



Final Conclusions

*Unity Beyond Differences:
The Need For An Integrated¹
Labour Inspection System - ILIS
Luxembourg, March 9th - 11th, 2005*

The Conference was jointly organized by the current presidency of the Council of the European Union, held by the Grand Duchy of Luxembourg, together with the ILO on Integrated Labour Inspection Systems worldwide from March 9th to 11th in Luxembourg. It was attended by worker, employer and government representatives from all regions of the world, as well as labour ministers and observers from international organizations.

¹ Integrated Labour Inspection System is a holistic and coherent while flexible concept that contains elements, such as:

- administrative integration
- procedural integration
- technical integration (multidisciplinarity)

Having noted:

1. That the globalization of economy affects the political agenda, including working life and the way individuals, organizations and economies work and the hazards they have to face. **Globalization requires more and more creative holistic approaches**, taking into account the changes in the world of work and the advent of new risks and opportunities merging the traditional technical and medical with the social, psychological, economic and legal areas.
2. The need for a **tripartite partnership** in order to achieve and to preserve decent working conditions and environment, to prevent health and safety risks and the well-being of workers.
3. That **important functions of labour inspectors** as control and enforcement agents, as well as investigators and facilitators have been underlined. The role of labour inspection is especially important with regard to enforcement and compliance and to promote “Tripartism” and Social dialogue.
4. The importance of **training** for the development of such systems as well as for the strengthening of policies has been reconfirmed. The Conference identified training of the labour inspectors as a key element for upgrading their qualification and competency, hence, an important tool for improving the **efficiency and effectiveness** of the inspection activity. Labour inspection is one of the basic instruments for promoting compliance with ILO Core Labour Standards, other ILO Conventions and as well as Codes as well as national and regional legislation.
5. That globalization presses for **economic and social reforms**, but reforms can only be successful **with strong, competent and independent labour inspection with adequate resources**. National solutions through social dialogue and tripartite consultations are needed.
6. That competent labour inspection is an important actor in the battle for a fair globalisation, as a door opener for technical cooperation and as the securer of the enforcement of legal provisions (Art. 3 of Convention No. 81). Labour inspection has a key role in **implementing and monitoring of Core Labour Standards** at national, regional and community level and in **mainstreaming Decent Work across all economic sectors, including the informal sector**, and Quality of Work activities into all their functions, programmes and activities.

The Conference agreed:

7. To promote the elaboration of **policies** with regard to labour inspection on the international, as well as the national level. This should be engaged respecting ILO Conventions, setting up and establishing national programmes on working conditions and environment and taking into account modern approaches, strategies and policies in all the fields covered by labour inspection. This is essential for the issue of regulatory and enforcement practice. Regulations are essential for safety and health. Therefore labour inspectors enforcing these regulations are vital, acting with the advantage of being close to the practice of these regulations with a **risk and solution oriented approach**. Policies should address all functions important for the safety, health and well-being of the workers, including pressing issues as equity, gender, violence at work, migrant workers, HIV/AIDS, communicable diseases, ageing workforce, etc. in addition to the more traditional issues.
8. On the need for **strengthening of integrated labour inspection systems** throughout the world, with special consideration to **EU candidate countries, as well as transition and developing countries**.
9. On the development of inspection **strategies and policies at all levels** and to provide a platform for exchange of best practices, promoting ILO's strategic objectives. The inspectorates should be strengthened and involved to implement labour and social policies at workplace level.
10. On a joint EU/ILO programme for accession, transition and developing countries, the Magreb region and other emerging economies, regions or countries, to promote and establish a preventative safety and health culture which should aim at the reinforcement and strengthening of labour inspection and national OSH programmes, based on prevention, comprising elements of occupational safety and health management systems, risk assessment, links to basic occupational health services and sectoral as well as policy related activities.
11. On the need to invest resources for updating the methodology and contents of the **training** materials and the application of active training methods. Training is a decisive element for the modernization and competence of inspectorates, investing in a preventative culture. Once the fundamentals of a preventative approach have been laid down in national policies and strategies, labour inspectors will be assigned new roles and functions in terms of preventative action. ILO's integrated labour inspection training system aims at increasing inspector's technical competences as well as social skills. Training is very much needed to enable inspectors to correctly position themselves in a globalizing and rapidly changing world of work.

