





### **Workshop Report**

Pacific Sub-Regional Foundation Skills Training for

OSH and Labour Inspectors

21-25 November 2016 Kiwi International Hotel Auckland, New Zealand



#### **Overview and concept**

The ILO's labour law reform project (2016-17) supports ILO member countries in the Pacific to strengthen their capacity to ratify and apply international labour standards and to fulfil their reporting obligations. Despite widespread ratification of Fundamental Labour Standards in the Pacific, there are significant gaps in their implementation in law, policy and practice. Almost all of the ILO's 11 member States in the Pacific require technical support for labour law reform and its implementation.

The implementation of labour laws is a major challenge in the Pacific. This is either due the absence of legislations, capacity of the responsible ministry, or both. Kiribati, Tuvalu and Cook Islands have specifically requested ILO technical assistance for foundation skills training on OHS. Although Solomon Islands, Vanuatu and Tonga have dedicated labour inspectorates, they also face challenges in managing and conducting labour/OSH inspections.

#### Objective of the training

The objective of the workshop is to provide basic concepts, principles and skills to participants to manage and implement OSH and **labour standards** requirements under ILO Conventions and National Legislations.

Attached Annex A: Concept Note

#### Format of training and programme

The training will be highly interactive, tailored to specific country needs and will have both classroom and real-life practical sessions.

The overall training will be divided into five parts:

Part 1: Defining Labour Inspection
Part 3: Practical Inspection
Part 4: Inspection reporting

Part 5: Developing the Inspectorate practice

The training was conducted over 5 days. The lead consultant developed the materials based on a training needs analysis (TNA) with target countries. The training programme was then reviewed and finalized by the ILO Labour Specialist **Mr Jajoon Coue**. Apart from classroom based training, a half day site inspection was also organized.

Interactive evening sessions were also organized, based on topics highlighted by participants.

Attached Annex B: Programme

#### **Workshop materials**





A facilitators Guide and Participants Guide was developed for this training.

The idea was not only to support participants learning but also to assist them deliver similar training to constituents in their respective countries.

Therefore, these materials will be printed.

Martials can be accessed at www.ilo.org/suva

#### Value adding

The design of the training took into account value for money and innovation. Therefore, the 5 areas identified were:

- 1. A focus on a specialist area hazardous substance.
- 2. Site visit under the mentorship of SafeWork New Zealand.
- 3. Introduction to virtual reality to OSH enhance inspection and investigations.
- 4. ILO-SafeWork New Zealand bilateral meeting to identify future collaboration targeting in-country activities.
- 5. Develop OSH related country priorities and work plans that will inform 2017 ILO Programming and potentially feed into the development of Decent Work Country Programme (DWCP).

#### **Partnerships**

This training is delivered in partnership with WorkSafe New Zealand and ILO International Training Center (ITC). WorkSafe New Zealand supported the training through the provision on a technical trainer and specialist, **Mr Rod Dickson**, specialising in hazardous substances. Mr Dickson also supported the OSH national training in Samoa in 2015. The ITC is exploring the use of Virtual Reality (VR) to leverage education and training by using technology and bringing in real-world-simulations. OSH is a priority area for ITC Turin to pilot VR. <a href="http://virtualreality.itcilo.org/">http://virtualreality.itcilo.org/</a>. A purchase order to issued to ITC for the development of the VR session.

#### www.worksafe.govt.nz

WorkSafe New Zealand was set up by the Government in direct response to the 2012 recommendations of the Royal Commission on the Pike River Coal Mine Tragedy and the Independent Taskforce on Workplace Health and Safety (which reported in 2013). Their objective, as laid out in the WorkSafe New Zealand Act 2013, is to "promote and contribute to securing the health and safety of workers and workplaces". They implement the Health and Safety at Work Act (HSWA).

#### www.itcilo.org

Training Centre in 1964 in Turin, Italy, as an advanced vocational training institute. It has since matured into a focal point for high-level inservice training. This takes place in Turin, in course participants' home countries or via the Internet. The Centre provides training and related services that develop human resources and institutional capabilities. We thereby contribute to achieving the ILO's goal of decent work for women and men.

Two month of technical discussions with both partners resulted in a technically sound programme, that would be valuable to target countries.

There was also a presentation by a member of Union Aid New Zealand. Ms Laila Haree, who also is a former ILO Official, offered support to workers organization. The ILO saw this as a good partnership and will follow through on it.

#### **Target countries**

The target countries for this training are Kiribati, Cook Islands, Tuvalu, Vanuatu, Solomon Islands and Tonga.

#### Lead trainer

Ms Antoinette Baker is based in Christchurch, New Zealand. She is a qualified lawyer and practiced for several years as a litigator before joining the New Zealand Department of Labour in 2005. She worked in the Labour Inspectorate for 10 years until she decided to make a lifestyle choice and become self-employed as a consultant. Her work in the New Zealand Labour Inspectorate involved carrying out inspections and investigations relating to employment standards, team and practice leadership, policy development and implementation, training of new and experienced inspectors, and regional management.

In 2015, she delivered national OSH trainings for ILO in Samoa and Papua New Guinea.

#### Attached Annex D: Report by trainer

#### **Participants**

A total of 16 participants from 6 countries. 50% male and 50% female. 80% were actual labour and OSH inspectors while 20% were government management level officials. There was also one worker representative from Tuvalu and one employer representative from Kiribati. The workshop was opened by Mr Brett Murray, GM – Operations and Support for WorkSafe New Zealand, who welcomed all pacific participants to New Zealand.

Attached Annex E: Participant List

#### Virtual Reality - introductory session

ITC invested time to develop a 2hr introductory session for participants on VR and its potential to support OSH inspection and investigation.

Based on the evaluation forms, participants felt that VR could add value to the way OSH inspection and investigation is carried out in the islands. The major concern was internet speed and reliability.

http://virtualreality.itcilo.org/aukland-osh-and-labour-inspectors/



#### Site inspection



The participants were exposed to various safety and health issues at a major building redevelopment site undertaken by Naylor Love Ltd.

