

**International Union of Food, Agricultural, Hotel, Restaurant,
Catering, Tobacco and Allied Workers' Associations**

8 Rampe du Pont Rouge, Petit-Lancy, CH-1213 Geneva, Switzerland

**Tel : +41 22 793 22 33 ; Fax : +41 22 793 22 38 ; e-
mail : iuf@iuf.org ; www.iuf.org**



IUF Submission to study on workers protection from hazardous substances

The IUF represents many millions of workers throughout the food chain – in agriculture and plantations; food processing; tobacco growing and manufacture; and hotels, restaurants, catering and tourism. Workers in all sectors are routinely exposed to hazardous substances in the course of their work.

To provide experiences from workplaces we sent a short questionnaire to our affiliates and their replies are appended.

In response to the request of the Special Rapporteur on Human Rights and Hazardous Substances and Wastes for submissions on workers' protection from hazardous substances, the IUF wishes to submit the following observations:

Agriculture and plantations

ILO statistics indicate that agriculture alongside mining and construction is one of the most dangerous industries to work in with the highest rate of fatal accidents. Agricultural workers are regularly exposed to hazardous substances in particular agro-chemicals – pesticides, herbicides, etc.

Agricultural workers are exposed for many reasons including but not limited to: use of chemicals is widespread as the cheapest way of controlling weeds and pests; agricultural workers they are not provided with the correct protective equipment; are not often not trained to use chemicals; lack the necessary information and training to protect themselves eg labels and safety data sheets are not available or are not in a language that workers can read.

The IUF works with its affiliates to develop trade union capacity to:

- 1) Eliminate the use of the most toxic chemicals through negotiations with governments and employers;
- 2) Train workers to understand chemical hazards and establish workplace safety committees which can negotiate and implement workplace occupational health and safety policies and programmes;
- 3) Reduce chemicals use through promoting agro-ecology and organic farming.

For agricultural workers – barriers to their freedom of association (see ILO report Giving a Voice to Rural Workers) prevent workers from coming together in effective trade union structures to negotiate improvements with employers and governments in occupational health and safety (OHS) and which could also provide training on OHS.

In food processing workers

Workers in food processing are also regularly exposed to chemical hazards. The IUF has worked in particular on anhydrous ammonia .widely used as a refrigerant in food processing and manufacturing facilities eg breweries, juice and soft drink processing facilities, meat processing plants, and other food processing plants; Ammonium Hydroxide in meat processing, BPA in packaging and plastics and diacetyl (responsible for popcorn lung).

Hotels, restaurants, catering and tourism

Workers are exposed to hazardous chemicals, in particular in cleaning products. The IUF has an [on-going campaign for improved OHS standards for hotel housekeepers](#) .

The main international and national legal and institutional instruments relevant to promote workers' protection.

The IUF condemns the repeated failures of the Rotterdam Convention to list paraquat and asbestos in the list of products requiring prior informed consent from governments and notes the failure of this Convention to protect workers from exposure to some of the most hazardous substances.

The 27th IUF Congress held in August 2017 welcomed the work of the UN special rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes in working towards an instrument which binds States and TNCs to comply with international standards on workers' rights and toxics.

The IUF strongly holds to the view that regulation that binds States and TNC's to protecting workers from exposure to hazardous substances is required.

We also recommend that Governments be requested to ratify and implement ILO Conventions on occupational health and safety and to implement Recommendations and codes of practice related to the protection of workers from exposure to hazardous substances in the workplace.

These include:

Labour inspection in agriculture: ILO Convention 129 (1969)

Occupational Safety and Health Convention No 155 and its 2002 Protocol

Promotional Framework for Occupational Safety and Health Convention 187 (2006)

Health and Safety in Agriculture: ILO Convention 184 and Recommendation 192 (2001)

Safety and Health in Agriculture: ILO Code of Practice (2010)

Occupational Cancer Convention 139 (1974)

Asbestos Convention 162 (1986)

Chemicals Convention 170 (1990)

To ensure that workers through their trade unions are able to work on implementation and monitoring of standards it is essential that the ILO Core conventions are also ratified and implemented..

Conventions 87 (1948) and 98 (1949) - Freedom of association and the right to organise and bargain collectively;

Conventions 100 & (1951) and 111 (1958) - No discrimination in pay, employment or occupation;

Conventions 29 (1930) and 105 (1957) - No forced labour;

Convention 138 on the minimum age for admission to employment and work;

Convention 182 on the worst forms of child labour, 1999

Plantations Convention 110 (1951)

Rural Workers Organizations Convention 141 (1975).

The IUF has several publications on OHS issues:

<http://www.iuf.org/w/sites/default/files/2015%20Safe%20Farms%2C%20Safe%20Workers.pdf>

<http://www.iuf.org/w/sites/default/files/2010%20Guide%20for%20the%20Programme%20on%20OSH%20for%20working%20women%20in%20French%20speaking%20West%20Africa.pdf>

<http://www.iuf.org/w/sites/default/files/2004%20Health%2C%20Safety%20and%20Environment%20-%20Manuals%20for%20Agricultural%20Workers.pdf>

We would be happy to provide further details if required.

