



Ministry of Welfare



State Labour Inspectorate

## *Tripartite Audit of the Labour Inspection System of Latvia 3-14 October 2005*

*International Labour Office, Development of Labour Inspection Systems,  
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***Labour Inspection Audit:  
Tripartite Audit of the  
Labour Inspection System of Latvia***

***3-14 October 2005***

***Albracht, G. (Editor)***

***Campbell, S. (Co-editor)***

***Project Part-Financed by the European Union***

*The audit was carried out by a tripartite international audit team.*

*The report has been prepared on behalf of the team by the chairman,  
Mr. Stewart Campbell, HSE, UK.*





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Albracht, G. (Editor)  
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## FOREWORDS

### **Mrs Dagnija Stake, Minister for Welfare, Latvia**

I would like to record the thanks of the Government of Latvia to the International Labour Office, for its support in organizing the tripartite audit of our State Labour Inspectorate. I am grateful to the members of the audit team, led by Mr. Stewart Campbell, Director HSE Scotland, UK and of the fact-finding mission for their interest, enthusiasm and expertise.

Furthermore, I would like to extend my thanks to Mr. Gerd Albracht, Coordinator Development of Inspections Systems at the ILO, and his colleagues, for adding notable experience to the audit. We are indebted to his professionalism and dedication to a modern as well as effective and efficient labour inspection system and good governance. Special thanks are also due to the European Union for the project part-financing.

The audit results have proved extremely valuable in helping us consider the mission, aims and organization of the Inspectorate. The tripartite nature of the audit was particularly helpful, and has emphasized the importance of involving the social partners in the development of our national strategy for labour protection and labour relations. I am pleased to confirm that the Ministry accepts the recommendations of the Audit Report and will look after their implementation by the relevant authorities of our system and with the assistance of the PHARE transition facility project, which is now taking place.

Dagnija Stake  
Minister for Welfare  
Latvia

### **Mr Assane Diop, Executive Director, Social Protection, ILO**

I am delighted that the Government of Latvia sought the support of the ILO in auditing its State Labour Inspectorate. The Inspectorate's functions are vital in ensuring safe and healthy working conditions and good labour relations; matters at the heart of the ILO's mission. The ILO teams had excellent cooperation from the Government of Latvia and from the officers of the State Labour Inspectorate, and this meant that the project was carried out in a positive and helpful spirit. I would like to thank the leader of the audit, Mr Stewart Campbell of the UK Health and Safety Executive, and his team, and Mr Gerd Albracht of the ILO who led the fact-finding mission.

Our grateful acknowledgments are also extended to Ms Maurite, Ms Zabarovska and Mr. Berzins for organising all the audit preparations and activities. I am also grateful to the State Labour Inspectorate for financing the printing of this report.

I am pleased that the Government of Latvia has confirmed its intention to implement the recommendations of the audit, and I am confident that this will lead to better practice in labour inspection and better conditions for the workers as well as the employers of Latvia. As highlighted by the ILO General Survey on Labour Inspection and its discussion during the 95<sup>th</sup> Session of the International Labour Conference 2006, tripartite audits are an essential tool for qualitatively and quantitatively strengthening Labour Inspection.

Assane Diop  
Executive Director  
Social Protection  
International Labour Office, Geneva

## 1.0 PREFACE

1.1 In a letter dated 7 February 2005, the Director of the Latvia State Labour Inspectorate (SLI), Mr Janis Berzins, in agreement with the Minister of Welfare of Latvia, requested the Director General of the International Labour Office (ILO) to organise a mission for the audit of the labour inspection system of Latvia. It was subsequently agreed that a tripartite mission with technical support from the ILO would visit Latvia from 3-14 October 2005.

1.2 In the summer of 2005, an ILO fact-finding mission, led by Mr Gerd Albracht, Co-ordinator Development of Inspection Systems, ILO, Geneva, supported by Mr Paul Weber, Director of the Labour and Mines Inspectorate of Luxembourg, and Mr Alain Pelcé, Specialist in International Labour Standards, ILO, Geneva visited Latvia and proposed the Terms of Reference for the audit (see Appendix 1).

1.3 I had the honour to be asked to lead the audit team, whose other members were: Mr Bernd Treichel, ILO, Expert, Safe Work, Development of Inspection Systems; Mr Paul Weber, Director, Labour and Mines Inspectorate, Luxembourg; Mr Boris Ružič, Director, Inspection for Safety and Health at Work, Slovenia; Ms Barbara Libowitzky, Political Secretary, Labour Union of Salaried Employees, Austria; Mr Eric Jannerfeldt, Medical Adviser, Confederation of Swedish Enterprises, Sweden. Our programme of visits is set out in Appendix 2.

1.4 The team wishes to place on record its thanks to Ms Dagnija Stake, Minister for Welfare, Ms Agrita Groza, State Under-Secretary of the Ministry of Welfare, Mr Janis Berzins, Director of the State Labour Inspectorate and to everyone we met. We particularly wish to thank Ms Tatjana Zabarovska, Director's Counsellor, for the excellent arrangements made for our stay in Latvia, Ms Liene Maurite, European Social Fund Project Manager, and Ms Antra Grigorjeva, our interpreter, without whom we could not have done our work. We met a wide range of inspectors and other staff in the SLI and the Department of Labour, who are working hard to improve the national systems, and labour relations and working conditions in enterprises, despite sometimes difficult circumstances. We met representatives of the Social Partners and visited a good variety of workplaces, including a convent, sawmills, construction sites, and clothing and other factories. We saw many examples of how labour relations and working conditions had improved, and hope that the sharing of experience resulting from this audit will help bring further improvements. We thank everyone we met for the frank and open discussions that helped us understand the Latvian approach.

1.5 The team is also conscious however, that in two weeks we could only gain a general understanding of how labour inspection operates in Latvia and how it interacts with other inspection departments and organisations; therefore we offer this Report with a sense of humility and appreciation for the work of colleagues throughout the country who are trying their best to make a difference. Our Report begins (Section 2) with a brief Executive Summary highlighting what we consider to be the main challenges facing Labour Inspection and the labour protection/labour relations system as a whole. Section 3 is an introductory section which gives background information and some of our main findings, and sets the context for the audit. We next, in Section 4, consider the ILO and EU frameworks for Labour Inspection; and the major parts of the Report (Sections 5 and 6) focus on what we saw as the major **thematic** issues and recommendations arising from the audit. We found the Terms of Reference very helpful in structuring our work and pointing to a very wide range of issues; we saw them as establishing the 'envelope' for our work. However, we felt that our Report needed to establish priorities and that it would be more helpful to our Latvian colleagues to identify the main thematic (or 'generic') issues that we saw as important; this Report therefore does not follow the same shape as the Terms of Reference, nor does it cover all the issues identified therein, but we hope that it will be both readable and clear in its recommendations. I am grateful to Ms Alison Ford for her assistance in the preparation of this Report.

1.6 An audit such as this is bound to produce many recommendations; it is the nature of audits. However, we would like to emphasise that we make our recommendations with no sense of blame nor in an accusatory way. Latvia has come a long way in 13 years and it is understandable that some approaches, systems and processes have not kept up with the demands of labour inspection work. What is important for the future is that the Ministry of Welfare, the SLI and the Social Partners work together in a supportive manner to bring about the necessary changes.

1.7 We thank you all for your co-operation and wish you success in your work in future.

Stewart Campbell

Director, Health and Safety Executive, Scotland



## **2.0 EXECUTIVE SUMMARY**

This is the report of the International Labour Office audit of the Latvia State Labour Inspectorate (the SLI) in October 2005. The audit also considered the relationship between the SLI and the Social Partners, and other important agencies. The staff of the Ministry of Welfare, and the Director and staff of the SLI were open and frank in expressing their views and the audit team was made to feel very welcome. In our report we explain the background to the development of labour inspection since Latvia recovered sovereignty in 1991, and summarise the current organisation, structure and priorities of the SLI.

We explore the strengths and weaknesses of the current SLI organisation and examine its place in the broader context of labour policy. We support the integrated nature of the SLI, where labour relations and labour protection are managed together, but question whether the current management structure for the integrated service can deliver effective control of priorities and resources. We emphasise the importance of establishing a national strategy for labour protection and labour relations in conjunction with the Social Partners, and then reviewing in the light of the strategy, the core functions which the SLI should perform. We think the SLI is overloaded with too broad a range of tasks and that these should be rationalised. The structure and resources of the SLI should be reviewed to aid effective management.

Another major issue is the staffing, pay and conditions of work of the SLI and its inspectors. The SLI faces substantial recruitment and retention problems, linked in part to pay rates which we consider should be substantially increased. Important aspects of the working conditions of SLI staff should be improved quickly. We considered also a number of important issues of culture and philosophy. We concluded that data collection (accidents and ill health) had improved, but is still deficient in a number of respects, and this contributes to difficulties in prioritising and to a weak culture of prevention. We see scope for considerable improvements in labour protection and labour relations problems in Latvia if these matters are addressed.

The SLI, in a relatively short time, has established a good base for further development. We make recommendations which we believe will help the SLI move forward, and improve standards of labour protection. Self-confidence and the level of expectation amongst SLI staff and the Social Partners should be improved, and we recommend that these and other issues should be addressed in a national campaign to raise the profile and reputation of the SLI, and to get across the message that 'good labour practice is good business'.

### **3.0 INTRODUCTION**

#### **Latvia**

3.1 Before considering the operation of the labour inspectorate, it is important to appreciate the more general cultural and contextual social issues in Latvia. Since Latvia regained its independence in 1991 the country has undergone a process of rapid change from the socialist approach to the more free-market driven society of today. This has resulted in a number of reforms to create a more business-friendly and less regulated environment, and it is particularly important in such circumstances that the labour inspectorate function is properly structured and resourced and its priorities and work plans clearly established. The population of Latvia is about 2.3m and the working population around 1.2m. The SLI in 2004 identified over 0.85m employees of whom just over half were women.

3.2 The pressures and strains arising from this period of rapid change have also created a number of other important social changes. Pay rates in Latvia in general are amongst the lowest in Europe — and the public sector (and the SLI) is an example of a particular problem area. Wage differentials across Europe have led to Latvian skills and people in many important infrastructure areas leaving the country for Western European states where pay rates are significantly higher; to be replaced by workers from other parts of Eastern Europe, Central Asia and the Far East. On the other hand, the changes have also brought considerable wealth to other sectors of the working population, and this disparity — the extremes of earning — is said to be growing. This very fluid working population also creates ideal conditions for the growth of illegal or irregular employment, and the significant revenue and working conditions problems associated with this sector.

3.3 Another possible consequence of the broader concern about the scale and stability of earnings, and the loss of younger workers abroad, is the low birth rate in Latvia. Other social and public health factors also contribute to the low expectation of life at birth. Latvia in relation to both of these indicators is near the bottom of the wider European rankings. The audit team noted in a number of our discussions on labour protection and labour relations what we considered to be a relatively low level of expectation of the improvements that could be made; almost a degree of fatalism that things were unlikely to get much better. We considered that this fatalism was misplaced; we see a number of potentially powerful routes to change.

3.4 Another broader social issue in a related field, which seemed to have relevance in our discussions, is the road traffic death rate in Latvia, to which even the guidebooks alert visitors. Road accidents while at work are of course of direct interest to the SLI, but the high death rate in general also seemed to the team to indicate an acceptance of a high level of individual risk, even of the fatalism referred to above, which may carry across into the attitude towards working conditions.

3.5 Clearly the economic direction of Latvia is a matter for the Government, and is outwith both our remit and our expertise. We are aware however, of the impact that economic policies can have on labour relations and working conditions, and of the impact that good standards of labour relations and working conditions can have upon both the health of the nation and its economic health. We cannot do better than quote the draft ILO guideline, published on 24 January 2005, on 'Basic Occupational Health Services':

*'Occupational (safety<sup>1</sup> and) health is an important strategy, not only to ensure the health of workers, but also to contribute positively to the national economies through improved productivity, quality of products, work motivation, job satisfaction, and contribute also to the overall quality of life of working people and society'.*

3.6 We were pleased therefore, to be assured that the Government understands the importance of good labour relations, a safe and healthy working environment and an active labour inspectorate on the national reputation, national economic success, and national health. We hope that the Report will help shape the Government's thinking on how this can best be achieved.

### **State Labour Inspectorate (SLI)**

3.7 The law on Labour Inspection in Latvia dates back to 1939, and following the re-establishment of an independent Latvia, this law was brought back into force in May 1993. At the end of the previous year, in December 1992, a law had been passed to bring a State Labour Inspectorate into being under the overall control of the Ministry of Welfare, and on 1 February 1993 the SLI began its work under its Director, Mr Janis Berzins. The relevant parts of the Ministry of Welfare structure are illustrated in Figure 1. The Ministry of Welfare supervises the SLI.

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<sup>1</sup> our addition

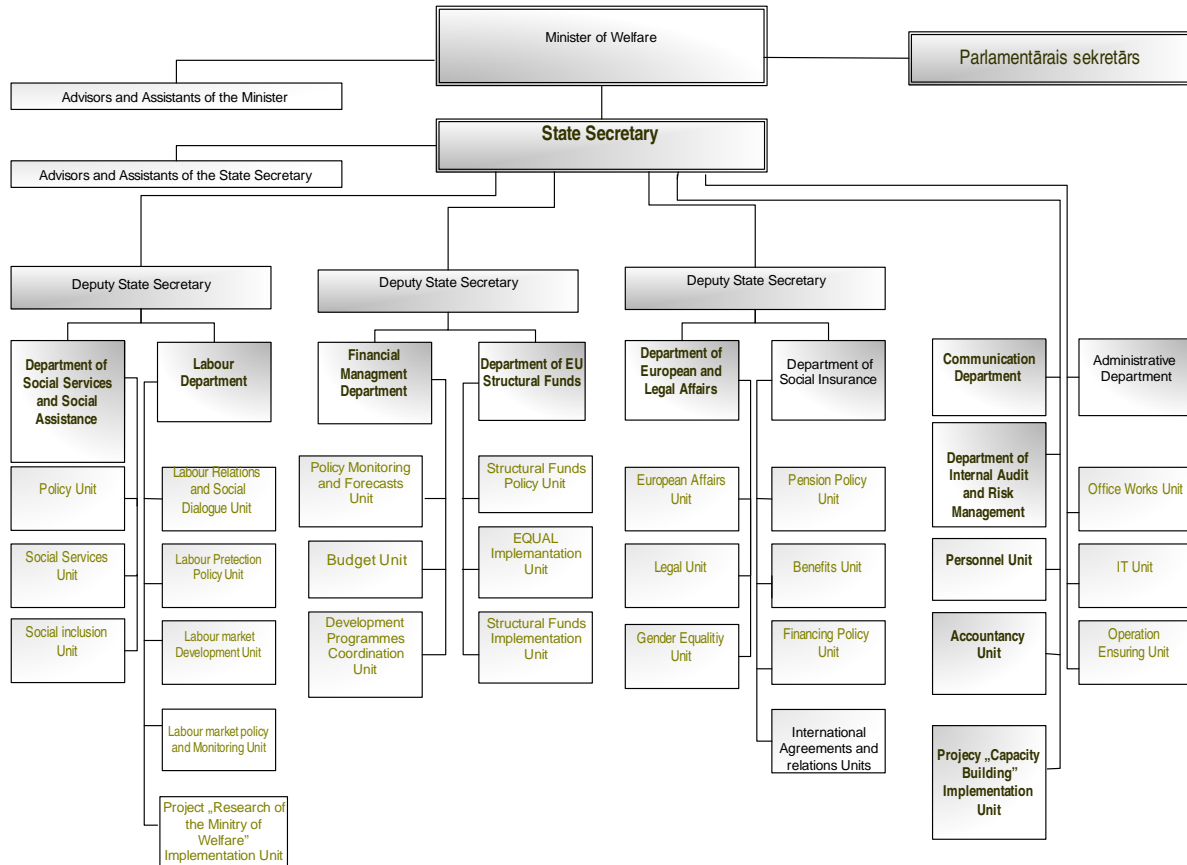


Figure 1: Part structure of the Ministry of Welfare

3.8 The next major change began around 5 years ago, as Latvia prepared to enter the European Union (EU), and began to align its law, systems and processes with those of EU Member States. A number of new laws came into force on 1 January 2002, including the 'Labour Protection Law' which introduced the requirements of the EU 'Framework Directive' into Latvian law, and the 'State Labour Inspection Law' which clarified and confirmed the responsibilities and functions of the SLI. Latvia joined the EU on 1 May 2004.

3.9 Latvia is a party to 45 ILO Conventions, including the eight fundamental ones on human rights at work. The Labour Inspection Convention, 1947 (No. 81) and the Labour Inspection (Agriculture), 1969 (No. 129) are among the many Conventions Latvia ratified in the nineties, as well as other highly relevant Conventions such as the Labour Administration Convention, 1978 (No. 150), and the Occupational Safety and Health Convention, 1981 (No. 155). The Protocol of 1995 to the Labour Inspection Convention, 1947, (which would extend the application of Convention No. 81 to activities in the non-commercial services sector) is not ratified.



3.10 During the last 12 years, a number of review and assistance projects have taken place, aimed at bringing Latvian laws and systems into alignment with EU approaches and standards. A number of bilateral meetings with the Swedish National Board of Occupational Safety and Health began in 1993, and a formal twinning project with Sweden took place from April 2001 to April 2002. A major twinning project with Spain which began in May 2001 and lasted until December 2002, was aimed at helping to develop the laws, structure and controls to ensure compliance with EU occupational safety and health legislation, and to strengthen capacity. This Project resulted in the production, in October 2002, of a major review prepared by the Labour Department entitled 'Occupational Safety and Health Strategy in Latvia' hereafter referred to as the '2002 Strategy Review'. The main part of the Report (updated where necessary) is reproduced in Appendix 3. Also in May 2002, an evaluation organised under the aegis of the EU Senior Labour Inspectors Committee (SLIC) took place, led by the United Kingdom, and the Report of that evaluation was presented to SLIC in September 2003.

3.11 These and other projects have led to the development of a new PHARE Transition Facility Project 'Occupational health and safety (OSH) system (further development)' which will develop and implement action plans in four main areas;

- development of a national action plan for OSH;
- strengthening of the current IOEH;
- SLI capacity development introducing new training models and sectorial approach;
- enhanced social dialogue on health and safety matters at enterprise level.

This new project was due to begin the week after our audit, and we think it particularly important that the recommendations we make are taken into account during the course of the project.

3.12 What is particularly striking about these previous reviews and assistance projects is that:

- they have (with perhaps one exception) concentrated on the occupational health and safety role of the SLI;
- they all come to much the same conclusions;
- progress on implementing the conclusions has generally been slow.

Our audit, we believe, is probably the first to take an overview of the whole range of functions of the SLI; this is important because of the interaction between the different functions of the labour inspectorate, and how the pressures and priorities in one function can affect the resources committed to the others.

3.13 These earlier reviews and reports paint a full picture of the organisation, structure and interdependencies of the SLI, and we see little point in giving a detailed description here; the 2002 Strategy Review referred to in 3.10 gives the most comprehensive overview, and although prepared three years ago it is not significantly out of date. We will confine ourselves here to a summary of the scope of the SLI responsibilities, its functions and staffing.

### **Scope**

3.14 The SLI, as the control and supervisory institution for labour relations and labour protection, is responsible for all sectors of employment with a few exceptions, such as the military and the nuclear and offshore industries. We were told that dock and maritime work was the responsibility of the SLI but we were left uncertain as to how this responsibility was discharged. Within this very broad sectoral scope, the SLI covers all the normal inspectorial interests. Since 2002 the SLI has taken part in the control and assessment of major accident hazards involving dangerous substances (Seveso II) in cooperation with the State Environmental Service and the Environment State Bureau of the Ministry of Environment.

