

## NORWAY'S REGIONAL SAFETY REPRESENTATIVES: SUPPORTING OCCUPATIONAL SAFETY AND HEALTH COMPLIANCE (CASE NO6)

### Introduction

Promotion of effective occupational safety and health (OSH) practices is a key element of safer and healthier workplaces. Improving arrangements and practices for managing OSH across a whole range of industry sectors and firm sizes — large, medium and small — is stimulated, supported and sustained by a range of institutional actors and processes both internal and external to firms. Scientific research highlights, among other things, the critical role that state regulators, such as labour inspectorates but also prevention services, can play in OSH (EU-OSHA, 2021). This case study is part of a research project<sup>1</sup> conducted in Norway to provide further insight into this topic.

The scheme of regional safety representatives (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 industries. From 2013, a scheme with RVOs was also implemented for hotels and restaurants and in the cleaning industry. For building activities, RVOs are appointed and employed by the Norwegian United Federation of Trade Unions, and for infrastructure activities (e.g. construction of roads, railroads) they are appointed 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 Labour Inspection Authority's supervisory authority and inspections. In businesses that are covered by the regulations, the scheme is financed by the employers, who pay an annual fee to the fund for RVOs.

### Description of the case

#### Aims

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

1. contribute to the establishment of a safety service that functions as intended within businesses;
2. contribute to the establishment of a coordination agreement where necessary (e.g. at construction sites, shopping malls and mission locations);
3. through guidance and dissemination of knowledge, contribute to a better understanding and motivation in the industries to work systematically with OSH;
4. contribute to research on OSH in the industries; and
5. cooperate with the Norwegian Labour Inspection Authority, employers' and employees' organisations, and other relevant stakeholders.

RVOs make both announced and unannounced visits to businesses, workplaces and construction sites. They point out deficiencies, inform about regulations, and propose solutions to working environment issues in consultation with the business and the employees. They operate across companies within a geographical area and largely carry out preventive work.

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<sup>1</sup> The full report is available at: <https://osha.europa.eu/en/publications/norways-approach-supporting-occupational-safety-and-health-compliance-role-labour-inspectorate-and-prevention-services>. Other case studies can be found in the report.

## Organisations involved

This case is based on interviews with representatives from the Ministry of Labour and Social Inclusion and from the social partners at the national level, namely the Norwegian Confederation of Trade Unions and the Confederation of Norwegian Enterprise. They are all members of the Norwegian Labour Inspection Authority's council. Also, three interviews were conducted with representatives from the Labour Inspection Authority and one leader from the Authority's department for supervision, one leader from the secretariat for RVOs and one inspector. Further, the case is based on two interviews with RVOs: one from the construction industry and one from the cleaning industry. A chief safety representative and one OSH leader in a construction company were also interviewed.

## What was done, and how?

### Basic structure

The RVO scheme is not under the Labour Inspection Authority's supervision. The secretariat for RVOs describes that how RVOs approach companies varies slightly between industries. In their data system, there is no way to extract a prediction index like the one used in the Labour Inspection Authority (see [case NO1<sup>2</sup>](#) for more information on the Authority's risk-based strategy). This is due to the fact that the number of workers in the RVO scheme is substantially lower than in the Labour Inspection Authority and that RVOs do not have the same access to the same data sources in their systems. RVOs are meant to prioritise small and medium-sized companies and therefore do not prioritise visits to larger companies. However, in the building and construction industries they also visit large sites as the main contractor often has a set of smaller contractors at the sites.

To a certain degree, where RVOs go on visits is random. Nonetheless, many of them have worked in their industry for so long that they know where they are likely to encounter someone who is at risk of breaching the regulations and needs guidance on OSH. The RVO in building described his strategy as follows:

*"It varies a bit; we do not work the same across the country. Our visits can be based on tip-offs over the phone, or the fact that you are driving around in an area – trawling through a city criss-cross. It can be just as effective as anything else, I can just drive somewhere, and I'll have enough to do. I am lucky to have a region where it is not that far between towns and cities. There are longer distances elsewhere in the country, so we work a little differently." - Regional safety representative, building industry.*

