

## **Note on the proceedings**

Joint Meeting on Public Emergency Services:  
Social Dialogue in a Changing Environment

Geneva, 27-31 January 2003

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## Introduction

The Joint Meeting on Public Emergency Services: Social Dialogue in a Changing Environment was held at the ILO in Geneva from 27 to 31 January 2003.

The Office had prepared a report<sup>1</sup> issued in English, French and Spanish to serve as a basis for the Meeting's deliberations. It examined aspects specific to public emergency services (PESs) in relation to the very nature of work; employment trends in these services; their working conditions; exceptional circumstances affecting workers' occupational safety and health; human resource implications; coordination requirements; and social dialogue and rights at work in these services.

The Governing Body had designated Ms. Lucia Sasso Mazzufferi, Employer member of the Governing Body, to represent it and to chair the Meeting. The two Vice-Chairpersons elected by the Meeting were: Ms. Margrit Wallstén (representative of the Government of Sweden) from the Government/Employers' group; and Mr. Bruce Robb from the Workers' group.

The Meeting was attended by Government representatives from: Barbados, Benin, Bolivia, Côte d'Ivoire, Ecuador, Egypt, France, Greece, Guatemala, Indonesia, Iraq, Italy, Japan, Kenya, Republic of Korea, Kuwait, Malta, Mauritius, Norway, Oman, Philippines, Poland, the Russian Federation, Spain, Sweden, Syrian Arab Republic and the United States, as well as eight Employer and 25 Worker representatives.

An observer from the Arab Labour Organization and representatives from the following international non-governmental organizations also attended as observers: the International Confederation of Free Trade Unions; the International Co-operative Alliance; the International Council of Nurses; the International Federation of Employees in Public Service; the International Organisation of Employers; Public Services International; Trade Unions International of Public and Allied Employees; the World Confederation of Labour; and the World Federation of Trade Unions.

The Secretary-General of the Meeting was Ms. C. Doumbia-Henry, Officer-in-Charge of the Sectoral Activities Department. The Deputy Secretary-General was Mr. W. Ratteree, while the Executive Secretary was Ms. S. Tomoda, and the Clerk of the Meeting was Ms. S. Maybud, all of the same Department. The experts were: Mr. P. Blomback, Ms. C. Foucault-Mohammed, Mr. J. Sendanyoye, Mr. B. Wagner, Ms. J. Wells and Ms. C. Wiskow from the Sectoral Activities Department, and Dr. D. Gold from the ILO InFocus Programme on Safework.

The Meeting held six plenary sittings.

The Chairperson of the Meeting welcomed the participants, noting that, as decided by the Governing Body at its 284th Session in June 2002, the purpose of the Meeting was to foster a broader understanding of issues relating to public emergency services; to promote consensus on the best ways to address them; and to provide guidance for action at the national level and by the ILO. The subjects discussed would include trends in working conditions; safety and health; human resource planning; coordination structures; the state of social dialogue; and rights at work. The overarching aim was to elaborate best practice-

<sup>1</sup> ILO, Joint Meeting on Public Emergency Services: Social Dialogue in a Changing Environment, Geneva, 2003: *Public emergency services: Social dialogue in a changing environment*, ILO, Geneva, 2003, p. 110.

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based guidelines for the delivery of high-quality public emergency services in conditions conducive to decent work.

Public emergency services in many countries were faced with a very difficult situation: ever-increasing demands set against declining public funding. As a consequence of growing public deficits, governments often tried to reduce the cost of public services by restructuring and streamlining them, or eliminating some, while opening others to private sector participation. Because any measures taken in this connection had implications in such areas as employment, working conditions and the safety and health of workers in the emergency services, all stakeholders needed to participate in the decision-making processes on any changes to minimize their negative impacts and ensure their sustainability. The importance of social dialogue in such a process was recognized.

Beyond the formal and intensive discussions in the plenary sittings, the Meeting provided an opportunity to network. She urged everyone's cooperation to ensure that all sittings started promptly, so that the widest range of opinions had a chance to be aired if a complete appreciation of the situation was to be gained.

Ms. S. Paxton, Executive Director responsible for the Social Dialogue Sector, welcomed delegates on behalf of the ILO Director-General. She observed that the ILO had organized two joint meetings on public services in recent years: one on human resource development in the public service in the context of structural adjustment and transition, held in 1998, and the other on the impact of decentralization and privatization of municipal services in 2001. Although there had been a specific meeting on fire-fighting personnel in 1990, this was the first time that the Sectoral Activities Programme had organized a meeting on the public emergency services, concurrently covering firefighters, the police and emergency medical service workers. The 1990 Meeting had adopted conclusions on a broad range of employment and labour issues related to the fire service, including a call to member States to ratify and apply ILO Conventions on freedom of association, collective bargaining, equality of opportunity, labour relations, occupational safety and health, and pension rights. In response to the Meeting's request, the ILO had developed an International Firefighter Hazard Datasheet as part of the Programme of the International Occupational Safety and Health Information Centre (CIS). The current Meeting provided an opportunity to examine progress and to identify areas requiring further improvement.

Throughout the world, public emergency service workers played a key role in ensuring the safety of the population, maintaining law and order, rescuing people and protecting lives and property threatened by all types of disaster. They were the first ones to rush to disaster scenes to perform their duties, often at the risk of their own lives, their professional dedication the driving force behind their fearless and heroic actions. Sadly, it took the horrific scenes of the events of 11 September 2001, when 343 firefighters and 50 police officers in New York perished, for these workers' employment conditions to attract public attention.

Available information showed a rapid rise in the volume of work in public emergency services as well as an increase in the danger levels of these jobs as a result of economic, demographic and other factors. Despite increasing work volumes, employment in many countries showed declining or stagnant trends as governments, faced with financial constraints, were forced to close down some fire stations or reduce them to the minimum staffing levels. In these circumstances, emergency workers, including the police services, found themselves under increased pressure to deliver services as best they could with diminishing resources. The problems arising from financial constraints were particularly acute in many developing countries, where the number of inhabitants per firefighter could be as high as 33,000 compared to about 1,000 for many OECD countries. Many emergency workers in developing countries also had to perform their duties without adequate training, or were placed in risky situations without adequate protective clothing and equipment. In

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addition, they were often unable to reach emergency scenes as no properly functioning vehicles were available due to budgetary cuts. Determining the best way of providing efficient and cost-effective emergency services to all with limited resources required social dialogue, and the Meeting provided a forum for such a purpose at the international level.

Firefighters had the worst occupational safety and health record. Adequate enforcement of, and compliance with, safety and health laws could minimize the risk. All workers in public emergency services should be able to bargain collectively for their own health and safety. They should also participate in safety standards setting as they had much to contribute from their first-hand experience and knowledge. Particularly after the events of 11 September 2001, there was a growing concern for more effective emergency service delivery in many countries. New government agencies to coordinate their delivery were being created, or existing ones were being consolidated and streamlined to meet changing needs and environments. Structural change, however, was often implemented solely on the basis of financial consideration, even though for change to be sustainable, all factors should be taken into account. There were too many examples of failed public service reform, which provided good lessons of the consequences of inadequate consultation.

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Part 1

**Consideration of the agenda item**

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# Report of the discussion<sup>1</sup>

## Introduction

1. The Meeting met to examine the item on the agenda. In accordance with the provisions of article 7 of the *Standing Orders for sectoral meetings*, the Officers presided over the discussion.
2. The spokesperson for the Government/Employers' group was Mr. Patil and the spokesperson for the Workers' group was Mr. Lucy.
3. The Meeting held five sittings devoted to the discussion of the agenda item.

## Composition of the Working Party

4. At its fifth plenary sitting, in accordance with the provisions of article 13, paragraph 2, of the *Standing Orders*, the Meeting set up a Working Party to draw up draft conclusions reflecting the views expressed in the course of the Meeting's discussion of the report. The Working Party, presided over by the Government/Employer Vice-Chairperson, Ms. Wallstén, was composed of the following members:

### *Government/Employer members:*

Mr. De Rezende	(France)
Mr. Espinosa-Salas	(Ecuador)
Mr. Patil	(Employer member)
Mr. Tanizawa	(Japan)
Mr. Watson	(United States)

### *Worker members:*

Mr. Johnsen  
Mr. Liggins  
Mr. Lucy  
Ms. Mafani  
Mr. Munyao

## Presentation of the report and general discussion

### *Presentation of the report*

5. Introducing the report prepared by the International Labour Office, the Executive Secretary noted that, due to time constraints, it had relied mostly on Internet sources, thus heavily tilting its coverage to OECD countries. Two just-completed studies covering South Africa

<sup>1</sup> Adopted unanimously.

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and Argentina had been commissioned to try to offset this shortcoming, and they were available in English as supplements to the report.

6. The report highlighted employment growth in the public emergency services in some countries, and stagnation or a decline in others, due to budgetary constraints. Reduction was usually achieved through natural attrition and services were being provided with a smaller staffing level. In the fire service, for example, the minimum number of crew required on a fire engine was usually five, although in some countries it had been reduced to four, or even three in some cases, resulting in serious safety implications. Figures for employment in England and the London Metropolitan Fire Brigades, for instance, not only showed a steady decline between 1992 and 1997, but also that actual strength was consistently kept below the number of established posts, themselves in a continuous decline. Another aspect of employment in emergency services was its historical male domination, although there had been a slow increase in women employees in recent times. Minorities were similarly under-represented. However, because authorities were beginning to recognize that better communication was a prerequisite to more effective service, and that the best way to ensure such communication was a workforce representative of the community, efforts were being made by many governments to ensure a diverse workforce.
7. Two aspects of working conditions deserved particular mention. In many developing countries, workers were often obliged to moonlight to supplement pay that was insufficient for a decent living. Such work in lieu of rest had serious safety implications. In addition, the considerable increases in emergency services' workloads in the face of stagnant or even declining staff levels translated into additional worker stress. Work in emergency services had always been considered particularly hazardous, but it had become even more so as crime became more violent, and the firefighters' working environment similarly became even more hazardous. The safety records in some countries had nevertheless improved, due to enhanced fire protection, better technology and training. However, more still needed to be done. National safety laws were often not applicable to emergency workers, and many did not have the right to bargain collectively on safety issues, although they had much to contribute in standard setting on such matters, as a result of their practical experience. Emergency workers faced rising levels of stress and violence at work, and because of the nature of their functions, many suffered from post-traumatic stress disorder (PTSD), which seriously affected their performance and daily life. Studies highlighted high suicide rates among police officers, with many cases closely linked to PTSD. The risk of contracting HIV/AIDS and other communicable diseases during rescue operations increased emergency workers' stress.
8. The provision of quality emergency services in a cost-effective manner and against a backdrop of increasing budgetary constraints was a major challenge on which the ILO believed social dialogue, involving all stakeholders, provided the best channel for an optimal solution. Social dialogue was similarly the best avenue to address issues of the rights of emergency services workers in many countries, where their freedom of association and the right to bargain collectively were restricted. This was even more so in view of the fact that many countries also prohibited or restricted industrial action by emergency workers, on the grounds that the services were essential to public safety and that a minimum service must be provided at all times. A final challenge related to the need to ensure adequate, impartial and speedy dispute settlement procedures for emergency services in line with the view of the ILO's supervisory bodies in cases where industrial action in essential services is restricted or prohibited.

## **General discussion**

9. The spokesperson for the Government/Employers' group drew attention to the fact highlighted in the report's presentation that it drew heavily on OECD data, and did not

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reflect adequately the situation in developing countries. There had been an increase in the need for different kinds of public emergency services, particularly as a result of terrorism and newer types of crimes, such as those related to the financial area, drug-trafficking and others. There was therefore a need for technological upgrading and training of public emergency workers in both the use of technology, and for a more effective regime for the prevention and detection of crime. There was also a need for better financial support, particularly in the developing countries. Employers called for greater coordination between the police, firefighters and other public emergency workers, because there was an overlap in their activities. The number of personnel engaged in public emergency services was woefully low compared to service needs. Greater attention needed to be given to gender concerns especially in fire-fighting, which largely remained a male domain. The right to freedom of association and industrial action was limited in most countries, although in some cases mechanisms to facilitate dialogue existed, either through unionization or through other kinds of agencies, such as non-governmental organizations. Low salary levels needed to be reviewed, while housing, long hours of work, and safety and health concerns were an issue for many public emergency workers. However, these concerns needed to be balanced with the equally important consideration of increased effectiveness of public emergency services.

- 10.** The spokesperson for the Workers' group observed that his union, the American Federation of State, County and Municipal Employees (AFSCME) had more reason than most to reflect upon the service provided by public emergency service workers. Among the more than 3,000 who died in the 11 September 2001 attacks on New York and Washington, 634 were union members. While the Meeting focused on the needs of fire, police and emergency medical service personnel, it should not forget that many other workers played crucial roles in responding to disasters and dealing with their devastating consequences. The stress suffered by men and women at the hub of the communication networks, who were usually the first point of contact for people in need, could not be overstated. The trauma experienced by workers, such as morgue workers, who dealt with those whom public emergency service workers could not save should also not be forgotten. Emergency service workers around the world provided vitally important services to their communities, and none of them was any less deserving of union rights and fair pay and conditions than any other. But the nature of the service provided by public emergency service workers was indeed very special; they rushed into burning buildings when others were rushing out, because that was their job and duty; they confronted dangers that others avoided; they risked the effects of exposure to deadly chemicals, because that was their vocation, and they were professionals. Yet one of the shameful ironies the Meeting should confront was that, despite their extraordinary service, these personnel were often denied even ordinary rights and protection on the job. To express respect for such people, while denying them basic rights, was to treat them with disrespect. To demand so much from them while denying them the resources and equipment with which to do it safely was worse than negligent: it was cynical. All the tributes in the world to the self-sacrifice and courage of the 343 New York City firefighters and the emergency service personnel who perished on 11 September 2001, counted for nothing if the governments that employ public emergency service workers would not listen to them and respond to their needs. The bottom line was that core labour standards must apply to emergency workers as much as to any other workers. The rights to freedom of association and collective bargaining were not negotiable; they were the basis of negotiation and integral to the free, fair and democratic societies to which the ILO is dedicated. Yet in many countries, these rights were denied to firefighters, police officers and emergency medical personnel. The Meeting must agree that in the twenty-first century, this was simply unacceptable.
- 11.** Social dialogue was not only right in principle; it was also indispensable in practice as emergency services the world over sought to rise to new challenges in fast-changing environments. Workers were committed to the modernization of public emergency services

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to meet modern needs. But modern services required a modern approach to labour relations. The serious command problems in the disaster in New York, which contributed a great deal to some of the additional loss of life, were coming to light, and so the workers wanted to talk to the governments about those issues. The reality of terrorism required new analysis of personal risk and exposure for emergency response personnel. Governments had a moral obligation to take maximum steps to protect these workers, while their expertise must be mobilized to improve the services they provide. Their own protection, and that of the people they served so courageously, required enabling those employees and their unions to participate effectively and responsibly in the modernization process, through ongoing social dialogue. In this context, the workers' side declared its solidarity and support for the firefighters of the United Kingdom, locked in struggle with a government that said it was committed to modernizing the service, but appeared to be more determined to make cuts in it. The British Fire Brigades Union had in many ways led the way in pushing for modernization, and now demanded professional pay scales for the professional services to which their efforts had led. The Government's provocative response had been to seek to impose new working practices without negotiating them, to ignore the experience of front-line workers about what works well and what does not, and to refuse to even discuss increases except on those dictatorial terms. That was not a modern approach, but a regressive one, against which Britain's firefighters were right to resist. To modernize public service without social dialogue was not to modernize it at all, but to undermine it. For example, workers who expose themselves to new hazards as well as old ones must be afforded the protective equipment they require. That meant they must have a say in the choice of kit and equipment they were expected to use. Yet the ILO background report made clear that many public service workers risk their lives with inadequate equipment, and often with inadequate training. The report provided evidence of a glaring contradiction: while many governments and unions have collaborated to end the gender discrimination that kept women out of public emergency services in the past, those who had been recruited were often expected to go into action in protective clothing that did not fit, which was not just unwise, but scandalous. Social dialogue was as essential at the policy and senior management levels as it was at the front line.

