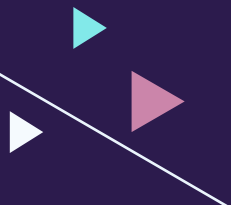




International
Labour
Organization

► The Fundamental Conventions on Occupational Safety and Health

An overview of the Occupational Safety and Health
Convention, 1981 (No. 155) and the Promotional
Framework for Occupational Safety and Health
Convention, 2006 (No. 187)





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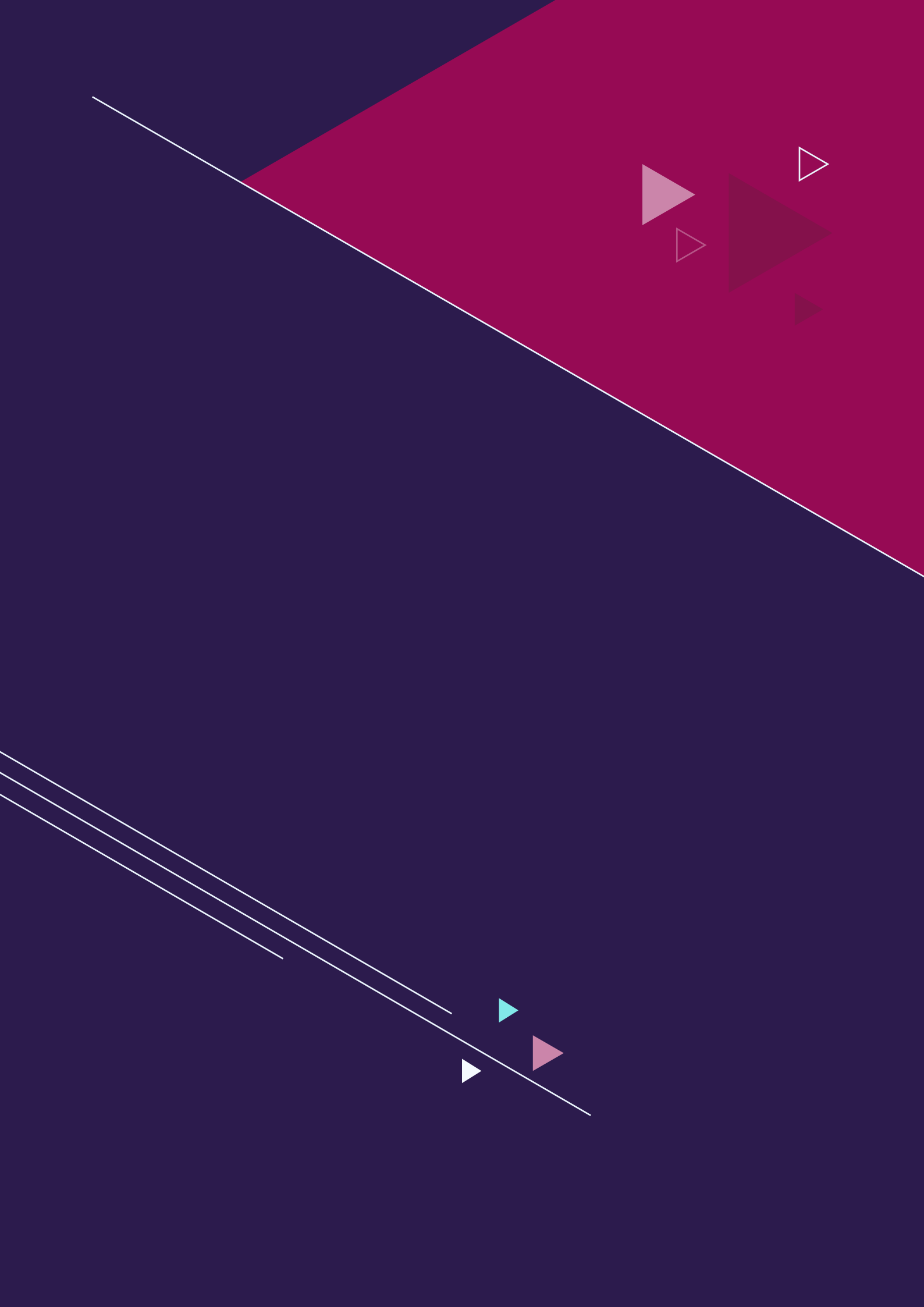
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► Introduction

The ILO has always been strongly committed to the protection of workers' safety and health. This features prominently among the constitutional objectives of the ILO.

The Preamble to the ILO Constitution (1919) notes that "the protection of the worker against sickness, disease and injury arising out of his employment" is among the improvements that are "urgently required".

The ILO Declaration of Philadelphia (1944) recognises the "solemn obligation" of the Organization to further programmes that will achieve "adequate protection for the life and health of workers in all occupations".

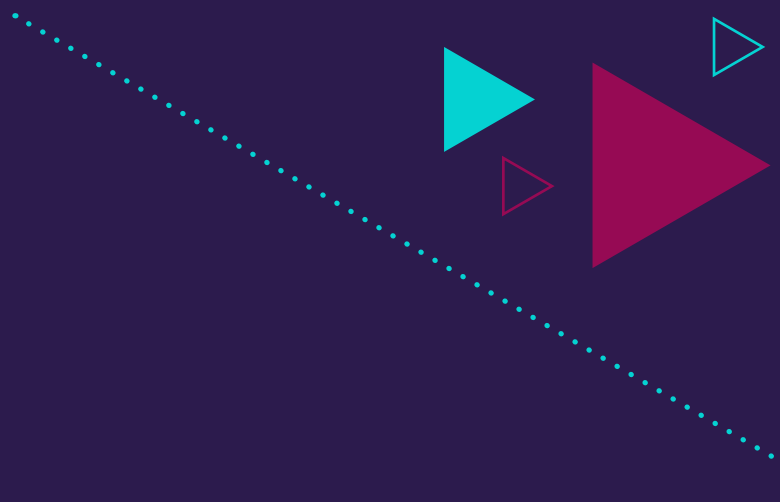
The constitutional principle of the protection of workers' safety and health was strongly reaffirmed in June 2022, when the International Labour Conference (ILC), at its 110th Session, adopted the Resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work. The historic decision, expressed and supported by the ILO tripartite constituents, reveals a renewed collective commitment to the protection of life and health at work.

The resolution recognizes the Occupational Safety and Health Convention, 1981 (No. 155) and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) as fundamental Conventions, embodying this as a fifth category of fundamental principles and rights at work.

All Members, even if they have not ratified these two fundamental Conventions on occupational safety and health (OSH), now have an obligation, arising from the very fact of membership in the Organization, to respect, to promote and to realize, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions, namely the right to a safe and healthy working environment.

This booklet has been prepared to support ILO constituents in promoting and implementing the fundamental principle and right at work of a safe and healthy working environment. It describes the requirements set out in the fundamental OSH Conventions Nos 155 and 187, recognizing the complementarity of these two instruments to ensure good OSH governance at national level and sound OSH management at workplace level. To provide further guidance about the implementation of Conventions Nos 155 and 187, the publication also includes key provisions from the accompanying Recommendations¹ Nos 164 and 197.

¹ Recommendations serve as non-binding guidelines. In many cases, they supplement a Convention by providing more detailed guidelines.





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▶ General Aspects

► Conventions Nos 155 and 187: the core of the ILO normative framework on occupational safety and health

The OSH fundamental Conventions contain provisions of a general scope covering all branches of economic activity.