12. On underlining the importance of promoting **tripartite labour inspection audits**. The creation of a task force on labour inspection, bringing together the social partners could help promote reform processes and the improvement of the performance of labour inspection.
13. To continue with the **further collaboration** with the **ILO and the EU** for implementation of projects in the field of safety and health at work and Core Labour Standards and especially labour inspection in priority sectors of economy.
14. That the increasing waves of aggression against labour inspectors worldwide require determined action. Only with a strong political support from governments and social partners will it be possible to ensure that such violence will not happen again elsewhere in the world. The Conference supports and welcomes the initiative of the French Ministry of Social Affairs, Labour and Solidarity to develop a practical guide on the rights and duties of labour inspectors. The therein developed practical guidelines will gain importance and should be considered as a basic tool for a purposeful implementation of ILO Labour Inspection Convention (No. 81).

Follow up:

15. ILO and member States should promote the role of labour inspection in achieving the **Decent Work Agenda** for all workers, including those in the informal sector. This could be realized by publicizing and disseminating information and by providing training for labour inspectors in assessing working conditions and labour practices, by:
 - a. collecting and disseminating information on effective labour inspection practices, including strategies and inspection tools, such as the ten steps for strengthening labour inspection as well as other training and system tools.
 - b. developing and maintaining an effective internet-based system that stores and makes readily available up-to-date information.
 - c. making use of integrated labour inspection training system (ILITS) to serve as a basis for training of labour inspectors.
 - d. promoting universal ratification and implementation of ILO standards such as those on labour inspection, occupational safety and health, labour administration and conditions of work.

16. ILO should strengthen its **cooperation with governments, social partners** and organizations concerned such as the World Health Organization, the International Association of Labour Inspection, the International Commission of Occupational Health and the International Social Security Association in order to promote efficient and proactive labour inspection systems and should also strengthen coordination and cooperation between systems of enforcement and social security. Labour administration at national and international level can support these activities through their competence networks.
17. The Conference recommends to report about the developments of integrated labour inspection to appropriate ILO bodies.
18. The Conference suggests creating an internet-based overall service for labour inspection to support the ILO constituents. This should comprise an integrated labour inspection training system, policy tools for labour inspection, strategies and sharing of best practices. Here, the responsible unit for labour inspection in the ILO, InFocus Programme for Safety and Health at Work and the Environment (SafeWork), in cooperation with other units in the ILO structure and other organizations concerned, should deliver their competence and experience in order to build up such systems.
19. Further **cooperation between the EU and the ILO** is needed to implement these new approaches within the framework of the ILO/EU strategic partnership. This joint action should include a **EU funded program** for the reinforcement and strengthening of labour inspection services, in particular, in accession, transition and developing countries.
20. **The conference welcomed the Luxembourg initiative to develop a national Action plan** for an Integrated Labour Inspection system (ILIS) for Luxembourg, host country of the conference.

National Action Plan for Luxembourg

The conference succeeded to shape the strategies of the labour inspectorate in Luxembourg to become a powerful organization enabling the protection of occupational safety and health and better working conditions of the workforce having as a consequence the promotion of the sustainable development of socio-economic activities.

The national action plan aiming at an Integrated Labour Inspection system is directed towards four levels.

- a. On a national level four legislative proposals have been deposited in October 2003 in the Parliament: A first proposal concerns the reform of the labour and mines inspectorate. A second proposal creates a permanent tripartite committee for labour and employment and a tripartite mediation body. A third proposal changes the legislation on the protection of occupational safety and health in developing the psychosocial aspects in addition to the physical integrity. A final proposal enables the adoption and ratification of ILO conventions and recommendations.
- b. On a strategic national level a permanent tripartite committee for labour and employment has been initiated. A declaration with regard to the promotion of the safety, health and well being of workers has been signed between the Government and the social partners November 19, 2003 and deals with a quantitative plan to combat work accidents from 2003 to 2007.
- c. On a sector level the Labour and Mines Inspectorate has been reorganized and a number of activities have been initiated by the existing departments, linking activities of related sectors. National multidisciplinary divisions on a sector level have also been initiated. The service granting operational permits for classified establishments has been strengthened and a single contact point has been established, forwarding information, checking illegal behaviour from posted workers. The inner management is a “management by result” system.
- d. On an operational level, multidisciplinary operational teams have been installed in the regional agencies. It is foreseen that the controller’s carrier will be transformed into an inspection body following a specific vocational training following the legal reorganization act. These teams are responsible for the setting up of a number of specific national actions (20%) – unannounced inspections and round ups- and reactive actions in enterprises (80%) – complaints, work accidents, employees representations, information and consulting. Monitoring activities have been developed. A strong network has been developed allowing collaboration on different levels: between the administrations on the one hand and with enterprises and insurance companies on the other hand.