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ITUC comments on the Draft International Standard on Occupational Health and Safety Management Systems (ISO 45001) under Vote

Dear colleagues,

The International Organisation for Standardisation (ISO) will release a ballot for a Draft International Standard (DIS) on Occupational health and safety management systems on 19 May. All of the national standard bodies (NSBs) that belong to the ISO will again be eligible to vote on this DIS until 13 July. Should this DIS be approved, it would result in an international standard that would replace the British standard OHSAS 18001 and other similar standards that are now in at least 127 countries.

The ITUC has been closely following this DIS throughout various stages of its development and has raised concerns on previous versions to its affiliates. The ITUC recognises that the current draft features some improvements from previous versions in terms of strengthened representation and participation of workers and workers' representatives within occupational health and safety management systems. That being said, **the ITUC continues to have serious concerns over some of the contents of this new draft, and in our view the ISO 45001 should not be adopted unless they are fully addressed.**

Concerns to be addressed

The ITUC is concerned that the text, as it currently stands, could potentially give employers scope to deviate from collective agreements on health and safety. In the current version of the text, it is written that collective agreements 'may be part of legal requirements and other requirements'. It is fundamental that the text be revised to clearly indicate that collective agreements, where existing, are among the legal and other requirements that employers have to comply with. The text should moreover stress the need to support the development of collective agreements in the area of occupational health and safety.

Another fundamental concern relates to the potential costs that workers may have to bear for personal protective equipment and/or relevant training. The current version of the text does not oblige the organization to make these measures available at no cost, but only makes note of the fact that they are sometimes provided for free (see lines 657-658 and lines 1449). This is unacceptable, as no worker should be responsible for personally bearing the costs to protect themselves against unhealthy or unsafe work.

The draft standard also contains weak language on outsourcing, simply stating that, 'The organisation shall ensure outsourced processes are controlled. The degree and type of control to be applied to these processes shall be defined within the OH&S management system' (lines 934-935). The text should be revised to contain provisions ensuring that outsourced processes are legally recognised, as well as adhere to the same health and safety requirements as those processes that are not outsourced.

Finally, and perhaps most importantly, the current text does not provide clear enough protections for workers against dismissal or less favourable treatment because they refuse to work in conditions that are in breach of health and safety requirements. The current text sets out that, 'Workers shall be made aware of arrangements providing workers the ability to remove themselves from work situations that they believe present an imminent and serious danger to their life or health, as well as protecting them from undue consequences for doing so' (lines 818-820). This formulation is extremely restrictive as it only applies to the extreme circumstances. No job should compel a worker to jeopardise his or her health and safety or otherwise lose a job, and the DIS must be revised to fully ensure this. Similarly, workers should be protected against any prejudicial treatment for complaining, in good faith, of any believed unhealthy or unsafe working conditions, in line with ILO Recommendation 164.

We would encourage our affiliates to voice these concerns and to influence, to the extent of their capacities, the decision of their respective NSBs to vote 'no' unless they are adequately taken into account.

Improvements to be preserved

The ITUC also recognises that there have been some major improvements to the draft as concerns workers' representation mechanisms. The current text sets out that 'The organization shall establish, implement and maintain a process(es) for consultation and participation of workers at all applicable levels and functions, and where they exist, workers' representatives in the development, planning, implementation, performance evaluation and actions for improvement of the OH&S management system' (lines 618-622). The text also notes that, 'Participation includes engaging health and safety committees and workers' representatives, where they exist' (336-337), and that the organisation shall (a) provide mechanisms, time, training and resources necessary for consultation and participation; (b) provide access to clear, understandable and relevant information about the OH&S management systems; and (c) determine and remove obstacles or barriers to participation and minimise those that cannot be removed' (lines 623-629). Note 2 (lines 630-632) moreover provides a comprehensive list of policies and employer practices that could present obstacles and barriers to workers participation.

In the ITUC's view, it is imperative that any **future revisions of this DIS do not water down the current provisions for the consultation and participation of workers and their representative organisations**, in order to ensure that the text remains consistent with ILO Convention 155 on Occupational Safety and Health.

Yours sincerely,



General Secretary

Encl.

- ISO commenting table
- List of National Standardisation Bodies