Pictures and interviews are available at: https://www.facebook.com/ILOPacific/

#### Post training follow up

#### (a) Action Plans and

Participants were provided with the template of the action plans prior to departing their respective countries. This was to allow them to discuss with their senior management ideas and priorities for OSH. At the training, participants were provided with the opportunity to refine these priorities. The actin planning session held on the final day consolidated their priorities and participants came up with a final action plan per country.

These action plans will now inform the programme outputs for 2017.

Attached Annex F: Country Action Plan

#### (b) Meeting with WorkSafe New Zealand

The ILO-WorkSafe New Zealand bilateral meeting noted that while only two countries (Vanuatu & Solomon Islands) had specifically stated priorities for hazardous substance in their work plans there were opportunities to support provisions in legislations or materials for other countries.

The key areas of collaboration identified were:

- 1. Development of Guidelines on handling hazardous substances
- 2. Development of fact sheets on hazardous substances
- 3. Technical contribution to provisions relating to hazardous substances in national legislations or policies.
- 4. Specific in-country training on hazardous substances

A formal letter from the ILO Pacific Office to WorkSafe New Zealand will be drafted to thank them for the collaboration and establish formal working arrangements to support in-country follow up.

#### ILO support staff and responsibilities

The main technical resource persons will be:

- 1. Mr Satoshi Sasaki Sepcialist for Decent Work, Overall management
- 2. Mr Jajoon Coue ILO Labour Law Specialist, Technical; guidance
- 3. Mr Edward Bernard Programme Officer, concept & organization
- 4. Mr Bimlesh Raj Programme Officer, organization
- 5. **Mr Kavitesh Prasad** Administration & Finance Officer, logistics and administrative
- 6. Ms Ioana Craciun Intern, administrative

**Pictures** 

Attached Annex G: Classroom and site inspection

## ANNEX A: Concept Note

#### **CONCEPT NOTE**

## Pacific Sub-Regional Foundation Skills Training for

#### OSH and Labour Inspectors

21-25 November 2016
Kiwi International Hotel
Auckland, New Zealand

#### Overview

The ILO's labour law reform project (2016-17) supports ILO member countries in the Pacific to strengthen their capacity to ratify and apply international labour standards and to fulfil their reporting obligations. Despite widespread ratification of Fundamental Labour Standards in the Pacific, there are significant gaps in their implementation in law, policy and practice. Almost all of the ILO's 11 member States in the Pacific require technical support for labour law reform and its implementation.

Seven member States are either revising or implementing labour legislation with ILO technical support. These are primarily fragile states including four LDCs (Tuvalu, Kiribati, Samoa, and Vanuatu), one LMIC (Papua New Guinea) and one UMIC (Palau). In addition, the Marshall Islands (an LMIC) has signaled that its priority for the next two years is to complete a labour law review and develop new labour legislation.

Support is also needed for the ILO's two most recent members. First, the Cook Islands is seeking technical support for labour law reform relating to OSH and will need support to fulfil its ILO Constitutional obligations. Second, technical support is needed for Tonga to finalize a draft labour Bill, which will, for the first time, regulate private sector employment and strengthen compliance with International Labour Standards as part of the Government's commitment to ratify the eight Fundamental ILO Conventions.

#### **Strengthening Labour Inspection**

The implementation of labour laws is a major challenge in the Pacific. This is either due the absence of legislations, capacity of the responsible ministry, or both. Kiribati, Tuvalu and Cook Islands have specifically requested ILO technical assistance for foundation skills training on OHS. Although Solomon Islands, Vanuatu and Tonga have dedicated labour inspectorates, they also face challenges in managing and conducting labour/OSH inspections.

#### **Objective**

The objective of the workshop is to provide basic concepts, principles and skills to participants to manage and implement OSH and labour standards requirements under ILO Conventions and National Legislations. It will be delivered in partnership with WorkSafe New Zealand and the ILO's International Training Center (ITC), targeting a total of 15 participants from Kiribati, Cook Islands, Tuvalu, Vanuatu, Solomon Islands and Tonga.

#### Value adding

Similar national level trainings has been conducted in Papua New Guinea and Samoa. While lessons will be drawn from pervious national trainings, the value adding components will be the work place inspections to enterprises in South Auckland under

the mentorship of WorkSafe NZ inspectors and ITC Turin will pilot the Virtual Reality (VR) applications for OSH, for potential use throughout the Pacific. There may also be an opportunity for seasonal worker sending countries to visit farms, to understand New Zealand OSH laws, to strengthen their pre-departure training for seasonal workers.

#### Format of training

The training will be highly interactive, tailored to specific country needs and will have both classroom and real-life practical sessions.

The overall training will be divided into five parts:

Part 1: Defining Labour Inspection
Part 3: Practical Inspection
Part 4: Inspection reporting

Part 5: Developing the Inspectorate practice

Participants will be provided with a set of course materials containing the 5 parts including e-copies of presentations on flash drives.

On day 4 of the programme, a field visit to enterprises to conduct work place inspections under the mentorship of WorkSafe New Zealand officials will be organized. While the participants will be responsible for their safety shoes, ILO and WorkSafe New Zealand will provide a set of basic (ILO-WorkSafe NZ-ITC Turin branded) Personal Protective Equipment (PPE) for the participants to take back to their respective countries.

Every evening, a 40minute coffee lounge style session will be facilitated, on topics identified by participants. ILO will pay for light refreshments, stretching out its approved reception budget, over 4 days.

#### Bilateral Meeting for post training support

The ILO Pacific Office notes its limited technical capacity to provide direct in-country support to all member countries. WorkSafe NZ has agreed to discuss with ILO and identify specific areas of collaboration to support member countries in 2017.