12. Common sense dictated that changing systems, procedures and equipment should be in line with the experience of those that knew more than anyone else what worked and what did not. Not only did imposing change from the top go against modern labour relations practice, neither did it work. Governments needed to back their words of praise for emergency service workers with resources to enable those workers to do their duties properly, with as little risk as possible to themselves and the public. While risk could never be entirely eliminated from the world in general, much less from emergency services work, those who provided society with protection needed protection in turn. And when they were hurt and traumatized, as some would always be despite the best endeavours of employers and unions, they must receive the support and services they needed to recover. In the contemporary environment of urban terrorism, professional medical services and life-saving skills must be an essential component of a first-response programme. Emergency medical personnel must, in this context, be viewed as equal partners, whose requirements should not be subordinated to budget considerations. In line with the tenets of social dialogue, workers were not only making many demands on governments and employers, but were also prepared to reciprocate. Workers accepted that in the past, unions had been instrumental in perpetuating unacceptable practices that were a denial of equality of opportunity, and were putting their own house in order. Tackling the problem though, meant tackling wider problems of employment and social protection. Employers similarly must recognize that changing labour practices they saw as restrictive could only be done if the workers concerned felt secure in their employment. Unions could play their part in modernizing recruitment and retention practices, building new cultures and improving efficiency and effectiveness only if governments and employers would work with them fairly, honestly and openly to achieve that goal.

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- 13.** The representative of the Government of Kenya congratulated the Office on a clear and focused report. The Meeting afforded ILO constituents an opportunity to exchange views and experiences on recent labour and social developments as well as on social dialogue in public emergency services. In Kenya, the police force was under pressure to reform and expand, due to a rising crime rate, population growth, migration, traffic accidents and increasing poverty. The Kenyan delegation endorsed the view that there was an urgent need to take all available preventive measures to mitigate hazards for emergency workers. Adequate enforcement of safety and health laws, as well as general awareness raising on this subject, was the best way of minimizing accidents among workers. Continuous training of existing officers in human relations and rights could be important in helping to eliminate all forms of discrimination and harassment. Strategies to combat sexism and sexual harassment should also include strong commitment from management, clearly defined sanctions for non-compliance and disciplinary actions against perpetrators. The ILO and its member States should actively promote equality in all its forms. HIV/AIDS and other types of communicable diseases, such as hepatitis, were another area in need of urgent action. His Government held the view that all emergency workers should enjoy the same fundamental rights as other workers. Fair and speedy disputes settlements procedures should be made available to all those denied the right to strike. Finally, coordination should not be restricted to the different emergency organizations, but needed to be extended to other parties in the private sector, community groups, and all civic-minded citizens.
- 14.** The representative of the Government of France considered the report very interesting, but requiring to be supplemented with experience and situations in other countries that had not been included. The report's coverage seemed to be limited to English-speaking countries, to the exclusion of all others. The frequent reference to the "militarization" of public emergency services might be true for firefighters and the police, but surely not for hospital and medical emergency services. More generally, it would have been better to deal with the issues related to firefighters and emergency medical service personnel separately. While activities under these services were often coordinated in many countries, they were not connected. Several modifications to the document were proposed to provide a more complete coverage, ranging, among others, from applicable regulations and other legal provisions covering fire-fighting, the provision of emergency medical services, and the police. The reference to availability of funds for emergency services should more properly have read as funds allocation, as the issue was really one of political choice to allocate or not to allocate. He stressed important legal principles for emergency services, such as patients' right to free treatment, and various European Union directives providing detailed requirements on working conditions and safety and health issues. Where the rights of emergency service workers were mentioned in the report, their duties on such questions as professional ethics, moral probity, respect for human dignity, equitable treatment and confidentiality, should also be highlighted. Quebec, Canada, provided an excellent example of good practice. It had established a programme ten years previously to manage stress-related problems and to provide psychological support to doctors involved in emergency work, who were most susceptible to experience such problems. His delegation was providing written revisions and supplementary information on different sections of the report, covering legal provisions and principles in France and the European Union; team work; remuneration; stress management and counselling; coordination between public emergency services and other services; and on social dialogue.
- 15.** The representative of the Government of Ecuador thanked the Office for an interesting background report, regretting, however, that its focus was limited to English-speaking countries. The report would be enriched if it included more information on the situation in Latin American countries, where natural disasters, pollution and lack of infrastructure posed particular problems for emergency workers. He hoped that the Meeting would be

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successful in addressing these problems and suggest ways for emergency work to continue to function effectively, even in countries in economic difficulties.

- 16.** An observer, the Deputy General Secretary of Public Services International (PSI), congratulated the Office for the background report. Many of their 620 member organizations in 147 countries represented workers in public emergency services. He underlined the growing role of emergency workers in a modern world of increasing civil violence and natural disasters, as well as the everyday incidents and accidents in different countries that increased their workloads and responsibility. At a special ceremony to mark Workers' Memorial Day on 29 April 2002, the ILO Director-General had asked those present to focus on the dangers faced by a particularly vulnerable category of workers, those in emergency services, including firefighters, ambulance drivers, doctors and nurses, and policemen and policewomen. Those in attendance had heard special guest Brian Cleary, from the International Association of Firefighters from New York, calling on "... our employers, our municipalities to share in our commitment, not only after the tragedy, but before a tragedy has occurred". It was not the first time the role of social dialogue in ensuring well-run, efficient, and accountable quality service was discussed. The Meeting should build on what had already been achieved in previous ILO meetings. As the report made clear, the lack of resources for emergency services in many developing countries had dire consequences for both the workers concerned and for those countries' citizens. Efforts should be made to upgrade public and emergency services by investing in the essential infrastructure at the same time as making sure that workers receive appropriate respect, are adequately rewarded for the work they do, have job security, and their labour rights are adequately recognized.
- 17.** An observer, the Secretary-General of the International Federation of Employees in Public Service (INFEDOP), recommended the widest possible dissemination of both the background report as well as the report of the Meeting's proceedings. It was important to stress the increasingly specialized nature and high technical skills of public emergency services personnel. Authorities responsible for public emergency services needed to ensure that adequate measures, accompanied by a logical distribution of resources, were in place to cope with disaster in a context of an ever-changing environment. Because violence left physical and social traces, a holistic approach was needed to overcome traumas, ensuring care for carers. INFEDOP had developed guidelines – Critical Incident Stress Debriefing (CISD) – aimed at reconstructing group cohesion, as an integral part of the Federation's health and safety programme. It was important to institute continuing evaluation of risks in order to renew and ensure the best possible personal protective equipment for public emergency services staff. The re-enforcement of team spirit was also essential in providing effective services. Although it was too soon to draw conclusions, it was hoped that the Meeting would afford opportunities to raise different issues of great relevance to the sector.
- 18.** An observer from the International Council of Nurses (ICN) highlighted the Meeting's timeliness. A survey in the United Kingdom indicated that 22 per cent of ambulance services employed nurses directly, even as first responders. Most county councils in Sweden enforced staffing standards requiring inclusion of registered nurses in ambulance teams. However, the representation of nurses in the Office's background report was disappointing and misleading, since a recent survey of air ambulance services had found that nurses were included in 99 per cent of all public emergency medical teams. Such an inaccurate picture of staffing should be rectified in the course of the proceedings and in the conclusions of the Meeting. Nevertheless, the background report provided an excellent framework for discussion, although the general absence of statistical data on emergency medical services required further efforts to document performance, structure and working conditions in those services. Informed decisions through effective social dialogue could only be generated using reliable and service-specific statistics of public emergency

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services. Without doubt, participants would contribute valuable data that would help the Meeting adopt relevant guidelines and resolutions. Increasing workplace violence was a major concern in the health sector and for those involved in providing public emergency services. The ILO/ICN/WHO/PSI joint programme on workplace violence in the health sector had recently released international research findings and framework guidelines addressing the issue. These suggested strategies to reduce workplace violence, and highlighted two issues of primary importance: staffing levels and the skill mix of work units. Public emergency workers had the right and the responsibility to participate in the development of staffing standards ensuring the availability of the skills for quality services. A transparent and well-informed social dialogue allowed all the stakeholders to address the full range of needs, principally on working conditions, safety and health, and human resources.

19. A Worker member highlighted concern in Japan regarding job losses in public emergency services, largely as a result of deregulation and privatization. Although the number of firefighters was increasing slowly, and implementing guidelines on public emergency services fell under municipal authorities, none could currently meet the required levels. Most firefighters were already working 60 hours a week. Another serious problem was the lack of worker participation: front-line firefighters had no say in setting standards. On the whole, there was a general shortage of manpower and it was imperative that a concerted effort was made to alleviate this. Social dialogue was a key instrument in that process.

## **Point-by-point discussion**

### ***Employment***

20. The spokesperson for the Government/Employers' group commented on a number of core concerns under this issue, proposing some solutions. Understaffing could be dealt with by encouraging young people and ethnic minorities to pursue careers in public emergency services, and as for gender balance, more women had joined such services in developing countries in the past few years. Fire-fighting remained largely a man's job, while female nurses were being recruited as ambulance drivers. Separate funds should be allocated to public emergency services rather than be placed in common national health funds to overcome acute financing problems in developing countries. At the same time, all efforts should be made to prevent avoidable emergencies from arising in the first place, while better coordination should be instituted for control rooms. Similarly, better networking and exchange of technology among the different services should be encouraged. Community involvement in public emergency services was equally vital in terms of prevention, and there was a need for closer coordination between general health-care systems and public emergency services. Access to public emergency services should be free of charge to victims of trauma, accidents or injury.
21. A Worker member emphasized employer-worker understanding, noting that the latter provided human capital to complement the former's business capital, both of which were necessary if anything was to be achieved. Employers should therefore take workers into their confidence in developing their enterprises, including on the important issue of promoting a friendly public image of public emergency services. The report showed that in Sri Lanka, for instance, 67.6 per cent of the public condemned their public emergency services as not meeting their expectations. Better staff training, job specification and job evaluation were needed to ensure quality services, remembering that because front-line emergency services staff were the ones who had to directly confront problems, their participation in decision-making was all the more important. Social dialogue was similarly needed to allow workers to negotiate their employment terms and contracts. ILO Convention No. 87 was universally applicable, including with respect to work in public

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emergency services. Gender discrimination, as evidenced by the fact that only a few female nurses had found jobs in the sector, also must be addressed. Fire-fighting could be done by either men or women, and recruitment and training targets should be established. Dispute settlement mechanisms for these services were important, as the inability of a conciliation panel to resolve disputes promptly led workers to feel neglected and demotivated. Lastly, competency training standards were necessary if young people were to be attracted to the sector.

- 22.** Several Worker members commented on the effects of economic difficulties on their countries' public emergency services. Argentina, for instance, was faced with growing insecurity as a consequence of the economic recession and conditionalities imposed by the Bretton Woods institutions. The Government had prohibited allocation of funds for voluntary firefighters, as a result of which further insecurity could be expected. Seventy police officers had lost their lives in 2002 in the exercise of their duties, and yet workers in the sector did not have the right to organize. For workers in medical emergency services, however, the situation was improving slightly. In the Dominican Republic the situation was seriously affected by structural adjustment policies, globalization and unfettered capitalism. Workers in public emergency services were mostly volunteers and worked 24 hours a day earning 2,400 pesos, without the slightest protection. The same applied to the country's 27,000 policemen (out of a population of 8 million) who worked around the clock, confronting delinquents on the street, for a salary of 2,700 pesos. The emergency medical services, called "mobilmed", were private and fee-charging. These services were inadequate to deal with traffic accidents, which had to be handled by either the police, the civil protection service or fire service. The civil protection service offered paramedical services, but had no nurses for that type of emergency. Public emergency services in Pakistan had similarly been severely affected by privatization, restructuring and deunionization. Multinational corporations and private employers were retrenching existing personnel and replacing them with temporary staff or daily-paid workers not allowed to organize. Millions of workers lived below the poverty line, and there were many cases of jobless young people committing suicide. The Government had resorted to downsizing in the entire public sector without any accompanying measures to alleviate the social impact. In India, the highly centralized public emergency services were largely found only in urban areas.
- 23.** Another Worker member noted that, in the United States, the problem was one of allocation rather than availability of funds, as public emergency services were a mere adjunct of health services. Although the probability of most people dying or suffering injury as a result of disaster was minimal, everyone in old age would probably require an ambulance at one time or other. The Government was divesting itself of public emergency services and becoming more dependent on private corporations.
- 24.** Another Worker member highlighted the strides made in the United Kingdom in addressing understaffing and underfunding, in recruiting among ethnic minorities, and in developing preventive approaches, tackling the problems of training, and personal protective equipment. However, a major dispute had yet to be settled. Workers were trying to convince the Government that new money should be invested. The fire service had developed and modernized and was continuing in the same direction. Efforts to involve the community had led to good results, to effective, efficient and quality fire services. However, modernization had a different meaning for employers and employees. Workers were aspiring for overall improvement, while employers were more concerned with cuts and streamlining. While social dialogue was important, workers could not engage in negotiations which had as a consequence the erosion of quality services or cuts in emergency services. Social dialogue was welcome, if it aimed at improving and developing the sector, but not when it was solely aimed at imposing cuts or erosion of emergency services under the guise of modernization. Similarly, resources and financing

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must be made available to reduce risk and fatalities, not only within the fire service but also within the communities served.