### **Functions**

3.15 The SLI is an integrated labour inspectorate (we discuss this further in paragraphs 4.2 and 5.40-5.41), and characterises its main task as ensuring the effective implementation of state policy in relation to labour relations, labour protection, and the technical supervision of 'dangerous equipment'. It performs the following functions:

- (i) Monitoring and ensuring compliance with the relevant legal provisions.
- (ii) Controlling how employment contracts and collective agreements are fulfilled.
- (iii) Promoting co-operation between employers and employees.
- (iv) Taking measures to help prevent differences of opinion between employers and employees.
- (v) Researching matters within its scope.
- (vi) Investigating accidents at work, and ensuring their registration.
- (vii) Participating in the investigation of occupational diseases.

- (viii) Investigating accidents with dangerous equipment, and registering dangerous equipment.
- (ix) Issuing permits to allow the operation of dangerous equipment to begin.
- (x) Monitoring equipment at work places, the use of personal and collective protective equipment, the use of substances hazardous to health.
- (xi) Carrying out market surveillance of equipment.
- (xii) Providing free advice to employers, employees and possessors of dangerous equipment.
- (xiii) Operating the national focal point for the European Agency for Safety and Health at Work.
- (xiv) Controlling the use of explosives.

3.16 However, during the audit it appeared that a significant focus was put upon a number of other functions such as the detection and control of illegal employment<sup>2</sup>, the certification of work buildings before they come into use, and checking on work places before young persons are permitted to work there. It appeared that the SLI had a wide range of functions and it was not always clear what value was added by the inspectors' interventions. We concluded that the SLI must concentrate on its core functions and we return to this in paragraphs 5.4-5.5.

## **Staffing**

3.17 The SLI has a cadre (an agreed staffing complement) of 195, but the total staff at the time of the audit (after taking into account vacancies and maternity leave) was 172. Forty seven staff should be employed in HQ, but there are only 41 at present, and in the regions there are 116 inspector posts, but only 99 are filled at present. There are also shortfalls in the numbers of lawyers and occupational hygienists in the field. The regional structure of the SLI is shown in Figure 2.

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<sup>2</sup> The phrase 'illegal employment' is mainly used in the Latvian context to refer to the absence of an employment contract, but it can also cover other employment abuses such as hiding an employment relationship under a cloak of false self-employment, or the employment of illegal immigrants. In this report we generally use the phrase to cover the range of issues.



Figure 2

3.18 The size of the regions vary considerably from Riga with 40 posts (27 filled) through Kurzeme with 24 posts (20 filled) to the smaller regions such as Ogre with between 9 and 11 posts (all short by 1 or 2). The staff turnover in recent years has been considerable — of the order of 15-20% — and this is attributed to the low starting salary of inspectors, which is around 160 Lats (€228) a month before tax. Estimates by regional directors suggested that around double this salary would be needed to help create a stable workforce, attract the right type of candidate, (preferably one with a technical background), and retain them. The minimum wage in Latvia is 80 Lats (€114) a month, and in 2 of the workplaces we visited, we met seamstresses earning about 160 Lats a month, and metal fabrication assemblers earning 300 Lats (€427) a month. When it is considered that a university degree is necessary to become an inspector, the tensions in recruitment and retention — and particularly the need to recruit the right staff — become apparent. We return to this issue later in paragraph 5.34.

### **Liaison and co-ordination with other agencies/authorities**

3.19 Previous reviews and reports have discussed the relationship between the SLI and a large number of departments, agencies and institutions who have responsibilities which touch on, or overlap, those of the SLI. We discussed many of these relationships during the audit, and they are dealt with in detail in the 2002 Strategy Review. We identified a small number which we consider priorities for action and to which we will return later — The State Social Insurance Agency (SSIA) (paragraph 5.53); The Institute of Occupational and Environmental Health (IOEH) (paragraph 5.57); and the State Police (paragraph 5.16).



## **The Social Partners**

3.20 The Social Partners too have been finding their feet and establishing their roles since the regaining of sovereignty, and we met the Deputy Director General of the Latvian Employers Confederation (LEC) and the President of the Latvian Free Trade Union Confederation (LFTUC). The two organisations began their activities from quite different positions; the employers with a relatively clean sheet of paper, as privatisation and the creation of the free market began, and the Trades Unions trying to piece together a new role from the remains of their previous substantial role in working life.

3.21 The LECL is the biggest employers' confederation and has been in existence for 10 years. It believes it has around 25% of the labour force of Latvia covered by its membership, which includes 59 of the larger companies and a number of branch associations. Their main areas of activity are labour relations and labour protection, social policy, health care and economic and taxation policy, but they are still building their capacity and do not believe they are yet able to take on a significant consultancy or advisory service for their members. We concluded that they should move in this direction – without this, tripartitism cannot work.

3.22 The LFTUC celebrated its 15th anniversary this year, and believes it has around 170,000 members in 24 branches – approximately 20% of the working population. They are strongest in the education sector and less strong in areas such as aviation and printing. The construction branch is also quite small, but has been very active. In the aftermath of independence, trade union finances reduced and membership fell dramatically. Initially branches felt that they did not need specialist advice within the movement, but in recent years this position has changed, and there has been good co-operation with the SLI in the development of training (particularly of 'trusted persons'), in information exchange and in joint activities.

3.23 We also heard views that the coverage of both confederations may be significantly less than the 25% or so that both claim. This is a subject complicated by the several illegal employment issues and which could be addressed by greater control of that part of the working population and by capacity-building in the representative organisations.

3.24 The Social Partners come together at the highest level in the National Tripartite Co-operation Council (NTCC) where both confederations meet with representatives of the Cabinet of Ministers. In the week before our visit the responsibility for the NTCC passed from the Ministry of Welfare to the State Chancellery, and will in future be chaired by the

Prime Minister; the Minister of Welfare will be deputy chair. We heard mixed views about this change, but if it leads to greater political importance being given to social dialogue and encourages capacity-building in the Social Partners then it is likely to be effective in improving the national approach to labour relations and labour protection. The NTCC has four tripartite sub-councils, one of which deals with labour affairs, the Tripartite Co-operation Sub-council for Labour Affairs (TCSLA) and covers the interests of the SLI. We were told that both the NTCC and the TCSLA have a strong legislative focus, and did not engage to any extent in agreeing priorities or co-operation activity in the fields of labour relations or labour protection. We return to this in paragraphs 5.2-5.9. The audit team supports the ILO thinking on the importance of effective tripartite co-operation in establishing standards, agreeing priorities and targets, and ensuring co-operation and commitment to shared goals. At the same time, we recognise that the role of politicians is to govern, and we consider it important that the political direction must be clearly independent of the Social Partners, while taking their views into account. The consultative nature of the NTCC should be emphasised and understood. We were uncertain about the extent of direct involvement by the SLI in the TCSLA and we also return to this in paragraph 5.5.

3.25 At the workplace level, during the visits we made with inspectors, we saw little sign of the activities of the Social Partners, and indeed little sign of employee involvement in occupational health and safety issues, except in one small, highly specialised factory (a Latvian subsidiary of a Swedish company) where the employees had been involved in the risk assessment. In another of the better factories we also heard of a 'trusted representative' being appointed and of suitable training being provided. The audit team concluded that it was of great importance that the national co-operative work between employers and employees be driven down into the workplace. Employees should be consulted on labour relations and labour protection issues in the workplace, and should have the expertise to contribute effectively. And the consultative process and dialogue should be supported by the SLI.

#### **4.0 ILO CONVENTIONS Nos 81 AND 129 AND THE EU/SLIC 'COMMON PRINCIPLES OF INSPECTION'**

4.1 It can be safely asserted that the arrangements in Latvia are broadly in line with the requirements of ratified Conventions Nos. 81 and 129. Indeed, the Committee of Experts on the Application of Conventions and Recommendations expressed in an observation of 2004 its satisfaction with respect to the manner in which effect is given to the provisions of Convention No. 81 in laws and regulations.

4.2 The audit team had the provisions of Conventions Nos 81 and 129 in mind while carrying out the audit, as well as the ILO guidance on 'Integrated Labour Inspection Systems'. As we said in paragraph 3.15, the SLI is clearly established as an integrated system, bringing together in one organisation the labour relations and labour protection functions of the state. The ILO actively promotes an integrated labour inspection approach. An Integrated Labour Inspection System is a 'holistic, coherent while flexible concept that contains elements such as: administrative integration, procedural integration and technical integration (multidisciplinarity)'<sup>3</sup>. The ILO believes that this approach helps focus the existing resources, providing better services and increasing the presence of inspectors at the workplace and that this can be achieved by general inspectors' visits, backed by specialist advice. The concept of 'one inspector(ate) — one enterprise' avoids several inspectors visiting the same enterprise often unaware of their colleague's activities. The implementation of this concept requires close collaboration with employers and trade unions. There was significant debate within the audit team (partly related to our differing experience) about the framework for the integrated system as developed in Latvia, particularly in relation to the clarity of roles, responsibilities, and resources, and how these can be balanced. The audit team concluded that in the developing economy of Latvia, an integrated approach was appropriate, and we return to the question of roles, responsibilities and resources and their balance in paragraphs 5.40-5.41. While supporting too, the general view that Latvian systems are in line with Conventions Nos 81 and 129, we also came to the view that there are certain detailed issues within the Conventions which we concluded need further work, and again we return to these later (for example aspects of enforcement (see paragraphs 5.12-5.18), and the conditions of work for inspectors (see paragraphs 5.34-5.38).

4.3 The European Union Senior Labour Inspector Committee (SLIC) developed in the early 90s 'Common Principles of Inspection' (CP) in relation to occupational safety and

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<sup>3</sup> ILO /IALI/Grand Duchy of Luxembourg: Proceedings and Conference Report, Unity beyond differences: The need for an integrated labour inspection system - ILIS tripartite conference (Luxembourg, 2005).

health (they do not deal with the labour relations roles of labour inspectors). The CP have been used as the basis for evaluation of Member States' systems of inspections, by evaluation teams drawn from other Member States. A multi-national team led by the UK evaluated Latvia in 2002, and the evaluation made recommendations in 4 main areas:

- inspectors' powers for action;
- the responsibility of employers and the exercise of discretion by inspectors;
- technical support for inspectors and employers;
- conditions of work of inspectors.

4.4 Since the evaluation, the Common Principles have been revised to take into account the EU 'Strategy for occupational safety and health for 2002-06' and separated into 'core principles' and 'developmental principles'. These revised CP have also been edited by the ILO into a form suitable for use in the CIS states, and this version is attached at Appendix 4. The audit team had the provisions of the revised CP in mind when looking at the occupational safety and health aspects of the SLI's work; and we noted that progress had been made in relation to a number of recommendations from the earlier evaluation, although there had been little movement in relation to others. The team also noted that the very broad scope of the SLI's functions (including some interest in the self-employed) coupled with its relationships with the Social Partners, with the State Insurance Agency, and with the Ministry for Health potentially put Latvia in a position to move forward in the well-being, absence management and 'mainstreaming' objectives of the current EU strategy and the emerging issues for the new EU strategy. The EU strategy emphasises the importance of OSH and the labour inspection function in the development of the economic health of the nation, and this should help support the necessary political determination to bring about appropriate change.



## **5.0 MAJOR ISSUES IN LATVIA: Conclusions and recommendations**

5.1 We have considered a number of ways of presenting our findings, conclusions and recommendations as required by our Terms of Reference (see Appendix 1). Our programme (see Appendix 2) was organised on the basis of functions and relationships, and while it can be helpful to structure a report on this basis, we felt on balance that it was more helpful (as explained in the Preface) to try to identify the important themes that emerged across our audit, and concentrate on these. Our findings and conclusions are noted throughout the text and in this section 5 we identify clearly the main thematic recommendations of our audit; in the following section 6 we have extracted the recommendations and grouped them together. Section 5 begins at the national strategic level then examines the work of the SLI and of inspectors, and concludes by considering the relationship with other agencies. In this way we hope to be concise, to be clear, to be positive and to be helpful.

### **Role of the Social Partners and the national strategy**

5.2 We met senior officials from the Employers Confederation, and from the Free Trade Union Confederation, and we discussed Social Partner issues within the SLI and with the Ministry of Welfare. It is important for the development of labour protection and labour relations in Latvia that employers and employees (and the genuinely self-employed) have a voice. It is important that the Government, while retaining its necessary independent political judgement, can shape its policies, taking into account the views of the Social Partners. It is equally important that the Social Partners have the capacity both to collect and represent the views of members, to commit to action by their members, and to provide consultancy and advisory services for their members which will enable members to deal with issues without recourse to the SLI. At the same time, there needs to be close co-operation between the SLI and the Social Partners to ensure, so far as possible, that strategies, priorities and actions are co-ordinated and consistent.

5.3 So it is important that the capacity of the Social Partners is strengthened, in terms of membership and in coverage of membership across sectors. Private employers particularly need to work towards building membership in Small and Medium Enterprises (SMEs), and the Government, in shaping Social Partner engagement, needs to ensure that public sector employers can contribute effectively to the tripartite discussion. The Trade Unions similarly need to build on their public sector strengths, and develop private sector membership. We recognise of course that Social Partners know this, and are making strenuous efforts to

increase their membership and influence. We emphasise the point here because our central theme is 'Good health and safety is good business'. This principle is economically and socially vital in Latvia, and if the message becomes part of the drive for the increased capacity of the Social Partners, then we conclude that there will be benefits all round.

5.4 We were therefore encouraged to be told that the National Tripartite Co-operation Council (NTCC) had recently been taken under the wing of the State Chancellery; putting tripartite consultation closer to the centre of government. Tripartite advice on labour relations and labour protection issues is provided by the Labour Affairs Sub-Council (the TCSLA). We recommend that the Ministry, the NTCC and the TCSLA should work together to establish the national strategy; the strategy should concentrate on establishing the areas of greatest need, greatest priority, and greatest potential for change and progress, and should be structured into a National Plan. The national strategy and plan will depend upon the collection and analysis of accurate data in relation both to occupational health and safety and to labour relations (see paragraphs 5.19-5.26).

5.5 The National Plan should identify the priority areas for the 'labour affairs' community as a whole (including the Social Partners and government — particularly the SLI and the SSIA), and it is important for the effective implementation of a national strategy that these are small in number, so that they can more easily be managed and monitored.

5.6 The national strategy also needs to take into account multi-agency issues such as irregular employment so that the direction of action and the necessary resources can be balanced and agreed. It is particularly important (as emphasised in paragraph 5.3) that the 'Good health and safety is good business' message, and the impact of good labour relations upon economic success is taken into account in determining the overall national priority and resource committed to the labour affairs area.

5.7 The team was encouraged to note that the newly inaugurated PHARE Transition Facility Project has 'enhanced social dialogue' as one of its four main themes. The Project as a whole is concerned mainly with health and safety matters, but recognises the close connection that exists between labour relations and good working conditions on the one hand, and occupational health and safety prevention on the other. We therefore recommend that the Project takes into account the connection between labour relations and labour protection in considering the topic of social dialogue and occupational safety and health.

5.8 While development of the social dialogue at the national and strategic level is of vital importance, this needs to go hand in hand with improvements in tripartite relations at the local, and at the workplace level. The issues of skills, capacity, knowledge, opportunities and facilities are all important here, and need to be considered as part of the NTCC strategy for improving social dialogue across the board. We found that the law has already established a framework for this through the provisions for the appointment of employee representatives or 'trusted representatives' and this is a very positive step. We were pleased to hear of the support which the SLI has given locally to both employers and workers, in health and safety matters, and this kind of initiative will, in the medium and longer term, lead to better debate on health and safety issues in the workplace, and to agreement on effective action to improve working conditions. A further step which would help build capacity and membership would be for the SLI to at least make employers and employees aware of the representational and support roles which the Social Partners can provide and to be seen to be involving employers and trade unions in joint activities.

5.9 What is also important is that when inspectors meet employers and employees in the workplace that effective social dialogue is encouraged. It is a well-understood principle of labour inspection that an accurate picture of conditions in any workplace can only be gained through discussion both with those who manage the workplace and those who work there. And although this principle usually applies in the health and safety context, it is of equal value in the context of labour relations. This tripartite approach in the workplace is important not only from the point of view of identifying poor conditions, but also of clarifying legal responsibilities, raising the level of expectation of the management and workforce and enhancing the reputation of the SLI (we return to this issue in paragraphs 5.39 and 5.59, where we consider the confidence and expectations of inspectors and the need for a public awareness campaign). At most of our visits with inspectors we felt that discussions with employees could have been given more attention, and we therefore recommend that the need for inspectors to engage effectively with employees is clearly set out in instructions, that such contact is recorded, monitored and managed and that this principle applies in the inspection of both labour relations and labour protection issues.

### **The functions of the SLI**

5.10 Consideration of the priorities for labour affairs means that the TCSLA must consider the full range of issues dealt with by the SLI and summarised in paragraphs 3.15-3.16. Firstly, it is necessary to consider if these functions need to be performed at all. Secondly, if they do need to be performed, then it is necessary to determine who is best equipped to deal with the issues. And thirdly, if the conclusion is that in the interests of the state, the workers

and its own staff, the SLI **is** best placed, then the TCSLA should consider the relative importance to be given to the different issues. Functions such as the issuing of permits to allow the operation of 'dangerous' machinery, and the certification of work buildings before they come into use seemed to continue the principle from the socialist system that the means of production were social property and as such needed to be 'looked after' by the state. These and other SLI functions would in other states be regarded as part of the normal role of the employer (perhaps supported by insurance organisations or other professional assessment bodies), and while it is understandable that there may be a reluctance to stop doing things that have been done for many years, we concluded that it was vital that such a logical and rigorous approach be taken to the SLI functions. We recommend that the SLI should concentrate on its core functions, and that the TCSLA must help in shaping the overall national strategy to allow this. The core health and safety functions are summarised in the 'Common Principles' (see Appendix 4) and a similar analysis should be undertaken of the SLI's labour relations functions.

## **Legal Framework**

5.11 Over the last 5 years the government has sought to align the labour protection laws of Latvia with EU Framework Directive and the daughter directives which then flowed from this. We noted that the Labour Protection Law of 1 January 2002, which largely implements the Framework Directive, is structured in terms of the 'obligations and rights' of employers and employees, and we concluded that this could distort the primary duty of employers to create safer working conditions. This in itself is not a big issue, because the legal requirements appear basically sound, but it perhaps contributes to the much more significant problem of the prevention culture which we will return to in paragraphs 5.44-5.47. That is, by not emphasising the primary duty on the employer, the law helps to create a culture where the emphasis is placed upon the employees' actions, despite the fact that the Labour Protection Law reiterates the 'General Principles of Prevention' of the Framework Directive, with the emphasis on, for example, adapting work to the individual, replacing the dangerous by the less dangerous, and giving priority to collective measures over individual measures.

5.12 Be that as it may, the principal issue that came to our notice throughout the audit visit was not the structure, completeness or clarity of the law, but its enforcement, and we concluded that there were significant weaknesses in relation to this. By 'enforcement' (which we recognise is a term and concept that sometimes does not translate easily into other languages or cultures) we mean 'ensuring compliance with the law'. If an inspector ensures that an employer complies with the law by giving verbal or written advice, then that is 'enforcement'; if to secure compliance, an inspector has to issue a legal order, or issue an



administrative fine, then that is 'enforcement'; and if the inspector has to make a report to the public prosecutor to initiate court proceedings, then that too is 'enforcement'. The use of notices, orders or prosecution is often referred to as 'formal enforcement'. Taking prosecution action should also ensure (although often it does not) that the broader needs for justice and retribution are met.

