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**Confederation
of Turkish
Trade Unions**

OHS in Turkey:

**Problems
and Proposed
Solutions**

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Current Situation regarding OHS in Turkey

OHS is one of the fundamentals of labour life considering its dimensions pertaining production processes and methods, productivity, ergonomics etc. In case of negligence towards environment, health and safety at work, issues in this field arise as work accidents, occupational diseases, death and injuries, pollution and loss of production.

According to 2009 statistics of Social Security Institution (SGK), 64,316 work accidents and 429 occupational disease cases have occurred in Turkey. 1,171 of them have resulted with fatality. The statistics of Social Security Institution is only limited by insured workers in Turkey. When we consider that the SGK data is merely composed of registered workers and their number is about 9 million among 21 million employments in total, it would be quite easy to understand that the number of work accidents and related deaths are much beyond the given figures in real life.

On the other hand, according to the preliminary research on 'Work Accidents and Health Problems Related to Work' encompassing April-May-June trimester of 2007, conducted by the Institution of Statistics (TÜİK), 2.9 of each 100 workers have an accident. The two significant points of the concerning report are; 56,6% of the accidents have occurred in workplaces where there are less than 10 employees and 40,4% of the victims have been dismissed due to the accident that they've had. Another remarkable point of the report is 3.7 of every 100 worker catches an occupational disease depending on the type of work that they've produced.

According to the report entitled 'The Culture of Security' which is prepared by ILO, occupational diseases as a whole and 98% of the work accidents could be prevented just as the decline in work accidents for the last 20 years in Japan, Sweden and Finland. The decline is 20% for Japan and Sweden and 62% for Finland. The main reason of the decline is the decrease in number of workers working in hazardous work and the transformation of work places to be more secure environments.

On the contrary of mentioned countries there is an increase in number of work accidents and fatalities in Turkey. Privatization, outsourcing, de-unionization and types of flexible work impose an precarious work life to the workers in the country. Social security rights have not been respected together with an informal structure rendering the employment of illegal workers to become widespread.

Reducing the cost becomes the primal target in globalizing world. And OHS is the main area of cost reduction. People have been forced to work in places where the OHS measures are lacking together with constraints to make a choice between starvation or accident risks. As a matter of fact, many of the workers whose number is described in tens have lost their lives or became disabled due to the explosions and accidents occurred in OSTİM İvedik, coal mines in Zonguldak, and shipyards in Tuzla in the recent years.

Approximately the 60% of work accidents occurs in work places where the employment is less than 50 workers. While Turkey is among the countries at the first rank considering work accidents, it holds the rear ranks when the occupational diseases have been discussed. SGK have detected 429 occupational disease incidents according to its 2009 statistics. This figure is considerably low for Turkey. This is because the facts of occupational disease could not be determined. However in developed countries, for instance in Germany, 40.000 occupational disease facts have been reported in each year.

ILO Conventions on OHS, EU Directives and National Legislation: Risks and Requirements

Modern societies achieve their goals by respecting human and working people, by converting labour life to a more humanitarian format, by scaling up the quality of life and by increasing the productivity. The studies, recommendations and the drafting's of the international organizations such as ILO, WHO and EU are all to this effect. In the EU one of the standards which have been developed in community level is about OHS and contains a high level of protection.

International Documents, ILO Conventions and EU Directives on OHS Field

United Nation's Universal Declaration of Human Rights: Health and security at work is a human right. Health and security at workplace issue have appeared in 1948 dated UN Universal Declaration of Human Rights as follows:

Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 23: Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.

ILO / WHO Joint Committee's Definition of

Occupational Health: The revised definition at the 12th Session of the Joint Committee convened in 1995 is as follows:

Occupational health should aim at the promotion and maintenance of the highest degree of physical, mental and social well-being of workers in all occupations; the prevention amongst workers of departures from health caused by their working conditions; the protection of workers in their employment from risks resulting from factors adverse to health; the placing and maintenance of the worker in an occupational environment adapted to his physiological and psychological capabilities and; to summarize: the adaptation of work to man and of each man to his job.

