

Comparative analysis of the provisions in relevant OSH instruments

NOTE: To increase its usefulness, beyond the scope of the Survey, the index that originally accompanied it has been updated taking into account the standards adopted at the 89th Session (2002) of the International Labour Conference. It also includes more complete references to the provisions in the Recommendations. A few inadvertent mistakes have also been corrected.

	Analysis	OSH Instrument
National OSH policy		
National policy and Periodic review	A key element introduced for the first time in C.155 (OSH) is the provision calling upon parties to formulate, implement and review a national policy in the area of OSH. This national policy is to cover all branches of economic activity and all workers in those branches of economic activity. The Convention also details the principal spheres of action to be covered by the policy. Almost all Conventions adopted since 1981 have provisions for the formulation, implementation and review of a national policy in the specific branches of activity concerned including C.170 (Chemicals), C.174 (Major Accidents) and C.184 (Agriculture). C.155 (OSH) also provides for a periodic review of this national policy and R.164 (OSH) recommends that this review be carried out regularly in the light of "experience and scientific and technological knowledge." Consultation with Employers' and Workers' organisations in the development and review of a national policy is invariably prescribed	C.155 Art 4.1 C.161 Art 2 C.170 Art 4 C.174 Art 4 C.176 Art 3 C.184 Art 4.1
		C.155 Arts 4.1 and 7 and R.164 Paras 4(b), 9 and 19(a) C.161 Art 2 C.170 Art 4 C.174 Art 4 C.176 Art 3 C.184 Art 4.1
Scope of application		
Branches of economic activity	OSH standards differ in scope of application and may cover all branches of activity, specific branches of economic activity, specific hazards or specific categories of workers. Most standards contain provisions which allow for a certain level of flexibility in their implementation. Certain branches of economic activity may be excluded and in some cases it is possible to exclude specific undertakings, products, installations, establishments, institutions and administrative services or departments. The use of these flexibility provisions is coupled with a requirement to inform the ILO, in the first (detailed) report on the application of the Convention at issue, as to which branches of activity or categories of workers are to be excluded, the reasons why and to keep the Office informed of progress made towards wider application in future reports	Exclusions C.120 Art 2 C.148 Art 1.2 C.155 Art 1.2 C.162 Art 1.2 C.167 Art 1.2 C.170 Art 1.2(a) C.174 Art 1.4 C.176 Art 2.2(a) C.184 Art 3.1(a) R.102 Paras 1-2 R.128 Para 30
		All branches C.119 Art 17.1 C.127 Art 2.2 C.148 Art 1.1 C.155 Art 1.1 C.161 Art 3.1
		Construction C.167 Art 1.1 CoP 1992(b)
		Commerce and Offices C.120 Art 1
		Agriculture C.184 Art 1
		Mines C.176 Art 2.1 C.45 Art 1 CoP 1991(a)
		Major hazard installations C174 art. 1.2 RDP 1991-b
		Chemicals C.170 Art 1.1 CoP 1993
		Asbestos C.162 Art 1.1
		Occupational hazards

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	accidents, ionizing radiations and air pollution, noise and vibration) deal with more than one of these hazards.	Benzene and products of benzene C.136 Art 1 Lead C.13 Art 1 R.4 Biological R.6 CoP 2001(d) Ionizing radiations C.115 Art 2.1 Carcinogenic substances and agents C.139 Art 1 Air pollution, noise, vibration C.148 Art 2.1 CoP 2001(b) Ch. 4.3 - 4.5 CoP 2001(c) Machinery C.119 Art 1.1 and 1.3 Manual lifting C.127 Art 2.1 CoP 1996 Ch 11 Psycho-social CoP 1996
Specific categories of workers	Young workers: ILO's general rules concerning hazardous work for young workers are contained in the Minimum Age Convention, 1973 (No. 138), which provides that 18 is the minimum age for admission to hazardous work with certain possible exceptions for apprentices above 16 years. OSH standards adopted before Convention No. 138 often include a rule prohibiting employment of young persons under 18, subject to exceptions for apprentices (without a minimum age limit given). However, it should be noted that C.115 (Radiation) provides that "no worker under the age of 16 should be engaged in work involving ionising radiation".	C.13 Art 3 C.115 Art 7 C.127 Art 7 C.136 Art 11.2 C.184 Art 16 and R.192 Para 4.3 R.172 Para 1(3)
	Aged workers: R.115 (Workers Housing) specifically applies to "those who are self-employed and aged". R.192 (Agriculture) also provides that health surveillance measures should be taken for young workers, pregnant and nursing workers and aged workers, where appropriate.	R.115 Para 1 R.192 Para 4.3
	Temporary of seasonal workers: The only reference is found in C.184 (Agriculture) and provides that "measures shall be taken to ensure that temporary and seasonal workers receive the same safety and health protection as that accorded to comparable permanent workers in agriculture."	C.184 Art 17
	Migrant workers: ILO provisions are limited to R.164 (OSH), which recommends that the competent authority (CA) provide information and advice to employers and workers, and where appropriate "provide special training programmes for migrant workers in their mother tongue."	R.164 Para 4(d)
	Disabled workers: R.164 (OSH) provides that a national OSH policy shall provide appropriate measures for handicapped workers and that the regular review of the national policy should cover in particular the most vulnerable workers. R.115 (Workers Housing) specifically applies to "those who are self-employed and aged, retired or physically handicapped."	R.115 Para 1 R.164 Paras 4(g) and 9

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	<p>Workers in the public sector: The term “economic activity” generally covers the public service and the public sector generally. A recent tendency has been to specify that these are both covered. This could be read as implying that instruments that do not contain this provision do not cover the public sector. C.161 (Health Services) is more specific in providing for a progressive extension of health services to the public sector.</p>	<p>C.161 Art 3.1 and R.171 Para 2.1 C.170 Art 2(d) R.102 Paras 1-2 R.164 Para 3(a)</p>
	<p>Workers in production cooperatives: C.161 and R.171 (Health Services) provide that each Member shall undertake to develop progressively occupational health services for all workers, including the members of production co-operatives, in all branches of economic activity and all undertakings. In C.162 (Asbestos) the term <i>workers</i> includes the members of production co-operatives.</p>	<p>C.161 Art 3.1 and R.171 Para 2.1 C.162 Art 2(f)</p>
	<p>Self-employed persons: Current standards are generally drafted so as to cover only the traditional employer/worker situations. In some cases the applicability of Conventions to self-employed is expressly recognized if national laws and regulations so provide or if the CA so decides (C.119 (Machinery) and C.167 (Construction) and also R.177 (Chemicals)). C.184 (Agriculture) prescribes cooperation in applying safety and health requirements when one or more self-employed persons undertake activities. References in Recommendations are more frequent and most often provide that measures be taken to offer protection to the self-employed “analogous” to that provided for other workers (R.156 (Working Environment), R.164 (OSH), R.171 (Health Services) and R.172 (Asbestos)). However R.115 (Workers’ Housing) applies to self-employed without qualification, and R.192 (Agriculture) contains detailed provisions on the progressive extension of the protection afforded by the Convention to self-employed farmers and other categories of agricultural workers who are not employees.</p>	<p>C.119 Art 13 C.167 Art 1.3 C.184 Art 6.2 and R.192 Paras 12-15 R.115 Para 1 R.156 Para 1.2 R.164 Para 1.2 R.171 Para 2.2 R.172 Para 1.2 R.177 Para 1.4</p>

