



Webinar on New Coronavirus (COVID-19; SARS-CoV-2)

**International Commemoration Day for
Dead and Injured Workers – 28 April 2020**





50

MILLION

WORKERS

600

AFFILIATES

140

COUNTRIES

**IndustriALL Global Union:
Worldwide Footprint**



5

- **Defending workers' rights**
- **Building union power and organizing**
- **Confronting global capital**
- **Fighting precarious work**
- **Promoting sustainable industrial policy**

**IndustriALL Global Union:
Five Strategic Goals**



Introduction – Occupational Health and Safety in a COVID-19 World

In a few weeks, everything has changed – and nothing has changed.

What remains the same?

- Occupational health and safety is a matter of workers' rights and employers' responsibilities.

What is Novel Coronavirus?

- Technically: COVID-19 is the disease caused by a newly emerged virus called SARS-CoV-2.
- Frightening: no-one had existing immunity.
- Measures in place to slow the infection rate so that health care systems are not overwhelmed.
- Yet: it is an infectious disease like many others; and the prevention of infections follow principles that have been known for a long time.

How COVID-19 Spreads

The World Health Organization (WHO):

- How COVID-19 spreads: direct contact with or inhalation of droplets released when an infected person coughs or exhales; or indirectly via surfaces e.g. desks, tools, equipment, controls (and then touching their eyes, nose, or mouth.

What Happens Then?

- Most persons infected with COVID-19 experience mild symptoms and recover.
- Some experience more serious illness and may require hospital care.
- Risk of serious illness rises with age; also in people with weakened immune systems and in people with conditions such as diabetes, heart and lung disease.

What Are the Symptoms?

- 88% of cases Fever
- 68% of cases Dry Cough
- 38% of cases Fatigue
- 33% of cases Sputum Production
- 19% of cases Shortness of Breath
- 15% of cases Muscle or Joint Pain
- Other symptoms: sore throat, headache, chills, nausea or vomiting, nasal congestion, diarrhea, haemoptysis (coughing up blood or bloody sputum), and conjunctival congestion (sore, watery eyes).

What To Do If You Experience Symptoms

- If you notice symptoms while at home, stay home.
- If you first experience symptoms while at work, inform your employer, then go home. While awaiting transportation home keep distant from other people – at least 2 meters.
- Call your doctor. You, and people living with you, should self-isolate. If your symptoms are worsening seek medical advice at once.
- If possible, get tested for COVID-19.

Response to COVID-19 in Workplaces

- Joint Health and Safety Committees and safety representatives - ensure appropriate, jointly agreed upon, workplace policies, programmes and procedures are in place.
- Good policies, programmes and procedures only work when they are followed. A protocol to effectively monitor their implementation should also be jointly agreed upon.

Three Workers' Rights in OHS

- TO KNOW: fully, completely, about all the hazards of their work and how to do the work safely
- TO REFUSE or SHUT DOWN UNSAFE WORK without fear of discipline or discharge, if exercised in good faith
- TO PARTICIPATE in the development and implementation of all health and safety policies, programmes, procedures, hazard and risk assessments, accident and incident investigations, workplace inspections and audits

Understand Your Rights

- The current global COVID-19 crisis has highlighted the deficiencies in recognition of workers' right to refuse, or shut down, unsafe or unhealthy work. This brief is intended to help workers understand what their rights are.

RIGHT TO REFUSE OR SHUT DOWN UNSAFE WORK



www.industrialall-union.org

The Right to Refuse or
Shut Down Unsafe
Work – without fear of
reprisals



Internal Responsibility

- Internal systems means within the workplace.
- Workers demand our 3 OHS rights: to know, to refuse or shut down, to participate.
- Employers have the responsibility to ensure safe and healthy workplaces.
- Employees have the responsibility to carefully follow and implement any controls put in place.