- 25.** The spokesperson for the Government/Employers' group addressed the need for policies to raise the employment of women in public emergency services, and to progress faster in gender equality. While some progress had been made in this area in some countries, especially in the police and emergency medical services, much more remained to be done. This was particularly the case with regard to the firefighter services, which remained male-dominated. Prejudices against the recruitment of women continued, and there was a need to work towards changing attitudes. Lack of provisions for maternity leave, or arrangements that satisfied the need for an adequate balance between professional duties and family life, represented other barriers. Strict application of regulations on gender equality, as well as provision of crèche facilities, were some of the practical measures that could improve the situation. Vocational training in public emergency services for women could also help eliminate prejudices. Another problem deserving attention was that, even in countries where women's recruitment in public emergency services had progressed, men's pay levels tended to progress faster than those of women.
- 26.** A Worker member (United Kingdom) considered workplace diversity a goal that all member States should strive for in an open and transparent process of social dialogue. Unions and workers' representative bodies should also ensure supportive structures that protect minority workers from discrimination. Proactive recruitment campaigns targeting under-represented sections to ensure that public emergency services truly reflected their societies were to be welcomed, but such recruitment strategies should avoid impacting negatively on minimum recruitment standards. Diversity evolved over time in response to anti-discrimination laws and family-friendly policies. Employer and worker representative bodies could help ensure a robust policy, which included a commitment to the eradication of bullying, racial and sexual discrimination and homophobia, to enhance the environment for a work-life balance. The right of every employee to be treated with dignity and respect must be emphasized, and the positive responsibility of supervisors and managers to implement such policies must be made clear. It must be made equally clear that all employees must comply with those policies, or be subject to disciplinary proceedings. A decent working environment was critical to staff retention.
- 27.** The Worker spokesperson noted the direct bearing of ILO Conventions Nos. 100 and 111 to the issue of discrimination. Governments should introduce the principles of these Conventions into their national laws to achieve the same goals as the Conventions, and where they have been ratified, they ought to be implemented with the full involvement of unions through a process of social dialogue. Although physical requirements might bar some women's participation in the fire services, that did not mean there were no women who could compete for jobs in these services, so ways should be examined to eliminate artificial barriers to such women's participation. In addition, there ought to be a continuous programme of sensitivity training and awareness raising within the system so that built-in biases did not continue to generate hostile workplaces. In countries with diverse populations, employers should be obliged to maintain data on the composition of the services so that affirmative programmes could be instituted on the basis of the characteristics of the communities served by particular services. Social dialogue should help in identifying tailored equipment needs, especially for women, to avoid a one-size-fits-all approach. Additionally, women needed a role in social dialogue that gave them a clear voice.
- 28.** The representative of the Government of Japan referred to sections in the Office's background report quoting from the Japanese Policy White Book about the number of female police officers. He proposed some minor corrections to the Office's report to bring those sections into conformity with the White Book.

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## **Working conditions**

- 29.** The spokesperson for the Government/Employers' group believed that it was necessary to sensitize legislatures on the value of social dialogue as a means for workers to negotiate their working conditions and pay. In some countries the police had no right to strike, while in others the right to join unions was accompanied by a restriction on the right to strike. In many other countries, however, there were forums where social dialogue on the subject of pay and working conditions took place through negotiations between the police force, police unions and the government. In yet other countries without recognized unions or negotiating forums, there were mechanisms where some form of social dialogue could take place on working conditions. Social dialogue should be promoted at all levels to improve service efficiency, working conditions and salaries. It must also be stressed that emergency services were largely different from others sectors; they needed to be able to team up at very short notice, or even at no notice at all. Work organization could therefore not be considered in the same way as those in other industries.
- 30.** Several Worker members recounted experiences in their own countries pertaining to social dialogue on working conditions and pay in public emergency services. In Japan, the main objective of firefighters, who were categorized as municipal civil servants, was to secure the right to organize, which was presently denied. The provisions of ILO Convention No. 87 were not applied to firefighters, whose working conditions were decided unilaterally by their employer. There was a need to promote the ratification and application of the relevant ILO Conventions by the Japanese Government in order to rectify the current situation.
- 31.** In Pakistan, the Government had introduced a new labour policy with the stated aim of giving effect to the recommendations of a national tripartite labour conference held in July 2001. However, the provisions of this legislation were in many respects counter to the obligations accepted by the Government that the new labour legislation would be in conformity with the national Constitution, as well as the obligations assumed by the Government when ratifying ILO core Conventions Nos. 22, 87, 98, 100, 105 and 111. The present legislation imposed restrictions upon the exercise of workers' fundamental rights, including the trade union rights of public emergency services personnel.
- 32.** Unlike the situation in Japan and Pakistan, staff in public emergency services in Argentina and South Africa were able to engage in social dialogue in which workers' needs and concerns could be discussed. A provincial government in Argentina had, for instance, recently decided in consultation with workers from various public emergency services to have doctors on ambulances. Whenever a dangerous accident or incident arose, the partners agreed on the appropriate measures to mitigate the danger as much as possible. In South Africa, active social dialogue existed at different levels of social and economic spheres, at the local and national levels. In this way, different parties were able to influence policies to safeguard the interests of their constituencies. Of particular importance in South Africa was the fact that there was a commitment within Government to make sure that social dialogue took place. The country's labour relations legislation made it possible to regulate the organizational rights of trade unions and to promote collective bargaining at all levels. All workers, including those in the police force, had the right to freedom of association. Although the Labour Relations Act regarded the police as providing essential services, a minimum service agreement provided that were they to go on strike, they would be required to provide a skeleton staff. On the evidence of the South African experience, it would be appropriate to infer that social dialogue was the only means able to ensure labour relations conducive to the achievement of public emergency services' goals. Similar positive experiences were reported in the Dominican Republic, where social dialogue had contributed to harmonious industrial relations, and the effective determination of pay in different sectors, including in public emergency services.

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33. The Worker spokesperson emphasized the unique functions provided by the public emergency services. Workers in such services should not, because of such functions, be penalized by being denied the possibility of social dialogue. There was a consensus on the fact that workplace harmony was more likely where social dialogue mechanisms existed, and the denial of social dialogue produced conflict. There needed to be a formal recognition of the value of social dialogue.
  34. The spokesperson for the Government/Employers' group highlighted the difficulty of establishing pay parities between firefighters and the police given the fact that the two groups were employed by different authorities. As their duties also differed, the issue of pay was best left to the individual situations rather than attempting to impose standardization across the country. In India, for example, the fire services were mostly under local or district administrations, with pay levels fixed in accordance with those pertaining to the district to which they belonged. Salaries were also related to the cost of living, which varied widely between metropolitan centres and rural districts. The issue of pay parity was therefore irrelevant, except for jobs at the same levels in the same locations.
  35. A Worker member drew attention to the total absence of medical emergency services in the equation, noting that too often the role of the emergency care provider was completely ignored. And yet these personnel were required to operate under identical circumstances, side by side with firefighters and police officers. He noted – for the record – that ten emergency medical services personnel had lost their lives on 11 September in the World Trade Center attacks in New York City. Another 160 were injured, half of them permanently or partially disabled. A new study had found that the occupational mortality rate for emergency medical service providers was approximately 12.5 per cent, compared to the ILO report's stated national average of 5 per cent. And yet such personnel were paid approximately 20 per cent less than their counterparts in law enforcement and fire suppression, with the disparity increasing as people moved up the ranks. Work of equal value deserved equal compensation, and differentials aimed at addressing educational requirements and levels of training should be addressed through social dialogue. Failure to address this equality issue resulted in increased training costs as employers attempted to fill vacancies arising from high staff turnover rates.
  36. The Worker spokesperson suggested the recognition of different criteria around which governments could take position. The social dialogue process was the best approach in developing the means by which functions could be compared and the importance of each taken into account in establishing equitable pay parities between the services.
  37. The spokesperson for the Government/Employers' group supported the concept of a decent minimum wage and decent working conditions as ideal goals in the public emergency services, even though such an ideal changed continually with changing circumstances. Efforts should also be made to move towards fair wage regimes guaranteeing comparable pay for work of similar value in similar geographical areas.
  38. A Worker member (Dominican Republic) reported that whereas police officers in her country could retire after 20 years of service with a pension ranging between 1,500 and 5,000 pesos, depending on the rank they had achieved, the possibility was denied to firefighters. Because of this situation, the latter tended to retire when they were already very old, and often died while still in service because they could not afford to retire. Emergency medical services personnel faced the same situation, because a 1981 law giving them an early retirement option was unevenly applied, resulting in staff being compelled to continue working even when they were very old.
  39. A Worker member (Cameroon) stressed that a decent minimum wage should be one that provided sufficiently for one's daily bread. His country had adopted a programme of good

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governance, which included an undertaking to assure workers a minimum wage and decent working conditions. Although the monthly minimum wage had been fixed at a derisory CFA23,514 (about €36), even this was not applied. Workers' demands for its application were hobbled by the absence of effective social dialogue in the public sector. Success would depend on whether legal mechanisms for a permanent social dialogue on the minimum wage and decent working conditions could be established.

40. The spokesperson for the Workers' group stated that the issue of a minimum living wage was political, and to be decided by individual governments. However, ILO surveys indicated that a minimum level was beneficial to service delivery. It was also clearly recognized that wage standards were a factor in staff recruitment and retention. There were different approaches towards a minimum wage determination. In the United States, for instance, state, county and city governments mandated minimum wage requirements in relation to all contractors and contractual services.
41. The spokesperson for the Government/Employers' group, commenting on the issue of sustainable pension funds in the context of ensuring decent retirement for public emergency services workers, felt that in some countries this was satisfactory, but less so in some others. The right to a decent pension for public emergency workers was recognized, and good, well-functioning provident funds existed. In some countries, early retirement for public emergency services personnel was a possibility, especially in the fire services. In others, full retirement benefits were also allowed even in case of early retirement. Sweden was highlighted as an example of best practice in the area of pension and retirement benefits for public emergency workers.
42. A Worker member (United States) noted that in New York City police officers and firefighters could retire after 20 years of service, while emergency medical services personnel could do so after 25 years of service. There was no minimum retirement age and members began collecting their pensions immediately on retirement. Upon retirement at maximum service, each received 50 per cent of their base salary, with an annual cost-of-living adjustment. Members who become disabled in the performance of their duties due to injury or the contraction of a communicable disease could retire at 75 per cent of their base pay, free of any taxes. Pensions were paid through member and employer contributions to a fund managed by the city controller, and investments were made by the controller in consultation with representatives of both the employer and workers. In the United Kingdom, on the other hand, fire brigades' pension funds were neither protected – although underwritten by the Government – nor invested, and incumbent employee contributions were used to pay pension benefits to current pensioners. As the number of pensioners began to exceed the number of active employees, the solvency of the funds would be threatened, leaving employers with the limited options of reducing pension benefits or extending the minimum length of service.
43. Another Worker member (Germany) believed the term “pension fund” should be replaced by the more comprehensive “old-age insurance” because pension funds only dealt with one way of covering retirement. In some cases, a lower retirement age, with full retirement benefits – already existing in some countries – should be considered if health problems mandated it.
44. The Worker spokesperson observed that pension systems and schemes, while sometimes inadequate, at least existed in industrialized countries. The reality in developing countries was much different, even when elaborate schemes existed on paper. It ought to be universally accepted that all workers should be entitled to a pension at the end of their work life, with the form of such a pension determined within the local context. All governments should recognize the right of workers to participate in the dialogue around this issue. The bottom line should be that workers ought to receive a pension.

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45. The spokesperson for the Government/Employers' group believed there could be no universal solution to retirement provisions. He gave the example of India, where public emergency service workers were governed by the rules of the different state, municipal or district administrations who employed them. He agreed that social dialogue generally provided a good channel to address the issue, but such dialogue could not be exclusively for one group of workers because any pension or salary determination had to take into account comparability with remuneration and pensions in other occupations.

### ***Human resource planning***

46. The spokesperson for the Workers' group felt that, in many countries, the perception of certain functions in the public emergency services and the recognition of the individuals who performed them were relatively low. In addition, their insufficient wages and benefits almost certainly contributed to existing corruption. Formal outreach programmes resulting in recruitment from the community being served would add a better sense of recognition of the value of the service, and have some impact on the attitudes of the communities about the service. Ethics also needed to be a consideration in the recruitment and retention process, so that the services themselves occupied a higher level of appreciation in the community being serviced.
47. The spokesperson for the Government/Employers' group agreed on the need for improved recruitment and retention policies, including taking account of ethnic and other diversity criteria. Furthermore, because there was an equal need to develop better partnerships and trust with the communities, recruitment from various minorities could be seen in that context.

### ***Occupational safety and health***

48. The spokesperson for the Government/Employers' group called for multipartite social dialogue on the issues of improved safety and health in public emergency services and personal protective equipment (PPE) for women workers. Social dialogue had been used to improve the effectiveness of the public emergency services in a number of countries, especially in Europe, and to inculcate positive attitudes on the part of public emergency services staff.
49. A Worker member (Japan) reported high mortality and injury rates in Japan because of the dysfunctionality of the Japanese fire service. Accidents during training were around 30 per cent and the situation was worsening. The national occupational safety and health law did not deal with the dangerous jobs involved in public emergency work any differently from other occupations, and existing social dialogue mechanisms were insufficient, with decisions on personal protective equipment unilaterally decided on by the authorities. The proportion of women firefighters, at 1 per cent, was also very low and there could be no improvement in this area without corresponding improvements in the service's occupational safety and health. In addressing this issue, there was a need to examine, with staff participation, the risk in each job, and guarantee sufficient education and training. Information exchange on occupational safety and health in the fire services at the international level should also be enhanced.
50. Other Worker members reported better experience in their own countries. In both Germany and the United Kingdom, for instance, personal protective equipment complied with European Union directives, and genuine social dialogue existed. Firefighters did not wish to be injured, and their employers did not want to have their staff injured because that was expensive. Social dialogue on protection was accepted by all sides in both countries, and in

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Europe as a whole. It was high time the demonstrated value of social dialogue on the subject was extended worldwide.

