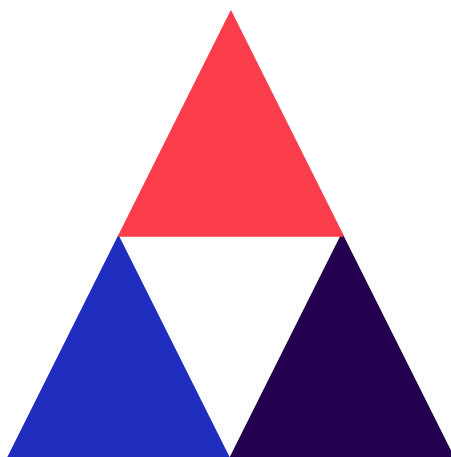




## ► Record of Proceedings

Meeting of Experts to Discuss and Adopt a Code of Practice on Safety and Health  
in Textiles, Clothing, Leather and Footwear  
(Geneva, 4–8 October 2021)





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## ► I. Introduction

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1. In accordance with the decision taken by the Governing Body at its 335th Session (March 2019), the Meeting of Experts to Discuss and Adopt a Code of Practice on Safety and Health in Textiles, Clothing, Leather and Footwear was held in Geneva from 4 to 8 October 2021.
2. The Meeting was attended by 7 experts from Governments, 8 experts nominated by the Employers' group and 7 experts nominated by the Workers' group of the Governing Body, as well as by 41 Government observers. There were 7 observers from intergovernmental organizations and international non-governmental organizations.
3. The purpose of the Meeting, as decided by the Governing Body, was to discuss and adopt a code of practice on safety and health in textiles, clothing, leather and footwear, based on a draft prepared by the Office.
4. The Officers of the Meeting were:
 

<b>Independent Chairperson:</b>	Dr J. Takala
<b>Vice-Chairpersons:</b>	Mr B. Fochmann (Government, Germany) Mr J. Beckett (Employer, Canada) Mr Z.M. Kamrul Anam (Worker, Bangladesh)
<b>Employer Secretary:</b>	Mr M. Espinosa
<b>Worker Secretary:</b>	Ms M.T. Llanos
5. The Chairperson recalled that the purpose of the meeting was to discuss and adopt a code of practice on safety and health in textiles, clothing, leather and footwear, with the objective of providing practical guidance for its use by all those, both in the public and private sectors, who have obligations, responsibilities, duties, and rights regarding safety and health in the textiles, clothing, leather and footwear industries. He appealed to participants to be concise in their proposals, since there was much to do.
6. The Secretary-General of the Meeting, Ms Alette van Leur (Director, ILO Sectoral Policies Department) welcomed participants. COVID-19 restrictions unfortunately meant that some participants would have to follow the proceedings online. More than 60 million workers across the developing world relied on the garment industry for their livelihoods. Over 80 per cent were women. Many had migrated from rural areas – or even from other countries – and garment work was often their first entry into the job market. The sector was undergoing a massive structural transformation. Long-term megatrends and drivers – such as automation and digitalization, climate change, a new era of globalization, and changing demographics and consumer preferences – were reshaping production and decent work dynamics in the industry in profound ways. The COVID-19 pandemic had had a devastating impact on those industries because of worldwide lockdown measures, a sharp drop in demand, and supply chain disruption. Safety and health issues and conditions of work remained a challenge.
7. The meeting of experts faced a formidable and historic task, and it was hoped that through effective discussions they would succeed in adopting the very first ILO code of practice for the textiles, clothing, leather and footwear sector. ILO codes of practice were not legally binding and were not subject to ratification or supervisory mechanisms. Nevertheless, they were based on the full principles, rights and obligations set out in international labour

standards, and nothing set out in codes of practice should be understood as lowering such standards.