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Gender	C.13 (White Lead), C.127 and R.128 (Maximum Weight) along with C.136 (Benzene) contain specific provisions prohibiting or imposing specific limitations for work carried out by women in general or (in the case of C.136 (Benzene)) pregnant women. In addition, gender specific provisions are also to be found in five up-to-date instruments R.114 (Radiation), R.177 (Chemicals), R.183 (Mines), C.184 and R.192 (Agriculture) as well as in C.45 (Women in Mines), which has an interim status. The provisions in C.45 (Women in Mines) are similar to the prohibitive or limitative provisions in the instruments to be revised. R.114 (Radiation) contains a more general reference to take every care to ensure that women in "child-bearing age" are not exposed to high radiation risks	C.13 Art 3 C.45 Arts 2-3 C.127 Art 7 and R.128 Paras 15 and 18 C.136 Art 11.1 C.184 Art 18 and R.192 Para 4.3 R.114 Para 16 R.177 Para 25(4) R.183 Para 21
Preventive and protective measures		
Technical rules and measures	Determination and identification of hazards: The shift in focus of OSH instruments from protection to prevention is, inter alia, reflected in the need to provide for adequate measures for the identification and determination of occupational hazards. In C.155 (OSH) overall responsibility for this lies with the CA, as it is to "ensure the determination of work processes and of substances the exposure to which is to be prohibited, limited or made subject to authorisation or control". Six other Conventions also include provisions for the identification or determination of hazards, in particular carcinogenic substances, hazardous chemicals, and major hazard installations. According to C.148 (Working Environment), the CA is to take due account of the opinion of technically competent persons in this process and of national and international standards according to C.170 (Chemicals). In the latter case, classification systems are to be progressively extended. Some standards specify that research is to be undertaken in order to identify and determine occupational hazards (R.128 (Maximum Weight), R.147 (Cancer) and R.164 (OSH)).	C.139 Art 1 and R.147 Paras 6-7 and 10 C.148 Art 8.1 and R.156 Para 7 C.155 Arts 7 and 11(b) C.161 Art 5(a) and R.171 Para 5 C.170 Arts 10 and 6 C.174 Arts 5, 7 and 9(a) C.176 Art 7(e) R.172 Para 10 R.175 Para 41 R.192 Para 3.1 CoP 2001(c) Ch 2.4
	Prohibitions and limitations...: This generally applies to either the prohibition or limitation of use of or exposure to hazardous substances or agents. Provisions include prohibitions for the sale and hire of machinery not equipped with the proper guards (C.119 (Machinery)), the use of white lead and sulphate of lead (C.13 (White Lead)), benzene and products containing benzene (C.136 (Benzene)), the use of substances, machinery and equipment identified by the CA (C.148 (Working environment)) and the use of asbestos (C.162 (Asbestos)). However, prohibition is not absolute in all cases as some of the Conventions provide for the possibility of exceptions subject to conditions. As for exposure, in C.155 (OSH) the CA is to determine the processes, substances or agents where exposure is prohibited or limited. Two of the later Conventions provide that employers shall limit (C.170 (Chemicals)) or take measures to eliminate and minimise exposure (C.176 (Mines)).	of exposure C.139 Art 1.1 and 1.3 C.155 Art 11(b) C.162 Art 9 C.170 Art 13.2(a) C.176 Art 9(b) of use C.13 Art 1.1 C.119 Art 2.1 C.136 Art 4.1 C.148 Art 12 C.162 Arts 10(b), 11.1 and 12.1 C.170 Art 5 R.175 Para 41 R.183 Para 17
	Risk assessment: A provision for risk assessment has been included in almost all standards since C.155 (OSH) and C.161 (Health Services) stated that it was to be the responsibility of the CA and the health services respectively. Reflecting the evolution towards the inclusion of employer responsibilities in the standards, the later Conventions adopted after C.170 (Chemicals) all provide that it shall be the duty of the employer to identify and assess the risks in the workplace.	C.155 Art 11(f) C.161 Art 5(a) C.170 Arts 12(b) and 13.1 C.174 Art 9(a) C.176 Arts 6 and 7(e) C.184 Art 7(a) CoP 1993 Ch 6.2 CoP 2001(b) Ch 1.1.2 and 3.1 CoP 2001(c) Ch 6.2

