

National Tripartite Workshop on Improving Occupational Safety and Health: Towards a Safe and Sustainable Ship Recycling Industry in India

CONCLUSIONS

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1. Challenges and opportunities for decent work

The deconstruction of ships after they have reached the end of their seafaring life is an overlooked but essential part of the economy of the world and of India.

Between 2008 and 2017, about 12 million tonnes of ship volume were recycled in India, mostly in Alang in Gujarat. Deconstructing old or redundant ships enables steel and other parts of the ship to be recycled at a much lower cost than importing and processing iron ore. Less energy is needed to recycle materials in old ships than to extract new raw materials from the earth. Since up to 95 per cent of materials are recycled, the industry forms an important part of the circular economy.

The Gujarat Maritime Board (GMB), the Ship Recycling Industries Association of India (SRIA) and the Alang-Sosiya Ship Recycling General Workers' Union (ASSRGWA) have introduced good practices to improve the occupational safety and health (OSH) and wellbeing of workers as well as the environmental footprint. Acknowledging these achievements, the industry is faced with challenges and opportunities related to both the hazardous nature of the work and its environmental impact.

	Achievements	Challenges	Opportunities
Employment	<ul style="list-style-type: none"> - Direct employment ranges from 25-35,000 workers - Indirect employment for ≥100,000 women and men 	<ul style="list-style-type: none"> - Job continuity for migrant workers - Cyclical nature of recycling and volatile employment 	<ul style="list-style-type: none"> - Begin dialogue about regular employment - Other materials could be brought to Alang for recycling
Sustainable enterprises	<ul style="list-style-type: none"> - Large investments made in infrastructure and equipment - Industry supports a number of small and medium enterprises - Productivity has improved 	<ul style="list-style-type: none"> - Further strengthening the enabling environment for sustainable enterprises - Cut-throat competition from Pakistan and Bangladesh due to lack of level playing field 	<ul style="list-style-type: none"> - JICA project will invest in new infrastructure and facilities - Conduct ILO assessment of the enabling environment - Call on all ship owners to use HKC-compliant yards only
Skills	<ul style="list-style-type: none"> - 100,000s of workers have acquired key industry skills - As many trained in basic OSH 	<ul style="list-style-type: none"> - Low literacy and skill levels of workers - Trained migrant workers often do not return 	<ul style="list-style-type: none"> - Develop skills strategy for the industry
Safety at work	<ul style="list-style-type: none"> - OSH management systems and ship safety plans in use - Competent OSH officers appointed in the yards - Compulsory OSH training - Personal Protective Equipment (PPE) provided - Ships certified before arrival 	<ul style="list-style-type: none"> - Fatalities have declined but continue to occur - Workers not systematically represented in the workplace - Skills learned in training sometimes not applied - Basel Convention requirements outdated 	<ul style="list-style-type: none"> - Strengthen and enable OSH committees in all yards with worker participation - Continuously raise awareness of the importance of OSH - Update OSH training programmes and tools - Conduct safety audits