51. The Worker spokesperson noted that the previous comments indicated this was one of the areas of total agreement by both sides. However, he regretted that when budgets become tight and resources scarce, it was generally education that suffered, although there was no more important area for education than health and safety. He drew attention to the ILO *Guidelines on occupational safety and health management systems*,<sup>2</sup> which spoke to the need to establish a management response to health and safety. He strongly recommended that employers review the document, which highlighted the success that can be achieved when worker participation was integral to the process.
52. The spokesperson for the Government/Employers' group stated that a number of countries had adopted legislation providing for health and safety to all workers, including in the public emergency services. Public emergency workers should be involved in setting safety standards, such as in the personal protective equipment area.
53. The representative of the Government of Benin added that in some countries special statutes addressed the protection of firefighters and the police. He believed there was a need for regional cooperation in this vital area, to exchange information and knowledge between developed and less developed countries.
54. A Worker member (United Kingdom) considered worker participation in decisions related to personal protective equipment and safety procedures vital, in the interest of the safety of both crews and the public. The experience and knowledge of firefighters should be harnessed to the greatest extent, and social dialogue gave the opportunity for information based on such experience to be shared.
55. A Worker member (India) called for a worldwide perspective on the safety of persons employed in public emergency services. There should be international cooperation to assist developing countries acquire appropriate facilities and equipment for their fire services and other public emergency services.
56. The spokesperson for the Government/Employers' group recognized the need for relieving stress among public emergency services workers, but few countries had established formal mechanisms towards this goal. Japan was one of the countries where appropriate measures were being taken. Other countries relied on peer support and training in stress management. In India, yoga and meditation were encouraged, as well as peer support and debriefing procedures. Some efforts were now being made to develop psychological support systems, for example in Quebec where a study had been conducted on the effects of stress and how it could be handled.
57. The representative of the Government of France said that in France occupational health and safety legislation applied to workers in the public emergency services. Most of the relevant rules and regulations were contained in Volume II of the Labour Code and based on the incorporation of European Union directives. It applied to public service employees in general and the public emergency services in particular, notwithstanding a number of minor restrictions stemming from the very nature of the activities of some of the emergency services. One example would be workers' right to leave any work situation they could reasonably assume to present a serious and imminent danger to their life or health. Firefighters did not have this right. It should further be noted that the

<sup>2</sup> *Guidelines on occupational safety and health management systems*, ILO-OSH 2001.

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implementation of health and safety legislation and regulations by employers required good social dialogue to have been established in enterprises, including those working in the public emergency services sector, in the form of ad hoc consultation bodies on which sat worker representatives and members of the committees for health, safety and working conditions. At these meetings regular reports on the health and safety situation in the enterprise were presented, accidents were analysed and the enterprise's prevention plan was discussed. As regarded the standardization of personal protective equipment, this took place at the European level and no provisions appeared to have been made which would prevent worker representatives from sitting in on the consultative working groups of the committees in charge of drawing up the norms.

- 58.** The representative of the Government of Italy emphasized the importance of applying a stress management strategy for these professions. In Italy the central health service was relied upon for psychological support, supplemented in peripheral areas by those involved on the ground. Basic training was provided for all staff in the fire brigades, and particularly for the management.
- 59.** The representative of the Government of Japan reported that comprehensive research on stress management and counselling for public emergency services staff had been undertaken in the past year, involving interviews with 1,500 firefighters. There were 900 fire brigades in Japan and it was impossible to provide sufficient support to all on a regular basis, but a system was being devised whereby centrally located specialists were despatched as necessary to individual brigades.
- 60.** A Worker member said that work-related stress was a huge problem, estimated to affect one-fifth of the workforce in the United Kingdom, and resulting in the loss of 5-6 million working days a year. It was the second largest occupational health problem after back pain. High levels of stress led to sickness and a greater risk of accidents. But, in addition to the effect on the individual worker, there were huge financial and economic implications. Stress was particularly high amongst those experiencing violence at work, whether physical, mental or verbal. Employers had to have a policy of zero-tolerance of violence at the workplace. Controlling violence required a combination of methods. There was a need for international guidelines and social dialogue to get a holistic approach to this worldwide problem.
- 61.** A Worker member (United States) said there were two forms of stress, cumulative stress that arose from day-to-day experience and stress arising from a critical incident. The latter was particularly severe and symptoms could take many forms, including alcoholism, sickness and even suicide. Counsellors and clinicians were needed in all workplaces to address this problem, but in less developed countries the resources were simply not available. Attention was drawn to a report entitled "Best practices in social dialogue in public emergency services in South Africa" which defined the stresses faced by police officers in that country. Although critical incident stress could not be prevented, it was possible to be proactive in addressing the factors leading to cumulative stress.
- 62.** Both the Worker and Government/Employers' spokespersons underlined the confidentiality aspect of stress management and the importance of ensuring that procedures put in place to manage stress should not be perceived as disciplinary action. While confidentiality was generally recognized as good practice, it should be formally enforced.
- 63.** The Secretary-General reported that the ILO would convene a meeting of experts later in the year to review and adopt a code of practice on violence and stress in the services sectors. The draft would be circulated to governments, who would hopefully consult with their sectoral social partners on the observations to be made on the draft.

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64. The spokesperson for the Government/Employers' group said that in some countries there were regulations and procedures to protect workers from HIV/AIDS which should be rigorously implemented. An exchange of information would be helpful. Public emergency services workers should be sensitized to the issue and educated on how to protect themselves.
65. A Worker member (South Africa) noted that the major risks to health in her country were HIV/AIDS, hepatitis B and C and tuberculosis. While viruses such as HIV/AIDS and hepatitis were transmitted through bodily fluids, the virus that caused tuberculosis was airborne. This made it more dangerous as it was not possible for a worker to protect himself/herself even if he or she wished to. Also it was not possible to prove that tuberculosis was caught at the workplace and therefore the worker was not covered by "workmen's compensation" when he or she became ill. Patients with any of these diseases were often at risk of discrimination by other workers who were fearful of contracting the virus. This put additional stress upon the public emergency services workers. Governments should provide information and training for the workers, as well as proper equipment to reduce their risk of infection while at work. Monitoring procedures should be set up, involving the stakeholders at the workplace.
66. A Worker member (Argentina) said that in his country the Ministry of Health in theory provided all that was necessary to protect workers in the critical services, but this was not always the case in practice. Workers could be infected because they had not received appropriate protective equipment. They could also suffer legal consequences.
67. A Worker member (Germany) suggested that the issue was not exclusively about HIV/AIDS but all infectious diseases. All of the emergency services were affected, particularly the medical services. In Germany, workers were protected in practice as well as in theory. They were fully informed and provided with proper protective equipment. In addition, where appropriate vaccines existed all workers had to be immunized. If a worker was infected, or if there was even a suspicion of infection, an incident report was drawn up, interviews conducted, and the procedures monitored by the technical and medical services.
68. The Worker spokesperson raised again the issue of confidentiality which had to be respected by both workers and employers. Trade unions had responsibility to ensure that workers were not victimized or discriminated against. Joint action was needed to ensure enlightened policies.

### ***The state of social dialogue and rights at work***

69. Mr. Carrière, ILO Senior Legal Officer and a specialist on freedom of association, addressed the Meeting on the subject of labour rights. Drawing on the reports of the Committee of Experts and the Committee on Freedom of Association, as well as relevant ILO Conventions and Recommendations, he summarized the ILO interpretation of three fundamental rights: freedom of association, collective bargaining and the right to strike.
70. The meaning of freedom of association had been well explained in the background report for the Meeting. The right to join a trade union of one's choice was a universal right. There were only two possible exceptions, the army and the police, as outlined in Article 9 of Convention No. 87. While some governments did not allow civil servants to join a trade union and others challenged the rights of prison warders or firefighters to do so, the Committee of Experts had upheld the right of these groups of workers to join trade unions.

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71. Collective bargaining and the right to strike were more complex issues, covered by a number of Conventions. Collective bargaining was considered a fundamental right in both public and private sectors. “Officials subject to the administration of the State” could be excluded, but this could be interpreted in a variety of ways. The Committee of Experts had adopted a narrow interpretation, making inclusion the rule and exclusion the exception. Also, collective bargaining had to be voluntary. Obligatory arbitration was contrary to the principle of collective bargaining and was only acceptable in a few circumstances, such as (1) for essential services if their interruption would endanger the health and well-being of the population; (2) at times of acute national crisis; (3) when extended and unfruitful negotiations indicated that the intervention of the State was necessary, in which case such intervention must take place as late as possible.
72. The right to strike was not mentioned explicitly in Convention No. 87, although it was referred to indirectly (in Article 3) and was mentioned in other instruments. Both Committees of the ILO supervisory machinery had concluded it was a fundamental, though not an absolute, right. It could not be guaranteed and could be restricted for certain categories of workers, such as officials in state administrations, essential services or in case of acute national crises. However, those deprived of the right to strike had to have compensatory guarantees such as arbitration or conciliation, all on a voluntary basis.
73. The summary presented was the general picture emerging from the comments of the supervisory machinery of the ILO. Those not happy with the situation in their country could make a submission to the Committee of Experts. Attention was also drawn to a number of documents on the issues raised and to the ILO web site where most of the relevant information could be found.
74. The spokesperson for the Government/Employers’ group said that basic rights at work needed to be respected. Respect for basic rights at work was a prerequisite for social dialogue.
75. Several Worker members underlined the fact that social dialogue was a basic right that should not be denied, even for firefighters, police and other public emergency service workers. Fruitful cooperation between the social dialogue parties required the recognition of rights, mutual respect, and respect for commitments agreed to during negotiations. Many African and other developing country governments were still closed to social dialogue in the public sectors. As an example of this tendency, a proposal by India’s 2nd National Commission on Labour that would virtually ban strikes by workers in socially essential services was highlighted. The right to strike did not always mean a strike was inevitable, but even if it was, public emergency services workers should not be barred from this basic right.
76. In response to the above comments, the spokesperson for the Government/Employers’ group, himself from India, observed that the Commission recommended that, while public services should not go on strike physically, they could be assumed to be on strike, so that the existing mechanisms for dispute resolutions could take immediate effect. The recommendation was currently under debate in the legislature.
77. In reply to a request for clarification from an observer from the International Organisation of Employers (IOE), the same ILO specialist drew attention to the publication, “Freedom of association, Chapter 9, Right to strike”. This discussed the importance of the right to strike and entitlement to exercise the right, and to the General Survey by the Committee of Experts on the reports on Conventions Nos. 87 and 98, prepared for the 1994 session of the International Labour Conference. Chapter V discussed the right to strike, including the general prohibition of strikes.

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- 78.** The Worker spokesperson stated that prohibition of strikes was not the essential issue. What was more important, and which had been recognized by the ILO, was the importance of strengthening social dialogue. In this respect, he drew attention to the conclusions on social dialogue in situations of structural change, and on establishing and strengthening institutions for social dialogue in the health services, adopted by the recent Joint Meeting on Social Dialogue in the Health Services: Institutions, Capacity and Effectiveness. He suggested that the ILO should consider the future of public emergency services and their relevance to society. It should also examine the issue of intrusion on the ability of the social partners to have social dialogue. He referred to a recent situation in the United Kingdom and an upcoming situation in the United States affecting social dialogue, asking whether, under ILO policies, employees whose jobs were privatized would then have the right to organize that was available in the private sector.
- 79.** The ILO specialist responded that it was not for ILO officials to say what would be the interpretation of the Committee of Experts or the Committee on Freedom of Association. Workers facing such a situation, however, would have the possibility to file a complaint, which, in the case of a country, such as the United States, which has not ratified Convention No. 87, would be made through the Committee on Freedom of Association, or, in the case of countries which had ratified Convention No. 87, could also be dealt with through submission of comments to the Committee of Experts. As concerned the right to strike, he noted that the analysis by the Committee of Experts had up to now turned not on whether workers were in the public or private sector but on the essential or non-essential nature of their service.

### ***Improving dispute settlement measures***

- 80.** A Worker member explained the current firefighters' dispute in the United Kingdom. Workers had entered into negotiations with the employers over pay, but the employers had tried to link pay to "modernization". The Government had interfered in the dispute, causing the negotiating structure between employers and workers to break down, which led to strike action. The ILO background report supported the argument of the firefighters in many ways. Negotiations should be allowed to take place between employers and workers, with arbitration as a last resort. But the Government had intervened in the first, rather than the last, instance. Legislation to ban strike action was now being proposed, with serious ramifications for all workers. The example showed how politics could influence dispute resolution. It was vital that all parties abide by the agreed procedures and that workers' rights were maintained through legislation and joint working parties.
- 81.** The spokesperson for the Government/Employers' group maintained that workers in emergency services should have the same rights as other workers. There was significant potential for social dialogue in dispute resolution and some countries had good mechanisms for this. However in other countries, the public emergency services workers were part of the military services with no right to negotiate.
- 82.** The representative of the Government of Kenya said there were two ways to improve dispute resolution mechanisms: first, by ensuring that workers and employers were committed to follow the laid down machinery, and second by making sure that, when disputes arose, they actually followed the procedures. Hence the issue of raising awareness among the two parties was very important. Commenting on the firefighters, it was pointed out that a strike could result in loss of life and property, causing them to lose public support, unless they agreed to provide a minimum service. The Government might have to intervene in such a case in order to protect the interests of the community.

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83. A Worker member clarified that dispute machinery existed in the United Kingdom and had worked up until June 2002 when the firefighters had been close to a settlement. But government intervention had disrupted the process. He pointed out that firefighters had broken picket lines to attend to their duties to avoid loss of life and they had agreed to continue to do so again if necessary.
  84. A Worker member (Japan), referring to a statement made by the Government/Employer side, denied that Japanese firefighters were able to engage in social dialogue. There could be no social dialogue when firefighters did not have the right to organize. Only when the National Firefighters Council were set up could there be dialogue.
  85. The Worker spokesperson made the point that budget cuts were often put forward as a priority which meant that the process of negotiation was doomed to failure. Social dialogue should embrace all factors having an impact on the outcome, including financial considerations.

### ***Coordination in public emergency services***

86. The spokesperson for the Government/Employers' group suggested that turf battles arose from lack of clarity in defining the roles of each of the services or from lack of proper training. In some countries there was good coordination at all levels, but in others it existed only at high levels or only on paper. Most European countries were well prepared for all types of emergency. Japan and the United States also provided examples of good cooperation.
87. A Worker member (Canada) pointed out that inter-agency battles often resulted from a struggle for funds. The report for the Meeting showed that demand for emergency services was increasing and additional investment was required. Social dialogue was needed to ensure adequate budgets and staffing. It was unfortunate that 11 September 2001 had to happen to focus attention on the plight of the emergency services.
88. The representative of the Government of Kenya suggested that a standing body was needed to ensure coordination of services in the event of a disaster. He referred to the experience in Kenya in August 1998 when the American Embassy, an 11-storey building, was blown up and many people were buried under the rubble. Such emergencies arose suddenly and could not be foreseen.
89. A Worker member (Spain) said that lack of coordination of emergency services was the fault of politicians and managers. Institutional inadequacies, resulting in turf battles, had been demonstrated in a recent shipping disaster in Spain. Thousands of volunteers were needed because of institutional failures in the early days of the disaster. The Government had justified the absence of emergency services on the grounds that no lives were at risk, but this was not true as there was a high risk of exposure to toxic products. Professionals had actually organized themselves on a voluntary basis because they had not been requisitioned by the authorities. This experience contrasted with that of France where the reaction to the disaster was properly coordinated and staffed by professionals and trained people. The emergency services in Spain could have been more effective had there been a single command point and better coordination.
90. The representative of the Government of Italy said that there was a law in his country dating back to 1992 specifying the competences of the various emergency services. National, regional and volunteer organizations all cooperated to deal with particular types of risk. The fire service was fully professional and coordinated by region with a mobile team that could be employed according to the type of disaster. A predetermined

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programme was applied in the event of an emergency. He drew attention to the potentially serious problem of a nuclear accident which would require coordination at an international level. An international “early warning” system would be desirable.

