

# The ten steps for strengthening labour inspection

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**Bernd Treichel\***

Expert

Development of Labour Inspection Systems  
ILO InFocus programme on Safety and Health  
at Work and the Environment (SafeWork)  
Geneva

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The last few decades have brought rapid and dramatic change to the world's social and economic environment. As the global economy continues to thrive, the social element of the workplace is often forgotten. Labour inspection presents a cogent and comprehensive solution to this problem. As a holistic approach, labour inspection covers a broad range of topics, extending its classical functions to education and prevention. The span of its reach allows it to promote synergy among its functions, making it one of the best possible strategies for addressing the various challenges relating to safety, health and other issues at the workplace.

Labour inspection is an historic institution that dates back to 1833. While its effectiveness has improved over the years, there is room for further progress. As of now, labour inspection encompasses many workplace issues, such as hours of work, wages, safety, child labour, and labour disputes. While this coverage is broad, not all areas have effective labour inspection coverage.

The ideal goal for strengthening the response to social concerns in the workplace is the promotion of the eight core labour standards, the Occupational Safety and Health (OSH) Standards, the Decent Work Agenda by raising awareness of OSH issues, and by helping countries design legislation and initiate programmes that promote a safe and healthy workplace.

An efficient and effective labour inspectorate should be well funded, well staffed, and well organized. An integrated inspection system is the best way to conduct inspections, using resources in the most efficient way possible. Individual inspectors are given all of the resources they need in this system, thus reducing the need for redundant inspections.

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## Ten steps for strengthening labour inspection

1. **Creation of an appropriate structure and organization:** Reshaping national labour policy, labour inspection policy and human resource policy, internal policy and enforcement policy to come into parity with ILO core labour standards and the differing circumstances of the individual member State.
2. **Better utilization of resources:** Ensuring, in case of resource shortages, that the ratio inspector per workpeople accurately matches the finance allocation.
3. **Introducing effective training:** Developing a clear, specific, nation-tailored concept for effective training that leads to a prevention-oriented integration of specialized and general inspectors.
4. **An active role for labour inspectors:** Creating a three-fold role for the labour inspector: supervisor, advisor and enforcement agent, with an overall mission of guidance.
5. **Integrating inspections:** Trimming down specialist and general inspectorates' roles to allow for a "one inspector for one enterprise" mentality.
6. **Publicizing inspection best practices:** Creating an inspection plan for frequency of inspections and prevention strategies.
7. **Ensuring tools for management systems and labour inspectors:** Centralizing tools such as firm chemical data sheets, active research and on-the-job training of important policy and current events issues.
8. **Task-related issues:** Fostering the important roles of social dialogue among other sectorial approaches.
9. **Stressing networking:** Providing inspectorates with knowledge, training, financial support and expertise through a steady-flowing exchange of information with other organizations, like IALI or CIS.

10. **Other issues:** Taking steps to curb corruption and other challenges that currently hinder the field.

The first step in the process is the creation of an appropriate structure and organization. This involves synchronizing the policies for national labour standards, labour inspection, human resources, internal affairs, and enforcement with the ILO core labour standards and the differing work environments in the countries in question. A solid structure is essential to the proper functioning of the Integrated Labour Inspection System (ILIS). Once the national structure is brought into line with the vision of labour inspection outlined by these guiding principles, focus can be laid on improving the actual practice of labour inspection (ILO/IALI/Republic of Bulgaria, 2003).

Resources are crucial to the success of labour inspection. As with any programme, it is necessary to provide labour inspectorates with an appropriate amount of resources. In addition, these resources must be utilized in an efficient manner. If there are resource shortages, the ratio of inspectors to workers must match the budgetary constraints of the system. That is to say, effective inspection can only occur if the budget is not stretched too thin to train and deploy labour inspectors properly.

This leads to the next point of improvement, the use of effective training methods. These must be clear, specific, and nationally tailored concepts for training that lead to prevention-oriented integration of specialized and general inspectors.