ILO Conventions: The ILO policy regarding OHS could be substantially recognized in 2 fundamental Conventions and Recommendations. 1981 dated Convention No.155 on OHS and Recommendation No. 164 are the ones in first place. Concerning Convention and the Recommendation provide the enhancement of a nationwide health and security policy while they determine the resources to improve working environment and promote the provision of OHS conditions in the workplace. The second fundamental Convention is 1985 dated Occupational Health Services Conv. No 161 and Recommendation No. 171. The Convention and the Recommendation in question foresees an embodiment of occupational health services in workplace level in order to contribute the implementations regarding OHS.

Turkey has ratified ILO Conv. No. 155 and 161.

Other important Conventions concerning OHS are; 1988 dated Conv. No. 167 'Safety and Health in Construction' and related Recommendation No. 175.

1995 dated ILO Conv. No. 176 'Safety and Health in Mines' and related Recommendation No. 183. ILO Conv. No 184 'Safety and Health in Agriculture' and Recommendation No. 187 on promoting the OHS.

Turkey have not ratified ILO Conventions relating to these three fields including Conv. No. 187 in which occupational disease cases are much consistent so far.

Regulations

EU legislative transposition in the field of OHS is continuing as committed with the National Program. After harmonizing studies more than 30 regulations

have become effective. Regulations in question comprise various guidelines in different sectors such as; OHS guides, noise, vibration, chemicals, working conditions in explosive environment guidelines, personal security precautions and working with asbestos etc.

A part of the regulations are the EU Directives on OHS and translated into Turkish directly. Translated EU Directives have been edited as regulation however texts have been leftover scattered, conflicting and shallow. As a result it won't be inaccurate to affirm that two different groups of regulations have become effective sourcing from EU Directives and Labour Law and they're incompatible with each other. In fact these regulations cause problems in implementation and a part of them have been put in a stay of execution by the Council of State.

OHS Regulation (EU Framework Directive 89/391/EEC) has been put in a stay of execution by the Council of State at first and then repealed. By reason of having been repealed, there is no legitimate baseline for referring Articles in other regulations anymore. Thus related regulations have become inapplicable.

Council of State has awarded the withdrawal of Articles 18-19-20-25 and 26 of the definition for physicians in workplace which has been specified in Article 4 of the Regulation on 'Health Units at Workplace and Duties of the Physicians together with their working Procedures and Principles'.

Similarly, Council of State has also awarded the withdrawal of the definition for job security expert in Article 4 of the Regulation on Working Procedures and Principles and Duties of the Technicians and Engineers in charge of Job Security' together with the Articles 5,7,8,9,10,11,12,13,14,15 and 16 of the same Regulation.

Paragraphs 1/a-3, 1/b-2, 1/b-4, 1/c-1 and 1/c-2 under the Articles 4/b, 4/c, 35, 40, 41, 42, 44, 47, 48, 54 and 56 of the Regulation on Health and Security Units in the Workplace prepared by the Ministry of Labour and Social Security has also been revoked.

Following the specified developments, Regulation on 'OHS and Services', Regulation on 'Duties, Competence, Responsibilities and the Training of the Workplace Physicians' together with the Regulation on 'Duties, Competence Responsibilities and the Training of the Job Security Experts' has been published in the Official Newspaper on Nov. 27, 2010. It could be easy to spot that the Ministry did not take the views and opinions of the social partners, professional associations and chambers

into consideration while insisting on the matters about outsourcing the occupational health services.

Council of State has put the Regulation on 'Duties, Competence, Responsibilities and the Training of the Workplace Physicians' together with the Regulation on 'OHS Services' to stay of execution by reason of contradiction to law and affirming that irretrievable losses could be generated by their implementation.

