

Worker participation in the management of occupational safety and health — qualitative evidence from ESENER-2

Country report – Estonia

European Risk Observatory

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Table of contents

Introduction.....	5
1. Estonia: an ‘open’ economy	6
1.1. Overview.....	6
1.2. The Global Crisis of 2008 and recovery	8
2. Labour relations context of OSH management.....	9
2.1. Trade union density, collective bargaining and employee representation	10
3. Working conditions and employees’ safety and health in Estonia.....	11
3.1. Benchmarking the crisis: evidence from the Estonia work life surveys.....	12
3.2. Health risks	12
3.3. Accident in the previous 12 months (2015 compared with 2009)	13
3.4. Health promotion and health check-ups.....	14
3.5. Presence of working environment (safety) representatives	15
3.6. Employees by sector and existence of working environment representative in the enterprise	18
3.7. Employer and employee views of the effectiveness of safety representatives	18
3.8. Presence of a working environment council.....	18
4. The style and character of the national regulatory regime for OSH management	19
4.1. Inspection and enforcement regime	19
4.2. Accidents at work	22
4.3. Summary of main findings.....	27
5. Research methods	27
5.1. Qualitative interviews	27
5.2. On-site observations.....	28
6. Results	29
6.1. General characteristics of the case-study and participants.	29
6.2. Evidence from the case-studies	29
7. Identification of the key supports and barriers for effective workers’ participation	41
8. Conclusion	42
References.....	43
APPENDIX 1. Summaries of the investigated case studies	47

List of figures and tables

Figure 1-1: SME sector profile, Estonia	7
Figure 1-2: Share of Estonian total employment by sector, 2009.....	8
Figure 1-3: Baltic states DFP growth year on year, 1996-2013.....	10
Figure 2-1: Trade union membership, 2008-2013	12
Figure 2-2: Employee representation in general in the EU by country	13
Figure 3-1: Working conditions and impact on Estonian workers’ health, 2010	14

Figure 3-2: Risks (%) present more than 25% of working hours reported by employees, 2009 and 2015	16
Figure 3-3: Percentages of Estonian enterprises reporting general and specialist safety and health arrangements for worker representation.....	18
Figure 3-4: Percentages of Estonian enterprises reporting general and specialist safety and health arrangements for worker representation, by enterprise size	19
Figure 3-5: Percentages of Estonian enterprises reporting worker involvement in the design and implementation of measures taken following risk assessment and measures taken to address psychosocial risks	19
Figure 3-6: Percentages of Estonian enterprises reporting worker involvement in the design and implementation of measures taken following risk assessment and measures taken to address psychosocial risks, b enterprise size.....	20
Figure 4-1: Assessments of employers' activity as "good" or "rather good" (% of enterprises visited by inspectors), 2010-2014	24
Figure 4-2: Number of OSH violations and average number of violations per enterprise 2009-2014..	24
Figure 4-3: The ration of work accidents per 100,000 employees by fields of activity, 2014	25
Figure 4-4: Number of registered work accidents and work accidents per 100,000 employees, 1995-2000	26
Figure 4-5: Number of registered work accidents and change compared with the previous year, 2010-2014	27
Figure 4-6: Fatal work accidents in Estonia, 1995-2015.....	28
Figure 4-7: Work-related diseases.....	28
Figure 4-8: Country and OSH-psycho composite score	29
Table 5.1: Enterprises and establishments in the qualitative case-studies	28

LIST OF ABBREVIATIONS

BWEL	Baltic Working Environment and Labour
EAKL	Estonian Trade Union Confederation
ETTK	Estonian Employers' Association
Eurofound	European Foundation for the Improvement of Living and Working Conditions
GDP	gross domestic product
IT	information technology
OECD	Organisation for Economic Co-operation and Development
OSH	occupational safety and health
SMEs	small and medium-sized enterprises
TALO	Estonian Employees Unions Confederation

MAP OF THE BALTIC STATES



Introduction

Estonia is an example of a newer EU Member State from the former Soviet bloc which has made significant strides in working environments since the early 1990s, both in improving reported safety and health outcomes and in developing comprehensive worker protection, albeit with some significant gaps remaining and with substantial barriers to effective employee participation in working environment. Such barriers appear to be a common inheritance of the legacy of communism across central and eastern European countries and continue to negatively influence general issues of employee representation (Oertel et al., 2016).

Academic studies of the history of occupational safety and health (OSH) in Estonia are rare, although one account does report on the concealment of true accident rates in the Soviet Estonian shale oil industry arising from the tensions between fulfilling production targets and achieving bonus payments, on the one hand, and maintaining safe working conditions on the other (Kesküla, 2013: 243-245). Two more comprehensive survey studies of working environment in Estonia were conducted by Finnish researchers in the late 1990s and in the early 2000s, in the *Working Life Barometer in the Baltic Countries* (Antila and Ylöstalo, 1999, 2003). Around the same time, in March 2000, EMOR Ltd carried out a telephone interview-based study about working environment in companies/institutions that operate in Estonia, which contained data on employee representation arrangements (EMOR, 2000). One of the authors of the present report conducted the Baltic Working Environment and Labour (BWEL) survey in the mid-2000s in Estonia, Latvia and Lithuania (Woolfson, 2006; Woolfson et al., 2009). These studies also addressed issues of employee representation and participation in working environment issues, and were in agreement in suggesting that there would be substantial challenges in building a truly participative working environment in Estonian enterprises, especially given the overall weakness of employee representation in both working life issues and industrial relations more generally. BWEL data suggested that, overall, only about a third (32 %) of Estonian employees were aware of the existence of safety representatives or committees.

At the time of the previous studies, modern concepts of risk assessment were only just beginning to be introduced, as Estonia was also aligning its legislation and practice with the European Union *acquis* on safety and health. At that time, in the early 2000s, it was not clear how enterprises would respond to the new requirements for a more participative and goal-setting safety and health regime. Now, over a decade after European Union accession, the current study offers an opportunity to revisit these issues in the context of a more developed dataset from the ESENER survey, and with the supplementary evidence from qualitative case-studies that have been conducted and are reported on here.

This report aims to explore arrangements for the representation of workers on OSH (practices and outcomes) and external and internal drivers as preconditions for the effectiveness of workers' representation. It is based on data collected during face-to-face interviews in 20 enterprises from different sectors in Estonia. Each of the 20 cases has been written up separately. The present report presents these cases (key findings from the cases) within the Estonian national context.

The national report is divided into eight substantive chapters. First, in Chapter 1, we present the important demographic and historical issues affecting Estonia's social and economic development today. The structure of the small and medium-sized enterprise (SME) sector, which accounts for most of Estonia's economy, is examined in terms of its economic importance, sectoral and employment composition. In Chapter 2, the context of labour relations in Estonia is sketched. Chapter 3 then details working conditions in Estonia and arrangements for safety representation. Chapter 4 overviews the regulatory regime and details inspection and enforcement of OSH. The Labour Inspectorate's role is described, as well as reported accident and ill-health data over time, including psychosocial issues, arising from work-related causes. These data provide an important part of the contextual picture of the Estonian working environment. Chapter 5 details the research methodology employed in the case studies, which comprises the main part of this report, the results of which are reported in Chapter 6. Based on the findings of the case studies, Chapter 7 attempts to identify the key barriers and drivers towards effective employee participation in OSH practice in Estonian enterprises. Chapter 8 offers our conclusions based on the foregoing analysis. We have not made extensive use of the country data from ESENER for the Estonia national report for two reasons. First, the report uses the most comprehensive statistical data available on OSH and arrangements for worker representation from official national sources, including the Labour Inspectorate and government agencies in Estonia, including two work life surveys from Statistics Estonia, whose databases enable comparative analysis over time, specifically

from the economic crisis until the present day. Second, the inherent bias of the ESENER sample towards better-performing firms may not have a completely distorting effect in those countries where we know from past research that the overall standard of OSH compliance and worker representation arrangements is towards the upper end of performance. However, to use similar data extensively in the national report for Estonia, where the overall standard of OSH compliance and worker representation arrangements is rather lower, would potentially distort the findings of the qualitative case-studies presented here.

1 Estonia: an ‘open’ economy

1.1 Overview

Estonia is a small Baltic state near Russia and Finland, with a population of approximately 1.3 million and a workforce of 625,000. As a former Soviet Republic, which experienced significant inward migration from other parts of the Soviet Union between 1945 and 1990, it contains a large number of inhabitants who are not ethnic Estonians. Altogether about 420,000 (31.4 %) belong to various ethnic groups other than Estonian. The great majority of these (25.5 %) are Russian by origin and comprise a significant Russian-speaking minority (Estonia.eu, n.d.). Since the early 1990s, the nation-building project of post-communist Estonia has been founded on the dominance of the new titular elite of ethnic Estonians. It has promoted an ‘ethno-nationalist’ approach towards economic and social development, emphasising a decisive break with inherited Soviet legacies across all areas of civic and political life. Underpinning this decisive shift are citizenship and language laws as well as educational programmes, aimed at fostering and securing the predominance of an Estonian national identity. This historical background is essential to understanding much of the contemporary social and economic background in Estonia, not least with respect to regulation and enforcement as well as the impacts of cultural diversity in the field of working environment and OSH.

In terms of the economy of Estonia, the Soviet period saw the establishment of several larger (1,000+ employees) enterprises, the activities and outputs of which were directly linked to the centrally planned economy of the whole Soviet Union. Since independence from the USSR and transition to a market economy in the early 1990s, such larger enterprises have mostly been dismantled. An extensive process of privatisation has created an economy that is overwhelmingly reliant on the economic activity of micro-enterprises and SMEs, which now comprise 99.8 % of companies. These enterprises account for about 74.4 % of value added in the Estonian economy (as against an average of 58.1 % for the EU-28). The enterprises are concentrated in the service sectors, followed by the retail and wholesale trade and construction, with manufacturing accounting for a quarter of value added and employment in SMEs (European Commission, Enterprise and Industry, 2014; see Table 1.1).

Figure 1-1: SME sector profile, Estonia

	Number of enterprises			Number of employees			Value added		
	Estonia		EU-28	Estonia		EU-28	Estonia		EU-28
	Number	Proportion	Proportion	Number	Proportion	Proportion	Billion €	Proportion	Proportion
Micro	54 572	90.2%	92.4%	123 809	30.6%	29.1%	2	24.2%	21.6%
Small	4 824	8.0%	6.4%	97 786	24.1%	20.6%	2	23.7%	18.2%
Medium-sized	982	1.6%	1.0%	95 077	23.5%	17.2%	3	26.5%	18.3%
SMEs	60 378	99.8%	99.8%	316 672	78.1%	66.9%	7	74.4%	58.1%
Large	151	0.2%	0.2%	88 576	21.9%	33.1%	3	25.6%	41.9%
Total	60 529	100.0%	100.0%	405 248	100.0%	100.0%	10	100.0%	100.0%

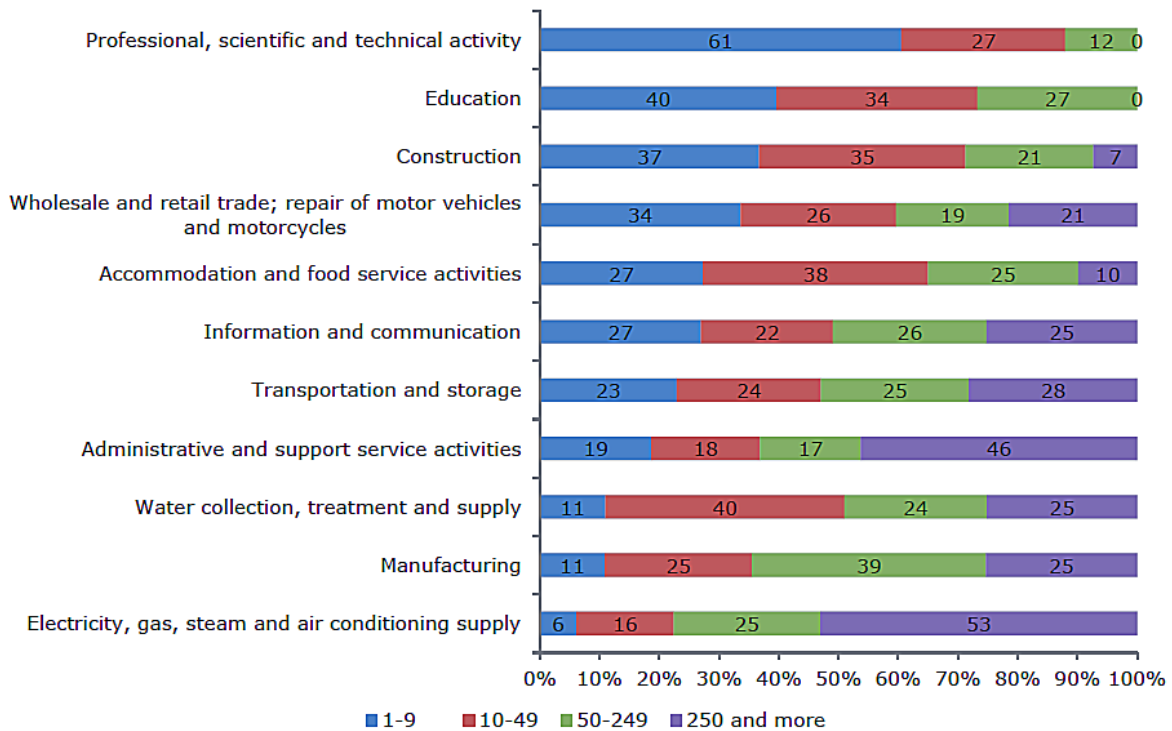
Note: These are estimates for 2013 produced by DIW Econ, based on 2008-11 figures from the Structural Business Statistics Database (Eurostat). The data cover the ‘business economy’, which includes industry, construction, trade and services (Statistical Classification of Economic Activities in the European Community Rev. 2 sections B to J, L, M and N), but not enterprises in agriculture, forestry and fisheries and the largely non-market service sectors such as education and health. The advantage of using Eurostat data is that the statistics are harmonised and comparable across countries. The disadvantage is that for some countries the data may be different from those published by national authorities.

Figure 1.1 suggests that, of the over 60,000 enterprises in the SME sector, over 54,500 (90.2 %) were micro-enterprises, fewer than 5,000 (8 %) were small enterprises and fewer than 100 (1.6 %) were medium-sized, while only just over 150 enterprises (0.2 %) were large. Over three-quarters (78.1 %) of employees were employed in the SME sector compared with two-thirds (66.9 %) for the EU-28.

A report by the European Foundation for the Improvement of Living and Working Conditions (Eurofound, 2013: 1) notes, ‘Although entrepreneurship in Estonia has developed relatively quickly and its

competitiveness has improved significantly, the Estonian economy continues to be dominated by enterprises that operate in traditional (low technology) sectors and whose productivity and profitability per employee lag behind businesses in the developed industrial countries', while there is a 'low share of high-tech employment and exports, [and] a very low business expenditure on research and development'. Gross domestic product (GDP) per capita for 2013 was €24,569 (\$25,590) compared with the Organisation for Economic Co-operation and Development (OECD) average of €37,569 (\$39,129 as at 15 December 2016) (OECD, 2014a). Estonia has the sixth-highest number of hours worked a year, 1,868, compared with an OECD average for 2013 of 1,771. The tax burden on workers is especially high for low-paid workers according to OECD data. Wage growth is high in the information and communication technology sector, where there are labour shortages and high vacancies, but overall Estonian average wages are among the lowest in the current EU-28. Only Korea among OECD countries exceeded Estonia's gendered wage gap. At approximately 28 %, this wage gap is the highest in the EU-28 (Bloomberg, 2016a). The overall labour supply is declining because young employed workers are emigrating, and the working population is aging. Life expectancy is comparatively low at 76.5 years, as against the OECD average of 80.2 years (OECD, 2014b).

Figure 1-2: Share of Estonian total employment by sector, 2009



Source: Eurofound (2013: 2).

The breakdown of employment by sector in Estonia in Figure 1.1 shows that, in professional, scientific and technical activity, education, construction, wholesale and retail trade, accommodation and food service activities, employment in SMEs accounted for more than 50 % of the total employment in each sector. According to the latest data from Statistics Estonia (2015a), the economic activity that makes up the largest proportion of Estonian GDP is manufacturing, as its value added grew by 3 % during 2013 and amounted to 16 % of total value added (figures for 2013). Manufacturing and trade were the largest contributors to domestic GDP growth. The branch contributing the most to growth within the manufacturing industry was wood processing, which produces wooden houses for export. The proportion of this segment in Estonia's GDP has been increasing over the past few years. A strong contribution to GDP growth was also made in the economic activity of information and communication, which includes web and information technology (IT) development, a sector that has brought international attention to Estonia (Statistics Estonia, 2015a: 31).

The expansion of the enterprise sector in general has continued over the recent period. In 2013, 71,000 non-financial corporations (hereinafter enterprises) operated in Estonia. The number of active enterprises increased by 8 %, or by more than 5,000 compared with the previous year. Micro-enterprises (which employ fewer than 10 persons), as illustrated in Table 1 above, account for more than 90 % of the total number of enterprises in Estonia. In 2013, there were 16,600 micro-enterprises that had been created in the previous 4 years, i.e. since the height of the economic crisis. Of these, one in two was engaged in the service sector, one in four in trade, one in eight in construction and one in ten in manufacturing. In the service sector, the greatest numbers of enterprises created were in real estate activities, accounting and bookkeeping, and programming (Statistics Estonia, 2015a: 220).

There were 438,000 persons employed in private enterprises in Estonia in 2013 – about 8,000 more than in 2012. A fifth of the jobs were in large enterprises, employing 250 or more persons. Almost a third of persons employed were engaged in micro-enterprises. Since newly created enterprises are mainly micro-enterprises, their share in employment is also increasing the fastest. A third of persons employed are engaged in the service sector, where the growth of employment is the most consistent. In 2013, nearly half of the new jobs were created in the service sector. More than 1,000 new jobs were created in administrative and support service activities and also in professional, scientific and technical activities, where the biggest growth was in employment agencies. A fifth of persons employed by enterprises work in trade, where employment has increased in line with the addition of new retail space.

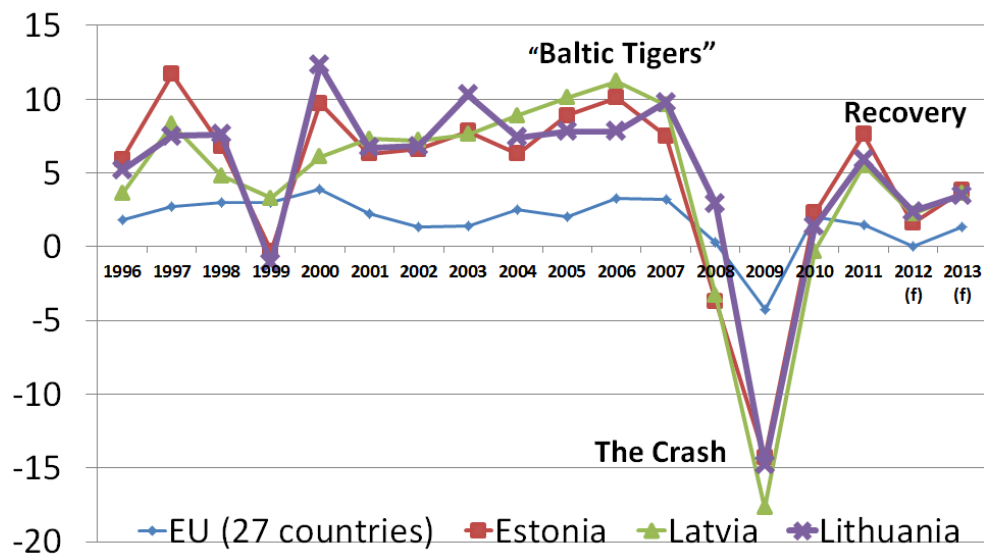
In 2013, almost a third of the new jobs were created in trade. Manufacturing, which is the economic activity employing the greatest number of persons, engages a fourth of all persons employed in enterprises. The number of persons employed in manufacturing increased by about 1,400 year on year. Most of the jobs were created in the manufacture of electrical equipment, other non-metallic mineral products and fabricated metal products, and in the wood and food industries. The greatest fall in employment occurred in the manufacture of rubber and plastic products. Construction accounted for a tenth of the employment in the private enterprise sector. Despite the continued increase in the number of construction enterprises, the rise in employment has slowed down in these enterprises. In 2013, there were 2 % more persons employed in construction than in 2012. Besides construction, growth of employment has also slowed down in trade and manufacturing as well as in several other economic activities (Statistics Estonia, 2015a: 220-221).

1.2 The global crisis of 2008 and recovery

During the 1990s and early 2000s Estonia was making good progress towards catching up with the GDP levels of its EU counterparts, reaching three-quarters of the average before the economic crisis of 2008. With the crisis, Estonia, Latvia and Lithuania were the three worst-hit economies in the EU; Estonia's GDP dropped by 1.7 % in 2008 and a dramatic 13.4 % in 2009 (Eurofound, 2015: 2). The very 'openness' of the Estonian economy made it particularly vulnerable to wider external shocks, to which may be added a domestic property bubble largely financed by Swedish banks, which burst with a plunge in property prices and knock-on effects throughout the economy and society (Kattel and Raudla, 2013). Since the EU's Stability and Growth Pact began in 1998 to strengthen the monitoring of budgets, 25 of the EU's 28 members have overstepped the deficit limit. This states that governments must narrow budget deficits to within 3 % of GDP and reduce debt to 60 % of GDP. Estonia, together with Sweden and Luxembourg, is one of only three countries that have avoided breaching this limit (Bloomberg, 2016b). Thus, while the effects of the crisis in terms of GDP decline were dramatic, so also was the economic recovery which followed, although most recent data point to a slowdown occurring (Statistics Estonia, 2016). In particular, the close economic interlinkages with the Finnish economy, which is currently in a recession, as well as the wider economic environment, are likely to affect the medium- to longer-term prospects for Estonia.