What is meant by a “right”

- Something that you are morally or legally entitled to do, or to have.
- Workers do not automatically enjoy the legal right to refuse or shut down unsafe work in every jurisdiction or in every circumstance. However we always have the moral right. In serious circumstances, we believe that we have a duty to do so.
- The exercise of that right is not always protected from reprisals by the employer.
- Wherever workers enjoy the legal right to refuse unsafe work, either in national or regional laws, or in collective bargaining agreements, it has followed worker activism and demands; never preceded it. Our rights are rarely given to us freely – we must demand and fight for them.

International Law

The United Nations' Universal Declaration of Human Rights, Article 3, states "Everyone has the right to life, liberty and security of person." It does not state that these rights disappear when you go to work.

International Labour Standards

- International Labour Organization (ILO) Conventions and Recommendations mention the right to refuse unsafe work, the most significant of these is Convention 155, the Occupational Safety and Health Convention, 1981.
- “Article 13. A worker who has removed himself from a work situation which he has reasonable justification to believe presents an imminent and serious danger to his life or health shall be protected from undue consequences in accordance with national conditions and practice.
- “Article 19. There shall be arrangements at the level of the undertaking . . . the employer cannot require workers to return to a work situation where there is continuing imminent and serious danger to life or health.”

What does this mean?

In plain language, this says that within the context of national law, workers can, with reasonable justification, remove themselves from unsafe work and not return until the employer has remedied the situation, and if they have exercised this right in good faith they cannot suffer undue consequences.

Other ILO Conventions

- Other ILO Conventions make reference to this right e.g. Convention 176, Safety and Health in Mines Convention, 1995; Recommendation 183 on Safety and Health in Mines, 1995; Recommendation 172 on Asbestos, 1986; and Recommendation 177 on Chemicals, 1990.
- Conventions have legal standing when ratified, but your national government may not have ratified them. Recommendations are not necessarily legally enforceable.
- However, ILO Conventions and Recommendations can be referred to as part of international best practice – sometimes, even in countries that have not ratified the relevant Convention.

The Law

- The law still applies.
- Wording varies. In general employers are required to protect the health and safety of their employees.
- They must provide information, education, training, and the correct equipment to do the job safely.
- New specific laws or regulations may have been enacted to deal with COVID-19.
- Make sure that your workplace is in compliance with all applicable legal requirements.

National or Regional (State; Provincial, or other) Occupational Health and Safety Law

- National or regional law varies widely across the globe; you must verify the law in your jurisdiction.
- If the right is protected, there will be a strict procedure. It will outline what kinds of hazardous or risky work are legally refusable, and steps you must take to refuse: reporting the danger to your supervisor, removing yourself from immediate harm, investigation, etc. Follow it closely, to protect yourself from discipline or discharge.

Collective Bargaining Agreements

- Check your collective bargaining agreement (CBA). Many collective bargaining agreements make reference to the right to refuse or shut down unsafe work. Often, a strict procedure for exercising this right will also be specified. Make sure you familiarize yourself with the procedure and follow it closely, to protect yourself from discipline or discharge.

In Case of Dispute

When there is a disagreement in the interpretation of labour law or collective agreements between an employer and a worker, the general rule is to comply now, and grieve later. This advice protects the worker from immediate discipline or discharge. If a labour arbitrator or judge later rules in favour of the worker, an appropriate remedy can be applied. Lost wages can be repaid, workers can be restored to their rightful positions, indignities can be compensated.

However, in the case of occupational health and safety this general rule cannot apply. There is no remedy that an arbitrator can impose that will restore life or health, if it is lost.

The right to refuse, or to shut down, unsafe or unhealthy work is not automatically guaranteed by law or by CBA. Like all human rights, we assert our moral authority when we demand it. It is a right that we must win, or lose it along with our health or our life.

That's what trade unions mean when we say "you have the right to refuse unsafe work".

Don't take your rights to the grave.

COVID-19

ADVICE FOR WORKERS AND EMPLOYERS



IndustriALL
offers advice.

SARS-CoV-2 is the
name of the virus that
causes COVID-19.



Workplace Response

(i) Identify the hazard

- Hazard identification and risk assessment: do jointly – the only people with the moral authority to assess a risk are those who face the risks.
- The virus can be transmitted before symptoms appear. Be aware of the symptoms, for your own sake as well as others.