The core principles of Conventions Nos 155 and 187 are fully complementary, and together they constitute a blueprint for progressive and sustained improvements towards the provision of safe and healthy working environments.

Conventions Nos 155 and 187 serve as the basis for additional occupational safety and health measures provided in other specific OSH instruments.

Additionally, in order to progressively achieve a safe and healthy working environment, Members need to take into account the principles set out in the ILO instruments relevant to the promotional framework for OSH.

The Promotional Framework for Occupational Safety and Health Recommendation, 2006 (No. 197) lists in the Annex the following ILO instruments relevant to the promotional framework for occupational safety and health. Conventions: Labour Inspection (No. 81) and its 1995 Protocol, Radiation Protection (No. 115), Hygiene (Commerce and Offices) (No. 120), Employment Injury Benefits (No. 121), Labour Inspection (Agriculture) (No. 129), Occupational Cancer (No. 139), Working Environment (Air Pollution, Noise and Vibration) (No. 148), Occupational Safety and Health (Dock Work) (No. 152), Occupational Safety and Health (No. 155) and its 2002 Protocol, Occupational Health Services (No. 161), Asbestos (No. 162), Safety and Health in Construction (No. 167), Chemicals (No. 170), Prevention of Major Industrial Accidents (No. 174), Safety and Health in Mines (No. 176), and Safety and Health in Agriculture (No. 184). Recommendations: Labour Inspection (No. 81), Labour Inspection (Mining and Transport) (No. 82), Protection of Workers' Health (No. 97), Welfare Facilities (No. 102), Radiation Protection (No. 114), Workers' Housing (No. 115), Hygiene (Commerce and Offices) (No. 120), Employment Injury Benefits (No. 121), Labour Inspection (Agriculture) (No. 133), Occupational Cancer (No. 147), Working Environment (Air Pollution, Noise and Vibration) (No. 156), Occupational Safety and Health (Dock Work) (No. 160), Occupational Safety and Health (No. 164), Occupational Health Services (No. 171), Asbestos (No. 172), Safety and Health in Construction (No. 175), Chemicals (No. 177), Prevention of Major Industrial Accidents (No. 181), Safety and Health in Mines (No. 183), Safety and Health in Agriculture (No. 192), and List of Occupational Diseases (No. 194).

► The main provisions of the OSH Fundamental Conventions

Adoption of a strategic systems approach

The **Occupational Safety and Health Convention, 1981 (No. 155)** represents a very important milestone for promoting a holistic approach to national governance of OSH, one that is policy oriented and focused on prevention. It introduced the principles of a national policy in relation to OSH, emphasizing the need to consider OSH as a matter of national concern. In addition to comprehensively regulating substantive aspects of a national policy on OSH, Convention No. 155 also defines the actions required at the national and enterprise level.

Twenty-five years later, the Promotional Framework for **Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)** was adopted, aiming at promoting a national preventative safety and health culture and progressively achieving a safe and healthy working environment. Convention No. 187 calls for the establishment of a national framework for continuous improvement in the field of OSH, emphasising the interdependence and interactive nature of its different components (i.e., national OSH policy, a national OSH system and a national OSH programme).

Convention No. 187 is the first OSH Convention to apply a new integrated approach to ILO standards-related activities so as to increase their coherence, relevance and impact. It is designed as an overarching instrument with promotional rather than prescriptive content, providing flexibility so that the approach could suit all Members, regardless of their level of development on OSH or their level of resources.

Promotion of the principle of prevention

The principle of prevention is at the core of OSH, which is well reflected in both the fundamental Conventions Nos 155 and 187.

Convention No. 155 states that “the aim” of the national policy shall be to prevent accidents and injury to health, by minimising, so far as is reasonably practicable, the causes of hazards inherent in the working environment.

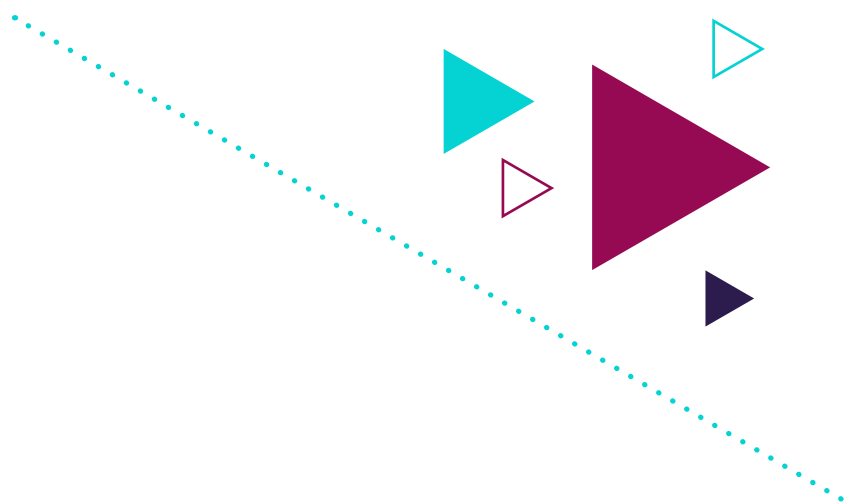
Convention No. 187 requires Members to promote continuous improvement of occupational safety and health to prevent occupational injuries, diseases and deaths, by the development, in consultation with the most representative organizations of employers and workers, of a national policy, a national system and a national programme. The Convention calls for the establishment of a national preventative safety and health culture, where the principle of prevention is accorded the highest priority.

Strengthening of social dialogue at national and workplace level

Both fundamental Conventions describe a framework with complementary roles of governments, employers and workers in improving safety and health at work. They emphasize the importance of participation of employers and workers, through express provisions on consultation and cooperation in decision-making and implementation processes.

In particular, consultation with the most representative organisations of employers and workers is required to develop, implement and review the national OSH policy, the national OSH system and the national OSH programme.

At the workplace level, both Conventions Nos 155 and 187 highlight cooperation between management, workers and their representatives as an essential element of OSH measures. Convention No. 155 also provides for consultation on OSH of workers or their representatives.





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▶ The provisions in focus

► The establishment of a national framework for OSH

National OSH policy

Both Conventions Nos 155 and 187 require Members to formulate a national policy on OSH, in the light of national conditions and practice, and in consultation with the most representative organizations of employers and workers.

What is a national OSH policy?

A national OSH policy is a specific, deliberate course of action adopted by a government or public body, in consultation with the social partners, to fulfill its mandate in the field of safety and health at work.

Aim of a national OSH policy

According to Convention No. 155, the aim of the policy shall be to prevent accidents and injury to health arising out of, linked with, or occurring in the course of work, by minimising, so far as is reasonably practicable, the causes of hazards inherent in the working environment (Art. 4.2).

Guiding principles for action on OSH

Convention No. 187 builds on the principles set out in Article 4 of Convention No. 155 and adds that workers' right to a safe and healthy working environment shall be promoted and advanced at all relevant levels (Art. 3.2).

In formulating the national OSH policy, Convention No. 187 also requires Members to promote basic principles such as assessing occupational risks or hazards; combating occupational risks or hazards at the source; and developing a national preventative safety and health culture that includes information, consultation and training (Art. 3.3).

Convention No. 187 describes a **national preventative safety and health culture** as a culture in which the right to a safe and healthy working environment is respected at all levels, where the government, employers and workers actively participate in securing a safe and healthy working environment through a system of defined rights, responsibilities and duties, and where the principle of prevention is accorded the highest priority.