While economic recovery in Estonia has been remarkable, the social impacts of the crisis in terms of sharply rising unemployment, the growth of inequality and increasing outward migration of the working population have also been significant (Masso et al., 2012; Sippola, 2014). As the OECD has put it, 'The economic recovery alone will not be enough to heal the social divisions and help the hardest hit bounce back' (OECD, 2014a). Inequality of income distribution, as measured by the income quintile ratio, is thus high in Estonia today. It ranks fourth-highest in the EU, according to EU data, on a par with two other crisis-hit countries, Greece and Latvia, and behind only Romania, Bulgaria and Spain.

Figure 1-3: Baltic states DFP growth year on year, 1996-2013



Source: Eurostat, nd

The OECD has analysed the aftermath of the crisis, noting Estonia, along with other crisis-hit countries, as having increased numbers living in households without any income, a rise of 20 % or more since the onset of the crisis in 2008. Poorer households are reported as having lost greater shares of their income than better-off households during the crisis or having benefited less in the recovery. Younger people, between 18 and 25 years, are at greater risk of poverty than before the crisis, a rise of 5 percentage points, and particularly sharp cuts have occurred in education and health spending relative to GDP. Expenditure on health care is 5.9 % of GDP, placing Estonia at second bottom place in the OECD league table, above only Turkey, compared with the OECD average of 9.2 % of GDP (OECD, 2015). Thus, Estonia today has inherited a legacy of issues of social exclusion, particularly since the financial crisis. Its mixed economic outlook bears directly on the future nature of working life and the present growth in insecure and precarious forms of employment, especially since the crisis.

2 The labour relations context of OSH management

In mid-2009, Estonia reformed its labour market institutions and labour protection laws following a decade of discussion between the social partners. The intention of the reforms was to encourage 'flexicurity' along the lines of the Danish model. However, while greater flexibility in employment contract was conceded, the accompanying labour market support measures were not implemented during the crisis in order to preserve fiscal balances (Kallaste and Woolfson, 2013). Increased unemployment benefits and the widening of coverage were postponed until 2013 (OECD, 2010: 55). A new Employments Contract Act introduced in mid-2009 produced a more flexible labour market in Estonia in terms of reduced employment protection (OECD, 2010: 57). This act had the effect of making permanent contracts more flexible, reducing notice periods for dismissal and severance pay, facilitating the introduction of fixed-term contracts for up to 5 years (a type of employment contract not generally common in Estonia previously), extending payment for standard working hours until 22.00, and easing the administrative burden on employers by abolishing work record books and personnel files and removing the need to have the approval of the Labour Inspectorate for temporary part-time work or collective dismissals. In short, employment insecurity, increased by the crisis, became an embedded feature of the Estonian labour market both in formal legal terms and in practice.

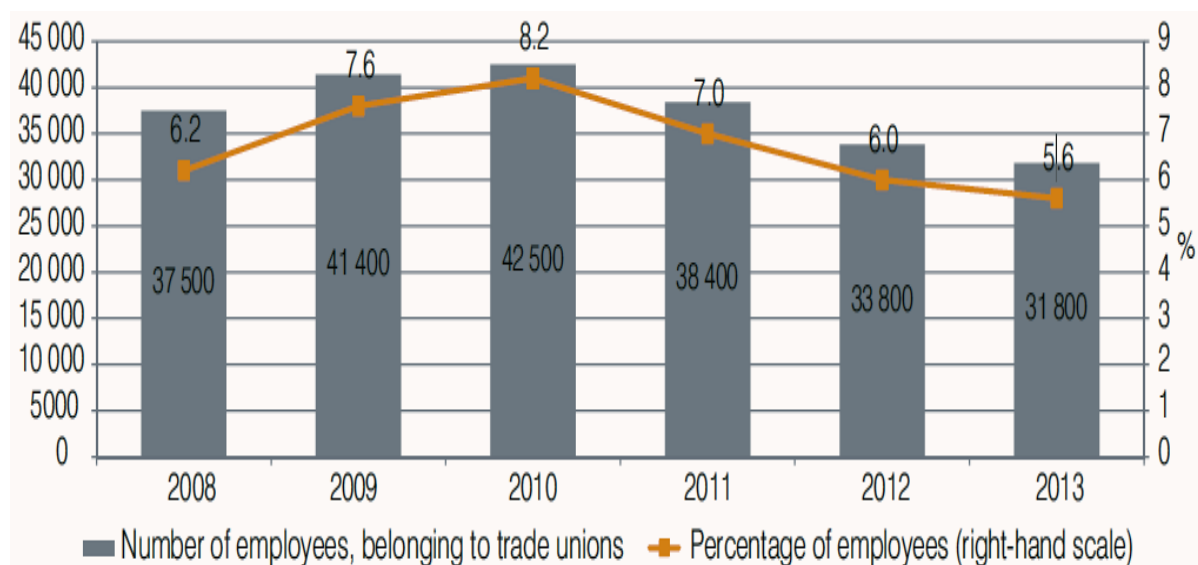
2.1 Trade union density, collective bargaining and employee representation

Estonia has two major trade union confederations. The Estonian Trade Union Confederation (EAKL) comprises 19 branch unions that represent state and municipal government officials, education workers, health care workers, transport workers (including road, rail, sea and air transport), industrial workers (including energy, light industry, food, timber and metal) and employees in the service sector (postal, communication, trade, hotel and cleaning, etc.) (EAKL, n.d.). The second-largest trade union organisation is the Estonian Employees Unions Confederation (TALO), which mostly represents cultural workers and public sector employees. The only employer organisation recognised as a national-level social partner is the Estonian Employers' Association (ETTK), which represents around 25 % of all employers in Estonia. Its members are sectoral associations as well as enterprises.

In Estonia, collective bargaining has typically been decentralised, as collective bargaining mostly takes place at company level. Coverage of collective bargaining is very restricted, therefore; 90 % of bargaining agreements in the public sector are collective, a disproportion with the private sector that the OECD describes as 'extreme' (OECD, 2010: 70). At sectoral level, there are only two agreements: in transport and in health care (Eurofound, 2015: 3). At national level, national minimum wages are negotiated annually between the EAKL and the ETTK, and the cultural workers' minimum wage is negotiated between TALO and the Ministry of Culture (Kultuuriministeerium), covering people with higher education who work in public authorities and public law agencies. Levels of industrial disputes and strikes are low in Estonia, although there have been notable industrial disputes in recent years.

The failure of trade unions in Estonia to attract new members is in part due to the historical legacies of the previous era, added to which is the inability of the trade unions, in the main, to make themselves appear relevant to the working population, especially during the crisis years (Kallaste and Woolfson, 2009). In the aftermath of the crisis, 'many enterprises undertook widespread restructuring as a way of trying to overcome the effects of the crisis' (Eurofound, 2013: 2). This has resulted in increasingly precarious employment for many. The growth of employment insecurity and decline in collective confidence is apparent in the figures for trade union density in Estonia, which, after a small rise in the recovery years immediately following the crisis, is once again now the lowest in the EU at around 5.6 % of the workforce (Ministry of Social Affairs, 2014: 32) (Figure 2.1).

Figure 2-1: Trade union membership, 2008-2013

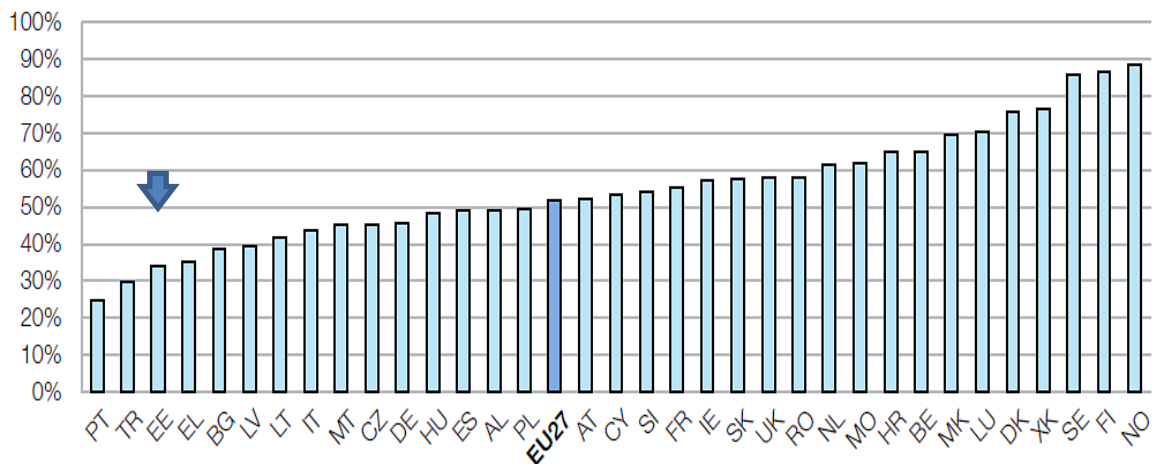


Source: Statistics Estonia, Estonian Labour Force Survey

Estonia has had a 'dual system' of employee representation since 2007, whereby, in the absence of a workplace trade union, the general workforce can elect a 'trustee' to represent workers' interests with management and conduct collective bargaining on their behalf. By contrast, where there is a union present, this can only represent its own members unless a general meeting of workers gives it wider powers. In parallel with the overall decline in trade union representation, there has been a growth in the number of non-union trustees such that there is a trustee in approximately 18 % of enterprises in 2015, which is 5 percentage points more than in 2009. By contrast, the latest available data from the Estonia work life survey suggest that only 6 % of enterprises have any kind of trade union presence (Statistics Estonia, 2015a). This is the lowest figure in the EU-28, and in the OECD countries (2013).

Data for Estonia from the ESENER-2 survey suggest that over one-third of Estonian enterprises (36.2 %) do not have any representation arrangements at all, either through trade unions or trustees or through working environment representatives or councils. This figure may be an underestimate, given the predominance of micro- and small enterprises in Estonia. Likewise, the ESENER figure that over half (57 %) of enterprises have arrangements for employee representation on OSH is likely to be an overestimate, although the Eurofound's Sixth European Working Conditions Survey reports the existence of a health and safety delegate or committee for over 50% of Estonian employees (Eurofound, 2016: 73). By contrast, OECD data on general employee representation in Estonia suggest that only around one-third of employees have access to any form of representation. Data from Statistics Estonia suggest that in only 6 % of enterprises do employees discuss the same issues in cooperation with the employees' representatives, such as a trustee or working environment representative (Statistics Estonia, 2015a). At EU level, in terms of formal employee representation arrangements (all forms), Estonia ranks ahead of only Portugal (Eurofound, 2012: 65; Figure 2.2).

Figure 2-2: Employee representation in general in the EU by country



Source: Eurofound (2012: 65).

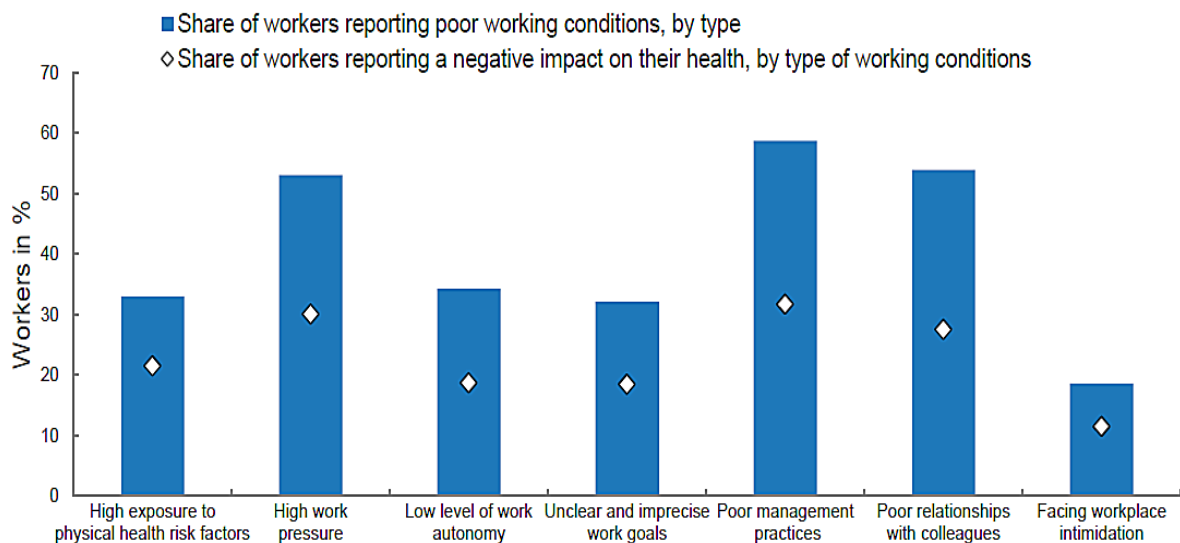
2.2 Summary

Opportunities for employee 'voice' are poor in Estonia even though legislative arrangements (dual channel representation) would appear to facilitate such processes. Trade union density is the lowest in the European Union and the decline in membership appears to be continuing. In contrast to the decline in unionisation, the coverage of 'trustees' as an alternative form of representation is increasing. The qualitative case studies that follow provide important insights into the nature of representation on OSH and the degree to which such representation arrangements may properly be described as genuinely 'independent'.

3 Working conditions and employees' safety and health in Estonia

The quantitative data drawn upon for this report include Estonia's national survey material from Eurofound's Fifth Survey of Working Conditions (Eurofound, 2012), its commissioned research report on the restructuring of the SME sector in Estonia (Eurofound, 2013), its Country Working Life Profile for Estonia (Eurofound, 2015) and Eurofound and EU-OSHA data on psychosocial risks in Europe (Eurofound and EU-OSHA, 2014). These data are supplemented by Eurobarometer survey results, European Commission data, national reports from the Estonian Labour Inspectorate and detailed surveys by Statistics Estonia on working life. Two comprehensive working life surveys conducted by Statistics Estonia, first in 2009 and again in 2014, provide rich comparative data on employee representation in OSH both during the height of the crisis and since (See Statistics Estonia, nd). We have a detailed interrogation of these important data. Taken together with the case-study material, there is thus a wealth of information on working life and employee representation in Estonia today, although it has been little utilised so far to provide a comprehensive picture such as will be attempted here. In addition, evidence of the overall impact of working life on workers' health is contained in Eurofound's periodic surveys of working conditions. The detailed country-specific results of the Sixth European Working Conditions Survey conducted in 2015 are awaited. These will provide data for comparison with the previous survey of 2010 (Eurofound, 2016; 2012).

Figure 3-1: Working conditions and impact on Estonian workers' health, 2010



Source: OECD calculations on the European Working Conditions Survey (Eurofound, 2010)

Source: OECD (2014c).

Based on previous survey data from the 2010 survey, while four out of five Estonian workers appear satisfied with their working conditions, roughly in line with the EU average, it seems clear that Estonia still has a significant proportion of workers who feel that their work is detrimental to their health. Overall, 39 % of Estonian respondents report holding this view, as against an EU average of 24 % (Ministry of Social Affairs, 2014: 48). Nevertheless, according to a Eurobarometer (2014) survey, Estonia (42 %), Malta (40 %), Lithuania (27 %), Latvia and Hungary (both 25 %) were the only countries where at least a quarter of respondents thought working conditions in their country had improved over the previous 5 years. Employees in Sweden are the most likely to mention stress (67 %) as a concern, while at the other end of the scale only 34 % of those in Estonia and 36 % in Lithuania mention stress as a problem, according to Eurobarometer data. However, Eurofound data in Figure 3.1 suggest that more than 50 % of Estonian employees report high work pressure as having a detrimental impact on their health.

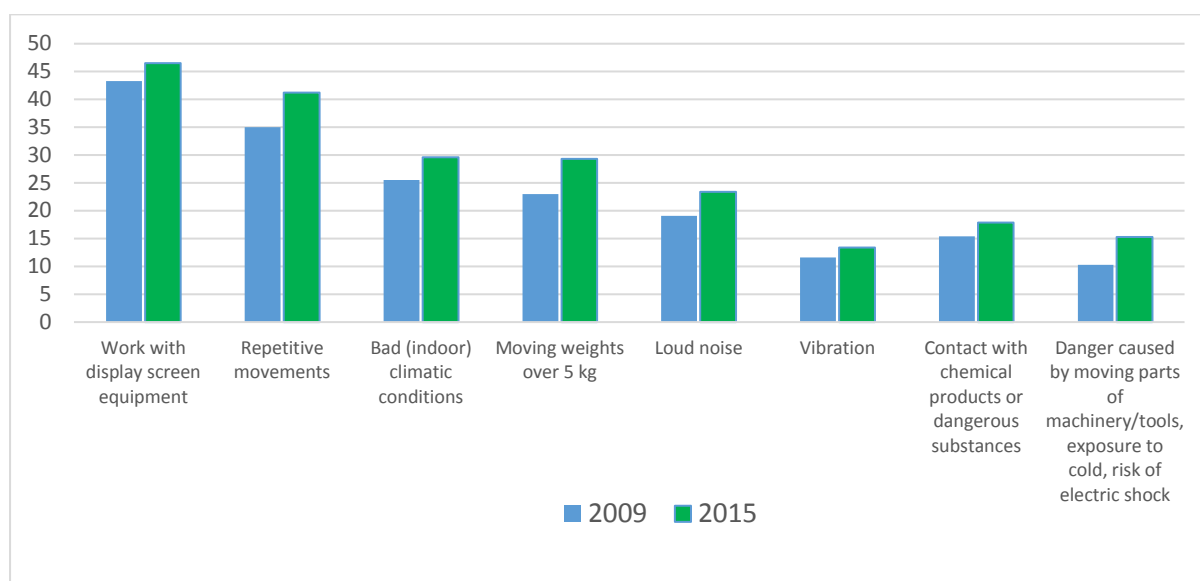
Workers in France, Spain (both 40 %) and Estonia (38 %) are the most likely to say that repetitive movements or tiring or painful positions are the main safety and health risk, and in Estonia this risk is the most mentioned of all those asked about (Eurobarometer, 2014: 66). Exposure to noise and vibration was also mentioned by 25 % of workers, and exposure to potentially dangerous chemicals by 14 % (Eurobarometer, 2014: 68). Eurofound's Sixth European Working Conditions Survey Overview Report data suggest that postural risks affect 25% of the workforce, while ambient risks in the form of vibrations, noise, and exposure to high and low temperatures have declined in their effects to around 16% of the workforce, and biological and chemical risks to 10% of the workforce (Eurofound, 2016: 44). Statistics Estonia has also provided two important surveys of working life in Estonia which allow detailed examination of the overall national position with regard to working environment issues.

3.1 Benchmarking the crisis: evidence from the Estonia work life surveys

Statistics Estonia has conducted two surveys which are relevant to this report. The 2015 work life survey, based on responses from 850 employers and 4,780 employees in 2015, provides comparative data with respect to the previous survey in 2009 and thus benchmarks the peak of the crisis, allowing the assessment of what may have changed over the intervening period. These surveys provide data on health risks faced by employees, accidents in the workplace, health promotion and health check-ups, and, crucially for current purposes, detailed evidence on the coverage and operation of working environment representation arrangements, as well as their perceived effectiveness according to both employers and employees.

3.2 Health risks

The 2015 survey suggests that around 88.1 % of employees come in contact with a health risk during at least 25 % of their working hours, which is over 4 percentage points more than the 2009 figure of 83.5 % (Statistics Estonia, 2015b). Comparing the 2015 data with those of 2009 across a range of health risks, employees report the following risks as being present during more than 25 % of working hours (2015 compared with 2009; Figure 3.2): work with display screen equipment (46.5 %/43.3 %); repetitive movements (41.2 %/35 %); bad (indoor) climatic conditions (29.6 %/25.5 %); moving weights over 5 kg (29.3 %/23 %); loud noise (23.4 %/19.1 %); vibration (13.4 %/11.6 %); contact with chemical products or dangerous substances (19.2 %/14.4 %); bad lighting (17.9 %/15.4 %); danger caused by moving parts of machinery/tools, exposure to cold, risk of electric shock (15.3 %/10.3 %). None of the main indicators surveyed showed an improvement in reported figures for 2015 compared with 2009 (Statistics Estonia, 2015c). This suggests an overall slight deterioration in employees' working environments between the financial crisis and now. On the other hand, this set of figures may be because employees in Estonian enterprises have slightly increased their awareness of and knowledge about recognising occupational hazards. It may also be attributed to regular supervision of compliance with OSH regulations by the Labour Inspectorate, or EU and national campaigns, as well as regular OSH basic training for employees.

Figure 3-2: Risks (%) present more than 25% of working hours reported by employees, 2009 and 2015

Source: Statistics Estonia (2015c).

These data suggest that, overall, the period of the crisis and its aftermath has seen little or no measurable improvements in the working environment so far as various common risks are perceived by employees, with only one or two areas of exception. On the basis of comparative data regarding a perceived range of workplace hazards, it is hard to see any clear overall improvement in the Estonian working environment over the years of the crisis and its aftermath, but, at the same time, no major deterioration is evident. A possible explanation for such improvements as exist could be the higher number of inspections as well as growing awareness of occupational hazards and, therefore, more attention being paid to OSH problems.

3.3 Accidents in the previous 12 months (2015 compared with 2009)

Accident data reveal that the percentage of enterprises (both public and private) reporting an accident in the previous 12 months almost doubled, from 5.4 % in 2009 to 9.4 % in 2015 (Statistics Estonia, 2015d). While no data on accidents over the previous year are available for micro-enterprises with fewer than 10 employees, those with 10-49 employees saw an increase over this period from 3.3 % to 9.8 % in the total number of enterprises reporting an accident. In larger enterprises, from 50 to 249 employees, the corresponding percentage rose from 22.7 % to 27.5 %. For private companies, the increase, almost doubling from 5.9 % to 9.8 %, was on a par with the overall figures, while for state and local government agencies an even greater increase in the number of establishments reporting an accident was recorded, tripling from 3.2 % to 9.8 % (Statistics Estonia, 2015d). In section 4.2 the increase in reported accident rates will be explored in more depth, but again the issue of reporting propensities and underreporting is prominent here.

