

# International Standards on Occupational Health and Safety

SPH 290 – Global OHS  
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# Presentation Outline

- National vs. International
- Types of international standards
  - Framework documents
  - ILO documents
  - Voluntary consensus standards
  - Other international agreements

# National vs. International

- **National = legally enforceable**
  - Depends on content of regulations
  - Depends on political will of government
  - Depends on resources of government
- **International = most are guidelines**
  - Lengthy complaint mechanisms (if any)
  - General, non-specific content

# National Regulations

- **Health** Hazards (exposures)
  - Chemicals
  - Physical agents: noise, temperature, ergo
- **Safety** Hazards
  - Slips & trips; falls; struck by
  - Electrical hazards
  - Machine guarding & equipment operations
  - Confined spaces

# Regulatory OELs

- Occupational Exposure Limits
- Goal: protect “most” workers
- Types:
  - Full shift: PELs
  - Short-term (15, 30 minutes): STELs
  - Never to be exceeded: CLs

# Regulatory OELs

- **Assumptions:**
  - 8 hour day & 40 hour week
  - Time-weighted average > peaks
  - 40 years of workplace exposures
- **Required for evaluation:**
  - IH monitoring capacity
  - Accurate laboratory analysis

# Regulatory OELs

- **Real life** in global supply chains:
  - No one works *only* 8 hr / 40 hr
  - Massive exposures in short time periods
  - Community/environmental exposures
  - Near-zero national IH capabilities
  - Near-zero national analytical labs

# National Regulations

- **Scope and content of regs**
  - China and Mexico regulations
  - Bangladesh and Indonesia regulations
- **Enforcement of regs**
  - Political will
  - Corruption
  - Resources: financial, human, technical



# International Framework Documents

- International Covenant on Economic, Social and Cultural Rights (UN)
  - Adopted in 1966
  - Went into effect in 1976
  - “safe and healthy working conditions” - Part III, Article 7 (b)

# International Framework Documents

- ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy
  - Adopted in 1977
  - Amended in 2000, 2006 and 2017
  - Safety and Health paragraphs 43-46
    - "multinational enterprises should maintain the highest standards of safety and health"

# International Framework Documents

- ILO Declaration on Fundamental Principles and Rights at Work
  - Adopted in 1998
  - Annex revised in 2010
  - OHS not categorized as a “fundamental right,” but governments called on to “promote and realize” ILO Conventions, even if not ratified.

# International Framework Documents

- ILO Decent Work Agenda
  - Developed in 1999 and integrated into later ILO documents
  - “Four pillars” of Decent Work Agenda
    - Employment creation
    - Social protection
    - Rights at work
    - Social dialogue

# International Framework Documents

- ILO Declaration on Social Justice for a Fair Globalization
  - Adopted in 2008
  - “healthy and safe working conditions” (page 10)
  - How governments implement ILO conventions depends on “national conditions and circumstances” (page 11)

# International Framework Documents

- OECD Guidelines for Multinational Enterprises
  - Organization for Economic Co-operation and Development
  - Adopted in 2008
  - MNEs should “take adequate steps to ensure health and safety in their operations” (Section IV, 4 b))

# International Framework Documents

- OECD Due Diligence Guidance for Responsible Business Conduct
  - Adopted in May 2018
  - Goal: “provide practical support to enterprises on the implementation of the OECD Guidelines for Multinational Enterprises...in specific sectors and supply chains, namely minerals, agriculture, garment and footwear, extractives and finance.”

