

**HIGH LEVEL INTER COUNTRY CONSULTATION ON THE WHO GLOBAL PLAN  
OF ACTION ON WORKERS HEALTH.**

**WHO HEADQUARTERS, 5 AND 6 OCTOBER 2006**

**Remarks by Mr. Antonio Peñalosa  
Secretary-General  
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Distinguished delegates, Ladies and Gentlemen,

As Secretary General of the IOE, it gives me great pleasure and privilege to address this WHO inter-country consultation on the Global Plan of Action on Workers Health. My organization appreciates the fact that it has been approached and welcomes the opportunity to give input to the development of the Plan of Action.

For those who do not know about the International Organisation of Employers (IOE), allow me to say a few words before giving our perspective on the Plan.

The IOE is the voice of the organized business community on social and labour policy issues. My organisation is the only recognized representative body of employers at the International Labour Organization. Since 1920, the IOE has been coordinating employers in the ILO.

We have a membership of 142 national employer organizations representing all types of companies and sectors. Safety and health is one of the key priorities of the IOE and its membership. This is why we fully endorse an initiative like the Global Plan of Action which is designed to improve occupational safety and health and that could contribute to creating a healthier working environment. Having gone through the draft, we consider it as a sensible and laudable initiative to improve occupational health and we would like to take this opportunity to commend the WHO for these efforts.

Employers are well too aware of the direct costs of unsafe work to the enterprise. These range from:

- accidents and illness
- permanent disability or death
- absenteeism
- turnover
- reduced morale
- reduced commitment
- reduced efficiency
- reduced performance to
- reduced productivity

The IOE shares the concern of the WHO on the number of workers suffering from occupational diseases, injuries and deaths in the workplace. To this end, the IOE has played and continues to play an active role in the development of a number of ILO International Standards on Safety and Health. We would therefore recommend continued collaboration between the ILO and WHO in the area of occupational safety and health.

The IOE was pleased to have an open and constructive discussion with the WHO department of Occupational health and environment on the draft Global Plan of Action. During the consultation we did raise a number of points for further consideration which we believe will not only serve to improve the overall content but also the eventual effectiveness of the Global Plan of Action.

I would like to share with this consultation some of our key concerns.

First and foremost, we feel that it would be much more useful and effective for the Global Plan of Action to put more emphasis on a preventative safety and health culture rather than a rights-based model of occupational health.

Let me explain :

Reading through paragraph 35 of the draft, we find that it adopts a rights-based model for occupational health where workers have certain rights and that any injury, disease or death amounts to a breach of this right. The draft also says that Employers have a duty to give effect to these rights (see para 16 on p3 “.....providing healthy and safe working conditions is primarily the responsibility of employers.....”) . The implication here is that any injury,

disease or death is a breach of the right to occupational health and that employers are not only responsible to give effect to the rights but also liable for any breach.

Whilst we do not wish to completely ignore the issue of workers rights in occupational health, we feel that a rights-based model seeks to apportion blame rather than prevent diseases. A preventative safety and health culture on the other hand acknowledges and even demands the active participation of other role players such as Governments developing an effective system of inspection and workers participating in advisory bodies.

Furthermore, the right to occupational health is different from other traditional human or labour rights such as the right not to be discriminated against. Non-discrimination does not require the employee to adhere to concomitant obligations, it is absolute and employers and governments must ensure that all employees enjoy this right.

The right to occupational safety on the other hand places certain rights on workers but also certain obligations. It requires workers for example to:

- adhere to safety rules, procedures and instructions
- participate in and contribute to safety committees
- wear protective equipment
- report incidents and unsafe or hazardous conditions
- take reasonable care for their safety and health and that of others

It is for these reasons that in the 2006 International Labour Conference, Employers, Workers and Governments chose to adopt a preventative safety and health model rather than a simple rights-based model during its deliberations on a framework convention on occupational safety and health. We therefore feel that the Global Plan of Action would be enhanced by adopting a preventative safety and health culture similar to the one adopted by the ILO which places workers rights in this context while at the same time acknowledging that there are concomitant obligations.