Main spheres of action

Article 5 of Convention No. 155 lists five main spheres of action that the national OSH policy shall take into account in so far as they affect occupational safety and health and the working environment:

- design, testing, choice, substitution, installation, arrangement, use and maintenance of the material elements of work (workplaces, working environment, tools, machinery and equipment, chemical, physical and biological substances and agents, work processes);
- relationships between the material elements of work and the persons who carry out or supervise the work, and adaptation of machinery, equipment, working time, organization of work and work processes to the physical and mental capacities of the workers;
- training to ensure adequate levels of safety and health;

- communication and co-operation at all levels;
- the protection of workers and their representatives from undue disciplinary measures as a result of actions properly taken by them in conformity with the national OSH policy.

This last point on the protection of workers and their representatives from disciplinary measures is complemented by Article 13 of Convention No. 155, which requires that national action be taken to protect workers against undue consequences if they remove themselves from a work situation when they have reasonable justification to believe that it presents an imminent and serious danger to their life and health.

Recommendation No. 164 lists the **technical fields of action** for the measures to be taken in pursuance of the national OSH policy, as appropriate for different branches of economic activity and different types of work and taking into account the principle of giving priority to eliminating hazards at their source. These include:

- design, siting, structural features, installation, maintenance, repair and alteration of workplaces and means of access and egress;
- temperature, humidity and movement of air, lighting, ventilation, order and cleanliness of workplaces;
- design, construction, use, maintenance, testing and inspection of machinery and equipment liable to present hazards and, as appropriate, their approval and transfer;
- prevention of harmful physical or mental stress due to conditions of work;
- handling, stacking and storage of loads and materials, manually or mechanically;
- use of electricity;
- manufacture, packing, labelling, transport, storage and use of dangerous substances and agents, disposal of their wastes and residues, and, as appropriate, their replacement by other substances or agents which are not dangerous or which are less dangerous;
- radiation protection;
- prevention and control of occupational hazards due to noise and vibration, and high and low barometric pressures
- control of the atmosphere and other ambient factors of workplaces;
- prevention of fires and explosions and measures to be taken in case of fire or explosion;
- design, manufacture, supply, use, maintenance and testing of personal protective equipment and protective clothing;
- sanitary installations, washing facilities, facilities for changing and storing clothes, supply of drinking water, and any other welfare facilities;
- first-aid treatment and establishment of emergency plans;
- supervision of the health of workers.

Assignment of functions and responsibilities of the main stakeholders

According to Convention No. 155, the national OSH policy shall indicate the respective functions and responsibilities in respect of occupational safety and health and the working environment of public authorities, employers, workers and others, taking account both the complementary character of such responsibilities and of national conditions and practice (Art. 6).

Recommendation No. 197 builds on these principles, stating that the national policy formulated in the Convention No. 187 should take into account the principles of national policy set out in Convention No. 155 (Part II), as well as the relevant rights, duties and responsibilities of workers, employers and governments in that Convention (Para 1).

Periodic review of the national OSH policy

Convention No. 155 calls for the periodic review of the national OSH policy (Art. 4.1), as a key feature of the national policy process in relation to OSH.

Article 7 states that the situation regarding occupational safety and health and the working environment shall be reviewed at appropriate intervals, either over-all or in respect of particular areas, with a view to identifying major problems, evolving effective methods for dealing with them and priorities of action, and evaluating results.

The policy requirement is thus a dynamic, cyclical process. Through the periodical review, scientific and technological progress and changes in the working environments can be incorporated into the national policy.

National OSH system

Convention No. 187 requires Members to establish, maintain, progressively develop and periodically review a national system for occupational safety and health, in consultation with the most representative organizations of employers and workers.²

What is a national OSH system?

Convention No. 187 defines the national OSH system as the infrastructure which provides the main framework for implementing the national policy and national programmes on occupational safety and health (Art. 1(c)).

It details the elements that the national system for occupational safety and health shall include in all cases (Art. 4.2) and the elements that it shall include where appropriate (Art. 4.3).

National competent authority(ies)

According to Convention No. 187, the national OSH system shall include an authority or body, or authorities or bodies, responsible for occupational safety and health, designated in accordance with national law and practice.

Convention No. 155 lists the functions that the competent authority (or authorities) shall ensure that are progressively carried out:

- the determination, where the nature and degree of hazards so require, of conditions governing the design, construction and layout of undertakings, the commencement of their operations, major alterations affecting them and changes in their purposes, the safety of technical equipment used at work, as well as the application of procedures defined by the competent authorities;
- the determination of work processes and of substances and agents the exposure to which is to be prohibited, limited or made subject to authorisation or control by the competent authority or authorities; health hazards due to the simultaneous exposure to several substances or agents shall be taken into consideration;
- the establishment and application of procedures for the notification of occupational accidents and diseases, by employers and, when appropriate, insurance institutions and others directly concerned, and the production of annual statistics on occupational accidents and diseases;

² According to Recommendation No. 197 Members may extend consultations to other interested parties (Para 2(b)). Recommendation No. 197 also provides that Members, in establishing, maintaining, progressively developing and periodically reviewing the national OSH system should take into account the ILO instruments relevant to the promotional framework for occupational safety and health listed in its Annex, in particular Convention No. 155 and Conventions Nos 81 and 129.

It should be noted that Part III of Convention No. 155 (Action at the National Level) describes key activities and measures to be undertaken to ensure implementation of the national OSH policy. Article 8 calls on Members, by laws or regulations or any other method consistent with national conditions and practice and in consultation with the representative organisations of employers and workers concerned, to take the necessary steps to give effect to the national OSH policy, similar to the intention of the national OSH system of Convention No. 187.

- ▶ the holding of inquiries, where cases of occupational accidents, occupational diseases or any other injuries to health which arise in the course of or in connection with work appear to reflect situations which are serious;
- ▶ the publication, annually, of information on measures taken in pursuance of the national OSH policy and on occupational accidents, occupational diseases and other injuries to health which arise in the course of or in connection with work;
- ▶ the introduction or extension of systems, taking into account national conditions and possibilities, to examine chemical, physical and biological agents in respect of the risk to the health of workers.

Recommendation No. 164 provides more details about the functions of the competent authority, including (among others):

- ▶ issuing or approving regulations, codes of practice or other suitable provisions on OSH and the working environment, taking into account the links existing between safety and health, on the one hand, and hours of work and rest breaks, on the other;
- ▶ from time to time reviewing OSH laws and regulations in the light of experience and advances in science and technology;
- ▶ undertaking or promoting studies and research to identify hazards and find means of overcoming them;
- ▶ providing information and advice, in an appropriate manner, to employers and workers and promoting co-operation between them and their organisations, with a view to eliminating hazards or reducing the risks as far as practicable (where appropriate, a special training programme for migrant workers in their mother tongue should be provided);
- ▶ providing specific measures to prevent catastrophes, and to co-ordinate and make coherent the actions to be taken at different levels, particularly in industrial zones where undertakings with high potential risks for workers and the surrounding population are situated;
- ▶ providing appropriate measures for workers living with disabilities.

Laws and regulations on OSH

The national OSH system described in Convention No. 187 shall include laws and regulations, collective agreements where appropriate, and any other relevant instruments on occupational safety and health.

Convention No. 155 states that member States shall take steps, including laws or regulations, to implement the national policy process. It also includes provisions on product safety and the responsibility of designers, manufacturers and distributors. Article 12 requires those who design, manufacture, import, provide or transfer machinery, equipment or substances for occupational use to satisfy themselves that, correctly used, such equipment and substances do not expose operators to dangers (so far as is reasonably practicable) and to make information available for their safe use. This article represents a further application of a preventative approach to OSH, by requiring that all equipment and substances entering the workplace are safe, when correctly used.

