

NIOH CONSULTATIVE WORKSHOP ON OCCUPATIONAL AND ENVIRONMENTAL HEALTH AND SAFETY IN THE CONSTRUCTION INDUSTRY

Application of ILO standards in the
construction sector

Safety and Health in Construction
Convention, 1988 (No. 167)

C155 - Occupational Safety and Health
Convention, 1981 (No. 155)

&

R164 - Occupational Safety and Health
Recommendation, 1981 (No. 164)

Basic Principles

- **Role of the competent Authority/ies:** National Policy, Regulation, Inspection, Enforcement
- **Responsibilities of the employer** towards the safety and Health of the workers in his/her employment in OSH Standards;
- Role of workers in OSH / **Basic workers' rights:** right to know, to participate, to stop work in case of imminent danger, etc.

Core OSH principles

- Coherent OSH Policies must be established to direct the OSH framework at national and workplaces levels and communicated to all parties;
- Promotion of a preventative safety and health culture based on a systems approach and on a continuous basis
- Occupational Health Services extended to covering all workers/sectors including most vulnerable;

Part II: Principles of National Policy

The national policy process:-

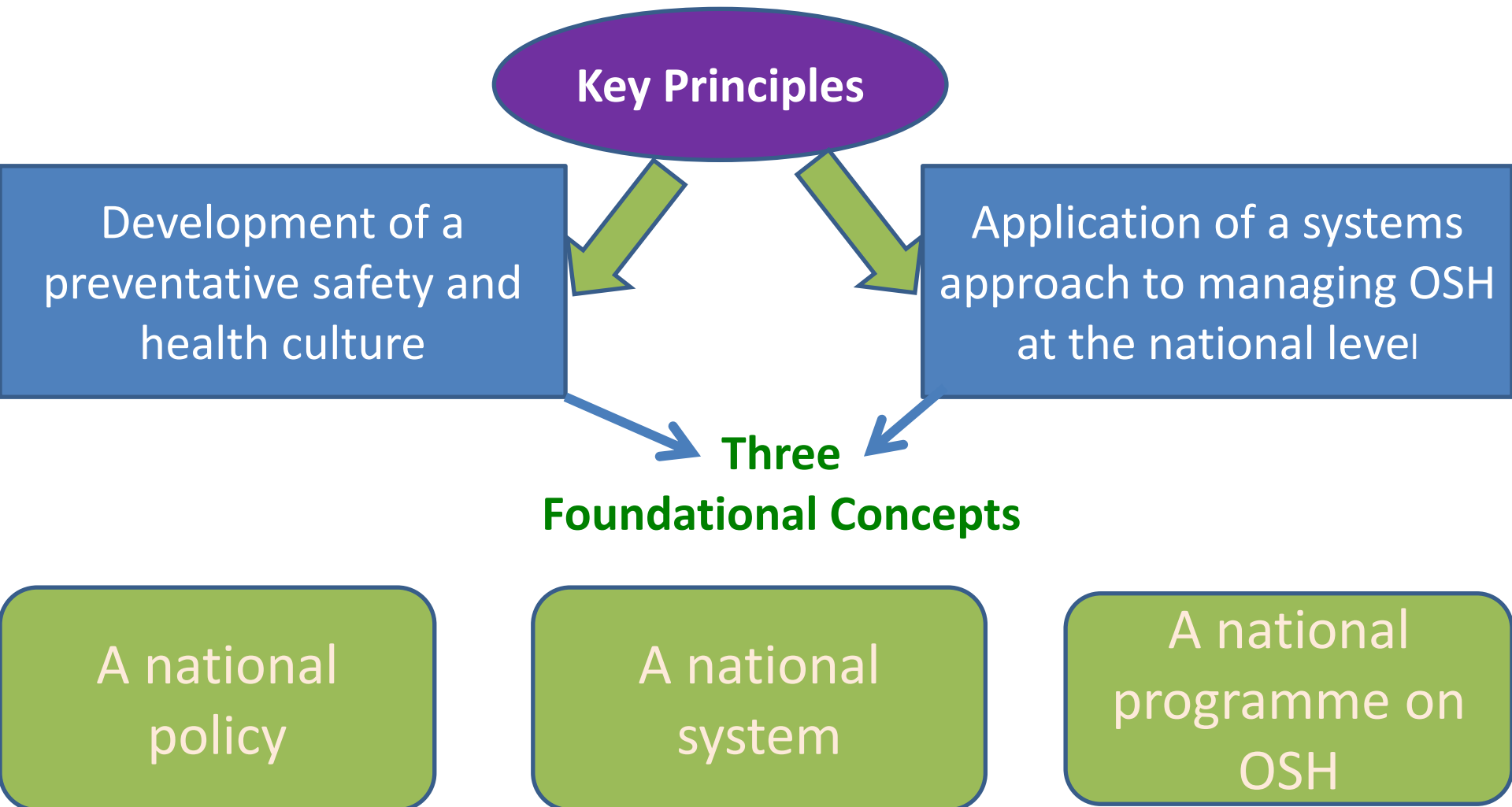
- Article 4(2) – prevention...*“by minimizing, so far as is reasonably practicable, the causes of hazards inherent in the working environment”*
 - in **practice** all risks to health cannot be prevented and not all causes of hazards in the working environment can be eliminated!
 - “so far as is reasonably practicable” - allows for some degree of flexibility