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	<p>Exposure limits: All standards concerning hazardous substances contain provisions concerning exposure limits although they differ in approach. The most comprehensive is in the C.115 (Radiation) which provides not only for the setting of exposure limits but also contains a provision which allows for the regular updating of these exposure limits based on the recommendations of the International Commission on Radiological Protection. General provisions for the setting, review and updating of exposure limits in the light of technical progress or current national and international knowledge and data are contained in C.162 (Asbestos) and C.148 (Working Environment). In C.170 (Chemicals), employers are to ensure that workers are not exposed to chemicals that exceed the exposure limits, but does not provide measures for the setting of those limits. Finally, specific exposure limits are contained in C.13 (White Lead) and C.136 (Benzene) both of which have been identified as in need of revision.</p>	<p>C.13 Arts 1.2 and 2 C.115 Arts 5-8 and R.114 Para 4 C.136 Arts 6.2, 8.2 and 11.2 and R.144 Para 7 C.139 Art 2.2 and R.147 Paras 2 and 4 C.148 Art 8 and R.156 Para 8 C.162 Art 15.1 and R.172 Paras 17 and 22 C.170 Arts 6 and 12(a) and R.177 Para 11 R.97 Para 5 CoP 1980 Ch 3 CoP 2000 Ch 2.4 and Appendix B and C CoP 2001(b) Annex I CoP 2001(c) Ch 2.5 and Appendix A</p>
	<p>Surveillance and monitoring of the work environment: Surveillance and monitoring was first introduced as a way to control exposure of workers in C.115 (Radiation), C.136 (Benzene) and R.147 (Cancer). This preventive measure was further developed in the later instruments to include the general surveillance and monitoring of the working environment and workers health. The responsibility for surveillance and monitoring is to be undertaken by various actors including the competent authority, the occupational health services, and the employers. Both C.162 (Asbestos) and C.170 (Chemicals) provide that the monitoring records are to be kept for a certain period and that the inspectors and workers representatives are to have access to these records. Workers' representatives may request monitoring in C.162 (Asbestos). C.176 (Mines) provides for the "monitoring, assessment and regular inspection of the working environment" by the employer and gives the workers' representatives the right to "monitor and investigate safety and health matters". Most of the provisions concerning the recording of monitoring data, exposure of workers to hazards, recording of data concerning hazardous chemicals and the keeping of those records, are contained in the Recommendations, with the exception of C.170 (Chemicals) and C.162 (Asbestos). The period during which these records should be kept is usually left up to the CA to prescribe, however, R172 (Asbestos) recommends that the records be retained for a period of not less than 30 years due to the long incubatory period of the disease before symptoms become apparent.</p>	<p>C.115 Art 11 and R.114 Paras 17-19 C.136 Art 6.3 and R.144 Para 7 C.161 Art 5(b) and R.171 Paras 5-10 R.97 Para 5 R.147 Paras 4 and 9 R.156 Para 2 R.172 Part IV R.177 Para 11 R.183 Para 21 R.192 Para 4 CoP 1993 Ch 12 CoP 2000 Ch 7 CoP 2001(a) Ch 1.1.2 CoP 2001(b) Ch 6.3, 6.6 and 15</p>
	<p>Principle of replacement: The principle that hazardous substances or agents should be replaced by harmless or less harmful substances whenever they are available is found in C.136 (Benzene), C.139 (Cancer), C.162 (Asbestos) and C.167 (Construction). In order to adapt to scientific and technological progress, C.170 (Chemicals) takes a different approach to the same principle and provides that the "employers shall make an assessment of the risks arising from the use of chemicals at work, and shall protect workers against such risks by appropriate means, such as: the choice of chemicals that eliminate or minimise the risk [and] the choice of technology that eliminates or minimises the risk". Similar provisions can also be found in R.120 (Commerce and Offices), C.148 (Working Environment) and C.155 (OSH).</p>	<p>C.136 Art 2.1 and R.144 Para 3 C.139 Art 2 and R.147 Para 1 C.162 Art 10(a) and R.172 Para 12 C.167 Art 28.2 C.170 Art 13.1(a) and (b) R.4 Para 3 R.97 Para 3 R.156 Paras 5-6 R.164 Para 3(h) CoP 1993 Ch. 6.4 CoP 2000 Ch. 4.2</p>

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	<p>Notification, authorisation and control: C.115 (Radiation), C.148 (Working Environment), C.162 (Asbestos), C.170 (Chemicals) and C.174 (Major Accidents) all require the notification to the CA of some or all of the hazardous processes, substances or agents being used. C.174 (Major Accidents) also contains a provision for the workers and their representatives to “discuss with the employer any potential hazards they consider capable of generating a major accident and have the right to notify the competent authority of those hazards”. Some of these Conventions then subject such processes, use of substances and agents to authorisation and control, (C.148 (Working Environment), C.162 (Asbestos) and C.170 (Chemicals)). In addition, C.155 (OSH) and C.139 (Cancer), while having no provisions for the notification to the CA, provide that substances that have been identified as being hazardous may be “prohibited, limited” or “made subject to authorisation or control”.</p>	<p>C.115 Art. 10 and R.114 Paras 14-15 and 30 C.139 Art 1 and R.147 Para 6 C.148 Art 12 and R.156 Para 9 C.155 art 11(b) C.162 Arts 9, 13 and 17 and R.172 Paras 10 and 13-14 C.170 Arts 5 and 20(f) C.174 Art 8 R.175 Paras 10 and 45 R.183 Para 27 CoP 1991(b) Ch 11</p>
	<p>Classification and labelling: The visible and comprehensive classification and labelling of hazards in a language (or with symbols) understood by the workers is one of the key elements in the OSH principles as a preventive tool to ensure that workers even if illiterate, can recognise hazards. The most comprehensive provisions for classification and labelling are to be found in C.170 (Chemicals). C.184 (Agriculture) contains similar provisions for the classification and marking of chemicals. C.136 (Benzene) provides that “benzene” is to be marked on all containers along with the necessary danger symbols and C.115 (Radiation) that “warnings” are to be used to indicate the presence of ionising radiation. Two important principles concerning classification and labelling contained in the Conventions are the provisions of information regarding classification and labelling to the worker and the responsibility of the supplier to ensure that their product is classified and labelled correctly in a manner easily understood by workers concerned (C.162 and R.172 (Asbestos), C.170 (Chemicals), R.183 (Mines)).</p>	<p>C.115 Art 9.1 C.136 Art 12 C.170 Arts 6, 8, 10-11 and R.177 Paras 7-8 and 10 C.184 Art 12(a) R.164 Para 3(h) CoP 1993 Ch 3-5 CoP 1996 Ch 5.5 CoP 2000 Ch 2.3 and Appendix A CoP 2001(c) Ch 4.2</p>
	<p>Personal protective equipment: Personal protective equipment (PPE) is to be provided after efforts have been made to eliminate, minimise and control the risk. There are three aspects to the provisions on PPE. The first is for the regulation of the design, manufacture, supply, use, maintenance and testing of PPE which is found in R.164 (OSH). The second concerns the responsibility for providing PPE, provision for which is made in either the Recommendations or the Conventions for all but three of the standards (concerning radiation, benzene and white lead). In most cases, it is the employers’ responsibility to provide PPE, without cost to the workers, in situations where the risk remains despite other preventive and protective measures being taken. Thirdly, there is generally a duty for the workers to take care of PPE and to use it correctly. In addition, occupational health services have the task of advising “on ergonomics and individual and collective protective equipment”.</p>	<p>C.13 Art 5.II (b), (c) C.120 Art 17 C.136 Art 8.1 C.148 Art 10 C.155 Art 16.3 and R.164 Paras 3(n) and 10(e) C.161 Art 5(e) C.162 Arts 15.4 and 18 C.167 Arts 28(2) and 30 C.170 Art 13.1(f) C.174 Art 9(c) C.176 Arts 5.4(b), 6(d) and 9(c) R.97 Para 3 R.128 Para 25 R.192 Paras 5 and 7-8 CoP 1991(a) Ch 23 CoP 1992(b) Ch 18 CoP 1993 Ch 9 CoP 1998 Ch III 7 and 8 CoP 2000 Ch 4.8 and 4.9 CoP 2001(c) Ch 5.1</p>