Labour inspectors must take on an active role at the workplace. According to the Labour Inspection Convention, 1947 (No. 81), labour inspectors shall ensure compliance with legal provisions. These can be achieved by assuming three types of duties; supervisor, advisor, and enforcement agent, with an overall mission of guidance. Proper training is vital to the process of strengthening labour inspection since labour inspectors have such an important part in the promotion of workplace safety and prevention. Not only do they enforce labour laws in the workplace, but

they also work to improve safety through non-punitive means. Labour inspectorates are frequently the only state authority with direct access to enforce labour laws in the workplace. The role of labour inspectors is unique because they can deal with a variety of tasks in a broad scope while mainstreaming decent work activities into all of their functions, programmes and activities.

The integration of labour inspection functions increases efficiency by improving the flow of information between inspectors and various related parties. Inspectors with general skills should carry out labour inspections, and regionally or nationally located specialists should perform specialized functions.

A key element of efficient operation of ILIS is the centralization of useful data and tools, such as research, on-the-job training or chemical data sheets. The ability to obtain applicable and up-to-date data, as an essential component of effective labour inspection, hinges on its easy accessibility. This provides a useful tool for labour inspection and management systems. Without this capability, labour inspection will never be as effective as possible.

In addition to the promotion of the flow of information on an intra-organizational basis, it should also be promoted on an inter-organizational level. Labour inspectorates should be provided with knowledge, training, financial support and expertise through a steady flowing exchange of information with other organizations and ILO departments, such as the International Association of Labour Inspection (IALI), the International Programme on the Elimination of Child Labour (IPEC), the International Occupational Safety and Health Information Centre (CIS), and SafeWork. In addition, labour inspectorates can team up with organizations on the national level, such as employer and worker organizations, insurance agencies, and emergency services. The formation of networks on this basis allows labour inspectors to access the best resources and information available. It also allows all stakeholders to play a part in the labour inspection process.

Labour inspection is a complex task, and must be treated accordingly. Rather than fulfilling the rigid role that comes to mind when one thinks of inspections, it is a flexible and versatile function. Every enterprise has a different set of needs and workplace conditions, thus there are a different set of best practices for each one. An inspection plan, tailored to the individual enterprises, branches and sectors, guiding the way to prevention strategies and the appropriate frequency of inspections.

Labour inspectors can deal with heterogeneous issues at the workplace. This step broadens the view of OSH to cover labour administration, social dialogue, HIV/AIDS, construction, mining, agriculture or the informal sector. This wide range of labour inspection tasks should be considered in their training and formation programmes, keeping in mind that OSH is at the very heart of labour inspection and one of its primary duties.

Finally, steps must be taken to deal with the issues such as transparency and anti-corruption that currently influence the work of labour inspectors. In order for labour inspection to work properly, the inspectors must be able to work without fear of violent reprisal. In addition, due to the important nature of their work, they must be able to carry out their duties without being tempted by bribes. Sir C. P. Srivastava, Former Secretary-General of the International Maritime Organization said (Srivastava, 2001):

Bribery presents moral and political challenges and, in addition, extracts a heavy economic cost, hindering the development of trade and investment by raising transaction costs and distorting the operation of free markets. It is especially damaging to developing countries since it diverts needed assistance and increases the costs of that assistance.

In addition, violent actions are carried out against labour inspectors from time to time. For example, in France, two labour inspectors were shot dead by a farmer as they were trying to inspect his farm in Dordogne. This example shows that governments and their social partners must

strengthen their resolve to make labour inspection a stronger institution. In a general survey on inspection-related incidents and acts of violence perpetrated against labour inspectors in Europe, 23 out of the 25 participating countries replied that there have been acts of violence against inspectors (European Union, 2005).

## Active steps

One of the objectives of SafeWork is to promote the ratification of occupational safety and health Conventions, which provide the legal basis for the OSH system in ILO member States. This process is a vital step on the path towards a stronger labour inspection system. In 2002, the ILO performed an audit on the labour inspectorate in Luxembourg at their own request. This audit proved to be a great success. Luxembourg followed the advice given, and reorganized their labour inspectorate to conform to the standards set in ILO Conventions No. 81, 129, 155 and others.

Following this audit, the government was able to reorganize their labour inspectorate to conform to a “management by results” approach. This happened with the help of the social partners of Luxembourg, so that it could move towards the ratification of 21 ILO Conventions on occupational health and safety. The Minister of Labour and Employment of Luxembourg, François Biltgen, said that “the audit has provided a solid basis for the restructuring process of the labour inspectorate, and the ILO can also provide very valuable input to EU member states.”<sup>1</sup> This highlights the use of Convention No. 81 as a tool for development and improvement of national labour inspection systems. This Convention makes technical cooperation in the field of occupational safety and health a reality (ILO, 2005a).