#### Resource persons

The main technical resource persons will be:

- 1. Mr Jajoon Coue ILO Labour Law Specialist
- 2. Ms Antoinette Baker Lay Employment Advocate and Trainer
- 3. Mr Rod Dickson Technical Specialist, Occupational Health, WorkSafe NZ

Technical oversight is provided by Mr Satoshi Sasaki (OIC), Programme support is provided by Mr Edward Bernard and Bimlesh Raj and Administration/Finance support by Mr Kavitesh Prasad, assisted by Ms Ioana Craciun of the ILO Pacific Office.

ANNEX B: Programme

Countries:
Kiribati, Tuvalu, Cook
Islands, Tonga,
Solomon Islands,

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From:

Venue: Kiwi International Hotel, Auckland, New Zealand 21/11/2018







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PART 1: Defining Labour Inspection [A. Baker]	4.20
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S5: Introduction	11.30 – 1245 S6:Legislation application	Overview of the purpose of

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application	Overview of the purpose of	inspectorate legislation. Exer	What does legislation tell an inspector	about how to do their job?
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12:45 -- 14:00 Lunch

12:45-13:30

Lunch

Review & discussion on yesterday's learning and overnight reading. [R Dickson and A Baker]	Part 2: Principles of Inspection [A. Baker]	9:00 –9:30 S11: Types of Inspectorate Interventions [A. Baker] Investigating something that has	allegedly happened. Checking compliance at a selected workplace. Educating, empowering and enforcing Identifying the similarities and differences in approach.	9:3010:00 S12: Benefits of preparation The 6 "Ps" and preparing your kit [A. Baker]	10:00 ~ 10:15 Moring tea	10:15 –11:15 S13: Inspections [R Dickson] Key principles. Assisting and educating the employer	11:15-41:45 S14: "Isaac's Story" – Audio Visual Discussion [R Dickson]	11:45–12:45 S15: Accident investigations	Fundamentals of accident inspection
Registrations, speeches, introductions, housekeeping & administrative, objectives & expectations. [ILO]	Presentation by Worksare New Zealand [B. Murray] 9:30 – 9:45	S2: About the course Explanations about the defivery and style learning activities on the course and a quick orientation of the folders. [A. Baker]	9:45-10:00 S3: Turin Virtual Reality Pilot Brief introduction [E. Bernard] 10:00 – 10:5	Moring tea		10:15—11:00 S4: The ILO ILO standards and global inspection standards Skype session.	[J. Coue] PART 1: Defining Labour Inspection [A. Baker]	11:00 – 11:30 S5: Introduction	11.30 – 12.45 S6:Legislation, interpretation and

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8:30 –9:30 S18: Learning assessment Review & discussion on yesterday	learning and overnight reading.[R Dickson and A Baker]
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Review & discussion on yesterday' learning and overnight reading. [R

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S23: Learning assessment

# Part 3: Practical Inspection [A. Baker]

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9:30 - 10:30	S19: Investigat	(with reference	includes role pi	'Conversations	Acking the right

Part 3: Practical Inspection (Cont.)

Asking the right types of questions... Keeping things on track. Getting the best information and evidence. Managing the 'conversation' [A Baker]

S25: Reporting [A Baker] 10.15 – 10.30 morning tea

9:15-10:15

## 10:30 - 10:45 Moring tea

observation visit sheets OR preparation Field visits supported by Worksafe NZ

for class based mock visits. [R. Dickson and A Baker]

Preparation in pairs or groups using

S26: Preparation for practical

10:30-12.00

10:45 – 12:15 S19: cont.	12:15 13:00 S20: Addressing Conflict	Managing challenging behaviour of others during inspections or	investigations. Managing your impartial	role during inspections of investigations  A Baker
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S27: Fleld Visits

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FRIDAY 25th

THURSDAY 24th

WEDNEADAY 23rd

8:00-10.00

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Discussion on under reporting and

S24:Video: "Finaunga's Story" protection of workers who report.

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Why observe, share, analyse and	record trends? Ideas for engaging with	useful stakeholders. Ideas for planning	strategic work programmes Morning tea	
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FRIDAY 25 <sup>th</sup>	12:45–13.15 S36: Official closing Speeches, certificate presentation, darewells. [ILL0] 13:15–14:15 ILO-SafeWork NZ bilateral funcheon to discuss post workshop support for countries. Representative attending for WorkSafe NZ: James Angus, Chief Inspector, Northern Region.	
THURSDAY 24th	15:00 – 16:00 S28: Field Visit Feedback/sharing of experience 16:00 – 16:15 S29: Day ahead and day in review Topic chapters handed out for overnight reading. [A. Baker]	18:30-19:30 Special topic session with mini reception Topic: to be proposed by participants and venue advised by ILO [R. Dickson]
WEDNESDAY 23rd	14:00 – 14:45 S20: cont. 14:45 – 15:45 Session 21: Recording and managing information File management and protecting information. All you ever wanted to know about using notebooks. [R Dickson & A Baker] Afternoon tea 15:45 – 16:15 S22: Day ahead and day in review Topic chapters handed out for overnight reading. [A. Baker]	18:30-19:30 Special topic session with mini pacific reception Topic: The workers perspective on OSH [Laila Harre] IKA seafood Bar & Grill 3 Mount Eden Rd, Eden Terrace, Auckland
TUESDAY 22nd	13:30 – 14:30 S15: cont. 14:30 – 16:30 Session 16: Hazardous substances Workplaces with hazardous substances – some fundamentals: Audio-visual The Globally Harmonised System (GHS) and practice with Safety Data Sheets. Exercise: Writing a hazard alert Aftemoon tea [R. Dickson] 16:30 – 17:00 S17: Day ahead and day in review Topic chapters handed out for	18:30-19:30 Special topic session with mini reception Topic: to be proposed by participants and venue advised by ILO [R. Dickson]
MONDAY 21st	14:00 –15:00 S7: How Inspectors must behave: ethics [A Baker] How do we act in our formal role as Labour Inspectors? Exercise: Facing challenges. Group work 15:00 – 16:00 S8: Presentations Exercise: Presenting what we know about our roles based on scenarios [A Baker] 16:00 – 16:30 S9: Day ahead and day in review Topic chapters handed out for overnight reading. Afternoon tea [A. Baker]	18:30-19:30 Special topic session with mini reception Topic: to be proposed by participants and venue advised by ILO [R. Dickson]