Appended – evidence from IUF affiliates

In addition we have collected (via a questionnaire) evidence directly from our affiliated unions list below. This is attached.

Australia - Australia Manufacturing Workers Union (AMWU)

Denmark - Fodevareforbundet NNF (Food Workers Union)

Finland - Service Union United (PAM)

Israel - Food and Pharmaceutical Union Histadrut

Kenya- Kenya Union of Sugar Plantation Workers

New Zealand - E tū

Pakistan - All Sindh agricultural research regional employees union

Pakistan - Sindh Nari Porhait Council

Pakistan - Sindh Sugar Mills Workers Federation

Sweden - Swedish Municipal Workers Union (Kommunal)

Tanzania - Food and Tobacco union TUICO

Uganda - National Union of Cooperative Movement and Allied Workers (NUCMAW)

UK & Ireland - Unite the Union

USA & Canada - United Food & Commercial Workers

We wish to reinforce these submissions with the following points:

1. In many jurisdictions where health and safety law is adequate and reflects ILO standards, enforcement is weak due to the lack of resources for labour

inspection and due to the lack of legislative support and protections to facilitate workers right to organize and enter into collective bargaining in order that they may access their rights to a safe and healthy workplace.

2. The growth of precarious employment further inhibits workers ability to access their rights to a safe workplace.
3. Women workers and migrant workers are at even greater risk of exposure to hazardous substances due to the discrimination which exists against women and migrants and the increased likelihood that their work is precarious; both of which increase the obstacles to effective organization for workers to protect themselves and exercise their rights. Exposure to some substances can cause pregnant women to miscarry.
4. In some jurisdictions such as Pakistan, workers are regularly exposed to toxic and other hazardous substances without any adequate protection or effective legislation and enforcement which results in serious illness and premature death.



Questionnaire – to be returned to the Secretariat by March 7, 2018

Name of Union AMWU, Australia

Applicable IUF sectors Food, confectionery, beverages, chicken processing

Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water).

As our members are involved in food processing major issues are allergens eg organic matter; cleaning agents and enzymes. These risks are exacerbated by heat & humidity

How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?

The framework protections are consistent with ILO Conventions – in some cases better.

Problem is
1. protection of H&S rights
2. exploitation of precarious workers
3. lack health surveillance for chronic exposures or disease

How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistle blowers sharing information on health and safety?

Protection for whistle blowers is theoretically available however structural issues such as labour market & industrial laws significantly conditions

Impede the ability to use the protections H&S law claims protection but has never been used

What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances? ^{by governments to protect}

- Implementation of GHS is underway which is positive.
- ^{and historical} current lack of focus on prevention and recognition of chronic lung and skin disease, related to work is still ongoing.

Questionnaire – to be returned to the Secretariat by March 7, 2018

Name of Union: *Fødevareforbundet NNF, Denmark*

Applicable IUF sectors: *Foods and tobacco goods*

Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water).

We do not do much work with chemicals in the foods industry so the risk is very minimal.

We have the following which can lead to cases of exposure:

Flour - eczema

Intestines - scabies

Dust - Tobacco, Flour dust and Spices

Cleaning agents which are labelled as hazardous, here, the employer is obliged to train and instruct people in the use of these (cf. the legislation)

Chemical discharge in the form of coolant - Ammonia, but here, the limit value is so high that the employee is within [the limit]

As the worst risks

How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?

As the rules currently stand they give the employees good protection.

The way I see it, there are no factors which mean that we can relax the current protection mechanisms.

How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistle blowers sharing information on health and safety?

An (APB) 16-point plan must be drawn up for all substances and materials procured and used in the Danish workplaces. Workplace User Guidelines showing (the substance, the material, protection, and conditions in the event of an accident)

APB = Workplace User Guidelines for substances and materials (if appropriate, see: <https://arbejdstilsynet.dk/da/regler/at-vejledninger/a/c-0-11-arbpladsbrugsanv-for-stof-og-mat>)

What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances?

The Danish authority does not want any slackening of the safety and rules, but the companies themselves must determine to a greater extent the format and quality of the 16-point APB Workplace User Guidelines.

The trade union movement does not want an individual company to be able to come to a decision on which document will form the basis for the company's use of chemicals. A uniform template for the employees will mean greater safety and security as hazards and risks are assessed in the same way each time. If an accident happens, it is clear to the employee what has to be done.

Employers are pushing to make the requirements for the introduction and use of chemicals as lenient as possible.



Questionnaire – to be returned to the Secretariat by March 7, 2018

Name : Service Union United PAM, Finland

Sector: HRCT

Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water).

Cleaners are exposed to different detergents and other chemicals. Also environmental dust and mold can cause harms. Rash, inflammations and allergic reactions are common. Harm is also caused by air draught and coldness.

How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?

In principle legislation is good, but there should be more specific orders and instructions to different sectors and professions. Also amount of the authorities is too low. Authorities don't have time enough to investigate all working places. The problems are bigger in small enterprises but of course the influence of actions is larger in bigger enterprises where there are more workers.

How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistle blowers sharing information on health and safety?