Recommendation No. 164, states that the competent authority or authorities in each country should issue or approve regulations, codes of practice or other suitable provisions on occupational safety and health and the working environment. It also calls for the review of legislative enactments concerning occupational safety and health and the working environment, in the light of experience and advances in science and technology (Para 4).

Mechanisms for ensuring compliance

Convention No. 187 identifies mechanisms for ensuring compliance with national laws and regulations, including systems of inspection, as a key component of the national OSH system.

Further, Convention No. 155 provides that the enforcement of OSH laws and regulations shall be secured by an adequate and appropriate system of inspection and that the enforcement system shall provide for adequate penalties for violations of the laws and regulations (Art. 9).

Recommendation No. 164 specifies that such system of inspection should be guided by the provisions of the Labour Inspection Convention, 1947 (No. 81), and the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and Recommendation No. 197 identifies these instruments as particularly relevant to the promotional framework for OSH.

The [Labour Inspection Convention, 1947 \(No. 81\)](#) applies to industry and commerce and sets out a series of principles related to the fields of legislation covered by labour inspection, the functions and organizations of the system of inspection, recruitment criteria, the status and terms and conditions of service of labour inspectors, and their powers and obligations. Convention No. 81, in describing the functions of a system of labour inspection, includes the enforcement of legal provisions related to conditions of work, including safety and health (Art. 3.1(a)) and the provision of technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions (Art.3.1(b)).

The [Protocol of 1995 to the Labour Inspection Convention](#) extends the application of the provisions of Convention No. 81 to workplaces considered as non-commercial.

The [Labour Inspection \(Agriculture\) Convention, 1969 \(No. 129\)](#), includes similar provisions of Convention No. 81, to establish and maintain a system of labour inspection in agriculture. This includes the function to secure enforcement of legal provisions relating to conditions of work, including safety and health (Art. 6.1(a)) and the provision of technical information and advice to employers and workers concerning the most effective means of compliance (Art. 6.1(b)).

In addition, Convention No. 155 requires for measures to provide guidance to employers and workers so as to help them to comply with legal obligations (Art. 10).

Arrangements to promote cooperation between employers, workers and their representatives

Within the elements to be included in the national OSH system, Convention No. 187 refers to arrangements to promote, at the level of the undertaking, cooperation between management, workers and their representatives as an essential element of workplace-related prevention measures.

As mentioned before, Convention No. 155 underlines communication and co-operation at the levels of the undertaking and at all other appropriate levels up to and including the national level as one of the main spheres of action of the national OSH policy.

To facilitate such co-operation between management, workers and their representatives, both Recommendations Nos 164 and 187 promote the appointment of workers' OSH representatives and/or establishment of joint safety and health committees, in accordance with national law and practice (Para 12(1) and 5(f) respectively). Both Recommendations Nos 164 and 197 also refer to the provision of information and advice to employers and workers and their respective organizations and to promote or facilitate cooperation among them with a view to eliminating or minimizing, so far as is reasonably practicable, work-related hazards and risks (Para 4 and 5 respectively).

Other elements

OSH NATIONAL TRIPARTITE BODY

An important element of a national OSH system identified in Convention No. 187 is establishing, where appropriate, a national tripartite advisory body, or bodies, addressing occupational safety and health issues (Art. 4.3(a)).

Convention No. 155 requires Members, after consultation at the earliest possible stage with the most representative organizations of employers and workers, and with other bodies as appropriate, to make arrangements (appropriate to national conditions and practice) to ensure the necessary co-ordination between various authorities and bodies involved in OSH activities. Whenever circumstances so require and national conditions and practice permit, these arrangements shall include the establishment of a central body (Art. 15).

Recommendation No. 164 specifies the main purposes of these arrangements, including (among others) coordinating activities in the field of OSH which are exercised nationally, regionally or locally, by public authorities, by employers and their organizations, by workers' organizations and representatives, and by other persons or bodies concerned and promoting exchanges of views, information and experience at the national level, at the level of an industry or that of a branch of economic activity (Para 7 (c,d)).

Recommendation No. 164 recalls that there should be close co-operation between public authorities and representative employers' and workers' organizations, as well as other bodies concerned in measures for the formulation and application of the national OSH policy (Para 8).

INFORMATION AND ADVISORY SERVICES ON OSH

According to Convention No. 187, a national OSH system shall include, where appropriate, information and advisory services on occupational safety and health issues (Art. 4.3(b)).

As mentioned before, Recommendation No. 164 calls the OSH competent authority to provide information and advice, in an appropriate manner, to employers and workers, and to promote co-operation between them and their organisations (Para 4(d)). The Recommendation also states that (as necessary in regard to the activities of the undertaking and practicable in regard to size) provisions should be made for recourse to specialists to advise on particular occupational safety or health problems or supervise the application of measures to meet them (Para 13(b)).

Furthermore, Recommendation No. 197 provides for Members to raise workplace and public awareness on occupational safety and health through national campaigns linked with, where appropriate, workplace and international initiatives (Para 5(a)).

ILO World Day for Safety and Health at Work

Since 2003, the ILO has celebrated the [World Day for Safety and Health at Work](#), respecting the workers' commemoration event, also known as Workers' Memorial Day, organized on 28 April.

This annual international campaign aims at raising widespread awareness of the importance of OSH and promoting a global preventative safety and health culture. Each year, the ILO produces materials on a specific, timely theme related to occupational safety and health, such as workplace stress, health and safety of young workers, the future of work, investing in resilient OSH systems and building a positive safety and health culture.

TRAINING ON OSH

Convention No. 187 call for the inclusion in the national system for OSH, where appropriate, of provisions of OSH training (Art. 4.3(c)). The Convention also considers training as a key part of a national preventative safety and health culture (Art. 3).

Convention No. 155 refers to training, qualifications and motivations of persons involved in the achievement of adequate levels of safety and health as one of the main spheres of action of a national policy on OSH (Art. 5(c)). It requires Members to take measures to promote in a manner appropriate to national conditions and practice, the inclusion of questions of occupational safety and health and the working environment at all levels of education and training, including higher technical, medical and professional education, in a manner meeting the training needs of all workers (Art. 14). At the level of the undertaking, Convention No. 155 also requires arrangements for workers and their representatives to be given appropriate training in occupational safety and health (Art. 19(d)).

Recommendation No. 197 specifies that in promoting a national preventative safety and health culture, Members should seek to promote mechanisms for delivery of OSH education and training, in particular for management, supervisors, workers and their representatives and government officials responsible for safety and health. They should also introduce occupational safety and health concepts and, where appropriate, competencies, in educational and vocational training programmes (Para 5(b, c)).

Recommendation No. 164 specifies that – where appropriate – a special training programme for migrant workers in their mother tongue should be provided (Para 4(d)).

OCCUPATIONAL HEALTH SERVICES

As part of the national system for OSH, Convention No. 187 calls for the establishment, where appropriate, of occupational health services, in accordance with national law and practice (Art. 4.3(d)).

Recommendation No. 164 states that (as necessary in regard to the activities of the undertaking and practicable in regard to size) provisions should be made for the availability of an occupational health service and a safety service (Para 13(a)).