The recently adopted ILO Convention on a Promotional Framework for Occupational Safety and Health which defines a preventative safety and health culture as one.

“..... In which the right to safe and healthy working environment is respected at all levels, where governments, employers and workers actively participate in securing a safe and

healthy working environment through a system of defined rights, responsibilities and duties and where the principle of prevention is accorded the highest priority”

In essence, we should endeavour to promote a preventative Safety and Health Culture because there is a limit to what an employer can do. We need to take into account the issue of self responsibility which must be inculcated in school, at work, on the road and at home.

Rather than putting too much emphasis to prescriptive rules and regulations, we need to focus on an enabling environment where Governments develop standards and carry out enforcement, but also give space to employers and workers at the enterprise level to dialogue, to identify hazards and to take appropriate measures. Another culture has to be reinforced, the culture of dialogue at all levels, from the political to the plant level.

Authorities have a strong educational role but must be ready to enforce the law when there are failures. Labour administration and labour inspection are indispensable means for a successful Safety and Health Policy.

As indicated earlier, we have conveyed detailed information on terminology and wording on the present Draft Global Plan which I will not repeat but let me highlight a number of key issues.

Paragraphs 13 and 84. We found the paragraphs too negative when they attribute precarious conditions, psycho-social hazards and work related stress solely to new working methods and different forms of work organization. Paragraph 13 fails to take cognisance of the fact the outside world may be more stressful than the workplace. Moreover, it fails to acknowledge the fact that it is difficult to distinguish which psychosocial hazards and stress are work related and which ones are not. We do feel that a lot more work and research in this specific area is needed in order to achieve greater understanding and consensus.

Paragraphs 14 and 45 . While we recognize that there is need to improve occupational health and safety conditions in small businesses, we feel that the draft Global Plan of Action goes too far by claiming that small businesses are in the informal economy and underserved populations. We would also like to stress that many of the occupational risk factors in the informal economy can be addressed if governments take measures to address the causes of informality. This would entail making it easier for informal businesses to formalise.

Paragraph 18. The GPOA provides in paragraph 18 that the primary strategy for maintaining and promoting the health of workers is to make sure that work does not pose risk for health and safety. The question is whether or not absolutely safe and healthy workplaces can realistically be said to exist anywhere. Any formulation which seeks to indicate that they exist undermines a preventative safety and health culture. No employer or government can ensure an absolute safe and healthy workplace.

Furthermore, while we recognize as indicated in paragraph 37 that the workplace can be an appropriate setting to implement public health interventions, it cannot totally replace public health responsibilities but should complement these efforts.

Paragraph 74. We have also identified in the draft some wording to be reconsidered. Instead of the application of the precautionary principle in para 74, we would prefer the use of the wording the application of a precautionary approach. This is the terminology agreed for the Global Compact.

Paragraph 86. The Global Plan of Action singles out Free trade zones as areas where the health of workers has to be specifically improved. Apart from the fact that these zones have been set up to increase trade, reduce poverty, unemployment and stimulate the economy of these areas through a more convenient business climate, we should not lose sight of the fact that available research shows that occupational safety and health standards in these zones are in most cases higher than in other enterprises of the country where the zones operate.

Paragraph 87. By calling for the possible use of trade mechanisms to improve workers health, this paragraph may suggest that we should move into the difficult area of the social clauses. Many developing countries have been very concerned about efforts being made to interfere with their comparative advantage by using labour standards, and now health and safety standards, as a trade barrier. We do think that it is unhelpful for the Global Plan of Action to be bogged down by this controversy.

Lastly, a Global Steering Committee for Workers Health will be established to provide guidance and political leadership for the implementation of this plan of action. We would welcome that this implementation be carried out in consultation with workers and employers' organizations. My organization and my membership worldwide is ready to participate fully in this process.

We are particularly pleased to see that the WHO intends to stimulate national and international efforts for capacity building in workers health through seminars, curriculum development, exchange visits. These activities could have maximum outreach and impact if they are carried out in collaboration with the ILO and the social partners.

Thank you for your attention.