# Health and safety, new forms of work and vulnerable workers

## Presentation 1

## Work organisation and new forms of employment in relation to health and safety at work: a conceptual framework

Professor Michele Tiraboschi

Working life in Europe has been changing rapidly as a consequence of the increase in the number of small businesses; changes in management methods; use of contractors and temporary staff; changes in working hours and increased ability to work away from a fixed workplace or from home. These issues have implications for occupational safety and health. They affect the type and nature of risks present in the workplace and they affect how risks need to be managed. These conditions can contribute to the incidence of musculoskeletal disorders stress, mobbing, job insecurity, high fatal accident rates which are the most prevalent work-related ill health problems in Europe, although traditional risks also remain on the agenda. All these problems are increased by the changes in the composition of the workforce, (with high percentages of young people, women, older workers and immigrants); the occurrence of non standard labour relationships; new forms of work organisation the use of information and communication technology.

All this affects the management of occupational safety and health and the approaches occupational safety and health authorities need to take to effectively support health and safety improvements in organisations. The European Union Member States and the enterprises themselves therefore need to manage the occupational safety and health (OSH) implications of these developments. They have to adopt new approaches in identifying, analysing and correcting organizational weaknesses, not only through the legislative patterns, but also creating good practices with respect to the particular risks which these vulnerable groups are exposed to.

## Presentation 2

## Risk management models for vulnerable groups from a comparative perspective: the Italian and British cases

Dr Maria Giovannone

The spread of atypical labour contracts and the evolution of new forms of work organisation has produced a strong impact on the management of occupational health and safety in the European framework. The presence of new sources of risk, in the workplace places an obligation upon the employer to apply risk assessment and prevention principles to more complex management situations or to new risk areas. Many countries are adopting new legislative patterns to face the peculiar OHS problems for the so called vulnerable groups, i.e. workers who are exposed to particular risks: job-related stress; sex, age, country-related differences; spread of new technology; precarious employment contracts and unconventional workplaces. Italy has recently passed a Consolidated Act which gives protection to some of these workers, but some of them are still neglected or not protected, such as domestic workers, economically dependent workers and atypical workers. At the same time the comparison with the British model could suggest some interesting perspectives for the development of a new approach to OHS management. Common-law systems, in fact, have much more experience in the development of best practices and in the experimentation of organizational models of risk management.


## Presentation 3

## Occupational Health and Safety among Undocumented Workers in the United States

## Professor Susan Bisom-Rapp

In industrialized countries, the pursuit of improvements in occupational health and safety is beset by significant challenges.  Scarce resources in an era of global competition and the growth of the informal labor market exert downward pressure on standards.  Debates about the changing nature of legal regulation – from traditional top down, command and control forms of sanctioning to softer, new governance models providing incentives for compliance – can obscure the optimal path toward improvement.  Ambivalence about the legal rights of the most vulnerable workers, in particular those who labor without the requisite immigration status, creates obstacles to reforming the most dangerous workplaces.  Focusing on strategies developed by civil society groups, along with a case study of the Employee Rights Center, a California NGO with ties to the trade union movement, this paper considers how health and safety gains for workers most at risk are nevertheless possible through efforts that help workers navigate the public sphere in order to avail themselves of existing rights and protections, and simultaneously allow those most distrustful of government to exercise voice and their associational rights.  In the face of calls for experimentation with and reformation of the regulatory state, enabling NGOs like the Employee Rights Center by allocating public resources for their advocacy work with vulnerable workers is necessary to ensure that government calls for occupational health and safety improvement are rendered substantive rather than merely symbolic.

Presentation 4

Exploring the OHS challenges facing migrant workers in the U.K. and Canada: Is it just a problem of language and communications?

Profs Malcolm Sargeant and Eric Tucker

Many countries import into their economies migrant workers from other parts of the world. In the UK, for example, significant numbers of temporary migrant workers have come from new Member states of the EU, while in Canada there recently has been an expansion of temporary work programmes that have brought workers from many parts of the world to fill labour market shortages in particular occupations. The health and safety implications of this development are just beginning to be recognized. Researchers have identified some OHS challenges related to language difficulties, which inhibit adequate communication and health and safety training, but there are numerous other vulnerabilities that need to be more fully explored, including the short-term nature of the work, the lack of job and status security, and inadequate regulatory coverage and enforcement. This paper is intended to draw on research carried out with respect to vulnerable migrant workers in the UK and Canada and to analyze and compare how well governments and regulatory officials have responded.


Presentation 5

Getting to grips with supply chains

Profs Phil James, Michael Quinlan and David Walters

The last decades have, internationally, seen a growth in organisations outsourcing activities that were previously undertaken in-house across both public and private sectors. This paper, initially, draws on existing research evidence to explore the implications of this trend for the way in which health and safety is managed within supplier organisations and the standards of worker protection that exist within them. It then goes on the examine the challenges that it poses for existing regulatory frameworks aimed at protecting workers from work-related injury and ill health. A key theme raised in the paper is the need for such frameworks to be reformed, and better enforced, in order to (a) better encourage those at the head of supply chains to take action to positively influence health and safety standards lower down them and (b) more effectively address the adverse consequences which arise from the demand based pressures that exist within such chains. The paper ends by identifying a number of ways in which reform of this type could be undertaken.