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ENHANCING THE EFFECTIVENESS OF CONTROL AND MONITORING IN OCCUPATIONAL SAFETY AND HEALTH

The Federation of Trade Unions has long been vocal on all available platforms about the urgent need for a fundamental overhaul of the entire system of occupational safety and health. Overall, over the years of Kazakhstan's independence, significant progress has been made in reducing the primary indicator - the number of accidents. However, in the past 5 years, the situation has deteriorated, with the number of workplace injuries and occupational diseases showing no decrease. Moreover, in 2023, the number of fatal accidents reached 250 (compared to 203 in 2022). The horrific accidents and technological incidents in the coal industry, forestry, and energy sector have, with piercing pain throughout society, once again exposed a wide range of acute issues prevalent in many industries.

The Federation of Trade Unions of the Republic of Kazakhstan declared 2023 as the Year of Safe Labor. Within this framework, trade union organizations across all sectors and regions of the country conducted activities aimed at improving occupational safety and health. At the end of the year, based on information from member organizations, an analysis was conducted which revealed the following characteristic features of recent years.

1. There is a noticeable trend of accidents occurring due to issues related to the lack of timely replacement of worn-out equipment, outdated technologies, and production processes. The proportion of equipment requiring replacement is 40% in the manufacturing industry, up to 60% in the coal industry, and up to 70% in the energy sector.

2. Technological incidents that have led to fatalities and health losses among workers have once again highlighted a number of issues. These issues not only result in unacceptable cases of severe violations but also indicate the inability of responsible parties to effectively and safely address their consequences.

3. The current lack of stringent requirements for the development, approval, and adherence to normative staffing levels in enterprises and organizations creates conditions that perpetuate the causes of workplace accidents related to labor organization.

4. There is no positive trend in reducing the number of workers in high-risk groups (engaged in heavy, harmful, and hazardous working conditions).

5. Since 2016 (Labor Code, Entrepreneurial Code, moratorium on inspections), the level of control and supervision over compliance with occupational safety, industrial safety, and labor hygiene requirements has significantly decreased.

It is clear that a thorough overhaul of the entire occupational safety system is required to meet modern demands. To implement the national policy in the field of occupational safety, the Concept of Safe Labor has been adopted. Representatives from the trade union actively participated in its development, and it aims to effectively improve the structure and ideology of occupational safety and health.

It should be noted that the Concept is based on the core principles of occupational safety advocated by the trade unions:

- Systematic and continuous improvement.
- Preventive measures and balance based on the adaptation of best practices, including international ones.
- Accountability and involvement through social partnership.
- Objectivity and awareness based on comprehensive and reliable information coverage.

One of the directions for implementing the Concept is to enhance the effectiveness of control and monitoring in the field of occupational safety and health.

Monitoring will cover nearly all aspects of occupational safety and health, including the results of risk assessments at enterprises, data on workplace injuries and occupational diseases, funding for safety measures, provision of guarantees, availability of certified personal protective equipment (PPE), sanitary and hygiene facilities, preventive nutrition, medical services, occupational safety and health insurance, and sector-specific risk maps.

To ensure timely and high-quality risk assessments and monitoring of their results, a state inspection procedure will be implemented by the State Labor Inspectorate.

A mechanism for preventive state control over compliance with labor legislation will be implemented. This will involve comparing information from various sources about the activities of the entities under control, without requiring on-site visits.

The Concept provides for measures to ratify ILO conventions related to occupational safety and health. It is also crucial to fulfill the obligations undertaken under these ratified conventions, particularly those concerning control and oversight in the field of occupational safety and health.

An integral part of organizing occupational safety at enterprises is the institution of public oversight, legally vested in worker representatives. The development of this tool is a major priority for trade unions, and its broad application offers significant opportunities.

Work processes are associated with numerous risks to the life and health of employees. Ensuring safe working conditions is inconceivable without the involvement of the workers themselves. One way to implement the right to public oversight in matters of occupational safety and health is through the organization and effective operation of workplace councils, established on a parity basis between employers and employee representatives.

Currently, at enterprises where trade union organizations of the Federation of Trade Unions of Kazakhstan are present, there are 12,486 workplace councils and 18,436 occupational safety inspectors working at these enterprises.

We urge the parties to social partnership to provide maximum support for the creation and enhancement of the effectiveness of workplace councils in enterprises and organizations, as well as to actively support the work of occupational safety inspectors—who are the primary aids in ensuring accident-free operations and safe working conditions.

Currently, public oversight of compliance with occupational safety legislation is carried out by 18,436 occupational safety inspectors.

In 2023, occupational safety inspectors conducted 111,753 inspections regarding working conditions, including 47,150 inspections initiated by production councils. They identified 142,236 issues, of which 138,810 were resolved.

However, it should be noted that the limited functional capabilities and lack of extensive powers of occupational safety inspectors prevent them from fully ensuring effective compliance with established safety and occupational health requirements. The Federation of Trade Unions is pursuing a consistent and assertive policy to grant additional powers and incentives to safety inspectors. Relevant proposals have been submitted to the government and parliament. At the same time, we emphasize the need to increase the accountability of these inspectors.

One of the proposals involves organizing joint inspections in the format of «state labor inspector – occupational safety inspector.» The widespread involvement of occupational safety inspectors could enhance the quality of inspections and reduce the level of concealed injuries. A distinguishing feature of occupational safety inspectors is their deep understanding of issues from an internal perspective, different from that of a state inspector or a company's occupational safety staff.

The exercise of the right to conduct public oversight is not limited to the activities of production councils. The Federation of Trade Unions actively promotes solutions for creating safe working conditions at all levels of social partnership. Issues related to ensuring safe working conditions are regularly discussed at meetings of national, sectoral, and regional tripartite commissions on social partnership and regulation of social and labor relations.



Moreover, we believe that an effective step in monitoring workplace safety would be the development of the principles of industrial democracy, as highlighted at the Social Partners Forum in January of last year.

Following the example of production councils, it is possible to create specialized bodies with employee participation, such as quality control committees, personnel selection and training committees, rationalization and mentoring committees, and councils for applying best practices in safe work procedures, and so on.

The idea of integrating production councils and other specialized committees, such as those for quality control, personnel selection and training, and the application of best safety practices, is indeed valuable. It not only encourages productive and safe work environments but also empowers employees by recognizing their contributions and integrating their opinions into broader decision-making processes. This approach aligns with democratic principles and promotes a sense of inclusivity and shared responsibility, which can enhance overall workplace culture and safety standards.

Thus, the development of existing systems for employee participation in management and the encouragement of social partners to create new ones can accelerate economic reform processes, reduce social tensions and conflicts, which often hinder the achievement of expected outcomes.

The Federation of Trade Unions of the Republic of Kazakhstan, considering the provision of safe working conditions for employees as one of its main priorities, consistently expresses its readiness to cooperate with all like-minded individuals and partners. We are confident that through joint efforts aimed at ensuring decent and safe work for employees, we will achieve the necessary results.