According to the law all results of the investigations made by authorities are public and must be seen in working place investigated. Risks and hazards of the working environment must be assessed and before that occupational health care must clarify working conditions. "Whistle blowers" position is also secured in law and every employee can inform authorities anonymously of faults and inconvenience concerning his/her working place.

What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances?

Legislation is quite good, been for years, but for new hazards and substances it takes years to get new paragraphs into laws. Authorities appeal often that there is not enough research that they could be sure of the effects. This especially is concerning interior air problems.

Questionnaire – to be returned to the Secretariat by March 7, 2018

Name of Union: Food and Pharmaceutical Union-Histadrut, Israel

Applicable IUF sectors: Food

Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water).

The most common and/or most specific hazardous toxic risks are exposure to liquids, water, and noise.

How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?

The existing laws and standards in Israel are the highest quality and meet the strictest international standards, which are subject to the ILO.

The workplaces are careful to keep these standards with the help of a safety supervisor and safety officers.

Regarding liquids and water, there's is an emphasis on proper protective equipment, like safety shoes and appropriate clothing, which are provided by the employer.

Regarding exposure to noise, also here the means of protection are strict, and inspections are carried out by the Israel Institute for Occupational Safety and Hygiene, which periodically places a safety vehicle in the factories' yards, in order to check for damage from harmful noise and other safety issues.

Safety training is held for each visitor or workers from outsourcing. This is done in big workplaces, mainly those that provide visitors with safety equipment, as is customary.

Every event of an accident or near accident is reported to Israel Institute for Occupational Safety and Hygiene and the Labour Ministry and is investigated by them.

How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistle blowers sharing information on health and safety?

Safety trainings and refreshing are periodically held for workers in factories.

Local and national safety competitions are held.

What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances?

The Chairman of the Food and Pharmaceutical Union-Histadrut is a Board Member of the Institute for Occupational Safety and Hygiene and see on the ground the seriousness and the strict observance of the standards.

We encounter suggestions for improving from workers on the subject of safety, for example, protection from an exposed machine, protection from noise and dust, falling from a great height. These suggestions are examined and a prize is given to the initiator for them



Questionnaire – to be returned to the Secretariat by March 7, 2018

Name of Union Kenya Union of Sugar Plantation Workers

Applicable IUF sectors _____

Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water).

In the Kenya Sugar sub-sector members are exposed to the lead sub-acetate substance in the laboratory
Workers are also exposed to chemicals during spray which is done manually.
There is also exposure to bagacillo
The noise from the factory is beyond limits

How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?

There are existing laws e.g Occupational health and safety Act 2007.
Our Union has developed a policy with the help of IUF.

Monitoring is a problem

How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistle blowers sharing information on health and safety?

Information in most cases is limited to very few people especially those who do not directly use the chemicals (exposed to danger). Therefore there is need to educate more people especially contract and seasonal workers who are more vulnerable.

What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances?

I have heard a wonderful experience with IUF Women project and IUF Sugar programs that have helped in strengthening the existing standards that have seen the development of a policy to safeguard Workers against health hazards including sexual harassment.

Q1 re exposure.

Mostly chemicals of one kind or another (cleaning) ammonia, asbestos on/in the building or services with older buildings. However there are also diesel fumes, dust and silica.

Q2 re effectiveness of OHS legislation in promoting and protecting against risk.

Recently new legislation (Health and Safety At Work Act 2015) has been introduced with more compliance requirements. A new regulatory agency (Worksafe) has been set up with a greater budget and the H&S inspectorate had been given enforcement powers. Penalties for non-compliance have been increased and more clarity introduced as to responsibility. Focus has moved from hazards to risks which is still to be determined whether this is an improvement or not. Most employers seem to be taking the changes seriously, nudged along by some scaremongering from various sectors not the least of which are those standing to profit from a requirement to be more stringent in setting and recording policies etc. This has been seen most pointedly in employer behaviour around drug and alcohol testing where blood or urine testing regimes for random testing is being pushed very strongly. Requirements to hold elections for H&S reps has been good in general with overriding principles to engage with workers except employers with less than 20 employees are exempt from having H&S reps, which is a backwards step.. In other companies often the union is not involved due to the structure of the legislation resulting in a loss of the worker voice so in the end the workers voice relies as much on employer willingness to engage or being forced by good union organisation to engage as it does on legislation, especially where the employer uses a large number of precarious labour. Workers have the right to close a workplace that is not safe but this is less likely to apply in a workplace that is not unionised or in some way educated and willing to apply the law. The Food Act 2014 indirectly assists in ensuring the workplace is healthy and safe to work in.

Q3 re effectiveness of legislation for access to information, whistleblowing protection.

Current legislation seems to be reasonably effective where Acts and Regulations are complied with, including getting H&S representatives elected and trained. Part of the role and training for H&S reps involves accessing and utilising these standards. There is the Protected Disclosures Act which can be used in the event of serious wrongdoing which can be applied in the case of a serious risk to public health, safety, the environment or the maintenance of law which would apply to workplace health and safety. Most large employers will also have a policy around whistleblowing.

Q4 re experience of strengthening existing standards and institutions.