The [Occupational Health Services Convention, 1985 \(No. 161\)](#) and its accompanying [Recommendation \(No. 171\)](#), provide for the establishment of occupational health services at national and enterprise levels, designated to ensure the implementation of the OSH policy and relevant preventive and control measures, including health surveillance and emergency response. Occupational health services are entrusted with essentially preventive functions and are responsible for establishing and maintaining a safe and healthy working environment which will facilitate optimal physical and mental health and for the adaptation of work to the capabilities of workers. Such services should be multidisciplinary and shall enjoy full professional independence from employers, workers, and their respective representatives, in relation to their functions.

RESEARCH ON OSH

According to [Convention No. 187](#), the national system for occupational safety and health shall include, where appropriate, research on occupational safety and health (Art. 4.3(e)).

With a view to giving effect to the policy defined in [Convention No. 155](#), [Recommendation No. 164](#) specifies that the competent authority should undertake or promote studies and research to identify hazards and find means of overcoming them (Para 4(c)).

[Convention No. 155](#) calls for measures for ensuring that those who design, manufacture, import, provide or transfer machinery, equipment or substances for occupational use undertake studies and research or otherwise keep abreast of the scientific and technical knowledge (Art. 12(c)).

COLLECTION AND ANALYSIS OF DATA ON OCCUPATIONAL INJURIES AND DISEASES

Another key element of a national OSH system identified in [Convention No. 187](#) is the establishment, where appropriate, of a mechanism for the collection and analysis of data on occupational injuries and diseases, taking into account relevant ILO instruments (Art. 4(3)(f)).

Within the functions to be carried out by the OSH competent authority, [Convention No. 155](#) requires the establishment and application of procedures for the notification of occupational accidents and diseases and the production of annual statistics on occupational accidents and diseases (Art. 11(c)). The Convention further provides for the publication of information on occupational accidents and diseases and other work-related injuries (Art. 11(e)).

The [Protocol of 2002 \(No. 155\)](#) was adopted to promote the harmonization of recording and notification systems. It includes further provisions on the establishment and periodic review of requirements and procedures for the recording and notification of occupational accidents and diseases, as well as for the publication of related annual statistics

In the context of OSH statistics, [Recommendation No. 197](#) calls Members to facilitate the exchange of such statistics and data among relevant authorities, employers, workers and their representatives (Para 5(d)).

COLLABORATION WITH RELEVANT INSURANCE OR SOCIAL SECURITY SCHEMES

According to Convention No. 187 the national system for OSH shall also include, where appropriate, provisions for collaboration with relevant insurance or social security schemes covering occupational injuries and diseases (Art. 4.3(g)).

The ILO [Employment Injury Benefits Convention, 1964 \[Schedule I amended in 1980\] \(No. 121\)](#) and its accompanying [Recommendation \(No. 121\)](#) contains provisions on compensation for damages sustained from occupational accidents and diseases, as well as commuting accidents.

Schedule I on Occupational Diseases amended in 1980. Convention No. 121 was further revised by the [Recommendation on the List of Occupational Diseases, 2002 \(No. 194\)](#) which provides for regular updates by a tripartite committee of experts. The most recent [review](#) took place in 2010.

SUPPORT MECHANISMS TO IMPROVE OSH CONDITIONS IN MSMES AND IN THE INFORMAL ECONOMY, AS WELL AS FOR OTHER SPECIFIC GROUP OF WORKERS

Convention No. 187 also provides for the inclusion in the national system for OSH of, where appropriate, support mechanisms for the progressive improvement of occupational safety and health conditions in micro-enterprises, in small and medium-sized enterprises (MSMEs) and in the informal economy (Art. 4.3(h)).

Recommendation No. 197 provides that Members should seek to address the constraints of MSMEs and contractors in the implementation OSH policies and regulations, in accordance with national law and practice (Para 5).

Furthermore, according to Recommendation No. 197, with a view to preventing occupational injuries, diseases and deaths, the national system should provide appropriate measures for the protection of all workers, in particular, workers in high-risk sectors, and vulnerable workers such as those in the informal economy and migrant and young workers (Para 3).

Recommendation No. 164 also highlights the need to cover the situation of the most vulnerable workers (for example, the workers with disabilities) when reviewing the national OSH policy (Para 9).

Finally, Recommendation No. 197 refers to the importance of taking measures to protect the safety and health of workers of both genders, including the protection of their reproductive health (Para 4).

National OSH programme

Convention No. 187 requires Members to formulate, implement, monitor, evaluate and periodically review a national programme on occupational safety and health in consultation with the most representative organizations of employers and workers.³

What is a national OSH programme?

According to Convention No. 187, a national programme on OSH refers to any national plan that includes objectives to be achieved in a predetermined time frame, priorities and means of action formulated to improve occupational safety and health and means to assess progress (Art. 1(c)).

Aims of the national OSH programme

According to Convention No. 187, a national OSH programme shall promote the development of a national preventative safety and health culture and contribute to the protection of workers by eliminating or minimizing, so far as is reasonably practicable, work-related hazards and risks, in accordance with national law and practice, in order to prevent occupational injuries, diseases and deaths and promote safety and health in the workplace, among other provisions (Art. 5(a,b)).

Recommendation No. 197 specifies that the national OSH programme should be based on principles of assessment and management of hazards and risks, in particular at the workplace level (Para 7). Furthermore, the national OSH programme should actively promote workplace prevention measures and activities that include the participation of employers, workers and their representatives (Para 10).

Main features of the national OSH programme

Convention No. 187 provides that the national OSH programme shall be formulated and reviewed on the basis of analysis of the national OSH situation, including analysis of the national OSH system (Art. 5.2(c)). It shall include objectives, targets and indicators of progress (Art. 5.2(d)).

According to Convention No. 187, the national OSH programme shall be supported, where possible, by other complementary national programmes and plans which will assist in achieving progressively a safe and healthy working environment – for example those relating to public health and economic development (Art. 5.2(e)). The national programme shall be widely publicized and, to the extent possible, endorsed and launched by the highest national authorities (Art. 5.3).

According to Recommendation No. 197, the national OSH programme should identify priorities for action, which should be periodically reviewed and updated (Para 8). The Recommendation also calls Members, in formulating and reviewing the national programme, to take into account the instruments of the ILO relevant to the promotional framework for occupational safety and health, without prejudice to their obligations under Conventions that they have ratified.⁴

³ According to Recommendation No. 197 Members may extend consultations to other interested parties (Para 9).

⁴ These instruments are listed in the Annex of recommendation No. 197.

► National OSH profile

Recommendation No. 197 calls Members to prepare and regularly update a national profile to be used as a basis for formulating and reviewing the national programme (Para 13).

| What is a national OSH profile?

The national OSH profile is a diagnostic document. It summarizes the existing situation on OSH and the progress made towards achieving a safe and healthy working environment.

| Main features of the national OSH profile

The elements of the national OSH profile are listed in Paragraph 14 of Recommendation No. 197. These include, as applicable:

- laws and regulations, collective agreements where appropriate, and any other relevant instruments on occupational safety and health;
- the authority or body, or the authorities or bodies, responsible for occupational safety and health, designated in accordance with national law and practice;
- the mechanisms for ensuring compliance with national laws and regulations, including the systems of inspection;
- the arrangements to promote, at the level of the undertaking, cooperation between management, workers and their representatives as an essential element of workplace-related prevention measures;
- the national tripartite advisory body, or bodies, addressing occupational safety and health issues;
- the information and advisory services on occupational safety and health;
- the provision of occupational safety and health training;
- the occupational health services in accordance with national law and practice;
- research on occupational safety and health;
- the mechanism for the collection and analysis of data on occupational injuries and diseases and their causes, taking into account relevant ILO instruments;
- the provisions for collaboration with relevant insurance or social security schemes covering occupational injuries and diseases; and
- the support mechanisms for a progressive improvement of occupational safety and health conditions in micro-enterprises, in small and medium-sized enterprises and in the informal economy.