The main reasons for the stay of execution are as follows;

- Document fee claimed by the Ministry which has been stated in the Article 35/b of the Regulation on 'Duties, Competence, Responsibilities and the Training of the Workplace Physicians',
- To participate in renewal trainings became compulsory for physicians who obtained a workplace physician certificate after 16/12/2003 by the Provisional Clause of the Article 3 under the Regulation on 'Duties, Competence, Responsibilities and the Training of the Workplace Physicians'
- In accordance with the Provisional Clause of the Article 4 of the Regulation on 'Duties, Competence, Responsibilities and the Training of the Workplace Physicians' and the Provisional Clause of the Article 3 of the Regulation on 'OHS Services', training courses given by private institutions authorized by the Ministry have been validated.
- The phrase 'Certificate of Workplace Physician consigned by the Ministry' about the validation of the certificates in question which is also denoted in the Provisional Clause of the Article 1 of 'OHS Services' Regulation.

Relevant Articles with OHS in Labour Act No. 4857

The 5th Chapter of the Labour Act No. 4857 is composed of articles related to OHS. For the first time an attempt to develop prevention policy has been performed by the Act in question however, there are still troubles in this field.

Improvements brought by the Act No. 4857

- Obligation to provide training by the employer
- Obligation to implement OHS Commission rulings
- Obligation to employ workplace physician and OHS expert

- The right to renounce to work by the worker in case of facing with close, urgent and vital danger

The most significant shortfalls are,

- Issue of extent: Civil servants, workers in agriculture sector etc. are uncovered by the extent of the regulations concerning OHS
- Issue of prevalence: There is no obligation to hire a workplace physician and an OHS expert or to set up an OHS commission for workplaces which employs less than 50 workers.
- 'The right to renounce to work by the worker in case of facing with close, urgent and vital danger' could not be applied.

Studies towards enacting a OHS Law

For the first time, the draft text regarding 'OHS Law Scheme' has been submitted for the consideration of social partners during National OHS Council meeting which has been convened on 21st of Dec. 2006. OHS Draft Law has been amended several times until 2008 and recurrent consultation with institutions and association has taken place in the same year. Finally the draft law has been analyzed which was sent to TURK-IS on 8th of Jul. 2010 as an addendum of the letter prepared by the Ministry of Social Security and Labour, and following opinions has been denoted in reply:

'We could assess the formulation of an autonomous law which comprehends the employees and workplaces as a whole, falling outside the Labour Act as a positive development. The Draft Law in question also comprises all the OHS rules which have a vital importance in business relations. However, the regulations that took place in the revoked articles of Labour Act No. 4857 have not been absolutely reflected to the draft text and therefore certain gaps have occurred.

In Paragraph (ç) of the Article 3 entitled 'Exceptions' of the Project Draft; freelance service producers who do not employ anyone are totally excluded from the scope.

However, Act No. 5510 takes self-employed persons under OHS coverage and obliges them to pay a premium. Furthermore, it classifies the workplaces according the level of hazard that the worker could face with during the routine of work. Premium payer freelances should also be taken into the coverage of the OHS Law.

In the scope of the Paragraph (o) of Article 4 entitled 'Definitions' under the Project Draft; the description of 'work accident' do not overlap with the correspondent description made in the Article 13 of the Act No. 5510. So as to prevent having gaps in implementation and to settle probable disputes, the definition for 'work accident' should be brought in line with the correspondent definition made by the Law.

According to Paragraph 1 of the Article 7 under the Project Draft; to employ a job security expert having (C), (B), or (A) class certificate in hand (according to level of the hazardous environment in the workplace) and to charge a physician without a distinction of the hazard is obligatory for the employer in order to prevent occupational risks and to protect the worker. Workplaces who do not employ the abovementioned staff could receive service from joint OHS units in order to provide stated facilities completely or partially. Service procurement in such a condition do not abrogate the responsibility of the employer.