Audits are planned to streamline the process of a nation’s labour inspection system. This process is intended to be a systemic and functional analysis process of the organization and management of a labour inspectorate and its key partners (for example of a ministry of labour, so-

cial partners, insurance associations, local partners, etc.) and is considered as a coherent unit with a specific mandate.

The assessment process should enable an analysis of labour inspection systems by setting realistic goals, and helping the target nation meet them in an efficient and effective manner. This is accomplished by evaluating the inspection system, and highlighting the areas in which it could be improved. The assessment covers social and labour protection policies, past labour inspection efforts, and the objectives, principles and structure of the labour inspection system and others.

By enabling self-improvement, systems audits help promote progress in a sustainable fashion. The assessment process is primarily a decision-making aid, guided by either ILO officials or experts with ILO support in a tripartite manner.

The development of a comprehensive labour inspection web portal is a necessary step to strengthening labour inspection. This web site will help increase the availability of information and the flow of information throughout the labour inspection system. The target group are labour inspectors, ILO constituents, officials from international organizations, individual workers, interest groups, and any others who may be interested.

The idea behind this web site is to promote labour inspection and all of its heterogeneous fields of practice on a global scale. The portal provides hands-on solutions to the everyday problems that labour inspectors face, as well as a comprehensive outline of the overall ILO strategy on labour inspection. The overall goal is the provision of a focal point for labour inspection for the target audience. It will offer all crucial information relating to the topic of labour inspection, effectively bringing together the content relevant to the main labour inspection sources offered by international organizations and interest groups such as the Senior Labour Inspection Committee of Europe (SLIC) and the IALI.

The Integrated Labour Inspection Training System (ILITS) is designed by

ILO/Safework to provide a comprehensive, module-based training set for labour inspectors and other government officials responsible for the monitoring and improving conditions in the workplace. The modules would include policy development, teacher training, social skills, work organization, specific sectors, social dialogue, and special training modules. This method underscores the holistic approach that is intrinsic to the Integrated Labour Inspection System on the whole, utilizing a synergistic paradigm to promote an enhanced knowledge of the intricacies of the system among labour inspectors. Such a system is indispensable to the success of any labour inspection programme as it promotes the training of inspectors with the skills that they need to carry out their duties with the utmost competency. The training system will also allow inspectors to keep their skills up to date as developments in research and the workplace occur (ILO, 2005b).

The Scoreboard, developed by the Nordic Council of Ministers and Labour Inspectors, presents a new strategic approach to the prevention of accidents at work. In the long run it aims at implementing the European OSH Strategy at a national level. The system is operated on the basis of voluntary participation. In order to get an overview of each country's national performance compared to international standards, the participants present reports based on a questionnaire. This is used as the basis for a comparative analysis used to assess the conditions in each country. The Scoreboard is a tool for monitoring constant and gradual improvements, representing the beginning of change on a national level (ILO/IALI, 2003). The idea is to allow an easy comparison of improving or declining standards in the countries involved. This strategy has been somewhat successful in parts of Europe, and could be useful elsewhere as well. The Governing Council of the African Regional Labour Administration Centre recently indicated its attempts to introduce a modified version of the scoreboard in English-speaking African countries (ARLAC, 2005).

## Conclusion

Labour inspection is one of the most important institutions related to the field of human rights and workplace health and safety. In light of this, the provision of adequate resources to every labour inspectorate is crucial to the promotion of the core labour standards, decent work, and OSH in the twenty-first century. Labour inspection provides a comprehensive solution to a wide variety of the problems that have arisen in response to globalization. The need to strengthen inspection systems has become apparent in recent years, and efforts such as the Scoreboard, the Ten Steps, ILO Audit Activities as well many other progressive steps are necessary to succeed in the field of labour inspection. In today's dynamic world, strategies that strengthen labour inspection as an actor in the battle for decent work must be promoted – and deserve our common support.

## Note

<sup>1</sup> ILO Conference on “Integrated Labour Inspection Systems” in Luxembourg, 2005.

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