5.13 In the sphere of occupational safety and health, ILO Convention No 81 Article 3(a) sees the first function of a system of labour inspection to be to 'secure the enforcement of the legal provisions relating to conditions of work and the protection of workers...'. The European Community strategy for 2002-06 also emphasises that 'the effective enforcement of community law is a precondition for improving the quality of the working environment'. While there were encouraging signs both in some of the legal changes which had taken place, and in some of the actions we saw taken by inspectors, we concluded that the full range of enforcement measures was not being used effectively by the SLI and by the State Justice system.

5.14 For example, the SLI Annual Report for 2004 states that 18.5% of the violations detected by inspectors were in the field of labour relations, and 81.5% in the field of labour protection. However, the Report also shows that when it came to the issue of administrative fines, the proportions were reversed, with approximately 72% of the fines being issued in relation to labour relations issues and 28% in relation to labour protection issues. It was not clear why the proportion of violations discovered was not reflected in the proportion of administrative fines. It **does** seem clear that this type of sanction, not surprisingly, is used where there are **administrative** failings, and serious examples of this type of violation must occur more frequently in relation to labour relations. However, we might then have expected the more serious management and organisational failings which lead to risk of serious personal injury or ill-health to be prosecuted through the courts, but there was no clear information on this, the most serious exercise of enforcement. The Annual Report contains no information on this important aspect of the work of the SLI, partly at least because the use of court proceedings is outwith the control of the SLI. Nevertheless it is vital for the proper delivery of Convention No 81 and the EU Strategy that the Ministry for Justice co-operates with the Ministry of Welfare and the SLI to ensure good communications both ways on this issue. We recommend that information on the progress and results of SLI-related prosecutions is collated and published annually.

5.15 A very positive change which has been made since the SLIC evaluation is the ability to act against corporate duty holders. Before the new law came into force it was only

possible to act against individuals, and this created a number of legal problems. Enforcement against corporate organisations who control and profit from work activities brings Latvia in line with the more normal European model. However, there is as yet little experience of how this change will work in practice, and it will be important to keep this under review. At the same time it is important to retain the will, and the ability, to act against individuals when their personal conduct contributes directly to a breach of the law — whether labour relations or labour protection.

5.16 Another recent important change has meant that the State Police now work more closely with the SLI in the investigation of fatal and serious accidents. Up until recently, the SLI carried out its own investigation of an accident then passed its report to the State Police, who after its own assessment of the circumstances and the legal position, then decided whether to pass the report to the public prosecutors office. The Police, of course, have many other important tasks and may not have specialist knowledge of labour protection law. There has been concern about the lack of discussion between the Police and the SLI, and the ability of the SLI to influence decisions on enforcement and prosecution. When we met the Chief of the State Police Inquest Board, we were pleased to be assured that the Police and the SLI are now working more closely together on inquiries. Again, it is too early to judge how successful this new approach will be. If it leads to better mutual understanding, the co-ordinated collection of evidence, and a more positive relation with the public prosecutors office, then again it will help raise the national profile and importance of health and safety law, and the SLI. However we concluded that it is important that there is a direct relationship between the SLI and the public prosecutor's office and we recommend that after any necessary cooperation with the State Police, the enforcement report of the SLI (including the investigation of accidents at work and the identification of breaches of laws) should be submitted directly to the public prosecutor.

5.17 We were reminded on a number of occasions of the importance of the attitude of the judiciary towards penalties, when a prosecution, or an appeal against administrative fines, comes to court. Again it was difficult to get comprehensive information on the outcome of prosecutions in terms of penalty, but we were told of a number of cases where administrative fines had been appealed, and the fines reduced to single figures in Lats. The administrative fines are generally not that large anyway, so to find them being reduced further is not encouraging. Equally, we were told of prosecutions being taken by the public prosecutor in relation to serious accidents, where very small penalties of less than 100 Lats had been imposed. We recommend strongly that the courts reflect the seriousness of breaches of labour relations and labour protection law by imposing penalties which make an impact on

the duty holder<sup>4</sup> and that the government considers preparing sentencing guidelines to help the courts deliver appropriate penalties. If this is not done, it will continue to undermine the EU strategy, the will of government, the SLI, the better employers and in the end, the protection of vulnerable workers.

5.18 Our experience of the approach to enforcement (in its broadest sense) of inspectors during visits was mixed. This was related in part to issues such as the balance of priorities between labour protection and labour relations, and the culture of prevention, both of which we return to later (see paragraphs 5.40-5.47). At a visit to confirm whether a claimed disease was work-related, the inspector did not check whether conditions were acceptable under the law, or if more work needed to be done to ensure compliance. At another visit, the inspector identified a number of important safety issues but gave others (such as unprotected holes in floors, which in other states would be considered reason for immediate action) a lower priority; however, after discussion the different issues were all included in a letter ordering improvements, which was served on the site the day after our visit. At some visits we were with an inspector who had limited experience in this field, and we felt that the inspector did not have the background to ensure effective inspection and enforcement. At a visit to a factory we saw the inspector take an approach in relation to some labour relations issues, which we felt actually went too far the other way; that is, the inspector indicated that he was considering issuing administrative fines in relation to some issues which were outstanding from previous visits, when there had been a fair amount of progress and change in relation to other issues since the previous visit. We also noted that some quite important labour protection issues were bypassed in favour of concentrating on the labour relations issues raised previously. Overall, we found that where inspectors had the necessary knowledge and experience of the issues they were addressing, then they saw achieving compliance with the law as an important part of their function. We recommend that the correct enforcement culture, and knowledge of the law and its practical application, are built into the training and management of inspectors at all levels within the SLI. Efforts to build capacity and skills, and to improve retention of inspectors, will reinforce this culture.

## **Data collection and the evidence base**

5.19 There are three main areas where data collection is important, both to guide national and local priorities, and to enable progress to be monitored — work related injuries and ill health, labour relations problems, and enforcement action.

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<sup>4</sup> There is a broader international discussion about different forms of corporate penalties, which Latvia could usefully take into account in the medium and longer term.

5.20 The available statistical data on accidents and injuries is summarised in the SLI Annual Report for 2004, and this shows that 1,296 employees suffered accidents of which 57 were fatal, 223 serious and the remainder resulted in absences from work of more than one day. The fatal accidents included 10 who died as a result of road traffic accidents in the course of their work. The SLI is to be commended for its work to bring the Latvian statistics into the format required by Eurostat, and also for using the available statistics to inform the strategy for the reduction of accidents; the priority action identified for 2005 were:

- employers to focus on the organisation of labour and labour protection; on conditions in the workplace; on training; and on monitoring how employees comply with their duties;
- SLI inspectors to focus on the competence and experience of labour protection specialists; on promoting 'good practice'; and on improving co-operation with the media.

However, we had serious reservations about several aspects of the accident statistics.

5.21 The analysis of the **causes** of injuries identified failure of the **employee** to comply with labour safety requirements as the dominant cause of injuries (66% of cases). This finding would not appear to be consistent with the approach of the Occupational Health and Safety Convention, 1981 (no 155), ratified by Latvia, and is in opposition to the principles of EU legislation, and to an effective prevention culture. Most other analysis of 'cause' in this sense identify that the substantial majority of accidents can be prevented by effective **employer** action, and we were very concerned that the Latvian statistics so often placed the responsibility on the individual employee. This potentially has a major impact on the culture of prevention, to which we return in paragraph 5.44. We recommend that the analysis of accident causation is reviewed as a matter of urgency so that it reflects legal responsibilities and the General Principles of Prevention set out in the Framework Directive; and enables a more sophisticated analysis to be undertaken of the root causes of accidents.

5.22 We were also concerned (and this concern was shared by the SLI) about the **completeness** of the accident statistics. This is a problem faced in all Member States, even in those where reporting of accidents is largely through the state accident insurance system. However, the ratio of fatal accidents to all accidents, and comparison with accident numbers in other Member States suggest that there is very substantial under-reporting of accidents in Latvia – perhaps as few as 5-10% of accidents may be being reported. We recommend, in line with the SLI's aim of improving co-operation with the media, that as part of a national

campaign on OSH (see paragraph 5.59), emphasis is placed on improving the reporting of accidents. This must be backed up by ensuring that the reporting of accidents is covered during inspections and appropriate enforcement action taken as necessary.

5.23 At the same time, we conclude that the confidence which the SLI places in its current statistics should be modified and qualified. For example, we do not believe (as the 2004 Report says), that it can be concluded that accidents are declining. Nor do we believe that it can reasonably be concluded that the majority of victims are in medium sized enterprises, (explained by the considerable proportion of these enterprises in the country) when it is more likely (as in other states) that reporting levels are much poorer in small companies. We recommend therefore that the SLI takes a more challenging and realistic approach to the overall analysis of accidents.

5.24 A more difficult issue associated with the 'completeness' question is the position of the 'self-employed' particularly in the sub-contracted sectors, and in the context of significant levels of illegal or irregular employment. We would expect, on the basis of our experience, that many of the so-called self-employed are, to all intents and purposes, employed. They are treated as self-employed only so that their employers, and to an extent they themselves, can avoid their legal duties — including those relating to labour protection, labour relations and the taxation system. We believe it would be helpful in a number of respects to gain a better understanding of conditions in the self-employed sector so as to better inform the national strategy; the sector has a major impact on the national toll of injury and disease and working conditions generally. We return to the general approach to illegal employment in paragraph 5.42. We recommend that the SLI attempts (perhaps on a limited pilot basis initially) in conjunction with the Police, the State Insurance Agency and the hospitals, to identify all work-related deaths and investigate the employment status of the person who has died. The SLI should analyse the death in terms of cause, in the same way as for employed persons, and build the results of this pilot into the national strategy.

5.25 The Annual Report for 2004 also summarises the data on occupational diseases, produced in association with the State Insurance Agency. In 2004, 796 new occupational patients were recorded; the numbers of new patients has been rising steadily, and indeed rapidly, over the last 8 years, and it is acknowledged that this is mainly related to greater awareness of the availability of compensation for occupationally-related illness. Analysis of the patients by disease group shows a typical pattern, with musculoskeletal problems, and psycho-social/stress-related illness causing the great majority of cases. We noted a high number of illnesses associated with the 'consequences of poisoning and other impacts', and

it would be helpful to know how this breaks down. We questioned the number of cases of respiratory diseases associated with asbestos which in many other countries is still rising as a result of past exposures, but these are thought to be relatively small in number. It is important from the point of view of the SSIA budget that the data is used to predict the likely demand in compensation in future years; at present the rising number of cases makes budgeting difficult. As is often the case with disease data drawn from compensation systems, the data is largely individual and medical in nature. The SLI data indicates the broad factors causing occupational disease, but it would be useful to develop this further in relation to specific illnesses, and we recommend that the SLI works further with the SSIA to identify the organisational factors associated with cases of disease, so that causation and hence prevention measures can be identified and pursued. We further recommend that to balance and set in context the insurance-related data, that statistical methods, and market surveys are developed to give broad labour-related information on absence from work as a result of illness or injury.

5.26 There is also a need to develop national data on the labour relations field in which the SLI operates. We recommend that the core labour relations interests of the SLI are identified or confirmed and statistical methods and market surveys used to determine the national need, and hence the potential workload for the SLI. Again this should help inform the priorities for the inspectorate, and help judgement of the appropriate balance (see paragraph 5.40-5.41) between labour relations and labour protection, and enable progress to be monitored.

### Direction and management

5.27 The current structure of the SLI is illustrated in Figure 3.

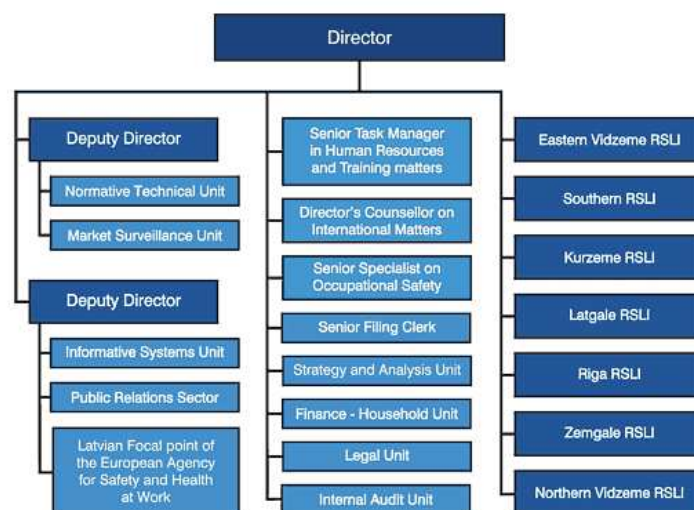


Figure 3

The headquarters of the SLI consists of a number of functional units and the operational field force is located in 7 regional units (all of which except Riga itself, have a number of sub-offices). We were fortunate to meet all the Regional Directors, and many of the HQ staff, who explained the functions of the different HQ units to us. We are aware that structural changes to the SLI organisation are being considered, and we concluded that change is necessary. It appeared to us that over the last 10-12 years the structure had evolved and developed in response to the relatively ad hoc allocation of responsibilities to the SLI. Now seems the right time to consider afresh what the SLI is best placed to do; to determine its core functions and then to develop an appropriate organisational structure to deliver these functions and decide how these should be resourced. We earlier recommended (see para 5.10) that this high level strategic overview of functions should be undertaken at the tripartite consultative and political levels, and we further recommend that the development of the appropriate structure and management arrangements should be undertaken by the Ministry of Welfare's Labour Department and the SLI.

5.28 We believe that structure should follow function and that organisational arrangements should be kept as simple as possible. We do not think it appropriate to make detailed organisational recommendations before the functions are reviewed and agreed; however we believe that aspects of the current structure are clearly creating difficulties for the efficient management of the SLI and we came to the following conclusions.

- As can be seen in Figure 3, the Director of the SLI is responsible for all the regions, and for many of the HQ units. The two deputy directors are responsible between them for the other HQ functions. This is an unusual arrangement, and puts an exceptional load upon the director. We recommend that responsibilities are properly delegated through the deputy directors and the management teams in a way that allows appropriate management oversight and direction. One of the most straightforward ways to do this (and which is a pattern followed in other states) is to have one deputy responsible for operations and the other for strategy and policy. It is also advisable to retain some functions (for example, international matters and internal audit), reporting to the Director.
- The way in which labour relations advice was organised through the regions did not seem the most effective use of resource. This is a specialised area and we were not convinced that it was necessary to spread this through the regions. We recommend that some concentration of this activity be considered (and see paragraph 5.41).



- The field force of inspectors is spread quite thinly outside Riga and the responsibilities of regional directors in management terms varies markedly. We recognise the advantages of providing services locally, and the transport problems for inspectors, but inspectors rely on colleagues for technical, legal and moral support. We recommend some rationalisation of the field structure to make the regional director responsibilities more comparable and to create offices with no fewer than 5 or 6 inspectors in each.
- We were struck by the lack of administrative support for inspectors, both directly in terms of information gathering, filing, and handling telephone calls, correspondence, accommodation and IT issues. We also believe that there are front-line activities for the SLI as a whole which do not necessarily require an inspector's level of training. So in addition to the more strategic considerations of functions and the balance of functions for the SLI as a whole, we recommend that how functions within the inspectorate can best be handled and at what level is also considered.

An organigram of an alternative structure which takes into account some of these recommendations is shown in figure 4 below.

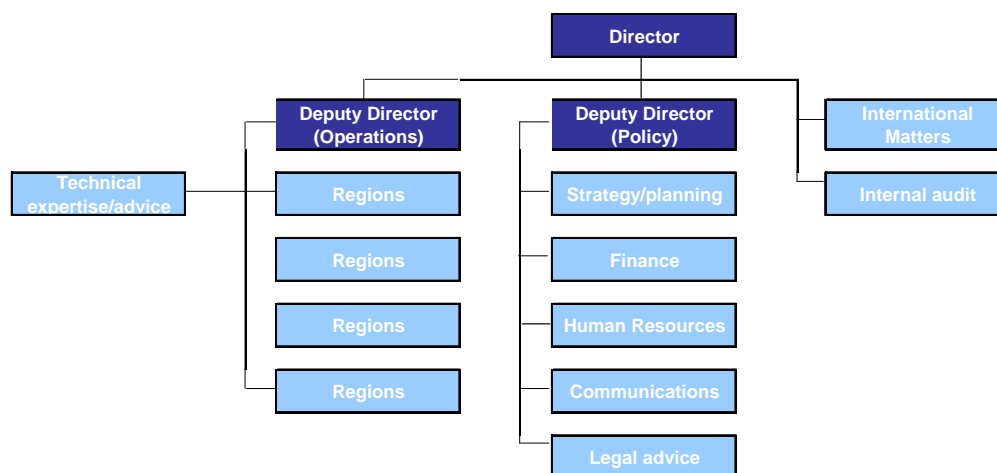


Figure 4

5.29 During the audit, to assist the SLI in thinking afresh about its management arrangements, Paul Weber, Director of the Luxembourg Inspectorate and SLIC member, conducted a full-day workshop for senior staff on 'Management by Results' which looked at some of the issues, principles and techniques for improving management in the labour

inspection context. The programme for the workshop is given in Appendix 5. The workshop was attended by headquarters (HQ) staff and the seven heads of the Regional Inspectorates (RI). Starting with a round table, every head of RI indicated the weak and strong points of the current approach (wages, staff, transport, field visits, complaints, etc.) and handed over to the HQ a written statement describing the organization, which became available on the SLI extra-net (as did the full set of power-point presentations for the workshop). The workshop continued with Paul Weber giving a lively presentation developing the basics for a cultural change aimed at the worker's well-being. The preventive approach focused on psychosocial health and stress and was based on EU norms and proven integrated management systems (DuPont and ARCELOR) as well as the Luxembourg Labour Inspectorate's reorganization scheme following the ILO and SLIC evaluations of 2002-3.

5.30 To translate theory into practice, the afternoon began with a teamwork exercise — the 'Creativity Generator'. During this group exercise (6-8 people) led by Paul Weber, individuals discovered more synergies and experienced the fact that the whole is greater than the sum of its parts — nature forms whole systems out of separate parts. When these parts connect in a non-linear, exponential interaction, a quantum jump may occur. Participants found that they were better to achieve their goals through cooperation than through the stressful adversarial nature of competitive tactics. The workshop concluded with the presentation of an action plan to initiate an Integrated Labour Inspection System (ILIS) for Latvia focusing upon the levels of efficiency to reach success. We hope that the workshop helped attendees think about how the functions and structure of the SLI might evolve.

5.31 Another major aspect of direction and management that we discussed at some length was planning: we were reminded that 'planning is essential, plans are useless', and while we do not quite go that far, we understand the sentiment. The starting point for an improved approach to planning must be the national/strategic level review of functions and priorities which we dealt with earlier in paragraph 5.10. From this the Labour Department and SLI should develop a national plan which sets out what is to be achieved over what timescale and by whom. We were told about the existing planning within the SLI and it has many strengths and serves the purposes of the Ministry and the SLI to a significant extent. However, the current system suffers from the fact that it is not clearly related to a national strategy and priorities. There are heavy 'reactive' demands to manage (by 'reactive' we mean work which the SLI cannot control at source, such as accident and complaint investigation, incoming telephone calls, requests for advice, and the need to respond to new workplaces being brought into use). Other important planning issues include the staffing

shortage and the number of relatively inexperienced staff; the balance between labour relations and labour protection work; and the ability to record and monitor achievement against the plan. We recommend that the national plan sets out clearly the resources to be allocated to different parts of the plan, the responsibilities of staff, and how the plan will be monitored. The EU/ILO Common Global Principles of Inspection (see Appendix 4) set out the framework for establishing the strategy and shaping the national plan, and though directed to OSH issues, also has relevance to labour relations issues.