MONDAY 21st

# RESOURCE PERSONS

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Title		ILO, Specialist for Decent Work Strategies	ILO. Labour Law Specialist		Lay Employment Advocate and Trainer	Technical Specialist Occupational Hoalth Workship	Security, Occupational Health, Wolksale NZ	ILO, Programme Officer	II O Programma Officer		ILO, Finance & Administration Officer	
Name	Mr Catoobi Canobi	INI CALCOLLI CASANI	Mr Jajoon Coue	Me Antoinotto Doba-	ins Amonielle Daker	Mr Rod Dickson	M. T.L. D.	Wir Edward Bernard	Mr Bimlesh Rai	M. Veritable D.	MI NAVICESTI Prasad	

ANNEX C: Partnership documentation



WSNZ\_43\_3(d) SFK/edb



14 September 2016

Mr Paul Malloy Worksafe New Zealand Level 6 86 Customhouse Quay Wellington 6011 New Zealand

Dear Mr Malloy,

#### Re: Seeking partnership for sub-regional training

The ILO Office for Pacific Island Countries based in Suva Fiji, plans to deliver a Pacific Sub-Regional Foundation Skills Training for Labour & OSH Inspectors from 21-25 November 2016 in Auckland, New Zealand.

The training will target participants from the Cook Islands, Kiribati and Tuvalu and delivered by ILO consultant Ms Antoinette Baker. Ms Baker has also provided similar technical support in Samoa and Papua New Guinea. In Samoa, the ILO was grateful for the support of Mr Rod Dickson from Worksafe New Zealand.

Despite widespread ratification of Fundamental Labour Standards in the Pacific, there are significant gaps in implementation in law, policy and practice. Therefore, the overall objective of the training is to strengthen the capacity of the participants to apply international labour standards and enforce national OSH laws.

The ILO seeks the partnership of Worksafe New Zealand for the above training, specifically for:

- (a) availing of an officer to facilitate the session on Accident Investigations and Hazardous Substances (the material to present already exists and was largely prepared by Mr Dickson for the original course in Samoa. It is at a basic foundation skills level);
- (b) support field observation visit(s) with a Health & Safety Inspector possibly on the Thursday 24th November; and
- (c) opportunity to discuss possible post training mentoring support by Worksafe New Zealand for the 3 target countries in 2017.

This technical assistance is in response to the specific request from the target countries and contributes to ILO's programme on Decent & Productive Work.

The ILO is happy to discuss any costs related to (a) and (b) above.

I look forward to your response and potential to partner with Worksafe New Zealand.

AKarafail.

Yours sincerely.

Surkafa Katafono Officer-in-Charge

ILO Office for Pacific Island Countries

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#### Bernard, Edward

From:

Paul Molloy < Paul. Molloy@worksafe.govt.nz>

Sent:

05 October 2016 13:46

To:

Bernard, Edward

Cc:

Sasaki, Satoshi; Coue, Jajoon; Craciun, Ioana; Rod Dickson

Subject:

RE: Follow up: Seeking partnership for sub-regional training [UNCLASSIFIED]

Hi Edward.

Rod Dickson will be your main contact person for WorkSafe. I have cc'd Rod into this email so you can contact him directly between now and the scheduled training.

In addition to the above Rod & I are available either next Wednesday or Thursday (12<sup>th</sup>, 13<sup>th</sup>) for a teleconference if you think this may be of help to you and your colleagues.

Also, I can confirm that Worksafe is happy with you mentioning the training is 'in collaboration with WorkSafe' in your invitation letter

Kind regards

Paul

Paul Molloy

**Team Leader, Technical Specialists** 

**Operations & Support - Technical Programmes & Support** 

WorkSafe New Zealand

Level 6, 86 Customhouse Quay, PO Box 165, Wellington 6140

P: + 64 (0)4 901 1478

M: +64 (0)21 871453

E: paul.molloy@worksafe.govt.nz

W: www.worksafe.govt.nz





**From:** Bernard, Edward [mailto:bernard@ilo.org] **Sent:** Wednesday, 5 October 2016 12:30 p.m.

To: Paul Molloy

Cc: Sasaki, Satoshi; Coue, Jajoon; Craciun, Ioana

Subject: RE: Follow up: Seeking partnership for sub-regional training [UNCLASSIFIED]

Dear Paul

We trust you are well.

I am just following up if you have determined a lead from WorkSafe that we can be in contact with and discuss details.

In the interim, we hope to send out invitation letters to countries this week and hoping if we can mention in the letter that the training is in collaboration with WorkSafe?

Regards Edward

From: Bernard, Edward

Sent: 26 September 2016 15:04

To: 'Paul Molloy' < Paul. Molloy@worksafe.govt.nz >

Cc: Katafono, Surkafa < surkafa@ilo.org >; Sasaki, Satoshi < sasaki@ilo.org >

**Subject:** RE: Follow up : Seeking partnership for sub-regional training [UNCLASSIFIED]

Hi Paul

That is excellent news and we look forward to the partnership and further information.

Kind regards Edward

From: Paul Molloy [mailto:Paul.Molloy@worksafe.govt.nz]

Sent: 26 September 2016 14:56

To: Bernard, Edward < bernard@ilo.org>

Cc: Katafono, Surkafa < surkafa@ilo.org >; Sasaki, Satoshi < sasaki@ilo.org >

Subject: RE: Follow up: Seeking partnership for sub-regional training [UNCLASSIFIED]

Hi Edward,

Your email is very timely. I have just had the go ahead (10 minutes ago actually) from my Senior Leadership Team to action this request.