91. A Worker member underlined the importance of the public’s attitude to public emergency service workers. During the recent floods in the Czech Republic the public had been able to rely on the public emergency services. The fact that crisis management legislation was in place, as well as a system for post-crisis evaluation of the problems, had been helpful. Firefighters and medical services in his country were always ready to intervene in times of crisis. The police, whose regular duty in normal times was to keep order, could be called upon to supplement the efforts of emergency workers.
92. Another Worker member (United States) considered training of public emergency workers as the essential first step in ensuring proper coordination in the event of a major disaster. In 2000, following worker protests, the New York City Fire Department had ended all joint training exercises between police, fire and other emergency services personnel. Those exercises had been specially developed to respond to mass casualty incidents, and were crucial in identifying weaknesses or flaws in how the services responded to such incidents. In addition, the exercises served to educate each individual emergency responder about his or her specific role at the scene of a mass casualty incident. Those exercises had since resumed after the release of the McKinsey report on the fire at the World Trade Center. Public emergency service workers were neither administrators, budget managers nor politicians. Their expertise was to save lives, and many more would be saved were they treated as partners and have their concerns taken into account.
93. Smooth coordination and efficient communication at all levels within and between services were key factors in ensuring effective delivery of public emergency services. The tragic consequences of radio communication failure, when the Fire Department could not be reached, had been underscored in the McKinsey report. Micro-management led to territorialism, to egoism, and therefore to ineffective delivery of public emergency services. While lines of authority needed to be clearly defined, planning, education and training could resolve many issues and save lives.
94. A Worker member (India) expressed the view that, to avoid inter-agency conflict and ensure prompt response in crisis situations, public emergency services should be merged into a single, independent entity as they all shared the common goal of serving humanity. Much better coordination could be achieved with a unified structure, incorporating a dedicated staff from all these services with an independent pay system. With the rise of terrorism and the strategy to search for soft targets, there was a need to have a centralized control unit of PESs which would facilitate the necessary coordination.
95. The Worker spokesperson saw similarities in the views expressed on all sides. However, one question remained of prime importance for the workers: their involvement in the decision-making process. The ILO report had taken into account variations in the structures of public emergency services across the world, and workers wished to emphasize the need for standardization. Above all, such standardization was central to the lifesaving responsibility of public emergency services workers.

### ***Guiding principles for public emergency services workers***

96. The spokesperson for the Government/Employers’ group reiterated the importance of cooperation and collaboration between the different entities involved in delivering public emergency services. However, better public recognition could be given to public

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emergency workers in the form of awards or other tokens. Social dialogue at all levels would help to deliver effective public emergency services and improve working conditions. Efficient intelligence coordination and the need to protect public emergency workers from hazards were no less important.

- 97.** A Worker member (United Kingdom) felt that this item cut across all the points addressed in the discussion so far. A professional service could only be delivered by a professional workforce, and that goal could be underpinned by legislation, society's needs, as well as political will. All parties needed to engage in meaningful dialogue if adequate funding were to be made available. Equal priority should be given to all emergency services in resource allocation, since the guiding principle to be recognized was that emergency services were vital to an ever-evolving society. Cost could not be considered a factor in decision-making with regard to training, equipment and staff if the proper professional levels were to be achieved. Other considerations were better cooperation between the different services in order to reduce risks and safeguard a decent living standard and conditions of employment. The sharing of information throughout the international workforce was a further necessity in developing a professional service. However, while it was important to identify such measures for improving the sector, it was even more urgent that the necessary steps were taken to ensure that such proposals were implemented.
- 98.** Another Worker member (United States) was of the view that, in an age of terrorism, workers could not wait while governments, employers, and others balanced needs and interests against costs. Workers merely wanted to be in no doubt that their employers were unstinting in efforts to ensure that their families would be adequately cared for in the event of tragedy in the performance of their duties. Workers' safety and their employment status should not be held hostage; if a cheap public emergency service was the objective, then there was no doubt that it would be delivered. Ultimately, however, any debate on public emergency services should revolve around the value placed on human life.
- 99.** The Worker spokesperson concurred with the previous speaker, recalling that all ILO joint tripartite meetings on the health sector so far had focused on the importance of proper training for health workers. His group had drafted proposals dealing with occupational safety and health, which could be used as a basis for drawing up the guidelines, proposed as an outcome of the Meeting.
- 100.** Both the representative of the Government of the United States and that of the Government of Kenya declared their willingness to consider the Workers' written proposals.
- 101.** A representative of Public Services International (PSI) also wished to propose a text to be included as an annex to the guidelines. Given the importance of the issues, however, the Meeting had to keep in mind that in the ongoing review process of the Sectoral Activities Programme, one of the concerns was how to organize follow-up activities, making the best use of the action proposed by ILO sectoral meetings. The Governing Body of the ILO was studying ways to ensure effective follow-up. The guidelines should therefore take into account the mode of follow-up. PSI was of the view that governments had a responsibility to provide the required levels of resources for developing public emergency services, that workers in these services must be accorded protection under the law, and that the fundamental rights and principles laid down in core ILO instruments be applicable to them.
- 102.** The representative of the Government of the United States expressed interest in the revised draft guidelines incorporating the workers' additional texts to which he expected to propose specific changes. His delegation, for instance, proposed the deletion of the preamble, a clarification of the scope, and the strengthening of terms to eliminate any misunderstandings with regard to the interpretation of fundamental ILO Conventions. He

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hoped the Meeting would be able to arrive at a broad consensus with respect to ILO follow-up.

- 103.** The representative of the Government of Kenya declared that it was essential to clarify what forms of action the constituents required the Office to undertake. While the ILO was not the agency best suited to deal with public emergency responses, it could contribute to the sector by commissioning case studies and documenting best practices, which would all support the proposed guidelines.
- 104.** The Worker spokesperson stated that the workers would be interested in such case studies. They also shared the concerns of the governments and employers for consistency in the different language versions. Workers were especially concerned with the reference in the text to “tripartite decision-making” and wished to stress the accountability of governments and employers who both had roles to play in the process. The ultimate responsibility rested with the governments, so the question of accountability was a thorny issue which needed to be carefully considered. From the public’s point of view, the central focus of concern should be saving lives, and protecting workers in the process. However, addressing key issues in public emergency services meant the full involvement of all in the tripartite process.

### **Consideration and adoption of the draft report and the draft guidelines by the Meeting**

- 105.** The Working Party on Conclusions submitted its draft guidelines to the Meeting at the latter’s sixth sitting.
- 106.** At the same sitting, the Meeting adopted the present report and the draft guidelines.

Geneva, 31 January 2003.

*(Signed)* Ms. L. Sasso Mazzufferi,  
Chairperson.

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# Guidelines on social dialogue in public emergency services in a changing environment<sup>1</sup>

The Joint Meeting on Public Emergency Services: Social Dialogue in a Changing Environment,

Having met in Geneva from 27 to 31 January 2003,

Adopts this thirty-first day of January 2003 the following guidelines:

## General considerations

- A. A changing economic, social and security environment requires the enhancement of public emergency services (PES).<sup>2</sup> Such services must be adequately funded so that well-trained and properly resourced workers can deliver quality services, which are effective, responsive to different sections of community needs and defined by high standards of ethical behaviour on the part of service deliverers. There should be recognition of the vital role played by front-line PES workers in responding to the increasing threats to life and property in these uncertain times.
- B. To these ends, all PES workers should be able to effectively exercise their fundamental rights at work, in accordance with the 1998 ILO Declaration on Fundamental Principles and Rights at Work, so as to achieve quality working conditions which help ensure design and delivery of quality services.
- C. Social dialogue mechanisms based on the ILO Declaration on Fundamental Principles and Rights at Work between PES employers and the workers should be constructed where they do not exist. Such mechanisms are the key to an effective voice in determining the conditions that make for effective services.

## 1. *Employment and human resource development*

### Employment levels

- 1.1. Decisions intended to enhance services for effective delivery should balance a number of considerations:
  - 1.1.1. application of new technologies;
  - 1.1.2. staffing levels necessary to ensure decent work and quality working life;
  - 1.1.3. the nature and scope of anticipated needs;
  - 1.1.4. contingency planning for unanticipated incidents;

<sup>1</sup> Adopted unanimously.

<sup>2</sup> Public emergency services are defined to include police, firefighters and emergency medical personnel including doctors and nurses and paramedics called to respond to an emergency situation. For purposes of these guidelines, the definition excludes military personnel.

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1.1.5. budgetary allocations and use of funds.

- 1.2. Investments in PES should therefore be planned so as to avoid reductions in employment which erode services over time, and where necessary to increase staffing levels so as to provide better response rates and quality.

### Employment diversity

- 1.3. The need to achieve greater gender, ethnic and other diversity in PES employment requires enhanced efforts to eliminate prejudice and discrimination in these services in line with the equality of employment opportunity and treatment principles set out in the ILO's Discrimination (Employment and Occupation) Convention, 1958 (No. 111).
- 1.4. To enhance employment diversity, PES employers, in cooperation with workers and their organizations by means of social dialogue, should undertake to define and implement a policy on diversity. Such a policy should include as part of planning and management tools:
- 1.4.1. documentation and follow-up of a service's employment composition over time based on age, gender and ethnicity;
  - 1.4.2. establishment of objective recruitment benchmarks;
  - 1.4.3. an objective system of evaluating results.
- 1.5. To increase and/or maintain employment diversity, an active campaign to recruit and retain youth, women and ethnic minority candidates who are interested in and qualified for serving in PES should be an integral part of human resource planning. Recruiters' attitudinal changes should also be ensured where these are considered barriers to meeting objectives.
- 1.6. Measures to facilitate the achievement of recruitment/retention benchmarks may include:
- 1.6.1. legislation or regulation to facilitate maternity leave and reintegration to professional activity;
  - 1.6.2. policies aimed at helping to balance work and family life such as increased access to childcare facilities;
  - 1.6.3. analysis and action to correct career progression obstacles;
  - 1.6.4. provision of initial and continual training opportunities linked to career development;
  - 1.6.5. study and provision of appropriate personal protective equipment and its effective use;
  - 1.6.6. ensuring a work environment free of harassment, accompanied by gender and racial sensitivity training for all staff;
  - 1.6.7. a complaints policy which is equitable and impartial for all staff.

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- 1.7. Social dialogue should be an effective means of achieving commitment to more employment diversity in PES that greater reflects the community based on age, gender and ethnicity considerations.
  - 1.8. To effectively apply new orientations towards community-based service in response to law and order questions, a proactive communications policy for information sharing, the building of trust and the creation of partnerships between PES, especially police, should be achieved primarily through better diversity of ethnic representation.

## Training

- 1.9. Staff training and empowerment for improving services and the work environment should be considered as paramount for improved working quality and service delivery and should be adequately funded. Training programmes should be tailored to meet the increasingly specialized nature of PES work, providing personnel with the necessary skills and competences to meet their obligations and maintain a high degree of professionalism in a rapidly changing work environment. PES workers should have the right and responsibility to participate in the development of training standards that will ensure the availability of needed skills to provide quality services.

## 2. **Working conditions**

- 2.1. To avoid that the work of PES workers is undervalued, while productivity and quality service delivery is ensured, installation of a climate and mechanisms for effective social dialogue on better working conditions and appropriate pay structures and levels should be an overriding policy consideration for PES employers and workers. Salaries and other terms and conditions of employment should be considered as integral parts of HRD policies designed to recruit, train and retain well-qualified and experienced workers.
- 2.2. Faced with increasing workload and responsibility, PES workers' representatives<sup>3</sup> should be fully recognized through the social dialogue process in determinations over the organization of working time. Mindful that PES workers are different from workers in other sectors in terms of their responsibilities, the exigencies of service delivery and therefore their work organization, their unique social role should not be used to deny these workers the right to effective social dialogue on these issues. Such a denial would over time work against the objectives of rapid and quality service delivery.
- 2.3. Establishment of working conditions in PES should take account of the demands or needs of different local and national authorities. Terms and conditions of work should

<sup>3</sup> Throughout this text when the term "workers' representatives" is used, it refers to Article 3 of the Workers' Representatives Convention, 1971 (No. 135), which reads as follows:

For the purpose of this Convention the term "workers' representatives" means persons who are recognised as such under national law or practice, whether they are:

- (a) trade union representatives, namely, representatives designated or elected by trade unions or by the members of such unions; or
- (b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognised as the exclusive prerogative of trade unions in the country concerned.

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therefore be determined through collective bargaining or its functional equivalent at the appropriate level according to national law and practice. The extent to which the police are covered by such mechanisms should be determined by national laws or regulations.

- 2.4. PES workers in developing countries should be entitled to a guaranteed minimum income for a decent living in law and in practice. Minimum wages should represent a salary level that meets workers' needs for adequate living conditions, health and education of themselves and their families. An effective minimum wage could reduce or eliminate their work during off-duty hours to supplement their incomes which puts them at extra risk due to fatigue, and may also endanger the health and security of the public. Where not established by national law or practice, a legal mechanism should be set up with the participation of workers and/or their representatives to define the criteria for fixing minimum wage levels, their application and implementation.
- 2.5. In recognition of their obligation to work odd and irregular hours, and to respond immediately to emergencies, the following principles should be observed in defining working time and organization:
  - 2.5.1. laws stipulating maximum weekly hours of work, the minimum daily consecutive rest period and the minimum weekly consecutive rest period should be observed, except in unusual circumstances;
  - 2.5.2. when on duty, the rest periods of PES workers should be counted as working hours;
  - 2.5.3. in shifts of any length beyond normal working hours where the employer requires the worker to stand by for specific service requirements or at specific locations, such stand-by time shall be treated as working hours unless other compensatory arrangements exist. The employer shall be responsible for notifying the workers of such policy.

The application of these principles should be discussed and resolved through social dialogue and collective bargaining.

- 2.6. Pay structures should be established based on many factors, including required qualifications for employment, hours of work, risk and stress level. Comparability between different occupational groups of PES, including police officers, firefighters and EMS workers, should reflect local and national circumstances based on job and pay evaluation systems that are designed and operated through social dialogue. Parties understand that each sector of PES plays a unique yet equally vital role in the provision of public safety. This equality of work should command equal value in areas of wages, benefits and funding.
- 2.7. Based on available information indicating that women are concentrated in support positions and tend to earn lower salaries and wages than men in PES, the provisions of the Equal Remuneration Convention, 1951 (No. 100), should be applied to pay structures in order to ensure that work of equal value is compensated equally, irrespective of the sex of the official performing the duty.
- 2.8. Given the nature of PES workers' early retirement and pension schemes based on the hazardous work they perform, and the increasing imbalance between numbers of staff reaching retirement age and decreasing recruits, employers should plan for, design and finance retirement systems which guarantee benefits on retirement. Such systems should be managed by bodies on which all stakeholders, including PES workers, are represented.