The phrase 'hiring a physician for workplaces which employ more than 50 workers' stated under the Paragraph (1) of the Article 7 entitled 'OHS Services' of the Project Draft should become mandatory. The decree of the State Council which revokes the privatization of service procurement should be taken into consideration.

According to Paragraph 2 of the Article 9 under the Project Draft; workplace physicians and job security experts should declare proper precautions and recommendations as they have been stated in the relevant OHS legislation to the employer or his deputy in writing. If the employer fails to fulfill the obligations in question, physicians or job security experts are responsible to declare the situation to the Ministry.

Paragraph 2 of the Article 9 entitled 'Duties, Competence and Responsibilities of the Workplace Physicians and Job Security Experts' under the Project Draft states that; in case of disregard by the employer to the specified issues, autonomy for the entitled staff should be provided to enable them to notify the Ministry without any constraints. Otherwise it would be impossible for the staff in question to exercise their responsibilities properly without the risk of having been dismissed.

According to Article 12, Paragraph 2 of the Project Draft; an employee could abstain to work unless necessary OHS measures have been taken by the employer as long as the employer or his deputy has taken a decision in favor of

employee's demands. The phrase 'Could abstain' should be replaced with 'abstain' in the Paragraph. Besides the 'the rights of the worker are reserved during no work period' should be attached to same Paragraph as it is stated in Labour Act No 4857.

Paragraph 4 of Article 13 entitled 'enrollment and notice of work accidents and occupational diseases' under the Project Draft, is needed to be modified as; 'procedures and principles concerning employer's notice on work accidents and occupational diseases and required inspection, preparation of enrollment and the reports should be designated by the announcement of the Ministry'.

Paragraph 2 of the Article 14 under Project Draft entitled as 'Health Inspection' states that; candidates will not be recruited without a certificate of health which states the operative condition of the person is suitable for the job'. However no indication has been made regarding where to get the certificate in question if no health unit exists within the workplace. To prevent misunderstandings in the concerned Paragraph, the body authorized to issue the certificate should be clarified.

Under the Article 18 entitled 'Worker Health and Security Representative' of the Project Draft, the procedure regarding the election of the worker's representative has not been specified. An arrangement should be made on the concerning Article stating that the determination of procedures and methods of the election could only be performed under the regulation. Furthermore the clause; 'If the worker's representatives are having the opinion that the employer's measures and facilities regarding OHS are inadequate, they have right to refer to Ministry and they could also give their opinions to authorities during inspection' should be attached to same Article under a Paragraph No.7.

The scope of the denoted Council in Paragraph (ç) of the Article 19 under the Project Draft which is entitled as 'National Council of OHS' should be designated in accordance with the expression 'the most representative organizations' as it was stated in ILO Conv. No.144. Therefore, the right of representation on the administrative council should be granted to the organization which has the highest affiliation figures.

As it was stated in the Article which regulates the Minimum Wage identification and also denoted by the Acts 2824 and 2822 that the union which has the highest affiliation figures is the competent agent to conduct

collective bargaining, the right of representation on OHS Council should be granted to confederation that have the highest affiliation.

The people having opposite views justify themselves in terms of majority principle, it would be pointless to declare that such an implementation hampers democratic representation. Because the reason for the existence of 'the most representative organization' principle is not to be a bottleneck; on the contrary, it is for ensuring a powerful representation of the parties without enabling discrepancies in tripartite embodiments.

Drawing up the Article in accordance with the described proposal above, regarded as a requirement of the international conventions that Turkey have ratified.

According to Paragraph 2 of the Article 20 under the Project Draft, in case of interaction between the activities of the original employer and the subcontractor, for setting the measures that have to be taken in terms of OHS, their implementation and providing the necessary coordination is the original employer's liability. Both the original employer and the subcontractor are responsible towards the employees concerning the operation of the workplace for their statutory obligations. The phrase 'the statutory obligations resulting from this law about the specified work place' should be taken out from the Paragraph 2 of the Article 20 under the Project Draft entitled as 'OHS Coordination'. Rearranging this clause as 'Original employer is responsible towards the subcontracting employees together with the subcontractor' is more convenient in terms of making law.