Health at work	<ul style="list-style-type: none"> - Multi-Speciality Hospital inaugurated - Mobile health clinic introduced 	<ul style="list-style-type: none"> - Upgrade health facilities to match the size of the industry - Health monitoring 	<ul style="list-style-type: none"> - Explore ways to invest Employees' State Insurance Corporation (ESIC) resources in improved health services
Labour inspection	<ul style="list-style-type: none"> - 10 GMB Safety Officers inspect all ship recycling activities - Systems in place for reporting fatalities 	<ul style="list-style-type: none"> - Limited capacity of State labour inspectors - Systems for reporting fatalities, injuries and especially diseases can be further improved 	<ul style="list-style-type: none"> - Strengthen numbers and capacity of labour inspectors - Review and implement further improvements to OSH reporting systems
Working conditions	<ul style="list-style-type: none"> - Minimum wages are paid - No forced or child labour in the yards - Water and sanitation provided in the workplace 	<ul style="list-style-type: none"> - Precarious conditions further down the value chain where self-employed and home-based workers operate in the informal economy 	<ul style="list-style-type: none"> - Promote cooperatives and encourage self-employed home-based workers to join these
Social security	<ul style="list-style-type: none"> - Social security provident fund - Most workers covered by ESIC 	<ul style="list-style-type: none"> - Coverage of seasonal and short term migrant workers 	<ul style="list-style-type: none"> - Reinforce dialogue with ESIC on improved social security - Explore feasibility of establishing a welfare board
Well-being	<ul style="list-style-type: none"> - Housing colony constructed - Cultural and sports activities organized 	<ul style="list-style-type: none"> - Workers reluctant to use newly built dormitories - Current residential areas are illegal and unhealthy - No schools for workers' children 	<ul style="list-style-type: none"> - Analyze reasons for this and engage in dialogue with workers and ASSRGWA - Provide clean water and basic amenities in residential areas
National laws	<ul style="list-style-type: none"> - Shipbreaking Code (2013) and Factories Act (1948) in force - Compliance with host of environmental regulation 	<ul style="list-style-type: none"> - Implementation of the labour law in practice - Complexity of national laws and regulatory frameworks 	<ul style="list-style-type: none"> - Enact new Ship Recycling Bill (2018) - Review, revise and update rules
International instruments	<ul style="list-style-type: none"> - Steps taken to ratify the Hong Kong Convention (HKC) - India has ratified key ILO Conventions - ILO 2004 Guidelines on OSH in Shipbreaking still relevant 	<ul style="list-style-type: none"> - Not all ship owners will be able to provide required inventory of hazardous materials - Effective implementation of ILO Conventions in practice 	<ul style="list-style-type: none"> - Ratification of HKC - Ratification of ILO OSH Conventions (Nos 155 & 187) - Implement training to apply ILO Guidelines in practice
Other standards	<ul style="list-style-type: none"> - Number of yards compliant with HKC has increased - Some yards considered for European List 	<ul style="list-style-type: none"> - Ship owners impose conflicting standards beyond HKC - EU regulation goes beyond national law and practice 	<ul style="list-style-type: none"> - Advocate against duplication in auditing and monitoring
Social dialogue	<ul style="list-style-type: none"> - All ship recyclers represented by SRIA - Majority of workers have been organized by ASSRGWA 	<ul style="list-style-type: none"> - Social dialogue can be further strengthened at all levels 	<ul style="list-style-type: none"> - Enhance frequency and effectiveness of dialogue - Explore options for collective bargaining agreement
Greener recycling	<ul style="list-style-type: none"> - Increase in green plots with concrete flooring - Waste Treatment, Storage and Disposal Facility (TSDF) in place 	<ul style="list-style-type: none"> - Ships not designed and built for green and safe recycling - Additional investments needed in waste management systems 	<ul style="list-style-type: none"> - Advocate for environmental costs to be covered by ship builders and owners - Upgrade TSDF - Explore carbon credits
Government coordination	<ul style="list-style-type: none"> - DGFASLI and GMB signed Memorandum of Understanding (MoU) - Ministry of Labour consulted on Ship Recycling Bill (2018) 	<ul style="list-style-type: none"> - Number of other government agencies involved, based on different mandates, sometimes working in isolation 	<ul style="list-style-type: none"> - Reinforce implementation of GMB and DGFASLI MoU - Ensure SRIA and ASSRGWA are consulted on all relevant government initiatives
Stake-holders	<ul style="list-style-type: none"> - Relations built with ship owners globally and in Alang - Other stakeholders are identified and positions known 	<ul style="list-style-type: none"> - Few ship owners demand/ support improved performance - Biased press and NGO reports threaten the industry 	<ul style="list-style-type: none"> - Improve communication and coordination between ship owners, builders and recyclers and the industry

The creation of safe and decent jobs as well as productive and competitive enterprises is necessary to support the ship recycling industry's sustainability. If the challenges related to decent work and the environmental sustainability of the ship recycling sector can be addressed, the industry can make an important contribution to the achievement of the 2030 Agenda for Sustainable Development, particularly Sustainable Development Goals 3 (Good Health and Well-Being) and 8 (Decent Work and Economic Growth).

2. Bringing about a safer and more sustainable recycling industry

Policies and action to improve OSH and bring about a safe and sustainable recycling industry fall into the broad categories of:

2.1. Upgrading the ship recycling value chain and creating an enabling environment for sustainable ship recycling enterprises:

- Investing in the infrastructure needed for a safer and more sustainable industry to grow;
- Analyzing the ship recycling value chain to identify areas for economic and social upgrading and to identify barriers and bottlenecks;
- Identifying concrete ways to creating an enabling environment for sustainable enterprises and decent jobs;
- Investing in skills development, upskilling and reskilling of workers to increase productivity and competitiveness;
- Promoting cooperatives as a means to organize self-employed and home-based workers further down the value chain; and
- Facilitating a dialogue between the tripartite constituents of India and ship owners, ship builders and key international organizations and other industry stakeholders to bring about a level playing field.