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### **3. Occupational safety and health**

- 3.1. To reduce the psychological and/or employment impact on individuals, co-workers, families and organizations as a result of the death, injury, disability and illness of PES workers in the line of duty, PES employers should commit to high standards of workplace safety and health based on a proactive policy and preventive measures. Workers should participate in the process of design and implementation of these measures.
- 3.2. Concrete measures to this end should include:
  - 3.2.1. application to PES workers of local or national safety and health laws applicable to other workers, and their adequate enforcement;
  - 3.2.2. allocation of adequate resources for their protection and own rescue in situations whereby they risk their lives to save others;
  - 3.2.3. adaptation of new technologies developed in the area of safety and health to constantly improve the PES working environment;
  - 3.2.4. making available modern equipment that meets international standards to workers in developing nations;
  - 3.2.5. provision for collective bargaining, where applicable, over safety and health standards and their application.
- 3.3. In view of physical, chemical and psychological hazards they face in rescuing others, PES employers should provide PES workers with the best preventive measures available, including properly designed personal protective equipment (PPE) and materials. Protective clothing, boots and other equipment provided to women PES workers must be designed to meet their physical requirements in the interests of women workers' safety and health and efficient service delivery. There should be provision for ongoing research on ways of improving occupational safety and health and responding to the occupational diseases that directly affect PES workers.
- 3.4. The knowledge and experience of front-line PES workers, including representation of women workers on the relevant bodies, should be taken into account through social dialogue processes to appropriate design and use of PPE.
- 3.5. To reduce the impact of negative stress, the incidence of "burnout", and of violence on PES workers while on duty, notably the consequences of critical incidents such as horrific accidents and tragic deaths leading to post-traumatic stress disorder (PTSD), PES agencies should implement the following practices:
  - 3.5.1. establish adequate stress management and counselling programmes to protect their staff and immediate family resulting from a cumulative or a specific incident of stress, including critical incident stress debriefings (CISD), with particular attention to rural areas and developing countries which do not often have such provisions;
  - 3.5.2. adopt a "zero-tolerance" policy towards workplace violence and ensure a dynamic intervention to deal with any problems arising from violent incidents;
  - 3.5.3. undertake risk assessments of critical incident stress and violence possibilities;

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- 3.5.4. provide for regular review of challenges, policies and measures to deal with problems through effective social dialogue on stress and violence issues.
  - 3.6. In relation to increased concern among PES workers about contracting HIV/AIDS and other communicable diseases while handling the injured and the sick, cooperation of employers' and workers' organizations should strive to ensure that workers are educated, sensitized and given proper protective equipment against such diseases. In the campaign against HIV/AIDS and other communicable diseases, prevention strategies should be based on the application of the "universal precautions" principle, including the ILO code of practice on HIV/AIDS and the world of work. This may include provision of protective clothing (especially in rural areas), immunization where available, training in the application of the principle and the establishment of a monitoring mechanism to assess effective application.
  - 3.7. Where protective measures are not sufficient to prevent infection, workplace compensation for PES workers should be provided where infection is work-related.
  - 3.8. With regard to stress management and counselling programmes, as well as measures to reduce vulnerability to, and prevalence of, HIV/AIDS and other communicable diseases, confidentiality should be strictly observed and formally prescribed to avoid the stigma and potential workplace isolation that is often attached to those who undergo testing, stress management and counselling programmes.
  - 3.9. To take account of changing PES response and work environments, information sharing on planning and implementation of new safety and health measures, particularly on new technology developed and applied to PPE, should be encouraged at the international level. Such information sharing, especially on new challenges and on best practices, will especially aid safety and health improvements for PES workers in developing countries.
  - 3.10. Where appropriate, regional standards on PPE could be referred to when developing international standards for PES.<sup>4</sup>

#### **4. Social dialogue and rights at work**

- 4.1. It is widely recognized that effective social dialogue mechanisms between employers and workers, and where appropriate, users of services, are critical means to ensure the input of all stakeholders on key decisions concerning the full range of needs and constraints in the provision of public emergency services. Given that social dialogue can improve the ability of all parties concerned to make improvements based on common interests, and contribute positively to reaching compromises over divergent viewpoints, it should be the overall aim of PES employers and workers to institute effective social dialogue mechanisms to ensure that PES are well run, efficient, accountable and provide quality service.
- 4.2. Synonymous with respect for basic rights (cf. General considerations, paragraph B), elements of social dialogue should include the recognition of other parties, mutual respect and readiness to listen to others. These elements would ensure shared responsibility in implementing what has been agreed through social dialogue.

<sup>4</sup> For example the European Directives on PPE as applicable to the Members of the European Union.

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- 4.3. To ensure the respect for basic rights and the institution of social dialogue mechanisms, the following principles should be borne in mind when adopting policies and practices:
    - 4.3.1. the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), enshrine basic workers' rights to organize and bargain collectively, including those in public services. The extent to which these provisions are applied to the police shall be determined by national laws or regulations. Under these circumstances the relevant provisions of the Labour Relations (Public Service) Convention, 1978 (No. 151), and the Collective Bargaining Convention, 1981 (No. 154), should be applied.
    - 4.3.2. the process of collective bargaining should be on a voluntary basis between the interested parties.
  - 4.4. Where possible, disputes should be resolved through negotiations. In the event of failure to do so, fair, effective and speedy dispute settlement procedures, including conciliation, mediation and arbitration as appropriate, or if these procedures are unsuccessful, a mutually agreed legal process. These processes should be made available to all PES workers, including those whose rights to strike are restricted. Existing procedures should be improved with the close involvement of all parties concerned at all stages of the process.

## **5. Coordination in public emergency services**

- 5.1. Good coordination must be ensured among different branches of PES for effective service delivery, especially to realize the life-saving mission of PES. Effective coordination is best achieved by clearly defining the roles and responsibilities of each agency within a clearly established chain of command, authority and accountability structure. Elements of good coordination practices should include:
  - 5.1.1. Clearly defined parameters for each service, identifying specific duties in the provision of public safety. Each service plays an equally vital role and should be considered of equal value;
  - 5.1.2. coordination of services in a network of shared information and reliable communications, especially on crisis management and dangerous substances, at both national and international levels;
  - 5.1.3. delegation of authority within accepted and clear senior management guidelines and protocols;
  - 5.1.4. provision for continuous and joint training and drills involving personnel of different agencies concerned so as to identify weaknesses in the existing coordination mechanism and ensure its smooth functioning when an emergency actually strikes;
  - 5.1.5. provision of adequate funds for effective coordination to avoid competition for funds resulting from inter-agency "turf" battles.
- 5.2. Establishment of an international early warning system should be envisaged to better combat disasters that are international in scope.

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## Annex

1. The primary goal of the ILO today is to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity. This requires policies consistent with the four strands of the ILO's Decent Work Agenda, namely the promotion of rights at work, employment, social protection and social dialogue.
2. To achieve these objectives, the Governing Body of the ILO is invited to request the Director-General to promote and follow up the *Guidelines on social dialogue in public emergency services in a changing environment* through appropriate technical advisory services and technical cooperation to enable effective application by governments, the social partners and other key policy-making bodies.

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Part 2

**Resolution**

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## Consideration by the Meeting of the draft resolution

At its third plenary sitting, the Meeting set up a Working Party on Resolutions, in accordance with article 13, paragraph 1, of the Standing Orders.

The Working Party, presided over by the Chairperson of the Meeting, consisted of the Officers of the Meeting and three representatives from each of the groups. The members of the Working Party were:

*Officers of the Meeting:*

Ms. L. Sasso Mazzufferi (Chairperson)

Ms. M. Wallstén (Government/Employer Vice-Chairperson)

Mr. B. Robb (Worker Vice-Chairperson)

*Government/Employer members:*

Mr. B. Dupuis (France)

Mr. J. Van Charante (Employer member)

Mr. C. Watson (United States)

*Worker members:*

Mr. S. Mensah Nyarkoh

Mr. M. Saenen

Mr. O. Tariq

The Working Party met on Tuesday, 28 January to consider the receivability of the *draft resolution concerning future activities of the ILO relating to public emergency services* (WPR/D.1), submitted by the Workers' group. The group stressed the importance of broad research on the future of PESs especially in view of the threat of terrorism and the economic impact of the events of 11 September 2001. Research was needed to consider how public demands could be met while ensuring that the workers who were doing an essential job for their communities were protected.

The Government/Employers' group felt that the topics related to the agenda item, and would be better addressed in a discussion in plenary. The group also committed to working in good faith with the Workers' group in incorporating the proposals into the Meeting's guidelines so as to develop a strong, single, harmonized document.

Therefore, in accordance with paragraph 2 of article 14 of the Standing Orders, the Working Party decided that the draft resolution be referred to the Meeting for consideration and its substance incorporated into the guidelines.

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Part 3

**Other proceedings**

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## Panel discussions

### HIV/AIDS and other communicable diseases pertaining to PESS

*Moderator:* Ms. Lucia Sasso Mazzufferi, Chairperson of the Meeting

*Speakers:* Ms. Susan Leather, ILO/AIDS, ILO, Geneva

Mr. Norbert Dreesch, Department of Health Service Provision,  
WHO, Geneva

Mr. Jan Van Charante, General Manager, Occupational Health  
Foundation, Suriname

Ms. Anastasia Zygoura, Head, Department of Medical Services,  
National First Aid Center, Ministry of Health and Welfare,  
Greece

Ms. Nyameka Mafani, South African Municipal Workers' Union,  
South Africa

Ms. Leather said that the ILO had become involved in this issue because the health, rights and livelihoods of its constituents were affected by HIV/AIDS. All four of the ILO's strategic objectives were under threat because of the epidemic. AIDS was both a personal and a workplace tragedy. An estimated 42 million adults and children were living with HIV/AIDS, including over 25 million workers. In some countries, one-third of the workforce would be lost to HIV/AIDS in the next ten to 15 years. Employers would lose skilled, experienced workers, and thus suffer reduced productivity just as many of their direct costs were rising. Governments were facing a contracting tax base at the same time as there was an increasing need for health and social services. The ILO had much to offer the global response, including its tripartite structure and direct access to the workplace. The ILO had intensified efforts against HIV/AIDS following a tripartite meeting in Windhoek, Namibia, in 1999. Following a resolution at the International Labour Conference in June 2000, the ILO had set up a programme to promote and coordinate action on HIV/AIDS in the world of work, as well as mainstreaming HIV/AIDS in all its activities. In response to many requests for guidance from its tripartite constituents, the ILO produced a code of practice on HIV/AIDS and the world of work, approved in June 2001. The code contains fundamental principles for policy development and practical guidelines from which concrete responses can be developed at enterprise, community and national levels in the following key areas: prevention of HIV/AIDS; management and mitigation of the impact of HIV/AIDS in the world of work; care and support of workers infected and affected by HIV/AIDS; elimination of stigma and discrimination on the basis of real or perceived HIV status. The code is a voluntary document based on tripartite consensus. It is an instrument for advocacy, as well as a guide to the development and implementation of policies and programmes, and strongly promotes the social dialogue process. The code is deliberately broad in its scope and applies "to all workers in the public and private sectors, and to all aspects of work, formal and informal". It does, however, include a section on "training for workers who come into contact with human blood and other body fluids" (section 7.6) and it recommends the use of protective clothing and application of universal precautions, while emphasizing that HIV is not transmitted by casual contact at the workplace. Section 8.5 of the code sets out procedures to be followed in the event of accidental exposure. Ms. Leather ended by asking public emergency service

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workers to bear in mind that, due to their credibility and trust, they could provide leadership on HIV/AIDS in the community and workplace.

Mr. Dreesch of the WHO reiterated the tremendous impact of HIV/AIDS, adding that in 2002 there were an estimated 14,000 new HIV infections each day, with more than 95 per cent of these occurring in developing countries. He noted the general human resource constraints in the fight against AIDS, including: the imbalance of resources within countries and between urban and rural areas; the loss of trained staff to other countries; insufficient education and training to meet health needs; weak public health approaches; and, in many countries, poor staff morale, service ethos, supervision and general management. He described the impact of the HIV/AIDS crisis. There were significant challenges the crisis presented to human resources for health, including: increased demand for health services; changes in the burden of disease; loss of staff due to HIV/AIDS-induced illnesses (including TB); impact on working conditions; and impact on staff morale and motivation. He discussed the risk to health staff, including: risk from their own sexual behaviour; the perception of risk of exposure at work; and the reality of increased risk of contracting TB by HIV-positive staff. The stigma and fear associated with disclosure of HIV status led many staff to expose themselves to other risks. Workers often suffered from a fear of being fired rather than being offered alternative employment. This created a dilemma, where the human right not to disclose status, as well as stigma and fear, competed with the need not to be exposed to risky circumstances if HIV-positive. Discussing the findings of limited studies of large urban hospitals in Africa, he pointed to: lack of consistent policies for HIV/AIDS patient admission; high vacancy rates; working hour issues; rising HIV/AIDS admissions while total admissions remained the same; a redistribution of tasks among existing staff; and the crowding out of non-HIV/AIDS patients. Staff had reacted to increased HIV/AIDS volume by: reducing the quality of care to non-HIV/AIDS patients; placing greater reliance on nurses for both assessment and treatment; increased stress and higher turnover; lower morale following lack of access to anti-retroviral treatment; greater psychological support needs; and a vicious cycle of fear. As concerns the attitudes of health workers, the studies indicated that: 32 per cent said they would leave the health service for another job, with HIV/AIDS having an influence on this decision; 19 per cent preferred working for charitable organizations, while 29 per cent preferred to work in commercial/private hospitals; 19 per cent would prefer to leave the health sector altogether; and 50 per cent would opt to continue, despite the increasingly difficult working conditions. The studies indicated that health-system staff needed to: design programmes to reduce the pressure of HIV/AIDS patients on normal hospital use; review the impact of crowding out other patients; study the reorganization of patient treatment patterns; study staff training on HIV/AIDS issues (including training of PES workers); provide protective material to all workers; review personnel/remuneration issues; address voluntary counselling and testing issues so that they are dealt with in a humane and acceptable manner. The WHO, he said, supported generating evidence on: staff morbidity and other reasons for increased absenteeism; staff mortality trends; infection risk for different staff categories; knowledge, attitude and practices for infection prevention and staff HIV status risk; changing tasks of health workers and community prevention; and the attitudes of school leavers to working in the health sector in light of the HIV/AIDS scare. The WHO was supporting rapid assessments of national HIV/AIDS health worker impact studies in six sub-Saharan and other highly endemic countries. In addition, it was working to improve cooperation and networks among national and regional counterparts and among the concerned United Nations agencies, other international organizations, bilateral partners, non-governmental organizations, and others.