KEY POLICY AIM IS PREVENTION

Core OSH principles

- A national system for OSH must be established to strengthen the national infrastructure;
- Legislation
- Education, training and information services
- Compensation and rehabilitation,
- Notification, reporting and classification for occupational accidents and diseases

Overview: Content of Convention No. 187 & Recommendation No. 197



P155 Protocol to the Occupational Safety and Health Convention, 1981

Safety and Health in Construction Convention, 1988 (No. 167) – Scope

- Applies to all construction activities:-
 - Building,
 - Civil engineering,
 - Erection dismantling work, including any:-
 - Process,
 - Operation or
 - Transport on a construction site, from the preparation of the site to the completion of the project.

Safety and Health in Construction Convention, 1988 (No. 167) – Scope

- Provides for exemptions after consultations with most representative organisations of Employers and Workers-
 - Some provisions
 - Particulars branches
 - Particular undertakings in respect of special problems
- Also applies to self-employed persons in accordance with national laws or regulations

Safety and Health in Construction Convention, 1988 (No. 167) – **General Provisions**

- Employers and workers organisations to be consulted on its implementation;
- Ratifying Members: ([Article 4](#))
 - Undertake assessment of the safety and health hazard;
 - adopt and maintain in force laws or regulations which ensure the application of the provisions of the Convention.

Safety and Health in Construction Convention, 1988 (No. 167) – **General Provisions**

- Article 5
- To implement Article 4
 - Provide guidance for its practical application through :-
 - Technical standards or codes of practice, or
 - Other appropriate methods consistent with national conditions and practice – guidelines....

Part of Risk Assessment

Difference between **Safety** and **Health**

- Take into account the difference in nature of:-
 - Safety hazards and risks; {more evident & direct to deal with}
 - Health hazards and risks; {Less evident, insidious, can have long latent periods, -- level of exposure/s, exposure time, dose/uptake, type of hazard/s, person/s exposed..}
- Psychosocial Factors such as stress at work

Safety and Health in Construction Convention, 1988 (No. 167) – **General Provisions**

- **Article 6** – Cooperation between Employer and workers**safety and health Coms...**
 - Regulations
 - Guidelines for operation and feedback
- **Article 7:** Provides for the duty for the employer to comply

Safety and Health in Construction Convention, 1988 (No. 167) – General Provisions

Article 8:

Where two or more employers undertake activities simultaneously at one construction site:-

the principal contractor, or other person or body with actual control over or primary responsibility for overall construction site activities, shall be responsible – or as set by national laws or appoint a competent person.

They should also have a system for cooperation ..

Safety and Health in Construction Convention, 1988 (No. 167) – **General Provisions**

Article 9: Obligations of designers and planners of construction projects:-

- Consideration of worker safety from the design stage;
 - A focus on construction worker safety
- “Safety Constructability” – national laws

Safety and Health in Construction Convention, 1988 (No. 167) – **General Provisions**

Article 9:

Full knowledge of construction hazards and construction means & methods needed:-

- Are there training modules?
- Constructability reviews of design?
- Design Checklists or other tools;

Safety and Health in Construction Convention, 1988 (No. 167) – **General Provisions**

Article 10:

National laws to provide for workers rights and duty to participate in ensuring safe working conditions to the extent of their control over the equipment and methods of work and to express views on the working procedures adopted as they may affect safety and health – **A flexibility Clause**

Safety and Health in Construction Convention, 1988 (No. 167) –

Article 11:

Workers duty to cooperate

Report situations posing risk ;

Comply with OSH measures...