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	<p>Safe methods for the handling, collection, recycling and disposal of hazardous substances: The importance of ensuring safe methods for the control of hazards throughout their lifecycle is dealt with in the standards concerning asbestos, chemicals, construction, mines, agriculture, as well as the Recommendation to C.155 (OSH) and that on radiation, carcinogens, benzene and commerce and offices. Most of the recent Conventions include provisions for the disposal of hazardous waste. The handling of hazards is covered in the chemical and agriculture Conventions along with the Recommendations on radiation, commerce and offices and mines. Storage is dealt with in the chemicals, agriculture, construction and mines Conventions along with the Recommendations on radiation, carcinogens and benzene. Transportation of hazardous wastes is the subject of both the Convention and Recommendation on mines as well as the Recommendation on carcinogens. The chemicals Convention also provides that in the case of transport, such systems and criteria shall take into account the United Nations Recommendations on the transport of dangerous goods</p>	<p>C.162 Arts 17.2(c) and 19 C.170 Art 14 C.167 Art 28.4 C.184 Arts 12(c) and 13 and R.192 Paras 7-8 R.114 Paras 9 and 13 R.120 Part XIV R.144 Paras 7-8 and 21 R.147 Para 4 R.164 Para 3(h) R.183 Para 6 CoP 2000 Ch 4.12 CoP 2001(c) Ch 11</p>
	<p>Working time arrangements: Four of the standards refer to working time arrangements. C.155 (OSH) provides that working time and the organisation of work shall be adapted to the “physical and mental capacities of the workers”. More specific measures are found in R.156 (Working Environment), which provides that the supplementary organisational measures mentioned in the Convention should include the reduction of working time without loss of pay. The instruments concerning mines state that consultations on a national policy on mines should include a discussion on working time, in particular in relation to “maximum daily working hours and minimum daily rest periods”. Finally, the agriculture Convention provides that “hours of work, night work and rest periods for workers in agriculture shall be in accordance with national laws and regulations or collective agreements”. It should also be noted that specific standards exist on this subject, however these are not under examination in the current discussion.</p>	<p>C.148 Art 9(b) and R.156 Para 13 C.155 Art 5(b) and R.164 Paras 4 and 10 C.184 Art 20 R.183 Para 3(2)</p>
	<p>Adaptation of work to the worker: The increasing awareness of the importance of ergonomics and the adaptation of work to the worker is not clearly reflected. Only four of the Conventions contain any reference to these principles. C.155 (OSH) provides that the policy shall take into account the adaptation of not only working time (see above) but also machinery, equipment, organisation of work and work processes to the physical and mental capacities of the workers. Occupational health services have the function of advising on ergonomics, promoting the adaptation of work to the worker and collaborating in providing information and training on ergonomics (see also below under machinery, tools and equipment).</p>	<p>C.155 Art 5(b) C.161 Art 5(e), (g) and (i)</p>

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	<p>Workplaces and installations: C.155 (OSH) and C.161 (Health Services) are the only standards to contain comprehensive references to the construction and layout of workplaces and installations. C.155 (OSH) refers, <i>inter alia</i>, to the design, installation, arrangement and maintenance of workplaces as one of the main spheres of action of OSH policy, it also requires the CA to determine the conditions governing the design, construction and layout of undertakings as well as alterations and its Recommendation then expands on these provisions. Occupational health services have the function of “advice on planning and organisation of work, including the design of workplaces”. The provisions in other instruments are rather fragmentary and concern specific risks or workplace situations.</p>	<p>C.120 Arts. 7-11 C.148 Art 9(a) C.155 Arts 5(a) and 11(a) and R.164 Para 3 (a) C.161 Art 5(c) C.167 Art 9 and R.175 Para 7 C.176 Art 7(a) and R.183 Paras 14-18 R.97 Para 2 R.192 Para 9</p>
	<p>Machinery, tools and equipment: Concerning machinery and equipment in general, C.119 and R.118 (Machinery) provide detailed and complex measures for one aspect only – the approach – namely the provision and use of guards for power-driven machinery and have been identified as in need of revision. C.155 (OSH) contains more general provisions relating to machinery including the “design, testing, choice, substitution, installation, arrangement, use and maintenance of the material elements of work (workplaces, working environment, tools, machinery and equipment, chemical, physical and biological substances and agents, work processes)” as well as measures for those who design, manufacture, import, provide or transfer machinery and the responsibility of the employer to ensure that machinery and equipment is safe. Under C.161 (Health Services) one of the functions of the occupational health services is to include advice on the choice, maintenance and condition of machinery and equipment. Two instruments concern ergonomics in relation to machinery and equipment. The Convention concerning construction provides that the ergonomic principles to be taken into account in the design and construction of vehicles and earth-moving or materials handling equipment, of plant, machinery and equipment including hand tools and of protective equipment and protective clothing and the agriculture Convention has one part entitled “Ergonomics and Machinery”. C.148 and R.156 (Working Environment) are also relevant to machinery in as far as they are the source of air pollution, noise or vibrations.</p>	<p>C.119 Part III and R.118 C.155 Art 5(a) and R.164 Para 3(d) C.167 Arts 15-17 and 30(3) and R.175 Para 8 C.184 Arts 9-10 and R.192 Para 6 R.114 Para 8 R.156 Paras 8, 9 and 11 CoP 1992(b) Ch 7 CoP 1993 Ch 7 CoP 1998 Ch III.6.</p>
	<p>Adequate welfare facilities: The two main standards concerning detailed measures for welfare facilities are R.102 (Welfare Facilities) and R.115 (Workers’ Housing). Most of the recent Conventions also contain measures for the provision of welfare facilities including sanitary installations, washing and changing facilities and facilities for the storage of clothes, drinking water, eating facilities and accommodation.</p>	<p>C.13 Art 5.II(a) C.120 Arts 12, 13 and R.120 Parts VII, IX-XII, XVII and XIX C.162 Art 18.5 and R.172 Para 27 C.167 Art 32 and R.175 Paras 51-52 C.170 Art 13.1(e) C.176 Art 5.4(e) and R.183 Para 25 C.184 Art 19(a) and R.192 Paras 8 and 10 R.97 Para 2 R.102 Paras 4-15, 18-20, 23(a), 24, 25(a), 26-28 R.115 Paras 7(b) and (c), 8(c), (d) and (f) R.144 Para 13 R.164 Para 3(o) CoP 1991(a) Ch 22 CoP 1992(b) Ch 19 CoP 1993 Ch 9.5 CoP 2000 Ch 4.8</p>