According to Project Draft's Paragraph 7 of the Article 21, the employer is bounded by this Article to pay their wages to the employees becoming unemployed due to closure of the business or to recruit them in another business by taking into account their occupation without any wage modification. In the Article 21 of the Project Draft entitled as 'To stop work', regulation on 'the closure of businesses' as it was stated in Labour Act No. 4857 has not been denoted. Passing over the regulation in question is an outstanding shortfall.

Moreover, Paragraph 7 of the same Article needs to be amended as; 'The employer is obliged to pay the workers who have fallen out of the work due to closure of the business. However he can only resettle the worker to another job provided that the worker accepts to work. Resettlement can only be made without reducing the pay and it's limited by the duration of the closure'.

The fines regulated under the Article 25 'Administrative Fines' of the Project Draft are regarded as insufficient. Sanctions foreseen in OHS field which is critically important should be much more deterrent and more repressive over the employers to take necessary measures.

*** - the phrase in the first sentence of Article 2, paragraph 6 of Labour Act 4857 - which is also present in Article 28 paragraph 1-a of the draft – which says “*or in a certain section of the main activity due to operational requirements and for reasons of technological expertise*” was amended as “*or in a certain section of the main activity due to operational requirements or for reasons of technological expertise*”. Our confederation opposes such amendment as we believe it will pave the way for sub-contracting.

This matter have also been discussed many times both in labour courts and different judiciary courts even in trade union environment and judiciary court agreed that the phrase ‘or’ should be ‘replaced with ‘and’ in the clause in question. And it also seeks for the condition that the provisions within the Article should be implemented all together. Through that desired amendment the content of the Article will become meaningless and this is going to pave the way for subcontracting. The main aim and the dominant factor of the Article are to enable subcontracting merely in businesses where there is a need for specialists due to technological reasons.

Therefore, we could not understand to draw a legal provision in an uncertainty upon which the social partners have discussed many times, which is populated by judiciary courts and which has no direct relation with the OHS Draft Law. The desired amendment through the OHS Project Draft would damage work peace and it is a matter of concern for our Confederation which have supported an independent OHS Law from the beginning. That's why we claim the amendment in question to be deducted from the Project Draft text.

The ILO Conventions that have not been ratified yet were also emphasized within the letter that we've sent to the Ministry. Turkey has approved ILO Conventions No. 155 and No 161 which state the fundamental criteria for OHS, however Conv. 167, Recommendation 175, Conv. 176, Recommendation 183, Conv. 184, Recommendation 187 are not approved yet. We have communicated our demands to the Ministry on Turkey's imminent ratification of the above mentioned ILO Conventions in order to enable the OHS Legislation to be operative completely and to provide a precise legal ground

OHS National Council and the Adopted Action Plans

OHS National Council was established in accordance with the ILO convention 155 and the Eight Five-Year Development Plan in order to socialize occupational health and safety, to solve the problems with the involvement of the social partners and to safeguard health and social welfare of the workers. The Council held a series of meetings in 2005, 2006 and 2007. "OHS National Policy Document" was adopted as a result of these meetings and in line with this document the Council modified the 2006-2008 Action Plans.

In this regard;

- 1- An OHS Law in conformity with the EU norms will be enacted,
- 2- Arrangements related with OHS will cover all workers,
- 3- Arrangements related with OHS will become prevalent in all workplaces,
- 4- OHS service units will be activated,
- 5- Work accidents will be reduced at least by 20%,
- 6- Diagnostic system of occupational diseases will be improved,
- 7- OHS technical support services managed by the public authorities will be increased by 20%.

When we make an assessment of the OHS targets set out in the 2006-2008 Policy Document of the Ministry; we can see that, OHS Law was not enacted, work accidents were not reduced by 20% on the contrary they were increased and the diagnostic system of occupational diseases were not improved.