The national OSH profile should also include information on the following elements, *where appropriate*:

- coordination and collaboration mechanisms at national and enterprise levels, including national programme review mechanisms;
- technical standards, codes of practice and guidelines on occupational safety and health;
- educational and awareness-raising arrangements, including promotional initiatives;
- specialized technical, medical and scientific institutions with linkages to various aspects of occupational safety and health, including research institutes and laboratories concerned with occupational safety and health;
- personnel engaged in the area of occupational safety and health, such as inspectors, safety and health officers, and occupational physicians and hygienists;
- occupational injury and disease statistics;
- occupational safety and health policies and programmes of organizations of employers and workers;
- regular or ongoing activities related to occupational safety and health, including international collaboration;
- financial and budgetary resources with regard to occupational safety and health; and
- data addressing demography, literacy, economy and employment, as available, as well as any other relevant information.

► Action at the level of the undertaking

Requirements for employers

Convention No. 187 highlights the importance of a system of defined rights, responsibilities and duties in a preventative safety and health culture (Art. 1(d)).

Convention No. 155 details the duties of employers. For instance, according to Article 16, they shall be required to:

- ensure that, so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health;
- ensure that, so far as is reasonably practicable, the chemical, physical and biological substances and agents under their control are without risk to health when the appropriate measures of protection are taken;
- provide, where necessary, adequate protective clothing and protective equipment to prevent, so far as is reasonably practicable, risk of accidents or of adverse effects on health.

Convention No. 155 also requires employers to provide, where necessary, for measures to deal with emergencies and accidents, including adequate first-aid arrangements.

Recommendation No. 164 provides further guidance about the employers' responsibilities, including:

- to set out in writing their policy and arrangements in the field of OSH, and the various responsibilities exercised under these arrangements, and bring this information to the notice of every worker, in a language or medium the worker readily understands (Para 14)
- to verify the implementation of applicable OSH standards regularly, for instance by environmental monitoring, and to undertake systematic safety audits from time to time (Para 15(1));
- to keep OSH records (as defined by the competent authority), which might include records of all notifiable occupational accidents and injuries to health which arise in the course of or in connection with work, records of authorisation and exemptions under laws or regulations to supervision of the health of workers in the undertaking, and data concerning exposure to specified substances and agents (Para 15(2)).

Employers' obligations might also include, as appropriate for different branches of economic activity and different types of work, the following: (Para 10)

- to provide and maintain workplaces, machinery and equipment, and use work methods, which are as safe and without risk to health as is reasonably practicable;
- to give necessary instructions and training, taking account of the functions and capacities of different categories of workers;
- to provide adequate supervision of work, of work practices and of application and use of occupational safety and health measures;
- to institute organizational arrangements regarding occupational safety and health and the working environment adapted to the size of the undertaking and the nature of its activities;
- to provide, without any cost to the worker, adequate personal protective clothing and equipment which are reasonably necessary when hazards cannot be otherwise prevented or controlled;
- to ensure that work organization, particularly with respect to hours of work and rest breaks, does not adversely affect occupational safety and health;
- to take all reasonably practicable measures with a view to eliminating excessive physical and mental fatigue;
- to undertake studies and research or otherwise keep abreast of the scientific and technical knowledge necessary to comply with the foregoing clauses (Para 10).




Furthermore, Convention No. 155 provides for collaboration in applying the requirements of the Convention when two or more undertakings engage in activities simultaneously at one workplace (Art. 17).

Arrangements at the workplace level

Convention No. 155 (Art. 19) requires the implementation of arrangements at the level of the undertaking under which:

- workers, in the course of performing their work, co-operate in the fulfilment by their employer of the obligations placed upon him;
- representatives of workers in the undertaking co-operate with the employer in the field of occupational safety and health;
- representatives of workers in an undertaking are given adequate information on measures taken by the employer to secure occupational safety and health and may consult their representative organisations about such information provided they do not disclose commercial secrets;
- workers and their representatives in the undertaking are given appropriate training in occupational safety and health;
- workers or their representatives and, as the case may be, their representative organisations in an undertaking, in accordance with national law and practice, are enabled to enquire into, and are consulted by the employer on, all aspects of occupational safety and health associated with their work; for this purpose technical advisers may, by mutual agreement, be brought in from outside the undertaking;
- a worker reports forthwith to his immediate supervisor any situation which he has reasonable justification to believe presents an imminent and serious danger to his life or health; until the employer has taken remedial action, if necessary, the employer cannot require workers to return to a work situation where there is continuing imminent and serious danger to life or health.

Recommendation No. 164 (Para 16) specifies that such arrangements should aim at ensuring that workers:

- take reasonable care for their own safety and that of other persons who may be affected by their acts or omissions at work;
 - comply with instructions given for their own safety and health and those of others and with safety and health procedures;
 - use safety devices and protective equipment correctly and do not render them inoperative;
 - report forthwith to their immediate supervisor any situation which they have reason to believe could present a hazard and which they cannot themselves correct;
 - report any accident or injury to health which arises in the course of or in connection with work.
- 

Convention No. 155 also explicitly provides that OSH measures shall not involve any expenditure for the workers (Art. 21).

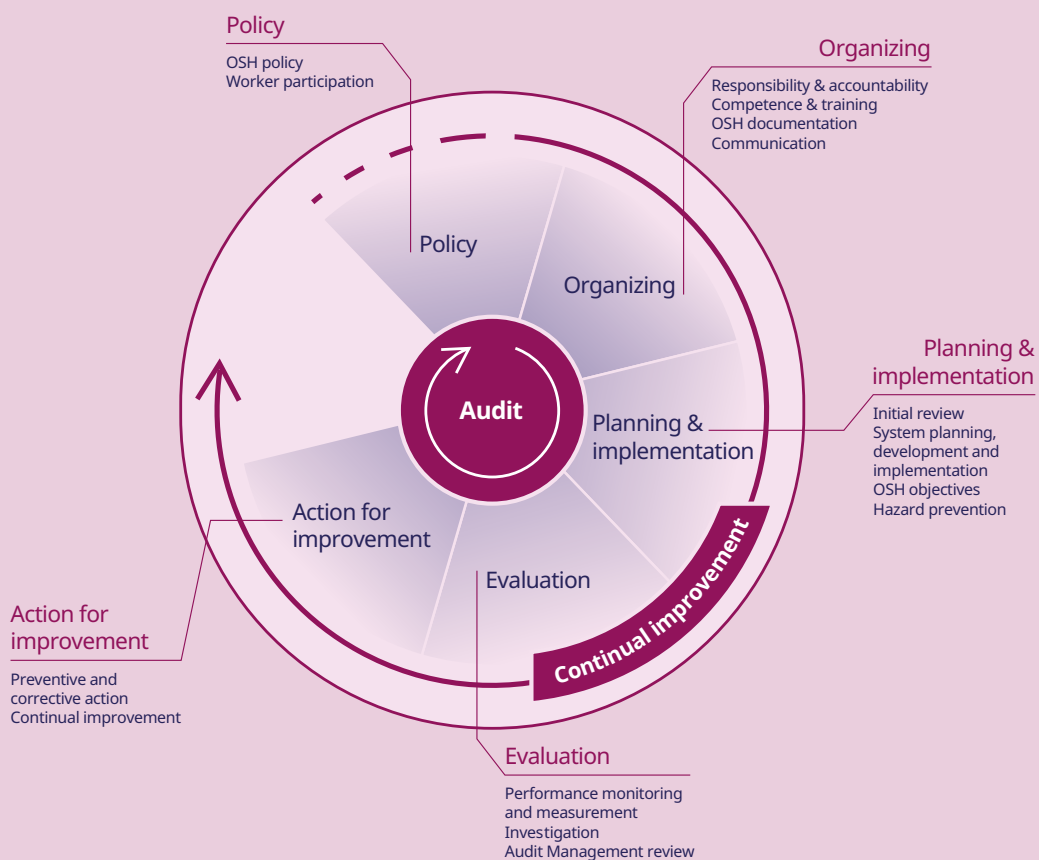
OSH management system approach

Recommendation No. 197 calls Members to promote a management systems approach to occupational safety and health, such as the approach set out in the Guidelines on occupational safety and health management systems (ILO-OSH 2001).