The mechanism to set the Workplace Exposure Standards is influenced by what is politically achievable and the regulator acts more as an arbitrator between employers and unions. Recently our silica and diesel standards were being reviewed and the outcome was a very unsatisfactory situation. The regulator was heavily influenced by employer's submissions. We have a new Government that we hope we can persuade to ensure we have better ability to achieve better outcomes for workers.

Questionnaire – to be returned to the Secretariat by March 7, 2018

Name of Union Sindh Sugar mills Workers Federation, Pakistan

Applicable IUF sectors Agriculture

1. Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water).

- Agriculture and Sugarcane plantation workers exposed with chemicals spray and Environment Contamination (Air and water both).
- When they spray hazardous chemicals on crops, they inhale, absorb this chemical and do their jobs for long hours 10-14. They ingest chemicals with food and they do not wash hands after spray and it enters into their body. They do not read label before spray and follow their past experience to use chemicals.
- Workers, who do not do spray, get skin contact from chemicals but pass from crops where chemicals are sprayed.
- Water is also contaminated as rain enters chemical in canal water, lakes and rivers, and chemicals are mixed near canal or other water supply. Sugar mills also discharge their effluents in fresh water source.
- Sugar mills effluents has declined ground water source and in Badin and other areas of the Sindh, well has become dried and ground water has become poison to drink because chemical run off into ground through rain.
- The air contamination that is released by sugar factories also affects workers and they suffer with respiratory disease, asthma, cardiovascular damage, Fatigue, headaches and anxiety, irritation of the eyes, nose and throat, damage to reproductive organs, harm to the liver, spleen and blood, nervous system damage and their lungs stops function with time.
- Children are also exposed with these diseases and they are affected by cholera, typhoid, hepatitis and polio; diarrhea.
- Chemicals also affect children muscle and bone growth, reduced their sense and brain, nervous system and kidney.
- No PPE is provided to the workers and they do job for 10-14 hours in field. The Government of Sindh does not force employer to pay its duty.
- Sugar mills workers are also exposed with chemicals and no PPE they are provided to safe them where Labour Laws are weak to implement health and safety.
- These workers also drink contaminated boring water and factories do not install filter system. They also do not install waste management treatment plant and Air Treatment Plant to stop release poison gasses in environment.

2. How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?

- Though, some sugar mills have installed water waste management treatment plant and air waste treatment plant but most of sugar mills are still violating Industrial Act and do not install these treatment plants.
- The Sindh Government has not made health and safety law for plantation workers where it is applied on sugarmills and employers do also not ensure to clean water to protect them from health risk arises from water.
- The Government of Sindh has also made the Sindh Environment Protection Act 2014 but it does not implement actually. Sugar mills workers do not have knowledge of this law to implement.
- The Government of Sindh takes long time to implement approved environmental policies, action plan, program and projects and it changes the situation over the time drastically and these environmental policies, action plan, program and projects either may not remain feasible or needs to go through another time investing process of updates and revision,
- There is also lack of government capacity and capacity building, expertise, technical know-how, technical facilities and human resource.
- Because of weak implementation, sugar mills owners easily escape to install Air treatment plant and waste management treatment plant.
- Sugar mills workers union also weak to force government and employers to implement this law as the season has shrunk from 6 months to 3 months due to climate change.

3. How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistle blowers sharing information on health and safety?

- There is no mechanism to access for information and Federation's unions also do not have knowledge and access for information.
- Sugar mills do not provide awareness to plantation workers nor sugar mill ensure to access information to their factories workers.
- No training is provided by the Government of Sindh for water contamination and air contamination nor are landlords and sugar mills providing.
- Where sugar mill workers know about effluent of sugar mills and air contamination create hazards, they cannot stop it as their unions are weak.

4. What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances?

- We are campaigning for Water rights to ensure our members safe water and environment. It is in initial stage and we are providing awareness to our members about contaminated water hazards, air hazards and later will force the government of Sindh and their employers (landlords and sugarmills) to effectively implement the **Sindh Environment Protection Act 2014**.

Questionnaire – to be returned to the Secretariat by March 7, 2018

Name of Union All Sindh Agriculture Research Regional Employees Union, Pakistan

Applicable IUF sectors Agriculture

1. Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water).

- The All Sindh Agriculture Research Regional Employees Union members are working in the Agriculture Research Institute (of government department) and also in agriculture field (posted by government);
- The field officers of these institute plantations exposed with chemicals spray and Environment Contamination (Air and water both).
- When they spray hazardous chemicals on crops, they inhale, absorb this chemical and do their jobs for long hours 10-14. They eat food without washing hands and chemicals enter in their body. They do not read label before spray and follow their past experience to use chemicals.
- Workers, who do not do spray, get skin contact from chemicals but pass from crops where chemicals are sprayed.
- Water is also contaminated as rain enters chemical in canal water, lakes and rivers, and chemicals are mixed near canal or other water supply.
- As sugar mills factories releases gasses in air in the Sanghar, Sakrand, Dadu and Badin where this institute has research units and workers are working. This gasses affect workers health and they suffer with respiratory disease, asthma, cardiovascular damage, fatigue, headaches and anxiety, irritation of the eyes, nose and throat, damage to reproductive organs, cancer, hepatitis, diarrhea, harm to the liver, spleen and blood, nervous system damage and lungs failure.
- No PPE is provided to the workers and they do job for 10-14 hours in field. The Government of Sindh does not force employer to pay its duty.
- Agriculture Research Institute workers also drink boring water that is contaminated and employer (the Sindh Government Department) does not install filter water system.