5.32 We found it particularly telling in terms of planning and monitoring, that although the SLI expresses its three priority fields of work as labour relations, labour protection and the monitoring of dangerous equipment, the planning and monitoring systems could not tell us how much resource was put in to these three broad areas of activity. Also, within the field of labour relations, it was not possible to say how much resource was being used for illegal employment work, and how much for the other broad areas of labour relations. We believe it is important that a more structured approach is taken to planning and we recommend that on the basis of the national strategy and plan that a more detailed plan is developed for the SLI which sets out realistic expectations in terms of staff resource which will be devoted to these areas. We further recommend that the work recording and monitoring systems are aligned with these expectations, so that at inspector level, and at regional and national management levels it will be possible to monitor progress against the plan. Without this degree of control it will not be possible to justify the use of resource nor explain more widely what the SLI is hoping to achieve and how.

5.33 We discussed the control of reactive work in a number of meetings. The SLI staff sometimes seem to believe that reactive work controls them rather than the other way about. There seems to be an acceptance that if the SLI has been given responsibility to deal with a particular issue then it has to be done for all the problems raised. But do all accidents have to be investigated? Do all complaints have to be investigated? Do all labour contracts issues or salary issues have to be investigated or responded to? Reactive work takes up too much inspector resource at the expense of proactive work. We detected resentment amongst inspectors about some of the trivial problems they had to pursue; we heard cases of 3 Lat underpayments being pursued, and of a series of complaints about a building site from anonymous neighbours. This experience supports the essential point about controlling reactive work. In our experience, the starting point for controlling reactive work is establishing clear, publicly disclosed, criteria for what type of accident, case of ill health, complaint or request for advice will be pursued; these criteria act as 'filters' to make sure that only the more serious or important issues are retained by the SLI for investigation or

response. We recommend that the SLI examines its main areas of reactive work to establish filter criteria to ensure that reactive work is controlled, and that only the more important events are pursued. In particular the SLI should set criteria for accident investigation, linked to the seriousness or potential seriousness of the accident, the priorities established by the national strategy, and the potential for preventative activity. We also recommend that a more robust attitude is taken towards anonymous, potentially vindictive complaints, and that alternative methods of investigating complaints are considered. Decisions on this kind of issue generally need to be made by experienced inspectors. Hand in hand with the establishment of such criteria, goes the production of simple guidance which will help employers and workers resolve their own lower-level problems.

### **SLI staffing and infrastructure, confidence, expectations and capacity**

5.34 This section covers the 'softer' side of the inspectorate organisation, which has a number of facets, reflected in the long title of the section. The staffing of the inspectorate was raised with us as an issue by everyone to whom we spoke. At the heart of the concerns are the salaries and working conditions of staff. In this respect, as far as we can judge, this is symptomatic of the wider issue of public sector salaries and working conditions. Although this is clearly a matter for the government, we noted that the efficiency and effectiveness (and working conditions and stability) of the public sector in Latvia was an issue raised during the EU ascension discussions, and has since not been fully resolved. Salaries are relatively low across Latvia, and we noted that the national minimum wage was 80 Lats/month; during our visit there was active discussion about proposals to raised this to 90 Lats. And we were told at visits of typical salaries of factory workers which were comparable with those of new and experienced inspectors.

5.35 Salary levels had clearly had a big impact on the loss of experienced inspectors, and on the recruitment of new inspectors. As we noted in the introduction, an annual turnover of over 20% is in our experience quite exceptional. Equally we were told of current attempts to recruit new staff in Riga, when there had only been 10 applicants and only 2 offered posts (remembering that Riga currently had 14 vacancies) this clearly demonstrates that a career in the SLI is not an attractive option. The draining effect of low salaries also affects the skills and competencies of those who apply to become inspectors, and the mix of those inspectors who remain in post and shoulder the burden. A related issue is the skills mix of inspectors and there is a case for considering recruiting some inspectors with a trade or practitioner background, rather than a graduate qualification, to bring more practical experience into the SLI. This could help the balance of staffing at a time when the inspectorate cannot recruit the right candidates and cannot retain staff. It was said to us that to be an inspector you

needed a partner who was also earning. This issue has implications for Latvia's ability to meet its commitments under Convention No 81; in our view Latvia will not meet these commitments until there is a substantial rise in the salary of inspectors, which will attract the right mix of new staff, and retain the expertise of more experienced staff. When we discussed this with the Regional Directors, they estimated that as a minimum, a doubling of the present starting salary was necessary, with commensurate raising of the levels for experienced inspectors and we recommend that this is implemented. We were also told about the bonus system that operates in the SLI, but we could not form a sufficiently clear view of its criteria and application to come to a view on its influence and impact. In the context of the payment system as a whole, we see a significant raising of salary levels as a more appropriate, more transparent and more justifiable solution to retention and recruitment problems. We also recognise that another important possible consequence of low salaries is that the professionalism of inspectors is undermined and their judgement affected. We saw no evidence of this, but there seemed to be an unspoken assumption that it was a problem; it is certainly a risk in the current situation and needs to be part of the serious consideration of raising salary levels. Another issue raised with us, which is likely to have an impact on staffing recruitment and retention, was the lack of health insurance for staff; we were unable to pursue this further so we leave it simply as an observation.

5.36 Another important aspect of the current staffing position is the age distribution of the SLI staff. We were told that a number of senior staff had stayed on past normal retirement age, and that this is partly related to the availability of suitably qualified and experienced staff to succeed them. This issue of staffing competencies and planning is directly related to the need for a clear strategy; once this is established there is a need to establish a 'human resources' strategy to help deliver this. To an extent, what can be achieved in the short term depends upon the staff and other resources available now to deliver the strategy; there needs to be a degree of iteration so that in the medium and longer term, the needs of the strategy and the staffing of the SLI (in terms both of numbers and competencies) come into closer alignment. As with a number of other issues we discuss in this Report, we do not suggest that Latvia is alone in having to tackle this issue; it is an issue faced by all states and all labour inspectorates as strategies and priorities change and develop. Latvia, however, has an unusually challenging range of staffing issues to face, stemming from the general economic conditions in the country and the transition of the SLI over the last 14 years since independence was regained. We recommend that hand-in-hand with the development of the labour protection and labour relations strategy, a review of human resource planning issues is undertaken which aims to make recommendations to establish a SLI (and Labour Department) workforce strategy. This should specify the numbers and skills

needed to deliver the strategy, and will take account of the needs of staff and the economic needs of the country as a whole.

5.37 The other important aspect of the conditions of work of inspectors, is the support infrastructure with which they work. We heard numerous suggestions for improvements in **office accommodation**, and while inspectors cannot expect luxury accommodation, they are entitled to clean, warm and reasonably comfortable offices, which also set a high standard of health and safety. Part of the problem here may be the relatively large number of small local offices, and the difficulties in managing a dispersed 'estate'. Similarly, the **IT/computer** provision was often cited as an issue impeding progress to making a more modern inspectorate, and ensuring the efficient recording and monitoring of inspectors' work. Linked with this is the provision of **mobile phones**. Although this would have seemed a rather misplaced priority 10 years ago, developments in telecommunications have been so fast, that now most inspectorates consider it valuable in many ways to provide operational staff with mobile phones. Particularly where, as in Latvia, experience is at a premium, and inspectors are widely dispersed, mobile phones provide a means of getting advice, checking action, letting inspectors know about serious accidents or complaints when they are out of the office, and alerting management to important issues. They also offer some assistance in relation to the health and safety of inspectors when they are visiting, by enabling them to summon help in the event of car breakdowns and to communicate if threatening situations develop. The most serious infrastructure issue as reflected in the comments of inspectors, and in our perception of the effect on the efficiency and effectiveness of inspection, was **transport**. The number of government cars available for inspectors' use is relatively small; relatively few inspectors own cars. If inspectors do use their own cars, they are only compensated for the fuel used, not for 'wear and tear' or maintenance. These factors combine to make the management of transport for inspection purposes a real problem, and in turn make for inefficient inspection practices. As with staffing, we recommend (in line with the development of a national strategy) that a review is undertaken of the infrastructure needs to support the strategy, and a prioritised action plan and timetable developed to improve the infrastructure.

5.38 One of the most significant aspects of the conditions of work of inspectors is the provision of protective clothing; this is important not only from the point of view of the inspectors' health and safety, but also for the example it sets to employers and employees. At the time of the SLIC evaluation 3 years ago, it was said that inspectors were generally expected to borrow protective clothing from the premises visited. We were told that things had improved in the intervening years, and that safety boots, general protective clothing and

helmets were on order and some had been delivered. We recommend strongly that a proper assessment of the need of inspectors is carried out and suitable protective clothing provided on an individual basis.

5.39 These issues of the salaries and staffing of the SLI and the conditions of work of inspectors, along with a number of other important issues we have touched on earlier in this Report (see paragraph 5.17 for example in relation to enforcement), seemed to us to contribute to an overall lack of self-confidence of inspectors in their role. This resulted in low expectations both about the likelihood that their own working conditions might improve, and about their ability to influence the working conditions and labour relations that are at the core of the SLI's mission. When we met with the Regional Directors as part of the 'Management by results' workshop, we asked how many extra inspectors they needed to perform their functions properly; almost without exception, they indicated that if they had sufficient inspectors to bring them up to their agreed staffing complement then that would be sufficient. We found this surprising; it is customary in our experience to find that inspectors are very conscious of the many additional actions they could take if only they had more resources, and to be constantly seeking additional staff to do this. We also found that the Social Partners did not have particularly high expectations that the SLI would evolve to have a recognised important role in establishing better labour relations and labour protection standards. We concluded that it was vital for the future of improved standards that the value that the SLI can bring to working conditions and the overall health of the economy was recognised at the government level and that the campaign which we suggest later (see paragraph 59) has this issue of a confident, capable and valued labour inspectorate at its heart. If the other recommendations which we make are implemented, they should help build confidence and raise expectations. In the development of revised management strategy, we recommend that a separate workstream be included which deals with the creation of a positive forward-looking culture.

### **Balance of work**

5.40 We have already touched on the balance of the different work activities undertaken by the SLI. The main distinction is drawn between the labour relations and labour protection areas, and this is the first stage at which the balance needs to be considered although the question of balance also arises within each of these two areas. We earlier indicated that the strategy and priorities for labour relations and labour protection need to be determined at the national level, in association with the Social Partners. When the overall priorities have been agreed, then the SLI needs to consider how it can best deliver a suitably managed approach to both primary areas. Experience within the audit team covered the spectrum from a fully



integrated approach through the mid-way approach where the inspectorate covers both areas but in separate divisions, to the approach where the inspectorate concentrates on occupational safety and health and has minimal involvement in labour relations issues. In the context of Latvia's needs we support an integrated approach, but the form of this approach – the first two options — should take into account the different characteristics of labour relations and labour protection work. Labour relations probably has greater political and fiscal importance; labour relations is largely dependent on the examination of contractual paperwork and on a relatively complex legal employment framework while labour protection relies largely on the examination of actual working conditions and on a more organisational and technical area of law; and labour relations is relevant to disputes affecting livelihood, while labour protection is related to issues of life and death.

5.41 We recognise that these primary areas are not separate, and particularly that labour relations policies can have a direct impact upon aspects of health at work — especially the emerging psycho-social issues, well-being at work, and the overall aspect of effectively managing sickness absence. The fully integrated approach would involve inspectors in the field continuing to be 'generalists' covering the full spectrum of labour protection and labour relations activity (up to a certain level of complexity) and obtaining expert advice on both topics from specialists in HQ or the Riga Regional office. The mid-way approach, as we call it, would involve a split of the labour protection and labour relations functions into separately managed Divisions. This is not an easy decision, but because (as we have noted above) the two aspects of the work have quite different characteristics we concluded that to control effectively the demands from the two areas and make sure that each gets the resources planned, it is necessary to manage them separately within the SLI. This will also have the advantage of enabling stronger specialisation in both areas. There will be a need to share knowledge of the SLI's full range of interaction with employers, but good internal relations and an effective integrated IT system should enable this to take place. We recommend, therefore, that the SLI moves to a structure which has separate divisions dealing with labour relations and labour protection.

5.42 Turning now to the balance within the area of labour relations which we dealt with earlier in paragraphs 5.4-5.6. It was emphasised to us that the current national priority was the campaign on illegal employment (see footnote 2). We understand why this should be a priority, in the context of the national business reputation and competitiveness of Latvia, the need to maximise tax revenue, the links to other forms of criminality, and the notoriously poor working conditions of this vulnerable group of workers.. We found it difficult to form a clear picture of the SLI's involvement in this work, but it seemed that often the SLI was in the

lead in investigations but did not have the powers necessary to pursue enquiries properly (for example in being able to check the identity of workers). We recommend that this is an issue on which the Police and the State Revenue Service should lead with the SLI in a supporting role which concentrates on labour relations and labour protection issues. A programme of co-ordinated special inquiries should be organised by the Police and State Revenue Service, involving other authorities such as the State Border Guard and including the SLI as appropriate. The SLI role outwith these special enquiries should be strictly controlled. We further recommend that consideration be given to a more prioritised approach which concentrates on **organised** illegal work, as our experience suggests that this is where the worst examples occur and where exploitation and coercion are most rife. For these reasons it is even more important that such campaigns are led and organised by the State Police.

5.43 Within the field of labour protection the primary balance issue is between 'reactive' work and 'proactive' work. 'Reactive' work as we said in paragraph 5.31 is that where the SLI is reacting to external events but can and should be used as an effective springboard to preventive work. 'Proactive' work on the other hand is work which is related to the national strategy and involves inspection and other work focused on the priorities where analysis of the available national statistics has indicated there is the greatest need for action. Proactive work therefore has the greatest potential to improve health and safety performance nationally and in relation to particular sectors and particular processes or equipment. The SLI needs to ensure that reactive work is controlled to allow the proper resource to be allocated to proactive work. The position at present varies across the regions, with the workload in Riga being dominated by reactive work, to the extent that little proactive work is possible. It is of great importance as we indicated in paragraph 5.33, that the wide range of reactive work carried out by the SLI is reviewed and only these activities to which the SLI can make a real contribution are continued.

### **The culture of prevention**

5.44 We were impressed by many aspects of how the SLI had developed in terms of its approach to occupational health and safety over the years since its formation in 1993. There was one issue in particular which we felt was inhibiting the further development of the inspectorate and its influence upon health and safety standards, and that is the culture of prevention. It was apparent that this was not just an issue for the SLI but for the other players in the health and safety system, in particular the Social Partners.

5.45 By 'culture of prevention' we mean the combination of experience, understanding, knowledge and evidence which have helped shape the Framework Directive's 'General Principles of Prevention' and which form the basis for everyone's efforts to improve health and safety standards. It is widely understood that the primary responsibility for creating safe and healthy working conditions rests with the employer as the person or organisation controlling and profiting from, the work activity. As we indicated earlier, one of the most striking aspects of the Latvian approach is the extent to which reliance is placed upon the role and responsibilities of the worker, as opposed to the employer, and this to our mind, undermines much of the good work done elsewhere by the SLI. We noted a number of instances when the role and responsibilities of the worker were either misrepresented or misunderstood in this context:

- the estimate in the Annual Report for 2004 that the failure of the employee to comply with labour safety requirements was the cause of the injury in 66% of cases while 'problems in the organisation of the work' and 'unsatisfactory workplace conditions' only totalled 23% taken together;
- the concentration during inspection visits on the training records of employees and the frequent implication that this was what the employer needed to make a priority action;
- our discussions about formal enforcement and why cases were not taken or relatively small penalties imposed, often turned upon whether or not the employee had been trained or instructed in the process being carried out.

5.46 There were a number of other more subtle ways in which the current culture was demonstrated to us. There was often a lack of understanding on the part of the inspector, and the employer, about what could be achieved through considering issues such as the elimination or minimising of risk, and the provision of collective rather than individual measures. The concentration on individual responsibility also tended to ignore human nature, and how workers (and managers) often react when they do not understand a risk, when they are concentrating on the task in hand, or alternatively, not concentrating on the task in hand. There is an assumption that if someone is told how to do something, then that person will always do as he or she has been instructed. We also observed a tendency to pay only minimal attention to what in other states would be considered serious risks, or if the risks were noted, for the employer (and the inspector) to allow the activity to continue while the inspector was present.

5.47 In our view it is vital for the progress of health and safety standards that more emphasis is placed upon the employer's responsibility for preventive action and upon the implementation of the General Principles of Prevention. This will involve action to change the mind-set of the SLI, the State Police, and the Social Partners so that the proper emphasis is placed upon the responsibilities of employers, and upon their ability to take action to prevent accidents and ill health occurring. If this can be done, then it is potentially a very powerful force for change and improvement for Latvia. If it is not done, then it will severely inhibit progress. We recommend that this becomes a priority part of the national strategy. We were also impressed with the structured approach to training of inspectors which has been developed in recent years and we would like to see this retained. The training framework should be revised to deal more fully with the culture (and techniques) of prevention so that inspectors think in this way from the start of their careers. It is equally important that the training of employers and employees and particularly OSH specialists and trusted representatives takes this issue into account.

### **Ways of working of inspectors**

5.48 As well as the important issue of the culture of prevention, we have already touched upon a number of other 'ways of working' issues for inspectors, such as the need to control reactive work. Another issue that we noted during discussions and visits was a tendency to concentrate more on the paperwork produced by employers, than we would consider appropriate, coupled with a consequent reduction in the time spent in the workplace, and in discussion with employees; this applied to both the labour relations and labour protection aspects. This to an extent is related to the core functions and how they should be delivered by the SLI. We recommend that the guidelines or quality system for inspectors should make it clear how inspection should most effectively test compliance with the range of legislation.

5.49 A specific example of this trait in the labour protection field was the concentration upon risk assessment. Risk assessment is clearly at the heart of European OSH law, and deserves its importance and emphasis for the larger, more developed or organisationally-sophisticated employers, but we question whether it is the most effective approach for many of the employers where standards are poor and the problems quite basic. We recommend that in workplaces where standards are poor and management systems are ill-developed, inspectors concentrate on the major preventive issues, and get them sorted out, rather than push at this stage for a risk assessment approach — this can come in the medium term, as awareness and skills develop.

5.50 It is also relevant that we record here that our experience of employers during our visits ranged from the innately compliant and positive to the extremely hostile. It is sometimes easy for politicians and policy makers to forget the reality of inspectors, who usually operate on their own, encountering a negative, dismissive and aggressive reaction to their work. In the last few years labour inspectors have been attacked and killed in France and Brazil, and it is important to anticipate the real (though still fortunately remote) risks that inspectors face. This is particularly important in the Latvian context when SLI inspectors are being drawn into illegal employment issues, sometimes in an unstructured way, without police leadership, and when the infrastructure for inspection (particularly transport) is limited. We recommend that inspectors receive training to be able to cope with the wide range of behavioural, communication and relationship approaches they will encounter, not just the technical or legal issues.

5.51 We also believe that there is room for the SLI and inspectors to challenge the bureaucracy and the efficiency of its ways of working. We noted when a written order was issued for example, that this necessitated a return to the office to draw up the necessary letter (which was done quickly) then a return to site to get the order signed, and to deliver it. It should be possible to draw up such orders on the spot, and get them signed in acknowledgement of receipt (and of management commitment). A carbonless paper form can often be used to give the correct structure and legal weight to such orders.