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	Analysis	OSH Instrument
Organizational frameworks, mechanisms and measures		
Infrastructures	Competent authority: Only C.155 (OSH) (and the more recent C.176 (Mines) and C.184 (Agriculture)) provide for the establishment of a CA, although almost all standards provide for functions it should accomplish. Frequently, accompanying Recommendations elaborate on the powers and responsibilities of the CA. In some cases provisions are made for qualification requirements and training of the CA staff.	C.155 Art. 15 and R.164 Para 7 C.176 Art 5.1 C.184 Art 4.2(a)
	Inspection services: Most OSH instruments provide generally for the provision of an adequate or appropriate system of inspection. The detailed provisions for the establishment of the inspection system as well as listing the functions of the inspection services are provided in the specific instruments on labour inspection. In C.174 (Major Accidents) the responsibility for inspection and enforcement lies with the CA and not a separate inspection service due to the increased impact major disaster may have not only on the workplace but also the wider environment. In recent standards it is also specified that inspection services be provided with the necessary resources or adequate means.	C.81 Arts 1, 3-31 C.115 Art 15 C.120 Art 6.1 C.129 Arts 3, 6-27 C.139 Art 6(c) C.148 Art 16(b) C.155 Art 9.1 C.162 Art 5.1 C.167 Arts 14.4, 15.1(d), 17.3 & 20.3 and 35(b) C.176 Arts 5.2(a) & (b), 16(b) C.184 Art 5.1 & 5.2
	Occupational health services: C.161 (Health Services) and its Recommendation set out the role of the occupational health services and are a result of the evolution of standards in this area towards the general principles underlying a preventive, total health approach to health care. All of the Conventions adopted after 1985 (except for C.174 (Major Accidents) refer to C.161 (Health Services) in their preamble and C.148 (Working Environment) refers to its predecessor, the Occupational Health Services Recommendation, 1959 (No. 112). The other references to occupational health services include C. 162 (Asbestos) in the Asbestos Convention where the employer is required to consult with the services when preparing procedures for emergency situations. R.164 (OSH) and R.192 (Agriculture) also contain brief references to health services.	C.161 Arts 3.2, 5 and 16 and R.171 Paras 8-10 R.164 Para 13 R.192 Para 5
Means and measures	Health surveillance and medical examinations: The surveillance of workers' health is one of the essential functions of occupational health services, listed in the C.161 and developed in R.171 (Health Services). Several other OSH instruments contain provisions on the matter, adapted in accordance with the nature of the hazards involved. The principle that the surveillance of workers' health in relation to work "shall involve no loss of earnings for them, shall be free of charge and shall take place as far as possible during working hours" is found in C.161 (Health Services) is reflected in (C.136 (Benzene), C.148 (Working Environment), and C.162 (Asbestos) and further detailed in the supplementing Recommendations. The establishment and maintenance of records of the results of this surveillance is dealt with only in the Recommendations.	Health surveillance C.161 Art 5(f) and R.171 Paras 11-18 C.176 Art 11 and R.183 Para 24 R.114 Para 17 R.147 Part III R.156 Part. III R.164 Para 3(r) R.172 Part IV R.177 Para 18 R.192 Para 4 CoP 1980 Ch 4 CoP 1992(a) CoP 1993 Ch 13 CoP 2000 Ch 8 CoP 2001(c) Ch 16
		Medical examinations C.115 Arts 12 and 13(a) and R.114 Part VI C.136 Arts 9.1 and 10.1 and R.144 Para 11 C.139 Art 5 and R.147 Paras 11-13 C.148 Art 11 and R.156 Paras 16-17 C.162 Art 21 R.97 Part II R.128 Part IV R.177 Para 18 R.183 Para 24 CoP 1991(a) Ch 19.3

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	<p>First aid and emergency treatment: The need for first aid facilities varies enormously depending on the size and nature of the establishment. In general, the preparation of first aid facilities and procedures for emergencies is the responsibility of the employers. However, C.161 (Health services) lists among the functions of the occupational health services, “organising of first aid and emergency treatment”. R.171 (Health services) develops this principle in more detail.</p>	<p>C.120 Art 19 and R.120 Part XVII C.155 Art 18 and R.164 Para 3(p) C.161 Art 5(j) and R.171 Paras 23-26 C.167 Art 31 C.170 Art 13.2(b) and R.177 Para 19 C.176 Arts 5.4(a) and 9(d) R.97 Part IV R.175 Paras 49-50 R.192 Para 8 CoP 1991(a) Ch 19 CoP 1993 Ch 14.2 CoP 1998 Ch III 9.1</p>
	<p>Emergency preparedness and rescue: According to R.164 (OSH) measures to prepare for emergency situations should be included in the national OSH policy and that the CA should then “provide specific measures to prevent catastrophes, and co-ordinate and make coherent the actions...particularly in industrial zones”. Measures can also be found in the C.167 (Construction), C.170 (Chemicals), C.174 (Major Accidents) and C.176 (Mines).</p>	<p>C.161 Art 5(j) C.167 Art 23(b) C.170 Art 13(2)(c) C.174 Arts 15-16 C.176 Art 5.4(a) R.164 Paras 3(q) and 4(e) CoP 1991(b) Ch. 8 CoP 1992(b) Ch. 21 CoP 1993 Ch. 14</p>
	<p>Consultation, co-operation and coordination: In C.155 (OSH), the policy is to provide for co-operation and communication “at all levels of the working group and undertaking and at all appropriate levels, up to and including the national level.” There should also be co-operation and co-ordination between different bodies and services, including inter sectoral co-ordination. Members also have a duty to consult the representative organisations of Employers and Workers in certain situations including when formulating the policy, and when excluding a branch of activity from the scope of application. There should also be consultations between the competent authorities and Employers’ and Workers’ organisations and consultation and co-operation between employers, workers and their representatives within the enterprise. All Conventions adopted after 1977 (except C.161 (Health Services)) contain a duty for the worker to co-operate with the employer and to comply with the OSH measures.</p>	<p>Between various competent authorities and services C.155 Arts 5(d), 15.1 C.161 Art 9.2 and 9.3 C.174 Art 16(c) C.184 Art 4.2(c) R.115 Para 13 R.183 Para 8(1)</p> <p>Between competent authorities and employers’ and workers’ organizations C.148 Art 5.1 C.161 Arts 4 and 6(c) C.162 Arts 3, 4, 11.2, 12.2, 22.1 C.167 Art 3 C.170 Art 3 C.174 Arts 5-6 C.176 Art 13.3(b) C.184 Arts 8.4, 11.1, 16.2, 19</p> <p>Between employers and workers and their representatives C.148 Art 5.3 C.155 Arts 19(c)^o, (e)[*], 20 and R.164 Para 12^o C.161 Art 8[*] C.162 Arts 6.3[*], 8[*], 17.3[*] and 18.1^o C.167 Arts 6-7 C.170 Art 16[*] C.174 Arts 9(f)[*], 20(c)[*] C.176 Arts 5.2(f)[*], 13.2(e)[*], (d)[*] and 15[*] C.184 Art 14</p>