3.4 Health promotion and health check-ups

In 2015 about half of employees (53.1 %) had participated in activities to promote health in their enterprise in the previous 12 months (approximately the same percentage as in 2009, which was 51.8 %) (Statistics Estonia, 2015e). A review of the involvement of enterprises in ensuring that employees undergo periodic health check-ups, as required by Estonian law, shows some reported improvement over the years between 2009 and 2015. One-third of companies (33.5 %) failed to provide this service in 2009, i.e. in those companies nobody received health check-ups, whereas in 2015 this proportion was reduced to one-quarter (25.7 %). Improvement in the state and local government agencies was even greater over this period, with only 27.3 % of establishments having no employee who had received

health check-ups in the previous 3 years in 2015, compared with 56 % in 2009. These figures can be compared with the national check-ups average of 38 % in 2009, falling to 25.8 % in 2015. Size of enterprise was significant in terms of deviation from national percentages. Micro-enterprises with 5-9 employees still made up 30 % of 2015's total number of enterprises where no employee received health check-ups, although this figure was a considerable reduction from 50.8 % in 2009. Enterprises with 10-49 employees where no employee received health check-ups comprised 24.3 % of the total in 2015 (compared with 27.8 % in 2009). By contrast, among enterprises with 50-249 employees, only 10 % failed to provide health check-ups in 2015, compared with 20.1 % in 2009 (Statistics Estonia, 2015f).

With regard to visits to occupational health doctors for check-ups, the data here reveal much the same patterns as above (Statistics Estonia, 2015g). Of the total number of employees, 62.8 % visited an occupational health doctor for health check-ups purposes in 2015. Private sector companies accounted for 61.4 % of employee visits in 2015. A higher proportion of employees of state and local government agencies made use of these services (65.9 % in 2015). Comparing occupational groups, managers accounted for 64.3 % of those who visited occupational health doctors in 2015. For technicians, associate professionals and clerical support workers the corresponding figure was 62.9 % and for service and sales workers it was 67.1 %. For skilled workers, craft and related trades workers the figure for 2015 was 57.6 % and for plant and machine operators and assemblers it was 65.1 %. For elementary occupations the figure for 2015 was 57.3 %. No gender differences of any magnitude were reported. In terms of regional variation, central (55.6 % overall had visits) and north-eastern Estonia (54.1 %) differed slightly from other regions.

According to the data from the Estonian Health Board, there are 106 registered occupational health doctors in Estonia, of whom around 74 are active and working. This corresponds to one active occupational health physician per 8,400 employees (EU average 1 per 3,200). The mean age of the occupational health doctors who were working in 2011 was 56 years (age range of 32–81 years). The majority of occupational health doctors work part-time (64 %). An average of 1,541 health checks were carried out per occupational health doctor per year. In 2013, the Health Board registered 28 occupational health nurses, equivalent to one OH nurse per 21,000 employees (EU average 1 per 1,500). The role of occupational health doctors in the private sector is changing. Since 2003 in Estonia OSH check-ups for employees previously covered by in-house arrangements are now provided by outsourcing. The private practice of occupational medicine has become the growth area of the speciality in Estonia. These trends have been driven primarily by new legislation, economic imperatives and new management philosophies. However, it is not clear that organisations in general are deriving the greatest value they can from occupational health doctors.

Summary

The overall picture which emerges with regard to employee health check-ups suggests rather mixed performance of micro-enterprises. Nevertheless, while medium-sized and larger companies appear to perform more satisfactorily, gaps in coverage remain, particularly at regional level, and white-collar occupations have more coverage than blue-collar ones. That said, even though improvement has been made in the field of OSH in Estonia in recent years, there are still challenges ahead. Safety and health strategies are developed mainly for large enterprises, where the necessary resources are available for OSH. However, even in large enterprises and institutions, employees' involvement in safety and health activities and their representation have only limited application. It is noteworthy that the main priorities and problems in the current OSH practice in Estonia have remained the same for the last 15 years (Reinhold et al., 2009; Järvis, 2013; Järvis et al., 2013): a lack of political commitment on the part of the government and social partners to drawing up policies for the further development of OSH; insufficient legislation, namely the continuing absence of an insurance act for occupational accidents and diseases, which effectively places the burden of compensation, support and rehabilitation as a result of workplace injury or ill health on individual workers and their families; the low quality of risk assessment; absence of agreement between the occupational health doctors and the Estonian Sickness Fund on paying for the analysis and rehabilitation of workers; and lack of cooperation between employers, employees and occupational health doctors.

3.5 Presence of working environment (safety) representatives

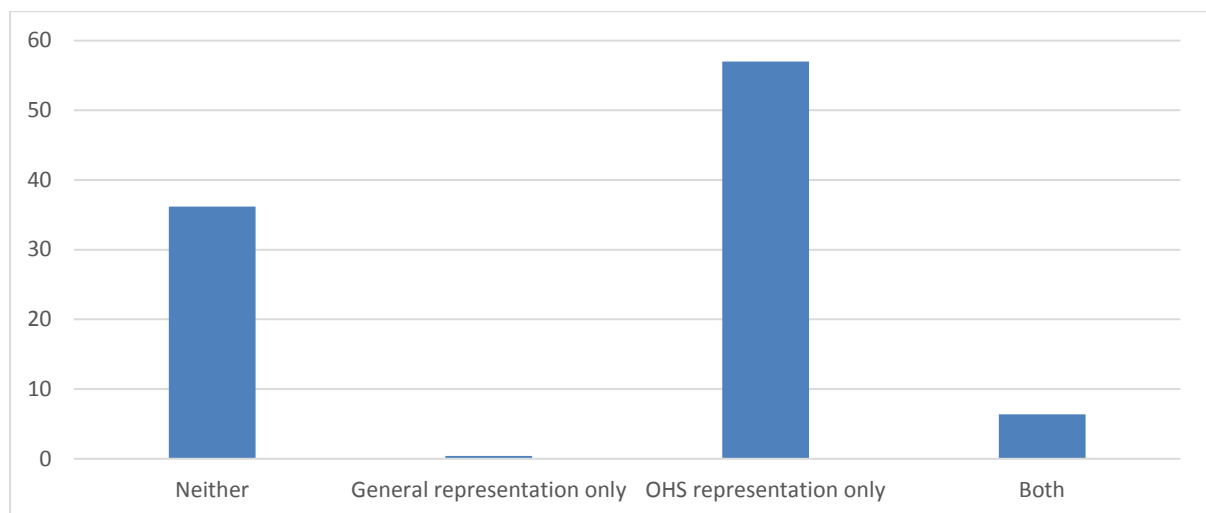
More than half of all workplaces in Estonia claim to have a working environment representative (53.7 % in 2015 as against 45.6 % in 2009) according to Statistics Estonia (2015g). These figures suggest an improvement in coverage in 2015 since the previous work life survey. They are closely matched by those for private companies (52.2 % with working environment or safety representatives in 2015 as against 46.1 % in 2009). The state and local government agency sector shows a remarkable increase in coverage to 72.5 % in 2015, from 55.9 % in 2009. While most regions match the overall trends, enterprises in central Estonia appear to show a sharp drop in coverage from 70.7 % in 2009 to 53.2 % in 2015, with a matching declines in north-eastern Estonia over this period. In western Estonia, the percentage of enterprises with a safety representative improved from a low of 29 % in 2009 to 46.2 % in 2015, still somewhat below the national average.

Enterprises with 5-9 employees recorded the lowest proportional coverage by representatives, at one-third (33.6 %) in 2015 (although an improvement from 29.5 % in 2009). Enterprises with 10-49 employees had better coverage, with nearly two-thirds (62.4 %) claiming that they had a working environment representative in 2015 (compared with 55.4 % in 2009). Medium-sized enterprises with 50-249 employees appeared to have higher proportions of representatives, with 91.7 % coverage in 2015 (compared with 81.5 % in 2009). Enterprises with 250 or more employees reported coverage of 98.7 % in 2015 (compared with 96.0 % in 2009) (Statistics Estonia, 2015h).

According to ESENER-2, workers are represented through works councils, trade union representation, safety and health representatives and safety and health committees. The first two of these are grouped together as 'general' worker representation and the second two as 'specialist' OSH representation (Figure 3.3).

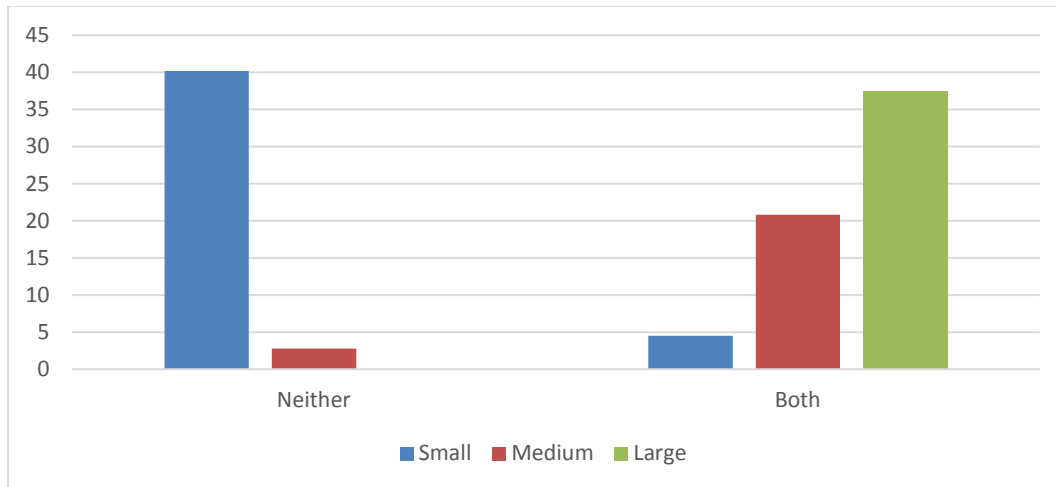
Figure 3.3 shows that 57 % of enterprises claim to have a safety and health representative and/or a safety and health committee. Small enterprises reported the lowest proportional coverage by workers' representatives. However, it should be kept in mind that a workers' representative is not required in micro-enterprises (fewer than 10 employees). The best worker representation is in large public institutions (Figure 3.4).

Figure 3-3: Percentages of Estonian enterprises reporting general and specialist safety and health arrangements for worker representation



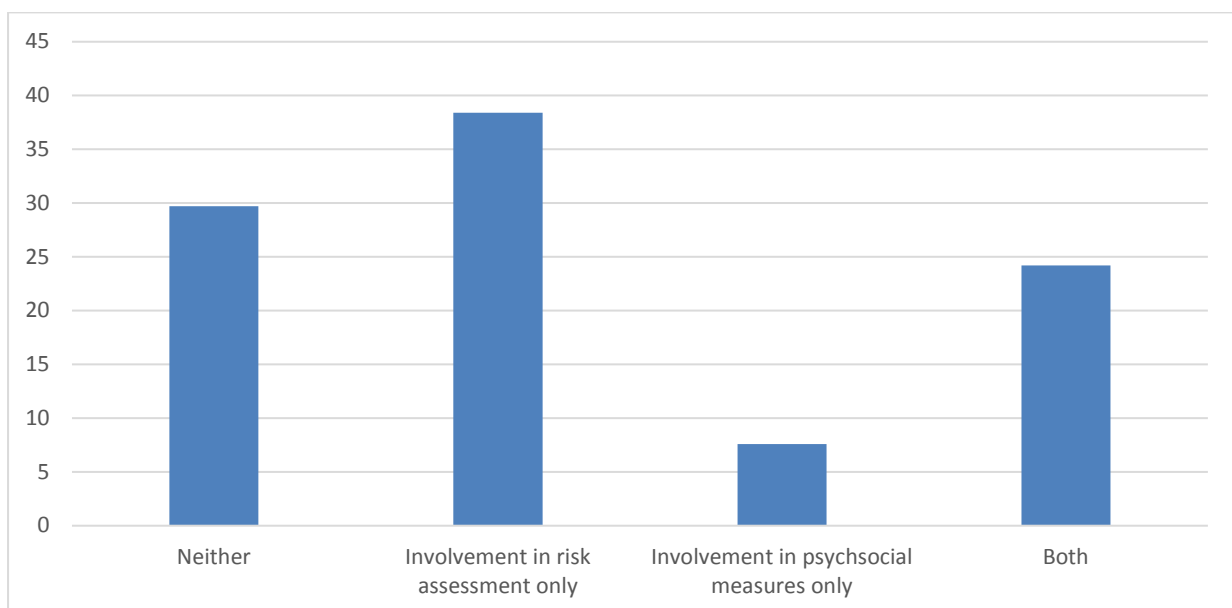
Note: The 'general representation only' category included only three enterprises.

Source: ESENER-2 national dataset Estonia (EU-OSHA, 2016).

Figure 3-4: Percentages of Estonian enterprises reporting general and specialist safety and health arrangements for worker representation, by enterprise size

Source: ESENER-2 national dataset Estonia (EU-OSHA, 2016).

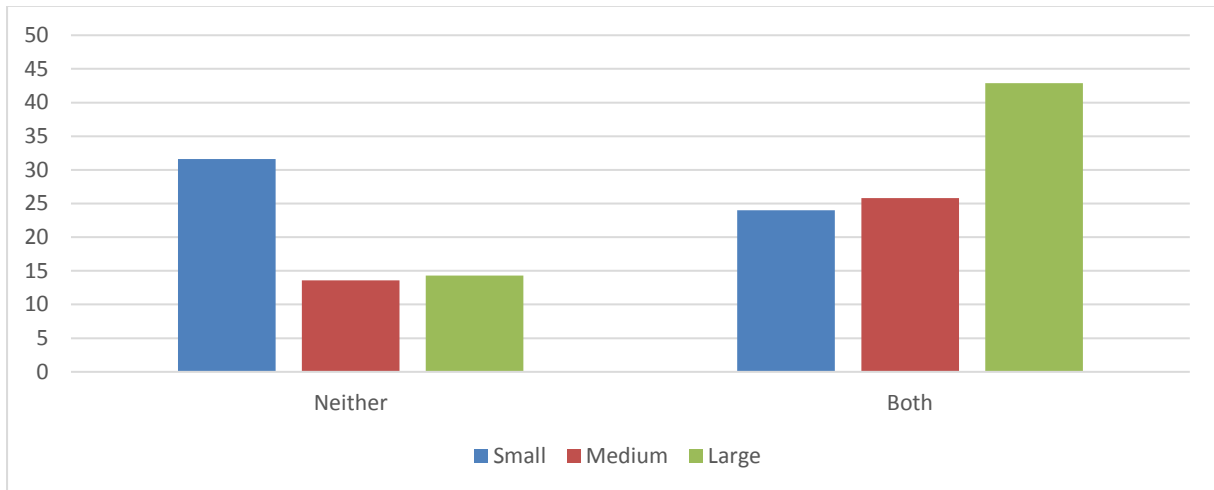
It has been shown in previous studies that worker participation plays an essential role in enhancing safety and health within enterprises (Walters and Nichols, 2007). ESENER-2 respondents were also asked about the involvement of workers in the design and implementation of two types of prevention measure: the first in relation to measures taken following risk assessment and the second concerning measures to prevent psychosocial risks (Figure 3.5). Reporting worker involvement in designing and implementing measures relating to risk assessment and to psychosocial risks, ESENER-2 data suggest that risk assessment provides some limited room for involvement in about one-third of enterprises, but in fewer than 10 % of enterprises are workers involved in designing and implementing measures to deal with psychosocial risks. Understandably, the questions on worker involvement in the design and implementation of measures of risk assessment were asked of only those respondents whose establishments carried out regular risk assessments. Similarly, questions concerning the design and implementation of measures to address psychosocial issues were asked of only those respondents whose establishments had used any of four measures to prevent psychosocial risks in the previous 3 years.

Figure 3-5: Percentages of Estonian enterprises reporting worker involvement in the design and implementation of measures taken following risk assessment and measures taken to address psychosocial risks

Source: ESENER-2 national dataset Estonia (EU-OSHA, 2016).

It is clear that there is greater worker representation and worker involvement in large public enterprises than in micro- and small enterprises (Figure 3.6). However, the real reflection of worker representation was explored during the qualitative case-studies and will be discussed in the next chapters.

Figure 3-6: Percentages of Estonian enterprises reporting worker involvement in the design and implementation of measures taken following risk assessment and measures taken to address psychosocial risks, by enterprise size



Source: ESENER-2 national dataset Estonia (EU-OSHA, 2016).

Considering worker representation and worker involvement together, 17 % of Estonian enterprises reported having no arrangements for worker participation in place at all; that is, no worker representation arrangements and no worker involvement. Considering this by enterprise size and sector, 19 % of small, 2 % of medium-sized and no large enterprises reported no participation arrangements; and 9 % of private goods-producing, 24 % of private services and 9 % of public sector enterprises reported no participation arrangements.

Summary

Overall coverage by safety representatives is increasing in Estonia. Coverage of micro- and small enterprises by safety representatives appears to be less (only a third) than that of medium-sized enterprises (6 out of 10) and larger establishments (9 out of 10), while coverage in public sector establishments (7 out of 10) exceeded that in the private sector. It should be kept in mind that a workers' representative is not required in micro-enterprises (fewer than 10 employees). On a regional level there appears to be a reduction in coverage in central and north-eastern Estonia, but an improvement in the below-average coverage in western Estonia. Coverage of the workforce in terms of representation on questions of working environment shows the expected bias towards more complete representation in larger enterprises, and more uneven representation in SMEs.

3.6 Employees by sector and existence of working environment representative in the enterprise

Variations appear in the reported sectoral coverage of safety representation, with only just over a quarter (28.8 %) of employees in the primary sector reporting safety representative coverage in 2015 (compared with 35.4 % in 2009) according to Statistics Estonia (2015h) data. In the secondary sector, nearly half of employees reported that they had a safety representative (47.6 % in 2015, slightly down from 53.3 % in 2009). In the tertiary sector, 40.3 % of employees claimed to be covered by a safety representative (marginally down from 43.2 % in 2009). It would appear, therefore, that the slight decline in coverage was greatest in the primary sector, which already had the lowest percentage of reported

coverage by safety representatives. There appears to be a sharp divide in coverage by safety representatives between white-collar and blue-collar occupations, with technicians and associated professionals reporting 49.5 % coverage in 2015, compared with plant and machine operators and assemblers at 34.8 % in 2015 (down from 53.2 % in 2009). Elementary occupations appeared to have the worst coverage at 27.7 % in 2015. Young employees (15 to 24 years) also appear to be less well covered, at 29.4 % in 2015, than older age groups (45.3 % for 25- to 49-year-old workers) (Statistics Estonia, 2015i).

3.7 Employer and employee views of the effectiveness of safety representatives

In terms of the perceived effectiveness of safety representatives, 85.1 % of employers judged them to be coping 'very' or 'rather well' with their role, compared with a somewhat smaller proportion of 63.8 % of employees (Statistics Estonia, 2015j). Employees of private companies recorded levels of satisfaction with representatives' performance at 66.1 % in 2015, while state and local government agency employees recorded a somewhat lower level of satisfaction at 55 %. Employees of enterprises in the primary sector registered 58.3 % satisfaction, in the secondary sector 65.2 % and in the tertiary sector 63.2 % in 2015. In terms of occupational groups, white-collar and skilled blue-collar groups recorded higher levels of satisfaction than the elementary occupations (Statistics Estonia, 2015j).

Summary

Satisfaction with the perceived effectiveness of safety representatives varies between employers and employees overall. Private company employees recorded greater satisfaction than the state sector, as did secondary and tertiary sector employees compared with primary. Overall around two-thirds of employees and more than four-fifths of employers reported satisfaction with the performance of representatives (Statistics Estonia, 2015k). Some of our findings from qualitative research (case-studies) will shed some light on this issue and will be presented in the later chapters.

3.8 Presence of a working environment council

As required by law, a working environment council comprising representatives of employer and employees is mandatory only in enterprises with over 50 employees, or if the Labour Inspectorate requires one to be established based on the working conditions in the enterprise. Two-thirds (63.3 %) of enterprises and establishments with 50 to 249 employees had functioning works councils in 2015 compared with a half (53.3 %) in 2009, and in enterprises with over 250 employees the percentage in 2015 was 89.2 %. However, as most establishments and enterprises have fewer than 50 employees, most enterprises in Estonia do not have functioning working environment councils. These existed in only 9.1 % of private enterprises on 2015 (up from 5.7 % in 2009) (Statistics Estonia, 2015k). These councils were present in 21.3 % of state and local government agencies (up from 18.4 % in 2009) (Statistics Estonia, 2015l).

Summary

While working environment representatives are found in more than half of all enterprises, the numbers in micro- and small enterprises compare unfavourably with representation through safety and health representative councils in larger enterprises, if only because there is no requirement for safety representatives in the companies with 1-9 employees. Working environment councils, as mandated by law, are similarly rather unevenly present in medium-sized enterprises with over 50 employees compared with larger enterprises, but the data suggest an increase in coverage of working environment councils from around a half to nearly two-thirds for enterprises with between 50 and 249 employees over the period. In larger enterprises with over 250 employees, the coverage of working environment councils is almost complete.