An OSH management system is a set of interrelated or interacting elements to establish OSH policy and objectives, and to achieve those objectives. The application of a systems' approach to the management of OSH in workplaces ensures that the level of prevention and protection is continuously evaluated and maintained through appropriate and timely improvements.

In this context, the ILO Guidelines on occupational safety and health management systems (ILO-OSH 2001) provide a unique international model, reflecting ILO's tripartite approach and the principles defined in its international OSH instruments.

These voluntary guidelines assist organizations (enterprises/workplaces) implementing the main elements of the OSH management system (i.e., policy, organizing, planning and implementation, evaluation and action for improvement), to promote continual improvement in OSH performance.



Workplace cooperation

Both Conventions Nos 155 and 187 recognize the importance of cooperation between management and workers and their representatives.

As mentioned before, according to Convention No. 187, a national system for OSH shall include arrangements to promote, at the level of the undertaking, cooperation between management, workers and their representatives as an essential element of workplace-related prevention measures (Art. 4.2(d)).

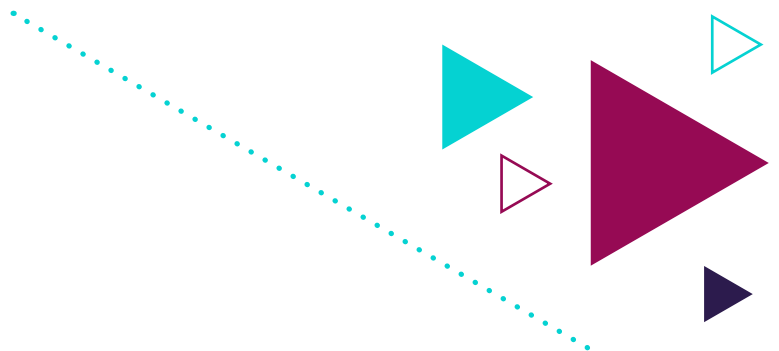
According to Convention No. 155, co-operation between management and workers and/or their representatives within the undertaking shall be an essential element of organisational and other measures taken in pursuance of Articles 16 to 19 of the Convention which relate to action at the level of the undertaking (Art. 20).

To facilitate such co-operation, Recommendation No. 164 provides for the appointment – where appropriate and necessary and in accordance with national practice – of workers' safety delegates, of workers' safety and health committees, and/or of joint safety and health committees⁵ (Para 12(1)). Such delegates and committees should:

- be given adequate information on safety and health matters, enabled to examine factors affecting safety and health, and encouraged to propose measures on the subject;
- be consulted when major new safety and health measures are envisaged and before they are carried out, and seek to obtain the support of the workers for such measures;
- be consulted in planning alterations of work processes, work content or organisation of work, which may have safety or health implications for the workers;
- be given protection from dismissal and other measures prejudicial to them while exercising their functions in the field of occupational safety and health as workers' representatives or as members of safety and health committees;
- be able to contribute to the decision-making process at the level of the undertaking regarding matters of safety and health;
- have access to all parts of the workplace and be able to communicate with the workers on safety and health matters during working hours at the workplace;
- be free to contact labour inspectors;
- be able to contribute to negotiations in the undertaking on occupational safety and health matters;
- have reasonable time during paid working hours to exercise their safety and health functions and to receive training related to these functions;
- have recourse to specialists to advise on particular safety and health problems (Para 12 (2)).

The promotion of the establishment of joint safety and health committees and the designation of workers' occupational safety and health representatives (in accordance with national law and practice) is also mentioned in Recommendation No. 197 (Para 5(f)).

⁵ In joint safety and health committees workers should have at least equal representation with employers' representatives (Recommendation No. 164, Para 12(1)).



► Annexes

Checklist 1: Application of Convention No. 155

Requirements	<input checked="" type="checkbox"/>	Article
Part I. Scope and definition		
Does OSH protection apply to all branches of economic activity? <i>(Exclusions permitted when ratifying the Convention)</i>	<input type="checkbox"/>	1
Does OSH protection apply to all workers in the branches of economic activity? <i>(Exclusions permitted when ratifying the Convention)</i>	<input type="checkbox"/>	2
Part II. Principles of National Policy		
Does the Member State have a coherent national policy on OSH and the working environment?	<input type="checkbox"/>	4.1
Is the national policy formulated, implemented, periodically reviewed in consultation with the most representative organisations of employers and workers?	<input type="checkbox"/>	4.1
Is the aim of the national policy to prevent accidents and injury to health arising out of, linked with or occurring in the course of work?	<input type="checkbox"/>	4.2
Does the national policy take into account the following elements?		5
a. design, testing, choice, substitution, installation, arrangement, use and maintenance of the material elements of work (workplaces, working environment, tools, machinery and equipment, chemical, physical and biological substances and agents, work processes)	<input type="checkbox"/>	
b. relationships between the material elements of work and the persons who carry out or supervise the work, and adaptation of machinery, equipment, working time, organisation of work and work processes to the physical and mental capacities of the worker	<input type="checkbox"/>	
c. training, qualifications and motivations of persons involved	<input type="checkbox"/>	
d. communication and co-operation at all levels	<input type="checkbox"/>	
e. protection of workers and their representatives from disciplinary measures as a result of actions under the national policy	<input type="checkbox"/>	
Does the national policy indicate functions and responsibilities in respect of OSH of public authorities, employers, workers and others?	<input type="checkbox"/>	6
Is the situation regarding OSH regularly reviewed to identify problems and priorities of actions?	<input type="checkbox"/>	7
III. Actions at the National Level		
Are there laws or regulations (or other methods) to give effect to the national policy on OSH?	<input type="checkbox"/>	8
Were laws and regulations adopted in consultation with representative organisations of employers and workers concerned?	<input type="checkbox"/>	8
Is there a system of inspection to secure enforcement of laws and regulations?	<input type="checkbox"/>	9.1

