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Chair – ENSHPO

## Message from the Chairman

**I would like to welcome you to the current edition of *ENSHPO News*, the newsletter of the European Network of Safety and Health Professional Organisations.**

The finalisation of the new European Strategy for Safety and Health will set the broad framework for EU OSHA as well as providing a focus for safety and health professionals across Europe. The strategy will be important in setting priorities and allocating resources to address key international issues. Unfortunately, as there are many safety and health concerns to be addressed throughout the European Union it is not possible to give equal attention to all issues.

Networking and the sharing of best practice continues to be an important strategic aim for ENSHPO. At a recent meeting in Russia, members heard presentations from many different government organisations and institutions. These included the Ministry of Labour and Social Protection, the Government of St Petersburg, the Russian Union of Industrialists and Entrepreneurs and the Federation of Independent Trade Unions.

In the second half of 2015 ENSHPO's attention will turn to Eastern Europe. We are planning to hold our next meeting in Bulgaria in October. We are anxious to assist Eastern European Countries in any way possible to improve and accelerate the development of all aspects of safety performance. ENSHPO wish to build solid working relationships with the major occupational safety and health players in Eastern Europe and hope they will be able to attend our meeting in Sofia.

Please visit our website [ENSHPO.eu](http://ENSHPO.eu) for other news.

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## Report claims 5%-7% of fatalities occupational

**A report, which concludes that between 5% to 7% of fatalities in industrial countries are attributable to occupational injuries and illnesses, puts the cost of such injuries and illnesses at anywhere between 1.8% and 6% of GDP (gross domestic product).**

The report by Dr Jukka Takala (the former head of EU-OSHA) and others, published in OSHWIKI, is based on figures from the International Labour Organisation (ILO) and the World Health Organisation (WHO). According to the report 318,000 deaths each year are due to occupational injuries, while 2,022,000 are due to work-related diseases. The biggest killers are cancer (32%), work-related circulatory

diseases and cardiovascular (23%), stroke and communicable diseases (17%).

Delving deeper into the figures, Dr Takala and his colleagues say that occupational injuries form a small part of the mortality figures in what they describe as high-income countries. Partly this is explained, the report says, “by the gradual move of hazardous industries to Asia”. Communicable diseases are relatively low in high-income countries.

The report states that competitiveness and safety and health go hand-in-hand; the lower the number of accidents the higher is competitiveness and productivity. To download the report click on the following link [http://oshwiki.eu/wiki/Global\\_Estimates\\_of\\_the\\_Burden\\_of\\_Injury\\_and\\_Illness\\_at\\_Work\\_in\\_2012](http://oshwiki.eu/wiki/Global_Estimates_of_the_Burden_of_Injury_and_Illness_at_Work_in_2012)

## EU-OSHA report highlights emerging risks

**An ageing workforce, working from home, language difficulties and dealing with difficult customers are identified as emerging risks in a report published by the European Agency for Safety and Health at Work (EU-OSHA) last month.**

According to the report, the *Second European Survey of Enterprises on New and Emerging Risks (ESENER-2)*

- 28% of establishments (workplaces) in the 28 EU member states (EU-28) indicate that employees aged over 55 account for more than a quarter of their workforce
- 13% of establishments in the EU-28 report that they have employees working from home on a regular basis
- 6% of establishments in the EU-28 report having employees who have difficulty understanding the language spoken at the workplace

- In the context of societal change, the most frequently identified risk factors are having to deal with difficult people (be they customers, pupils or patients), followed by having to work in tiring or painful positions, and repetitive hand/arm movements.

The majority of the establishments surveyed carry out regular risk assessments – 76% of those in the EU-28 do. Risk assessments are regarded by 90% of those surveyed as a useful way of managing health and safety. Topping the list of factors motivating establishments to manage are OSH legislative compliance (over 80%), meeting the expectations of employees (80%), avoiding fines from the labour inspectorate (just under 80%), maintaining an organisation’s reputation (just under 80%) and maintaining or increasing productivity (just under 70%).

The findings are based on a survey of over 49,000 establishments from the 28 EU member states, plus eight other European countries. The establishments surveyed each employed five or more workers, with some employing many thousands. To download the report click on, <https://osha.europa.eu/en/tools-and-publications/publications/reports/>



## US-OSHA says injuries and illnesses force workers into poverty

**A report by US-OSHA says that work injuries and illnesses are forcing many American families into poverty.**

The report – *Adding Inequality to Injury: The Costs of Failing to Protect Workers on the Job* – says that the cost of workplace injuries is borne primarily by injured workers, their families and taxpayer supported components of the social safety net. The report says despite the fact that Congress passed the Occupational Safety and Health Act in 1970, which required employers to provide workplaces free from recognised hazards that are likely to cause death or serious physical harm to their workers, the toll of workplace fatalities, injuries and illnesses remains unacceptably high.