4 The style and character of the national regulatory regime for OSH management

The main document underlying the field of OSH in Estonia is the Occupational Health and Safety Act adopted by the Estonian Parliament (Riigikogu), based on which several relevant regulations of the Government of the Republic and the Minister for Social Affairs have been developed and enacted (the act came into force on 26 July 1999). In the OSH system of Estonia, the Ministry of Social Affairs constitutes the executive authority which regulates the entire area, whereas two of its structural units (the Working Life Development Department and the Health Care Department) are directly involved in OSH-related policy-making. The national-level Working Environment Council operates within the governance of the Ministry of Social Affairs. The council is a tripartite advisory body comprising 15 members and its main task is to make suggestions and express opinions on the development and implementation of working environment policy. Following the discontinuance of the Occupational Health Centre in 2004, the centre's executive role in the area of occupational health was assumed by the Health Board (the Working Environment Department).

4.1 Inspection and enforcement regime

State supervision regarding compliance with OSH requirements is handled by the Labour Inspectorate (Tööinspektsioon). The Labour Inspectorate in Estonia provides information to employees and employers, investigates serious occupational accidents and analyses their causes, and exercises powers of enforcement as well as conducting prevention campaigns aimed at specific sectors to improve OSH outcomes. The Labour Inspectorate was restructured in 2008 to strengthen its preventative and educative role, with a strong emphasis on communication with the public and through the media. One reason for this was that the new Employment Contracts Act with its greater contractual flexibility removed the need for an inspection and control function in several key aspects of labour relations, such as the monitoring of working time.

Regarding inspection and enforcement, the Labour Inspectorate notes for 2014: 'Although in the course of state supervision to some extent more violations were detected than a year before, but the proportion of enterprises regarding violations did not increase — violations were detected in 84 % of the enterprises inspected. In every third enterprise infringements detected were either the absence or incorrectness of risk assessment, and in every fourth enterprise there were shortcomings in the initial or in-service training or instruction of the staff' (Labour Inspectorate of Estonia, 2015a: 5). While the view of the inspectorate is that there were 'a too significant number of employers who, before an inspector's visit do not contribute to their work environment', compliance following inspection appears to be satisfactory: '91 % of labour inspectors' notices were complied with on time, and thus the need for the implementation of sanctions has diminished' (Labour Inspectorate of Estonia, 2015a: 5). At a strategic level the role of the Labour Inspectorate has changed and its focus has shifted on 'activities aimed at awareness-raising of employers and employees', rather than on prosecutions and punishment (Labour Inspectorate of Estonia, 2013).

The Labour Inspectorate is thus active in dissemination activities, communication and information activities, organising information days on working environment and labour relations, and training of working environment specialists and managers of SMEs all over Estonia. The electronic newsletter of the Labour Inspectorate is regularly issued and information is published in the local press and on city websites. Dissemination of best practices is an ongoing activity available on the website of the Labour Inspectorate (<http://www.ti.ee/en/>). An example of a current campaign is 'Work Wisely', aimed at young workers joining the labour force, among whom there has been a disproportionate increase in accidents; 38 % of all accidents at work are among those who have worked for less than 1 year in a given job (Labour Inspectorate of Estonia, 2015b). Targeted inspection campaigns based on previous evidence of non-compliance will be conducted in the construction, commerce, metallurgical, wood-processing, catering and transport sectors. Based on work-related illness, targeted campaigns will also be aimed at the metallurgical industry, wood processing, agriculture and food production (Labour Inspectorate of Estonia, 2015a: 5).

This still leaves open the question of the scale of inspection activities being conducted and the scope of the penalties imposed by the inspectorate. During the crisis in 2009 preventative inspections were

temporarily suspended. After 4 years of decline, the number of enterprises which received inspections increased in 2014 to around 3,000 (2,970) for the whole of Estonia (Labour Inspectorate of Estonia, 2015a: 6). Inspections of the working environment are generally conducted in firms with more than five employees, which in Estonia thus excludes approximately 55 % of all registered enterprises (OECD, 2010: 63). There is roughly one inspector per 9,400 employed persons, which is in line with International Labour Organization recommendations. Inspections were decided upon on a targeted risk-based approach: the risk rate depends on the risk level of the activity of the enterprise, the last visit to the enterprise, inspection results, number of employees and number of work accidents, and cases of occupational diseases and work-related diseases in the enterprise. Based on these indicators, a risk rate is calculated for each enterprise, and enterprises with higher risk rates are chosen to be inspected (Labour Inspectorate, 2015a: 7). Thus, in the construction industry, for example, inspection activity was directed 'by the change of control policy so that ... not so many general inspections of construction enterprises are conducted but rather specific construction sites are focused on, which allows to identify infringements that directly cause accidents at work' (Labour Inspectorate of Estonia, 2015a: 7). Such activity covered 10 % of all enterprises with more than five employees (14,769) in the whole country.

Among those sectors identified as posing ongoing problems is handling of hazardous chemicals, while manual handling of loads has improved in some areas, but risk factors still exist in agriculture and the food industry (Labour Inspectorate of Estonia, 2015a: 4). Based on assessments by the inspectorate, some 80 % of enterprises were judged to be 'good' or 'rather good' and 20 % 'rather bad' or 'bad', which is relatively similar to the previous 5 years (2010-2014). The view of the inspectorate is that 'the majority of employers are interested themselves in establishing a safe work environment without the need for any prior inspection visit by a labour inspector at the enterprise, however, there are still employers who would rather not deal with safety at work without an intervention by a labour inspector' (Labour Inspectorate of Estonia, 2015a: 8).

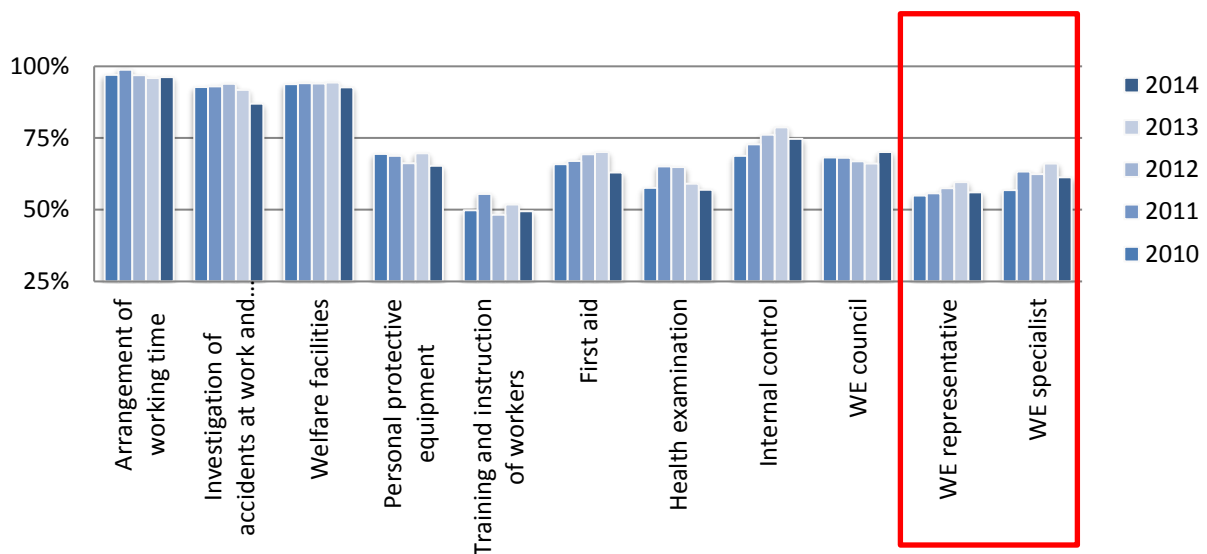
That said, activities that posed most of the problems 5 years previously 'are the most problematic also today', including 'handling of hazardous chemicals, risk of exposure to moving parts of equipment, risk of falling from height and problems concerning routes' (access gangways) (Labour Inspectorate of Estonia, 2015a: 8). Hazardous chemicals will be the target of future inspection activity, as 'there are only a few companies in which the handling of chemicals is really in order' (Labour Inspectorate of Estonia, 2015a: 8). However, as the inspectorate points out, most of the enterprises it has inspected where chemicals are used every day, such as kindergartens, hospitals and nursing homes, prioritise risks to clients over risks to employees. In wood processing, ventilation requirements for the safe use of chemicals are important, while dry-cleaning companies, laundries, dairy farming companies and companies engaged in the manufacturing of chemical products are also of concern.

The inspectorate also notes 'too many problems related to the danger of falls and routes'. There are a significant number of companies where there are no guard rails, there are unguarded openings that are not properly labelled, protection covers are missing, access routes are unlabelled, etc. Easier infringements to modify, such as when hoses, cables or other objects that may cause falls have been placed on routes, have become less frequent. The inspectorate observes: '*hopefully this is not just due to the fact that the employer has been informed of the visit beforehand for a long enough time and thus the employer gets a chance to put his work environment to rights*' (Labour Inspectorate of Estonia, 2015a: 9, italics added). The lack of unannounced inspections is clearly an issue for effective assessment of the state of the working environment. Estimates of employers' activities with regard to working environment also show that, 'similarly to previous years, problematic aspects and activities have remained the same', particularly with regard to training and health examinations, but also first-aid provision (Labour Inspectorate of Estonia, 2015a: 9).

The data provided by labour inspectors following visits suggest that just over half the enterprises the inspectors visited were judged to be 'good' or 'rather good' in terms of employers' activities with regard to working environment representation arrangements in 2014 (Figure 4.1). As might be expected, given that these arrangements are found in larger enterprises, inspectors judged employers' activities to be 'good' or 'rather good' in terms of arrangements for work environments councils in three-quarters of such enterprises visited. The view of the Labour Inspectorate on the Estonian working environment in general is that the commonest problems that Estonian companies face are training and instruction of workers, organisation of health examinations, and selection and appointment of workers involved in OSH (Labour Inspectorate of Estonia, 2015a: 4).

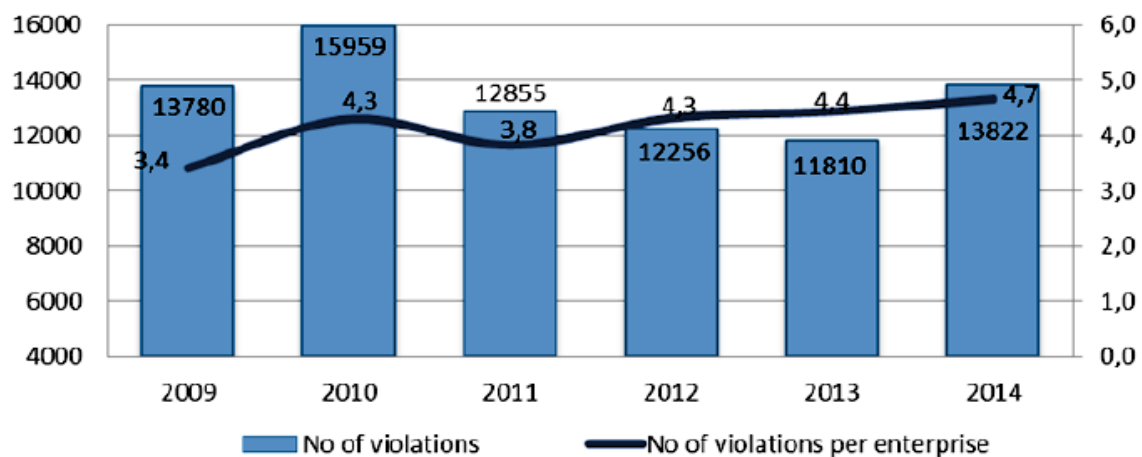
With regard to enforcement, the total number of recorded violations and the number of recorded infringements per enterprise is illustrated in Figure 4.2, indicating according to the inspectorate the 'more in depth inspection of enterprises' that have been carried out (Labour Inspectorate of Estonia, 2015a:12). The major area of concern for the Labour Inspectorate seems to be risk assessment ('internal control'), which 'either was not conducted at all or insufficiently performed or it needed to be improved' (Labour Inspectorate of Estonia, 2015a:12). In every third enterprise visited, this problem was identified, although the number and percentage of such enterprises where risk assessment has not been conducted at all are declining year by year. At the same time, there appeared to be 'more problems at those enterprises, where risk assessment has been conducted, but is 'not up-to date and no longer in line with the changed work environment', suggesting that much risk assessment activity is of a formal or superficial nature (Labour Inspectorate of Estonia, 2015a:12).

Figure 4-1: Assessments of employers' activity as "good" or "rather good" (% of enterprises visited by inspectors), 2010-2014



Source: Labour Inspectorate of Estonia (2015a: 10).

Figure 4-2: Number of OSH violations and average number of violations per enterprise 2009-2014



Source: Labour Inspectorate of Estonia (2015a: 12).

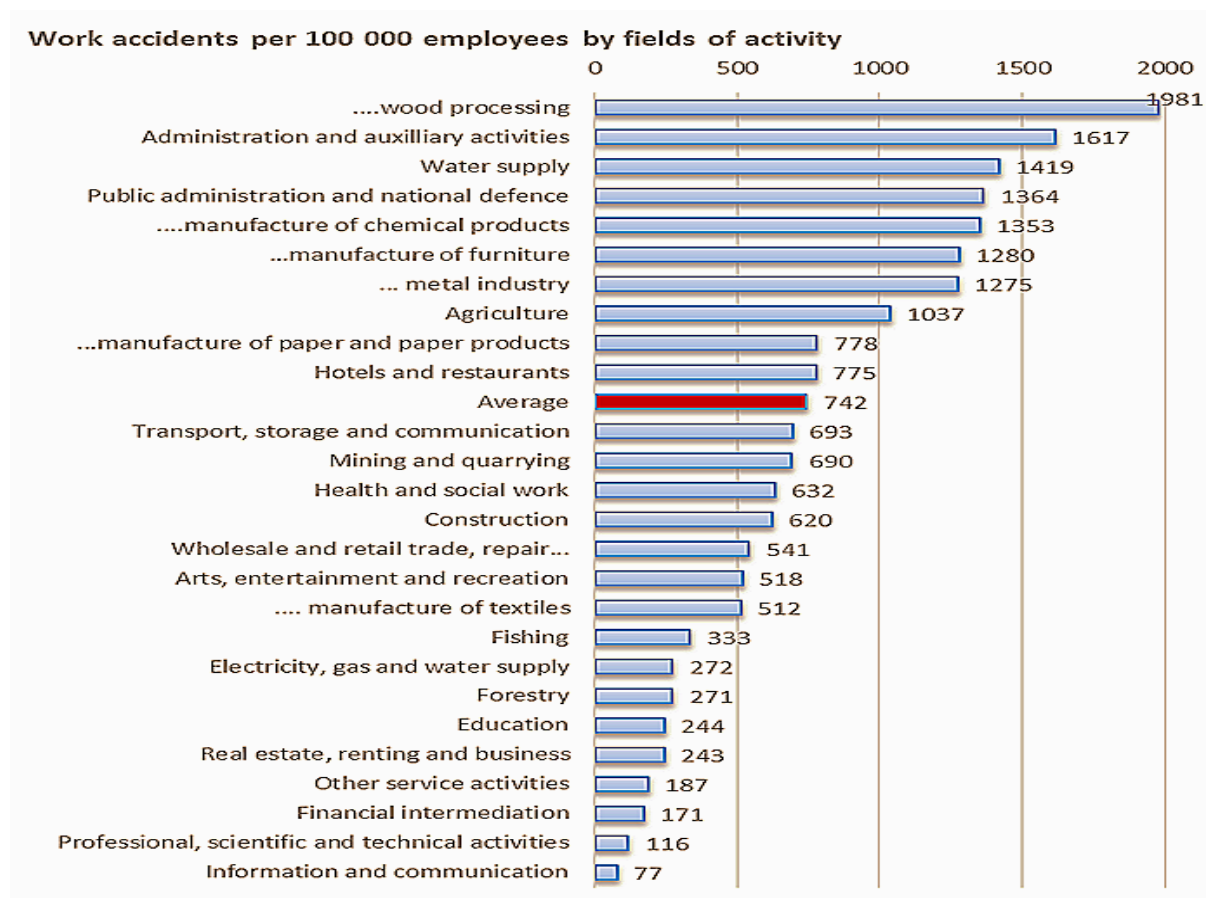
Work activity was suspended by the inspectorate 235 times and the use of work equipment was forbidden 420 times in 2014 (287 and 534 times, respectively, in 2013), less frequently than in previous years. The majority of the cases where work was suspended still took place in construction, 'when safety of working at heights was not ensured or personal protective equipment was not used. In other fields of activity work was suspended when devices ensuring safety of work equipment did not meet requirements or protective covers had been removed' (Labour Inspectorate of Estonia, 2015a:13).

The frequency and level of penalties imposed seems to reflect a generally 'light' regulatory touch adopted by the inspectorate. According to the 2014 data, warnings of penalty payment for non-compliance of requirements were imposed 395 times, to the amount of €87,020, and the penalty payment was enforced 22 times, to the amount of €5,600 (in 2013 it was 59 times, to the amount of €11,170) (Labour Inspectorate of Estonia, 2015a: 1). While these sums appear small by international standards, they reflect the level of penalties that exist in Estonia for general violations of labour law. These are judged by OECD to be 'very low' and in need of 'some increase' (OECD, 2010: 64). However, as the inspectorate has put it: 'The need to enforce penalty payment has significantly decreased, as compliance of requirements of notices issued by labour inspectors has improved' (Labour Inspectorate of Estonia, 2015a: 14).

4.2 Accidents at work

In 2014, approximately 900 serious accidents were reported in Estonia. That was 15 % more than the previous year (Labour Inspectorate of Estonia, 2015a: 14). Accidents occurred most often in manufacturing and in public administration and defence (Figure 4.3). Almost two-thirds of accidents involved males, most often in the age group 25-34.

Figure 4-3: The ration of work accidents per 100,000 employees by fields of activity, 2014

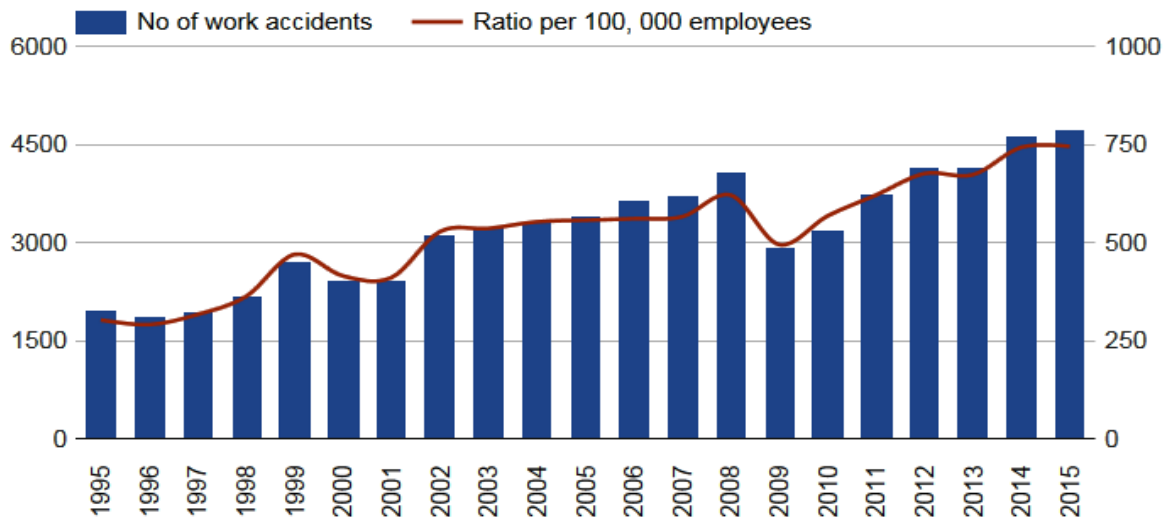


Source: Estonian Labour Inspectorate (2015a: 20).

In the case of data on registered accidents at work, it needs to be taken into account that not all accidents are reported to the Labour Inspectorate. (Estonia does not have an insurance-based system, which would guarantee a high reporting level, but uses a reporting system based on the legal obligation of the employer to notify the accident to the Sub-Bureau of the Labour Inspectorate.) According to the Labour Inspectorate, it 'can be assumed that there are significantly more work accidents in the construction industry than have officially been registered' (Labour Inspectorate of Estonia, 2015: 20). In particular, data on less serious accidents in general are underestimated, and 'the administrative system encourages the rule of staying-at-work or a quick return to work, after a work accident occurred' (Eurofound, 2015: 19).

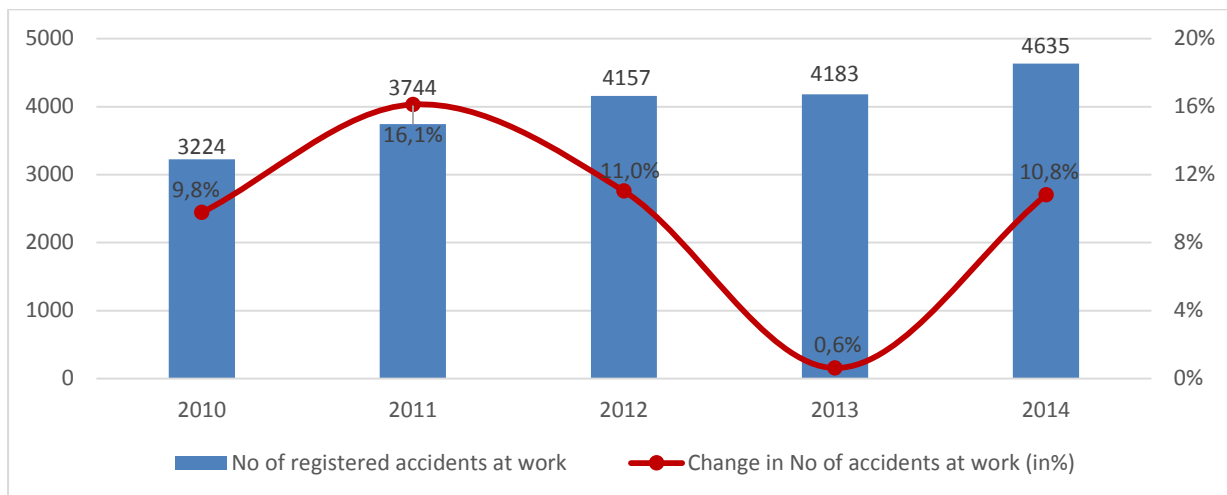
The possible reasons for low accident-reporting levels can be looked at from different angles. For example, (1) they may be caused by employers, because of their lack of knowledge about legislative requirements concerning reporting of accidents; the complicated and time-consuming reporting procedure; their concerns about high costs of investigations of accidents and further safety measures; fear of inspection by the Labour Inspectorate and high penalties; etc. At present, the legislative provisions give very little motivation for the employer to deal with OSH and to report occupational accidents. Estonia does not have an insurance act for occupational accidents and diseases. Currently, covering costs for occupational accidents and occupational diseases is integrated into Estonian health insurance (temporary loss of work ability) and pension insurance (permanent loss of work ability) schemes. The system of occupational disability and occupational accident insurance is voluntary in Estonia and is, therefore, not optimal. (2) The low reporting levels may be caused by employees because they fear being fired after an accident; because their attitudes lead them not to notify minor accidents/incidents; because of the lack of communication and the absence of a notification system for accidents or the absence of a person in the company to whom to notify it; and so on. Nevertheless, both the reported gross number and rate of work accidents per 100,000 employees has risen over time since the mid-1990s, with only a brief decline during the crisis years in the late 2000s (Figure 4.4).