2. How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?

- The Sindh Occupational Health and Safety Bill is applied in the government institute but the Government does not ensure workers safe drinking water.
- This institute does not have concern for workers health and safety and does not install filter water system. The Sindh Environment Protection Agency does not pay its duty because of political will and also the Government of Sindh take long time to implement approved environmental policies, action plan, program and projects.

- There is lack of government capacity and capacity building, expertise, technical know-how, technical facilities and human resource.

3. How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistle blowers sharing information on health and safety?

- Though, the Sindh Environment Protection Act 2014 aims to protect environment but Workers do not have knowledge of this law and there is no mechanism for access to information for workers by the government. Workers only can test by themselves in laboratory for water purification (as their department has).
- Their employer (Agriculture Research Institute which is Government Office) does also not improve water contamination and does not force government to improve water at workplace where there units are (Larkana, Sanghar, Sakrand, Dadu) nor in rural areas where workers live.
- No training is provided by the Sindh Government Environment Protection Agency to protect them.

4. What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances?

- We are in organising phase for water rights and process is slow (as we receive threats of losing jobs from our employer). We will later force employer (Agriculture Research Institute and Extension) and the government of Sindh, to ensure safe water, for implementation of legislation.

Questionnaire – to be returned to the Secretariat by March 7, 2018

Name of Union **Sindh Nari Porhait Council** , *Pakistan*

Applicable IUF sectors **Agriculture**

1. Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water).

- Agriculture women workers are exposed with different chemicals and environment contamination.
- When they spray hazardous chemicals on crops, they inhale, absorb this chemical and do their jobs for long hours 10-14. They eat food without washing hands and chemicals enter in their body. They do not read label before spray and follow their past experience to use chemicals.
- Women Workers get skin contact from chemicals that do not spray but pass from crops where chemicals are sprayed.
- Water is also contaminated as rain enters chemical in canal water, lakes and rivers, and chemicals are mixed near canal or other water supply and they drink water from these sources.
- Child girl also use this source of water and suffer with health problems. Small child ingest this water by using chemicals empty bottles.
- These women suffer from respiratory problem, lungs and liver cancer, skin diseases, hepatitis, diarrhea, dysentery, jaundice, amoebiasis and malaria, cough, abdominal and muscle pain.
- It is difficult for women to give child birth and born child are nutrition deficient and also caused different diseases among them cholera, typhoid, hepatitis and polio; diarrhoeal diseases with course of time.
- Children (girls) are also exposed with these diseases and they are affected by cholera, typhoid, hepatitis and polio; diarrhea. Chemicals also affect children muscle and bone growth, reduced their sense and brain, nervous system and kidney.
- The contaminated water declines mortality rate and girl, who get marriage in early age, die soon.
- No PPE is provided to the agriculture women workers by the landlords and they do job for 10-14 hours in field. The Government of Sindh does not force employer to pay its duty.

2. How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?

- The Sindh Government has not made health and safety law for agriculture workers and does not provide clean water to save these women workers from these risks.

- The Government of Sindh has made the Sindh Environment Protection Act 2014 but it does not implement actually. Agriculture women workers and Women sharecroppers do not have knowledge of this law to implement.
- The Government of Sindh take long time to implement approved environmental policies, action plan, program and projects and it changes the situation over the time drastically and these environmental policies, action plan, program and projects either may not remain feasible or needs to go through another time investing process of updates and revision,
- There is also lack of government capacity and capacity building, expertise, technical know-how, technical facilities and human resource.

3. How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistle blowers sharing information on health and safety?

- Agriculture women workers and sharecroppers do not have knowledge of this law to implement and there is no mechanism to access for information.
- The Big landlord (employer) also does not provide awareness to their sharecroppers and agriculture workers.
- No training is provided by the Government of Sindh for water contamination and its hazards.

4. What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances?

- We are campaigning for Water rights to ensure our members safe water. it is in initial stage and we are providing awareness to our members about contaminated water hazards and later will force the government of Sindh to effectively implement environment agency protection act.



Questionnaire – to be returned to the Secretariat by March 7, 2018

Name of Union Swedish Municipal Workers Union (Kommunal)

Applicable IUF sectors Agriculture, horticulture and gardening

- 1. Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water).**

Glyphosate is the most common active substance in plant protection products used in Sweden. Glyphosate is an active substance in plant protection products used primarily for weed control on farmland in the spring before the crops originate, and in the fall after harvest. The subject is included in some 20 certified plant protection products in Sweden, most of which are for professional use only, but some may also be used by consumers. The annual sales of glyphosate in Sweden is between 600 and 700 tonnes.

Statistics

Since 1979, data have been published annually on quantities of pesticides (active substances) sold in Sweden. The data on sold quantities are based on information from holders of pesticide approvals.