Article 12;

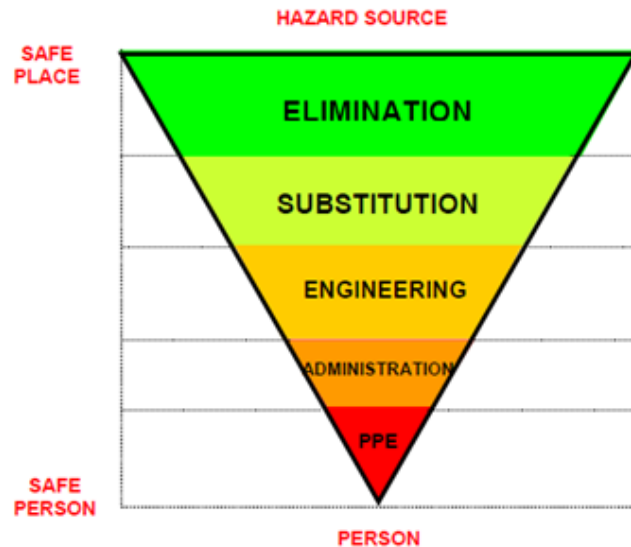
Provides for workers to remove themselves from
imminent danger:-

- knowledge of danger
- Procedures to be followed

Safety and Health in Construction Convention, 1988 (No. 167) – Preventive & Protective Measures

Article 13

Action to prevent and control risks and
protections of persons in the vicinity




The area of the triangle represents the effectiveness or reliability of the control and the area outside the triangle indicates the opportunity for the control to fail

Safety and Health in Construction Convention, 1988 (No. 167) – **Preventive & Protective Measures**

Article 28 : Health Hazards

Provision of appropriate preventive measures
against exposures:-

- Chemical,
 - Physical
 - Biological..
- 
- Exposure?

HEALTH HAZARDS: Art. 28

- Preventive measures:-
- Replacement of hazardous substances by harmless or less hazardous substances wherever possible; or
- Technical measures applied to the plant, machinery, equipment or process; or;
- Where these are not possible, other effective measures, including the use of PPE and protective clothing.

HEALTH HAZARDS: Art. 28

- Where workers are required to enter any area in which a toxic or harmful substance may be present, or in which there may be an oxygen deficiency, or a flammable atmosphere, adequate measures shall be taken to guard against danger; (**Procedures for Safe systems of work**)
- Waste shall not be destroyed or otherwise disposed of on a construction site in a manner which is liable to be injurious to health and environment;

Establishment of an Information System R175)

- An information system should be set up by the competent authority, using the results of international scientific research, to provide information for architects, contractors, employers and workers' representatives on the health risks associated with hazardous substances used in the construction industry.

Duty to Provide Information

- Manufacturers and dealers in products used in the construction industry should provide with the products information on any health risks associated with them and on the precautions to be taken.

- CA/ies should determine which hazardous substances should be prohibited from use in the construction industry; ([Mechanism](#))
- Dangerous substances should be clearly marked & provided with a label giving their relevant characteristics & instructions on their use;([Guidance](#))
- Handling conditions to be prescribed by national laws and regulations or by the competent authority.

INFORMATION AND TRAINING: Art.33

- Workers shall be adequately and suitably:-
- Informed of potential safety and health hazards to which they may be exposed at their workplace;
- Instructed and trained in the measures available for the prevention and control of, and protection against, those hazards.

REPORTING OF ACCIDENTS & DISEASES: Art.34

- National laws or regulations shall provide for the reporting to the Competent Authority within a prescribed time of occupational accidents and diseases.

Motivation for Adopting P155

- Need for:-
 - Harmonization of recording & notification of occupational accidents & diseases;
 - More effective systems for the recording & notification of accidents and diseases;as an essential tool for developing preventive action.

Motivation for Adopting P155

- National definitions of occupational accidents & diseases frequently differed from international standard definitions:-
 - International Conference of Labour Statisticians (ICLS).
- Also in variance among countries:-
 - Recording & notification-
 - Procedures,
 - Coverage and
 - Sources of statistics.