8. The Head of Unit described the background, preparatory work and content of the draft code of practice. The Office had conducted a comprehensive assessment of the main occupational safety and health (OSH) hazards and risks in the textiles, clothing, leather and footwear industries. Where possible, agreed text had been used from recent ILO codes of practice, such as the 2019 code on safety and health in shipbuilding and ship repair and the 2018 code on safety and health in opencast mining. National legislation, regulation and guidance, as well as company guidance and codes on safety and health in textiles, clothing, leather and footwear in Bangladesh, the European Union, the United Kingdom of Great Britain and Northern Ireland and the United States of America had served as input to the draft text. Inspiration had also come from the tools and guidance developed by the ILO-IFC Better Work programme, the Vision Zero Fund, and other ILO projects in the textiles and clothing industry worldwide. The draft had been prepared in close consultation with colleagues in the ILO Labour Administration, Labour Inspection and Occupational Safety and Health Branch, the ILO International Labour Standards Department, and other departments in the Policy portfolio. The United Nations Environment Programme and other international organizations had also been consulted.
9. The Employer Vice-Chairperson observed that the sector addressed by the draft was large and accounted for a sizeable workforce worldwide, some 80 per cent of whom were women. The draft had been prepared following a proposal by the Employers' group of the ILO in 2019, since OSH was a major priority for employers. It was essential to protect safety and health at work and working conditions in order to protect employment and promote development, and the ILO's Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), was of major relevance. The COVID-19 pandemic had had a major impact on business continuity and survival, and also on business performance and productivity. The Employers had mobilized a network to address related issues, and the draft code represented a call to action in the sector to save lives and to help protect incomes and minimize economic disruption. The text was long, and the Employers had various proposals concerning its simplification by consolidating the content. The inclusion of text from other already approved texts should not exclude their discussion, and there was some need to standardize terminology.
10. The Worker Vice-Chairperson observed that in his country, Bangladesh, 1,134 workers had perished in the Rana Plaza disaster of 2013, and some 2,500 injured people had been rescued from the building alive. It was the deadliest structural failure accident in modern human history and the deadliest garment factory disaster in history. Cracks in the building had been reported, but nothing had been done. Workers had lacked the basic right to insist on the closure of a hazardous workplace. The Accord on Fire and Building Safety in Bangladesh, created after the Rana Plaza collapse of 2013, had brought real change by making factories safer. It was a success in Bangladesh and could be adopted in other countries to reduce worker injuries worldwide. In September 2021, the Accord agreement had been renewed, broadening the coverage from fire and building safety to general health and safety, and had also formed the basis of a new International Accord on Health and Safety in the Textile and Garment Sector. It preserved and advanced the fundamental elements that had made the Accord successful, including:
  - respect for freedom of association;
  - shared governance between labour and brands;



- a high level of transparency;
  - safety committee training and worker awareness programmes;
  - a credible, independent complaints mechanism.
11. The Workers' group strongly supported the draft code of practice and would engage in productive dialogue to improve it. Fundamental principles and rights at work were still denied or violated worldwide in the sector. All workers in the sector should enjoy the following three rights as a minimum: (1) the right to know about the hazards present at their workplace; (2) the right to refuse to work in hazardous workplaces and to obtain their closure without fear of recrimination or reprisals; and (3) the right to participate fully in the development of policies, practices, programmes and initiatives concerning OSH. It was important to show ambition in the code of practice; sectoral codes of practice could be aspirational in scope and expand on principles laid down in international labour standards and other international agreements and policies. It was an opportunity for all – governments, employers and unions – to demonstrate their commitment to do better, and not just the legal minimum.
  12. The Government Vice-Chairperson paid tribute to the draft code of practice, which offered a robust and practical step forward. It provided a strong and comprehensive framework on which to base discussions. In the aftermath of Covid-19, the need to protect workers and jobs was more obvious than ever. OSH and decent work made a substantial contribution not only to workers' protection, but also to the sustainability of companies and social protection systems. Social dialogue was essential in anticipating and managing the changes needed in the sector, particularly in areas relating to safety and health. The ILO had a pivotal role to play helping those in the sector face the current challenges. He looked forward to a fruitful discussion resulting in the first-ever code of practice for the textiles, clothing, leather and footwear industries, which should ensure a safer environment for all workers in the future.
  13. The observer representative of the World Bank paid tribute to the quality of the draft and looked forward to a positive outcome of the meeting.

## ► II. Consideration of the draft code of practice \*

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14. The following account of the discussion follows the structure of the draft code, not the chronological consideration of its sections. It covers only paragraphs on which there was substantive discussion.
15. Prior to its final sitting, the meeting established an open informal working group to make recommendations on the many paragraphs for which agreement had not been possible. Where the final form of the text depended on such recommendations, this is indicated.