For cleaning companies, the situation is a bit different. RVOs must often make arrangements with the employer before going on visits, because the employees are to be found at the clients' facilities. Since 2012, public approval by the Norwegian Labour Inspection Authority is required for all providers of cleaning services. Companies need to document their compliance with Norwegian OSH standards and other legal obligations such as employment contracts. The RVOs look at newly established cleaning businesses in the approval registers for cleaning to visit newly started business.<sup>3</sup> In addition, they also drive around to find businesses, looking for cars with cleaning company logos parked in various places. The RVO interviewed in cleaning covered a large region with long distances. On the long trips it was common for her to cooperate with the RVO in hotels and restaurants:

*"It takes approximately 5-6 hours' drive to the farthest away areas. It is an overnight stay, and I go together with the RVO in hotels and restaurants. In restaurants I can also talk to some of the employees, while the other one talks with the general manager. In hotels I take care of [talking to the] cleaning [staff] and she the management, for example. There are more restaurants than cleaning companies. Driving long distances for one visit would be too stupid, so we'll cooperate during these long trips." - Regional safety representative, cleaning industry.*

<sup>2</sup> Case NO1 is available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-risk-based-strategy-supporting-occupational-safety-and-health-compliance-case-no1>

<sup>3</sup> See: <https://www.arbeidstilsynet.no/godkjenninger/renholdsregisteret/>

The RVOs cooperate with the Labour Inspection Authority in various ways. In the past, RVOs have typically had 'their local contacts' in the Authority, but the system has changed, and now all messages to the Authority must go through their IT system. RVOs can still make a phone call, but the Authority prefers that tip-offs be entered through their system. The RVOs have a direct integration in their own IT system, which they use to report tip-offs without having to go through the Labour Inspection Authority's website. These tip-offs are also marked as coming from an RVO. RVOs can also enter a tip and call at the same time, especially in construction if there is imminent danger. If employers disagree, the Norwegian Labour Inspection Authority must assess the matter.

### **Target groups**

RVOs' target groups consist of employers, safety representatives, and workers in the building and construction industries, as well as in the cleaning industry and hotels and restaurants. RVOs work in companies that have not elected a safety representative pursuant to the provisions of the WEA. Until a safety representative has been elected for the company, the RVO can fulfil that role and has the same authority as a safety representative elected in the company. If the company does have their own safety representatives, RVOs will visit as advisers.

### **Degree of effectiveness / success factors**

The RVO scheme dictates that RVOs can stop work, work operations or the use of unsafe equipment in the event of an imminent danger to life or health. This also applies to the RVO when acting as a safety representative in a company. Stopping work is most common in the building sector and less so in the other areas (see chapter 5.2 in the main report).

The secretariat for RVOs states that representatives do not have to stop work as often in hotels and restaurants and in the cleaning industry as in the building and construction industries. The reason for this is that imminent dangers are not as common in these industries. Nevertheless, there were still a few stoppages this year: *'We're sort of talking two-digit maximum in a year, while it is four-digit in building and construction'*. RVOs also have ongoing discussions with the Labour Inspection Authority regarding long-term negative psychosocial risk exposure and the documentation required to halt work due to this. This is a more common risk in these sectors.

### **Supervision/sanctions or prevention?**

As described above, the RVOs are not part of the Labour Inspection Authority's supervision or sanction system. However, there are sanctions available in cases where they discover work processes that pose an imminent danger to life or health, as they can stop this work with reference to the WEA. An RVO in the construction industry described the process as follows:

*"We can stop work when we believe there is a danger to life and health, then I stop and deliver a written 'report' to them in hand or digitally. Then I contact the employer; he must be informed anyway, and he is not always present. Then we must agree that everything is secured well enough before I open again. In the event of a disagreement, the Labour Inspection Authority is contacted. The employers mostly listen to me, and we do not have to contact the inspectorate. I think the Labour Inspection Authority is happy to not get contacted every time there is a stoppage, then they would have a lot to do."* - **Regional safety representative, construction industry.**

The RVO in the cleaning industry described that they focused on long-term musculoskeletal disorders and had become more knowledgeable about them because the Norwegian Labour Inspection Authority had it on the agenda. They have several good tools from institutions like the National Institute of Occupational Health and the National Occupational Health Surveillance that include reports explaining why people get ill and why they quit work. The RVO shared that the Labour Inspection Authority has published their findings on musculoskeletal disorders in an easy-to-understand way on their website. RVOs can show this site to employers and employees when they are on visits. Psychosocial risks are also considered by RVOs as important risk factors.