2.2. Further improving OSH, working conditions and worker well-being:

- Strengthening workplace OSH committees in all yards;
- Enhancing and upgrading OSH training based on available data and evidence;
- Ensuring stricter compliance of the permit-to-work system;
- Carrying out safety audits and ensuring full compliance with recommendations given;
- Strengthening reporting of all accidents, injuries, near misses and diseases, including through online platforms;
- Better diagnosing occupational diseases;
- Further improving health facilities and services;
- Conducting pre-employment and periodical medical examinations;
- Ensuring decent working conditions for all, including access to clean water and sanitation;
- Including the ship recycling industry in the national OSH profile, policy and programme; and
- Better understanding emerging issues such as violence at work and sexually transmitted diseases.

2.3. Strengthening labour inspection and labour law enforcement:

- Strengthening the capacity of labour and factory inspectors and increasing their numbers as well as maintaining their competencies and expertise;
- Communicating and raising awareness of existing labour law provisions;
- Ensuring full independence of labour inspectors;

- Better coordinating inspections carried out by different agencies; and
- Reporting gaps and outdated provisions to law makers with a view to improving existing laws and regulations.

2.4. Enhancing social dialogue and coordination with key industry stakeholders:

- Ratifying ILO Conventions on collective bargaining and freedom of association (Nos 87 and 98) and OSH (Nos 155 and 187);
- Enhancing social dialogue institutions and processes at the national, state, district, sectoral and workplace level, including through the establishment of tripartite committees;
- Improving floor-level bipartite dialogue between employers and workers on OSH;
- Engaging employers' associations and workers' organizations in promoting a transition from the informal to the formal sector downstream in the value chain;
- Ratifying the HKC and enacting and implementing the new Ship Recycling Bill 2018;
- Strengthening dialogue and cooperation between the tripartite constituents and international organizations such as International Maritime Organization (IMO), European Union (EU), Organisation for Economic Co-operation and Development (OECD) and other stakeholders;
- Enhancing cooperation between relevant government agencies at central and state level;
- Ensuring employers' associations and workers' organizations are consulted and engaged in the formulation and implementation of all policies and actions relevant to the industry; and
- Facilitating further dialogue and improved cooperation between the ship owners, ship builders and the tripartite constituents of the ILO in India.

3. Recommendations for future action by the government, employers and their associations, workers and their organizations, and the ILO

To improve OSH and to bring about a safe and sustainable recycling industry, concerted action is required by the government of the centre and state (Gujarat), employers and their associations, workers and their organizations, and by the ILO and other industry stakeholders.

Government

- Advance ratification of ILO Conventions concerning OSH, freedom of association and collective bargaining as well as the HKC;
- Further invest in the infrastructure and facilities needed for a safer and sustainable industry to grow;
- Continue and strengthen OSH training and tools for all workers in the industry, including training for trainers;
- Upgrade and improve health facilities and services;
- Engage in dialogue with ESIC to explore ways of financing health facilities and extending the coverage of social security in Alang;
- Review and harmonize the rules and requirements in the Factories Act (1948) and Ship Recycling Bill (2018);
- Carry out pre-employment and regular medical examinations of workers;
- Increase the number and strengthen the capacity of labour inspectors for the ship recycling industry at the state level to ensure fullest possible compliance with the Factories Act (1948);
- Further facilitate an enabling environment for sustainable recycling enterprises, including small and medium enterprises and cooperatives, along the value chain;

- Enhance technical and vocational education and training (TVET) and skills training for workers in the industry;
- Systematically engage employers' associations and workers' organization in the formulation and implementation of laws, regulation, policies, measures and initiatives concerning ship recycling;
- Explore the feasibility of creating a recycling hub in Alang and attracting other related waste management and recycling industries (e.g., electronic and electrical equipment, construction materials, oil and gas installations) and generating more decent work opportunities in the circular economy.

Employers

- Further invest in OSH management systems and continuous workplace improvements;
- Continue to share good OSH and environmental sustainability practices among ship recycling yards; and
- Strengthen dialogue with workers and their representatives.

Workers

- Continue to provide basic OSH training, tools and services for workers;
- Share information about developments and issues affecting the industry with all workers; and
- Contribute to the formulation and implementation of OSH measures and actions proposed by the government and employers.

International Labour Office

At the request of the Government of India and the social partners, and depending on resources available, the ILO could:

- Support the Government of India in the ratification and implementation of ILO conventions and recommendations concerning OSH, freedom of association and collective bargaining;
- Support ILO constituents by conducting research and collecting good practices with regard to the implementation of safety and health measures in order to determine appropriate strategies to further promote transparency and a preventative safety and health culture in the ship recycling industry and its value chain;
- Support the Government of India by conducting training sessions for and supporting the capacity building of the labour inspectors, employers' associations and workers' organizations to improve OSH in the ship recycling industry, including on ILO Guidelines on OSH Management Systems (ILO-OSH 2001); and
- Facilitate a dialogue between ship owners and ship builders and the tripartite constituents of the ILO in India.