Motivation for Adopting P155

- Outcome:-
 - comparisons concerning evaluation of success in:-
 - Compliance,
 - Enforcement and
 - Preventive action may not be possible, or poses difficulties.

A Harmonised approach provides an effective quantitative indicator for both countries & international governmental organizations in measuring progress and the overall effectiveness of national OSH systems.

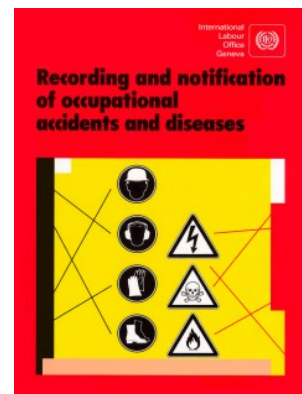
List of Occupational Diseases

Recommendation, 2002 (No. 194)

- Provides for an innovative & simplified procedure for regular updating the list of occupational diseases contained in Schedule I to the Employment Injury Benefits Convention, 1964 (No. 121) for compensation purposes;
- The list under Recommendation, 2002 (No. 194) updates Schedule I to the Employment Injury Benefits Convention, 1964 (No. 121) on a regular basis but does not replace the Schedule.

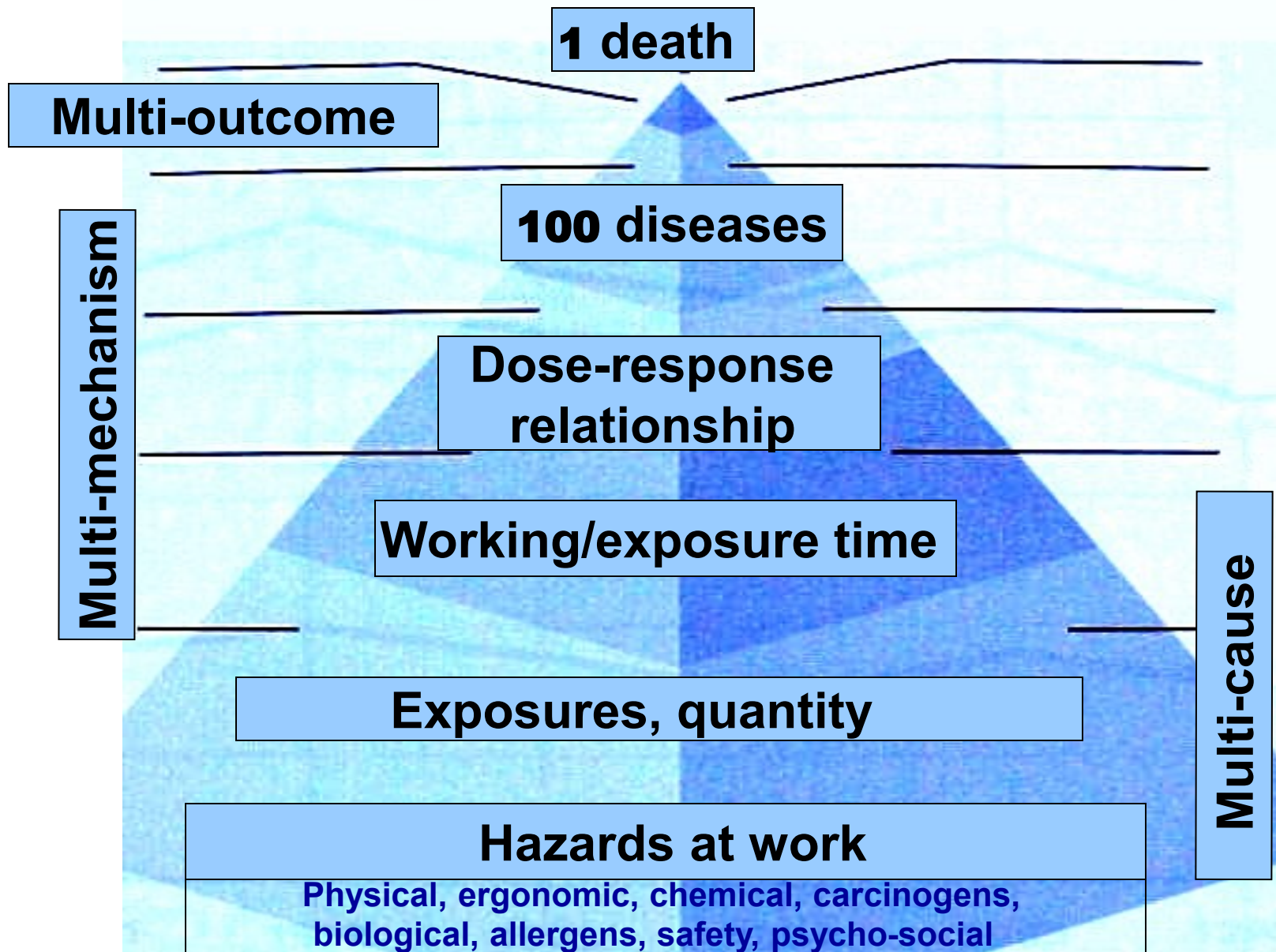
Code of Practice Recording & Notification of Occupational Accidents & Diseases