The Bureau of Labour Statistics records that every year about 4,500 workers are killed on the job and about three million suffered serious occupational injuries or illnesses. According to the report the three million figure is only a fraction of the true number. On top of these figures the report claims that about 50,000 US deaths each year are attributable to past workplace

exposure to hazardous agents, such as asbestos, silica and benzene. The American National Safety Council estimated that the total cost of fatal and non-fatal work injuries in the US in 2012 was \$198bn (about €181bn).

The report says that the workers' compensation schemes introduced in American states, which were intended to provide employer provided insurance to reimburse workers for lost wages and medical cover, have been restricted by state legislatures and courts. The schemes were introduced as 'no fault' schemes under which workers lost the right to sue for compensation for injuries. According to the report only about 21% of lost wages and medical costs are covered by these schemes, while workers and their families bear 63% of the cost.

The report hits out at what it describes as the "misclassification of wage employees as independent contractors and the widespread use of temporary workers". All these failures are the report concludes "adding inequality to injury" and are forcing families "into poverty". To download the report click on the following link <http://www.dol.gov/osha/report/20150304-inequality.pdf>

## EU chemicals and biocidal products countdown 2015

**The European Chemicals Agency is urging businesses throughout Europe to 'Act Now' to meet the deadlines set by the CLP and Biocidal Products Regulations in 2015.**

From June 1st 2015 all hazardous mixtures placed on the market in EU member states will need to be classified, labelled and packaged in accordance with the Classification, Labelling and Packaging (CLP) Regulation. From that date the CLP Regulation will be the only legislation to apply to both the classification and labelling of both substances and mixtures.

Then, from December 1st, a biocidal product cannot be placed on the EU market unless the active substance in the product has been approved by the EU. Users of such products will need to check if the substance or product is included in the article 95 list for the product types to which the product belongs. If it is not, it cannot be used.

Further details are available by visiting the European Chemicals Agency website <http://echa.europa.eu>





NEWS

## Skin cancer warning from IOSH

**The Institution of Occupational Safety and Health (IOSH), which with 44,000 members is the world's largest professional organisation for health and safety professionals, has launched a campaign to raise awareness of cancer as an occupational health issue.**

The Institution has issued a warning that around 60 people die in Britain each year as a result of skin cancer caused by working in the sun.

The finding emerges from research undertaken by Imperial College London for the IOSH 'No Time to Lose' campaign, which is aimed at raising awareness of cancer as an occupational health issue.

The research found that 2% of all cases of cutaneous malignant melanoma in Britain can be attributed to occupational exposure to solar radiation. In a typical year 46 people die because of such exposure and 239 new cases of malignant melanoma are recorded.

The researchers found that the construction industry accounts for a large number of these cases: 44% of deaths and 42% of new case registrations. Other sectors of concern are agriculture, public administration, defence, and land transport. Men are more likely than women to be affected.

Earlier research carried out for the British Health & Safety Executive found that in a typical year about 12 people die from non-melanoma skin cancer as a result of exposure to solar radiation. Because non-melanoma cancer cases are under-reported, the IOSH report suggests the figure of 122 deaths a year is conservative.

Malignant melanoma is a skin cancer that begins in cells called melanocytes. These can grow together to form benign cells, but when there is a change in size, shape or colour, a mole can be a sign of melanoma. There are two common types of non-melanoma skin cancers: basal cell carcinoma and squamous cell carcinoma. (*see: [www.notimetolose.org.uk](http://www.notimetolose.org.uk)*)

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## COUNTRY PROFILE: RUSSIA



KREMLIN BRIDGE, MOSCOW, RUSSIA



**Russia, also officially known as the Russian Federation, is a country in northern Eurasia. It is a federal republic consisting of 85 constituent members. At 17,075,400 square kilometres, Russia is the largest country in the world, covering more than one-eighth of the Earth's inhabited land area.**

Russia is also the world's ninth most populous nation with nearly 144 million people. Extending across the entirety of northern Asia and much of Eastern Europe, Russia spans nine time zones and incorporates a wide range of environments and landforms. Russia is bordered by the Baltic Sea to the West and the Pacific Ocean to the East.

The Russian economy ranks as the fifteenth largest by nominal GDP and sixth largest by purchasing power parity in 2015. Russia's extensive mineral and energy resources, the largest reserves in the world, have made it one of the largest producers of oil and natural gas globally.

The country is one of the five recognized nuclear weapons states and possesses the largest stockpile of weapons of mass destruction. Russia is a great power and a permanent member of the United Nations Security Council, a member of the G20, the Council of Europe, the Asia-Pacific Economic Cooperation, the Shanghai Cooperation Organization, the Eurasian Economic Community, the Organization for Security and Cooperation in Europe (OSCE), and the World Trade Organization (WTO), as well as being the leading member of the Commonwealth of Independent States.

Russia is one of the post-Soviet countries and it has strong labour relations and OSH traditions. These traditions of collective society differ from OSH traditions in West European

countries with market economy. There are now attempts for convergence of Russian OSH traditions with European Union conditions.