5.52 Overall our impression of the SLI and its inspectors was that they showed excellent intent and commitment, but which was impeded by the inefficiencies in the systems of inspection. This is compounded, of course, by issues such as the staffing and infrastructure problems. We heard about the Quality Management System (QMS) developed by the SLI which constitutes the guidelines for inspectors. We were impressed with the effort and thought put into this; we also heard favourable comments from a number of operational inspectors about its usefulness. But we concluded that some of the procedures we were told about (for example accident investigation) seemed unnecessarily long and complex. There needs to be a lighter touch and simpler guidelines for inspectors to follow; there is value in looking to develop more of a quality assurance than a quality management approach in which the bureaucracy of the current guidelines should be systematically challenged. We recommend that the SLI reviews and revises its guidelines for inspectors (aiming both for efficiency and effectiveness) against the Common Principles (see Appendix 4), the core priorities and activities, and the screening criteria for reactive work.

## Relations with the State Insurance Agency

5.53 We had a number of discussions with staff of the SLI and with the SSIA about the relations between the two bodies, the activities of the SSIA, and the general approach to compensation activities (and see also paragraphs 5.24-5.25 in relation to data collection). We found it very difficult to understand and we cannot pretend that we gained a proper grasp of the issues; but we did form a clear view of their importance. As with the SLI, we concluded that there is a need to establish the core functions of the SSIA, which in our view should focus upon the necessary **compensation and support** for someone who is injured or suffers ill health as a result of their work activities, and upon their **rehabilitation**. There is an argument that rehabilitation should be provided for anyone off work for whatever reason, both to help the overall health of the working population, and to help reduce and manage absence, and this might be a medium-long term objective of the SSIA. An essential element in the financial management of the SSIA and the compensation system is effective data-collection and analysis. We concluded that basic contribution rate to the SSIA was too low – it is putting the services it provides at risk – and we recommend that it be increased, but in the context of a clearer view being taken of the core functions of the SSIA. The SSIA seemed to us to be in an almost impossible planning position at the moment, with cases of compensated diseases rising at a significant rate, and with some diseases (such as those related to asbestos exposure) hardly appearing in the current picture. In addition as we indicated in paragraph 5.22 there is very substantial under-reporting of accidents, and if reporting improves this will also have an effect on the SSIA's planning and budgeting. The SSIA is in the strongest position to acquire good health data (and with the SLI improve the reporting of accidents) which needs to inform the budget planning of the SSIA and the priorities and resource allocation of the SLI. We recommend that there be closer co-operation between the two bodies on the collection of data and the analysis of the **causes of ill health and injury**, so that this analysis can better inform the preventive and communications work of the SLI and the core work of the SSIA.

5.54 In many other states with a strong national accident and ill health insurance agency, prevention is a major part of the insurance agency's responsibilities. The SSIA has a very small part of its overall budget devoted to prevention, and we heard a number of expressions of concern about this. We take a more relaxed view; experience has shown that it has often been difficult to unify and co-ordinate the prevention perspective of labour inspection and insurance, and the better way to establish the national priority is to make it clear that the lead organisation in prevention strategy and action is the SLI. As we indicated earlier, we think the SSIA has other more pressing demands at present, and we recommend that the SSIA concentrates at present on building capacity in terms of administration, budgeting, data

collection and forecasting, and rehabilitation, rather than prevention. This is not to say that in the longer term when the role and budget of the SSIA stabilises that it could not usefully cooperate with the SLI on prevention matters. A more clearly prioritised role for the SLI and the SSIA would necessitate effective co-operation and co-ordination, and we believe that this is the best route for both organisations.

5.55 Another aspect of the relationship which we found a little surprising was that confirmation of the occupational nature of a particular claim for the effects of a disease, rested with the medical staff of the SLI. Just as we take the view that the needs and priorities at present suggest that the primary interest in prevention should rest with the SLI, we also take the view that confirming the basis of any claim for insurance-related benefit should rest with the SSIA. This element of the relationship in our limited experience meant that the focus of the SLI's medical staff was more directed towards establishing this occupational link, than upon the investigation of the cause of the ill health and how it might be prevented, which we think should be the proper priority for the SLI. We recommend that the SLI should not act for the SSIA as the verifier of occupational disease, but should concentrate its resource on prevention and enforcement. This implies the need to develop equivalent verification capacity within the SSIA. Overall, therefore we recognised the strong relationships and interdependencies between the SLI and the SSIA, and the need to build up the core functions and capacities of both, so that the SLI does not have to divert resource towards verification, nor the SSIA to operational prevention. At the same time, they should continue to build co-operation and co-ordination.

5.56 There is however, another, more strategic-level means by which the SSIA can influence the priority given to occupational safety and health, and the development of a prevention culture, and that is through the introduction of a bonus/malus system. Such systems reward the better employers and penalise the worse employers through adjustment to the insurance rates they pay, based upon their health and safety performance, and thereby encourage improvement. This of course is also dependent upon the development of better data, by company and by sector, which is needed to establish baselines, and structure the operation of the system. We recommend that working towards a bonus/malus system in the medium and long term would be a better strategic goal for the SSIA than trying to put more resource into operational preventive work. In the longer term through the operation of the bonus/malus system, it should be possible for the prevention strategy of the SLI to be supported by the SSIA, and for the inspection work of the SLI to feed into the SSIA's assessment of a sector's or an employer's health and safety performance.



## **Relations with the Institute of Occupational and Environmental Health**

5.57 It was unfortunate that the Institute of Occupational and Environmental Health (IOEH) chose not to meet us, particularly as strengthening of the current IOEH is one of the four components of the new PHARE project, with its emphasis on research, knowledge, management, training and support for the SLI and other involved institutions and the Social Partners. There is a risk that the IOEH could become an organisation focussed on medical research, and we believe that this would not be in the best interests of Latvia, nor its working people. Clearly there is an important place for medical research, but we believe that greater gains will take place if the Institution develops as envisaged by the PHARE project into a National Institute for occupational safety and health. This implies that the IOEH will need to build its capacity on the 'safety' side — for example in relation to mechanical engineering, civil engineering and pressure systems. This may exist already, but we were not able to ascertain the range of expertise currently available within the IOEH. We noted too that this issue does not seem to be explicit in the PHARE project, and we recommend that this issue is reviewed and if necessary taken into account.

5.58 Such a national institute can act as the focus for pure and applied research in the field, and as the centre for expertise in the implementation of strategies and procedures to culture prevent accidents and ill health. This will necessitate close co-operation with the SLI and SSIA in particular, and all those who might benefit from its services. The SLI needs access to an independent testing facility, otherwise, it will not be able to develop its control and enforcement approaches, so we recommend that the IOEH works to transform itself into the National Institute for Occupational Safety and Health taking into account the needs of the SLI under its national and international obligations. We also believe that there is value in seeking to build such capacity across the Baltic states, and other neighbouring states, as it doesn't make economic sense to develop full-service institutes in each country.

## **Public awareness campaign**

5.59 Many of the issues we have raised in previous paragraphs (see for example paragraphs 5.17 and 5.39) convince us that it is necessary to raise the profile of labour protection and labour relations and of the SLI and its staff; these issues include:

- the need for a national strategy;
- the capacity issues for the SLI and the Social Partners;
- the need to build accurate data and better methods of analysis and evaluation;

- the need to build understanding of the value for public health and economic health, of good labour relations, and labour protection standards;
- the salaries and working conditions of inspectors, and staff turnover levels;
- the need to emphasise the importance of effective enforcement, and appropriate penalties;
- the need to build the self confidence of inspectors and breed respect for their functions;
- the need to understand how an improved culture of prevention could have a major impact on accident and ill health levels.

We therefore recommend that a major public awareness campaign is planned and launched, with the highest political level support, and with the participation of the Social Partners, to describe and explain the functions of the SLI and the contribution that the inspectorate makes to the improvement of occupational health and safety, public health and economic health in Latvia. We commend the dedication, intelligence and commitment of the staff of the SLI and the Labour Department as a whole, and we are confident that if the changes we have recommended can be implemented, and the public awareness raised of the importance of effective labour controls, then working conditions in Latvia can be transformed for the better.

## 6.0 RECOMMENDATIONS

We have extracted all the recommendations from Section 5 of our report where they are arranged by theme and arranged them here by responsibility for action. This framework may form the basis of an action plan to take these issues forward, some at least, associated with the new PHARE assistance project.

### Ministry of Welfare/NTCC/TCSLA

- agree the national strategy, which should concentrate on establishing the areas of greatest need, greatest priority, and greatest potential for change and progress and structure these into a national action plan (see paragraph 5.4);
- the national plan should set out clearly the resources to be allocated to different parts of the plan, the responsibilities of staff, and how the plan will be monitored (see paragraph 5.31);
- the PHARE Project should take into account the connection between labour relations and labour protection in considering the topic of social dialogue and occupational safety and health (see paragraph 5.7).
- ensure that the courts reflect the seriousness of breaches of labour relations and labour protection law by imposing penalties which make an impact on the duty holder and that the government considers preparing sentencing guidelines to help the courts deliver appropriate penalties (see paragraph 5.17);
- a major public awareness campaign should be planned and launched, with the highest political level support, and with the participation of the Social Partners, to describe and explain the functions of the SLI and the contribution that the inspectorate makes to the improvement of occupational health and safety, public health and economic health in Latvia (see paragraph 5.59);

### The SLI and its staff

#### Functions, management and structure

- the SLI should concentrate on its core functions, and the TCSLA must help in shaping the overall national strategy to allow this (see paragraph 5.10);
- in shaping the national strategy in relation to labour protection, it is vital that priority is given to establishing a proper culture of prevention which implements the General Principles of Prevention; this applies to the SLI, and also the Social Partners (see paragraph 5.32);

- the core labour relations interests of the SLI should be identified or confirmed and statistical methods and market surveys used to determine the national need, and hence the potential workload for the SLI (see paragraph 5.26);.
- on the basis of the national strategy and plan a more detailed plan should be developed for the SLI which sets out realistic expectations in terms of staff resource which will be devoted to these areas. Work recording and monitoring systems should be aligned with these expectations, so that at inspector level, and at regional and national management levels it will be possible to monitor progress against the plan (see paragraph 5.32);
- the development of an appropriate structure and management arrangements to support the national strategy should be undertaken by the Ministry of Welfare's Labour Department and the SLI (see paragraph 5.27);
- the management arrangements should ensure that responsibilities are properly delegated through the deputy directors and the management teams in a way that allows appropriate management oversight and direction (see paragraph 5.28);
- in developing the management arrangements, a separate workstream should be included which deals with the creation of a positive forward-looking culture (see paragraph 5.27);.
- the structure should have separate divisions dealing with labour relations and labour protection; at the very least some concentration of this activity should be considered (see paragraph 5.41);
- the field structure should be rationalised to make the regional director responsibilities more comparable and to create offices with no fewer than 5 or 6 inspectors in each (see paragraph 5.28);
- how, by whom, and at what level the SLI functions can best be handled should also be considered (see paragraph 5.28);
- the main areas of reactive work should be reviewed to establish filter criteria to ensure that reactive work is controlled, and that only the more important events are pursued. In particular the SLI should set criteria for accident investigation, linked to the seriousness or potential seriousness of the accident, the priorities established by the national strategy, and the potential for preventive activity. A more robust attitude should be taken towards anonymous, potentially vindictive complaints, and alternative methods of investigating complaints considered (see paragraph 5.33).

### Inspection issues

- the guidelines or quality system for inspectors should make it clear how inspection should most effectively test compliance with the range of legislation (see paragraph 5.48);
- in workplaces where standards are poor and management systems are ill-developed, inspectors concentrate on the major preventive issues, and get them sorted out, rather than push at this stage for a risk assessment approach — this can come in the medium term, as awareness and skills develop (see paragraph 5.49);
- inspectors should receive training to be able to cope with the wide range of behavioural, communication and relationship approaches they will encounter, not just the technical or legal issues (see paragraph 5.50);
- inspectors should engage effectively with employees and it should be clearly set out in instructions how such contact is to be recorded, monitored and managed; this principle applies in the inspection of both labour relations and labour protection issues (see paragraph 5.9);
- the SLI should review and revise its guidelines for inspectors (aiming both for efficiency and effectiveness) against the Common Principles (see Appendix 4), the core priorities and activities, and the screening criteria for reactive work (see paragraph 5.52).

### Staffing matters

- hand-in-hand with the development of the labour protection and labour relations strategy, a review of human resource planning issues should be undertaken which aims to make recommendations to establish a SLI (and Labour Department) workforce strategy. This should specify the numbers and skills needed to deliver the strategy, and will take account of the needs of staff and the economic needs of the country as a whole (see paragraph 5.36);
- salaries of staff should be raised; as a minimum, a doubling of the present starting salary was necessary, with commensurate raising of the levels for experienced inspectors (see paragraph 5.35);
- in line with the development of a national strategy, the infrastructure needs to support the strategy (at the level of the SLI and individual staff) should be reviewed, and a prioritised action plan and timetable developed to improve the infrastructure (see paragraph 5.37);

- a proper assessment of the protective clothing and equipment needed by inspectors should be carried out and suitable clothing and equipment provided on an individual basis (see paragraph 5.38).

### Enforcement

- the correct enforcement culture, and knowledge of the law and its practical application, should be built into the training and management of inspectors at all levels within the SLI. Efforts to build capacity and skills, and to improve retention of inspectors, will reinforce this culture (see paragraph 5.18);
- collect information on the progress and results of SLI-related prosecutions and published annually (see paragraph 5.14);
- the enforcement report of the SLI (including the investigation of accidents at work and the identification of breaches of laws)\_should be submitted directly to the public prosecutor after any necessary cooperation with the State Police (see paragraph 5.16).

### Data on injuries and ill-health

- the analysis of accident causation should be reviewed as a matter of urgency so that it reflects legal responsibilities and the General Principles of Prevention set out in the Framework Directive; and enables a more sophisticated analysis to be undertaken of the root causes of accidents. (see paragraph 5.21);
- emphasis should be placed on improving the reporting of accidents as part of a national campaign on labour protection and labour relations. This must be backed up by ensuring that the reporting of accidents is covered during inspections and appropriate enforcement action taken as necessary (see paragraph 5.22);
- the SLI should take a more challenging and realistic approach to the overall analysis of accidents (see paragraph 5.23);
- the SLI should (perhaps on a limited pilot basis initially) in conjunction with the Police, the State Insurance Agency and the hospitals, identify all work-related deaths and investigate the employment status of the person who has died. The deaths should be analysed in terms of cause, in the same way as for employed persons, and the results of this pilot built into the national strategy (see paragraph 5.24);
- the SLI should work further with the SSIA to identify the organisational factors associated with cases of disease, so that causation and hence prevention measures can be identified and pursued. Statistical methods, and market surveys should be

developed to give broad labour-related information on absence from work as a result of illness or injury (see paragraph 5.25).

### Illegal employment

- illegal employment is an issue on which the Police and the State Revenue Service should lead with the SLI in a supporting role which concentrates on labour relations and labour protection issues (see paragraph 5.42);
- a more prioritised approach which concentrates on **organised** illegal work should be considered (see paragraph 5.42).

### **The State Insurance Agency**

- the basic contribution rate should be increased, but in the context of a clearer view being taken of the core functions of the SSIA (see paragraph 5.53);.
- There should be closer co-operation between the SLI and the SSIA on the collection of data and the analysis of the **causes** of ill health and injury, so that this analysis can better inform the preventive and communications work of the SLI and the core work of the SSIA (see paragraph 5.53);.
- the SSIA should concentrate at present on building capacity in terms of administration, budgeting, data collection and forecasting, and rehabilitation, rather than prevention (see paragraph 5.54);.
- the SLI should not act for the SSIA as the verifier of occupational disease, but should concentrate its resource on prevention and enforcement (see paragraph 5.55);.
- working towards a bonus/malus system in the medium and long term would be a better strategic goal for the SSIA than trying to put more resource into operational preventive work (see paragraph 5.56).

### **The Institute of Occupational and Environmental Health**

- The capacity of the IOEH to develop into a national institute for occupational safety and health should be reviewed and if necessary taken into account in the delivery of the new PHARE project (see paragraph 5.57);.
- the IOEH should work to transform itself into the National Institute for Occupational Safety and Health taking into account the needs of the SLI under its national and international obligations (see paragraph 5.58).

## **Appendix 1 Terms of Reference**

In a letter dated 7 February 2005, the Director of the State Labour Inspectorate, Mr. Janis Berzins, in agreement with the Minister of Welfare of Latvia, requested the Director General of the International Labour Office to organise a mission for the audit of the Labour inspection system of Latvia. The request from the Latvian State Labour Inspectorate and Ministry of Welfare was for a mission with a tripartite composition led by the head of a national labour inspection structure, assisted by a representative of a national employers' organization and by a representative of a national workers' organization.

It was subsequently agreed that this tripartite mission with the technical support of ILO officials would be in the country from 3 to 14 October 2005. A programme will be drawn up by the management of the Latvian State Labour Inspectorate (SLI), which will include inspection visits to representative companies, regional labour inspectorates and cooperation partners, and will take place according to the following programme:

- 3 October: Arrival of the mission in Latvia
- 4 October: Internal mission briefing by ILO's technical adviser
- 5-12 October: Consultations and visits in Latvia
- 13 October: Debriefing of the mission with the Minister of Welfare and the management of the SLI
- 14 October: Departure of the mission from Latvia

Whilst referring to the letter from the Director of the SLI in agreement with the Ministry of Welfare as the basis for its mandate, the mission is asked to examine in particular the following questions.

### **Basic principles, legislation and international standards**

- content
- social interaction (clients)
- criminal/administrative law
- codification requirements
- sanctions system, including prosecution
- prevention
- ethics of inspection (fairness, transparency, absence of corruption, etc)
- update of occupational illnesses' list
- most relevant ILO standards (ratified Conventions Nos. 81, 129, 150, 155, 115, 119, 120, and 148, as well as non-ratified Conventions)

### **Tripartite collaboration**

- institutions
- social dialogue
- relations with the 'client' system
- piloting committee
- sanction vs. service approaches
- visibility in press and media

### **Labour inspection policy**

- specification of responsibilities in inspection



- specification of scope (independent work, agricultural work, informal economy, 'envelop' payments)
- collection of data (work accidents and occupational diseases)
- collaboration with construction inspectors
- collaboration with the Ministry of Health
- role of workers' representatives (at the establishment, enterprise, group or multinational levels)
- sanctions vs. advice approaches (inspectorate as 'service provider')
- guidance for inspections (reactive/proactive interventions)
- social interaction (clients information and individual complaints)
- consideration of psycho-social hazards
- national programmes and campaigns
- implementation of ILO Guidelines on Occupational Safety and Health Management Systems (ILO-OSH 2001).

### **Effective implementation and enforcement**

- action plan for an integrated labour inspection system
- application of relevant ILO and other international or regional instruments and codes (including giving consideration to further ratifications of ILO Conventions)
- development of a national preventive OSH culture
- ensuring the well-being of workers and improving business performance.

