

## 26<sup>th</sup> Collegium Ramazzini Statement

# **Health and safety in the workplace is a human right. The International Labour Organization (ILO) should act now to implement its decision, agreed by its conference and included in its Centenary Declaration, that occupational health and safety is recognized as a Fundamental Right at Work (FRAW)**

### *Collegium Ramazzini*

The Collegium Ramazzini is an international scientific society that examines critical issues in occupational and environmental medicine with a view towards action to prevent disease and promote health. The Collegium derives its name from Bernardino Ramazzini, the father of occupational medicine, a professor of medicine of the Universities of Modena and Padua in the late 1600s and the early 1700s. The Collegium is comprised of 180 physicians and scientists from 35 countries, each of whom is elected to membership. The Collegium is independent of commercial interests.

### **Executive Summary**

In June 2019, at the 108<sup>th</sup> session of the International Labour Organization's (ILO) International Labor Conference, governments agreed occupational health and safety should be designated a Fundamental Right at Work (FRAW). This decision is included in the ILO Centenary Declaration for the Future of Work.

The Collegium Ramazzini notes the ILO conference resolution called on the ILO Governing Body "to consider, as soon as possible" measures for including safe and healthy working conditions in the the ILO's framework of Fundamental Principles and Rights at Work. The ILO estimates 2.78 million people every year lose their lives to occupational diseases and injuries. The Covid-19 pandemic has increased dramatically this work-related toll. This harm is preventable where occupational health and safety is given the necessary resources and priority. Making occupational health and safety a Fundamental Right at Work will place an obligation on ILO member states to give the issue this priority, with consequent benefits for workers, business and society as a whole.

The Collegium Ramazzini welcomes the ILO decision to add occupational health and safety to the eight existing fundamental conventions. Under the current system, policy and practice is not sufficiently robust and does not protect all workers. Urgent action is necessary to address the preventable harm cause by work.

The Collegium Ramazzini urges the ILO Governing Body to take at the earliest opportunity the necessary steps to implement its decision to treat occupational health and safety as a Fundamental Right at Work.

### **Background**

The preamble to the World Health Organization's constitution notes: "The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion,

political belief, economic or social condition.” The WHO constitution adds: “Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures.”

A major determinant of health is decent, safe and health work. The International Covenant on Economic Social and Cultural Rights has since 1966 accepted “safe and healthy working conditions” as a fundamental aspect of “the right to just and favorable conditions of work.” This right to favorable conditions at work has been enshrined in the UN Declaration on Human Rights since 1948. The International Labour Organization, the UN agency with the mandate for occupational health and safety, has also recognized “health and life at work” as a “human right”. However for many, safe and healthy work is not a reality and for those large sections of the workforce worldwide laboring in informal or poorly regulated environments it is not a genuine, achievable legal right.

A failure to protect people from hazards in the workplace exacts a high price on workers and society as a whole. The International Labour Organization (ILO) estimates that 2.78 million people each year die from work-related illness and injury, a toll that does not include the substantial workplace mortality related to the Covid-19 pandemic. The ILO calculated the economic burden of poor occupational safety and health practices to be 3.94 per cent of global Gross Domestic Product each year, equating to US\$3,180 billion annually.

The economic and human costs of failing to protect workers falls primarily on those harmed and their dependants, with studies from the US, the UK and elsewhere suggesting this accounts for at least half the burden. ‘Cost-shifting’ by negligent employers can also see other welfare and health care costs externalized, impacting on public funds. However there are also significant costs to any business, including the loss of trained and skilled workers, reduced productivity, legal penalties, insurance costs and reputational harm.

Effective oversight of occupational health and safety is essential and protects, workers their communities and responsible businesses. Workplace regulatory safety inspections reduce work-related harms and their associated costs, without detriment to companies’ performance or profits. Measures to ensure informed worker involvement in workplace health and safety processes have a similar protective effect, studies in high risk sectors and the wider economy have demonstrated.

Making occupational health and safety an ILO Fundamental Right at Work (FRAW) would have multiple positive impacts. It would place an obligation on ILO member states to adhere to the core occupational health and safety ILO Conventions, regardless of ratification. It would provide a spur to ratification of these conventions. It would also enhance accountability and transparency for national safety practices, and promote enhanced application of international occupational health and safety standards and greater implementation of these rights in national legislation and practice.

Designation of occupational health and safety as a fundamental right would also encourage greater recognition of and adherence to the rights set out in the ILO Conventions, including the right to refuse unsafe work. It would unlock increased resources for occupational health and safety internationally and domestically. It could also stimulate other protective measures, for example the inclusion of occupational health and safety in trade agreements and multilateral arrangements, World Bank and regional development bank procurement and contract agreements and policies and in guidance from the World Health Organization (WHO) and other inter-governmental agencies. Improved occupational health and safety can also benefit the environment, cut pollution and address climate change more effectively.

It would clearly establish the ILO’s leadership role on health issues in the world of work.

The Collegium Ramazzini notes the ILO Centenary Declaration for the Future of Work declared that “[s]afe and healthy working conditions are fundamental to decent work.” The conference resolution subsequently adopted requested the ILO Governing Body “to consider, as soon as possible, proposals for including safe and healthy work-

ing conditions in the ILO's framework of fundamental principles and rights at work". The Collegium Ramazzini believes the human rights, occupational health and safety and the economic case should compel ILO to take this action now.

## Conclusion

The Collegium Ramazzini urges the International Labour Organization's Governing Body to take at the earliest opportunity the necessary steps to implement its decision to treat occupational health and safety as a Fundamental Right at Work (FRAW).

The Collegium Ramazzini believes that the International Labour Organization should as a matter of urgency move to implement the decisions of the 2019 International Labour Conference to establish occupational health and safety as a Fundamental Right at Work. Ideally this should be at the 2021 International Labour Conference, but at the very latest at the 2022 International Labour Conference. We urge the ILO Governing Body to adopt a timetable which ensures that its work on this issue is completed by no later than its November 2021 meeting.

## References

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