The secretariat for RVOs described a significant emphasis on preventive services and information tasks. They are looking for ways to reach more people by offering digital safety forums, OSH courses, guidance on various topics in upper secondary schools and in vocational training and participating a lot

at industry conferences. They also put an emphasis on promoting themselves to become better known among companies and employees. Moreover, their website has information on various topics, and the RVOs in hotels and restaurants and cleaning have their own Facebook page. They also provide some training to the Norwegian Labour Inspection Authority, whose workers do not necessarily have the industry experience that RVOs have.

### **Degree of innovation**

RVOs have regularly used virtual meetings since the pandemic. The RVOs told us that platforms for video calls are used for communicating with other RVOs to share information and experience. While they previously only met face to face once or twice a year, the RVOs in construction now have monthly virtual meetings with each other.

In the cleaning industry, RVOs have also started to use video conferencing platforms, for communication with company safety representatives. They have started a safety representative forum with special topics. The RVOs send invitations to those who have joined the forum so that they can log on to participate in webinars. These webinars could be called courses, but they are described as a forum where safety representatives can talk to each other, ask questions and receive answers. One RVO is responsible for managing this forum, but the others take part in each meeting to discuss different topics. The meetings last for about one and a half hours, and there are usually 34-40 participants registered. Some follow the forum regularly, some are new, and some only attend once or twice. The presentations are held in Norwegian, but the attendants can also ask questions and receive answers in English.

One of the RVOs who works in the cleaning industry also described using the Labour Inspection Authority's information site 'Know your rights'<sup>4</sup> accessed through a QR code with a link to the webpage. This way, cleaners who do not know Norwegian can scan the code to check whether they have the correct salary, employment contract and so on. The RVO described this site as 'worth its weight in gold'.

## **Results / What was achieved?**

The main achievements of the RVOs are to ensure that companies that should have an elected safety representative get one and to ensure that they have the required training. As far as we can judge from our data, this is also a main activity for the RVOs. The RVOs will act as a safety representative in accordance with the WEA if they find that there is no elected safety representative. In building and construction especially, they fulfil this role by stopping work that poses an imminent risk to the workers' health or lives. As we have seen in chapter 5.2 in the main report, RVOs in construction stop work processes in nearly half of their visits, more than 1,700 times in 2022. The stopping of work is not so common in hotels and restaurants and in cleaning since there is more rarely an immediate danger to life or health. The most common task for the RVOs in these industries is to guide companies to comply with the OSH regulations.

## **Transferability to EU Member States**

The RVO scheme is connected to the general safety representative scheme in the WEA. It states that all companies with more than 10 employees (five from 2024) have an obligation to elect a safety representative to represent the employees in OSH matters. The scheme was designed to improve safety and working standards in particularly exposed industries.

When RVOs visit companies and find no elected safety representative, they will act as safety representative until one is elected by the employees, as well as follow up that the elected representative receives the training prescribed by the WEA. Therefore, to be able to transfer the RVO scheme to other countries it would probably be necessary to have some kind of general system of safety representatives in place.

Respondents were asked whether they thought the RVO scheme would be transferable to other European countries. The secretariat for RVOs told us that some other European countries have already shown an interest in learning more about the scheme. They thought it could be transferable, but financing is an important factor that must be addressed. Regardless of this, our informants pointed out that the arrangement must be included in governmental regulations if it is to be implemented. The RVOs

<sup>4</sup> See: <https://www.arbeidstilsynet.no/en/working-conditions/knowyourrights/>

also pointed out that the scheme for RVOs is aimed at exposed industries. The RVO in cleaning formulated it like this:

*“Transferable? I think so, but then you also need a piece of legislation that requires safety representatives. If they have that and manage to find a way to get the companies to pay for a scheme, I think it could have a big effect. If they started perhaps in construction where most of the accidents are, I think it could be transferable. But it is the financing that will be the key to succeeding.” - Regional safety representative.*

## References

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This case study was commissioned by the European Agency for Safety and Health at Work (EU-OSHA). Its contents, including any opinions and/or conclusions expressed, are those of the authors alone and do not necessarily reflect the views of EU-OSHA.

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