In 2016, approximately 8721 tonnes of chemical pesticides (active substances) were sold in Sweden, which is a decrease by 345 tonnes compared to the previous year. The main part (76, 8 per cent) was sold to industry, primarily for wood treatment using pressure and vacuum technology.

In agriculture and horticulture including fruit gardens, sold quantities decreased in 2016 by 201 tonnes to 1619 tonnes, which correspond to approximately 19 per cent of the total sale.

Agricultural herbicides increased with 12 tonnes and agricultural fungicides decreased with 146 tonnes

- 2. How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?**

Sweden has excellent laws on the handling of pesticides. We also have passages in our CBAs on workers' rights to protective clothing.

Extract from the CBA for agricultural workers:

§6 LABOUR PROTECTION

Para. 1. Protective clothing

Para. 1.1. Protective equipment

For workers performing tasks involving seed disinfectants and pesticides or corrosive substances that may damage clothing, or other tasks that may involve health hazards, the employer shall provide the requisite protective clothing, gloves, footwear, visors and/or respiratory protection.

When working in wet weather conditions, the employer shall provide rainwear. In the case of work where there is a risk of head injuries or acoustic trauma, protective headgear and hearing protection shall be provided respectively.

For workers who regularly perform tasks involving pesticides, the employer shall provide free standard health checks annually.

Handling and protection instructions for plant protection products

Employers are obliged to have written instructions for handling and protection for **all tasks** involving **class 1** pesticides.

There are also **tasks involving class 2** pesticides that also require **written handling and protection instructions**. Read more about this in the Swedish Work Environment Authority's provisions on pesticides (AFS 1998:6), in the comment to §2:

Pesticides (AFS 1998:6), provisions

<https://www.av.se/en/work-environment-work-and-inspections/publications/foreskrifter/pesticides-afs-19986-provisions/>

In Sweden, anyone wishing to use class 1L and 2L pesticides must complete the requisite training:

Training courses in the use of pesticides

In Sweden, anyone wishing to use class 1L and 2L pesticides must complete training in order to receive a usage permit. Usage permits for foreign authorizations are issued by the Board of Agriculture (Jordbruksverket) when individuals wish to become established in Sweden. Pesticides may be used outdoors, for seed treatment or in and around greenhouses.

The specific training in Sweden concerning pesticide use in gardening or out on the fields consists of initial (four days) and additional (one day) training. The four day course consists of three days general training. The participants will learn for instance about the Swedish Environmental Code and what personal protection they need when using pesticides. On the last day there are optional themes depending on the type of pesticide they use, for example in greenhouses or out on the fields. In the end there will be a test. The participants have to pass the test in order to be granted a certificate. Before anyone can use pesticides they need to;

- Be 18 years or older
- Have the certificate showing that you have sufficient knowledge in the use of pesticides

When they have completed the initial training and granted a certificate they have to update their certificate every fifth year by attending the one day additional course. The Swedish Board of Agriculture will register names and what training they have followed through once they have completed the course and passed the test. The record is used by us and the county administrative boards and shows who is permitted to use pesticides in Sweden.

The county administrative boards in Sweden arrange and administrate the training courses.

Qualifications from the EEA and Switzerland

Temporary practice in Sweden

Anyone permitted to spread pesticides in another EEA country or in Switzerland is entitled to temporarily spread pesticides in Sweden as well. This means that they are permitted to spread pesticides here without having a Swedish usage permit.

To be allowed to temporarily spread pesticides in Sweden, it is necessary to be legally established in the profession in another EEA state or Switzerland. If the profession (the use of pesticides) is not regulated in the person's home country, the person is instead required to have spread pesticides for at least one year in one or more other EEA states or Switzerland over the past ten years.

In the case of temporary practice, the professional title used in the home country must also be used in Sweden. The title must be written in the person's own language. It must be obvious to the party engaging the person for spreading pesticides that this person does not have a Swedish usage permit.

Establishment in Sweden

Recognition of the person's professional qualification is required for establishment as a user of pesticides in Sweden. The Board of Agriculture is the authority responsible for recognizing professional qualifications for users of pesticides and for granting permits for the use of pesticides. When the person has received recognition of his/her professional qualifications and usage permit, the person will be entitled to practice the profession on the same terms as if he/she had completed basic training here in Sweden.

Qualifications from countries outside the EEA and Switzerland

Anyone with training or experience from countries outside the EEA or Switzerland must normally complete basic Swedish training before being given a permit to use class 1 and 2 pesticides. From submission of a complete application, it takes three months to process the application.

Registration

The Board of Agriculture registers all usage permits issued. The municipalities bear responsibility for supervision of the use of pesticides.

How to apply

Applications for permits and validation are submitted by the Board of Agriculture's e-service. To allow us to recognize your professional qualifications, you must enclose:

- A certificate of competence or proof of formal qualifications from your home country.
- Evidence indicating that the applicant has spread pesticides on a full-time basis for at least 1 year or on a part-time basis over the past 10 years in another EEA state or Switzerland.

3. How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistle blowers sharing information on health and safety?

We have no special whistleblower function in Sweden regarding health and safety. Look at question 4.