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\* All references and numbers of sections and paragraphs are to the original draft submitted to the meeting. Where the outcome of discussion on a point is not clear, the text of the code of practice should be taken as the authentic adopted text.

## Acronyms, abbreviations and definitions

16. The Government Vice-Chairperson proposed to define the term “competent person” as follows: “A person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skills for the safe performance of the specific work.” The proposed definition stemmed from the ILO Safety and Health in Construction Convention, 1988 (No. 167). The proposal was adopted.
17. The Employer Vice-Chairperson proposed adding, at the end of the definition of “night work”, the following: “to be determined by the competent authority after consulting the most representative organizations of employers and workers or by collective agreements”. The text was taken directly from the Night Work Convention, 1990 (No. 171). The proposal was adopted.
18. The Government expert from Brazil proposed that a definition of “incident” be added, since the term was used in several places in the text. The Head of Unit suggested that a definition of “incident” could be taken from the *Guidelines on occupational safety and health management systems, ILO-OSH 2001*, but reminded the meeting that delegates at the International Labour Conference in 2002 had decided not to include this definition in the List of Occupational Diseases Recommendation, 2002 (No. 194). The Meeting decided not to include a written definition of “incident”, but asked the Office to check that the term was used consistently in the code.
19. As regards the definition of “PPE” (personal protective equipment), the Government Vice-Chairperson proposed to replace the current text with the following: “Personal protective equipment means any device or appliance to be worn or held by an individual for protection against one or more health and safety hazards.” The proposal was adopted.
20. The Worker Vice-Chairperson suggested deleting the definitions of the terms “worker” and “employer”, which might prove restrictive and give rise to difficulties; sometimes these referred narrowly to workers and employers but elsewhere they also referred to their representatives and organizations. The Employer Vice-Chairperson preferred to retain the definitions. The Meeting requested the Office to review these definitions in the light of current use in ILO texts.
21. The Employer Vice-Chairperson proposed to replace the term “work-related injuries, ill-health and diseases” with “work-related injuries and occupational diseases”. After a brief discussion, the Meeting agreed to use the term “occupational injuries and occupational diseases” when dealing with compensation, and to keep the term “work-related injuries, ill-health and diseases” in all other contexts.

## 1. General provisions

### 1.1. Purpose and objectives

22. In subparagraph 2(e), the Government Vice-Chairperson proposed to add “their representatives” and “their suppliers” after “organizations”. The Employer Vice-Chairperson opposed the proposal. The term “their representatives” should be changed to “occupational safety and health representatives”. The reference to “brands and buyers” should have been removed, since they were not workplace entities and were addressed in other sections of the code. The Government expert from Brazil stated that the words “their representatives” could include all organizations in the workplace, including employers’ and workers’

organizations. The Worker Vice-Chairperson agreed to two amendments, while he objected to the deletion of “brands and buyers”.

23. The matter was referred to the working group, which recommended the following: “promoting effective consultation and cooperation between governments, employers, workers and their organizations and representatives, as well as business operations, in the improvement of OSH in these industries”. The recommendation was adopted.

## 1.2. Application and scope

24. The Employer Vice-Chairperson proposed to delete “brands and buyers” in subparagraph 2(a) and to delete “investors” in subparagraph 2(b) since they had no necessary role with regards to OSH. The matter was referred to the working group, which recommended deletion. The recommendation was adopted.

## 1.3. Reference to ILO instruments

25. In paragraph 1, the Employer Vice-Chairperson proposed to delete “as well as brands and buyers and other stakeholders”. He also proposed to delete the reference to “Protocols” since they were an integral part of Conventions.
26. The Worker Vice-Chairperson proposed to delete “ratified” and that “standards” should be replaced by “Conventions and Protocols”.
27. The Government Vice-Chairperson stated that “standards” should be used instead, as in the rest of the draft, since it included all ILO instruments. The proposal was withdrawn.
28. The Secretary-General stated that in the ILO the usual reference was to “standards”. Protocols and other instruments were listed in the subsequent sentence as part of international labour standards. The Government expert from Bangladesh supported the deletion of “ratified”. The Government expert from Turkey supported the use of “standards”.
29. The matter was referred to the working group, which recommended that the Employers’ first proposal be adopted. The recommendation was adopted.