### **Cooperation with other actors**

- Ministry of Welfare (State Social Insurance Agency, State Employment Agency)
- Ministry of Agriculture (Latvian State Forests)
- Ministry of Economy (State Construction Inspectorate, Customer Rights Protection Centre)
- Ministry of Education and Science (State Education Inspectorate)
- Ministry of Finance (State revenue Service, Customs)
- Ministry of Regional Development (Regional Development Agency)
- Ministry of Health (State Sanitarian Inspection)
- Ministry of Interior (State Fire Fighting and Rescue Service, State Police, State Border Guard)
- Ministry of Justice (Public Prosecutor)
- State Chancellery
- Ministry of Environment Protection
- Foreign Investors Board
- Employers Confederation of Latvia
- Free Trade Union Federation of Latvia
- Approved and notified bodies of control

### **System organization and management**

- organization
- management instruments (management by results; workshop)
- programming, planning and reporting
- quantitative and qualitative efficiency assessments and development of new interventions strategies
- intervention methods
- respect of confidentiality
- personnel policy, recruitment, training and career management

- conditions of service of labour inspectors
- information management (one-stop shop, hotline)
- management relations, regional offices and coordination (feedback, reporting)
- centralization/decentralization/deconcentration
- specialization/versatility
- revaluation/revitalization of agencies/field services

### **Status, functions and powers of inspection personnel**

- supervision, enforcement, sanction, advice, mediation, networking
- general/specialized/multidisciplinary inspection
- independence, neutrality, fairness
- unified scale of fines that can be imposed
- inspectors' autonomy (one inspector, one enterprise)

### **Specific questions**

- procedure for individual complaints
- maritime administration
- transport inspection
- possible creation of a national institute for OSH
- sharing of responsibilities for OSH between Ministers of Health and Welfare
- planned regionalization of the Centre for Occupational Medicine
- possible creation of a tripartite work environment council (involving, in addition to employers' and workers' representatives, the SLI, the possible OSH institute and the sanitary inspection) as a sub-committee of the already existing National Tripartite Cooperation Council.

The mission will write a project report, consisting in three major parts: findings, conclusions and recommendations. This mission report will be submitted to the International Labour Office (SafeWork), which after consultations with interested units within the ILO, will submit it by 15 January 2006 to the Minister of Welfare of Latvia in the form of a 'Technical Memorandum'.

An additional briefing and debriefing will be organised for the Head of Mission in Geneva. The drafting of the tripartite report will be the responsibility of the experts. The opinions expressed by these may not necessarily reflect the policy of the International Labour Organization in the area of labour inspection.

The Office will remain at the disposal of the Government of Latvia, should it deem this to be useful, in order to continue an open dialogue via the report with the ILO and the experts of the mission.

Geneva 1 August 2005

## Appendix 2 Programme

Tuesday 4 October 2005		
0900 – 1200	Internal meeting of audit team	State Labour Inspectorate 38 Kr Valdemara Street
1330 – 1500	Introduction Mr Janis Berzins, Director Ms Mara Legzdina, Chief Specialist HR matters	
1530 – 1630	Mr Edgars Korcagins, Deputy Director General	Latvian Employers' Confederation 12-1 Vilandes Street www.lddk.lv
Wednesday 5 October 2005		
0900 – 1000	Ms Marite Melkerte, Head of the Internal Audit Unit	State Labour Inspectorate
1000 – 1100	Prof Charles Woolfson, Marie Curie Chair, University of Latvia, Labour Relations and the Working Environment in Latvia	
1100 – 1230	Mr Georgs Kartenko, Deputy Director, Quality Management System	
1400 – 1500	Mr Guntars Staune, Head of the Labour Legal Unit	
1500 – 1600	Mr Imants Kristins, Head of the Normative Technical Unit	
1600 – 1700	Mr Einars Kalnins, Chief State Labour Inspector, Market Surveillance Unit	
Thursday 6 October 2005		
0900 – 1000	Ms Agrita Groza, State Under-Secretary of the Ministry of Welfare	Ministry of Welfare 28 Skolas Street www.lm.gov.lv
1000 – 1120	Ms Ineta Tare, Director, Labour Department	
1400 – 1530	Ms Valentina Turovska, Head of the Strategy and Analysis Unit Ms Nellija Tomsone, Strategy and Analysis Unit	State Labour Inspectorate
Friday 7 October 2005		
0900 – 1100	Joint meeting with the representatives of the Ministry of Welfare, Ministry of Health (www.vm.gov.lv), Institute of Occupational and Environmental Health (did not attend) (www.rsu.lv) Ms Evija Dompalma, MoH Ms Jolanta Kanca, MoW, Labour Department Ms Valentina Turovska, SLI Ms Lilija Vancane, SLI	State Labour Inspectorate
1100 – 1200	Interim review with Mr Janis Berzins, Director	
1400 – 1500	Ms Jevgenija Stalidzane, Chairperson, Social and Employment Matters Committee, Saeima (Parliament) <i>Detained</i> www.saeima.lv (detained elsewhere)	

1515 – 1700	Mr Janis Reiznieks, Chief of the State Police Inquest Board	State Police 61 Brivibas Street www.vp.gov.lv
<b>Monday 10 October 2005</b>		
0830 – 1430	Visits to the Regional State Labour Inspectorate, Riga (2 groups, inspection visits)	Ms Rita Elce, Acting Head of Riga Region Ms Gunta Bike, Inspector Dr Inese Usacka
1500 – 1630	Mr Peteris Krigers, President	Free Trade Union Federation of Latvia 29/31 Bruninieku Street www.lbas.lv
<b>Tuesday 11 October 2005</b>		
0830 – 1700	Visits to the Regional State Labour Inspectorate (2 groups, inspection visits)	1. Zemgale Region, Jelgava Valdis Dums, Head of Region Aivars Sulcs, Inspector 2. Southern Region, Ogre Karlis Kluss, Head of Region Ugis Leo Lapinskis, Inspector
<b>Wednesday 12 October 2005</b>		
0900 – 1700	Workshop 'Management by Results' conducted by Mr Paul Weber.	State Labour Inspectorate
1030 – 11.30	Mr Maris Skujenieks	State Social Insurance Agency
<b>Thursday 13 October 2005</b>		
0900 - 1200	Preparation of the mission summary	
1400 – 1500	Debriefing with Mr Janis Berzins, Director	State Labour Inspectorate
1530 – 1630	Debriefing with Ms Agrita Groza, State Under-Secretary of the Ministry of Welfare	Ministry of Welfare
<i>Interpreter:</i> Ms Antra Grigorjeva We were also assisted by Ms Liene Maurite (Head of the ESF Project and the National Focal Point of the European Agency for Safety and Health at Work), and Project Assistant Ms Ieva Kaugure		

### Appendix 3 Description of the Institutions involved in the Occupational Safety and Health Protection System

**The key institutions involved in development of occupational safety and health protection system**

#### **Ministry of Welfare (MoW)**

##### **Functions:**

The main tasks of the Ministry of Welfare in the field of occupational safety and health are as follows:

- to develop the national policy of labour protection and to facilitate its implementation;
- to ensure elaboration of national labour protection legislation and its compliance with the EU and international legal acts in this field;
- to promote creation of safe and harmless working environment, protection of the employees' right to labour protection and social guarantees;
- to facilitate the process of development of labour protection administration system;
- to promote informing of employers and employees on occupational safety and health issues.

##### **Co-operation with other institutions:**

Under supervision and authority of the Ministry of Welfare, there is a number of institutions involved in the operation of occupational safety and health protection system. The structure of the Ministry of Welfare is based on several departments. In total, the Ministry of Welfare comprises 11 departments, out of which one – **Labour Department** – is directly responsible for the elaboration of labour protection policy and strategy and implementation thereof in the country, and the Social Insurance Department (SID), are indirectly involved in the occupational safety and health protection system through the State Social Insurance Agency (SSIA) under their supervision.

The Ministry of Welfare mainly collaborates with all the institutions under its supervision and authority, including the key institution for supervision and control of the occupational safety and health protection system – **State Labour Inspectorate**. On a yearly basis, the MoW evaluates the work of SLI, and MoW has the right to recommend SLI to focus on a particular labour protection issue.

MoW closely co-operates with the **Latvian Employers' Confederation (LEC)** and the **Latvian Free Trade Union Confederation (LFTUC)**. In elaboration of new legislative acts in the field of labour protection, representatives of the social partners are involved in the process as from the initial stages of drafting legislation, thus providing them with an opportunity to voice their opinion and co-ordinate it as early as possible. Close co-operation is also taking place as regards to exchange of information on occupational safety and health issues.

Labour Department, in collaboration with State Labour Inspectorate, submits proposals on the preventive action plan elaborated by the **State Social Insurance Agency (SSIA)**.

##### **Current problems:**

One of the main problems hindering efficient performance of the tasks and functions of the Ministry of Welfare is the insufficiency of human resources in the department directly responsible for occupational safety and health protection issues – Labour Department (the staff working on labour protection issues consists of only 5 people (Labour Protection Policy Unit of the Labour Department)), which in turn, causes the following difficulties:

- The existing human resources are loaded with their direct duties, namely, transposition of the EU legislation and elaboration of national legal acts, therefore there is often lack of time and knowledge for strategic and analytical work, as well as of time and resources for the information activities.
- There is no staff in the Labour Department specialising specifically in strategic planning of occupational safety and health protection and the problem analysis of the system;

Another essential problem is the high staff turnover in the Labour Department. The main reason of this are the relatively low wages in the public sector facilitating transfer of trained and qualified employees to the private sector. It is difficult to attract new professional staff due to the low remuneration, but the work is too specific to hire employees with no background in the field of labour protection. There is no specific training scheme in the Department that could facilitate faster involvement of the new employees and mastering of the new tasks. Furthermore, the opportunities for improving professional qualifications in the field of occupational safety and health are quite limited

*Changes required:*

It is necessary to build the capacity of the Labour Department by involvement of additional human resources. The functions and tasks within the Labour Department should be reviewed in order to ensure specialisation of staff in strategic, information and specific work environment issues. The relevant training should be carried out. A training scheme both for training of the new staff and for improvement of the qualifications of the existing staff should be developed within the Department. Training for the staff of the Department could be linked to training of SLI staff, thus ensuring particular training on labour protection issues and envisaging specialisation of individual employees on specific work environment risk factors.

In order to reduce the high staff turnover, it is necessary to increase the remuneration of the staff and to ensure competitive salaries which will help to retain the existing specialists and to attract new competent employees.

The support of research unit (IOEH) to the Labour Department needs to be developed to ensure assistance in training of the staff and to provide timely consultancy support on various issues related to work environment (by performing research on work environment issues and analysis of development trends, the existing and expected problems, etc.)

**State Labour Inspectorate (SLI)**

SLI is the key control and supervisory institution in the field of labour protection operating under supervision of MoW.

Functions:

SLI operates in accordance with the Law on State Labour Inspectorate and its main tasks and functions are as follows:

- To supervise and control implementation of the requirements of normative acts on employment relations, labour protection and technical surveillance of dangerous equipment;
- To control fulfilment of the mutual obligations of employers and employees imposed by employment contracts and collective agreements;
- To promote co-operation of employers and employees and to carry out measures to facilitate resolution of disputes between employer and employees;
- To study the issues of employment legal relations, labour protection and technical surveillance of dangerous equipment;
- To perform investigation and uniform registration of accidents at work and to participate in investigation of the cases of occupational diseases according to the procedure stipulated by normative acts;
- To register dangerous equipment, to issue permits for commencement of utilisation of dangerous equipment and to investigate breakdowns of dangerous equipment according to the procedure stipulated by normative acts;
- To control equipment at workplaces, utilisation of personal and collective protective equipment of the staff, utilisation of harmful and dangerous substances, as well observance of technological processes according to the requirements of normative acts;
- To perform market surveillance of equipment, work equipment and personal and collective protective equipment of the staff;
- To provide free of charge consultations to employers, employees and holders of dangerous equipment on the requirements of normative acts in the field of employment legal relations, labour protection and technical surveillance of dangerous equipment;

- To organise establishment of the national Focal Point of the European Agency for Safety and Health at Work and to ensure its operation;

### ***Co-operation with other institutions:***

As SLI is one of the key institutions in the occupational safety and health protection system, it has the largest scope of co-operation partners. In the field of information exchange, SLI collaborates with:

- SSIA – on registering of accidents at work;
- SSI – on the issues within the scope of each of the Inspectorates (inspections of workplaces);
- ESI - on the issues within the scope of each of the Inspectorates (inspections of workplaces);
- TISR - on the issues within the scope of each of the Inspectorates (inspections of workplaces);
- SCI – on issues related to approval of commencement of utilisation of construction objects and on the legality of construction works;
- SEI – co-operation in evaluation of particularly dangerous objects (Serveso II directive) and in organisation of investigation of large scale industrial accidents (involving SEI, SFRS, SP and municipal representatives);
- SENI - on the issues within the scope of each of the Inspectorates (inspections of workplaces)
- SJSC 'Latvijas meži' - on the issues within the scope of each of the Inspectorates (inspections of workplaces)
- SRS – joint spot-checks for combating illegal employment, exchange of information on the number of enterprises, employees and employment contracts in the respective region;
- CPCR – exchange of information on market surveillance issues, organisation of joint spot-checks on the compliance of PPE with the requirements of normative acts;
- SP – invited to participate in inspections on illegal employment, involved in investigation of lethal and serious accidents;
- LEC – co-operation agreement on exchange of information on labour protection issues, participation in working groups for problem solving, joint seminars and lectures on labour protection issues;
- LFTUC - co-operation agreement on exchange of information on labour protection issues, participation in working groups for problem solving, joint seminars and lectures on labour protection issues;
- IOEH – on the data necessary for diagnostics of occupational diseases, as well on diagnostics of occupational diseases issues.

### ***Current problems:***

The main problems identified by MoW and by SLI themselves, and those reflected in different study and evaluation reports are as follows:

- According to the Regular Report of the EC, SLI has insufficient capacity;
- Shortage of state financing and international co-financing for ensuring proper functioning of the national Focal Point;
- High staff turnover due to uncompetitive remuneration in relation to the private sector. The low wage level of inspectors causes huge staff rotation and unfilled vacancies reducing the efficiency of work;
- Insufficient training of SLI staff as regards to practical implementation of the new EU legislation, especially in respect of the new aspects of legislation and their supervision;
- The mechanism of punitive sanctions at the disposal of SLI is insufficient and ineffective. The amount of fines is not significant enough to have impact on implementation of labour protection requirements at enterprises;
- insufficient provision of express measurement equipment in the regional offices of SLI, as well as insufficient knowledge of labour inspectors on work environment hazards and conditions and methodology for their measurement;
- No opportunities for involvement of good quality experts in occupational health issues, as well as lack of understanding of cases when such consulting is necessary;
- There is certain lack of infrastructure for technical support of SLI inspectors and employers; there is no official contract with accredited research laboratories – just informal co-operation; there is shortage of inspectors – specialists of certain specific issues;

- Shortage of vehicles – inspectors have to use public transportation for their visits. This impedes the work of inspectors and decreases its efficiency, as well as lowers the status of inspectors;
- Insufficient provision of personal protective equipment – there are only protective goggles and hearing protection aids available. When visiting enterprises, inspectors use the personal protective equipment of the respective enterprise;
- Inspectors spend too much time in their offices explaining the legal norms and checking the received information before visits;
- SLI does not have resources for research on occupational safety and health;
- Not all SLI inspectors have computers; many computers do not have access to internet;
- The range of available measurement instruments is limited (noise and lighting measurement instruments) and many of them are not certified.

*Changes required:*

It is necessary to build the capacity of SLI by making the following changes:

- Taking into consideration the new approach and EU directives, training of SLI inspectors should be extended by replacing the 200 hour programme with a 2 year training programme;
- To carry out partial specialisation of SLI inspectors (including the necessary training) scheduled according to the financial possibilities;
- Until 2004, to introduce in full extent the planned classification of enterprises according to the risk level to enable efficient planning of SLI visits;
- SLI should be provided with specific measurement equipment for inspection and sampling at workplaces; along with that, training of inspectors on the conditions and methodology of work environment measurement should be provided and involvement of qualified experts on occupational health should be ensured.
- It is necessary to supply SLI with communication appliances to ensure the link between the inspection site and SLI office for inspectors;
- Office equipment for provision of information and training is necessary in every regional SLI office;
- The functioning of the National Focal Point should be improved by involvement of social partners, employers and research institutions in the network and by ensuring the necessary additional public co-funding (as a prerequisite for receiving the funding from the European Agency for Safety and Health at Work);
- To improve the punitive sanction system (by amendments to the Administrative Violation Code);
- training to SLI inspectors should be provided as regards to correct assessment, imposition and application of punitive sanctions, as well as to design of legal documents (claims) for bringing the case to court;
- Co-operation with institutions involved in the occupational safety and health protection institutions (especially with IOEH) needs to be improved in the field of information exchange, training and consulting.
- Individual SLI inspectors should be trained and assigned to work with specific sectors of economy or with large enterprises (specialisation of SLI inspectors needs to be done) in order to ensure agreed and co-ordinated operations of SLI at national level;
- In order to reduce the high staff turnover, it is necessary to increase the remuneration of the staff and to ensure competitive salaries which will help to retain the existing specialists and to attract new competent employees;
- The capacity SLI needs to be increased in elaboration of simple and clear recommendations to employers for implementation of the requirements prescribed by law;
- The translation opportunities within SLI should be developed and the knowledge of foreign languages (especially English) among the staff should be improved;
- The limitations set on compensation for the use of private vehicles for work purposes should be reviewed;
- The resources available to SLI for upgrading of inspectors' qualifications need to be increased;
- Photo cameras should be used during inspection visits to enterprises in order to obtain convincing evidence;



- In collaboration with Mow, public information campaigns on the latest developments in legislation and risk assessment should be organised, with wider involvement of mass media and TV;
- Educational seminars need to be organised for employers and employees;
- Gradual transition from the 'police' (coercive) role of SLI to the executors of consulting and advisory functions has to be continued.

**National Tripartite Co-operation Council (NTCC) and Tripartite Co-operation Sub-Council for Labour Affairs (TCSLA)**

NTCC is formed according to the principle of parity by representatives of the Cabinet of Ministers (CoM), Latvian Employers' Confederation (LEC) and Latvian Free Trade Union Confederation (LFTUC).

TCSLA is a component of the institutional system of NTCC formed according to the principle of parity by the representatives of Government (Ministries of Welfare and Justice), LEC and LFTUC

**Functions:**

The main task of NTCC is to ensure and facilitate co-operation between the government, employers' and employees' (trade union) organisations at national level with the aim to secure co-ordinated solution of the problems of social and economic development that would be consistent with the public and governmental interests. This is done by elaboration and implementation of strategies, programmes and normative acts on social and economic issues targeted at safeguarding social stability and increasing welfare in the country and increasing the co-responsibility of social partners for the decisions taken and for their implementation.

In order to fulfil its tasks, NTCC performs the following functions:

examines draft concept papers, programmes, laws, Regulations of CoM and other normative acts and submits proposals on their improvement to the respective Ministry on the following issues:

- social security;
- basic principles of state budget;
- national economic development strategy and regional development;
- health promotion;
- development of general and vocational education;
- employment, occupational classification;
- implementation of the ratified conventions of International Labour Organisation (ILO) and proposals on ratification of conventions; draft reports by the government to ILO on application and execution of the ratified conventions in the country;
- evaluation of legislation in relation to the European Social Charter;
- proposals for improvement of laws and other normative acts in accordance with the requirements of the European Social Charter, ILO conventions and recommendations.
- draft government reports to the Council of Europe on fulfilment of commitments on economic and social issues;
- application of the decisions, recommendations and proposals of international organisations.
- promotes co-operation at industry and regional level.

