



# WORK MATTERS

**DECEMBER 2022**

**COLUMN**

# Safe and Healthy Workplaces and Social Justice

On 10 June 2022, at the International Labour Conference, the annual meeting of the International Labour Organization (ILO), the latter approved an amendment to the Declaration of Fundamental Principles and Rights at Work. The “Declaration”, which was first adopted in 1998, originally identified four fundamental principles and rights: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation. The addition was the right of workers to a safe and healthy working environment.

It is imperative that any discussion of a safe and healthy working environment include the implications for society as a whole. Loss of life or livelihood due to unsafe working conditions have an inexorable effect on employee families and communities. This includes mental illness due to workplace stress.

A closer review of the Declaration reveals that the objective is less about the prevention of physical accidents (although this is a concern) and more about the promotion of the physical and mental wellbeing of the worker. Indeed, it provides a solid foundation to assess the vision, policy, legislation, and concomitant processes through which the health, safety, and wellbeing of the worker in Trinidad and Tobago are maintained.

The passage of the OSH Act (2006) in its current iteration is also worthy of consideration. Prior to this act, occupational health and safety was governed through the Factories Ordinance during the 1930’s which was itself modelled on an earlier British ordinance. Needless to say, the current legislation underwent several iterations from the 1970’s onwards before being brought into law in 2004 and amended two years later. Indeed, this protection for the worker was long in coming.

Even as we appreciate the shortcomings of our own OSH framework, it is useful to note that in the Ca-

ribbean, Trinidad and Tobago is arguably a pioneer in the field of occupational health and safety. Besides this country, only Guyana, Bahamas and St Lucia have omnibus, focused OSH legislation. Guyana has also developed a National Policy on OSH in conjunction with the ILO in 2018. Many countries operate with factory ordinances similar to the one that prevailed in Trinidad and Tobago from the nineteen thirties.

The need to revise the Trinidad and Tobago legislation and indeed, the wider conceptualisation of OSH, is well recognised by the social partners – government, employers and workers’ representatives. It is clear, given the vagaries of post pandemic life that currently resides within the Caribbean workscape, such legislation is urgently needed.

This week, we want to examine two critical issues and in further instalments we will look at others. The first is the issue of new hazards based on emerging technologies. There is a concern about the health of workers who are exposed to hazards from emerging technologies in manufacturing processes such as 3-D printing, nanotechnology, and synthetic biotechnology. Due to the rapidly changing work environment, the risk to the worker is not yet fully understood. 3D printing includes the emissions of volatile organic chemicals; nanotechnology involves the manipulation of nanoparticles which have can result in lung damage; and synthetic biology is used to make artificial rubber. New hazards are emerging without the development of safety policies to protect the worker.

The second issue is mental health in the workplace. COVID-19 and its after effects have exacerbated existing mental health issues while in other cases, engendered new problems and created new victims. Yet, even as there is the attempt to introduce employee wellness initiatives, this has to be accompanied by robust, dynamic public awareness and education campaigns that interrogate the edifices of gender, class, and race upon which current stereotypes of mental health

are built. These discriminatory narratives about anxiety, depression, and other mental disorders need to be dismantled if such initiatives are to be successful.

The correlation between worker's mental health, productivity and costs to the employer is indisputable. In the UK alone there has been a 25% increase in the total annual cost of poor mental health to employers. This is estimated at £56 billion per year and of the 1.8 million workers suffering from work related illness, 914 000 were as a result of stress, depression or anxiety.

The two critical issues raised here must be addressed by the employer to protect the worker. Without a doubt, these emerging issues in the work environment, especially post COVID -19, must be addressed by those stakeholders charged with the responsibility to formulate policies that protect the interests of the worker. After all, OSH is a fundamental principle and right at work.

André Vincent Henry

(Director,CCLCS

and

Barry Parasram

Dean, Occupational Safety, Health and the  
Environment, CCLCS