in the inspection of companies, investigation of accidents, occupational diseases and industrial accidents executed by the labor inspectors).

The following attitudes were predominant in the discussions with the afore-mentioned municipal specialists and with specialists of agricultural departments in some municipalities:

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- Necessity to establish the position of inspector consultant for safety at work in the municipalities. The function must be delegated by the State.
- The resources from the State and municipal budgets must be prescribed in order to implement occupational safety and health at the regional level.
- The inspector consultants must be provided with computer access and transport.
- The register of safety and health of the companies' employees must be created in the municipalities and this must be monitored by the inspector consultant.
- The organisation of civil protection and fire safety in the regions is sufficiently good because it is legitimized by the legal acts of the Republic of Lithuania and the resources are provided for this purpose.

The conclusion of this part of investigation was the following: in the majority of municipalities, accident and occupational disease prevention measures in the agricultural sector were only partially implemented or were not implemented at all. A recommendation was made for the Government to prepare documents regulating the management of occupational safety and health at the regional level, which would determine the obligatory position of inspector consultants for safety at work and the provision of resources for the organisation of measures of occupational safety and health.

In 2008 the Ministry of Social Security and Labour commissioned the Lithuanian University of Agriculture to carry out research to determine trends in the state of occupational safety and health in agriculture. The results of this research showed that most farmers and agricultural companies applied for help with OSH related issues to the branch offices of the Lithuanian Agricultural Advisory Service and only about 20 percent contacted their municipal OSH specialist. It was discovered that the main reason for this was that only 20 percent of district municipalities had a dedicated safety specialist; this was in stark contrast to the situation in 2003, when 60 percent of district municipalities has a dedicated safety specialist. Therefore, despite the popularity of safety specialists with farmers and agricultural companies, local authorities did not maintain these positions.

In 2010 the Government presented the following clarification: As the municipalities are not subordinate to the Government the aforementioned decree issued in 1993 was used only to recommend to the local authorities to create the positions of inspector consultant for safety at work. Neither the 'Law on Occupational Safety and Health' nor other legal acts oblige the municipalities to establish in the municipal administration the work place for an inspector consultant for safety at work. This means that only the local authorities can decide whether such a position is needed for the municipal administration and whether its withdrawal would be detrimental to occupational safety and health in regional companies. According to the 'Law on Occupational Safety and Health' using the principle of trilateral cooperation of social partners, the municipal commissions for occupational safety and health can be established to prevent violation of the requirements for occupational safety and health in the companies. The work of the members of the municipal commission is not paid. Besides, the aforementioned law also determines that neutral persons, legal persons or branch of foreign legal persons who have license to provide services for occupational safety and health in the company and are insured with civil liability can provide services for occupational safety and health.

2.4. What was achieved?

The Government's Decree 'Regarding the Immediate Measures for Improvement of Safety at Work' issued in 1993 recommended to the local authorities to establish the position of inspector consultant for safety at work from the beginning of 1994. It is obvious that the municipalities took advantage of this recommendation as about 60 percent of district municipalities had positions of safety specialists in 2003 although these positions were not called 'inspector consultants'. Active advisory work regarding occupational safety and health was done in 40 percent of all district municipalities.

As regards the agricultural sector, results of the investigation showed a marked difference of activeness in implementation of preventive measures in different municipalities. The occupational safety and health problems were solved more efficiently in those municipalities where safety specialists were more active (see Table 1).

Table 1: Overview of the number of consulted farmers and agricultural companies in the discussed municipalities (in 2003)

Discussed municipality	Title of the position of the municipal safety specialist	Number of agricultural subjects situated in the municipal territory		Number of agricultural subjects consulted per year	
		Farmers	Agricultural companies	Farmers	Agricultural companies
No 1	Senior specialist for safety at work	1800	8	1000	8
No 2	Specialist for civil protection	1200	-	40	-
No 3	Senior specialist for civil protection, fire safety and safety at work	1700	25	50	10
No 4	Mayor's adviser on civil protection, fire safety and safety at work	780	45	100	15

The residents, farmers, companies (including agricultural companies), institutions and organizations were consulted on the affairs of occupational safety and health, the activities of companies and institutions were observed, and conflicts between the employers and employees were settled etc. Cooperation with the State Labor Inspectorate was promoted. While such a specialist was working in the particular municipality the number of accidents at work within the municipality were greatly reduced.

Unfortunately, in recent times many municipal administrations decided to withdraw the position of safety specialists by stating that the municipal administration does not have to provide such services to residents.

2.5. Success factors

The Government demonstrated an initiative to improve occupational safety and health at enterprises using the municipal specialists for safety at work. The position of such a specialist is a very useful example of establishing a link between the state occupational safety and health policy and its implementation in companies situated in the municipal territory. As most companies in the district municipalities are micro and small agricultural companies such an initiative played an important role in the improvement of occupational safety and health in the agricultural sector. Besides, services of the municipal specialists for safety at work are free of charge and are economically attractive for farmers and micro and small companies.



2.6. Further information

Department of Occupational Safety and Engineering Management of Lithuanian University of Agriculture.

Studentu street 15 b

LT-53362 Akademija, Kaunas district

Lithuania

Contact person: Gediminas Vilkevicius

Tel: +370 37 752 376

Fax: +370 37 752 376

E-Mail: gediminas.vilkevicius@lzuu.lt

2.7. Transferability

The position of a municipal specialist for safety at work (municipal inspector consultant for safety at work) is intended to improve the management of occupational safety and health at a local level therefore its services are accessible not only to farmers but also to all companies from different sectors in the municipality. The idea of the position of a specialist for safety at work after revision of its functions and with emphasis on the peculiarities of a particular sector could be transferred to various organisations, employers and trade unions at the national and regional level, to the ministries and other authorities of state management.

3. References, resources:

- Regarding the Immediate Measures for Improvement of Safety at Work. *State News*, No. 63, 1993. Doc. No. 1205.
- Typical Regulations of Municipal Inspector Consultant for Safety at Work. *State News*, No. 68, 1996. Doc. No. 1658.
- Law on Safety and Health at Work. *State News*, No. 70, 2003. Doc. No. 3170.