TCSLA ensures and promotes co-operation and participation of government, employers' organisations and their associations and trade unions in improvement of the fields of labour protection, regulation of industrial relations and equal opportunities in employment relations. For this purpose, TCSLA performs the following key functions:

- examines draft concept papers, programmes and normative acts, basic principles of state budget as regards to labour protection, regulation of industrial relations and equal opportunities in employment relations, elaborates proposals and provides opinion on documents before submission to the Committee of the Cabinet of Ministers and NTCC;

- participates in improvement of normative acts in the field of labour protection, regulation of industrial relations and equal opportunities in employment relations in accordance with the requirements of ILO conventions and recommendations as well as with other international commitments of the Republic of Latvia.;
- participates in elaboration of proposals on ratification and denouncement of ILO conventions, examines draft government reports on fulfilment of international commitments in the field of labour protection, regulation of industrial relations and equal opportunities in employment relations, and provides its opinion on these reports;
- performs information and educational activities in employers' organisations and their associations, as well as in trade unions and promotes co-operation at industry and regional level;
- examines reports of State Labour Inspectorate on the state of play in the field of labour protection, regulation of industrial relations and equal opportunities in employment relations;
- at the end of each year, submits proposals for the draft estimates of TCSLA expenses for the following year.

#### ***Co-operation with other institutions:***

By their essence and functions, NTCC and TCSLA are co-operation organisations providing framework for co-operation of the representatives of government, employers and employees in decision making on labour protection issues..

#### ***Current problems:***

Social partners frequently attend the meetings of TCSLA meetings without prior co-ordination of opinions, therefore it is often necessary to postpone discussion of the issues to give time for social partners to come to agreement within their respective organisations. The meetings of TCSLA are quite fruitless, and the organisation of work is not efficient due to frequent information exchange problems.

#### ***Changes required:***

Information exchange between the administrative staff of TCSLA and its members needs to be improved. Social partners should establish internal procedures for co-ordination of issues prior to meetings, so that they could voice and defend an already agreed and co-ordinated opinion during the meetings.

### **1 Other institutions involved in the occupational safety and health protection system (co-operation partners of the key institutions)**

#### **State Social Insurance Agency (SSIA)**

##### ***Functions:***

The main functions of the State Social Insurance Agency (SSIA) include administration of the special social insurance budgets (including insurance against accidents at work and occupational diseases) and the public social services. SSIA also performs channelling of the resources from the budget of occupational diseases and accidents to provision of preventive labour protection measures.

SSIA is the only institution that can provide financial support to dissemination of information according to its preventive functions. The Law „On Compulsory Social Insurance Against Accidents at Work and Occupational Diseases' prescribes „implementation of preventive measures to improve the working environment, to educate employers and employees, to prevent accidents at work and occupational diseases' as one of the key tasks. Besides that, the law envisages that SSIA shall facilitate organisation of preventive measures according to the recommendations of State Labour Inspectorate and stipulate employers to improve the working environment.

***Co-operation with other institutions:***

In exchange of information, SSIA co-operates with MoW, SLI, LEC, LFTUC, IOEH (also as regards to training), ORMC and other institutions. When planning preventive measures, SSIA consults MoW and SLI.

***Current problems:***

A uniform rate for insurance against accidents at work and occupational diseases (0.09%) is applied in the country, which is not sufficiently high, thus causing the following problems:

- Enterprises are not motivated to improve work environment, as the same rate of contribution is applied to all enterprises – both those investing in improvement of work environment and those ignoring the requirements laid down in the labour protection legislation;
- The resources of the special social insurance budget for insurance against accidents at work and occupational diseases are not directed towards the main objective – preventive measures aimed at reduction of the frequency of accidents at work and occupational diseases in the country. Moreover, the available budget is not sufficient for efficient implementation of preventive measures;
- With constant increase in the frequency of occupational diseases and stagnant number of accidents at work, there is a risk that in the near future resources of the special budget for insurance against accidents at work and occupational diseases will not be able to cover the necessary insurance compensation for those people who have suffered from accident at work or got an occupational disease.

***Changes required:***

It is necessary to amend the Social insurance legislation, envisaging differentiated insurance contributions against accidents at work and occupational diseases based on the state of play and the level of work environment risk in the enterprise. Thus, the resources of the respective budget line could be increased, which is necessary due to the increasing demand for compensations. Besides that, the role of each of the involved institutions and the conditions for utilisation of the respective budget line earmarked for preventive measures should be defined, followed by the necessary amendments to legislation.

The resources of the special social insurance budget for insurance against accidents at work and occupational diseases earmarked for preventive measures have to be separated and the utilisation of these resources should be entrusted to the Ministry of Welfare (SLI, IOEH) or the Work Environment Council.

***Institute of Occupational and Environmental Health (IOEH)***

Medical Academy of Latvia (AML), also known as Riga Stradins University (RSU), is a higher education and research institution autonomous within the limits set by the Higher Educational Establishments Law. The structure of RSU comprises faculties, academic schools, institutes, chairs, centres, colleges, clinics, research and study laboratories performing educational, methodological and research activities in compliance with internal regulations approved by RSU. RSU is under supervision of the Ministry of Health.

Institute of Occupational and Environmental Health (IOEH) is an academic, scientific and medical structural unit of RSU that was established as a result of long standing collaboration between the Laboratory of Hygiene and Occupational Diseases, Department of Occupational and Environmental Medicine of RSU, as well as the Occupational and Radiation Medicine Centre of P.Stradins Clinical University Hospital.

***Functions:***

The Institute of Occupational and Environmental Health (IOEH) performs training, information activities, scientific research and expert consulting services in the field of health protection and safety at work.

The main functions:

#### *Scientific research*

IOEH performs and co-ordinates research activities aimed at reduction of morbidity as regards to occupational diseases and work-related diseases, as well as of the frequency of accidents at work in the industries most significant in Latvia. IOEH has developed an excellent basis for research, as there are good basic technical facilities; it is possible to examine people both as in-patients and outpatients; the State Registry of occupational patients and persons exposed to radiation as a result of Chernobyl NPP provides information on all registered occupational patients and on the liquidators of the consequences of the accident. If funding and additional equipment is provided, the above-mentioned resources enable implementation of extensive research.

Scientific research is valuable not only for risk identification and assessment, but also for administration and planning of occupational health and for organisation of training.

#### *Information activities*

- IOEH is among the most active providers of OSH information in Latvia. The staff of IOEH have prepared and published 10 books on various issues of occupational health, 5 collections of articles and 34 training materials; the total number of publications in scientific journals and collections amounts to 1160, and the number of publications in popular-science magazines reaches 150.
- Besides that, the staff of IOEH is continuously working on elaboration of training materials used in the training process and preparing materials disseminated through their homepage on the Internet. IOEH has created a library dedicated to occupational health and safety issues, which is accessible to students and other interested parties. Since 1996, IOEH has participated in the development of the Baltic Sea Region information network on OSH by taking on board the responsibilities of the Latvian focal point by preparing information for insertion on the homepage of the network. IOEH is also taking part in the establishment of the national Focal Point of the European Agency for Safety and Health at Work.

#### *Clinical and diagnostic activities*

IOEH performs high-class early diagnostics and analysis of occupational diseases and other work-related pathologies, using the equipment and registry data of the Occupational and Radiation Medicine Centre of P.Stradins Clinical University Hospital. The experts of IOEH are involved in improvement of the early diagnostics of occupational diseases, development of rehabilitation measures as well as in analysis of morbidity data. The information contained in the database on occupational patients is regularly updated and used for research performed by IOEH to analyse the potentially most hazardous branches of industry. The staff of IOEH also provides qualified consultations, out-patient and in-patient treatment for the occupational patients residing in the republic, including persons with increased risk factors for development of occupational diseases.

#### *Consultation activities*

IOEH provides extensive consulting support on occupational health and safety issues. The experts of IOEH participate in drafting of normative acts in the field of occupational health and safety, and act as technical experts in the technical standardisation committees elaborating the standards necessary for occupational health and safety.

The Laboratory of Hygiene and Occupational Diseases of IOEH has been accredited for performance of measurement of the full scope of work environment risk factors. It is also the only laboratory in Latvia able to perform toxicological evaluation of substances. The Laboratory participates in control testing of laboratories in Latvia and on international scale. The experts of the laboratory provide extensive consultative support to employers and other interested persons on assessment and identification of work environment hazards, as well as perform laboratory measurements of work environment.

### *Training on occupational safety and health*

IOEH provides both undergraduate and postgraduate training:

Undergraduate training is provided for the students of medicine, dentistry, pharmacy, nursing, rehabilitation and public health. IOEH is the only institution with sufficient resources to ensure adequate training on both occupation health and occupational safety aspects.

At present, IOEH carries out postgraduate training: for residents – in occupational medicine, for students of Master's programme – on occupational health, for candidates of doctoral degree – on occupational medicine and occupational health, for doctors – on occupational medicine, for intermediary medical personnel (occupational medicine nurses) etc.

### **Co-operation with other institutions:**

IOEH co-operates with many institutions involved in the occupational safety and health protection system in two major strands: exchange of information on work environment issues (Ministry of Welfare, State Labour Inspectorate, Latvian Employers' Confederation, Latvian Free Trade Union Confederation, State Social Insurance Agency, Latvian Environmental Agency, Radiation Safety Centre, Food Safety Centre) and training (Latvian Association of Occupational Physicians, Latvian Association of Occupational Health Specialists, Occupational and Radiation Medicine Centre and other educational establishments (University of Latvia, University of Agriculture, etc.).

Co-operation with the Ministry of Welfare usually takes place in the form of participation of IOEH experts in the process of drafting legislation and standards.

### **Current problems:**

The main problems that IOEH has to face are as follows:

- The legal status of IOEH is unclear, and the co-operation link to the key labour protection institutions – the Ministry of Welfare and State Labour Inspectorate – is not precisely defined.
- The existing funding received by IOEH from MoW and MoES is intended exclusively for ensuring the training process, and only very modest funding is provided by the Latvian Council of Science for scientific research purposes.  
Part of the tasks presently performed receive no funding from state budget, and no funding for IOEH is earmarked specifically for research, analysis, solution of work environment issues and for ensuring information.
- The equipment and technical facilities presently at the disposal of IOEH is sufficient to ensure only partial performance of control, supervision and implementation of the requirements of EU directives. The equipment is not adequate for provision of modern training and for development of databases (on hazards, work environment identifiers; morbidity, etc.)
- Individual issues and branches are not covered by sufficient human resources (e.g., technical safety of work environment, experts of information technologies and epidemiology).

### **Changes required:**

In order to ensure development of IOEH as a national work environment institution, the following actions should be taken:

- Elaboration of detailed development strategy;
- Specification of functions and tasks (internal Regulation), development of the co-operation model;
- Preparation of documentation necessary for the change of legal status; development of financing scheme;
- Improvement of the technical facilities to ensure scientific research, information, consultation and training activities;
- Ensuring continuous improvement of the qualifications of the staff;

- Preparation of scientific research programmes on occupational safety and health protection at work

Development of the technical facilities of IOEH would also be necessary with assistance from PHARE and public funds in order to enable modern research and performance of other functions.

In the future, IOEH should be able to perform the following key functions:

- To provide the necessary scientific and human resources for ensuring qualified support to national programmes and for transferring international know-how to Latvia;
- To provide research-based assistance to the Ministry of Welfare and State Labour Inspectorate, thus promoting development of occupational health;
- To support and to manage occupational safety and health development programmes both of national significance and of individual enterprises;
- To ensure scientific, educational and information support to all parties involved in occupational health development programme;
- To ensure availability of up-to-date information for a broad spectrum of interested parties.

If the necessary changes are implemented, IOEH could successfully act as a national occupational safety and health institution.

### **Public Health Agency (PHA)**

#### ***Functions:***

PHA is under direct supervision of the Ministry of Health, and its aim is to promote public health by participating in implementation of national policy in the field of hygienic and epidemiological safety, to carry out surveillance of communicable and non-infectious diseases in the country, to inform and educate the public about topical public health issues.

#### ***Co-operation with other institutions:***

Within its scope of competence, PHA co-operates with several public institutions dealing with labour protection issues – MoW LD, SLI, IOEH, LEC. The experts of PHA take part in the working groups for drafting labour protection legislation to assist on issues related to different work environment risks.

#### ***Current problems and changes required:***

Information exchange needs to be improved, co-operation in implementation of specific training programmes has to be co-ordinated, and collaboration in implementation of joint projects should take place.

### **State Sanitary Inspectorate (SSI)**

#### ***Functions:***

SSI is an institution under supervision of the EHD of the Ministry of Health performing surveillance of the implementation of epidemiological safety requirements and hygienic requirements for the environment, ensuring the harmlessness requirements for drinking water and requirements for marketing and use of chemical substances and chemical products.

#### ***Co-operation with other institutions:***

Within its scope of competence, SSI collaborates with SLI as regards to control and information exchange, as well as with the Public Health Agency, Environmental State Inspectorate, Latvian Environmental Agency, Centre for Protection of Consumers' Rights and other institutions.

#### ***Current problems and changes required:***

Co-operation between all institutions involved in ensuring safe work environment needs to be improved by provision of regular exchange of information and improvement of qualifications.

### **Environmental State Inspectorate (ESI)**

#### ***Functions:***

ESI is an institution under supervision of the Ministry of Environment performing state control and surveillance of implementation of normative acts in the field of environmental protection and utilisation of natural resources in the whole territory of Latvia, and supervising and controlling the operations of environmental inspectors of regional environmental administrations, Marine Environment Administration, state reserves and other protected natural territories.

The most important functions related to work environment are carried out by the Division of Environmental Pollution and Control of Chemical Substances which performs state control of implementation of normative acts governing air protection, operations with all kinds of waste and chemical substances; supervises utilisation of purification equipment for substances exhausted into the air; and checks the licences for polluting activities. The division examines, evaluates and collects information on the procedures for prevention of industrial accidents and risk reduction measures in the enterprises, monitors implementation of risk prevention measures on sites and provides adequate evaluation as well as maintains a database on industrial accidents and measures taken for elimination of consequences in the territory of Latvia.

#### ***Co-operation with other institutions:***

ESI co-operates with SLI in the field of information provision.

#### ***Current problems and changes required:***

Information exchange between ESI and institutions involved in the occupational safety and health system needs to be improved through development of joint information projects and implementation of mutual co-operation projects.

### **State Construction Inspectorate (SCI)**

#### ***Functions:***

SCI is an institution under supervision of the Ministry of Economics performing state control of construction and state expertise of construction projects. It monitors implementation of the requirements on quality and safety of construction products defined in laws and other normative acts. SCI carries out state control of construction and controls compliance of construction materials and construction products with the requirements of normative acts.

#### ***Co-operation with other institutions:***

SCI co-operates with SLI in the field of information exchange and control.

#### ***Current problems:***

The supervision and control scope of SLI and SCI partially overlap as regards to implementation of occupational safety requirements in construction. Control and supervision of the Regulations of the Cabinet of Ministers on safety requirements on construction sites is to be performed both by SLI and SCI within their respective scope of competence. SLI carries out its control functions only after commencement of construction works, while many occupational safety requirements would have to be observed before construction is actually started. SCI does not always ensure control and supervision of the implementations of these requirements. Thus, implementation and monitoring of some part of the requirements contained in the Regulations is sometimes not performed due to the lack of information at SCI or due to uncoordinated activities of SLI and SCI.

#### ***Changes required:***

Exchange of information between SCI and institutions involved in the occupational safety and health system, particularly SLI, SSI and IOEH, needs to be improved through development of joint information projects and implementation of mutual improvement of qualifications.

### **State Fire-fighting and Rescue Service(SFRS)**

#### ***Functions:***

SFRS is an institution under supervision of the Ministry of Interior (MoI) which co-ordinates the management of fire prevention system in Latvia in compliance with the Law 'On Fire Prevention'. SFRS elaborates preventive measures and monitors observance of fire prevention norms, regulations and standards in buildings and construction objects, as well as improves the legal framework for fire prevention systems.

#### ***Co-operation with other institutions:***

SFRS co-operates with SLI in examination of educational establishments and construction objects by joint supervision and control of implementation of occupational safety and fire prevention. Collaboration also takes place in investigation of accidents resulting from explosion or fire. Joint inspections are carried out as regards to the prohibition of smoking in workplaces. SLI consults SFRS on explosion and fire related aspects of work environment expertise.

SFRS collaborates with SLI and LD of MoW concerning observance of safety signs in workplaces, as part of safety signs apply to fire prevention as well.

### **State Police(SP)**

#### ***Functions:***

SP is an institution under supervision of the Ministry of Interior with the following main functions and tasks:

- to safeguard the safety of individuals and society;
- to prevent criminal offence and other violations of legislation;
- to detect criminal offence, to pursue persons who have committed criminal offence;
- to provide assistance to persons, institutions, enterprises and organisations in protection of their rights and implementation of duties imposed on them by legislation as stipulated in the Law;
- within its scope of competence, to execute administrative and criminal penalties.

#### ***Co-operation with other institutions:***

SP collaborates with SLI in the field of information exchange, and performs joint investigation of lethal and serious accidents. SP and SLI also co-operate in the field of issuing permits for blasting operations. In case of necessity, SP participates in joint spot-checks with SLI and SRS for detection of illegal employment and provides support to SLI in visits to enterprises manifesting hostile and threatening attitude towards SLI.

### **State Energy Inspectorate (SEnI)**

SEnI is a public administration institution under supervision of the Ministry of Economy (MoE) which performs state technical surveillance, and control of power supply enterprises and power consumption equipment and appliances

#### ***Functions:***

SEnI carries out periodic and random inspections at power supply enterprises and analyses the submitted information in order to detect observance of the requirements concerning assembly quality, safety and utilisation checks for the enterprise objects and power consumption equipment and appliances as laid down in legal acts; controls the procedure of conformity assessment of equipment intended for use in power supply; consults and informs natural and legal persons within the scope of its competence, and participates in elaboration of legal acts regulating power engineering and of the procedures for their implementation, as well as in alignment thereof with the EU legislation.



***Co-operation with other institutions:***

Within its scope of competence, SENI collaborates with other public institutions on issues related to elaboration and implementation of safety requirements, participates in commissions for investigation the causes of breakdowns and accidents at work in power supply enterprises. SENI and SLI have concluded a mutual co-operation agreement on the exchange of information. When carrying out inspections of electrical equipment and electric power engineering equipment. SENI reports the detected violations of labour protection legislation to SLI.

***Current problems and changes required:***

Information exchange between SENI and institutions involved in the occupational safety and health system, especially SLI, needs to be improved through development of joint information projects and implementation of mutual upgrading of qualifications, as well as by elaboration of recommendations for development of occupational safety and health protection requirements.

***State Education Inspectorate(SEI)******Functions:***

SEI is an institution under supervision of the Ministry of Education and Science monitoring implementation of the Education Law, General Education Law, Vocational Education Law, Higher Educational Establishment Law and other normative acts related to education in educational establishments irrespective of their founder.

***Co-operation with other institutions:***

SEI collaborates with public institutions and NGOs in the field of information exchange and programme co-ordination.

***Changes required:***

Exchange of information between SEI and institutions involved in the occupational safety and health system (mainly MoW, SLI and IOEH), needs to be improved by ensuring exchange of information on OSH training programmes.

***Latvian Environmental Agency(LEA)******Functions:***

LEA is an institution under supervision of the Ministry of Environment which implements national policy of provision of environmental (including conservation) information, improves a joint environmental information system corresponding to the requirements of EU directives and normative acts of Latvia, develops a system of environmental quality testing laboratories complying with the requirements of EU directives and standards, ensures availability of information on the environment, improves the national environmental monitoring system and co-ordinates functioning thereof, as well as performs monitoring of the quality of inland water.

***Co-operation with other institutions:***

LEA collaborates with Ministry of Environment and other institutions (including MoW, IOEH, etc.) in the field of establishment, development and utilisation of environmental information systems, in operation of testing laboratories, as well as in the field of uniform environmental information systems corresponding to the requirements of the normative acts of Latvia and European Union, as well to the needs and interests of different target groups.