# 2. General obligations, responsibilities, duties and rights

## 2.1. Cooperation

30. In paragraph 1, the Government Vice-Chairperson proposed to add “suppliers” after “buyers”. The proposal was adopted.
31. In the chapeau of paragraph 2, the Government Vice-Chairperson proposed to add “reduction” before “or control”. The proposal was adopted. At the end of the paragraph, he proposed to add a new subparagraph, to read: “brands and buyers, as responsible business entities, should participate in social security mechanisms.” The Employer Vice-Chairperson opposed the amendment. The proposal was withdrawn.
32. In subparagraph 2(b), the Worker Vice-Chairperson proposed to replace “and/or” by “and”. This proposal was adopted.

## 2.2. Competent authority

### 2.2.1. General provisions

33. In subparagraph 1(a), the Employer Vice-Chairperson proposed to delete “and control the application of”, since this was not their direct responsibility. Following opposition, the proposal was withdrawn.
34. The Government Vice-Chairperson proposed to add a new paragraph: “The competent authority should enforce the application of laws and regulations on OSH in the textiles, clothing, leather and footwear industries.” The Government expert from Morocco observed that the responsibility to enforce laws rested with governments and should not necessarily be done in consultation with employers and workers. This proposal was adopted but at the suggestion of the Office it was decided that it should be placed at the beginning of the subsection.
35. In subparagraph 5(c), the Worker Vice-Chairperson proposed to add at the end: “taking into account international labour standards and guidance”. This proposal was adopted.
36. In subparagraph 7(b), the Worker expert from the United Kingdom proposed to add a reference to safety and health representatives “as accredited with a competent authority”. The Government experts from Bangladesh, Brazil and Morocco, and the Employer Vice-Chairperson observed that not all countries had such a competent authority. The Secretary-General proposed as a compromise a reference to “appropriately trained safety and health representatives”. The matter was referred to the working group, which recommended the following wording be placed at the end of the subparagraph: “and supported with appropriate training”. The recommendation was adopted.
37. In subparagraph 7(c), the Workers’ group similarly proposed to add “with accredited training” after “persons”. The matter was referred to the working group, which recommended the wording “with appropriate training”. The recommendation was adopted.
38. In paragraph 9, the Worker Vice-Chairperson proposed to replace “sex-disaggregated” by “sex- and age-disaggregated”. The proposal was adopted.
39. In paragraph 10, the Employer Vice-Chairperson proposed to qualify “diseases” by “occupational”. The Worker expert from the United Kingdom proposed that “work-related” would be more general and could include psychosocial conditions and commuting accidents. The Employer Vice-Chairperson stated that “work-related” was outdated terminology. The matter was referred to the working group, which recommended using the phrase “occupational accidents and/or occupational diseases”. The recommendation was adopted.
40. The Government Vice-Chairperson proposed to add a new paragraph to follow paragraph 10, to read: “The competent authority should seek to cooperate with competent authorities of other countries to improve safety and health in the industries and their domestic and global supply chains.” The proposal was adopted.

### 2.2.2. Labour inspectorates

41. The Government expert from Morocco proposed to add a reference to the Protocol of 1995 to the Labour Inspection Convention, 1947 in the chapeau of paragraph 1. This proposal was adopted.

42. She also proposed that, in subparagraph 1(b), “where appropriate,” be added after “representatives”. The proposal was adopted.
43. In subparagraph 2(d), the Government Vice-Chairperson proposed to replace “have the authority to” with “endeavour”. The Secretary-General observed that this would contradict the chapeau, which referred to the prescription of the law. The proposal was withdrawn.
44. The Government Vice-Chairperson proposed to add a new subparagraph after (f), to read: “cooperate with other government authorities to take appropriate action”. This proposal was adopted.