# International Framework Documents

- United Nations Guiding Principles on Business and Human Rights
  - “Implementing the United Nations ‘Protect, Respect and Remedy’ framework”
  - Adopted in 2011 by UN Human Rights Council
  - Both “state duty” and “corporate responsibility”
  - “Business enterprises should respect human rights” as per ILO and other documents (Point 11, page 13)



# International Framework Documents

- Transforming our World: The 2030 agenda for sustainable development
  - Adopted in 2015 by the United Nations Sustainable Development Program
  - 17 Sustainable Development Goals
    - OHS involved in Goals #1, #3 and #8
  - “Promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment” (Goal 8.8)

# International Framework Documents

- ILO Forced Labour Protocol
  - Adopted 2014 – effective November 2018
  - 24.9 million people in forced labor
    - 16 million in private sector (ag, construction, domestic work)
    - 4.8 million in forced sexual exploitation
    - 4 million in forced labor by state authorities
  - 1 in 4 victims of modern slavery = children

# International Framework Documents

- ILO Guidelines for a just transition towards environmentally sustainable economies and societies for all
  - Adopted in 2015
  - Guiding Principles (Section IV):
    - 13 (b): “Policies must respect, promote and realize fundamental principles and rights at work”
    - 13 (c): “Policies and programmes need to take into account the strong gender dimension...”

# ILO Standards

- Five types of ILO documents:
  - Conventions
  - Recommendations
  - Protocols
  - Guidelines
  - Codes of Practice

# ILO Standards

- Guidelines on occupational safety and health management systems – ILO-OSH 2001
  - First OSHMS program globally
  - Initiated after ISO decided not to develop a OSHMS (until 2014)
  - ILO's tripartite nature created significant worker participation in this OSHMS

# ILO Standards

- 40+ OHS documents
  - Fundamental principles of occupational safety and health
  - Health and safety in particular branches of economic activity
  - Protection against specific risks
  - Protection for vulnerable populations
    - Early years = restrictions on women
    - Now = protect women, migrants, indigenous

# ILO Standards

- Text contains general requirements, “performance standards” rather than “specification standards”
- Conventions “binding” only when ratified by country – some countries require additional incorporation into national law
- Lengthy ILO complaint process only recourse for non-compliance

# ILO Standards

- Convention ratification examples:
  - The ILO has 187 member states
  - C139 - Occupational Cancer (1974) – 41 ratifications
  - C148 - Working Environment (1977) – 46 ratifications
  - C155 - Occupational Safety and Health (1981) – 67 ratifications



# ILO Standards

- Convention ratification examples from 187 member states:
  - C170 - Chemicals (1990) – 21 ratifications
  - C174 - Prevention of Major Industrial Accidents (1993) – 18 ratifications
  - C187 - Promotional Framework for Occupational Safety and Health (2006) – 46 ratifications

# ILO Summary

- On the plus side:
  - ILO Conventions are nominally enforceable
  - Suite of ILO documents covers most issues
  - More specific and comprehensive than documents from other organizations
- On the minus side:
  - Performance standards without specifics
  - Little to zero enforcement

# Voluntary Consensus Standards

- ACGIH – TLVs and BEIs
- NIOSH – RELs
- ISO standards and guidelines
- NFPA, ANSI, ASTM, AMSE, ASHRAE
- OARS – WEELs

# ACGIH

- American Conference of Governmental Industrial Hygienists
- Founded in 1938
- TLVs = basis for Federal OSHA exposure limits in 1970, other countries (e.g., Mexico and Indonesia) have adopted as regulatory limits – 700 chemicals and physical agents

# ACGIH

- Key documents:
  - Threshold Limit Values for chemicals
  - Threshold Limit Values for physical agents
  - Biological Exposure Indices (50 chemicals)
  - Industrial ventilation manual
  - Air sampling instruments manual
  - Bioaerosols assessment and control
  - Control of laser hazards

# NIOSH

- National Institute for Occupational Safety and Health
- Established in 1970 under OSHA Act
- Mandate: research and recommend health and safety standards to OSHA and MSHA – but NIOSH recommendations generally ignored by regulatory agencies

# NIOSH

- **Key documents:**
  - NIOSH Pocket Guide to Chemical Hazards (677 chemicals)
  - Recommended Exposure Limits (RELs)
  - Criteria Documents
  - Alerts
  - Special Hazard Reviews, Occupational Hazard Assessments, Technical Guidelines

# ISO

- International Organization for Standardization
- Founded in 1946
- Currently 161 national standard setting bodies; 780 technical committees; staff of 135 at Secretariat in Geneva
- 22,209 standards and guidelines – certification process for standards