I will be speaking to my team colleagues to discuss who is best to lead this for WorkSafe and will be in touch with you very soon.

Kind regards

Paul

Paul Molloy
Team Leader, Technical Specialists
Operations & Support - Technical Programmes & Support

WorkSafe New Zealand Level 6, 86 Customhouse Quay, PO Box 165, Wellington 6140

P: + 64 (0)4 901 1478 M: +64 (0)21 871453

E: paul.molloy@worksafe.govt.nz

W: www.worksafe.govt.nz





**From:** Bernard, Edward [mailto:bernard@ilo.org] **Sent:** Monday, 26 September 2016 3:13 p.m.

To: Paul Molloy

Cc: Katafono, Surkafa; Sasaki, Satoshi

Subject: Follow up: Seeking partnership for sub-regional training

Dear Mr Molloy

Greetings from the ILO Office for Pacific Island countries in Suva.

I am kindly following up on the letter emailed to you ( see email below).

We look forward to your response.

Regards Edward

From: Naiwaqa, Veronika Sent: 14 September 2016 16:26

To: paul.molloy@worksafe.govt.nz

Cc: Katafono, Surkafa < surkafa@ilo.org >; Bernard, Edward < bernard@ilo.org >; Sasaki, Satoshi < sasaki@ilo.org >

**Subject:** Seeking partnership for sub-regional training

#### Correspondence from the ILO Siva Officer in Charge

Dear Mr Paul Malloy,

Please find a letter attached from the ILO (Suva), detailing the request for partnership in the sub-regional training currently being planned to take place in Auckland, NZ from 21 – 25 November, 2016.

You may contact Mr Edward Bernard who is copied in this correspondence, for any further details or clarification.

Yours sincerely, Veronika Naiwaqa (Ms) Executive Secretary International Labour Organization Office for Pacific Island Countries Level 8, FNPF Place Victoria Parade, Suva PO Box 14500, Suva, Fiji Tel: +679 331 3866 Ext. 113

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ANNEX D: Report by Trainer

20 to	25	November	2016	Auckland
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#### The programme

The 5 day course was attended by OSH and Labour Standards Inspectors and those who work in and around the work of Inspectors such as in Government and policy. There was one Union representative from Tuvalu. Participants were as follows:

Cook Islands: 4 Tuvalu: 4 Kiribati: 5 Tonga: 1 Solomons: 1 Vanuatu: 1

The course was originally developed by the report writer for the ILO training delivered in Samoa in early 2014 and then in PNG in late 2015. The programme for this course was adapted and improved to meet the needs of the ILO and the participants. Much was learnt in delivering the material in the previous jurisdictions and these learnings were incorporated into this programme.

The key difference in this training was that instead of participants working on a scenario and performing a critiqued role play of a full inspectorate workplace visit the participants were able to visit a live worksite in down town Auckland. Comment is made about this 'new' activity below.

#### Methods of delivery

- Explanations and expert content delivered by either or both cofacilitators with some use of power point visual presentation, storytelling and white board diagrams and prompts.
- Practical written exercises, discussion based exercises and role played exercises using appropriate work based scenarios
- Participant presentations to group with subsequent constructive critique
- Audio visual presentations and discussion or question and answer of the same (Socratic teaching)
- Homework reading which was discussed the next morning
- Reward for achievements

## Methods of evaluation of learning

All exercises had objectives.

The following evaluative methods were used to check throughout the course whether these objectives were met and to identify areas for future development.

- Question and answer type discussion each morning following the homework reading. The homework reading consisted of chapters covering the relevant topics from the day before.
- Quiz
- A Socratic style of teaching where participants were asked to provide comment or responses to learning
- An informal round the table feedback at the end of the course linking participants' original stated learning aims on day one with how they felt by the end of the course
- Facilitator observations
- Anecdotal feedback during and after the course
- Formal written feedback forms covering each topic/day.

While the above evaluative methods are not an exact science they have formed a useful combination of ways to identify the areas that showed strong learning and the areas that may need further development. A brief report is provided on each of the key content sessions under key topic areas as they chronologically occurred each day. For each area there are learnings and recommendations.

#### **Pre-course preparation**

#### Two tasks for pre course completion

• Unfortunately this work did not occur. It may have been lost in translation between the contractor and the ILO or beyond. There were two aspects to this preparation the first was a mental preparation asking participants to think about the most challenging thing they have had to do as an Inspector. The second task was for Inspectors to have completed some on the job self-evaluations of their skills and practice. The impact on the course was minimal although it would have been good for Inspectors to have had an assessment of their existing practice before the course and then to carry out some assessments later to see the learnings. This is also in place to help the ILO see that the training has had some effect. I refer to future use of the self-assessment forms in recommendations below.

#### **Learnings and Recommendations:**

If I am working on this course in the future I will make sure I send clearer messages about the pre-course work tasks and perhaps identify 'champions' or 'leaders' who will encourage the completion of the

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tasks. This worked well in Samoa.

#### Day One: Introduction/ Defining Inspection

#### **International Labour Standards and Context**

This was a walk through with PowerPoint slides followed by a 'matching game' for participants to get an appreciation of the breadth of the Conventions covering different aspects of labour such as domestic workers and child labour. This session can be a little dry on the first day but the final exercise has the benefit of getting people working together and getting to know each other. Requests to have a set of the materials for the game seemed to indicate good uptake of the learnings.

## Defining Inspection through Legislation and Application including the management of ethical challenges

This topic takes the rest of the day and is aimed at getting inspectors to know how to look up, find, explain and apply legislation or policies or codes. The final exercise is a role play where participants has to perform ways to deal with ethical challenges. This exercise was carried out with great enthusiasm and despite the humour everyone delivered a serious message about how to perform the role and wear the 'hat' of an inspector when they are pressured to act outside of their ethical and jurisdictional duties. My fellow facilitator and I were delighted with how this session went. It also set up an excellent camaraderie and collegial working environment for the whole week. People continued to refer back to the learnings from day one about their role, their powers and the legislation.