### 2.3. Employers

45. The Employer Vice-Chairperson proposed to add “manage” after “coordinate” in the first line of paragraph 1. He also suggested to add, after “Employers should” in the second line, “develop OSH management systems and”. These proposals were adopted.
46. The Worker Vice-Chairperson proposed to add a new paragraph to follow paragraph 1, to read: “Employers should carry out due diligence in accordance with the ILO’s Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) and the United Nations Guiding Principles for Business and Human Rights to ensure respect for fundamental principles and rights at work for workers in the textiles, clothing, leather and footwear sector. Transnational company agreements can also contribute to the corporate responsibility to respect human rights and to perform human rights due diligence.” This would ensure a reference to two major texts of relevance to the sector and invoke the concept of due diligence.
47. The Employer Vice-Chairperson opposed this proposal, since the concept of due diligence was already implied in paragraphs 1 and 3. The Government expert from Brazil observed that the scope of the code was limited to manufacturing and the proposal was not therefore relevant. The matter was referred to the working group, which recommended the proposal not be adopted. It was so decided.
48. In paragraph 3, the Employer Vice-Chairperson proposed to delete “oral”. It was observed by several experts that some workers had poor literacy skills and that oral communication was as important as written communication. The proposal was withdrawn.
49. The Government Vice-Chairperson proposed that subparagraph 4(a) begin with “should have systems in place to”. This proposal was adopted.
50. The Employer Vice-Chairperson proposed to delete subparagraph 8(b). The reference to “eliminate or control any risk” was a very high standard, even if it was acknowledged that there was risk. The Worker expert from the United Kingdom agreed to the deletion of the text. The Government Vice-Chairperson opposed deletion, since the text concerned a fundamental principle.
51. The matter was referred to the working group, which recommended that subparagraph 8(b) be replaced by the following: “control risks to workers, the public and the environment, so far as practicable.” The recommendation was adopted.
52. In paragraph 11, the Employer Vice-Chairperson proposed to delete “Multinational”, since not all enterprises in the sector were multinational. The Head of Unit explained that the text had been taken from paragraph 44 of the ILO’s Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and had already figured in two previous codes. After some discussion on retaining a reference that would be universal and

adjusting “manufacturing enterprises”, the Employer Vice-Chairperson proposed the following wording: “All enterprises in the textiles, clothing, leather and footwear industries, including multinational enterprises”.

53. In the same paragraph, the Employer Vice-Chairperson proposed to delete the second sentence beginning “They should also make available ...”; and in the final sentence to replace “They, like comparable domestic enterprises, should” by “They should”.
54. The matter was referred to the working group, which recommended that paragraph 11 be replaced by two paragraphs embodying its main points and a reference to the ILO MNE Declaration. The recommendation was adopted. The text of these paragraphs is given in the revised text.
55. In paragraph 20, the Employer Vice-Chairperson proposed to add “appropriate” before “corrective action”. This proposal was adopted.

## 2.4. Workers

56. In paragraph 2, the Employer Vice-Chairperson proposed that “warning other workers” be replaced by “informing other workers who are performing unsafe work”. The Government expert from Brazil observed that the paragraph should not refer only to situations previously identified as unsafe. The Worker Vice-Chairperson observed that “warning” was a more appropriate term since it was stronger than “informing”. The proposal was withdrawn.
57. In subparagraph 7(b), the Worker Vice-Chairperson proposed that “and employers” be added after “suppliers”. The Employer Vice-Chairperson observed that this would make the sentence tautologous. The proposal was withdrawn.
58. The Government Vice-Chairperson proposed to add a new subparagraph to follow 7(d), to read: “participate, in line with relevant regulations, in the investigation of occupational accidents and diseases and measures to control these, in accordance with national laws and regulations”. The Government expert from Morocco supported this proposal, since workers had a right to participate in accident investigations and in control measures. The Employer Vice-Chairperson observed that such rights depended on national legislation, and that such participation was not always necessary. The Worker expert from the United Kingdom agreed to add a caveat concerning national laws and suggested that the text read: “be consulted and be involved in the identification of hazards and the assessment of risks to safety and health to be conducted by the employer and/or by the competent authority. Workers should also have the right to be involved in relevant control measures and investigations and participate, in line with relevant regulations, in the investigation of occupational accidents and diseases and measures to control these.” The Government Vice-Chairperson preferred this formulation which referred to the right of workers to participate in investigations.
59. The matter was referred to the working group, which considered that the notion of worker involvement in investigations was already covered in the original subparagraph 7(d). The working group therefore recommended that the new subparagraph be deleted but that the words “and participate” be added to subparagraph 7(d), which would read as follows: “be consulted and be involved in the identification of hazards and assessment of risks to safety and health to be conducted by the employer and/or by the competent authority. They should also have the right to be involved and participate in relevant control measures and investigations.” The recommendation was adopted.