4. What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances?

Kommunal believes that the measures in place in Sweden today are satisfactory as long as we maintain them.

The Swedish Work Environment Authority website includes excellent information on how to handle and protect oneself from pesticides. There are also instruction videos on the handling of pesticides and on the employers' responsibilities.

Plant protection products and other pesticides

<https://www.av.se/en/production-industry-and-logistics/agriculture-and-forestry/plant-protection-products-and-other-pesticides/>

In Sweden in 2017, a total of 53 people died at work; 12 of these worked in agriculture and forestry. The Swedish government has clearly stated its zero target; no one should have to die at work. 100 new inspectors have been hired by the Swedish Work Environment Authority, and the government has announced the launch of a new government agency for occupational safety and health research in summer 2018. The government wants to gather all resources from labour research in one place in order to optimise the use of available knowledge in the field of OSH.

Kommunal has some 230 regional safety representatives; by assisting employers with their health and safety work, they can improve the OSH for Kommunal's members. The responsibilities of safety representatives and regional safety representatives are outlined in the Work Environment Act (Ch. 6).

Work Environment Act (Arbetsmiljölagen)

<http://www.government.se/government-policy/labour-law-and-work-environment/19771160-work-environment-act-arbetsmiljolagen/>

Anja Westberg
anja.westberg@kommunal.se
20 February, 2018

QUESTIONNAIRE – TO BE RETURNED TO THE SECRETARIAT BY
MARCH 7, 2018

Name of Union TUICO, *Tanzania*

Applicable IUF sectors FOOD AND TOBACCO

- Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water).

In Tobacco Industries members one exposed to tobacco substances which affects respiratory systems (lungs) which cause cancer.

- How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?

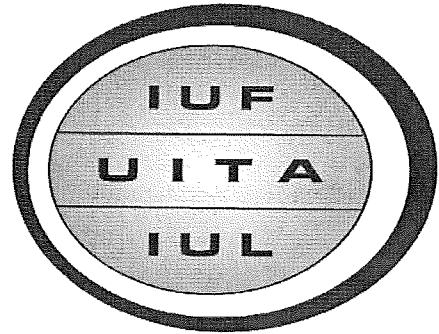
Occupational health and safety Act of 2003 is effective in all industries and is used to protect workers against hazardous risks.

- How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistle blowers sharing information on health and safety?

The laws have set standards and mechanisms for information example through OHS committees formed at workplaces as a requirement by the law.

- What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances?

Many workplaces are abiding to the national legislations because the penalty is severe for those not following the laws.



Questionnaire – To be returned to the Secretariat by March 7, 2018

Name of Union: NATIONAL UNION OF CO-OPERATIVE MOVEMENT AND ALLIED WORKERS (U), *Uganda*

Applicable IUF sectors: AGRICULTURAL AND COMMERCIAL

IUF QUESTIONNAIRE ON TOXIC

Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water).

National Union of Co-operative Movement and Allied Workers(U) (NUCMAW) is a Labour Union that contributes to a process of improving the workers' working conditions, fighting for their rights through negotiating for better terms and conditions of service in order to promote the economic and social wellbeing of workers in all the co-operatives, commercial, agricultural and other allied organizations in Uganda. We are committed to ensuring that all employees equally enjoy their rights as workers, work in good working environment and also build for them a future by empowering them with knowledge and skills as workers.

The biggest percentage of **NUCMAW** membership is drawn from the agricultural and commercial sectors where most of our members work on plantations and factories hence being exposed to hazardous toxic substances and risks while at work as explained below

The most common and specific hazardous toxic risks which NUCMAW members are exposed to in the workplace are categorized in four types.

These toxic substances can cause four types of effects on the body that is:- local, systemic, acute and chronic.

Local: The local effect can be on the skin, such as an acid burn, or in the digestive tract when a hazardous agent is ingested. This mainly affects members working on farms and factories where substances like ammonia, chlorine, welding fumes and exhaust fumes can cause local irritation to the lungs when they are inhaled.

Systemic: Systemic effects are problems caused inside the body once a hazardous agent like: coffee husks, dust, noise, fumes and pesticides, has entered into the body. Systemic effects can occur in the blood when the substance is absorbed into the blood stream and in the organs that either stores the toxic material (such as the bones and the brain, liver, kidney and bladder). This can cause TB and damage of body organs.

Acute: An example of an acute effect is the nausea, headache or vomiting a worker might experience after using a toxic substance.

Chronic: A chronic condition usually only appears after a long time because of the disease's latency period (the period of time between the exposure and the first sign of disease). Chronic conditions, such as many occupational cancers, may take 20 or 30 years to develop.

Local, systemic, acute and chronic health effects can all result from exposure to one toxic substance. For example, a worker on the tobacco farm is at risk of absorbing toxic quantities of nicotine through the skin after exposure to tobacco.

How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?

- NOT very effective.
- The obstacles include;
 1. Un effective industrial court
 2. Few labour inspectors
 3. The existing Labour inspectors are not well facilitated
 4. Corruption
 5. Un co-operative employers

How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistle blowers sharing information on health and safety?

NOT very effective

What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances?