# ISO

- **Key ISO documents:**
  - 90001:2015 – Quality Management System
  - 14001:2015 – Environmental Management System
  - 26001:2010 – Guidance on Social Responsibility
  - 45001:2018 – OHS management system

# NFPA

- National Fire Protection Association
- Founded in 1896
- 50,000+ members globally; 250 technical committees with 9,000 volunteers
- 3,000+ consensus codes and standards
  - Electrical, fire, building, and life safety

# ANSI

- **American National Standards Institute**
- Founded in 1918
- 1,000+ members from industry, government, institutions and international;
- 237 accredited standard developers
- 11,500 American National Standards
- Official US representative to ISO and International Electrotechnical Commission (IEC)

# ASTM International

- **American Society for Testing and Materials**
- Founded in 1898
- 30,000 members; 140 technical committees, in 152 countries
- 12,000 ASTM standards published yearly
- 6,700 ASTM standards adopted in US and other countries

# ASME

- American Society of Mechanical Engineers
- Founded in 1880
- 130,000 members, including 32,000 student members, 151 countries
- Codes and standards on machinery and equipment

# ASHRAE

- American Society of Heating, Refrigeration and Air Conditioning Engineers
- Founded in 1894
- 56,000 members in 132 countries
- Codes and standards for heating, ventilation, air conditioning and refrigeration

# OARS - WEELs

- Occupational Alliance for Risk Science - Workplace Environmental Exposure Levels
- WEELs developed by AIHA until 2013 when transferred to OARS, which is run by TERA – Toxicology Excellence for Risk Assessment, a non-profit corporation
- 131 chemicals on OEL list

# Other International Standards

- SAICM
- World Bank/International Finance Corporation
- Treaties on POPs, mercury and conflict minerals
- Proposed treaty on Human Rights Due Diligence



# SAICM

- Strategic Approach to International Chemicals Management
- Dubai conference in 2006 sponsored by UNEP and WHO
- “2020 Goal” = “chemicals are produced and used in ways that minimize significant adverse impacts on the environment and human health”

# SAICM

- Key documents:
  - Dubai Declaration
  - Overarching Policy Strategy
    - Risk reduction; knowledge and information; governance; capacity-building and technical cooperation; and illegal international traffic
  - Global Plan of Action

# WB-IFC

- World Bank – International Finance Corporation
- General Environmental Health, and Safety Guidelines (2007)
- Industrial Sector Guidelines (2007 on)
- 10 Environmental and Social Standards, required for borrowers (2017)

# World Bank

- **Environmental and Social Framework**
  - Chapter 2: Labor and Working Conditions
  - Guidance Notes for Borrowers
- **Guidance Notes** = “not World Bank policy, nor are they mandatory”
- Not comprehensive; performance standards; voluntary guidelines

# International Treaties

- Environmental and human rights treaties with OHS aspects and impacts
- 2004: Stockholm Convention on Persistent Organic Pollutants
- 2013: Minamata Convention on Mercury
- 2021: EU Regulation on Conflict Minerals (tin, tantalum, tungsten and gold)

# Human Rights Due Diligence (HRDD)

- Concept established in the 2011 UN Guiding Principles on Business and Human Rights
- Proposal for a binding international treaty with enforceable complaint mechanism
- Requires mandatory HRDD legislation on national and international levels

# HRDD

- 10 key elements proposed by the European Coalition for Corporate Justice (see reading list)
- Goal: “identify, prevent, mitigate and account for” actual or potential adverse human rights impacts a corporation may create directly or via its business relationships, including supply chains

# Summary

- Strong worker protections require comprehensive national regulations; well-resourced government regulatory agencies; political will; and member-controlled worker organizations
- In the absence of these elements = Plan B



# Summary

- Plan B:
  - Use of non-regulatory international standards and guidelines as benchmarks for corporate performance throughout supply chains
  - Sustained campaigns to highlight hazards and demand compliance: media/publicity, legal, investor, consumer, and support for worker-initiated actions

# Contact Information

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