Figure 4-4: Number of registered work accidents and work accidents per 100,000 employees, 1995-2000



Source: Labour Inspectorate of Estonia (2015c).

The economic crisis from 2008 onwards was marked by a downturn in the number and ratio per 100,000 of recorded accidents at work (Figure 4.4). By 2010, with the economic upturn and the increasing intensity of economic activity, accident rates began to rise. Whereas in 2013 the number of registered accidents at work per 100,000 employees was 673, in 2014 such accidents numbered 742 per 100,000 representing a 10 % increase on the previous year (Figure 4.5). The trend appears to have continued, reaching new levels in 2015. This appears to be the case for all but two counties in Estonia.

Figure 4-5: Number of registered work accidents and change compared with the previous year, 2010-2014

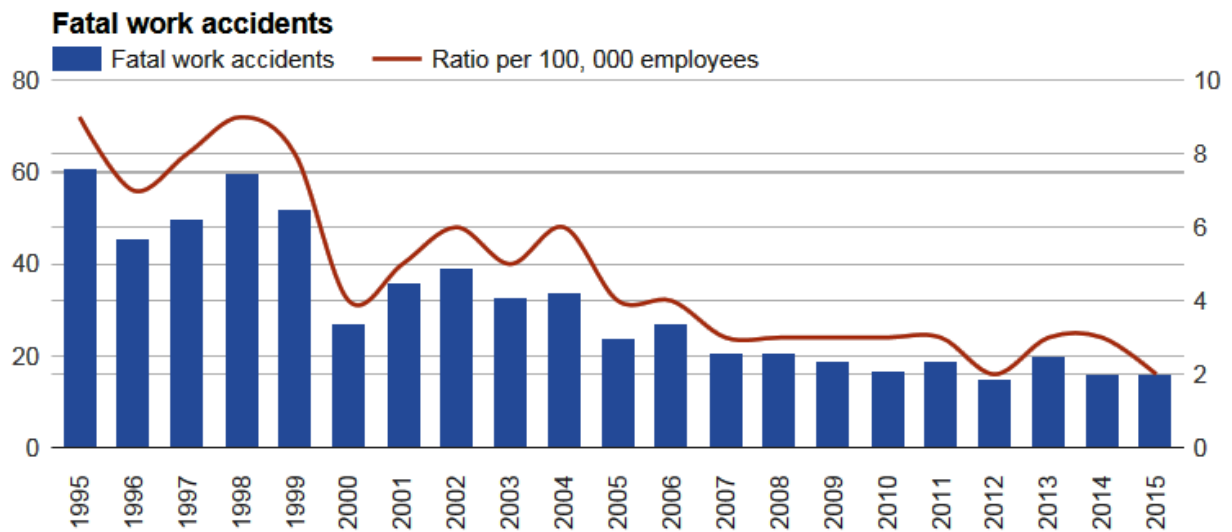
Source: Labour Inspectorate of Estonia (2015a: 14).

Fatal work accidents have declined markedly from 9 per 100,000 employees since the mid-1990s and, after a rise in the early 2000s to 6 per 100,000 employees, have currently declined to a plateau of 3 per 100,000 employees since the mid-2000s (Figure 4.6). In absolute numbers, since 2010, fatalities have averaged between 15 and 20 per year, with 16 recorded in 2014. It is more complicated not to report fatal accidents and, therefore, it may be a better indicator to assess working conditions in Estonia compared with other EU countries than the standardised index. Nevertheless, while the statistics of fatal accidents are more reliable in Estonia, the absolute numbers involved are very small and difficult to extrapolate. Viewed over the period since the 1990s, the incidence rate of fatal accidents has decreased, at least in part thanks to increasing knowledge among employees and employers, introduction and implementation of modern technologies, equipment and machinery, and more effective inspections by the Labour Inspectorate.

In recent years, however, many campaigns and several projects on OSH have been successfully launched and carried out by the Labour Inspectorate, the European Agency for Safety and Health at Work (EU-OSHA) and the Ministry of Social Affairs, which, according to the Labour Inspectorate, have had a crucial and positive effect in increasing the employers' and employees' awareness of the importance of safety and health issues at enterprises, and awareness of the need to notify accidents at work to the authorities, as well as in the development of OSH in Estonia in general. A second reason for the increasing accident trend may be the formal and impractical risk assessment procedures and reports, and the fact that risk assessment is often performed only incompletely – the implementation step of safety measures as well as follow-up controls may be overlooked or forgotten.

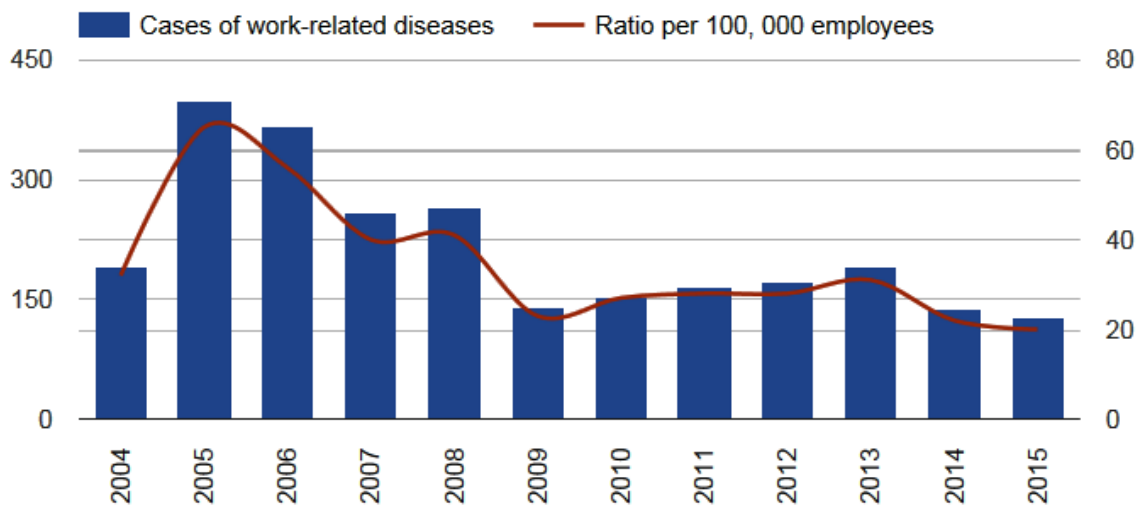
Cases of work-related diseases have shown a decline over the period from the mid-2000s to the present, from a ratio of 65 per 100,000 in 2005 to 20 per 100,000 in 2015, as illustrated in Figure 4.7. Again, it is difficult to assess whether changes in reporting procedures and assessment techniques or genuine improvements are responsible for these improvements.

Figure 4-6: Fatal work accidents in Estonia, 1995-2015



Source: Labour Inspectorate of Estonia (2015c).

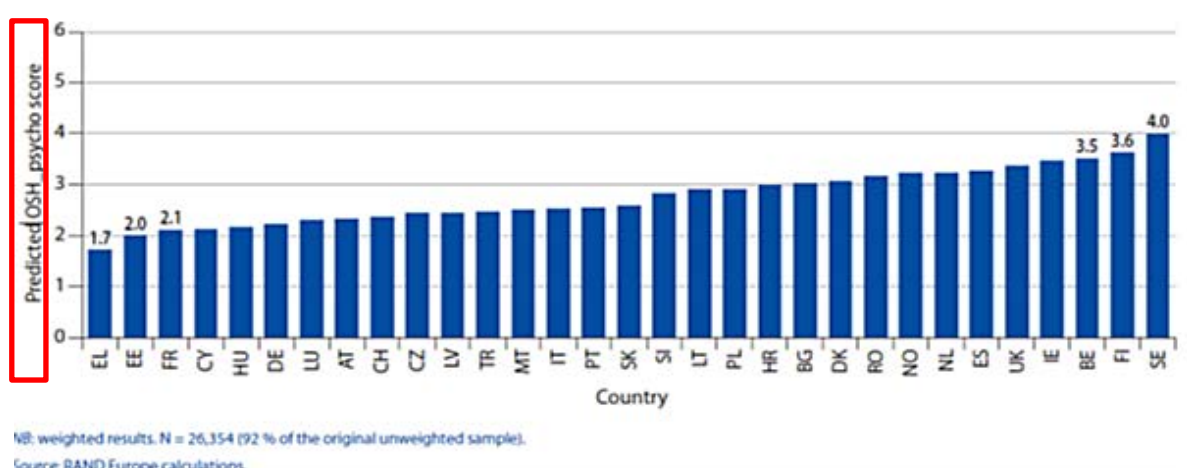
Figure 4-7: Work-related diseases



Source: Labour Inspectorate of Estonia (2015c).

Issues of inadequate workplace provision, the need to raise awareness and possible reasons for concealment also apply to psychosocial problems for employees. After applying factor analysis, eight variables comprised a score for psychosocial composite risk management and were strongly correlated with each other. These variables were the following: (1) size of the establishment; (2) whether the establishment is a part of a larger entity (company, firm); (3) sector (public or private); (4) gender composition of the establishment's workforce; (5) age composition of the establishment's workforce; (6) proportion of foreigners in the establishment's workforce; (7) industry; and (8) country (EU-OSHA, 2012: 34). In terms of a country comparison of a systemic approach to the management of psycho-social risks Estonia ranked second last in the EU (Figure 4.8).

Figure 4-8: Country and OSH-psycho composite score



Source: ESENER-1, EU-OSHA (2012: 36).

The Fifth European Working Conditions Survey (EU-OSHA, 2012: 118) found that in Estonia over 30 % of women and over 20 % of men reported that their mental well-being was at risk because of their work, slightly higher than the EU averages, but towards the EU middle range. In the Eurobarometer (2014) survey 33 % of respondents reported stress as a workplace health risk, compared with 51 % for the EU-28. It may be that, in an increasingly insecure employment context, workers are reluctant to report stress-related problems, while management may be reluctant to take such issues on board.

Results from the ESENER-2 survey place Estonia among the bottom third of 36 countries for establishments 'having sufficient information on how to include psychosocial risks in risk assessments'. For 'use of a psychologist, in-house or contracted externally', Estonia ranks second last (EU-OSHA, 2016: 49-50). Again, Estonia ranks in the lowest third with respect to enterprises 'having an action plan to prevent stress and procedures for bullying/harassment and threats, abuse or assaults' or prevention training in these areas, suggesting the generally low priority given to psychosocial issues (EU-OSHA, 2016: 53).

4.3 Summary of main findings

The above review of official sources includes data that provide insights into the possible preconditions for successful worker representation on OSH in Estonia. These include a brief background overview of the political economy of Estonia, including its experience of the global financial crisis of 2008 and subsequent recovery; contemporary labour relations in Estonian enterprises and establishments, including an overview of trade union density, collective bargaining and employee representation; statutory arrangements for worker representation in OSH, regulatory inspection and supports for good OSH practices; and official indicators of the current occupational accident and illness rates. The Statistics Estonia work life surveys complement ESENER data in highlighting information on health risks faced by employees, accidents in the workplace, health promotion and health check-ups, and detailed evidence on the coverage and operation of working environment representation arrangements, as well as their perceived effectiveness according to both employers and employees. In summarising this material, it is fair to say that there have been some overall improvements in OSH arrangements in Estonia in recent years, despite a period of severe economic turbulence. In particular, the spread of working environment representation and working environment councils appears to be an encouraging development. However, the coverage and effectiveness of these arrangements, especially in micro- and small enterprises and with respect to new and emerging psychosocial risks, as the case-studies will reveal, often appears to be rather formal and patchy. Worker voice in OSH, as in wider 'industrial citizenship' in Estonia, appears to lack the legitimising power of collective representational supports. In what follows, these issues are explored through the qualitative case-study material, which provides a unique and close insight into the barriers to and facilitators of good OSH practice in Estonian enterprises and establishments today.

5 Research methods

5.1 Qualitative interviews

The case-studies aimed to identify enterprises' (managerial) methods, procedures and (external and internal) drivers, as well as the ways they affect the operation of arrangements for worker representation on safety and health in Estonia. The objective of the qualitative case-studies was used in addressing 'what', 'how' and 'why' questions to understand how workers are represented in Estonian enterprises and 'the quality of voice' in worker representation. The case-studies were intended to promote better understanding of the rationale, organisation and implementation of current workers' representation regulations in safety and health in Estonian enterprises (the development of needs, obstacles and the changes that have occurred in this area, in particular after Estonia became a member of the EU). In addition, the case-studies are intended to provide deeper knowledge about senior managers' and workers' perceptions of these issues, which may influence the worker representation as well as overall safety performance of the enterprises.

The empirical case-studies were conducted in 20 small, medium-sized and large enterprises and institutions from different sectors: manufacturing, private and public services (Table 5.1). Contact data for 150 establishments were received from TNS, the international social research company that carried out the original ESENER-2 survey in November 2015. The initial approach was by telephone and was followed up by email with an official information sheet attached to introduce the project. Almost all of the cases were establishments that had participated in the main ESENER-2 survey, based on following criteria: sector (manufacturing, private services and public services), number of employees (size of the enterprises) and location. One enterprise was selected from the researchers' personal contact list, which also met the selection criteria. All selected enterprises represented typical enterprises in each of three sectors, which facilitated comparison of the results within each sector. The refusal rate was around 25 %. However, none of the case-study enterprises remembered their participation in ESENER-2, perhaps because of the high turnover of personnel in small and medium-sized enterprises. In some cases, the establishment was no longer eligible for the study (the number of employees had decreased or the business had ceased trading).

The field visits took place during November 2015 to April 2016, and involved 56 interviews and several observations in the 20 enterprises, which are located in different parts of Estonia. In total, we interviewed 99 people. Of these, 21 were managers (some were owner-managers of establishments). The remaining 78 were workers. It is important to mention that in the majority of the establishments the workers were selected by the managers. However, the main criterion was fulfilled: all workers had worked in the establishment for some time and were familiar with its arrangements, including in the field of OSH.

Table 5.1 Enterprises and establishments in the qualitative case-studies

Large	Number of employees	Medium	Number of employees	Small	Number of employees
L001M Chocolate factory	420	M004PS Hotel	69	S003PS Household machine sales	20
L002PS Telecoms	600	M005M Energy company	72	S008M Jam producer	21
L007PU University	3,800	M006PU Government agency	120	S010PU Elderly care home	10
L009PU Hospital	250	M011PU Vocational school	110	S012PS Hotel	22

Large	Number of employees	Medium	Number of employees	Small	Number of employees
L014PS Bank	400	M018PS Construction and furnishing sales	120	S013M Log cabin manufacturing	35
L015M Power technology parts manufacturing	1,200	M019M Furniture manufacturing	100	S017PU Kindergarten	20
L016M IT manufacturing	700			S020PS Catering company	10

Data were also gathered from focus group interviews with workers and semi-structured face-to-face interviews with employers' representatives and employees' safety representatives. The interviews were conducted mainly in Estonian and a minority in Russian. The interviews with employers' representatives and employees' safety representatives lasted more than 1 hour on average and were recorded; each focus group session lasted 45 minutes on average and was recorded.

For the focus groups, a simple random sample was selected from workers employed in selected enterprises (at least three participants in each focus group interview). However, in some cases this was not possible and, therefore, participants were selected according to their availability. All individual interviews were completed before the workers' focus group interviews occurred. Every effort was made to protect the privacy, confidentiality and anonymity of individuals and organisations participating in this study.

5.2 On-site observations

The data were gathered in several steps. Before the interviews, a tour-around visit (on-site observation) was conducted to gain a general overview of working conditions and work organisation in the enterprise. Observations revealed data about attitudes, tangible factors (e.g. safety policies, rituals, stories) and behavioural dimensions (e.g. safety norms in action, the prescribed and proscribed safety behaviours at work, safety meetings and discussions) as well as salient features of safety and health in each enterprise.

In combination, the semi-structured and focus group interviews and observations provide an important basis for inferring the basic assumptions and attitudes of the organisation and its safety culture. The researchers performed on-site observations in the form of a walk-around in the investigated enterprises, visits to working stations, and observations of work processes and practices.

6 Results

This chapter reports the follow-up qualitative study findings.

6.1 General characteristics of the case-study and participants

This section describes general characteristics of the case-study establishments and enterprises and the participants in the interviews.

As shown in Table 5.1, the establishments and enterprises which participated in the case-studies were large, medium-sized and small and from different sectors: manufacturing, public services and private services.

Of the managers, 12 were female and all had basic knowledge about OSH legal requirements. All the safety managers and workers' representatives had received OSH training (comprising 24 hours of training in total) outside the workplace. The fact that all of our main interviewees had OSH training, or even in one case a degree in the field of OSH, suggests selection bias: establishments that participated in the case-studies had better OSH conditions than the real situation in Estonia. However, the results demonstrate the commonalities between establishments and enterprises, and differences between sectors, in the field of OSH with a special focus on worker involvement and representation.

6.2 Evidence from the case-studies

This section presents the main findings from 20 case-studies which were included in the qualitative study (on-site visits/observations and interviews with senior managers and workers). A summary of the case-studies is presented in Appendix 1. Its aim is to describe the real situation of worker representation on OSH at the workplace level in Estonia and to explain the variable quality of this practice (varieties of 'voice' of workers).

The current section begins with a description of the labour relations in the establishments investigated, including representation of workers on OSH. Then we present the analysis of the different forms of worker participation in OSH depending on the size and sector of the enterprise. That is followed by an account of key findings about occupational risks and workers' involvement in the process of risk assessment, as well as an exploration of top management attitudes to OSH. The last element of the account of the key findings concerns what determines the arrangements for effective workers' participation on OSH (external and internal drivers and supports) in the context of Estonia.

Arrangements of labour relations at the establishments including those for representation of workers on OSH

- **What are the labour relations and business contexts in which representation/participation occurs in the cases, how do they influence it, and in which establishment contexts is it perceived to be most successful?**

In the Estonian case-studies, we identified that OSH activities can be more successfully implemented in the country's capital region, where the main infrastructure (availability of OSH services, private consultancy, inspections, etc.) and business activities are located. We also observed much lower awareness and accessibility of OSH knowledge in rural regions further away from the capital city.

Based on the experiences from the case-studies, we can conclude that permanent workers are more likely to be represented, as they have an ongoing contract and relevant safety training. They are considered long-term employees who are valued by the management, which will invest in the development of their knowledge and skills, including safety, as well as in providing occupational health services (e.g. health check-ups).

Based on several case-studies (in medium-sized furniture manufacturing, small catering service), it is essential to mention that senior managers (employers) do not completely understand the importance of occupational health services and, in particular, they do not grasp that occupational health physicians can also provide OSH information. When the researchers asked more precisely about the cooperation

with occupational health doctors and the possible benefits of conducting health check-ups for workers, employers' representatives could not name any benefit or expected specific outcome of cooperation with occupational health doctors. One employer's representative confessed:

I know that there is a difference between health certification provided by the family doctor and health check-up decisions provided by the occupational health doctor. However, since workers change every 4-6 years and we are not sure that they will stay with us, our manager has decided not to invest in occupational health services, like health check-ups. You know that health check-ups costs a lot and this is pure cost for the restaurant.

Employer's representative, 10-49 employees, catering company

All of the establishments had a permanent workforce. However, one establishment hires contract workers during busy periods. The safety manager reported:

In busy periods, our company hires contract workers. They are generally more cautious than our regular workers. Our regular workers are victims of routine and often work automatically or on the run. Therefore, it's easier with contract workers: their concentration is higher.

Employer's representative, 250+ employees, chocolate factory

This result is surprising because, generally, contract workers are considered to present a higher risk of unsafe behaviour, but this particular establishment emphasised the opposite. It seems that contract workers tend to learn the safety rules established in the organisation, follow them better and focus more on them. They do not have the bad habits that can be observed among experienced workers who, because of the lack of a safety culture in previous years (especially during Soviet times), do not prioritise safety.

We consider that the more knowledgeable and skilful workers, particularly in private services, are in a better position to negotiate for better conditions and raise relevant issues at management level. We found that, with these features and good communication skills with the safety managers, representatives and top management, they achieve better results in maintaining their safety, health and well-being at work.

Many employers' representatives and workers claim that the quality of working environment representatives is more important than the quantity. One employers' representative said:

The legislation is one thing, but reality is another. Even if legislation demanded 20 representatives, and we selected them, but 10 of them were not active – it's no practical use either. In our company, we are very satisfied with our representatives. We have few of them, but the majority are very active.