#### **Learnings and Recommendations:**

- Participants should now enhance their course materials by adding in their key legislative sections. A reminder about doing this would be good.
- Day one sessions would make a good day long workshop when legislation is passed and some awareness training or localized training is needed. The materials could easily be enhanced with the country's specific legislative references.

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- Jurisdictions might consider reinforcing the learnings about ethics by having a brief simple charter for the office wall for Inspectors. This could incorporate the guiding principles for inspectors in all of their work whether dealing with people in the field, writing reports or working through information and evidence. The key principles learnt in the course are Accuracy, Consistency, Impartiality, and Transparency. By the end of the course everyone could quote this 'mantra'. These concepts can be broadened to things like proportionate action, fairness and accountability to the public. These are all based on existing and pending Inspectorate legislation and the ILO conventions for labour inspection.
- This would seem to be an important component of the foundational skills training that was very successful. It became evident that commencing with these concepts assisted the later exercises such as the practical visits and raised the thinking from just the procedural and technical aspects of the job.

Day Two: Principles of Labour Inspection

#### The importance of planning

Throughout the training a significant emphasis was placed on being prepared. This was taught as being more than just tangible aspects of an inspector's job like equipment and documentation and operational logistics like transport and communication. The participants were required to think very broadly about preparing the best ways to gather accurate information about workplaces, thinking about likely responses from employers or employees and how to handle these, ensuring that knowledge is held or accessible, and predicting where there may be challenging conflict in the workplace and how to best handle this.

Having the inspectors create 'virtual' preparation kits was a useful exercise and this material was pooled together into a new resource provided on the flash drives.

#### **Learnings and Recommendations:**

 To continue to remember and develop good preparation practices. Use of the on the job self-assessments is a good way to reflect whether one's planning has any gaps.

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#### **Inspections**

This session also emphasised the importance of preparation but also of 'taking the blinkers' off when inspecting workplaces where there may be indicators beyond just the specific areas of inspection. This raised some good discussion about creating enabling legislation that allowed Inspectors to share information across relevant government agencies if they come across risks and concerns in areas they are not appointed to enforce. For example, issues of child or forced labour.

#### **Accident Investigations**

This session highlighted the importance of the first response to a notification of an accident and the importance of getting the correct and most essential information right at the start. If the beginning process is thorough the rest of the investigation will be on solid ground. It was important to embed this thinking as a foundation principle.

Gathering the best evidence and practical ways to do this was also discussed and worked through in group work.

Subsequent sessions like notebooks and interviews also related to the accident investigation skills.

Although not all participants were OSH Inspectors the participants were all fully engaged with this session.

What was very evident was that there is a high lack of notification of workplace accidents in all jurisdictions. Usually accidents are not notified until a worker seeks compensation at a time during recovery when it would be then impossible to carry out a meaningful Inspection as to cause. There was very little experience in the room with investigating accidents but an acknowledgement from many that there were a number of gaps in this area. Those with new or pending legislation now realise that their law requires an employer to notify and as such have identified a significant gap in practice. There was a real appreciation of the importance of being able to know immediately when a workplace accident occurred so that the Inspectorate could enforce, educate and prevent such a thing recurring.

#### **Learnings and Recommendations:**

 Participants often said during the course that educating and 'persuading' groups of employers may be a way to encourage

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reporting. Use of audio visual slides such as the ones shown at the course would also be ideal in this type of education. Continuing to 'sell the messages' of the benefits of safe and healthy systems in the workplace is something that the Inspectorates all need to work on. Using existing cultural and community models was also raised as the way forward.

#### **Hazardous Substances**

This is a wide and specialised area. Countries participating have very little detailed legislation or experience in this area save for perhaps the Cook Islands with the Dangerous Goods Act and a specialised Inspector. The more advanced technical aspects were not covered in this short course. However a good portion of time was devoted to this topic which covered definitions, storage management, key principles of use and monitoring in the workplace as well as an introduction into the international GHS system of labelling and the use of Safety Data Sheets.

The learnings were also reinforced when debriefing participant observations from the Auckland workplace visit.

#### **Learnings and Recommendations:**

- The use of a well presented specialist video is a good method of learning. The VOCAM video is highly recommended for future use with Inspector training and also for educative programmes.
- When codes or Industry agreed fact sheets are developed in this area consider more specialised training for OSH Inspectors as part of future development.

Day Three: Practical Labour Inspection

#### **Investigative Interviewing skills**

This was taught using aspects of the internationally used PEACE model. The enthusiasm during practice of the concepts showed that there was a clear uptake of how and when to use open and closed questions to gather accurate information and evidence. The aspect of the model that relates to putting specific evidence to employers was also demonstrated and practiced.

#### **Learnings and Recommendations:**

- The concept of 'conversation with a purpose' for all interviews is an age old concept for front line investigators. Continuing to practice and peer review through on the job self-assessments will enhance these skills.
- There is a significant amount of material available for further training in this area. The PEACE model is in the public domain. This team would be capable of further developing skills using this material in-house for their own workshop style training.
- There was feedback that the videos showing good and bad interviews gave participants some good ideas for practicing their skills of interviewing. A recommendation for enhancing further back home training would be to record some model interviews role played by inspectors themselves after some practice. Learning seemed to be enhanced by watching an example.

#### Addressing conflict

Group work discussion and presentations on scenarios were well done. Experienced participants were able to share tips about what worked and what did not work.