Mr. Van Charante began by making the following general points: that HIV/AIDS measures should address not only public emergency service workers but also volunteers (e.g., firefighters in some countries) and health workers handling patients after PES workers; that social dialogue should be expanded to involve health experts; and that the

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HIV/AIDS environment was constantly changing, making it difficult to predict future risks. He noted that specified communicable diseases included: HIV, hepatitis B, hepatitis C (meaning not A or B), tuberculosis, and meningococcal disease. He reviewed the role of key players. Employers should have an occupational safety and health (OSH) policy which protects the worker by a developed and written plan for notification, and that the plan should be developed in consultation with the OSH committee. Employers should be assisted by a designated representative, knowledgeable of infectious disease transmission and capable of providing support, and a medical health officer. He set out what should be included in the plan. Emergency service workers, he said, also have an essential role in protecting their own health. They should: work in compliance with OSH programmes; ensure that their immunization status was current; participate in tuberculosis screening programmes; participate in training programmes on prevention of transmission of infectious diseases; and initiate procedures as outlined in any protocol in the event of possible exposure. A study in Rwanda on the equity and efficiency of HIV/AIDS funding had shown that an insufficient percentage of total funds had been allocated to prevention activities. He said that the following issues required discussion: the importance of an OSH policy; the importance for PES workers to maintain a high level of physical and mental fitness; early retirement in case of inability to work; improvement in public services – started with how to establish such services; and the possibility of health sector reform through establishment of public/private sector partnerships. With regard to the latter point, he reiterated that the problem was far too great to be dealt with solely through national health budgets, and that the imbalance between countries in emergency medical services must be addressed.

Ms. Zygoura said that PES workers were almost certain to have contact with agents that are pathogens, and that these agents are easily transmittable either by simple skin contact or by air, blood or other bodily fluids. She named many of the diseases which can be transmitted by blood and other fluids. Emergency service workers had occupational exposure to these diseases. The issue was how to limit such exposure. She set out the many ways in which PES workers could be infected. The measures to prevent infection included worker education, observance of infection protocol practices and workplace activities that may mitigate exposure. She said that these measures called for: an exposure control plan; personal protective equipment; establishment of control practices and behaviours; the establishment of an infectious disease vaccination schedule and post-exposure management plan; and work education, citing the components of each of these measures. She noted, however, that there were often difficulties in imposing these measures. This called for, among other things, the use of performance indicators to monitor adherence to guidelines. In closing, she said that agencies should adopt HIV/AIDS policies, covering a statement of non-discrimination; patient care; education and monitoring; and the provision of specialized, confidential assistance.

Ms. Mafani said that the impact of HIV/AIDS and other communicable diseases on health workers included: discrimination (including by workers vs. patients); a burden of care; fear and misinformation; and pressure and stress on PES workers. The escalation of these diseases affected not only PES workers but also their families. She noted that, according to the Service Employees International Union, 80 per cent of health workers with hepatitis B are chronic carriers of that disease, yet were treated as invisible with regard to this epidemic. In southern Africa, she noted, 10 per cent of the adult population had HIV/AIDS. She reviewed the types of communicable diseases to which PES workers were exposed. These could be addressed by: preventative measures; workplace HIV/AIDS policy; and mobilization and education of workers. More attention must be paid to hepatitis C, however, as this was a more serious threat to PES workers. There was also a serious threat from TB, the “inseparable twin” of HIV/AIDS. Measures to address TB included vaccination. She noted that workers’ compensation did not always recognize TB as an occupational disease. As concerns policies on communicable diseases, she said that

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great attention was being given to HIV/AIDS. This should be reflected in national legislation. Attention must be given to the issue of notification of TB. In her country, the National Economic Development and Labour Council (NEDLAC) had developed a code of good practice on HIV/AIDS. Also needed were laws against discrimination. It was important, she said, to develop and implement prevention measures and training programmes. This required a commitment from all stakeholders. In her country, the trade unions had demanded that shop stewards be given HIV/AIDS training during working hours. More programmes were under development, including peer education programmes. Commitment by the largest federation of trade unions has made HIV/AIDS a major trade union issue and was working with the Government, business, and organs of civil society. There were, however, constraints, including the attitudes of certain individual employers, the lack of commitment by governments and budgetary constraints. The solution may be developed through social dialogue, industrial action and pressure on parliament. In conclusion, she stressed the importance of worker involvement in attempts to deal with the problem, as was shown by the commitment of the trade union federation in her country. Unions, she said, were in a position to influence the broader community through education and information.

## **Discussion**

A Worker member said that, in his country, his trade union had translated the ILO code of practice on HIV/AIDS into the local languages. An Employer representative said that in his country there were very serious efforts being made to address HIV/AIDS in the workplace, and that this was supported by governments, the ILO and other United Nations agencies.

Another Worker member noted that in some countries the pension system did not provide for early retirement due to the contracting of HIV/AIDS, and asked how this could be dealt with. In response, Mr. Van Charante said that in his country, the Netherlands, legislation required all employers to hold insurance which covered employees in the event of occupational accidents and diseases, and that this was dealt with by defining HIV/AIDS as an occupational disease. Ms. Zygoura said that in Greece such a case had arisen and had been dealt with by reassignment of the young person concerned to different but related work.

A speaker intervened to note that many insurers were not providing insurance for HIV/AIDS. Ms. Zygoura replied that in her country the Government provided such insurance for PES workers. Mr. Van Charante noted that it was necessary to distinguish between medical costs and disability costs. Ms. Leather said that the ILO was looking into this in two ways: firstly, the Social Finance Department was looking into a formula for insurance companies which would avoid HIV-based discrimination while not incurring unsustainable costs; secondly, the Social Security Department was looking at the implications of HIV/AIDS for statutory social security schemes, while also promoting decentralized systems of micro health insurance.

A Worker member asked whether the WHO classified HIV/AIDS as an occupational disease.<sup>1</sup> Another Worker member asked if any progress was being made on the extension of HIV/AIDS infrastructure to rural areas in developing countries. In reply, Mr. Dreesch and Dr. Gilks of WHO's HIV Department said that their Organization had set a target for

<sup>1</sup> For further information concerning HIV/AIDS and occupational health, Mr. Dreesch suggested that the following web site be consulted: <http://cyber.law.harvard.edu/population>. Click on annual review of population law, and then on AIDS.

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the extension of HIV/AIDS care, including to rural areas. Commenting on this, the Worker member who had posed the question said that, in lieu of the discussion of the need for public/private partnerships, but bearing in mind that little money would be available, he was discouraged about how this would be funded. In reply, Mr. Van Charante noted that the most expensive item was anti-retroviral. This might be dealt with by pooling resources amongst government and private sector employers and making the funds – and drugs – also available to the poor. Dr. Gilks of the WHO further added that it must be borne in mind that one-half of all cases were women, who were often not in an employment system, and that, in order to reach the poor in developing countries, substantial donations were needed from developed countries.

A Worker member, pointing to the preliminary findings from small-scale studies reported by Mr. Dreesch, said it was worrying that so many PES workers had indicated that they would rather work outside the public health service. A Worker member said that, while he had often heard that African countries did not have sufficient resources to deal with HIV/AIDS, he felt that this was often more a case of not using financial resources properly, i.e. using funds for other purposes.

### **Stress and violence that affect PES workers**

*Moderator:* Dr. David Gold, SafeWork, ILO, Geneva

*Speakers:* Mr. Vittorio Di Martino, International Consultant, Health Promotion and Organizational Well-being, France

Mr. Jan Van Charante, General Manager, Occupational Health Foundation, Suriname

Mr. Graham Humphrey, Fire Brigades Union, United Kingdom

Mr. Di Martino provided an overview to the panel session by presenting present knowledge of stress and violence in public emergency services, its causes and ways to reduce its negative effects. Stress occurs when the requirements of the job, the work environment or the work organization did not match the capabilities, resources or needs of the workers. In comparison with other occupations, police officers, medical staff and firefighters all rated high as occupations at risk of both stress and violence. Stress in combination with different forms of violence, such as assaults, threats and harassment often had a multiplier effect on the individual. By providing several examples from both developing and industrialized countries, Mr. Di Martino showed that this interaction could occur in all occupational categories of the emergency service, in some cases with a fatal outcome. For example, in the United States and Italy, the suicide ratio was twice as high among police officers than that of the general population. In fact, more officers killed themselves than were killed by others. Mr. Di Martino explained the dynamics of stress and pointed at two factors that could diffuse harmful stress: high control (e.g. to be well trained, have capacity to response and able to take responsibility) and support (e.g. recognition from public opinion, support from colleagues and management). Similar dynamics also existed for violence where training and organizational measures were considered as important diffusing factors. Mr. Di Martino emphasized that response to tackle stress and violence must be on both individual and organizational levels. On the individual level measures could include training, counselling, debriefing and rehabilitation as well as help to workers to reconcile work and family. Measures on the organizational level included management support, adequate staffing and improved dialogue with community. Mr. Di Martino concluded his presentation by stressing the importance of workers in the emergency service being given the same possibility as workers in other

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sectors to work in a safe way. Main focus for improvements should be on organizational factors, and on prevention rather than treatment.

Mr. Van Charante provided a list of different stressors common to emergency workers. The stressors could be grouped into three categories: individual, organizational and social stressors. There was however no strict separation between the groups as many stressors could relate to several categories. For example, concern for the well-being of the family would appear to be a social problem, but it could at the same time be caused by a number of organizational factors such as low level of remuneration, long hours of work and job security. Stress was not necessarily negative, but the problem was to identify the intersection between negative and positive stress. Stress was not only the result of overload, also under-loading could increase stress; a typical situation was the swift change in stress load following an alert call. A problem with stress-related symptoms was that they were not always easy to detect. Because of limited knowledge of occupational and health aspects, physicians often found it hard to determine whether an injury was stress related or not. An example was low back pain which could often be stress related. Mental disorders provoked by stress included sleeplessness and alarm phobia causing hypertension. For many, smoking, alcohol and other drugs was the way out. This in turn brought in other health and social problems in a downward spiral. Mr. Van Charante ended his presentation by providing a number of steps to tackle stress, such as yoga and meditation, proactive counselling, introduction of shift work to reduce hours of work, providing family security, providing good equipment that raised the sense of security. He stressed that whatever measure taken, it must be based on the individual's personality to be effective.

Drawing on his personal experience as a firefighter in the United Kingdom, Mr. Humphrey gave several examples on how stress affected the workers in the fire service. A large share of the work-related stress stemmed from managerial and organizational aspects of the service. Workers in the fire service were also often confronted by traumatic situations such as serious injuries and death, particularly involving children, as well as situations where their own lives were threatened. These incidents were often followed by long periods of post-traumatic stress disorder (PTSD). Typical symptoms included depression, aggression, apathy, low self-esteem, forgetfulness, guilt and shame. Not only were these effects detrimental for the individual's physical and mental well-being it also put strain on social relations with family and colleagues. Like in many other emergency services the close collegiality was very important in order to cope with the job. New workers were not always easily accepted into the group, but first had to earn trust and respect from the others. At managerial level the sense of loneliness often increased stress. Being in charge of an accident scene, the officer often had to make decisions based on incomplete information knowing that every misjudgement might have severe and even fatal consequences. The exceptionally long work hours for managers also put marital relationships at risk. Also the role of union representative, trying to respond to the high demand of members, involved a high degree of stress.

Dr. Gold said that stress, alcohol and drugs, violence (both physical and psychological), HIV/AIDS and tobacco all led to health-related problems for the worker and lower productivity for the organization. Taken together they represented a major cause of accidents, fatal injuries, disease and absenteeism at work in both industrialized and developing countries. For employers in the private sector they represented an increasing cost which could seriously affect the economic viability of the business. In the European countries more than 1 million work days were lost per year due to psychosocial problems. Each factor could be the cause as well as the result, and problems could sometimes emerge due to the interaction between home and work. They might start at work and be carried on outside work or vice versa. To meet this challenge, the ILO had developed a new training package – SOLVE – designed to assist governments, employers and workers with a view to: improving psychosocial working conditions; reducing costs and improving

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productivity; and relieving the burden on the worker. To address these problems at the organizational level, a comprehensive policy should be put in place. Apart from day-to-day operational issues, a workplace policy should address occupational safety and health needs including psychosocial problems. Traditional approaches had neither addressed the policy requirements nor led to action required in reducing the negative impact of psychosocial problems. The SOLVE methodology was designed to allow for an organization to integrate psychosocial issues into overall organizational policy and establish a framework for preventive action. SOLVE also represented a paradigm shift from treatment to prevention. The ILO, with its tripartite structure and its leadership in occupational safety and health, was in a unique position to develop and support activities which translated concepts into policies, and policies into action at the national and enterprise levels. The SOLVE package typically consisted of four parts: (1) briefing package for senior officials; (2) the SOLVE policy-level course; (3) introduction to SOLVE for workers and supervisors; and (4) MicroSolve. While the five-day SOLVE policy workshop worked towards establishing a comprehensive organizational-wide policy, MicroSolve modules would address each of the major psychosocial problems and would provide step-by-step guidelines for putting preventive action in place. Hands-on, active training allowed the participants to develop and apply workplace strategies encompassing the five subject areas. The ILO had held courses in Italy, France, Malaysia, India, South Africa, Namibia and the United States and also held train-the-facilitator courses. Projects for 2003 included translation of the training packages for wider dissemination; evaluation module for instructors; new edition of the policy course; and tailor-made SOLVE for selected sectors, e.g. emergency workers.

## **Discussion**

Replying to a question on how to make high-level management respond to problems created by inadequate policies, Dr. Gold emphasized that SOLVE was a useful tool for this, but stressed that it was important to have an agreement with the top level to also put high-level policies under scrutiny when reviewing the organization.

A Worker member described a landslide in Japan in 1989 which eventually led to the death of several rescue workers. In their effort to save three people buried in the landslide, the rescue workers compromised their own safety with tragic results. The question – what could be done from the organizational point of view to reduce the risk for emergency workers – was raised. Several participants agreed that in this kind of critical situation it was often difficult to maintain an effective command and control structure. Even the best preparations and rescue plans had their limitations in an unpredictable environment. Debriefing was a critical instrument to identify and correct deficiencies in the structure. During a debriefing it was important to allow for affected personnel to discuss the event in detail, including their feelings and to receive mental counselling from trained personnel. An eyewitness from the 11 September attack described the survival guilt that followed seeing so many colleagues being killed.

Mr. Van Charante emphasized that medical personnel and particularly doctors needed more training on occupational and health aspects in order to better detect and treat stress-related symptoms. He added that emergency workers should pay more attention to their own health and safety. Mr. Di Martino commented that the root of stress-induced problems was often organizational. This included more strategic issues such as staffing and work hours.

A Government representative recognized many of the problems that had been presented and discussed during the panel session. He emphasized the importance of adequate training to tackle stressful and violent situations. He called upon the ILO to carry out awareness-raising programmes such as SOLVE to improve both working conditions and performance in emergency services. Dr. Gold emphasized the link between good

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working conditions and productivity. He said that failing to address these critical issues would lead the emergency service in a negative circle towards poor morale, reduced capacity, reduced services and higher costs.