^o - provision applies to workers’ representatives

^{*} - provision applies to both workers and their representatives

	Analysis	OSH Instrument
	<p>Studies and research: The importance of undertaking studies and research has already been mentioned in the context of the identification of hazards. For the most part, provisions for the undertaking of research, normally by the CA, and for what reason are found in the Recommendations, with two exceptions. C.148 (Working Environment) states that “measures...shall be taken to promote research in the field of prevention and control of hazards” and C.155 (OSH) provides that “measures shall be taken, in accordance with national law and practice, with a view to ensuring that those who design, manufacture, import, provide or transfer machinery, equipment or substances for occupational use...undertake studies and research or otherwise keep abreast of the scientific and technical knowledge necessary to comply with the policy”. The Recommendations of these Conventions further elaborate on the role of the CA in studies and research. In two other Recommendations, studies and research should be undertaken after consultations between the CA and the employers, workers or their representatives.</p>	<p>C.155 Art 12(c) and R.164 Paras 4(c) and 10 C.148 Art 14 and R.156 Para 22 R.97 Para 3(3) R.120 Para 80 (1) R.128 Para 27 R.144 Para 26 R.147 Paras 16(1) and 18 R.171 Para 30 R.172 Para 11 R.183 Para 5(a)</p>
	<p>Dissemination and provision of OSH information, training and technical advice: The provisions referring to <i>information</i> have been drafted in a number of ways. In general, information concerning the hazard and the preventive measures to be taken is to be provided to the party concerned, whether it be the worker, employer or public in general. In most Conventions it is the duty of the competent authorities to ensure that information is disseminated. The employers also have the duty to ensure that the workers receive and understand the safety and health information supplied by manufacturers, importers and suppliers and that they bring national OSH laws and regulation to the notice of workers. Finally, there are also provisions in C.155 (OSH), as well as C. 170 (Chemicals) and C. 174 (Major Accidents). It should also be noted that C. 170 and C. 174 provide that the exporting State shall notify the importing State of hazardous chemicals or the use of hazardous substances, technologies or processes prohibited in the exporting State. As concerns <i>instruction and training</i>, it is for the most part the responsibility of the employer to provide proper training and instructions to their workers. Training and instructions have also been drafted as a right of workers and their representatives’ in some of the Conventions. Two of the older Conventions identified as in need of revision provide that the member shall ensure that the worker receives adequate training or instructions. The Conventions on occupational health services and asbestos as well as R.164 (OSH) call on the CA or the occupational health service to promote, participate, collaborate and participate in the development education and training programs. Training, including necessary further training, is to be one of the spheres of action in the policy provided for in C.155 (OSH) as well as the inclusion of OSH questions at all levels of education and training.</p>	<p>C.13 Art 5.IV C.115 Arts 3.2 and 9.2 C.127 Art 5 and R.128 Paras 5-6 C.136 Art 13 C.139 Art 4 and R.147 Part IV C.148 Arts 7.2 and 13 and R.156 Part IV C.155 Arts 5(c), 10, 14 and 19 (c) and R.164 Paras 4 and 10 C.161 Art 5(d) and (i) and R.171 Paras 19-22 C.162 Art 22 C.167 Art 33(b) and R.175 Paras 6, 89-30, 41, 44 and 46 C.170 Arts 1.2(b), 15(b), (c) and 18.4 and R.177 Paras 5, 7, 24 and 26 C.174 Arts 6, 16, 20 C.176 Art 10(a) and R.183 Paras 6, 8, 19, 28 and 30-31 C.184 Arts 9 and 12(b) and R.192 Paras 5, 7-8 and 13 R.97 Para 5(1) R.102 Paras 8-9 and 18 R.115 Paras 12-14 and 27 R.120 Para 80 CoP 1991(a) Ch 5 CoP 1993 Ch 10 CoP 1996 Ch 6 CoP 1998 CH III 5 CoP 2000 Ch 6 CoP 2001(b) Ch 1.1.2 CoP 2001(c) Ch 14 CoP 2001(d) Ch 6-7</p> <p>Qualification and training of CA staff C.81 Art 7 C.115 Art 13(c) C.129 Art 9 C.155 Art 5(c) C.161 Art 11 and R.171 Paras 36-37 C.174 Art 18.1 R.97 Para 11 R.183 Para 4 R.144 Para 17</p>

° - provision applies to workers’ representatives

* - provision applies to both workers and their representatives

	Analysis	OSH Instrument
	<p>Transfer of information from an exporting State to an importing State: Art 19 of C.170 (Chemicals) provides that “When in an exporting member State all or some uses of hazardous chemicals are prohibited for reasons of safety and health at work, this fact and the reasons for it shall be communicated by the exporting member state to any importing country.” and Art 22 of C.174 (Major Accidents) provides that “when, in an exporting member States, the use of hazardous substances, technologies or processes is prohibited as a potential sources of a major accident, the information on this prohibition and the reasons for it shall be made available by the exporting member State to any importing country.”</p>	<p>C.170 Art 19 C.174 Art 22</p>
	<p>Recording and notification of accidents and diseases: This subject is comprehensively dealt with in the recently adopted Protocol of 2002 to the Occupational Safety and Health Convention, 1981 and List of Occupational Diseases Recommendation, 2002 (No. 194). For the most part, the procedures for the recording and notification of accidents and diseases are to be established either by national laws and regulations or by the CA. It is then up to the employer to notify the appropriate body and, in some cases provide a detailed report on the accident or disease. The Convention on mines also includes the right of the worker “to report accidents, dangerous occurrences and hazards to the employer and the competent authority” and that national laws and regulations are to “provide procedures for...investigating fatal and serious accidents, dangerous occurrences and mine disasters”. In C.161 (Health Services), one of the occupational health services functions is to participate in the analysis of accidents and diseases and C.155 (OSH) provides that the CA shall “ensure the holding of inquiries” after accidents or diseases or any other injuries to health.</p>	<p>Keeping of records C.162 Art 20 and R.172 Paras 36 and 38 C.170 Arts 10.4 and 12(d) P.155 Art. 3(a) R.147 Para 15 R.156 Para 18 R.164 Para 15(2) R.171 Para 6 R.175 Para 42 R.183 Para 23 R.192 Paras 3 and 5 CoP 1995 CoP 1998 Ch II 11</p> <p>Notification of occupational accidents and diseases C.115 Art 13(b) C.155 Art 11(c) and P.155 Part. II C.161 Arts 14-15 and R.171 Para 13 C.167 Art 24 C.162 Art 21.5 C.174 Arts 13- 14 C.176 Arts 5.2(c), 10(e) and 13.1(a) R.97 Part III R.192 Paras 3 and 5 CoP 1991(b) Ch 11.6 CoP 1991(a) Ch 20 CoP 1992(b) Ch 21 CoP 1995 CoP 1998 Ch III 11</p> <p>Investigation C.155 Art 11(d) C.161 Art 5(k) and R.171 Paras 8 and 12(1) C.174 Art 14 C.176 Art 5.2(c) R.120 Para 82 R.177 Paras 24-25 CoP 1993 Ch 15 CoP 1995 CoP 1998 III 11 CoP 2001(c) Ch 18</p>
	<p>Compilation and periodic publication of statistics: Only the Conventions concerning mines and white lead and the Recommendations concerning chemicals, agriculture and benzene make any reference to the compilation or publication of statistics on occupational accidents and diseases.</p>	<p>C.13 Art 7(a) C.81 Art 21 C.129 Art 27 C.176 Art 5.2 (d) P.155 Part III R.144 Para 27 R.177 Para 18 R.192 Para 3 CoP 1995</p>