The code of practice prepared in 1996 served as a basis for the subsequent adoption of a **Protocol 2002**.

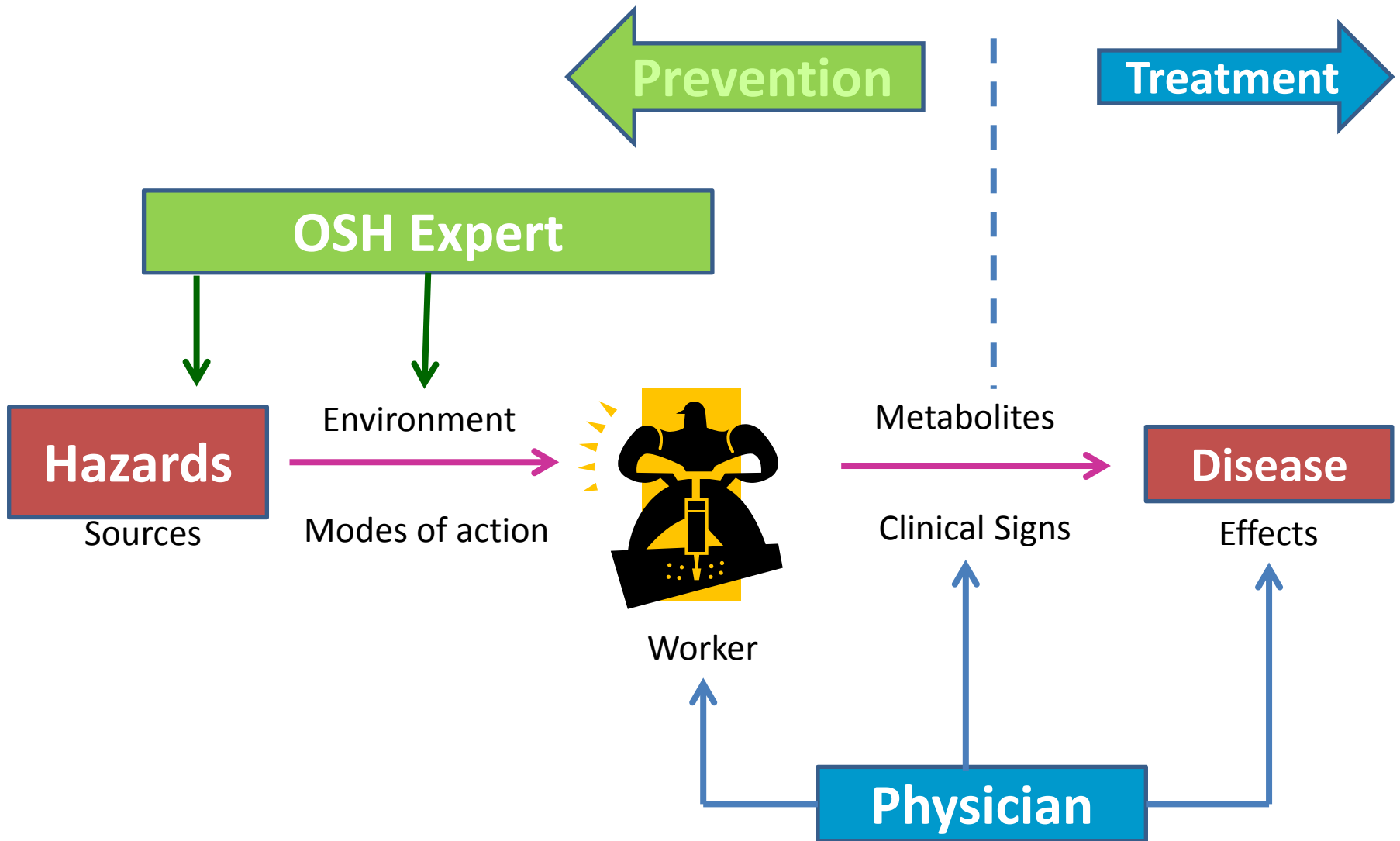


Requirements & Procedures for Recording: Article 3

- Information to be recorded;
- The duration for maintaining these records; and
- Measures to ensure the confidentiality of personal and medical data in the employer's possession, in accordance with *national laws and regulations, conditions and practice*.