An Employer member pointed at some encouraging experience from his country where a ten-year OSH programme had significantly decreased absenteeism and work injuries among emergency workers in a private emergency service. The focus had primarily been on guidance to managers and union representatives as well as to proactive counselling. They were now taking this one step further and were introducing physical treatments such as chiropractics and massages.

Several participants stressed the importance of anonymity and confidentiality to allow workers to turn to help without fearing that it might have a negative effect on their career or workplace relations. The moderator Dr. Gold concluded the session by expressing his thanks to the presenters and the participants. He emphasized that dialogue was important in order to raise productivity and enhance working conditions in the service.

## Human resource development issues in PESs

*Moderator:* Ms. Lucia Sasso Mazzufferi, Chairperson of the Meeting

*Speakers:* Mr. David Michael, Consultant, former Detective Chief Inspector, New Scotland Yard and a founding member and former chairman of the Black Police Association, United Kingdom

Mr. Martin Oelz, Equality and Employment Branch, ILO, Geneva

Mr. Kwadwo Adansi Bonna, Acting Chief of Personnel and Administration, Ghana Ports and Harbours Authority, Ghana

Mr. Michael provided an overview of diversity issues based on his 30 years of experience in the Metropolitan Police Service in the United Kingdom. He pointed out that apart from gender, diversity should be understood in a broad sense, including ethnicity, race, religion and other aspects. In the past, police services did not reflect the communities they were serving in terms of composition. The exclusion of minority groups or women from police service was due mainly to cultural attitudes and opinions. In the 1950s and 1960s, black persons in uniform were not accepted by the population, and women were to raise families and children rather than seek employment. Even in the early 1970s he felt there was discrimination in the police service. The recruitment of black police officers has been slow over the years. The Stephen Lawrence Inquiry and several other initiatives undertaken raised awareness of equal employment opportunities. While diversity policies were developed, gaps in implementation of these policies became apparent. Mr. Michael had high expectations of the new diversity policies, but was disappointed by the discrepancy between the policies and verbal commitment made by politicians and management, and the reality. While acknowledging that a disproportion in the ethnic composition of the police personnel existed, some action had been taken to address this issue. A series of seminars were launched ("Bristol seminars"), which generating much information, which in turn served as a basis for creating networks, aimed at the improvement of working conditions of black personnel. In 1993 the Fairness Community and Justice Conference was organized by the Metropolitan Police, which brought together individuals and organizations inside and outside the police service concerned with equal opportunities questions. At that time the Police Commissioner declared that discrimination was unacceptable in the service, thus giving a strong signal and support to those who were combating racism. The conference resulted in a range of activities promoting diversity and

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in the subsequent year the Black Police Association was founded at New Scotland Yard to ensure a fair and equitable working environment for black personnel, to create a better relationship between the black community and the police and with a view to quality-service delivery. Another institution launched was the establishment of the Equal Opportunity Committee, where complex recruitment structures, identified as a hindering factor for the recruitment of minorities, were addressed. The major aims of the committee were to give more confidence to minorities in the police service and to carry out investigations on racism and violence. Mr. Michael concluded by saying that legislation alone was not sufficient to bring forward the status quo. He strongly felt that managerial leadership and empowered workers were needed for effective implementation of diversity policies, as those managers who perpetuated the old systems and work environment despite new regulations posed a serious challenge to the service.

Mr. Oelz introduced the two most relevant ILO Conventions on non-discrimination and equality in employment: (1) the Equal Remuneration Convention, 1951 (No. 100) establishes the principle of equal remuneration for women and men for work of equal value. In order to determine work of “equal value”, the Convention calls for analytical and objective job evaluations based on criteria related to responsibility, skill, effort and working conditions. This also implies a comparison between different jobs, not necessarily within the same establishment. In the public sector, including PESs, the government has an obligation to ensure equal remuneration, while in the private sector it must make efforts to promote the principle of the Convention; (2) the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) requires governments to promote equality and to eliminate discrimination through a national policy. Discrimination is defined as any distinction, exclusion or preference on the basis of race, colour, sex, religion, political opinion, national extraction or social origin with the effect of impairing equality of opportunity or treatment. He pointed out that whether these two Conventions have been ratified or not, all ILO Members had the obligation to respect and promote the principles concerning the elimination of discrimination in employment and occupation under the 1998 ILO Declaration on Fundamental Rights and Principles at Work. With regard to PESs, he gave some practical examples on the application of the Conventions. Referring to the earlier presentation, he mentioned that the Committee of Experts on the Application of Conventions and Recommendations (CEACR) frequently requested information on the ethnic composition of police forces and on measures taken to facilitate access of minorities. As far as the CEACR is concerned, justifying the status quo because of service users’ viewpoints (e.g. a population’s non acceptance of black police officers) by excluding minority persons from employment in PESs would not be acceptable. With regard to gender equality, the importance of ensuring equal access to professional training was highlighted, including through the elimination of gender-biased selection criteria. In a recent observation, the CEACR asked a government to consider removing the existing quotas restricting the admission of women to the police and the fire-brigade schools to 15 and 10 per cent respectively. It did not accept the explanation that the majority of jobs (90 and 95 per cent respectively) could only be performed by men due to their biological characteristics, but instead argued that exclusions based on the inherent requirement of the job were only justified if they were objectively determined and took into account the individual capacities of each candidate for a specific job. One element to eliminate gender-biased access restrictions in PESs should therefore be an in-depth re-examination of the various job requirements. Regarding equal pay, a first step would be to conduct in-depth analyses of the causes for existing wage gaps, taking into consideration not only comparisons within the same rank but also by identifying jobs in which women were concentrated and by monitoring the trend in pay levels in those jobs. Mr. Oelz concluded by saying that openly discriminatory legislation was rare today, but emphasis must be put on measures to ensure equality in practice. Further legislative measures or institutions could help promote equality. Regarding sexual harassment, clear policies and procedures to deal with such cases would not only help protect women already in PESs, but also make

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careers in those services more attractive. Services that promoted equality and diversity performed better, and this applied to PESs as well. A wider sharing of good practices would help to overcome prejudices. Sustainable progress could only be achieved by the involvement of the employees and cooperation with unions and with clear guidance from top management.

Mr. Bonna gave a brief overview on gender and ethnic/racial issues in PESs in Ghana. Ethnicity had not been an issue in his country with regard to recruitment. However, police and fire services had been male dominated dating back to the colonial times for two reasons: the jobs were considered as dangerous and suitable for men only; and women were more committed to raising children. In both professions, women had been restricted to secretarial and clerical functions. In the medical emergency services women dominated the nursing service, which was not considered as attractive to men due to social stigmatization. The changes in public perceptions of women's role contributed to a gradual rise in the recruitment and retention of women in PESs. Increasingly, well qualified women were occupying responsible positions in PESs; for example, the Deputy Inspector-General of Police was now a woman. In general, PESs had improved considerably during the last decade. While the police service had in the past been seen as an instrument of oppression with reference to colonial times, its reputation had further been undermined through corruption and erosion of public confidence due to lack of equipment and logistics. The handicap of the police in responding to emergencies came under sharp focus and an intervention was finally initiated, resulting in the provision of more vehicles, protective equipment and better accommodation for staff. These changes contributed to the boosting of staff morale and the increased ability to respond to emergencies. Public image was also redeemed by promotion in the media, while the police service extended its responsibilities by taking over certain functions from the military. More community participation in the service was enhanced, and more information was willingly provided. The fire service received a lot of resources during the bush fires in the 1980s. All districts now had fire brigades, while volunteer firefighters had been formed in all villages and were regularly trained. The provision of medical emergency services was still at a very low level in Ghana. Recent developments included the import of more ambulances and their deployment at strategic locations on highways for better emergency response outside the capital. These improvements, Mr. Bonna concluded, provided a chance for the PESs to play the role in society for which they were intended.

## **Discussion**

In response to a question regarding coordination of services, Mr. Michael confirmed that the various PESs were collaborating on a regular basis and mentioned practices in London to train for coordinated action in response to mass events. Mr. Bonna reported active collaboration of services in Ghana as well, giving an example of a fire incident where police supported firefighters by maintaining order in the area concerned. Regarding a question of organization of workers, Mr. Michael drew from the experiences of the Black Police Association, highlighting the importance of networking not only among associations of minority people but also among all professionals in PESs, as this was a major means of support.

A Worker member inquired about the retirement age. The responses given were that in the United Kingdom it was at 55 years of age due to recent changes, while in Ghana it was at 45 on a voluntary basis and mandatory at 60.

Mr. Oelz was asked what measures the ILO could take in case of violations by governments in the application of the Conventions. He commented that the ILO's basic approach was to promote application through cooperation and dialogue. Governments were required to submit reports on how they were applying the Conventions within the

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supervisory process of ILO Conventions. Should there be comments submitted by workers' or employers' organizations, the governments would be asked to comment on them. He pointed out that all ILO instruments were available on the Internet or on request.

A Government representative said that in his country, Benin, the principle of equality was enshrined in the Constitution, although problems existed in its application. As women faced difficulties in getting certain positions, positive discrimination was being observed in favour of women in recruitment. Achieving ethnic diversity was a major problem as the country was composed of 60 different tribes. As for recruitment in the public services, a quota system was being applied to better reflect the actual ethnic composition in the workforce, but this in turn prevented adequate distribution of qualified personnel to various posts.

Finally, a Worker member provided information on her country, the Dominican Republic. She said that out of 27,000 police officers 3,000 were women, as opposed 15 women out of 6,000 firefighters. The average wage in the police service was 1,700 pesos (approximately US\$80), lower than that of 2,500 pesos for firefighters. The retirement age in the fire service was 55 years of age (similar to the police force), or after 21 years of service. Both professions were not organized in unions. The conditions for doctors and nurses were different, as they were able to strike or negotiate for better working conditions. The minimum salary for nurses was 7,000 pesos, while that for doctors was 13,000 pesos. Both nurses and doctors usually retired after 20-25 years of service.

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## Closing speeches

The Secretary-General noted that the Meeting adopted a set of guidelines on social dialogue in public emergency services in a changing environment. It had been the first time that such guidelines had ever been adopted at a sectoral meeting lasting for one week. She recognized that it might not be as comprehensive as those that were produced after a series of meetings and negotiations. Nevertheless, having captured and contained as accurately as possible the views expressed and discussed and the underlining principles agreed during the week, it was a product of efforts of all the participants at the Meeting. It was a product based on the spirit of compromise and consensus with a common understanding and recognition that public emergency services and their workers played a vital role for the safety and security of our society and that we all needed to strive to ensure quality emergency services in a rapidly changing environment. While this set of guidelines would not be binding, she stressed that its adoption represented an agreement in the Meeting to promote enhanced social dialogue to allow the participation of emergency workers and their representatives in improving their working conditions and ensuring quality services, particularly at a time of heightened security considerations.

Mr. Watson (Chairperson of the Government/Employers' group) expressed his deep gratitude to his fellow delegates in his group for their hard work, cooperation and support throughout the week. He also thanked the Workers' delegates for their spirit of compromise, which had made it possible for the Meeting to adopt the guidelines. He commended the work of the secretariat, without which the Meeting would not have proceeded smoothly and concluded with satisfactory results.

Mr. Lucy (Chairperson of the Workers' group) reciprocated his gratitude to the Government/Employers' delegates and also expressed his sincere thanks to his colleagues and the secretariat. Before concluding, he referred to paragraph 4.4 in the guidelines and requested the Meeting to note that access to legal procedures should not supersede the resolution process specified in the collective bargaining agreement or in existing law. He stressed that this point had been agreed on between the Government/Employers' and Workers' groups and the request for the Meeting to take note of it was jointly being put forward.

The Chairperson of the Meeting thanked all the delegates for their dedication and active participation throughout the week, which resulted in the adoption of the guidelines. She thought that the consultative work in the Meeting had reaffirmed the importance and usefulness of social dialogue in negotiating any labour- and employment-related issues that arose between workers and employers in a changing environment and arriving at amicable solutions. It was also agreed in the Meeting that social dialogue was the best way to ensure the delivery of quality public emergency services by competent and committed employees of high moral standards. She expressed a great sense of satisfaction with the output of the Meeting, which would assist all parties concerned in planning future work in promoting "decent work" in public emergency services. The Chairperson declared the Joint Meeting on Public Emergency Services: Social dialogue in a Changing Environment closed.

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## Evaluation questionnaire

A questionnaire seeking participants' opinions on various aspects of the Meeting was distributed before the end of the Meeting.

**1. How do you rate the Meeting as regards the following?**

	5 Excellent	4 Good	3 Satis- factory	2 Poor	1 Unsatis- factory	Average score
The choice of agenda item (subject of the Meeting)	12	5	1	0	0	4.61
The points for discussion	10	8	1	0	0	4.47
The quality of the discussion	5	13	1	0	0	4.21
The Meeting's benefits to the sector	7	10	1	0	0	4.33
The guidelines	6	9	3	0	0	4.17
Panel discussion on HIV/AIDS	2	10	2	1	2	3.53
Panel discussion on stress and violence	4	7	2	2	0	3.87
Panel discussion on human resources development	3	8	2	1	1	3.73
Opportunity for networking	2	12	2	1	0	3.88

**2. How do you rate the quality of the report in terms of the following?**

	5 Excellent	4 Good	3 Satis- factory	2 Poor	1 Unsatis- factory	Average score
Quality of analysis	8	5	4	2	0	4.00
Objectivity	5	7	4	2	1	3.68
Comprehensiveness of coverage	4	8	5	1	0	3.63
Presentation and readability	4	10	4	0	1	3.84
Amount and relevance of information	6	7	3	2	1	3.79

**3. How do you consider the time allotted for discussion?**

	Too much	Enough	Too little
Discussion of the report	1	16	2
Panel discussions	1	16	2
Groups	1	15	1
Working Party on guidelines	0	10	4

**4. How do you rate the practical and administrative arrangements (secretariat, document services, translation, interpretation)?**

	5 Excellent	4 Good	3 Satis- factory	2 Poor	1 Unsatis- factory	Average score
	8	5	4	1	1	3.95

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### 5. Respondents to the questionnaire

Government	Employers	Workers	Observers	Total	Response rate (%)
7	2	9	1	19	22

### 6. Participants at the Meeting

Government	Employers	Workers	Technical advisers	Observers	Total
28	5	22	23	10	88

### 7. Delegates/technical advisers

	Government	Employers	Workers	Total
Delegates	28	5	22	55
Technical advisers	16	–	7	23

### 8. Female participation

	Government	Employers	Workers	Total	Per cent female delegates
Delegates	5	–	3	8	15
Technical advisers	3	–	1	4	

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**List of participants**  
**Liste des participants**  
**Lista de participantes**

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Representative of the Governing Body  
of the International Labour Office  
Représentant du Conseil d'administration  
du Bureau international du Travail  
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Membres représentant les gouvernements  
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Ms. Anna Biondi, Assistant Director, Geneva Office

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