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	Analysis	OSH Instrument
Implementation of national OSH requirements	Five of the Conventions provide that they are to be implemented through laws or regulations or other methods consistent with national conditions and practice and in consultation with Employers' and Workers' organisations. C.161 (Health Services) is similar but also provides that implementation may be done by collective agreements or as otherwise agreed upon by the employers and workers concerned. C.148 (Working environment), C.167 (Construction) and C. 176 (Mines) provides for implementation through national laws and regulations supplemented, where appropriate, by technical standards, guidelines, codes of practice or other means consistent with national practice. C. 162 (Asbestos) prescribes implementation through national laws or regulations as the only option.	C.115 Art 1 C.136 Art 14 C.127 art 8 C.139 Art 6(a) C.148 Art 4(2) C.155 Art 8 C.176 Art 4
Powers, responsibilities and rights		
Enforcement	The majority of the standards with provisions on inspection services also include measures for the provision of appropriate penalties and corrective measures to enforce the Conventions. In C.13 (White Lead) as well as C.174 (Major Accidents), it is for the CA to take steps to ensure the observance of the regulations. C.174 (Major Accidents), C. 176 (Mines) and C.184 (Agriculture) also give the CA the power to suspend or restrict any operation, mining activity or agricultural activity, which poses an imminent risk. The suspension or restriction is to be lifted once there is no longer a risk.	Imposition of appropriate penalties C.13 Art 6 C.81 Art 18 C.119 Art 15.1 C.129 Art 24 C.148 Art 16(a) C.155 Art 9.1 C.162 Art 5.2 C.167 Art 35(a) C.176 Art 16(a) C.184 Art 4.3 R.120 Para 84 Suspend, restrict or prohibit work C.174 Art 19 C.176 Art 5.2(e) C.184 Art 4.3
Employer responsibilities	While certain aspects featured in the early Conventions, employers' responsibilities were not fully developed until the adoption of C.155 (OSH), Part IV of which is dedicated to "action at the level of the undertaking". Many of employers' responsibilities such as those concerning surveillance and monitoring, emergency response plans and procedures, the provision of information and education and training to workers on hazards and preventive measures have already been dealt with under the appropriate heading above. However, the standards also contain specific measures to be taken by the employers such as the establishment of an OSH policy at the level of the enterprise in the latest instruments. The Conventions concerning ionising radiation and mines as well as C.155 (OSH) provide that employers are to take remedial action in the case of an accident or incident. Concerning mines, construction and agriculture, employers must ensure that, if necessary, the work is stopped and that workers are evacuated. In the cases of radiation and major industrial accidents, the employer is to take appropriate remedial action after any accident in order to limit the consequences of such and accident. C.155 (OSH) also provides that an employer cannot require a worker to return to work until after they have taken remedial action. The establishment of workers' safety and health committees or joint safety and health committees is dealt with in seven of the Recommendations usually as a means to facilitate cooperation between employers and workers. Of the recent standards, all but C.170 (Chemicals) and C.161 (Health services) provide that in situations where there are two or	Establishment of OSH policies and procedures C.162 Art 17.2 and R.172 Para 14 C.174 Arts 9-12 C.176 Arts 5.5 and 7(g) and R.183 Para 12 R.164 Para 14 CoP 1996 Ch 3 CoP 1998 Ch 2 CoP 2001(a) CoP 2001(c) Ch 1 Monitoring and inspection C.162 Art 20 C.170 Art 12(c) and (d) C.176 Arts 7(e) and 10(b) and R.183 Paras 13 and 23 R.164 Paras 10(c), 15.1 Emergency response plans and procedures C.155 Art 18 C.162 Art 6.3 C.170 Art 13.2(c) C.174 Art 9(d) C.176 Art 8 CoP 2001(c) Ch 16.3 Provision of information to workers and their representatives C.119 Art 10.1 C.162 Art 22.3 and R.172 Para 14 C.170 Arts 10.1, 10.4 and 15(a) C.176 Art 9(a) C.184 Art 9.3

° - provision applies to workers' representatives

* - provision applies to both workers and their representatives

	Analysis	OSH Instrument
	<p>more employers at a workplace, they are to cooperate and comply with the prescribed safety measures. In addition, C.167 (Construction), provides that the principal contractor shall be responsible for coordinating the prescribed safety measures and that they are to nominate a competent person or body to undertake this if they are not present on the site. Both C.148 (Working Environment) and C.162 (Asbestos) also provide that the competent authority is to prescribe the general procedures for this collaboration/cooperation.</p>	<p>Education and training C.155 Art 19(d) and R.164 Para 10 C.162 Art 22.3 C.170 Art 15(d) C.176 art 10(a) C.184 Art 7(b)</p> <p>Remedial action C.115 Art 13(d) and R.114 Para 10 C.155 Art 19(f) C.167 Art 12.2 C.174 Art 9(e) C.176 Arts 7(i) and 10(d) C.184 Art 7(c)</p> <p>Establishment of joint safety and health committees C.176 Art 15 and R.183 Para 31(a) R.120 Para 81(3) R.164 Para 12(1) R.171 Paras 5(2), 6, 21, 29, 33, 35, 37, 40, and 42 R.172 Para 7(2) R.175 Para 6(a) CoP 1991(a) Ch 21</p> <p>Consultation and cooperation with other employers C.148 Art 6.2 C.155 Art 17 and R.164 Para 11 C.162 Art 6.2 C.167 Art 8 and R.175 Para 5 C.176 Art 12 C.184 Art 6.2</p>
Worker rights and responsibilities	<p>Workers rights and responsibilities have also gradually been articulated in the instruments. Generally, Workers' have a responsibility to cooperate and comply with OSH requirements and it is frequently provided that workers are to be protected from disciplinary measures. In addition, C.155 (OSH) provides that "the worker or their representatives and, as the case may be, their representative organisations in an undertaking, in accordance with national law and practice, are enabled to enquire into, and are consulted by the employer on, all aspects of occupational safety and health associated with their work; for this purpose technical advisers may, by mutual agreement, be brought in from outside the undertaking". C.148 (Working Environment) provides, in addition to the duty to comply, that "workers or their representatives shall have the right to present proposals, to obtain information and training and to appeal to appropriate bodies so as to ensure protection against occupational hazards".</p> <p>Most of the recent standards also include measures for the provision of information to workers on workplace hazards and preventive measures to be taken to avoid those hazards as well as instructions from the competent authority, results of medical examinations. In some cases, this is framed as a duty for the employers and in others in is framed as a workers' right. Some of the standards also provide for the right of access to information, in particular monitoring records, safety reports, emergency plans and procedures, accident reports and information relevant to their safety or health.</p> <p>Of the Conventions only C.176 (Mines) and C.184 (Agriculture) provide for the election of worker safety representatives and</p>	<p>Cooperation and compliance C.148 Art 7.1 C.155 Art 19(a), (b)^o, (c)^o, (e)[*] and R.164 Para 12^o, 16 C.162 Art 7 and R.172 Para 8 C.170 Art 17.1 C.174 Art 21 C.184 Art 8.2* R.171 Para. 44*</p> <p>Access to information C.148 Art 7.2* and R.156 Para 4* C.155 Art 19(c)^o and R.164 Para 12^o C.162 Art 20.3* C.170 Art 10*, 12(d)*, 18.3* and R.177 Paras 11*, 24* and 26 C.174 Art 20(c)* C.176 Art 13.1(d)*, 13(2)(f)^o and R.183 Para 26*</p> <p>To be informed C.115 Art 9.1 C.161 Art 13 and R.171 Paras 18* and 22 C.162 Art 21.3 C.167 Art 33(a) and R.175 Para 44 C.174 Art 20(a)* and (b)* C.176 Art 13.1(c)* C.184 Art 8.1(a) R.97 Para 4 R.120 Para 78 R.177 Para 26</p>