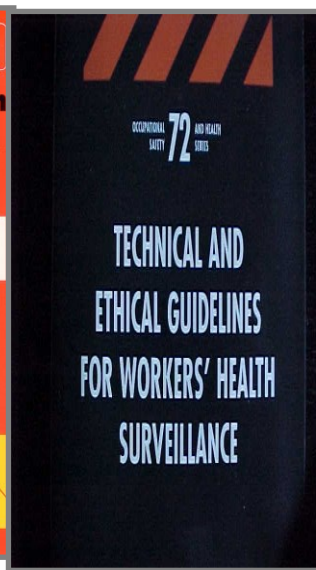
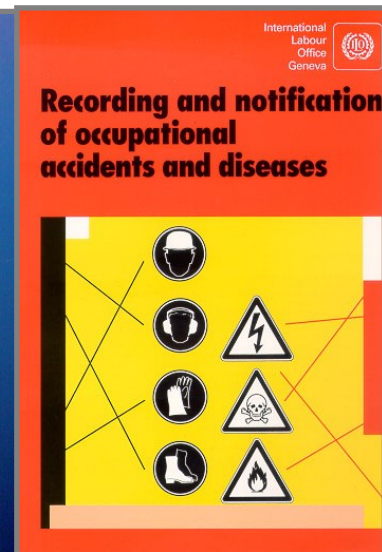
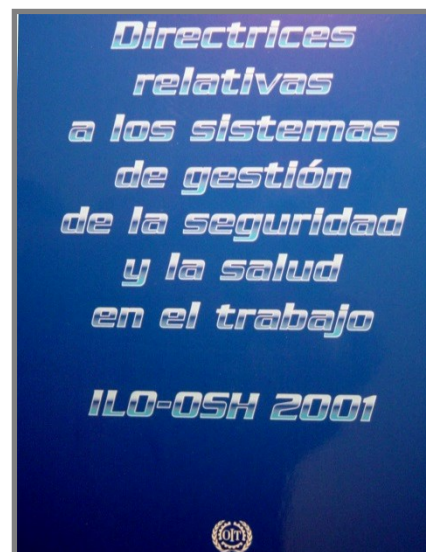
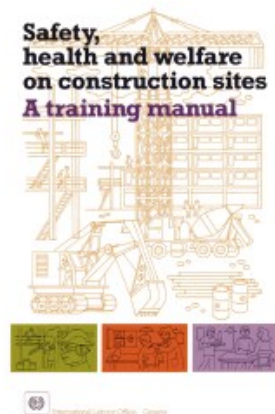
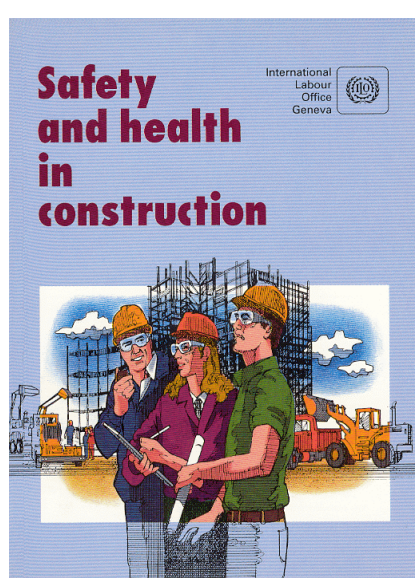
Source: FIOH 30 years of Epidemiology
Sven Hernberg Symposium, ILO /SafeWork



Relationships with some Areas of Action

Other Instruments

- R175-Safety and Health in Construction 1988 (No.175)
- C162- Asbestos Convention 1986 (No. 162)
- R172- Asbestos Recommendation 1986 (No. 172)



Thank You