#### **Learnings and recommendations:**

- As above a simple office charter can be a good way for a small team to remind itself of the governing principles behind how to behave and keep safe in the field.
- Due to the success of using relevant videos another video of managing people in conflict situations would have enhanced this training especially one that follows the process of allowing a person to 'vent', use empathy, keep them on track and bring about agreed solutions. This could be an excellent content mix for the virtual reality headsets.
- Consider more specialised mediator or facilitator type training that expands on some of the techniques in this area for those in dealing with employment disputes about terms and conditions of employment.

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#### Recording

This was a brief introduction to using notebooks as a best practice tool for inspectors. An exercise was also completed.

#### **Learnings and Recommendations:**

 Because Inspectors do not seem to be using notebooks it is recommended that a policy decision is made about the use and uptake in each jurisdiction. Introducing them would require some positive action and discipline to embed the practice. As with investigative interviewing there is material in the public domain relating to using notebooks. However the material provided is reasonably simple and covers all aspects of notebook use.

Day Four: Practical Labour Inspection

#### **Workplace visits**

Through the assistance of WorkSafe NZ a large New Zealand Construction Company called Naylor Love agreed to host the course on a tour of a large construction site in down town Auckland. The site is a renovation of what had been a 15 storey building. The work involved removing a heavy concrete topping to the building and then building another five storeys making it into a 20 storey luxury apartment complex. The tour began with a full presentation briefing about the whole project, the safety and health systems in place and some examples of what steps are taken on site. The company also explained what they did when a 'near miss' occurred which provided some excellent procedural learnings for the participants as well as showing the importance of investigating 'near misses' as well as serious harm accidents.

#### Learnings and Recommendations:

This type of experience will not likely be available in the
participants' own countries. However the course materials
contain the detailed content for delivering a type of mock
situation where Inspectors can create workplace visit scenarios
and then perform them in a class setting. I recommend that the
facilitator guide which has this material be made available if
countries wish to continue this type of training.

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## Day Five: Reporting/Development /Closure

#### Reporting

A decision was made by the facilitators not to have the Inspectors complete a written exercise due to the course running behind schedule.

However a demonstration of what makes a good report writing style created some good discussion and participants were shown the templates that could be used to enhance what was already being used.

#### **Learnings and Recommendations:**

- Consider what reports are suitable and adapt for use.
- To develop the skill of report writing use a peer review method to give constructive feedback on reports using some of the course materials that explain how to write and set out reports.

#### Strategic Planning

This section of the training focused on the key point about Inspectorates needing to find the areas of greatest need and harm rather than just inspecting geographical areas. This discussion preceded the ILO's action planning session.

#### Learnings and recommendations:

There is more material that can be used when thinking about how to best prioritise work. New Zealand has some experience in this journey and the writer would be happy to be contacted for any further assistance.

#### Ongoing learning and development for inspectors

This session was not fully carried out as designed. There was a time restriction to allow for the important action planning exercise. However many of the course exercises required the participants to practice a constructive feedback model and there was some brief discussion about using the provided Inspector learning record.

#### **Learnings and recommendations:**

- It is recommended that the participants be encouraged to continue cross jurisdictional contact to assist with their ongoing development and peer support.
- An assisted programme of having a more experienced Inspector

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use something like the on the job assessment sheets to enhance ongoing practice development of peers. Perhaps this could happen inter country if resources allow or it may be an area that Work Safe NZ might be willing to assist. I believe this type of follow on would be invaluable.

#### Overall summary of course:

Based on the round up of verbal feedback on the last session it seems that every participant was fully engaged in the various discussions, exercises and activities even if they may have appeared to be quiet.

The group attention appeared to remain fully focused throughout the whole course which is commendable for a five day course.

Participants referred to coming into the course 'blank' and by the end having an appreciation about OSH, a 'clear map of the Inspector role', 'having a better framework in mind' and the confidence to use new skills. Those skills were referred to as 'wearing the proper "hat" in the Inspector role'.

From a strategy angle several people said they had ideas about how to approach the private sector businesses having previously worked around public sector regulation. Those from the policy and political space referred to having made a good gap analysis which was the key reason for inviting them to attend.

From the technical side participants referred to learning about the importance of planning, how to deal with ethical and or aggressive challenges and the importance of recording work in a transparent way. Mention was made in feedback about key concepts such as the triangle:



Others mentioned the benefit of understanding how to use and apply legislation and understanding the importance of using the correct powers.

Of particular note the Dangerous Goods Inspector from the Cook Islands being of considerable experience found the investigation session of great value saying that he now had a focus on 'a more purposeful means of collecting evidence'. This was exactly the aim of the session and this feedback was important to hear because this means that the materials would be suitable for those with this Inspector's level of experience.

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Participants seemed to benefit from the opportunity to actually practice skills and be able to make mistakes and learn from them in a safe environment. Verbal feedback was, "Thank you for finding us a suitable way to allow us to learn."

Overall the co facilitators were impressed with the level of commitment and energy of the inspectors and others who attended the course. Perhaps the best comment on the last day was, "I now have a package of skills to take home".

Thank you for the opportunity to be involved with such a professional and dedicated group of Pacific people.

Antoinette Baker 28 November 2016

Copied to: Rod Dickson, WorkSafe New Zealand.

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ANNEX E: Participants List

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#### ANNEX F: Country Action Plans







## OSH and Labour Inspectors

21-25 November 2016 Auckland, New Zealand

## **COUNTRY ACTION PLAN**

Country: COOK ISLANDS

ACTIVITY	TARGET GROUP	LOCATION	TIME FRAME	RESOURCES REQUIED	QUIED
WHAI	WHO	WHERE	WHEN	Non-Financial	Financial (US\$)
1. $\%$ day Tripartite presentation	Government, Employers,	Rarotonga	Jan – Mar 2017	Staff time,	U\$500.00
on learnings from Auckland	Workers				
Workshop			_		
2.0SH legal reform (Policy and	Tripartite +	Rarotonga	Jan 2017 to Dec	TA	20,000
Act)		-	2017	Additional staff in INTAFE	40,000
Develop the existing section,				Labour Division (2vrs)	
making it more comprehensive				(6142) 110161111 11016111	
and pratical tool as an ACT, not					
just part of the ERA 2012					
			9	3	
	- Nationwide	Rarotonga +	same	ILO facilitator	Min. 50,000
Consultation with all Stakeholders	including Outer	Outer Islands		ILO experts as participants	
and Tripartite involvement	Islands			Worksafe NZ consultants	
Min. 10 sessions	- Government and				
	private sector				
4.	Nationwide and Outer	Rarotonga	Ongoing	Experts, consultants come in	Costs of training
	Islands. only official	and Da Enga	)		S
		מוומ זמ בווממ		connuty to train	At ILU's costs.





