



**CIPRIANI COLLEGE**  
OF LABOUR AND CO-OPERATIVE STUDIES

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# Workers have rights! Do employers understand their responsibilities?

With the advent of technology, information about working safely became available to us, literally, at our fingertips. Accordingly, this brought awareness to a large population of the world's workforce. Awareness of what you may ask? Increasingly, employees understand and are lobbying for better working conditions; conditions that are free from danger, conditions that allow them to maintain their health, conditions that allow them access to basic welfare facilities... conditions that allow them their fundamental right to return home safely. This has been the message of the International Labour Organisation (ILO) since its existence.

Founded in 1919, ILO is a specialized department of the United Nations which advocates for fair social policies and respectable working conditions all throughout the world, with health and safety at the forefront. Often, the ILO conventions and recommendations are used as the impetus for development and revision of international and national legislation pertaining to health and safety.

This year, the ILO's theme for World Day for Safety and Health at Work promotes: A safe and healthy work environment is a fundamental principle and right. The International Labour Conference made the momentous decision to amend the ILO Declaration on Fundamental Principles and Rights at Work (1998) to include "a safe and healthy working environment" as a fundamental principle and right at work.

Trinidad and Tobago has been a member of the ILO since the 24th May, 1963. Even if members like Trinidad and Tobago has not ratified these conventions, ILO reiterates that all Members have a duty to uphold the fundamental right to a safe and healthy working environment in good faith and in accordance with the ILO Constitution as a condition of their membership in the organization.

What does this mean for employers? The moral obligation of employers to manage workplace health and safety is founded on the notion that employers owe a duty of care to their employees. Employers must take

reasonable precautions to prevent their employees from injury under this duty of care. This duty of care is not only a legal need; it is also a moral requirement.

However, many employers are unaware of their responsibilities under these laws and fail to provide their employees with the rights and protections they are entitled to. Workers have the fundamental right to a safe and healthy work environment, but the ball lies in the employer's court!

So what are the key responsibilities of employers? What do they owe to their employees? Simply put, they must create a safe and healthy work environment. ILO describes a safe and healthy workplace as one that is risk-free and promotes social, psychological, and physical well-being. So how can employers achieve this?

One such way this can be done is by regularly conducting risk assessments. The employer's first responsibility is to identify and assess workplace hazards and risks. Employers must select competent personnel to perform comprehensive risk assessments of all potential workplace hazards, assess the risks connected with these hazards and implement suitable controls.

Additionally, developing and implementing a Health and Safety Policy to outline the organization's commitment to ensuring a safe and healthy workplace is required. To ensure that this policy stays relevant and effective, it should be presented to all employees and evaluated on a regular basis.

Employers are also responsible for supplying suitable and sufficient safety, emergency and rescue equipment like fire extinguishers, first aid kits. They must also provide appropriate PPE to all employees as needed to safeguard them from occupational risks. Further, providing proper training to all employees can ensure that they understand the hazards involved with their employment as well as the required controls to mitigate these hazards.

To manage health related hazards, in additions to controlling health risks, employers must monitor the health of employees who are exposed to dangers in the workplace. This may include frequent medical examinations, monitoring exposure, and monitoring the mental health of personnel who may be at risk of stress or other psychosocial risks.

Promoting a safe workplace also includes encouraging staff members to report hazards and occurrences which foster a positive safety culture and to conduct routine inspections and audits of health and safety to find areas that need improvement.

A safe and healthy working environment provides numerous advantages for both people and organizations. A safe and healthy environment decreases the chance of accidents, injuries, and illnesses for employees. It also improves their job satisfaction, productivity, and overall well-being. A safe and healthy atmosphere decreases absenteeism, promotes productivity, and improves the company's reputation.

The key take-away for both employers and employees can be summarised by a popular local axiom: "One hand doh clap!" Creating a safe and healthy working environment requires a collaborative effort between employers and employees. Employers have the responsibility of providing a safe and healthy working environment, while employees have the responsibility of following safety procedures and reporting any hazards or incidents that may occur. Ultimately, when all is said and done, once employers and employees understand both their rights and responsibilities and work together, both sides win!

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