Employer's representative, 250+ employees, chocolate factory

Based on the results from interviews it is possible to describe a clear advantage to work that Estonian establishments derive from having working environment representatives: 'feedback from workers, being on the actual spot, drawing attention to special requirements and problems on site as well as identifying means of overcoming them, seeing/hearing what's going on in order to improve communication between both sides' (L015M Power technology parts manufacturing). In addition, the employer's representative in one establishment summed up:

We think that a good working environment representative has some distinctive qualities such as good interpersonal skills, good conflict-solving skills, should be friendly and empathic, no harsh feedback, courage to deliver uncomfortable problems, eager to make proposals and diligent ... One of our representatives in particular has all those good qualities. He also has the courage to approach his manager even with problems which may not be supported by the manager. He contributes a lot to show the real picture; also in special courses he always gives everyday examples, so that everyone can learn from them.

Employer's representative, 250+ employees, chocolate factory

Forms of worker participation in OSH

▪ What forms does worker participation in OSH take?

Estonia has had a 'dual system' of employee representation since 2007, whereby, in the absence of a workplace trade union, the general workforce can elect a trustee to represent their interests. However, this form of representation is very rare; it can be seen particularly in the food industry and in mining.

Workers' participation can take other forms depending on the size and sector of the enterprise. In our case-studies, we observed a logical trend: larger companies in high-end sectors (e.g. manufacturing) have a clear form of worker participation in OSH activities using established structures and active communication with representatives; SMEs' representation is more of a formality and representatives are not involved much in OSH activities. One of the possible reasons is described by a manager of a private service company:

Since our company is pretty small and all documents are prepared by the manager, we do not see that a representative can contribute a lot to OSH issues. Yes, X is our representative, but we see her as a bookkeeper.

Employer's representative, 10-49 employees, household machine sales service

In medium-sized companies the OSH tasks (and sometimes also responsibilities for OSH) are delegated, usually to employees from the human resource management department and bookkeeping, who deal with OSH with minimal effort. One possible explanation for that could be a lack of time and willingness to deal with the bureaucracy involved in OSH. An example can be described from the vocational school:

I do not remember how I was elected to deal with OSH, it was so many years ago. However, I think, that I was elected just because I am dealing with documents anyway and can also keep an eye on health and safety documents.

Worker's representative, 50-249 employees, vocational school

In many small companies, the OSH duties are often fulfilled by the employer him- or herself and workers' representation is direct, involving communication with employers who are usually on site every day. An example can be given from a small manufacturing company:

Since our company is small, then I do the job myself, and some duties are on the shoulders of the quality manager. Safety is important for me, but I don't see that the representative can contribute a lot to the OSH issue, he's just a regular office worker. I talk to people myself – I'm on site every day, so it's not a problem for me. I get all the information from them.

Employer/owner, 10-49 employees, jam producer

Another possible reason for workers' weak participation in Estonian establishments is management's lack of time and little interest in dealing with OSH:

I do not have enough time to deal with OSH issues as a representative. I have my obligations as a manager of the sales department. There is a lot of work and I feel like I need to deal with 'fire-fighting' every day. I feel that the senior manager does not understand and does not value OSH, as well as the whole importance of workers' safety environment. I was elected as a representative because it was required by the legislation, but practically I do not fulfil these duties as a representative and I am not supported by top management.

Worker's representative, 50-249 employees, hotel

In large enterprises, usually a safety manager works full time and organises all necessary safety activities such as preparing safety documents, conducting risk assessment, carrying out safety training, organising health check-ups and communicating with representatives. In those companies, the role of representatives is emphasised more highly:

I myself can't reach all workers. And not all workers want to tell us every single thing. So, here, representatives are very useful – they bring us the problems we wouldn't hear otherwise.

Safety manager, 250+ employees, chocolate factory

In some companies, representatives are involved even more in safety and health activities. They are involved in reporting problems in the working environment; reviewing safety instructions; updating risk assessments, being an additional 'eye' in the OSH field and, if they notice something, always discussing it with the working environment specialist; and investigating occupational accidents. This makes working environment specialists appreciate the representatives' role more:

When they [representatives] notice something – for example, a shortage of personal protective equipment, or a questionable phrase or section in the safety instructions, etc. – they give a note about it to the working environment specialist. Working environment specialists definitely see great benefit from representatives and cooperate with them actively.

Safety manager, 250+ employees, power technology particles manufacturing

Risks and incidents, risk assessment

- **How are workers (or their representatives) being involved in the process of risk assessment? How does worker representation/participation address new and emergent risks as well as psychosocial risks?**

Across all the investigated case-studies, it is possible to conclude that traditional occupational hazards (physical, ergonomic and more or less chemical risks) are investigated and risk assessment is conducted. However, the working conditions and the quality of risk assessment vary from sector to sector and the situation improves as the number of employees (size of establishment) increases. The main concern of the researchers was the low quality of risk assessment, caused by lack of exposure assessment (measurements of all occupational hazards), unsystematic evaluation and assessment of health risks (unclear risk assessment methods) and insufficient assessment of chemical risks as well as weak worker participation in the process of risk assessment (mainly only a matter of filling in the questionnaire about possible health risks) in many of the establishments investigated.

However, we found risk assessment conducted by team of specialists (psychologist, ergonomist, occupational hygienist, occupational health doctor), where they have also been involved in the process of risk assessment and compiling the action plan (which presents safety measures to eliminate or minimise the health risks) together with not only working environment specialists and representatives but all workers. The large establishments have the necessary knowledge and resources (personnel, finance, and time) allocated to OSH.

Based on the results of the case-studies, we can say that workers are involved in *risk assessment* procedures, e.g. filling in a questionnaire about possible hazards and health complaints, particularly in the manufacturing sector and when enterprises perform risk assessment by themselves. However, it seemed that, in many companies where there is potential input by the workers, it often takes the form of informal discussion and no systematic analysis of risks is undertaken. Workers can often name their main occupational hazards, but equally they are likely to accept these as 'a part of the job' and not identify the real responsibility of the employer to manage these risks. Based on our observations and interviews, it is possible to say the workers are not always familiar with the results of risk assessment.

In one establishment, the employer claimed that its company (a bank) actively involves workers in assessing the working conditions periodically, and all workplaces have been visited by the representative and head of administration department:

About 3 years ago, all workers were visited at their workplaces and the head of the administration department asked if there was anything which bothered employees concerning their physical workplace.

Employer, 250+ employees, bank

During the interviews with workers, we encouraged them to share their experiences of involvement in safety and health activities. In response to the question about regular discussions between colleagues about safety and health, one worker summed it up during the focus group interview:

Unfortunately we do not discuss health and safety issues with colleagues because we do not have time. If we have any problems, we refer to the line supervisor or our representative.

Worker, 250+ employees, chocolate factory

In another case-study, possibly the best enterprise of the 20 visited, the opposite statement was given:

We discuss OSH issues quite often. Health and safety is a priority, and we know that we are entitled to have good conditions at our workplaces. We are not afraid to say when something is wrong. Actually, when we say it, we might get a reward for it.

Worker, 250+ employees, power technology particles manufacturing

The main occupational risks were the following:

Physical risks included slips, trips, falls, burns, cuts (sharp implements), contact with machinery, inappropriate microclimate and noise.

Physiological (ergonomic) risks included heavy lifting (manual handling), working in awkward positions or in confined and uncomfortable spaces, prolonged working in a standing position or at a visual display unit (VDU), which requires a fixed posture.

Exposure to *chemical and biological risks* received little attention from both employers and employees and was perfunctorily assessed and presented in the risk assessment documents.

Psychosocial risks included stress, work intensity, fatigue, working late at night, long working days, violence and aggression from customers (in the hotel, restaurant and catering sector), conflicts between workers, poor communication and discrimination. In many SMEs, it seemed that neither management nor employee representatives appeared to have any interest or competence in addressing psychosocial risks in the working environment. In addition, psychosocial risks seemed to be accepted as a part of the job (busy periods, tight deadlines).

Interviews with workers suggest that they are aware of some hazards and can name some general things in all the case-studies. However, workers' specific knowledge about occupational risks is unclear and there are clear risks which are underestimated by the workers and are accepted as a part of the job.

Asked 'How did you get the scar on your arm?' one worker explained:

Oh, this is from pouring hot jam to my arm. It happens from time to time. It's my own fault, I didn't check how hot the jam was and acted too carelessly. This is normal, nothing to worry about, it will heal eventually.

Worker, 10-49 employees, food manufacturing sector

It is essential to mention that generally managers and workers had different understandings of the most significant occupational hazards (mainly physical risks) as well as of OSH. Senior managers tended to underestimate the risks faced in the establishments. However, both managers and workers generally perceived their workplace as safe. One manager said:

I think that well-being of the employees in the nursing home is very important and affects the quality of the care provided for the client/patient.

Employer, 10-49 employees, public service (elderly nursing home)

However, that employer does not put any effort into improving working conditions and making employees' jobs easier. One worker concludes:

This is vital to how you feel at work. If you are physically and mentally tired and in a bad mood, you do not contribute much to the quality of care provided, and the clients'/patients' well-being and care. ... It seems that our employer is too old and tired to fight for us and it would be good to have a young and active manager here.

Worker, 10-49 employees, public service (elderly nursing home)

Both manager and worker in this establishment reported that there were very few or no occupational accidents and illnesses. At the same time, in one establishment, the employers' representative claimed:

In our sector, it automatically means also that safety culture has to be high, too – we work in a pretty high-risk area. ... I feel that our company is not a typical Estonian enterprise where the employer tries to do as little as possible for health and safety, or even evades some legislative rules. Our employer

has taken responsibility for safety and shows it in every way. One of the board members works as a production manager. He's dedicated to safety 100 %. For example, in 2016, the budget is the same as in 2015: €6,000 for safety and health. The budget for safety training is separate. I'm satisfied with the amount.

Employer's representative, 50-249 employees, energy company

A similar case is explained as follows:

Our safety systems, OSH training and all requirements are in place. Everyone knows what to do, when to do it. No corners are cut. Everything is a routine and behaving in a safe way is a habit in our company. I do not think these habits are changed in busy periods.

Worker's representative, 250+ employees, power technology particles manufacturing

These case-studies were positive examples of the commitment to OSH at all levels within the establishment, but that is perhaps the exception rather than the rule in Estonian enterprises. The following quotes serve to illustrate the general tendency and perceptions of the managers and workers in the establishments and enterprises investigated:

We pay much attention to fire safety and organising appropriate training for all workers every year.

Employer's representative, 50-249 employees, hotel

Mainly all products go to Finland or Sweden. The focus of our business strategy is certainly on improving quality and production, and not so much on working conditions. I believe that the OSH situation in our company is good, since we have a new building and we do everything that is required by OSH legislation.

Employer's representative, 50-249 employees, furniture manufacturing

For us fire safety is much more important than occupational safety, because the national Rescue Board inspects compliance with fire safety regulations every year. So we are taking this issue more seriously than occupational safety, because I have not seen our labour inspector for many years.

Employer's representative, 50-249 employees, construction and furnishing sales

In our case-studies, we particularly addressed the *psychosocial risks* and how are these managed within the organisation. Many companies were able to describe them and also saw the problems; however, no specific systematic actions have been taken to minimise or eliminate psychosocial risks.

The Occupational Health and Safety Act (1999) stipulates that, among other things, the purpose of the act is to guarantee the psychological and social well-being of an employee (Riigikogu, 1999). The act defines psychological hazards (Article 9) as repetitive work or work not corresponding to the abilities of an employee, poor work organisation, working alone for an extended period of time, and other similar factors that may gradually cause changes in the mental state of an employee. To prevent mental stress, the employer shall adapt the work to suit the employee as much as possible (for instance, allow breaks within working time). It has been argued that the safety legislation covers the areas of risk factors and measures in a general way, and does not address social and subjective factors, or the dimension of communication in the organisation. Nevertheless, we found a couple of examples of good practice in this area in a large university, which has specially addressed psychosocial issues and has issued a bulletin for all employees, and in a large food manufacturer, which has invited psychologists to talk about these matters with the workforce. The employer's representative reports in one large establishment:

Together with a psychologist we developed and produced special guidelines/factsheet about how to manage stress and psychosocial risks, such as harassment, for our employees. This information is available on paper and on the intranet.

Employer's representative, 250+ employees, university

Some companies organise workshops and seminars for workers to learn how to deal with work-related stress and conflicts at work:

We have several staff in order to deal with pressure and psychosocial problems, for example stress workshops, recreational seminars ... and so on. In order to avoid psychological harassment and violence, we have the Code of Ethics.

Worker's representative, 250+ employees, power technology particles manufacturing

We have had several training courses about work-related stress and conflict management. Lecturers from Tartu and Tallinn gave us some tips how to survive during the busy time at work and how to resolve work-related conflicts between workers.

Worker's representative, 50-249 employees, vocational school

The others have integrated good practices informally to manage or avoid conflicts among workers. For example, a small household machine company does not have written rules, but still addresses psychosocial problems, albeit informally:

We do have an unofficial rule that we do not discuss issues concerning an individual if she/he is not in the room. This is accepted by all employees and helps to avoid misunderstanding and conflict situations.

Employer's representative, 10-49 employees, household machine sales

The other emerging risks are not addressed explicitly by the employer. As far as workers' participation is concerned, we can say that their representatives also do little, if anything, to make their voice heard on emerging (psychosocial) risks.

Cultural diversities among employees

Based on our case-studies, no cultural diversity issues were present in many of the establishments investigated, particularly in the south of Estonia, as their workers are predominantly Estonians, so they communicate in the same language and have the same background.

However, in some establishments (hotel, hospital, bank), some cultural diversity might be observed among workers because they have an extensive range of people who have cultural and interpersonal differences.

One positive example could be a hospital in the south of Estonia, which employs both Estonian-speaking and Russian-speaking workers. All the workers speak the official language, Estonian, so safety training is conducted in Estonian.

Based on the results from the case-study of a hospital, it is possible to say that, for example, the hospital is interested in fostering cultural diversity among its medical personnel and endeavours to create mutual respect for two different cultures, along with enabling personnel to reach their full potential. The manager is confident that acknowledging diverse cultures enables the hospital to positively influence the hospital's performance, the quality of its services and its image, particularly for patients from Russia ('One essential service provided by the hospital is maternity services, especially for patients from Russia' (L009PU Employer's representative, 50-249 employees, large hospital)). No major conflicts have been detected between the two different ethnicities working together; mainly they get along well. Conflicts can arise rather on an individual level, caused by different personalities.

Another positive and interesting example was from the case-study in a small kindergarten:

The previous manager said to me, before I took this position, that first I need to learn Russian very well. She told that this would help me to have a good reputation among the Russian-speaking workers because we'd understand each other much better. I took this advice seriously and went to an extensive Russian course. Now Russian is my everyday working language, just as Estonian is my mother tongue.

Employer, 10-49 employees, kindergarten

During the focus group interviews in the kindergarten, the Russian-speaking workers seemed not to be bothered by the fact that their manager is of Estonian ethnicity. They all confirmed that they can speak Russian both in the group where they teach Russian-speaking children and with the manager as well. There seem not to be any visible problems between Estonian-speaking and Russian-speaking workers.

We have no ethnic frictions in our kindergarten. Shorter commands and smaller expressions are used in the kindergarten either in Estonian or Russian and everyone expects it, such as 'Let's go', 'Start', '1, 2, 3'. No teachers or kids make a difference about which language it has been said in. For us, it's an elementary thing.

Employer, 10-49 employees, kindergarten

We get along well, it's like a multilingual family here. I would say that we are able to speak both Estonian and Russian. Sometimes I speak Estonian grammar wrong and then the kids correct my Estonian.

Worker, 10-49 employees, kindergarten

In the recruiting process, ER confesses, some personnel strategy decisions have been made on the basis of ethnicity:

We have to keep in mind that in one department we'll employ both Estonians and Russians, as we want both parties to benefit from a multicultural environment and native Russians to be able to develop their language skills in Estonian. We have consciously contributed to successful integration.

Employer's representative (HR manager), 250+ employees, bank

Cultural diversity affect interaction between the workers as well as their performance. One negative example of demotivating aspects of cultural diversity on worker participation could be presented in the hotel, which also employs both Estonian-speaking and Russian-speaking workers. Russian-speaking people are employed in two departments: catering and accommodation.

The hotel is situated in the heart of Tallinn city centre and is a company with a legacy of previous times living in the new millennium. It appears to be a conflict-ridden enterprise, which causes dysfunctions in communication; there are divisions between Estonians and Russians, experienced and new workers, older and younger workers, and temporary and permanent workers. Organisational segmentation is detected along all those lines.

In some way, it is much easier to reach an agreement and to work with Russian-speaking workers. Even though they are involved in the simple and hard jobs, they are more easy-going and flexible. In addition, Russian-speaking workers generally are less educated and they discuss more the job organisation and salaries of all workers in the hotel. At the same time, Estonian-speaking workers are more obedient, but it is difficult to reach an agreement with them, especially to perform additional tasks or overtime work.

Employer's representative, 50-249 employees, hotel

Several conflicts between the two different nationalities working together have also been caused by different personalities and age differences:

There is constant conflict between two experienced housemaids (one is Estonian and the other Russian). Both are very good workers, but they cannot communicate and work together. The head of their department is always in a panic and trying to resolve the conflict, but it is not always possible. The two women are like two leaders of a pack of wolves; however, there has to be only one ... Top management is thinking about dismissing one of the workers. I think the reason for the conflict is competitiveness. At the same time, both workers have 13 years of work experience.

Employer's representative, 50-249 employees, hotel

The workers' representative (Estonian-speaking) was elected by workers. During the interview, the representative confessed that she felt sorry that she did not have enough time and ability (knowledge of Russian) to talk with all workers in the hotel:

Unfortunately, my role is just formal and based on the paper requirements. I do not have more time to deal with OSH issues, because I need to administrate and manage work in my department and to find new workers. I know that workers from other departments, especially from the catering department (Russian-speaking and experienced workers) would not talk to me ... because there is a language barrier. Additionally, I need more help – more representatives and probably Russian-speaking in order to reach all workers, as well as support from management. We do not have a working environment council as required by the legislation.

Workers' representative, 50-249 employees, hotel

I think the representative election is more a formality, existing just on paper. However, the girl who fulfils the representative obligation is very attentive and helpful and takes care of workers in her department. Estonian workers discuss different aspects, as well as OSH, with her. However, she doesn't have good

relationships with the catering department, where experienced Russian-speaking senior workers are working.

Employer's representative, 50-249 employees, hotel

There is no human resource function in the hotel. The lack of it is why a good safety culture cannot be disseminated.

In terms of workers' representation, we can metaphorically call this 'anorexic representation' because any kind of form of active representation is not possible when an overall organisational OSH culture is non-existent. This is among the least favourable of environments for producing a coherent representative voice.

Top management attitudes to safety and health

- **What is the role of management style and the commitment of employers and managers in facilitating or denying effective arrangements for representation and participation in OSH?**

Large and medium-sized companies mainly practise management-driven OSH, which is a good starting point. However, if there is a lack of role definition for the activities and functions of workers' representatives, it may result in role ambiguity or even role conflicts, which may then discourage active workers' representation. Based on the case-study research, we can say that, in this case, the representatives are 'formal-passive' or even 'dependent' representatives, who may report OSH problems to the management, but are not encouraged to suggest and seek the relevant solutions themselves. However, in large companies in high-end sectors (e.g. manufacturing) the representative role is clarified and representatives have a clear understanding of their duties:

Representative work is not just reporting about problems. It also involves thinking, forming suggestions, different angles to present the problem in a way that it would be accepted by the management. Often just reporting is not enough, but a reasoned argument should be added. Therefore, it takes time.

Workers' representative, 250+ employees, chocolate factory

Sometimes, the representatives are isolated geographically from each other between company divisions and there is no cooperation between them. An example can be given from a large telecom enterprise:

I may know their [representative's] names, but that's it. I have not met them in relation to health and safety. The safety manager has told that she hopes to plan a working environment council meeting, where we could all meet, but in 2015 she didn't manage to do that. So I do not communicate with other representatives.

Workers' representative, 250+ employees, telecom

In our case-studies, a few (four) companies stood out because of their managements' high level of commitment to safety and health. All of them belonged to larger corporations, which have positively affected OSH prioritisation and activities in the company. A good example is the following:

The foreign parent corporation gives us the general guidelines and how we should form our attitudes and principles. How exactly the procedure will look is in our own hands. There might be some templates, but we can always modify them. Even different factories can have different procedures on certain matters. Sometimes we do feel we have a lot of papers to fill in for the corporation, but mostly it affects us positively.

Safety manager, 250+ employees, power technology particles manufacturing

Two of the companies emphasised that their motivation to deal with OSH comes from more from local management. An example can be given from an energy company:

I feel that our company is not a typical Estonian enterprise where the employer tries to do as little as possible for health and safety, or even evades some legislative rules. Our employer has taken responsibility for safety and shows it in every way. One of the board members works as a manufacturing manager. He's dedicated to safety 100 %.

Safety manager, 50-249 employees, energy company

The influence of a large corporation and its standards is visible in a food factory:

Small changes started to happen in 2011, a year after incorporating with [X] corporation. Recognisable change in management attitudes was detected in 2013. This was the time when we actively started to implement the corporation-based safety system and the first safety audit was conducted.

Safety manager, 250+ employees, food factory

However, one of the companies found corporation requirements too difficult to handle because of differences in national OSH systems, and the continuing absence of an Estonian insurance act for occupational accidents and diseases:

Yes, we get quite a lot of requirements from Finland as well as Germany. German companies seem to be very bureaucratic. We receive a lot of compulsory documents in German, which the corporation requires us to translate directly; but, when we start to read the content, it often feels that this is not going to work in Estonia or is not just adequate in our market. The same with Finland. Their OSH system is built up in a different style and it's hard to apply everything they say to Estonian context. There is also one other problem – namely a lot is based on OSH insurance requirements which we do not have here in Estonia. Sometimes, it even demotivates us to deal with OSH – in Finland, the requirements often end where the insurance company takes over. But in Estonia, we have no insurance-based system, so no one takes over ... This might be a hindrance for the well-being of workers.