^o - provision applies to workers' representatives

* - provision applies to both workers and their representatives

	Analysis	OSH Instrument
Rights and responsibilities of workers' representatives	<p>representatives of safety and health committees. The question of the establishment of joint safety and health committees is found in most of the recent Recommendations (see above).</p> <p>The concept of removal from imminent and serious danger was introduced for the first time in C.155 (OSH) but it was only framed as a right in more recent Conventions (C.167 (Construction), C.170 (Chemicals), C.174 (Major Accidents), C.184 (Agriculture) and R.172 (Asbestos)). Along with this right the worker also has the responsibility to immediately notify or inform the supervisor (C.167 (Construction) also includes reporting to the workers' safety representative) of the risk and that they have removed themselves from the danger. Finally, if a worker removes himself from danger, all but one of the standards (C.167 (Construction)) provides that they shall not be placed at any disadvantage or protected from disciplinary action or undue consequences.</p> <p>The Convention on benzene was the first to include the principle that OSH measures taken (such as health surveillance, PPE, training and instructions and general OSH measures) "shall not involve the workers in any expense".</p> <p>Finally, in some of the instruments workers have the duty to take reasonable care for their own safety and that of other persons who may be affected by their acts or omissions at work. In addition, workers have the duty to use safety devices and protective equipment correctly and not render them inoperative.</p>	<p>Participation in inspection and monitoring C.148 Arts 5.4° and 7.2* C.161 Art 8* C.162 Art 20.4* C.167 Art 10 and R.175 Para 11 C.174 Art 18.2° C.176 Art 13.1(b)* and 13.2(b)(i)° C.184 Art 8.1(b) R.164 Para 12° R.177 Para 24</p> <p>Selection of worker safety representatives C.176 Art 13.1(f) C.184 Art 8.1(b) and R.183 Paras 28-29 R.164 Para 12</p> <p>Right to remove themselves from danger C.155 Art 19(f) C.167 Art 12.1 C.170 Art 18.1 and R.177 Para 25 C.174 Art 20(e) C.176 Art 13(e) C.184 Art 8.1(c) R.172 Para 9</p> <p>Immediate reporting to the supervisor C.155 Art 19(f) C.170 Art 18(1) and R.177 Para 25 C.174 Art 20(e) C.176 Art 14(c) and R.183 Para 32 C.184 Art 8.1(c) R.172 Para 9</p> <p>Being protected from disciplinary measures C.155 Arts 5(e) and 13 and R.164 Para 17 P.155 Art 3(a)(iv) C.170 Art 18.2 and R.177 Para 25 C.174 Art 20(e)* C.176 Art 13.4 and R.183 Para 32 C.184 Art 8.1(c) R.172 Para 9(b)</p> <p>Incurring no personal cost C.136 Art 10.2 and R.144 Para 18 C.148 Art 11.2 C.155 Art 21 C.161 Art 12 C.162 Arts 15.4, 21.2 C.176 Arts 9(c) and 10(a) and R.183 Paras 24-25 R.128 Para 26</p> <p>Taking reasonable care C.119 Art 11 C.127 Art 3 C.167 Art 11(b) C.170 Art 17.2 and R.177 Para 21 C.176 Art 14(b) R.164 Para 16(a)</p>
	<p>Workers' representatives Provisions concerning workers representatives' rights and responsibilities are also a recent inclusion, the first mention of them appear in C.148 (Working Environment) where the provisions on the rights of workers also apply to their representatives. Since then, the rights and responsibilities of workers' representatives have been included in all of the Conventions. The term "worker representative" is defined in three Conventions and one of the Recommendations including references in the latter two that the definition should be "in conformity with the Workers' Representatives Convention, 1971", which simply provides a more detailed definition of "workers' representatives".</p> <p>In most cases, rights and duties are framed as being for both workers and their representatives (in particular concerning cooperation and compliance, consultation, being informed and having access to information and the right to appeal). However, in some cases the right or duty is framed as being only for the representative. For example, representatives of both employers and workers are to have the opportunity of accompanying inspectors in C.148 (Working Environment) and C.174 (Major Accidents). Under C.162 (Construction), the employer is obliged to consult the workers' representative where workers' clothing may become contaminated with asbestos.</p> <p>In addition, some of the Conventions give specific measures for the organisation, functioning, rights and duties of the workers' representative (C176 and R.183 (Mines) set out the rights of the safety and health representatives and R.164 (OSH) sets out the functions and rights of the workers' safety delegate, workers' safety and health committees, joint safety and health committees</p>	

° - provision applies to workers' representatives

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	Analysis	OSH Instrument
	or other workers' representative.)	Personal protective equipment C.119 Art 11 C.167 Arts 11(c) and 30.4 R.144 Para 14 R.164 Para 16(c) R.172 Para 8 R.177 Para 21 R.183 Para 30
		Appeal C.148 Art 7.2* C.162 Art 20.4*
Responsibilities of designers, producers importers and suppliers	C.155 (OSH) refers to the responsibilities of "those who design, manufacture, import, provide or transfer machinery, equipment or substances for occupational use" while the construction, chemical, agriculture, asbestos and machinery Conventions are more specific in scope.	Design, production, importation supply and disposal process C.119 Art 2.3 and 2.4 C.155 Art 12(a) C.167 Art 9 C.184 Art. 12(b) R.183 Para 7
		Labelling and marking C.162 Art 14 and R.172 Para 20 C.170 Art 9.1(a), (c) and 9.3 R.183 Para 7
		Adequate safety and health information C.155 Art 12(b) C.170 Art 9.1(d) and 9.2 and R.177 Para 23 C.184 Art 9.2 R.172 Para 20 R.175 Para 41 R.183 Para 7 CoP 2000 Ch 3.1 and 4.3

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