

EXTERNAL PREVENTION SERVICES IN NORWAY – CONSIDERATIONS AND TRANSFERABILITY

Introduction

Improving the extent and quality of compliance with occupational safety and health (OSH) regulations and improvement of OSH are longstanding objectives at European and national levels. Efforts to improve arrangements and practices for managing OSH are stimulated, supported and sustained by a range of institutional actors and processes both internal and external to firms.¹ The latter include state regulators for OSH, such as OSH and labour inspectorates and the government ministries or departments of which they are a part. The Working Environment Act (WEA) is the most central regulator on OSH in Norway, and the Act plays a guiding role in the activities of the Labour Inspection Authority. However, they are not limited to regulators and ministries. In some Member States external prevention services have played a significant role in supporting practices that promote OSH and legislative requirements.

The main topic in this brief² is the role of prevention services in supporting compliance with regulations and better OSH practices. Preventive services are defined as requirements and arrangements that are set up to improve OSH practices, like OSH managers, safety representatives, regional safety representatives (RVOs), and occupational health services/psychologists, as well as training in OSH for employers and employees.

During the past 10 to 15 years, several targeted measures have been introduced in recognition of the need to move away from a one-size-fits-all approach. In this brief, we present two of the most central external preventive services in Norwegian working life, as well as the drivers behind recent developments within the field of preventive services and measures, namely occupational health services and the scheme of RVOs.

Occupational health services

In Europe, the term ‘prevention or preventive services’ is normally used to describe the qualified professional support, either internal or external to the establishment, provided to employers, which allows them to address their OSH statutory duties and improve OSH. Occupational health services are included as an important part of the principle of internal control in businesses. They are an expert advisory service within preventive OSH that is meant to assist employers and employees in monitoring the working environment in their business. It is difficult to estimate how many companies are linked to an occupational health service, as companies themselves must assess whether their risk situation indicates if they should be connected to an occupational health service or not. In addition, the WEA stipulates that some industries are obligated to have an occupational health service. Oslo Economics (2018) estimated that in 2018 around 95,000 businesses were covered by the scheme. This amounted to approximately 60% (1.6 million) of the Norwegian workforce.

The requirement for an occupational health service is laid down in section 3-3 of the WEA, and legislators have been concerned with how the service can be an important tool in systematic OSH work. According to the WEA (section 3-3), businesses must connect to an occupational health service approved by the Labour Inspection Authority if the risk situation dictates it. The assessment of whether such a risk exists must be carried out as part of the business’s implementation of systematic health, environmental and safety measures.

¹ EU-OSHA – European Agency for Safety and Health at Work, Literature Review - Improving compliance with occupational safety and health regulations: an overarching review, 2021. Available at: <https://osha.europa.eu/en/publications/literature-review-improving-compliance-occupational-safety-and-health-regulations-0>

² This policy brief is part of a research conducted in Norway to provide further insight into this topic. The research report is available at: <https://osha.europa.eu/en/publications/norways-approach-supporting-occupational-safety-and-health-compliance-role-labour-inspectorate-and-prevention-services>

Some industries have working environments characterised by a greater risk of illnesses, injury and adverse stress than others. Therefore, the WEA states that businesses within certain industries must have an approved occupational health service. This requirement is based on risk analyses.

The primary task of the occupational health service scheme is to support and assist businesses in their efforts to ensure a good and responsible working environment based on interdisciplinary expertise. Occupational health services should also provide employers with advice on how they can organise their business to ensure the best possible working environment — at the system level but also by promoting the role and contribution of both the management and individual workers. Oslo Economics (2018) calculated the proportion of the non-optimal working environment that can be prevented by an occupational health service and found the net benefit to society to be 1.3 billion Norwegian kroner (approximately €114,270,000 at the time of writing).

In 2023, changes were made to the regulations on occupational health services (FOR-2023-03-01-275). The changes clarified that these services should prioritise preventive OSH over individual healthcare for employees. It is too early to say how these new regulations will change preventive OSH work, but the changes are currently under evaluation. Nonetheless, the changes should at a minimum clarify that the responsibility of occupational health services should mainly be to help companies comply with OSH regulations and laws.

Labour inspectors expressed that they had seen a change in occupational health services' degree of involvement with businesses after the changes in the regulation. One labour inspector emphasised that this has always been in the occupational health services' interests, but that it may not have been as clear from the businesses' side.

The inspectors described considerable variance in how business and occupational health services cooperate on OSH matters. Some occupational health services provide good, adequate, relevant assistance, while others do not. Some of the inspectors emphasised that some of the larger services were a bit distant in their assistance. Moreover, they all pointed out that for an occupational health service to provide good assistance, it must be present in the business. One of the inspectors explained that when checking whether businesses have an occupational health service in place, and whether they use it, it is important to ask employees if they are familiar with the service and to request documentation from the business's risk assessments, assistance plans and annual reports to see the history of its collaboration with the occupational health service.

The occupational health service scheme is a longstanding preventive service in Norway that contributes to the improvement of workplaces. SINTEF evaluated occupational health services' operations in 2016 (Mandal et al., 2016) and showed that a large proportion of managers and safety representatives believe that the occupational health services strengthened their efforts to create good and healthy working conditions.