Employer's representative, 50-249 employees, construction and furnishing sales

In some companies, it seems that OSH is just 'accepted by the top management'; for example, in a large university, where the safety manager reports that the main problem is lack of resources dedicated to OSH and lack of commitment to OSH on the part of the employer. She says:

I have never participated in top management meetings. My duty is to organise the annual meeting with the working environment council, where we discuss relevant problems. Although the university chancellor is the president of the working environment council and I do have the possibility to present and discuss OSH problems with him, nothing happens due to lack of resources and lack of top management interest.

Safety manager, 250+ employees, university

In enterprises with a highly controlled environment, but with a few features that support participative OSH, the workers' voice can be heard, especially when the company is small enough and there are close links between management and workforce in day-to-day operations. Paradoxically, these may be the very companies in which working environment issues are taken for granted. For example, in a jam factory, with an active manager who declares he cares about safety of workers a great deal and is on site every day to make sure the workers to a good job, the workers often feel that risks come with the job and blame themselves when an accident occurs:

It's my own carelessness that I didn't wear the gloves when I accidentally poured pumpkin puree (90°C) on my hands. Additionally, I have to admit that gloves are uncomfortable. It's easier and steadier to hold the bucket in my hands when I have no gloves.

Worker, 10-49 employees, jam producer

Based on the results from case-studies, we also observed that sometimes the necessary preconditions for effective worker participation exist in the establishment concerned, for example worker participation in the organisation of change in the establishment. Other preconditions include communication channels, employer's willingness to communicate and discuss different issues, progressive leadership by management, employer's personal characteristics (such as empathy, good knowledge of human psychology and good communication skills), trained representatives, skilled and educated personnel, a long-established organisation with strong organisation culture and its own strong traditions which are shared and carefully followed by all workers. However, these may be countered by a lack of specific interest in the field of OSH at all levels of the organisation. As a result, representatives contribute to OSH in a modest way.

External and internal drivers/supports for effective workers' participation

- **What are specific legislative provisions on worker participation that go beyond the requirements of 89/391? What is the experience of worker representatives and managers of specific arrangements to facilitate representation (e.g. the role of time off to undertake functions, receive training etc., provision of information, rights to undertake inspections, investigations, make representations, respond to unsafe work situations etc.)?**

According to Estonian OSH legislation, the representatives have the following requirements:

- Representatives are elected by employees
- The term of their authority is up to 4 years
- In an enterprise with 10 employees or more, the employees shall elect representatives.
- In an enterprise which comprises several structural units on separate territories, or in which work is done in shifts and in which more than 10 employees work at a structural unit or on a shift at the same time, the employees shall elect one representative for every structural unit or shift.
- An employer shall provide, at the employer's expense, 1 day's training for representatives.
- The period for performance of such duties depends on the size and working conditions of the enterprise and other circumstances but shall not be less than 2 hours per week.

The obligations of a working environment representative are to (1) monitor implementation of OSH measures at the workplace and ensure that the employees are provided with personal protective equipment which is in working order; (2) participate in the investigation of an occupational accident or disease in their area of work; (3) notify the employees and the employer or the employer's representative promptly of a dangerous situation or deficiencies discovered in the working environment, and demand that the employer eliminate the deficiencies as soon as possible; (4) be familiar with the instructions and legislation mandatory for employees.

Based on our case-studies, we can say that representatives' functions are restricted to two main tasks: reporting problems to safety manager or employers, and participation in investigation of occupational accidents. Additionally, they are sometimes involved conducting workplace risk assessment and, in one case, even do the safety manager's job:

basically all our representatives perform working environment specialist's duties in their department. They are compiling an action plan, organisation of health check-ups...

Safety manager, 250+ employees, university

In the national legislation, the representative has the right to stop work if it is dangerous to workers' health. However, in practice it is not regarded as acceptable to do so and no representative has applied this right in practice.

- **How is worker representation/participation supported from outside the workplace? What forms does such support take and which organisations provide it?**

The person interviewed who voiced the greatest support for good practice highlighted the role of the Labour Inspectorate. A large university gives an example:

I like the fact that the Labour Inspectorate has changed and now they are more flexible. We can discuss improvement in the working environment with a labour inspector and plan our activities, because it would time to make any changes at the university. In addition, I use their website or consult with them. For instance, we still have a problem regarding health checks for our divers and we realised that we cannot do this health examination in Estonia, because of the lack of experts in this field. In addition, I have good cooperation with the Health Board.

Safety manager, 250+ employees, university

Some companies find inspectors' visits useful to a low or medium degree. A manager at a large bank explains:

I wouldn't say the visit of the labour inspector was completely useless. If I think what I learnt from it, then, for example, I was happy to know that we are on the right track. She was satisfied with our

environment and didn't write any charges. However, she did recommend that we to start to perform and document safety training, which is required by law.

Safety manager, 250+ employees, bank

Trade unions, within an overall context of weak worker representation mechanisms, appear to play almost no role in preparing representatives for independent worker representation functions or supporting representatives in the day-to-day conduct of their activities. An example can be given from a university:

as I know we have a trade union; however, I cannot tell the exact number of its members. However, I cannot see any activity there, especially in the field of OSH.

Safety manager, 250+ employees, university

The National Institute for Health Development was another organisation which was mentioned. Being a member of the Health Promotion Network (coordinated by the National Institute for Health Development) has positively contributed to workers' well-being and better attitudes to health among the workforce (by means of different health-related activities, seminars and training courses).

- **What is the form and role of the relationship between OSH representatives and workers and the institutions of workers' organisation within establishments? What supports or barriers to such arrangements are experienced and how are they useful/addressed to help achieve improved health and safety outcomes?**

In Estonia, working environment councils have to be established in enterprises with more than 50 employees. A working environment council is a body for cooperation between an employer and the employees' representatives, which resolves OSH issues in the enterprise. The council shall comprise at least four members and the term of their authority shall be up to 4 years.

In practice, there is very little benefit of having working environment councils in the enterprises and they have very little output. Our results from the case-studies confirmed this statement; often the activities are formal and exist only on paper.

In larger companies, especially in high-end sectors, the activities are more planned and valued. An example can be given from a manufacturing company:

We have six members in our working environment council: three from the management and three from workers. Those three workers are representatives – they have been selected on a voluntary basis. However, another six representatives are always welcome to the council meetings as well.

Safety manager, 250+ employees, chocolate factory

We noticed that, in some companies, not all representatives take part in meetings of the working environment council, especially in geographically isolated units.

In our case-studies, only a small minority of companies had a trade union presence. ESENER-2 (2014) data for Estonia suggest that 6.9 % of surveyed establishments have a trade union representative, very much in line with official statistics, according to which only 6 % of Estonian enterprises have a trade union presence (Statistics Estonia, 2015a), the lowest in the EU-28, a ranking matched by data from OECD countries (2013). Those enterprises that had trade union members reported no practical benefits of being a member, particularly regarding OSH issues.

- **How have changes in the way in which work is structured and organised affected both the practice and perceived outcomes of worker representation/participation?**

Our case-studies revealed that in most enterprises the value chain does not affect workers' representation within the company. However, we identified one case (a hotel) where clients can indirectly influence the safety and well-being of employees. The hotel takes into account all suggestions concerning the safety of clients, including in the field of safety and health (e.g. the safety of stairs in the hotel). Indirectly, workers benefit from these activities, even when they are not aimed directly at employees. During the interviews, the manager always emphasised the safety of clients:

I have to say that the safety of our clients is crucial and we have trained our workers to provide first aid if it is needed.

Safety manager, 50-249 employees, hotel

Another examples came from the log cabin manufacturer:

We get a lot of visitors from our possible clients; especially foreign visitors (99 % of our production goes abroad). In the last months, many French people have been here. We know that, for clients, we have to look good; also our production and safety level should look satisfying. So we have made our rules more explicit; we use more safety signs which are understandable for everyone and have marked all areas where trucks, lifts or other vehicles drive.

Safety manager, 10-49 employees, log cabin manufacturer

7 Identification of the key supports and barriers for effective workers' participation

It is known that workers' participation plays an essential role in enhancing safety and health within enterprises. In the current research, we identified several supports for effective workers' participation:

- availability and accessibility of OSH experts (ergonomist, occupational hygienist, occupational health doctors, occupational psychologist, etc.);
- allocated resources (human, time, money) for OSH activities;
- a long-established organisation with its own traditions and organisational culture.
- effective communication channels (direct communication, intranet, meetings);
- annual activities for representatives to motivate their work (annual training and field days in different organisations);
- personal characteristics of good representatives (distinctive qualities) such as good interpersonal skills, good conflict-solving skills, friendliness and empathy, no harsh feedback, courage to deal with uncomfortable problems, eagerness to make proposals, activeness and diligence, etc.;
- the structure of the organisation enabling communication between different representatives to exchange knowledge and experience;
- the structure of the organisation for reporting to human resource management;
- employers' commitment, progressive leadership by management, walk-and-talk style of employer;
- the employer's personal characteristics, such as empathy, good knowledge of human psychology, good communication skills and willingness to discuss with workers different issues of the working day;
- establishment of an open and blame-free organisational culture.

In some of our cases, representatives were elected from among middle managers. This may cause some role conflicts and/or confusion over how to represent workers in OSH matters. According to the national legislation, representatives should be elected from among shop floor workers. However, some advantages were observed in our cases, e.g. better communication with top management to address OSH 'burning issues', and greater power to make changes in the working environment.

We also identified certain barriers to effective participation by workers:

- absence of elected worker representatives;
- passive and lazy safety managers with little interest in active OSH programmes/practice;
- lack of time and willingness to deal with planned OSH issues;
- unclear roles of representatives and unspecified time for OSH tasks (little awareness among employees of representatives' functions and activities);
- employers' unclear expectations of representatives;
- strong supervision and control from senior managers;
- autocratic management style of top management;
- lack of resources dedicated to OSH;
- many hazards and risks automatically accepted as a part of the job, with no complaints made when a minor accident happens;
- the attitude among both employers and workers that workers should deal with hazardous situations themselves – the responsibility is clearly on them;
- personal characteristics of representatives (poor communication skills, passive nature);
- lack of initiative and interest in the field of OSH;
- poor or 'distorted' communication;
- little interest in safety at the management level;
- lack of skill on the part of the safety manager to motivate and coordinate representatives' work;
- language barriers.

8 Conclusion

Safety knowledge can be conceptualised as an employee's understanding of safety procedures. However, little attention is paid in the literature on OSH representation to the dynamics and resistances to making explicit what is more often tacit (informal) safety knowledge embedded in routine day-to-day practices, or as intrinsic features of work organisation. This tacit knowledge or routinised assumptions is embodied in the shared understanding of employees themselves, which is not necessarily formalised or articulated in discussion with management, even within participatory forums. Such tacit knowledge, often shared by parts or sections of the workforce in more circumscribed 'communities of practice', can be prevented from becoming collectively accessible to the workforce as a whole, by its systematic misrecognition or non-recognition on the part of management, or, equally, by work groups' informal practices and ways of speaking, and not speaking, about risks and hazards. In this study the frequent employee response that these risks 'were part of the job' exemplifies this point. This emphasises the importance of articulating employee voice through effective representational channels, as against the mere formality of satisfactory legislative compliance arrangements. All too often the case-studies reveal this absence of effective representation and its substitution with formal compliance.

Particularly when it comes to issues of the 'articulation of representational voice' around 'newer' workplace risks such as psychosocial issues, representational questions become especially complex and necessary. Much more than physical hazards, psychosocial issues raise wider issues of work organisation, task allocation, pace of work, reward systems, and management authority and oversight within the enterprise. At the same time, employees may be vulnerable and insecure, and individual workers may need or desire to reduce the visibility of any psychosocial issues which affect them personally, for fear of jeopardising their employment.

Thus, psychosocial issues in particular may only rarely achieve explicit articulation, even with formal representational channels and a supportive managerial environment. At a practical level, the challenge is to devise 'knowledge management systems' (Järvis, 2013) and forms of representation on OSH that allow workforce understandings of OSH to be accessed and realised in explicit and validated form through representational voice. Such 'bottom-up' safety auditing of psychosocial issues, although not comprising a formal professionally diagnosed assessment, if properly acknowledged, can nevertheless enhance safety and health in the workplace.

The case-studies revealed what we might term a 'variety of representational voices' regarding OSH in the context of Estonia. The following key points emerged:

In former Communist countries, 'representation' as a whole means something different from the 'preferred model' implicit in western European systems of representation. Greater contextual understanding is needed to appreciate issues of historical 'legacy' and current reluctance of management to facilitate independent worker voice.

In many respects, Estonia presents an illuminating national case-study in OSH employee representation in the context of a newer EU Member State from the former Communist bloc. For reasons of historical legacy, all forms of employee representation are rather weak in the 'post-Communist' Baltic states. Thus, even with regard to employee representation on safety and health, a seemingly 'consensual' area where cooperation between management and workers rather than conflict could be deemed helpful to attaining good OSH outcomes, there appears to be little management encouragement for employee voice.

Even within this small sample, great variation exists in arrangements for and effectiveness of voice with a wide range of establishments and enterprises. Based on the case-studies, the main drivers for effective participation by workers are high levels of management commitment in combination with workers' involvement in OSH activities, positive influence from international corporations' safety standards, clear duties and role in the OSH management system for representatives, and effective communication between representatives in the enterprise.

There is sometimes role-confusion or role-conflict on the part of management and, to a degree, among the employee representatives themselves about the representatives' functions, especially if the representatives occupy supervisory positions in the enterprise.

Areas in which OSH representation can occur or is encouraged by management have 'differential legitimacy'. Behavioural-based safety systems tend increasingly to place 'validated safety knowledge'

concerning the working environment in the hands of management, while simultaneously devaluing or marginalising employee understandings ('auditing from below') of day-to-day risk and workplace hazards. This is especially so when it comes to psychosocial issues, in which representatives have almost no role in terms of workplace representation.

The result is that it is less easy for employee representatives to raise potentially contentious issues with the management without, at the same time, being identified as 'troublemakers'.

Concern over physical hazards may be tolerated by workers as 'part of the job' or representatives may focus on it if encouraged by management seeking good OSH outcomes. In contrast, psychosocial issues have little salience, as do organisational issues in general which may be implicated in stress.

Currently Estonia lacks an external incentive structure to encourage greater OSH awareness and voice for representatives. This could come from the regulatory regime, or from sharing or diffusion of best practice ('cascading' through the supply chain), or be led by business (insurance).

Even in larger companies and establishments that comply with the law on the election of representatives and the establishment of working environment councils, representation is often rather formal in the main, and there is little evidence of proactive employee engagement more widely in OSH issues.

In micro- and small enterprises, especially where face-to-face contact with management takes place on a daily basis, there appears to be little understanding of any possible added value attached to worker representation on OSH through safety representatives.

The impact of the global economic and financial crisis appears, in certain respects, to have slightly eroded representational coverage on safety and health through representatives and working environment councils. In an atmosphere of intensified economic pressures and heightened job insecurity, neither management nor employee representatives appear to have interest or competence in addressing psychosocial issues in the working environment. 'Just surviving' appears to be the order of the day for most companies and organisations assessed in the case-studies.

Should the economy undergo sustained recovery, current indifference towards broader issues of employee well-being may change, especially as, faced with a shrinking workforce, managers will be under more pressure to ensure retention and ongoing 'workability' of employees, particularly with regard to psychosocial issues, stress and work intensification. However, this shift in managerial preoccupations may not necessarily translate into enhanced representation for employees on OSH without active and sustained support from regulation and social partners.

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Appendix 1: Summaries of the investigated case-studies

Code, description	No of workers	Interviewed workers' representative's characteristics	Representation practices	Representative's role and contribution to OSH
Case 1 L001M Manufacturing Large food factory	420	Interviewed representative (age: 56) works as a shift foreman. Her main duties are: ▪ coordination of the department's work; ▪ coordination of labour requirements (workforce distribution) in the department; ▪ supervising the quality of production; ▪ safety of work, safe attitudes to work. Representative does not remember exactly how long she has fulfilled the duties of safety representative, but she estimates it to be more than 10 years. She believes she was elected as a representative because of her special individual skills and characteristics – stoutness and vigour in resolving problems and the skills to know how to stand up for the workers if needed.	Nine representatives have been elected. In every bigger department, one representative is elected; the different shifts are not considered. Every working environment representative is elected on a voluntary basis. Company contributes to workers' participation in safety and health: ▪ system helpdesk — everything connected with safety and health (near misses, slip-ups, etc.) is registered, information distribution is encouraged; ▪ information board accessible for all workers; ▪ annual safety training and safety performance monitoring; ▪ training programmes in native language (Estonian, Russian); ▪ active working environment representatives; ▪ working environment representative's involvement in occupational accident investigation; ▪ workers' right to refer their problems to line manager, working environment representative or working environment specialist.	Representatives in this company hold a proactive representative role and can be called 'knowledge activists'; they are active, exchange safety knowledge and propose relevant solutions. Influence of advanced 'Nordic' approach to environmental and safety and health management can be seen as important since takeover of Estonian enterprise.
Case 2 L002PS private Service Large telecommunication company	Almost 600	Interviewed representative (age: 28) works as a technical specialist in telemarketing department. She has been elected as a workers' representative since 2014. She believes the reasons she became a representative were: ▪ her individual skills and characteristics – she has an ability to recognise even small problems, she is active and a punctilious worker; ▪ her work duties varied a lot and taking on an additional duty as a representative fitted well with other responsibilities;	The company has six elected safety representatives. The selection of representatives is organised in an electronic environment where candidates' names are presented. The employer's representative claims she is happy with the job and activities the representatives are doing. Workers have not complained that they cannot reach their representative, so the employer's representative believes that the number is adequate, even though they do not have a representative from the night shift. There is no communication between representatives in the company. Each representative in each department reports her/his own problems and the whole picture is not put together, as there are no management procedures or practices which require it. Company contributes to workers' participation in H&S: ▪ effective communication procedures and communication-trained managers;	The company has a management-driven OSH system. However, there is a lack of role definition for the activities and functions of workers' representatives, which discourages active representation of workers. Based on the research, we can say that the representatives are 'formal-passive' representatives who may report OSH problems to the management, but are not encouraged to suggest and seek the relevant solutions themselves. Sometimes, the representatives are isolated geographically and there is no cooperation between them. Workers' active representation is inhibited by the dominant personality of the safety manager, so we can call the process of workers' representation 'passive dependency'.

Code, description	No of workers	Interviewed workers' representative's characteristics	Representation practices	Representative's role and contribution to OSH
Case 3 S003PS Private service Small household equipment 'white goods' sales company	20	Interviewed representative (age: 53) has worked as a bookkeeper in the company since 2003. She has been elected as a workers' representative since 2010. However, the company is small – 20 people – and all workers know each other and can approach the management without any great effort, so the position has been formal.	- previously, she already communicated with the administration department, so she was aware of their working style as well as knowing people personally. - good cooperation between working environment specialists (3) and working environment representatives (6); - workers' choice to decide on how to do sports and in what kind of activities to participate; - procedure whereby every worker is entitled to send working environment-related problems to a common email address; - workers' problems related to safety and health are effectively solved – working environment specialists can solve small-scale problems without getting permission from top management; - top management supports safety and health and believes that a good working environment ensures workers will stay with the company longer; - top management's attitude: money that is spent on working environment is worthwhile. The representative has been designated in the company as the OSH law requires, but the election procedure is unclear and none of the workers remember any details about it. It also emerged during the interview with the representative that she has no particular obligations. Sometimes she is involved in preparation of some documents together with the manager, but she cannot remember exactly when she was involved in OSH activities within the last year. Workers state that they do not need a representative because the cooperation between the personnel is good and the manager is on site every day. Workers claimed that they are eager to make proposals about the improvement of working conditions to the manager. Usually, these proposals would be solved by the manager. Company contributes to the workers' safety and health: - good practices to prevent psychosocial risks, although no documented procedures; - prevention of musculoskeletal disorders – a poster in resting area, where workers occasionally do exercises; - all workers able to access the top manager, who is on site most of the day; - panic button for front-line workers in case of difficult clients or robbery, but no video recording; - regular health inspections, which workers find useful;	The company can be described as a small and vulnerable company in the private service sector which is trying to survive in a highly competitive environment. In terms of workers' representation, it is a conducive micro-environment for direct representation and articulation of OSH issues. Clearly, safety and health is not a priority and active representation by workers is not viewed as a fundamental issue to address, but the opportunities to communicate directly with management compensate for the lack of formal representation mechanism. It allows people to resolve emerging problems.

