



► The Occupational Safety and Health Convention, 1981 (No. 155):

a fundamental convention

In June 2022, Convention No. 155 was recognized as a fundamental Convention, along with Convention No. 187, requiring all ILO Member States to respect, promote, and realize its principles. Convention No. 155 establishes the core framework for occupational safety and health (OSH) management at both national and workplace levels, introducing a dynamic national policy approach to OSH.

Ratifying Convention No. 155 demonstrates a country's commitment to ensuring a safe and healthy working environment for all. Designed for progressive implementation, the Convention allows adaptation to national conditions and development levels, ensuring all ILO Member States can be in a position to ratify and gradually apply its provisions.

All ILO Member States are required to report on the implementation of the fundamental principles and right at work. Ratifying countries submit regular reports (normally every 3 years) detailing measures taken to apply these Conventions. Non-ratifying countries provide annual reports on the status of related rights and principles within their national contexts.

What are the key provisions of Convention No. 155?

Scope and Definitions

Convention No. 155 applies to all branches of economic activity and all workers in covered sectors (Article 1, 2).

However, it is possible to exclude certain categories. Governments, after consultation with the representative organisations of employers and workers concerned, may choose to exclude certain sectors (e.g., maritime, fishing) or categories of workers, due to substantial challenges, but must report such exclusions (in the first report after ratification) and provide alternative protections (Articles 1(2–3), 2(2–3)).

The Convention covers all places of work under an employer's control and defines health as including both physical and mental elements affecting health (Article 3).

National Policy on OSH

Article 4 requires each country to formulate, implement, and periodically review a national OSH policy in consultation with employers' and workers' organizations. The policy must aim to prevent workplace accidents and health risks by minimizing hazards at their source.

The areas to be considered in the national OSH policy are listed in Article 5:

- design, testing, choice, substitution, installation, arrangement, use and maintenance of material elements of work¹;
- adaptation of machinery, equipment, work organization and processes to workers' physical and mental capacities;
- training and qualifications for those involved in OSH;
- cooperation and communication at all levels, from workplace to national levels;
- protection of workers and their representatives from disciplinary measures as a result of actions taken in conformity with the policy.

The OSH policy shall also indicate the functions and responsibilities of public authorities, employers, workers, and others in OSH, considering their complementary roles and the national context (Article 6).

The OSH situation shall be reviewed at appropriate intervals to identify major problems, evolving methods, set priorities, and evaluating results (Article 7).

¹ Material elements of work include workplaces, working environment, tools, machinery and equipment, chemical, physical and biological substances and agents, work processes.

Action at the national level

The Convention outlines essential action at the national level. Governments, in consultation with employers' and workers' organizations, shall implement the OSH policy through laws, regulations, or other appropriate means (Article 8). These laws shall be enforced through an inspection system with penalties for non-compliance (Article 9), while employers and workers shall receive guidance to meet legal obligations (Article 10).

Article 11 defines the key functions that the competent authority or authorities shall ensure are progressively carried out in order to implement the policy.

To ensure policy coherence, Governments, in consultation with employers' and workers' organizations, shall establish coordination mechanisms among relevant authorities. Where necessary and feasible, a central OSH body shall be created (Article 15).

OSH questions should be integrated into education and training at all levels, including higher technical, medical, and professional education, to meet workers' training needs (Article 14).

Measures shall also be taken to ensure that those who design, manufacture, import, provide, or transfer machinery, equipment, or substances for occupational use verify their safety, provide clear hazard information, and stay updated on scientific and technical advancements (Article 12).

Article 13 enshrines workers' protection from undue consequences if they remove themselves from a work situation they reasonably believe poses an imminent and serious danger to their life or health.

Action at the level of the undertaking

At the workplace level, the Convention outlines the responsibilities, duties and rights of employers, workers and their representatives and recognizes that the principle of prevention can only be effectively implemented through active collaboration between employers and workers.

Employers shall ensure, as far as reasonably practicable, that workplaces, machinery, processes, and chemical, physical and biological substances are safe and do not pose health risks (Article 16.1-2). They are also required to provide protective equipment when necessary (Article 16.3) and establish emergency response and first-aid measures (Article 18). OSH measures shall not impose any costs on workers (Article 21). Furthermore, where multiple employers operate at the same workplace, they must coordinate OSH measures to ensure a safe and healthy working environment (Article 17).

Article 19 defines the arrangements at the workplace level to ensure that:

- workers and their representatives cooperate with the employers in the field of OSH;
- workers and their representatives receive appropriate training in OSH;
- workers' representatives receive adequate information on OSH measures and can consult their organizations, respecting confidentiality;
- workers or their representatives (or their representative organizations), can enquire and be consulted on all OSH aspects related to their work, with the possibility to involve external technical advisers by mutual agreement;
- workers promptly report to supervisors any situation they reasonably believe presents imminent and serious danger to life or health. Employers cannot require workers to return to such situations until remedial action is taken, if necessary (Article 19).

Finally, Article 20 emphasizes that collaboration between management and workers is essential for effective OSH implementation, while Article 21 states that OSH measures must not impose financial costs on workers.

Adopted alongside Convention No. 155, the **Occupational Safety and Health Recommendation, No. 164**, offers detailed guidance on implementing the Convention's principles. It provides practical measures for improving OSH at both national and workplace levels, addressing areas such as risk assessment, preventive strategies, and worker participation.

The **Protocol of 2002** to the Occupational Safety and Health Convention introduces additional requirements regarding recording and notification of occupational accidents and diseases, as well as the publication of related annual statistics.