There are about 5.5 million employers and 54 million employees registered by the Social Insurance Fund of the Russian Federation. They have full rights for OSH and social protection of victims.

### OSH structure and legislation

The current Constitution of the Russian Federation (hereafter "the CRF") declares that the Russian Federation is a democratic, federal, multi-ethnic republic, based on the rule of law (Article 1). State power is divided between three separate but equal branches of government - the legislature, the executive and the judiciary (Article 10).

Article 37 of the CRF enumerates basic labour rights, including free choice of type of activity and profession, prohibition of forced labour, working conditions which meet safety and hygiene requirements, remuneration without any discrimination, minimum wage established by federal law, protection against unemployment, right to individual and collective labour disputes, right to strike, guaranteed statutory duration of working time, days off and holidays, and paid annual vacation. Article 30 of the CRF envisages that everyone shall have the right of association, including the right to create trade unions in order to protect one's interests.

The system of labour legislation in the Russian Federation is detailed and oriented for social protection of employees. It can be characterized as "codified-plus". It consists of various codes, federal laws, laws of RF constituents and regulations (by-laws) by President, Government and some federal authority bodies.

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## COUNTRY PROFILE: RUSSIA



The main code of labour legislation is the Labour Code which brings together in a systematic manner a significant number of statutory provisions concerning both the individual employment relationship and industrial relations. There are some other pieces of labour legislation that supplement and further develop the provisions contained in the Labour Code. There are many requirements connected with labour legislation in the Civil Code, the Tax Code, Code of Administrative Offences, the Criminal Code, and other federal laws for prevention of major accidents, health of people, social insurance, traffic safety and so on. According to Article 422 of the Labour Code, all other pieces of labour legislation have to be put in compliance with the Labour Code.

Since, according to Article 72 (j) of the CRF, labour legislation falls within the joint jurisdiction of the Russian Federation and its constituent members, the constituent level labour law regulation seems also to be a very important source. Labour regulations of local (municipal) self-governing bodies issued within their competencies are also considered as a labour law source in the Russian Federation.

The trade unions have a significant role in the Russian OSH system. Bipartite or tripartite agreements at national, industry, regional or territorial level as well as enterprise level (collective agreements) also play an important role in labour regulation.

The national authority, which is responsible for OSH, is the Ministry of Labour and Social Protection of Russian Federation. This Ministry includes the Department for Working Conditions and OSH. This Ministry is the main legislative body on OSH in Russia for the creation of new OSH acts.

Labour inspection is currently under the Rostrud (The Federal Agency for Labour and Employment), which is headquartered in Moscow. The Rostrud has state labour inspectorates in every constituent member of the Russian Federation. Moreover, employers operate under inspection by the Rostekhnadzor (supervision for technical equipment and prevention of major accidents) and Rospotrebnadzor (supervision for working environment and prevention of occupational diseases) and others.

The liability for violating labor legislation is established by the Code of Administrative Offences in the form of an administrative fine or administrative suspension of operations for legal entities. For a major violation of labor rules the offenders may be held liable under the Criminal Code.

Court practice contains precedents of employers' appealing decrees issued by labor inspectorates on imposition of administrative sanctions. This procedure is rather long and

expensive. Therefore, it is more efficient for an employer to comply with the requirements of the Russian labour legislation.

The main basis for OSH is the "contract of employment" and duties of employer and employee. Article 56 of the Labour Code defines "contract of employment" as an agreement between an employer and employee, according to which the employer undertakes: to provide the employee with the assigned work; to ensure working conditions envisaged by labour law regulations or contained in collective agreements and agreed upon in the contract of employment; and to pay employees' wages on time and in full; and the employee undertakes: to perform personally the assigned work; and to follow the work rules existing at the enterprise, include OSH requirements and rules. According to Article 58 of the LC, contracts of employment can be concluded either without limit of time or for a specified period of time (hereafter "fixed-term contracts of employment"). If a contract of employment contains no provision on its validity period, this contract is deemed to be executed for an indefinite time period.

### OSH Services

The Russian Labour Code includes rules about the organisation of OSH services.

It allows:

**Internal OSH services** (or OSH specialist). This is mandatory for companies having more than 50 employees. Often the service deals with issues of industrial safety (major accidents prevention) and environment protection.

**External OSH services.** (In Russia they often have name "OSH Centres"). They are not mandatory, but in employments where the number of workers does not exceed 50 people they may decide on the creation of an OSH service.

### A Regulated Profession "Specialist for OSH"

Mandatory requirements for qualification as a "Specialist for OSH" are set by the Professional Standard. The expert has to have higher professional education in the "Technosphere safety" direction, also secondary professional education and additional professional education post graduated course of 250 hours or more.. In some cases length of service in the OSH field is required to be not less than three years.

The Russian National Association of OSH Centres installed a system of voluntary accreditation of OSH specialists which is almost completely equivalent to requirements of accreditation of the European OSH Manager (EurOSHM).