Code, description	No of workers	Interviewed workers' representative's characteristics	Representation practices	Representative's role and contribution to OSH
			no first aid provider; first aid equipment is in the possession of the representative.	
Case 4 M004PS Private service Medium-sized hotel	69	Interviewed representative (age: 46) works as a shift manager in the current organisation – 2.5 years. She performs duties as follows: - coordination of the department's work; - recruitment of new people; - safety training of new workers; - preparation of the safety guidelines; - bookkeeping/billing control She enjoys the representative duties, but feels sorry that she does not have enough time to talk with all workers in the hotel.	There is only one workers' representative in the organisation. There is no safety committee/working environment council in the organisation. There is a clear need for more representatives in the hotel and probably also from the Russian-speaking employees in order to reach all workers. The role of representative is just formal and based on the paper requirements. The representative has no time to deal with OSH issues, because of her own working duties as a shift manager. The company does not contribute to the workers' OSH training (because of high turnover), safety and health, or well-being (because of saving costs related to personnel). Additionally, there is poor communication between departments. The main communication barriers are age, cultural differences, language differences and organisation of work – there are no meetings or opportunities to communicate with colleagues. It is clear that the hotel management/hotelier is not aware of and does not understand workers' expectations and needs regarding OSH and work environment, since what is crucial is the hotelier's ability to retain workers.	The hotel can be described as a company with a legacy of previous times living in the new millennium. It appears to be a conflict-ridden enterprise which causes dysfunctions in communication – there are cleavages between Estonians and Russians, experienced and new workers, older and younger workers, temporary and permanent workers. Organisational segmentation is detected along all those lines. There is no human resource function; and the lack of it is why good safety culture cannot be disseminated. An open question remains: why is this happening in a hotel business? In terms of workers' representation, we can metaphorically call this 'anorexic representation' because any kind of form of active representation is not possible when an overall organisational OSH culture is non-existent. In terms of producing a coherent representative voice, this is among the least favourable of environments because of multiple workforce cleavages.
Case 5 M005M Manufacturing Medium-sized heat energy company	72	Interviewed representative (age: 35) works as a gas-network maintenance specialist. He has been employed by the company for 9 years, was elected as representative in 2011 and is now up for re-election (a representative is elected for 4 years according to Estonian OSH law). He was elected from other candidates as being a talkative and friendly worker and because he is interested in safety and health in the company.	Three representatives have been elected: two in the capital (one has been fulfilling the duties for 5 years and another just 1 year) and one in the central part of Estonia (fulfilling the duties for 7 years). In the east, there is currently no representative. A representative's duties are the following: - regular visits, during the course of their own work, to manufacturing sites and observing safety; - writing down and then reporting safety flaws to the safety manager or division manager; - making sure everyone in the division is wearing personal protective equipment when needed; - making sure safety instructions are available in the division;	The company has a highly conducive/supportive organisational culture for workers' representation. However, the representatives do not feel that they have any special duties in addition to the overall training each worker gets. Representatives in this organisation are in search of their role – they are looking for something to do and be useful, but the workforce is already safety alert and educated enough, and that makes representatives redundant in effect on matters of workers' representation. This raises a question: what kind of intervention would be

Code, description	No of workers	Interviewed workers' representative's characteristics	Representation practices	Representative's role and contribution to OSH
			- being a team member during the investigation of occupational accidents; - listening to workers' problems and conducting representation on behalf of workers. The safety manager is satisfied with the work of representatives. However, the manager admits that that satisfaction mainly concerns safety visits to manufacturing sites. Workers usually approach the manager directly with their problems. Company contributes to workers' participation in safety and health: - thorough safety training; - safety examination every year for manufacturing workers in order to keep up a high standard in safety knowledge ; - performance of safety-oriented rounds by workers and, through this procedure, reporting amendment proposals; - near misses reported by workers actively; - representatives involved in different safety activities. Remarks: - Workers tend to report problems directly to safety manager more than talking to representative. - Some workers are members of the trade union, but no direct effect on safety has been observed.	needed to create a more active form of effective workers' representation? The company cannot afford to be safety ignorant; a few years ago, a fatal accident occurred in the company. This example proves that having a strong system of safety culture can by no means guarantee the company 100 % that operational safety is working well. The search for an answer to the question – what lesson did the organisation learn after that? – is complicated, because the management seems to place the responsibility for the accident wholly on the worker. This means it cannot be called a 'learning' organisation so far as safety is concerned, as it might seem to be at first sight.
Case 6 M006PU Public service Medium-sized government regulatory agency	120	Interviewed representative (age: 66) works as an inspector. He has fulfilled representative duties for the last 3 years. He was selected as a representative because he is talkative and active. He enjoys the work, but confesses that he has not enough time to deal with it.	There are five elected representatives who are located in different part of the establishment. It is not clear if their work has contributed to better safety and health. Workers feel that top management does not know about workers' needs. According to the employees, the capacity to make improvements in the working environment is limited. Company contributes to workers' participation in safety and health: - intranet-based safety and health system – documents which require signature or to be marked as read, except those reporting near misses, slip-ups etc., are registered, information distribution is encouraged; - Information board accessible to all workers; - annual safety training; - working environment representatives' involvement in occupational accident investigation;	The government agency that performs state supervision of OSH represents a 'stressed' public authority subject to new public management criteria in a post-Soviet Baltic state. It can be called a 'bureaucratic malady' – the inheritance of a Soviet style of management based on personal favours and unequal distribution of awards through networks of influence, which clashes with the present-day philosophies of new public sector management establishing criteria of accountability, efficiency and performance. Unfortunately, the worst of both worlds has emerged. The agency represents a toxic

Code, description	No of workers	Interviewed workers' representative's characteristics	Representation practices	Representative's role and contribution to OSH
Case 7 L007PU Public service Large university	3,800	Interviewed representative (age: 40) has been working as a coordinator for 15 years at the university and a representative for 3 years.	- workers' right to direct their problems to the line manager, working environment representative or working environment specialist; - no support for well-being and health promotion. There are 69 representatives elected from different departments and units where more than 10 employees work. Representatives' main roles are: - coordination and mediating activity in the field of OSH in their department; - compilation of safety instructions and internal control; - organisation of health check-ups; - annual report about state of the art in OSH; - compilation of the annual report; - compilation of the action plan; - risk assessment; - finding solutions to employees' complaints. No special hours are dedicated to the job of working environment representative. The representatives do it when they have free time for this work. The main problem is lack of resources dedicated to OSH and employer's lack of commitment to OSH.	organisational environment where active employee representation on OSH is impaired. Additionally, organisational leadership prohibits a high safety culture from forming. This is deeply ironic, as the organisation is responsible for advising companies about working conditions and promoting a high level of safety culture. The institution is an old university and represents a large public institution with complex management systems. The main obstacles are a lack of financial resources and distributed responsibilities of OSH between different units at the university, as well as horizontal cooperation between all the representatives. It is important to highlight that the representative's role in the unit is somewhat different from what is stated in the relevant legislation – besides representing workers, representatives at the university also deal with annual reports, compiling action plans, organising health check-ups etc. Additional weaknesses of OSH management at the university are a lack of competence and awareness among heads of units (professors), who are overwhelmed with their academic work, which overshadows the OSH activities. The safety manager clearly wishes to do more than she is capable of, but the majority of her time is dedicated to organising health check-ups. According to the current research classifications, the representatives in this company hold an effective and essential representative role and but can hardly be called 'knowledge activists'.

Code, description	No of workers	Interviewed workers' representative's characteristics	Representation practices	Representative's role and contribution to OSH
Case 8 S008M Manufacturing Small jam producer	21	Interviewed representative (age: 40) works in the office as a marketing manager. The employer as well as the representative himself confesses that the workers' representative position is just formal: their company is so small that every worker can access the management without needing any connecting link. He does not deal with safety issues on the manufacturing side, as his job is to deal with clients and he does not have much time to spend in the manufacturing hall.	The representative has been designated in the company (a worker from the office) as the OSH law requires, but the election procedure is unclear and none of the workers even know who has this responsibility. The representative has no particular obligations and is an office worker like any other. As the company is small, the employer fulfils the duties himself and some duties are also on the shoulders of the quality manager. The employer does not see that the representative can contribute a lot to the OSH issue. The employer is on site every day and gets all information from the workers. Workers seem not to know that they have a right to talk to the representative about safety and health problems. The enterprise reveals: - experienced-based knowledge about occupational hazards that has facilitated safer working conditions but is unsystematised and undocumented; - personal skills and empathy of employer helping to avoid conflict situations between workers as well as with the owner-manager; - active direct communication with line employees and everyday participation in production process and control ensuring the safe behaviour of workers to a certain extent. However, there is a lack of a systematic proactive approach towards safety and health.	A more appropriate designation might be that most Representatives perform their role largely in technical or legal (TL) terms, limited to the formal tasks of doing inspections and reviewing reports. A small, successful and prestigious made-to-order jam-manufacturing company located in a rural area has a management-driven safety culture (if such can be said to exist at all). The owner-manager, simultaneously working as an executive manager, is on site continuously and makes sure that all technological processes are working smoothly in order to fulfil or exceed expectations of clients. However, in terms of the risk burden which is shifted onto the individual worker, there is clearly a shared assumption that it is the worker who is 'responsibilised' when accidents do occur ('my own carelessness', 'it's part of the job'). This is a highly controlled environment with a few supportive features of participative OSH even though workers' voice is clearly present thanks to the small size of the enterprise and close links between management and workforce in day-to-day operations. The researchers observed several safety flaws, yet the company is lucky enough so far not to have experienced a serious accident. In the employer's opinion, there is no need to change the situation in OSH, as 'luckily no accidents have occurred'. This has produced a condition where workers' representation is seen to be unnecessary in the view of management (and workers), i.e. 'redundant' and difficult to achieve with the current form of safety representation, which allows management to select who will be the safety representative.

Code, description	No of workers	Interviewed workers' representative's characteristics	Representation practices	Representative's role and contribution to OSH
Case 9 L009PU Public service Large hospital	250	Interviewed representative (age: 56) works in the maternity ward as a nurse .	Several representatives work in the hospital and workers can report about their problems personally or anonymously (a box with recommendations), but it is done irregularly. The manager tries to deal with workers' problems as well as he can, but is constrained by limited financial resources. The hospital employs a working environment specialist 0.6 of full time, as the management does not see the role as needing full-time activities. A working environment council has been elected, comprising 6 people altogether. Once a year, a meeting is held where the most salient issues emerging over the past period have been discussed and conclusions about OSH work made.	A small-town hospital with a good reputation and some innovative ideas. The managers leads the hospital in a democratic way and stated that his office door is open to every worker at all levels. This was also confirmed by the maternity department; additionally, the leader of the maternity department emphasises that in a small hospital teamwork is crucial and no differences can be made between personnel, be they doctors, nurses or health care workers. Representatives contribute to OSH in a modest way.
Case 10 S010PU Public service Small elderly care home	10	No representative elected.	Working environment representation by an individual elected representative is not required by Estonian legislation because only 10 workers are employed in the nursing home. Workers can turn to the manager if they have any problems. Despite the fact that the manager is on the site every day and the team is small, there is a lack of communication and common understanding in terms of OSH. The manager is clearly unwilling to deal with OSH questions, as well as short of time. Many facilities and furniture are outdated and old-fashioned. Rooms for the clients/patients are small and narrow, making it difficult for employees to perform their tasks (providing care services, lifting patients, etc.) in uncomfortable postures and conditions. They have worked in such difficult conditions for many years because 'the job has to be done' and often when they retire they do so with many health problems, and sometimes even with occupational disabilities (the cook was diagnosed with an occupational disease). Even when the workers have received basic training on manual handling of patients, they often cannot implement correct safe patient handling (lifting practice) and do their work in the correct ergonomic postures, because of time pressure and lack of space around the patient.	The elderly care home is managed by an old-fashioned senior manager who tends to be passive and uninterested in improving working conditions. Overall the organisational climate reflects the tiredness of workers and the manager, as well as a lack of expectation of positive changes. The lack of space in the building means that workers have to fulfil their tasks often in very uncomfortable postures and narrow spaces with poor safety, which has caused several musculoskeletal problems. It appears that, in terms of workers' representation, we can metaphorically call this 'anorexic representation' because any kind of form of active representation is not possible – an organisational OSH culture does not exist, there is no safety leadership (passive management) and generally communication and common understanding of OSH issues are lacking.
Case 11 M011PU Public service Middle-sized vocational school	110	Interviewed representative (age: 36) works in the office as an assistant . She has been elected as representative since the early 2000s. As an office assistant, she keeps eye on safety documents regularly; therefore, she was also elected as representative.	Two representatives were elected from among the workers and have fulfilled the duties for 14 years. Their regular working tasks require dealing with safety issues and, therefore, they happily also represent workers. Some of the safety managers' duties have been transferred to representatives' tasks.	This is a specific educational environment, where most workers are involved in teaching and therefore they spend only teaching hours in the building. Many teleworking options are practised.

Code, description	No of workers	Interviewed workers' representative's characteristics	Representation practices	Representative's role and contribution to OSH
Case 12 S012PS Private service Small hotel	22	Representative elected, but only on paper.	One representative was elected from among 22 workers 5 years ago, but in practice she does no OSH work in any way. Workers reach the manager individually. During the interviews, the experts got the impression that safety and health is not a priority in the hotel, but the manager claims that the workers' voice is being heard and, if needed, conditions are improved.	There are no specific rules on how to deal with OSH outside the building (while teleworking) and no representatives have been involved in discussing this matter. Representatives' contribution to OSH is mainly through keeping the safety documents updated and good knowledge about OSH if workers need help in these matters. A hotel located in a small, quiet southern Estonian town without any specific tourist attraction. The managerial style can be described as democratic. The manager is actively involved in the working environment as well as problems, because she works as a regular worker 5 days per month. The communication takes place in the form of direct group and private discussions and weekly meetings with departmental managers. The basic working environment requirements are fulfilled with the aid of the Labour Inspectorate and EAS (Enterprise Estonia), although the manager sees no added value from some OSH requirements (such as health examination). In conclusion, it can be said that the manager underestimates working environment issues and sees no necessity to gain more knowledge and information about these issues.
Case 13 S013M Manufacturing Middle-sized log cabin manufacturing	35	Interviewed representative (age: 25) is a truck driver . He has served since 2014. He was elected as representative because of his friendly character and willingness to deal with OSH matters; however, in practice it seems to be a problem, as he is not able to leave the truck for a long time to perform other duties such as representative duties.	Three representatives are elected, one from among office workers (HR manager). Workers can communicate directly with the safety manager, since he is on site every day. Since the safety manager is young, educated and active, he may take more initiatives than representatives do. However, representatives are actively involved; and workers are attracted to talk about safety issues and possible solutions, too – either through representatives or directly with the safety manager.	This successful log cabin manufacturer has a good reputation as an employer as well as among clients. Top management supports OSH activities, mainly through declaring that the workers' safety and health is important as well as through readiness to invest to improve OSH in the company. Recently, a young (27 years old) and well-educated safety manager was hired after the retirement of an 'old-school' safety manager.

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Case 14 L014PS Private service Large bank	400	Interviewed representative (age: 41) works as a manager of the support services department . She came to work at the bank in 2006, and for the last 4 years has been working in her current position. Her main tasks involve management of personnel, working procedures, development and finding reasonable solutions while offering supporting services. She has been an elected representative since 2013.	Representatives have been elected according to physical layout – in the main office each floor has one or two representatives and each representative office in other locations has one. No special requirements have been set as to the characteristics of a representative and management does not intervene in the selection process. Each floor has elected at least one representative (sometimes two). Their main duties are: - gathering information about the problems workers have concerning working environment; - keeping their eyes open and finding shortcomings themselves; - participating in quarterly meetings organised by the working environment specialist. Workers seem to be satisfied with how they are represented. Workers are represented in OSH issues by: - active representatives in all departments and geographical offices as well as each floor of a building; - regular representatives' meetings 4 times per year; 'open door' to all managers; 'workflow' web system to report problems in working environment.	The new manager deals with everyday OSH activities together with three representatives. Many workers' recommendations have been implemented into practice. Despite active work going on, several (5) minor occupational accidents were reported last year. Workers can communicate directly with safety manager, since he is on site every day. The company is a prestigious employer with a modern working environment, young employees and innovative ideas. It is a healthy institution where employees are satisfied with the conditions and have good opportunities to approach the top management with their problems. The organisational culture is non-hierarchical and open, which supports a high level of workers' representation.
Case 15 L015M Manufacturing Large power technology particles manufacturing	1,200	Interviewed representative 1 (age: 49) works as a line worker in a low-voltage factory since 2011. He was elected as a representative 2 years ago. Interviewed representative 2 (age: 58) is a supply chain manager . Working experience 10 years. Was elected as representative in September 2015.	Twenty-five representatives have been elected in the factory. Every working environment representative is elected on a voluntary basis. Workers are represented on OSH issues by: - active representatives in all factories; - regular representatives meetings, working environment council meetings;	This large manufacturing company belongs to a foreign corporation with high safety standards, which influences safety culture in the local enterprise. The safety manager admits that sometimes corporation requirements create too much paperwork, but in all other ways have a positive impact.

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			- right to approach the working environment specialist directly (via phone, email or orally) – she/he is on site every day; - encouragement of workers to be involved in safety activities; - frequent work satisfaction studies; - intranet and 'Facebook OSH pages' web system to report near misses and incidents and problems in working environment.	The company can be called a pathfinder in Estonian safety culture and has been successful in shaping workers' safety behaviour in a very positive way: all safety procedures and routines are tacit and shared, and hardly ever violated; several proactive actions are used to prevent occupational accidents and illnesses. Intranet, intra-TV and social media (Facebook safety pages) are used for communication in the area of OSH. Representatives are actively involved in investigation of occupational accidents, helping working environment specialists to detect problems, and their work is appreciated.
Case 16 L016M Manufacturing Large manufacturing	700 IT	Interviewed representative (age: 41) works as a line instructor. Her main duties are: - coordination of the department's work; - planning and preparation of the new product sampler; - training; - supervising the quality of production; - safety of work. Working experience: 12 years (4 years as workers' safety representative). She believes she was elected as a representative because of her good communication skills, special individual skills and vigour in resolving problems (direct communication with all workers in the production and storage departments).	Six representatives have been elected in both factories (in Tallinn and in Narva). Every working environment representative is elected on a voluntary basis. Company contributes to workers' participation in safety and health: - active representatives (Tallinn); - regular meetings and factory visits; - working environment council including workers from both factories in Tallinn and Narva.	Open and friendly environment (Russian-speaking workers) may ensure good representation of workers in OSH issues. However, workers do not discuss OSH issues because everybody lacks commitment to safety and health in the whole organisation – in both factories (in Tallinn and Narva). Safety manager stated that, given the tight deadlines for the new products, production and the quality of the products always come first and not safety. However, the biggest customer is the company ABB, which has high safety standards. During the regular audit (quality and safety management), ABB influences and demands good safety levels and a safe working environment from its partner.
Case 17 S017PU Public Small kindergarten	20	Representative (age: 42), not interviewed, works as a kindergarten teacher. Working experience: 9 years. She has been elected as representative since 2015, but in practice she has no duties. Therefore, no interview took place. The manager emphasises that there is no need for workers' representation through representatives in such a	Representative has a formal position in the company and has no duties to perform. During the interview, the experts got the impression that the manager consciously deals with OSH in an informal way and contributes to a healthy psychosocial and physical environment by listening and actively engaging with workers' work-related and personal problems.	Representative has no role in contributing to OSH, but the active, young and motivated manager helps workers to think about their safety and health by a caring and democratic management style. Both languages – Estonian and Russian – are actively used in the working environment, which makes it possible for all workers (including Russian speakers) to reach

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		small collective body, as everyone can reach the manager herself.		the manager with their problems. With a low budget, the manager tries to invest in safety and health as much as possible and even practises some health promotion activities.
Case 18 M018PS Private services Medium-sized construction and furnishing sales	120	Interviewed representative (age: 50) is a head of department who was elected as a representative in 2010. The same year, she received a 1-day OSH course. The manager believes she was elected because of her brave and friendly character. She herself cannot be sure of the reasons, but thinks her active working style might be the main cause.	Two representatives have been elected in different sections of the sales areas. Both of them seem to be active people, but the safety manager believes that, in practice, representatives have no power to say or change anything major; additionally, the administrative department finds representatives not useful and the election of representative just formal. The tendency is that the employees turn to their immediate managers with urgent matters and expect solutions quickly. Every month, a general meeting takes place, where safety issues are discussed as well, and representatives are involved in that.	The potential of representatives work in this company is much greater than is currently seen in practice. Two active people can contribute to improvement of OSH a great deal, but the administrative department hinders collaboration between workers and representatives and between representatives and top management. Therefore, the contribution to OSH by representatives is minimal.
Case 19 M019M Medium-sized furniture manufacturing	100	Interviewed representative (age: 54) works as a line worker . Elected in 2011 by other workers because of active and open personality.	Two representatives have been elected in different manufacturing departments. Irregular meetings and safety courses are organised for the workers, mainly by departments, where representatives can also present emerging OSH issues. The safety manager confirms that the representatives' voice has been heard and they have been involved in different practical safety issues such as conducting risk assessment or proposing better solutions for working environment layouts (e.g. a more effective ventilation system). However, OSH is not prioritised by either management or employees. Health risks are taken as a part of the job.	In this medium-sized furniture manufacturing company in a rural area, OSH is not a priority. The manager confesses that not much time is spent on safety and health issues, especially because production planning and technical problems are often more important. Additionally, two people share safety responsibilities, which often causes confusion because the division of responsibilities between two assigned workers is not clarified. Representatives are involved actively but, due to the lack of time and underestimation of OSH, the involvement is irregular.
Case 20 S020PS Private service Small catering company	10	No representative elected.	Based on the relevant legislation, no representatives elected. Workers reach the manager individually. During the interviews, the experts got the impression that safety and health is not a priority for the manager and each worker is responsible for his/her safety. However, the manager and workers claim that workers can turn to the manager if they have any problems.	A catering company located in the heart of the capital. The core workers are long-term workers (around 20 years of employment in the same organisation) with knowledge and experience. They look after the young and inexperienced workers (waitresses). The company does not contribute to the workers' training (because of high turnover among waitress) and safety and health. There are no human resource personnel who could deal with OSH requirements, training and motivating workers.

The European Agency for Safety and Health at Work (EU-OSHA) contributes to making Europe a safer, healthier and more productive place to work. The Agency researches, develops, and distributes reliable, balanced, and impartial safety and health information and organises pan-European awareness raising campaigns. Set up by the European Union in 1994 and based in Bilbao, Spain, the Agency brings together representatives from the European Commission, Member State governments, employers' and workers' organisations, as well as leading experts in each of the EU Member States and beyond.

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