- Various targets are set out in the OHS National Policy Document (2009-2013) which was recently prepared by the Ministry. According to these targets;
- 1- OHS Law will be brought into effect and the relevant legislative arrangements will be completed.
 - 2- In order to guarantee the implementation of the new legislation, the activities related with the presentation and the briefing of the concerned parties and the public will be organized by the Council member organizations and institutions.
 - 3- Work accidents will be reduced by 20%.
 - 4- The expected but not-detected occupational disease cases will be increased by 500%.

- 5- The number of the workers which benefit from OHS laboratories will be increased by 20%.
- 6- The number of the OHS projects, training and publicity activities carried out by the National Council member organizations and institutions will be increased by 20%.

Most of the targets set out in the 2006-2008 Policy Document prepared by the Ministry were not realized. Achieving the targets defined in the 2009-2013 Policy Document - prepared at a period of economic crises where many workplaces were shut down and dismissals were widespread-seems unrealistic. In fact the document was not adopted unanimously as some parties had reservations at the OHS Council meeting.

OHS in the 2010 EU Progress Report

The negative picture in the field of OHS was mentioned in the 2010 EU Progress Report as follows;

“Little progress has been made in the area of health and safety at work. Administrative capacity as well as the awareness level has increased, with the contribution of EU-funded actions. According to official statistics covering only registered workers, 72,963 occupational accidents occurred in 2008, slightly less than in 2007. The numbers would be much higher if the informal sector were included. There has been no progress regarding transposition of the Framework Directive on health and safety at work. This is a major shortcoming for the implementation of legislation already transposed. The capacity of the labour inspection board, which is a priority in this area, continued to be strengthened through recruitment and training of additional staff. The number of labour inspectors dealing with labour relations increased to 321. However, the number of labour inspectors remains very low compared to the size of the economy and the labour market. Dramatic fatal occupational accidents in the mining and quarrying sectors have raised concerns over enforcement of legislation as well as the inspections carried out by public authorities. Fatal ‘silicosis’ diseases caused by poor working conditions in jeans sandblasting workshops continued to occur.”

Result and Proposals

The strong and weak points of OHS in Turkey are mentioned in the draft report entitled “National OHS System” prepared by the Ministry of Labour and Social

Security- General Directorate of OHS. When the draft text is analyzed we can see that the weak points are far more than the strong ones. The text reveals 10 strong points while identifying the weaknesses under 17 articles. The most important weaknesses are the coverage and the scattered structure of the legislation and the lack of its effective implementation. The developments ('stay of execution' decree issued over the regulations by the Council of State, lack of enacting a different OHS Law, the problematic and missing articles in the 5th Chapter of Labour Act No: 4857) since the preparation of the report show that the national legislation is still scattered and there is a problem related with the coverage. Implementation and supervision is ineffective as the legislation is problematic.

The report comments that when the EU concept of health and safety at work is taken into consideration, the institutions and organizations identified in the OHS system and who participate directly to OHS activities are disorganized in terms of communication, coordination and policy planning. Furthermore there is the lack of a complementary, contributing and encouraging structure. These comments still highly preserve their validity.

In accordance with the UN Universal Declaration of Human Rights, health and safety at work is a human right. The ILO's "Safety Culture Report" states that all of the occupational diseases and 98% of the work accidents can be prevented. In order to prevent occupational diseases, injuries and fatal work accidents and to guarantee the protective coverage of OHS to all workers the below steps must be taken with special emphasis given to the points raised in the National OHS System Report and the ILO's report on "Safety Culture":