***Current problems and changes required:***

Information exchange between the Agency and institutions involved in the occupational safety and health system needs to be improved through development of joint information projects and implementation of mutual co-operation projects.

**SJSC 'Latvijas Meži'*****Functions:***

SJSC 'Latvijas meži' is an institution under supervision of the Ministry of Agriculture (MoA) which organises timber production involving self-employed persons.

***Co-operation with other institutions:***

SJSC 'Latvijas meži' collaborates with SLI by inviting them to carry out checks on the self-employed persons in respect of implementation of the labour protection requirements included in their contracts. SJSC 'Latvijas meži' carries out inspections of logging works jointly with SLI with the aim of monitoring observance of labour protection legislation in these works.

**State Revenue Service (SRS)*****Functions:***

SRS is an institution under supervision of the Ministry of Finance (MoF) performing collection and administration of taxes in the country.

***Co-operation with other institutions:***

SRS co-operates with SLI in the field of information exchange by providing SLI with the necessary information on the employed persons, their contracts, etc. SRS and SLI carry out joint spot-checks and visits to enterprises in order to detect illegal employment.

***Current problems and changes required:***

Sometimes problems arise as regards to exchange of information, as SLI lacks information on enterprises. Information exchange between SRS and SLI needs to be improved through development of joint information projects and implementation of mutual co-operation projects.

**Centre for Protection of Consumer Rights (CPCR)*****Functions:***

CPCR is a public administration institution under MoE performing the following functions and tasks:

- organisation and co-ordination of co-operation between surveillance and control institutions and consumer protection NGOs involved in the implementation of national consumer rights protection policy;
- examination of the applications and complaints of consumers on violations of consumer rights;
- surveillance of trade of non-food products (except of medical products, medicines, veterinary medicines, pharmaceutical products, cosmetics, veterinary pharmaceutical products, animal tendence, detergents and chemical products) and provision of services;
- provision of legal assistance to consumers and possible defence of their rights and interests protected by the law at court.

***Co-operation with other institutions:***

CPCR co-operates with institutions involved in the occupational safety and health system (mainly MoW and SLI) in the field of information exchange. CPCR has specific collaboration with SLI on market surveillance issues in the form of exchange of information on these issues. CPCR and SLI

carry out joint spot-checks of sales outlets of personal protective equipment. CPCR and SLI have concluded a co-operation agreement.

***Current problems and changes required:***

Information exchange between CPCR and SLI, as well as other institutions involved in the occupational safety and health system needs to be improved through development of joint information projects and implementation of mutual co-operation projects. The market surveillance mechanism and legislation are not yet aligned at national level. It is essential to clearly define the functions of each of the institutions involved in market surveillance and to review their functions.

**Technical Inspectorate of State Railways (TISR)**

***Functions:***

TISR is an institution under supervision of the Ministry of Transport (MoT) whose main functions include state supervision in the field of technical railway inspections and investigation of railway accidents.

***Co-operation with other institutions:***

In case of accidents involving injuries of railway staff, TISR and SI carry out joint investigation of these accidents. TISR and SLI ensure mutual exchange of information on the use of dangerous equipment on railroads, and a co-operation agreement has been concluded between CPCR and SLI.

## Appendix 4 Common Principles for Labour Inspection systems

### COMMON PRINCIPLES FOR LABOUR INSPECTION IN RELATION TO HEALTH AND SAFETY IN THE WORKPLACE

#### Aim

The aim of this document is to set out a number of Common Principles for health and safety inspection and thereby encourage a common approach to the implementation of legal requirements in the workplace and the adoption of comparable criteria by inspectorates in their enforcement policies and practices. This revision is structured in three main sections:

**The Overview**, which explains the current context of labour inspection,

**The Core Principles**, whose adoption is vital in all states, and concentrates on the implementation and enforcement of occupational safety and health (OSH) legislation. They are based on the view that 'the effective enforcement of the law is a precondition for improving the quality of the working environment',

**The Developmental Principles**, whose adoption is vital if the country is to embrace the broader aims of a national OSH Strategy.

[This document has been adapted for the CIS countries from a EU document prepared by the Senior Labour Inspectors Committee (SLIC)].

#### The overview

1 Labour inspection operates at the point where law, technology and political, social and economic reality meet. It is now widely recognised as a multidimensional activity that has political, economic, cultural and social contexts as well as those that are technical, medical and legal in nature. Labour Inspection thus finds itself confronted with complex challenges which involve balancing the demands of more traditional industrial health and safety problems against the demands arising from the changing economy and the changing perception of the role of labour inspection.

2 Acknowledging all of this implies a need for approaches that are more holistic<sup>5</sup>, integrating improvements to the work environment, with methods that seek to secure 'well-being at work'<sup>6</sup> in its broadest sense. Such approaches have as their foundations:

<sup>5</sup> 'Holistic' is a term which implies a 'whole system' approach, whether to an individual, or to an organisation.

<sup>6</sup> 'Well-being at work' means physical, moral and social well-being, and not just something that can be measured by an absence of accidents or occupational illnesses.

- (i) the requirements of existing ILO conventions, notably Convention No 81 'Labour inspection';
- (ii) the ILO occupational safety and health management system presented in 'LO OSH 2001'.

3 The ILO Convention No 155 on OSH and Conventions Nos 81 and 129 on labour inspection provide a legislative basis for the scope of labour inspection. The Conventions apply to virtually all sectors of work.

4 ILO Convention No 81 has a structural concept that refers to 'central' or 'competent' authorities with a national oversight of the legal and administrative arrangements and the supervision and control of labour inspection. However, the organisations in many States which include the Labour Inspection function, also include the development of strategy, the establishment of operational policy, and the planning, monitoring and information gathering functions. As a result, the distinction between a labour inspectorate and a central authority is in many cases largely artificial. Therefore when this revised statement of Common Principles refers to the Labour Inspectorate (LI) this is assumed to include the role of the ILO 'Central Authority', including arrangements within federal systems.

5 A national OSH Strategy envisage a broader, more innovative, more holistic approach to occupational health and safety 'to achieve the aim of constant improvement of well-being at work', and it is important that Labour Inspection is seen to be contributing fully to these developments.

6 This means that authorities responsible for labour inspection assume the tasks of:

- (i) formulating a clear vision;
- (ii) re-orientating services towards new goals, while recognising the continuing relevance of many existing goals;
- (iii) effectively implementing all labour inspection activities;
- (iv) increasing their efficiency; of developing new policies, strategies and preventive intervention methods; and
- (v) optimising and evaluating their qualitative and quantitative impact.

7 These Common Principles have been developed as the basis for the evaluation and development of the Labour Inspectorate. It can be used:

- (i) as a guide to strategic, administrative and inspection policy, and the organisation, practice and ethics of inspection;
- (ii) as a tool for encouraging the development of inspection systems and for monitoring the countries progress towards a more effective system;
- (iii) as a measure of efficiency of the different inspection systems in place, partly to help to strengthen the national and regional inspectorates and partly to increase the transparency and the methods of evaluating their performance and impact externally and internally;
- (iv) as a source of policy reference, reflecting or taking into account international and national standards;
- (v) as a demonstration of the common purposes and consistency of approach;
- (vi) as an explanation of how an enforcement policy has to flow from a set of basic principles that reflect the role and responsibilities of labour inspection and the expectations of the world of work.

8 It is an essential pre-condition for the effective exercise of the Labour Inspection function **in relation to the Common Principles** (see paragraphs 10 and 11) that arrangements are in place to:

- (i) establish national strategies for occupational health and safety within an overall approach to working conditions, indicating what the country wishes to achieve and over what period. The strategies should be transparent to the Social Partners and should take into account the OSH law/Labour Code, and national and local expectations, needs and priorities;
- (ii) maintain or develop institutions and mechanisms for the enforcement of the OSH law, which in certain cases, may include specialist support services, the police, and the legal and court systems, upon which labour inspectorates depend for the effective and efficient discharge of their responsibilities. These institutions should be sufficiently resourced to discharge the duties expected of them by the national and regional strategies;

- (iii) establish effective relationships between ministries, organisations and institutions with a direct or indirect involvement in occupational safety and health, to align strategies, share expertise and coordinate action;
- (iv) establish effective relationships with the Social Partners to draw on their expertise, take account of their priorities and secure their support;
- (v) collect, collate, analyse and publish information about health and safety performance gathered at national, regional, sector of activity, and, where appropriate, company and workplace level;
- (vi) encourage employers and workers to take positive action to bring about higher standards of occupational health and safety, and to provide appropriate information and guidance to help employers and workers comply with the law.

9 There are a number of other aspects, which may be relevant if improvements to health and safety are to progress and move forward **in line with the National Strategy and in relation to the Developmental Principles** (see paragraph 12). To take account of these aspects, the country should:

- (i) ensure that the future national strategies incorporate as their purpose, the constant improvement in the quality of work and in well-being at work in physical, mental and social terms;
- (ii) establish or strengthen effective relationships between ministries, organisations and institutions with a direct or indirect involvement in well-being at work, rehabilitation, public health, employment policy, and with other policies pursuing protection objectives, to align strategies, share expertise and coordinate action;
- (iii) ensure that the allocation of resource reflects the needs of the developing national or regional strategies;
- (iv) agree clear coordination arrangements for securing necessary change and development;
- (v) emphasise the importance of social dialogue in the development of the broad strategy;
- (vi) expand the scope of occupational health and safety legislation to include all employees;
- (vii) consider how the risks to self-employed persons can be built into national and regional strategies;

- (viii) consider how the principles behind existing OSH law which relates to risk to members of the public from work activities can be applied through the labour inspection system;
- (ix) promote a prevention culture throughout the educational system.

### **The core principles**

10 The core principles, whose application is vital in all states, concentrate on the implementation and enforcement of modern OSH legislation. To ensure that effective implementation and enforcement is delivered at operational level, LIs must:

#### **Planning and monitoring**

- (i) prepare annual plans of work setting out the priority areas for action for the year and detailing the inspection and other programmes that will be necessary to deliver the plans;
- (ii) set up systems for monitoring progress against the annual plan, and for establishing the data needed for the Annual Report;

#### **Inspectors' competencies and independence**

- (iii) ensure that men and women are eligible for appointment as inspectors; that inspectors have the appropriate qualifications; that they are competent to undertake their responsibilities; and that they receive the training, instructions and information necessary for them to carry out their work;
- (iv) ensure that inspectors are able to obtain specialist, technical, scientific, legal, methodological and other support to assist them in carrying out their duties;
- (v) ensure that inspectors are impartial, that they are independent of inappropriate external influences and of the companies or organisations which they inspect, and that they do not undertake other duties which may interfere with their primary responsibilities;
- (vi) ensure that inspectors are provided with suitable offices, and transport facilities, and are reimbursed for any necessary expenses they incur in carrying out their duties.



## **Inspectors' powers**

(vii) ensure that inspectors are given the powers necessary to carry out the duties assigned to them. These should include in particular the powers:

- of entry to workplaces without notice;
- to carry out inspections and investigations at the workplace;
- to require employers and employees to supply information relevant to an inspection or investigation;
- to examine records and reports relevant to health and safety at the workplace;
- to apply sanctions when these are deemed to be necessary;
- to require the immediate stoppage of working activities in the case of serious risk.

These powers should be exercised taking full account of the confidentiality of personal medical data, economic information, employees' complaints and manufacturing secrecy.

## **Guidance for inspectors**

(viii) set out in written instructions the approach to be taken by inspectors at visits to workplaces and indicate the action which should be taken in particular circumstances (see paragraph 11 below);

## **Internal communications**

(ix) ensure that good communication links exist to enable issues of good practice and areas for improvement to be brought to the attention of other inspectors, policy makers and legislators.

11 The approach to be taken during an inspection must include a physical examination in the workplace of working practices, standards and conditions, and discussion with representatives of the employer and with workers' representatives. It is important when investigating work-related accidents or cases of ill-health that whenever necessary and possible, the person affected is interviewed. Within the core principles, examination and

discussion should be focussed on ensuring compliance with applicable national legislation. Following an inspection, the inspector must be in a position to take appropriate action, based on the legal powers of the inspector. Such action may include the use of sanctions which the inspector is empowered to use. The priorities for inspection, based upon the principles of ILO Conventions and standards, are:

### **Ensuring compliance with OSH law**

- (i) to judge whether the employer's policy for health and safety is directed to ensuring the health and safety of his employees;
- (ii) to judge whether the organisation and arrangements the employer has introduced for securing health and safety are likely to lead to the identification, rectification and prevention of deficiencies. This will include the employer's arrangements for identifying hazards and for assessing risk;
- (iii) in particular to make assessments of the employer's arrangements for:
  - the effective planning, organisation, implementation, control, monitoring and review of the protective and preventive measures at the workplace;
  - securing expert advice and assistance on health and safety matters;
  - dealing with emergencies; providing the employees and/or their representatives with comprehensible and relevant information;
  - training the employees in health and safety;
  - ensuring consultation with the employees and/or their representatives on matters relevant to health and safety
  - ensuring that the arrangements in place effectively protect workers against the identified risk.

**Action taken by the inspector as a result of the inspection**With respect to the employer

- (iv) to decide what action is necessary and take the required measures to secure compliance with legal provisions and supporting guidance; such action includes advice (both written and verbal); the issue of an order requiring the immediate stoppage of work, or improvements by a specified deadline; the issue of an administrative fine/penalty; or a referral to the prosecuting authorities for criminal charges.

With respect to the employees

- (v) to ensure that workers representatives are informed about the inspector's conclusions, and that any written reports given to the employer, are made available to the workers representatives, who should also be informed of the responses given by the employer. Such reports should not include information confidential either to the employer or employees (see section 10(vii) above).

With respect to other organisations

- (vi) to decide whether liaison is necessary with other enforcing bodies who may have responsibility under national legislation for matters such as the protection of public health, consumer or environmental protection, or fire safety.

With respect to internal LI records

- (vii) to make a written record of the inspector's decisions and action, which may include information on:
- core data, characteristics and identification of the employer and the organisation and arrangements for health and safety in place at the workplace;

- standards of health, safety and working conditions noted at the workplace and an indication of the level of compliance with the relevant legal provisions;
- hazards identified by the inspector and an assessment of these risks;
- advice given or formal enforcement action taken by the inspector
- an assessment of the scope for improvements in health, safety and working conditions, and whether these improvements that have already been made are likely to be maintained. This may include the measures that the employer has proposed to the workers representatives, to improve and maintain standards of health and safety.

### **The developmental principles**

12 The developmental principles address the broader aims of the OSH Strategy. While it is important to maintain the priority for those functions concerned with enforcement of the law, which only labour inspectors can perform, it is also vital to improve worker protection by the application of the developmental principles. It is therefore important that the country takes action to:

- (i) develop better understanding of the integrated, holistic approach, to encourage an open-minded culture in the LI and make inspectors more aware of the role they can play in the promotion of well-being at work;
- (ii) encourage the development of partnership working between the LI and other stakeholders who can influence the well-being at work approach;
- (iii) ensure that work plans and priorities take into account the changing economy, changing patterns of employment and their influence upon health and safety issues and priorities;
- (iv) ensure that inspectors are suitably trained in the emerging issues, and that specialist support is aligned with the changing priorities and perspectives;
- (v) develop systems for monitoring inspection processes, techniques and activities, which take into account international approaches to quality management.

## Appendix 5 Workshop 'Management by results'

### WORKSHOP 'MANAGEMENT BY RESULTS PRELIMINARY PROGRAMME 12 OCTOBER 2005

0900 – 1045	Presentations (7) from the Regional Inspectorates
1100 – 1200	Paul Weber's presentation: Management (theory) Actual situation in Latvia Organisational structures Setting of objectives and planning Guidance and control
1330 – 1500	Paul Weber's presentation: 'Creativity generator' (Team work exercise) Performance appraisal Communication Motivation Stress prevention
1515 – 1600	Paul Weber's presentation: Developing an 'Integrated Labour Inspection System in Latvia'
1600 – 1700	Discussion

#### Attendees:

Jānis Bērziņš, Director  
 Georgs Kartenko, Deputy Director, Quality Management System  
 Armīns Bukavs, Deputy Director  
 Māriņe Melkerte, Head of the Internal Audit Unit  
 Valentīna Turovska, Head of the Strategy and Analysis Unit  
 Imants Kristiņš, Head of the Normative Technical Unit  
 Guntārs Staune, Head of the Labour Legal Unit  
 Vladimirs Kabanovs, Head of the IT Unit  
 Māra Legzdiņa, Chief Specialist HR matters  
 Liene Maurīte, ESF project Manager  
 Rita Elce, Head of the Riga RLI  
 Ilmārs Buks, Head of the Kurzeme RLI  
 Jānis Butāns, Head of the Latgale RLI  
 Valdis Dūms, Head of the Zemgale RLI  
 Kārlis Klušs, Head of the Southern RLI  
 Aivars Spalva, Head of the Eastern Vidzeme RLI  
 Edvīns Straume., Head of the Northern Vidzeme RLI.

## Appendix 6 List of Abbreviations

CP	Common Principles (EU/ILO)
CIS	Commonwealth of Independent States
EU	European Union
Eurostat	European Statistics
ILIS	Integrated Labour Inspection System
ILO	International Labour Office
IALI	International Association of Labour Inspection
IOEH	The Institute of Occupational and Environmental Health
LFTUC	Latvian Free Trade Union Confederation
LEC	Latvian Employers' Confederation
NTCC	National Tripartite Co-operation Council
ORMC	The Occupational and Radiation Medicine Centre
OSH	Occupational Safety and Health
PHARE	European Commission Financial Support Projects (originally, Poland, Hungary Action Restructure Economy)
QMS	Quality Management System
SSIA	State Social Insurance Agency
SLI	State Labour Inspectorate
SLIC	Senior Labour Inspectors Committee
TCSLA	Tripartite Co-operation Sub-Council for Labour Affairs





## List of Publications

1. Albracht, Gerd (2005): Labour Inspection Brochure: C 81 Labour Inspection Convention, C 129 Labour Inspection Agriculture Convention, International Labour Office, Geneva.
2. v. Richthofen, Wolfgang (2002): Labour Inspection: A Guide to the Profession. International Labour Office, Geneva.
3. ILO, ITM (2005): Unity beyond Differences: The Need for an Integrated Labour Inspection System (ILIS). Final Report of the Conference organised by the Luxembourg Presidency of the Council of the European Union. International Labour Office, Inspection du travail et des mines, Geneva and Luxembourg.
4. ILO (2006): An ILO Guideline for: Integrated Labour Inspection Training System, (Training Methodology). International Labour Office. Geneva.
5. ILO, IALI, SAWS (2006): International Conference on Partnerships in Occupational Safety and Health Inspection, Final Report. International Labour Office, International Association of Labour Inspection, State Administration of Work Safety, China.
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8. ILO (2006): The Global Challenges of Labour Inspection: Labour Education 2005/3-4. International Labour Office, Bureau for Workers' Activities, Geneva.
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10. ILO (2006): Better Safety and Health for Suppliers. Leaflet introducing a Pre-Operating Study for the Development of Occupational Safety and Health and Productivity among Suppliers with a Special Training for Labour Inspectors in Brazil, Mexico and South Africa. International Labour Office, Geneva.
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**International Labour Office Geneva**

[www.ilo.org](http://www.ilo.org)  
[www.ilo.org/safework](http://www.ilo.org/safework)  
[www.ilo.org/labourinspection](http://www.ilo.org/labourinspection)

**Ministry of Welfare**

[www.lm.gov.lv](http://www.lm.gov.lv)

**State Labour Inspectorate**

[www.vdi.gov.lv](http://www.vdi.gov.lv)  
[www.osha.lv](http://www.osha.lv)