Workplace Response

(ii) Control the risk

- Principles of personal and industrial hygiene: 1st choice: eliminate or completely isolate the hazard; 2nd minimize opportunities for transmission of the virus; 3rd provide effective personal protective equipment.
- No chance to eliminate or completely isolate the hazard since any person in the workplace may be a carrier, so minimizing the risk means implementing the following strategies (next slides):

Workplace Response

(ii) Control the risk – Personal Hygiene

- Frequent and thorough hand-washing with plenty of soap and water, and easily available hand sanitizing stations at strategic locations and throughout the workplace
- Minimum of 20 seconds with plenty of soap or detergent and water is necessary to disinfect.
- Avoid touching your face: eyes, nose, or mouth, with unwashed hands.
- Promote good respiratory hygiene.

Workplace Response

(ii) Control the risk - Industrial hygiene

- Housekeeping: frequent cleaning and disinfection e.g. machinery, tools, controls, handles, keyboards, touch screens, telephones, office devices, doors, stair banisters, furniture should be implemented.
- Ensure good rates of air exchange (ventilation).
- Social distancing: between workers (>2 meters).
- Cancel all non-essential travel and meetings.
- Accommodate high-risk workers.
- Contaminated waste must be disposed of safely.

Workplace Response

(ii) Control the risk - Handling cases

Seek medical advice; send the person home (or to medical care in serious cases) immediately. While awaiting transportation individual should wear a mask and be isolated from others. All items that the individual has been in contact with need to be disinfected; and all people that s/he may have been in contact with should be identified and monitored.

Workplace Response

(ii) Control the risk - Personal Protection

- General comments only: seek expert advice.
- Common paper or surgical masks can reduce the risk of transmission if used correctly.
- Masks are not perfect protection; a complete respiratory protection programme is advised to ensure proper training, fit and use.
- Gloves and special garments, generally required only in a health-care setting or for specific tasks such as cleaning or handling potentially contaminated materials, or interacting with potentially infected people.
- Cleanliness is crucial.

What Mask?

- Not all masks are the same.
- Higher efficiency close-fitting masks e.g. N95 (USA designation) or FFP2 (EU designation), or better, are in short supply. Health care workers and people who are already sick (display symptoms) should be prioritized to receive them first.
- Regular paper medical or surgical masks do not form a close seal to the face but reduce transmission droplets when coughing, sneezing or just talking or breathing.

When Recommended

- In workplaces, consider masks where social distancing (2 metres separation) or physical barriers cannot be maintained. IndustriALL recommends that a mask programme only be initiated if information, education, and training in their proper use and disposal are provided.
- The WHO has guidance on how to put on, take off and dispose of masks.

Workplace Response

(ii) Control the risk - Social protection

- Even mild symptoms, like a cough and a slight fever, mean “stay at home”. This message should be reinforced as strongly as possible.
- Guarantee that pay will be kept whole in case of absence for illness; reduce risk that some will report for work even if ill, and spread the virus.
- Consider mental and emotional health: people will be fearful in these uncertain times; and if working from home may experience stress due to social isolation.

Workplace Response

(ii) Control the risk – HR Policies and Records

- Have a plan to handle someone developing symptoms while at the workplace until they can be safely transferred to medical care.
- Visitors to the workplace should be screened.
- Names of contractors, customers and visitors to the workplace, including which areas they visited, should be retained in case follow-up is necessary.



**Global unions call for
recognition of COVID-19 as an
occupational disease**

**Page Internet spéciale
d'IndustriALL sur le COVID19 :**

[http ://www.industrialall-union.org/covid-19](http://www.industrialall-union.org/covid-19)