Are there adequate penalties for violations of laws and regulations on OSH?	<input type="checkbox"/>	9.2
Is guidance provided to employers and workers to help them comply with legal obligations on OSH?	<input type="checkbox"/>	10
Does the competent authority (ies) define the design, construction and layout of undertakings, the commencement of their operations, major alterations affecting them and changes in their purposes, the safety of technical equipment used at work, the application of procedures? <i>(Can be implemented progressively)</i>	<input type="checkbox"/>	11 (a)
Does the competent authority (ies) determine work processes, substances and agents the exposure to which is to be prohibited, limited or made subject to authorisation or control? <i>(Can be implemented progressively)</i>	<input type="checkbox"/>	11 (b)
Are there procedures for the notification of occupational accidents and diseases? <i>(Can be implemented progressively)</i>	<input type="checkbox"/>	11 (c)
Are there annual statistics on occupational accidents and diseases? <i>(Can be implemented progressively)</i>	<input type="checkbox"/>	11 (c)
Is there a system in place to inquire cases of occupational accidents, occupational diseases and other injuries to health which arise in the course of or in connection with work? <i>(Can be implemented progressively)</i>	<input type="checkbox"/>	11 (d)
Are information published annually on measures taken in pursuance of the national policy on OSH, on occupational accidents, occupational diseases and other injuries to health? <i>(Can be implemented progressively)</i>	<input type="checkbox"/>	11 (e)
Are there systems to examine chemical, physical and biological agents in respect of the risk to the health of workers? <i>(Can be implemented progressively)</i>	<input type="checkbox"/>	11 (f)
Do those who design, manufacture, import, provide or transfer machinery, equipment or substances for occupational use:		12
a. satisfy themselves that the machinery, equipment or substance does not entail dangers for the safety and health of those using it correctly?	<input type="checkbox"/>	
b. make available information (installation, use, hazards, dangerous properties, instruction on how known hazards are to be avoided)?	<input type="checkbox"/>	
c. undertake studies and research or otherwise keep abreast of the scientific and technical knowledge?	<input type="checkbox"/>	
Is a worker who has removed themselves from a work situation (which they have reasonable justification to believe presents an imminent and serious danger to their life or health) protected from undue consequences by law and in practice?	<input type="checkbox"/>	13
Are questions of OSH included at all levels of education and training (higher technical, medical and professional education)?	<input type="checkbox"/>	14
Are there arrangements appropriate to national conditions and practice to ensure the necessary co-ordination between various authorities and bodies (may include the establishment of a central body)?	<input type="checkbox"/>	15

IV. Actions at the level of the undertaking / companies / factories

Are there any laws or rules that require employers to ensure that, so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are without risk to health? 16 (a)

Are there any laws or rules that require employers to ensure that chemical, physical and biological substances and agents under their control are without risk to health (when the appropriate measures of protection are taken)? 16 (b)

Are there any laws or rules that require employers to provide, where necessary, adequate protective clothing and protective equipment to prevent risk of accidents or of adverse effects on health? 16 (c)

Are there any laws or rules that require employers to ensure that if two or more undertakings engage in activities simultaneously at one workplace, they collaborate to ensure implementation of their OSH obligations ? 17

Are there any laws or rules that require employers to provide measures to deal with emergencies and accidents, including adequate first-aid? 18

Are there requirements for arrangements at the workplace under which workers co-operate with their employer in the field of OSH? 19 (a)

Are there requirements for arrangements at the workplace under which representatives of workers co-operate with the employer in the field of OSH? 19 (b)

Are there requirements for arrangements at the workplace under which representatives of workers are given adequate information on OSH and can consult with their organisations? 19 (c)

Are there requirements for arrangements in the workplace under which workers and their representatives are given appropriate training on OSH? 19 (d)

Are there requirements for arrangements in the workplace under which workers and their representatives are enabled to enquire into and are consulted by the employer on all aspects of OSH? 19 (e)

Are there requirements for arrangements in the workplace under which workers have duty to report any situation which presents an imminent and serious danger to their life or health; and where the employer cannot require the worker to return to the work where there is a continuing danger to life and health? 19 (f)

Are there any arrangements or measures to ensure co-operation between management and workers and/or their representatives within the undertaking? 20

Is it ensured by the law or rules that OSH measures do not involve any expenditure for the workers? 21

Checklist 2: Application of Convention No. 187

Requirements	<input checked="" type="checkbox"/>	Article
Part II. Objective		
Does the Member State promote continuous improvement of OSH to prevent occupational injuries, diseases and deaths, by the development of a national policy, national system and national programme, in consultation with the most representative organizations of employers and workers?	<input type="checkbox"/>	2.1
Does the Member State take steps for achieving safe and healthy working environment through a national system and national programme on OSH by taking into account the principles set out in instruments of the International Labour Organization (ILO) relevant to the promotional framework for occupational safety and health ?	<input type="checkbox"/>	2.2.
Does the Member State promote continuous improvement of OSH to prevent occupational injuries, diseases and deaths, by the development of a national policy, national system and national programme, in consultation with the most representative organizations of employers and workers?	<input type="checkbox"/>	2.3
III. National Policy		
Does the country promote a safe and healthy working environment by formulating a national OSH policy?	<input type="checkbox"/>	3.1
Does the Member State promote and advance the right of workers to a safe and healthy working environment?	<input type="checkbox"/>	3.2
In formulating the national policy, does the Member State promote basic principles (assessing occupational risks or hazards; combating occupational risks or hazards at source; developing a national preventative safety and health culture that includes information, consultation and training) in consultation with the most representative organizations of employers and workers?	<input type="checkbox"/>	3.3
IV. National System (NS)		
Does the country establish, maintain, progressively develop and periodically review a national system for OSH , in consultation with the most representative organizations of employers and workers?	<input type="checkbox"/>	4.1
Does the national system for OSH include laws and regulations, collective agreements where appropriate, and other relevant instruments?	<input type="checkbox"/>	4.2 (a)
Does the national system for OSH include an authority or body (or a few), responsible for OSH?	<input type="checkbox"/>	4.2 (b)
Does the national system for OSH include mechanisms for ensuring compliance with laws and regulations, including a system for inspection?	<input type="checkbox"/>	4.2 (c)
Does the national system for OSH include arrangements to promote, at the level of the undertaking, cooperation between management, workers and their representatives?	<input type="checkbox"/>	4.2 (d)
Does the national system for OSH include, where appropriate, a national tripartite advisory body?	<input type="checkbox"/>	4.3 (a)
Does the national system for OSH include, where appropriate, information and advisory services?	<input type="checkbox"/>	4.3 (b)
Does the national system for OSH include, where appropriate, provision of OSH training?	<input type="checkbox"/>	4.3 (c)

Does the national system for OSH include, where appropriate, occupational health services? 4.3 (d)

Does the national system for OSH include, where appropriate, research on OSH? 4.3 (e)

Does the national system for OSH include, where appropriate, a mechanism for the collection and analysis of data on occupational injuries and diseases? 4.3 (f)

Does the national system for OSH include, where appropriate, provisions for collaboration with relevant insurance or social security schemes? 4.3 (g)

Does the national system for OSH include, where appropriate, support mechanisms for a progressive improvement of OSH at micro-, small and medium-sized enterprises (MSMEs) and in the informal economy? 4.3 (h)

IV. National Programme

Does MS formulate, implement, monitor, evaluate and periodically review a national programme on OSH in consultation with the most representative organizations of employers and workers? 5.1

Does the national programme on OSH promote a national preventative safety and health culture? 5.2 (a)

Does the national programme on OSH help to minimize work-related hazards and risks? 5.2 (b)

Has the national programme on OSH been formulated and reviewed on the basis of an analysis of the national OSH situation? 5.2 (c)

Does the national programme on OSH include objectives, targets and indicators of progress? 5.2 (d)

Is the national programme on OSH supported by other complementary national programmes and plans, where possible? 5.2 (e)

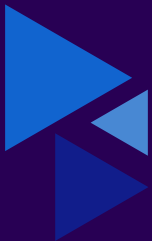
Is the national programme on OSH widely publicized (and if possible, endorsed and launched by the highest national authority)? 5.3



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