The trade union is one of the institutions that have been strongly and actively involved in sensitizing and protecting workers from hazardous substances and as trade unionists our experience has been with employers, workers and government

Some employers for unionized institutions have been very supportive in promoting occupational safety and health by providing the necessary gadgets and equipment that protect workers against hazardous substances according to the standards required by both national and international laws and policies. Some employers especially those not embracing the trade union have been rigid in implementing this.

Workers especially those directly affected by the hazardous substances are provided with protective gears. However out of ignorance and carelessness some employees don't want to use them and others sell them off. On this note therefore, workers need constant sensitization to help them realize the need of using these protective gears. Workers who have been affected by the hazardous substances are supposed to be compensated according to the law however this is not implemented all the time.

The government has set laws and policies about occupation health and safety though the implementation is still lacking. There is still need to lobby the government to strengthen the industrial court and have enough labour inspectors who are well facilitated to ensure that OSH standards and requirements are met and fulfilled.

Union: UFCW, USA and Canada

Sectors: Food Processing, Meatpacking, Dairy

1) Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water)

Ammonia: Inhalation, Chemical Burns

Peracetic Acid (PAA): Inhalation, Chemical Burns

Sanitation Chemicals (Acids, Caustics, Chlorines, Cleaners): Inhalation, Chemical Burns

X-Ray Machines: Radiation

2) How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?

National laws are in place to mitigate these hazards, but as with occupational health and safety, laws are generally recommended minimums, and the responsibility is then passed on to the company to go above and beyond the recommended minimum. Speed of operations and expected line efficiencies are obstacles that can get in the way of lowering any hazards. Adequately educating workers on their rights to a safe workplace and the proper use of PPE are key.

3) How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistleblowers sharing

Current laws require all hazardous substances to be clearly marked, and for all employees to have available access to all Material Safety Data Sheets. There are also laws in place to protect against retaliation if an employee reports any unsafe environment

4. What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances?

We are having some successes with strengthening the authority given to union safety committees, and their overall effectiveness with certain companies. With other companies, we struggle to gain a foothold with union safety committees, and getting the company to do any more than the minimum required by law.

IUF Questionnaire – to be returned to the Secretariat by March 7, 2018

Name of Union: Unite (UK and Ireland)

Applicable IUF sectors

Agriculture, hotels and restaurants, food and drink manufacture

Identify the most common and/or most specific hazardous toxic risks to which your members are exposed in the workplace, including specific risks arising from exposure to chemicals, asbestos, radiation and environmental contamination (air and water).

Asbestos was used extensively in all types of buildings including workplaces until it was banned in 1999. It is still present in schools, factories, homes, farms, hotels and catering establishments. There is a duty to manage it safely in buildings but this is not as widely known as it should be. As a result people who work in the buildings including visiting contractors are at risk of exposure. The only way to prevent exposure for good is to remove it from all buildings. Unite supports this campaign.

Classified as a human carcinogen by the IARC, diesel engine exhaust emissions from farm vehicles, lorries, fork lift trucks etc are harming workers' health. Unite is campaigning to raise awareness of this serious health hazard and has set up a register for members to report and record exposures. This data helps to inform Unite's campaign on this issue and also provides data in the event of compensation claims.

Exposure to biological hazards is also a grave concern including those that cause asthma and related conditions such as aspergillosis.

Chemical hazards such as pesticides are also of grave concern especially with the weakening of protection in Europe.

Though there is legislation in place to require employers to provide appropriate washing facilities in workplaces, including washing facilities, these requirements are often ignored. This has implications not just for welfare but also breaching requirements under control of substances hazardous to health legislation.

How effective are existing national laws and standards in promoting and protecting occupational health and safety in protecting against these risks? What obstacles do you face in securing implementation of these existing protections?

Our legislation and standards would be reasonably effective if the government provided the regulators with sufficient resources to carry out wide ranging and robust enforcement activity. A major concern is "Brexit". Unite is concerned that this combined with a right wing government is a severe threat to workers' rights including health and safety protection.

How effective are existing laws, standards and mechanisms for ensuring workers' effective access to information on these hazards, including protection for whistle blowers sharing information on health and safety?

The legislation has clear requirements for the provision of information to workers, including specific rights to information for trade union safety representatives, about these hazards. This is not always forthcoming from employers even in cases where there is a recognised trade union and elected safety representatives. Worse than that in some industries (eg construction) employers have broken the law and kept secret information on so called trouble makers (blacklisting) who, for example, raise health and safety concerns. There are now regulations about blacklisting but refusing access to information is fairly commonplace across all industry.

What is your experience with current efforts aimed at strengthening existing standards and institutions tasked with protecting workers from hazardous substances?

We have mentioned Brexit and the current government as a concern. We are also concerned that there is a trend in health and safety towards international “standards” rather than legislation and the instruments created by the ILO which are the result of social dialogue.

The TUC blog explains this point:

<http://strongerunions.org/2017/05/12/workers-need-legal-protection-not-voluntary-standards/>

We are also increasingly concerned about the failure of the Rotterdam Convention to ensure the right to information when trading in certain substances and its refusal to list highly dangerous substances such as paraquat and chrysotile in the relevant Annex. An urgent solution needs to be found.