COVID-19: the trade union response

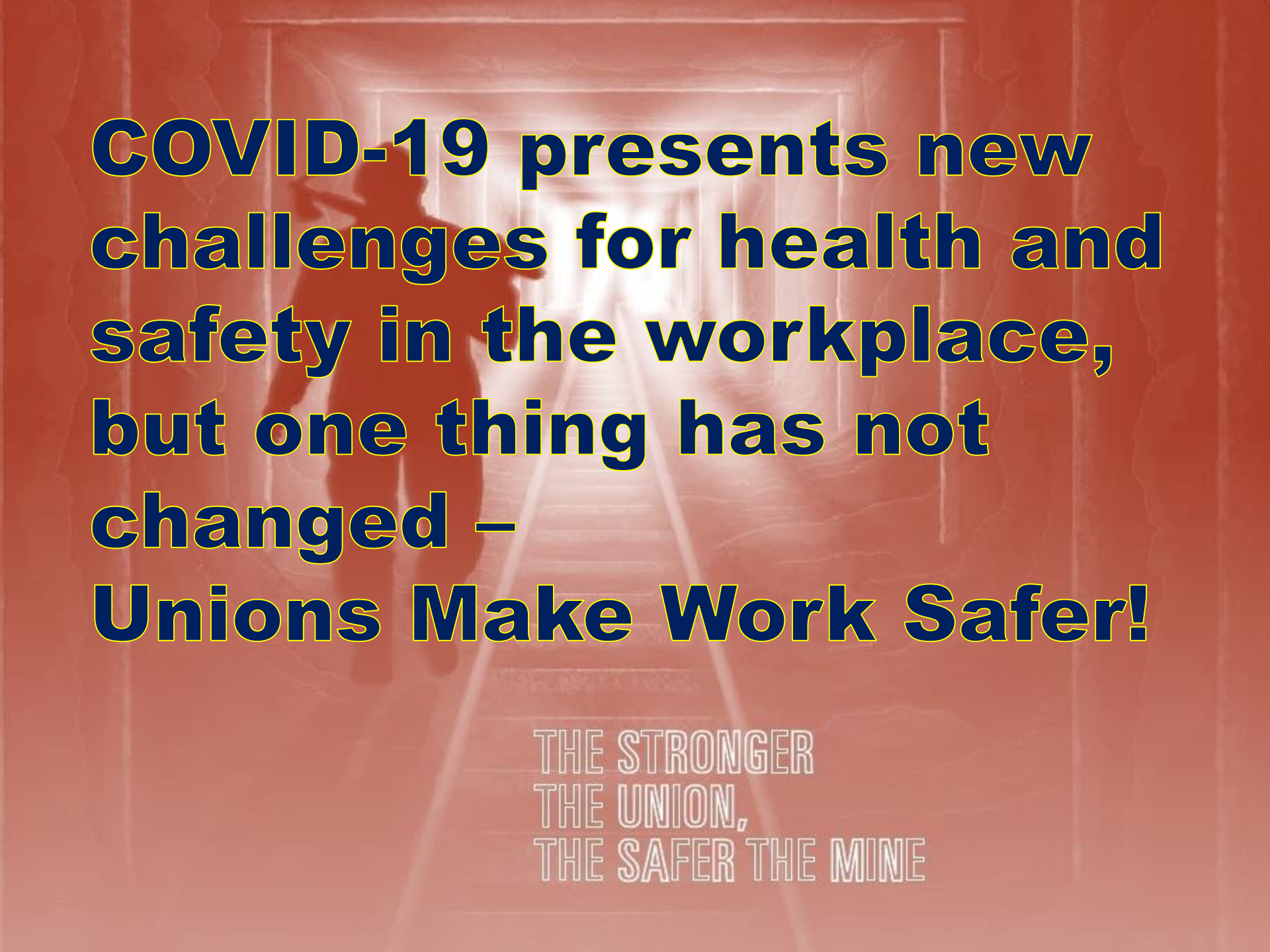
Unions around the world respond to the rapidly unfolding public health, economic and employment crisis, defending workers' rights and promoting social solidarity.

[Read more](#)

IndustriALL's special web site page on COVID-19:

<http://www.industrialunion.org/covid-19>





**COVID-19 presents new challenges for health and safety in the workplace, but one thing has not changed –
Unions Make Work Safer!**

THE STRONGER
THE UNION,
THE SAFER THE MINE

for your attention

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CONCLUSION

... Thank You!

Brian Kohler
Director- Health, Safety, Sustainability

IndustriALL Global Union