- The ILO conventions related with OHS and EU standards and norms were reflected to some of the articles of Labour Act No:4857 and the relevant regulations. However, all workplaces and all workers should be under the coverage of health and safety in order to maintain decent OHS standards. We can see that these provisions are insufficient especially when the negative conditions at the SME's and the agricultural workplaces are taken into consideration. To change the negative picture, the workplaces employing less than 50 workers must be obliged to establish joint health units in order to maintain equality and guarantee all workers to benefit from OHS services.
- The national legislation must be prepared in line with the ILO conventions, EU directives, international

standards, norms and principles covering all workers in all industrial sectors. Turkey has approved Occupational Safety and Health Convention 155 and Occupational Health Services Convention 161. These are positive steps. Convention 184 on Safety and Health in Agriculture and Recommendation 192 shows the special emphasis of the ILO on this matter. The procedures to approve Safety and Health in Construction Convention 167 and Recommendation 175, Safety and Health in Mines Convention 176 and Recommendation 183, Promotional Framework for Occupational Safety and Health Convention 187 must be launched immediately.

- A separate OHS law should be enacted as soon as possible taking into consideration the demands of the social partners. The developed countries like USA, Sweden and Finland must be taken as an example. The law must be supported by relevant Status and sufficient number of regulations.
- The Act No: 5763 called the “Employment Package” leaves the control of the OHS services to the free market. The OHS Services Regulation planned to enter into force preserves the 50 worker limitation but paves the way for the workplaces employing more than 50 workers to outsource OHS services, in other words it creates the legal base to transfer health services to sub-contractors. The mentioned regulation will lead to various difficulties in terms of the working patterns and job description of OHS experts and occupational physicians. It will also have a negative reflection over the risk assessment processes carried out with the OHS boards.
- Types of flexible work laid down by the Labour Act are the obstacles confronting many rights. Sub-contracting is one of the major problems of our country and it imposes precarious employment in all the sectors. Sub-contracting is another problematic field in terms of OHS. Therefore the necessary amendments in the legislation should be done immediately in terms of sub-contracting.
- National OHS Policy Document was adopted at the National OHS council. The 2006-2008 Action Plan was prepared in line with this document. However the targets set out in the plan were not achieved. The targets identified in the 2009-2013 Action Plan adopted by the Council must be achieved taking the previous document into consideration. Global financial crisis,

economic crisis or the labour costs should not be used as an excuse.

- National OHS Council must urgently establish a nationwide OHS database covering all the industrial sectors, mainly mining, construction, metal, ship building and agriculture.
- The OHS Boards established at the workplaces must have democratic structures and should have power to apply sanctions.
- The number of the labour inspectors must be increased and the workplace inspections must be effective.
- The OHS Action Weeks, regional conferences and similar activities organized to raise public awareness of OHS should continue and increase in variety. OHS training must be restructured covering the field of such activities.
- Achieving safe and healthy working conditions, increasing job quality, preventing work accidents and occupational diseases, eliminating and reducing fatalities and injuries is not possible with legal arrangements and legislation only. The community and especially the workers and employers must be aware of the safety issues and the culture of safety.
- The OHS related measures should not be seen as an additional cost; on the contrary they should be considered as a tool to reduce work accidents and occupational diseases thus reducing costs and increasing productivity and production. We should not underestimate the fact that in a globalized world a healthy and safe workplace produces goods which have a better chance of competition.
- The cooperation between social partners, the model activities undertaken by the Construction Workers Union and the Construction Employers Union, Turkish Metal Workers Union and the Turkish Metal Employers Union, Cement Workers Union and Cement Employers Union, Leather Workers Union and the Leather Employers Union in the field of OHS, the activities of Printing Workers Union and Textile Workers Union should be widespread in other industrial sectors as well.
- Despite the difficulties, the trade unions must improve their training, research and department capacities in the field of OHS. The trainings must be widespread in all industrial sectors. OHS related provisions must be covered by the collective agreements. OHS rights must

be improved. The workers must take the necessary OHS measures for their own sake and work effectively in the OHS boards. They must bear in mind the fact that OHS culture is vital to establish work peace and maintain productivity.

- The solutions to OHS related problems should focus on the concept of “People First”. It should have a fair, equal and participatory approach which could only be possible by encouraging the culture of organizing.

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