Our research findings show that many of the informants were uncertain whether an occupational health service scheme like the one in Norway would be transferable to EU Member States or not. Challenges related to financing the scheme were one important reason for this uncertainty. It was emphasised by one of the informants that businesses' preventive work in cooperation with an occupational health service is an advantage, but for this cooperation to be successful, the occupational health service must be part of the systematic OSH work in each individual enterprise.

Regional safety representatives

The scheme of RVOs was established in 1981 by Norwegian authorities in collaboration with the social partners to improve the working environment for workers in the building and construction industry. In 2013, a scheme with RVOs was also implemented for hotels and restaurants and in the cleaning industry.

RVOs are meant to work in companies that have not elected their own safety representative, pursuant to the provisions of the WEA. Until a safety representative has been elected for the company, the RVO has the same authority as a safety representative and can act as the company's safety representative. If the company does have its own safety representative, RVOs will act as advisers.

For building activities, RVOs are appointed and employed by the Norwegian United Federation of Trade Unions, and for construction activities by the Norwegian Workers' Union. In cleaning and hotels and restaurants, RVOs are employed by the Labour Inspection Authority as part of a compromise between

the social partners. The RVOs are organised separately and are not part of the Norwegian Labour Inspectorate's supervisory authority and inspection scheme. The RVO scheme is financed by employers in businesses that are subject to the regulations, who pay an annual fee to the fund for RVOs.

RVOs make unannounced visits to businesses, during which they point out deficiencies, inform about regulations, and propose solutions to working environment issues in consultation with the business and its employees, considering a wide range of risks. They operate across companies within a geographical area and largely carry out preventive work.

The RVO scheme was implemented to help improve safety and working standards in particularly exposed industries. The scheme is regulated through a separate regulation from the WEA (FOR-2011-12-06-1355). The secretariat for RVOs has outlined a four-point strategy that is in effect until the end of 2025, with goals that are linked to the regulation of the scheme:

- to ensure that businesses have a protection service according to regulations;
- to establish collaboration agreements where there is a need for it (for several businesses working in the same place);
- to support the understanding of OSH work in these industries; and
- to improve data quality in their systems and cooperation with the Norwegian Labour Inspection Authority, the social partners and others.

The RVOs are organised according to regions, with one RVO serving each region. The regions and the number of RVOs are not the same for all industries. For the building industry, the country is divided into 15 regions, while for infrastructure (building of roads, railways, etc.) there are 14 regions. For hotels and restaurants there are nine, and for the cleaning industry seven regions. RVOs are meant to prioritise small and medium-sized companies. However, in construction and building they also visit large construction sites, as the main contractor often has a set of smaller contractors at the sites.

RVOs' choice of businesses to visit is random to some extent, but many of them have worked in their industry for so long that they know where they are likely to encounter issues. For cleaning companies, the situation is a bit different. The RVOs must often make arrangements before going on visits because the employees are normally found at their clients' facilities. RVOs also visit newly established cleaning businesses based on authorisation schemes for cleaning. In addition, they drive around to find businesses, looking for cars with cleaning company logos parked in various places.

Combined, the 45 RVOs in building, construction, hotels, restaurants and cleaning visited 4,590 businesses in 2022. The RVOs' main achievements include ensuring that companies that should have an elected safety representative get one, and that elected representatives have the training the law requires them to have. RVOs can stop work that poses an imminent risk to workers' health or lives. The RVOs in construction stop work processes in more than half of their visits, which amounted to more than 1,700 times in 2021.

Regarding transferability to other European countries, it must be pointed out that the scheme of RVOs is closely connected to the general scheme concerning safety representatives in the WEA. Therefore, some sort of general arrangement for safety representatives should be in place in the country in question to be able to make use of a scheme like the RVO scheme in Norway. Several informants expressed the belief that RVOs could be transferable to EU Member States but, as in the case of the occupational health services, emphasised that financing is one important factor that must be addressed. Our informants also pointed out that the arrangement should be included in governmental regulations to make implementation possible. Another important consideration is the fact that the scheme must be aimed at exposed industries and not intended as a general scheme for the entire world of work.

References

Fair Play Bygg Oslo og omegn. (n.d.). *Information in English*. <https://fairplaybyggoslo.no/english/>

Norwegian Labour Inspection Authority. (n.d.). *Occupational health services (OHS)*. <https://www.arbeidstilsynet.no/en/hse-cards/roller-i-hms-arbeidet/occupational-health-services/>

Norwegian Labour Inspection Authority. (n.d.). *Working in Norway: Your rights and obligations*. <https://www.arbeidstilsynet.no/en/working-conditions/knowyourrights/>

Regionale verneombud. (n.d.). *About us* [The regional safety representatives in the building and construction sectors]. <https://rvofond.no/ba/about-us>

Regionale verneombud. (n.d.). *About us* [The regional safety representatives in the hotels, restaurants and cleaning-sector]. <https://rvofond.no/hrr/about-us>

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