Capacity Building of all three	members of the senior	(Outer			
	group	(Spilation)	<del>-</del>		
Expertise skills course for					
inspectors in inspecting OSH					
Resolving OSH disputes and					
complaints					
5. Awareness campaigns –	Ministry of Internal Affairs	Rarotonga	Jan – Dec 2017	ILO support/expert	TBC
someone to help us develop long	nationwide	and Pa Enua			
term awareness campaigns for		(outer			
OSH through/over several medias		islands)			
VR Pilot Project in the Cook					
Islands					









## OSH and Labour Inspectors

21-25 November 2016 Auckland, New Zealand

## **COUNTRY ACTION PLAN**

#### Country: KIRIBATI

	70		fare, rkshop		
EQUIED	Financial	U\$500.00	\$10, 000 (Airfare, perdium, workshop venue, refreshment)	U\$5,000 (consultant)	
RESOURCES REQUIED	Non-Financial	Staff time,			
TIME FRAME		Jan 2017	February 2017	Jan – June 2017	
LOCATION			Kiritimati Island (Xmas Island)	Kiribati	
TARGET GROUP		Government, Employers, Workers	Government, Employers, Workers (Tourist)	Government, Employers, Workers	
ACTIVITY		<ol> <li>¼ day Tripartite presentation on learnings from Auckland Workshop</li> </ol>	2. 2 days awareness workshop in Xmas Island on OSH Act.	3. Draft and Finalise OSH Regulation	

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## OSH and Labour Inspectors

21-25 November 2016 Auckland, New Zealand

## **COUNTRY ACTION PLAN**

#### Country: TONGA

	ACTIVITY	TARGET GROUP	LOCATION	TIME FRAME	RESOURCES REQUIED	QUIED
					Non-Financial	Financial
<del>-i</del>	<ol> <li>¼ day Tripartite presentation on learnings from Auckland Workshop</li> </ol>	Government, Employers, Workers	Tonga, MCCTIL	Jan – Mar 2017	Staff time, venue MCCTIL Conference Room	U\$500.00
	Analysis the current OSH practice in Tonga (T/A required specialize in OSH)	Government, Employers, Employees	Tonga	April- June 2017	Staff Time	US\$5000.00 (T/A airfares, accommodation and consultation fees)
ri i	Conduct Gap Analysis on OSH practice in Tonga (T/A required)	Government, Employers, Employees	Tonga	July-Sept2017	Staff Time	US\$5000.00 (T/A airfares, accommodation and consultation fees)
t:	<ol> <li>Presentation to relevant stakeholder groups (private sector / industry representatives): Where</li> </ol>	Government, Employers, Employees	Tonga	Oct-Dec 2017	Staff Time, venue, presentation material	US\$2000.00 (Refreshments)







3.	Employers, Head of		August 2017	Staff time, conference room, U\$5000	U\$5000
OSH Awareness training	Departments (public	FUNAFUTI,			
	service), NGOs, reps from	TUVALU			
	the outer islands	-			
4.	Employers	Funafuti,	Last quarter of	Staff time	U\$2000
Inspection of OSH policies or		TUVALU	the year 2017		
measures at workplaces e.g.					







## OSH and Labour Inspectors

21-25 November 2016 Auckland, New Zealand

## **COUNTRY ACTION PLAN**

Country: \_\_VANUATU\_\_

	ACTIVITY	TARGET GROUP	LOCATION	TIME FRAME	RESOURCES REQUIED	QUIED
					Non-Financial	Financial
	½ day Tripartite presentation on learnings from Auckland Workshop	Government, Employers, Workers	Port Vila	Jan – Mar 2017	Staff time,	U\$500.00
5	1 and half day training on the role, obligation and rights of the inspectors - Inspections - Investigations - Hazardous substances	Work Permit, Industrial Relation and Employment Services inspectors	Port Vila	June – July 2017	Staff time, training materials, programs, venue.	U\$ 1,000
m l	Draft the OHS flyer; - On the role, obligations and rights of the inspectors - Duties of the employer	OHS inspectors	Vanuatu	By August 2017	Programmer, Print out	U\$ 2,000







Ç	4. Form a Health and Safety Network with other Ministries and other people around pacific countries.	- Role of the employee
	Participants around south pacific	
	South Pacific Countries	
	January – December 2017	
	None	







## OSH and Labour Inspectors

21-25 November 2016 Auckland, New Zealand

## **COUNTRY ACTION PLAN**

#### Country: KIRIBATI

QUIED	Financial	U\$500.00	\$10, 000 (Airfare, perdium, workshop venue, refreshment)	U\$5,000 (consultant)	
RESOURCES REQUIED	Non-Financial	Staff time,			
TIME FRAME		Jan 2017	February 2017	Jan – June 2017	
LOCATION			Kiritimati Island (Xmas Island)	Kiribati	
TARGET GROUP		Government, Employers, Workers	Government, Employers, Workers (Tourist)	Government, Employers, Workers	
ACTIVITY		<ol> <li>¼ day Tripartite presentation on learnings from Auckland Workshop</li> </ol>	2. 2 days awareness workshop in Xmas Island on OSH Act.	<ol> <li>Draft and Finalise OSH Regulation</li> </ol>	



#### ANNEX G: Pictures