- 60. The Worker Vice-Chairperson proposed to add a new subparagraph to follow subparagraph 10(d), to read: “to receive rehabilitation and to keep their job position and/or be transferred to suitable alternative work with no detriment to their terms and conditions of employment”. The Employer Vice-Chairperson did not agree to the proposal, which set an excessively high standard. Every State had its own workers’ compensation system and had rules on how it was to be applied. The matter was referred to the working group, which recommended that the new subparagraph be limited to the phrase “to receive rehabilitation” and should follow subparagraph 10(e). The recommendation was adopted.
- 61. In subparagraph 10(f), the Employer Vice-Chairperson proposed to replace “work-related” by “occupational” and to qualify “diseases” in the second line as “occupational”; to replace “cash benefits” with “compensation”; and at the end to add “in accordance with national laws and regulations”. The proposal was adopted.
- 62. In paragraph 14, the Worker Vice-Chairperson proposed to add at the end: “, as stated in section 16.2”. This proposal was adopted.

## 2.6. Contractors and subcontractors

- 63. In paragraph 2, the Employer Vice-Chairperson proposed that the chapeau be simplified to read: “Contractors and subcontractors should comply with the arrangements as defined in the OSH management system of the employer, which should, for example:” The proposal was adopted.

## 3. Occupational safety and health management systems

### 3.1. General provisions

- 64. In paragraph 1, the Government Vice-Chairperson proposed that in the third line the word “continually” be added before “invest”. This proposal was adopted.

### 3.3. Initial review

- 65. In the chapeau of paragraph 1, the Employer Vice-Chairperson proposed to replace “guarantee” with “ensure”, which sounded more natural. This proposal was adopted.

### 3.4. Hazard identification, risk assessment and preventive and protective measures

#### 3.4.1. Hazard identification

- 66. In subparagraph 1(c), the Worker Vice-Chairperson proposed to add “near misses,” after “past injuries”. This proposal was adopted.

#### 3.4.2. Risk assessment

- 67. In paragraph 1, the Employer Vice-Chairperson proposed to delete the second sentence: “In determining the level of risk, special attention should be given to such factors as sex, age, disability and reproductive health.” Discrimination today could be based on a wide range of considerations, and the wording seemed limited. The Government and Worker experts were opposed to the change. The proposal was withdrawn.
- 68. A detailed discussion surrounded paragraphs 4 to 8 and their related matrices, which in the view of the Government experts of Brazil and Turkey referred to significantly different levels



of risk assessment and could create confusion. It was proposed that these paragraphs and matrices be moved to an appendix. The matter was referred to the working group, which recommended the text and matrices be retained in the current state and position. The recommendation was adopted.

### 3.4.3.Risk control

69. In paragraph 3, and globally throughout the text, the Employer Vice-Chairperson proposed to qualify “diseases” as “occupational” when the text concerned compensation. The proposal was adopted. When this was not the case, the original wording should be kept.

## 3.6. Contingency and emergency preparedness

### 3.6.1. Emergency preparedness

70. In paragraph 1, the Worker Vice-Chairperson proposed to add “, periodically reviewed” after “established” and to add at the end of the first sentence: “from the time of the design and construction of the facility and through all subsequent phases of operation”. These proposals were adopted.
71. In subparagraph 2(c), the Employer Vice-Chairperson proposed to replace “firefighting” by “fire extinguishers”. General responsibilities in this area lay with trained units, not all staff in general. The Worker Vice-Chairperson observed that firefighting indeed referred to a specific group. The Secretary-General proposed to use “firefighting, including the use of fire extinguishers”. The Worker expert from the United Kingdom observed that the issue should be approached from a more general policy angle, and proposed the term “fire response”. This proposal was adopted.
72. In paragraph 3, the Government Vice-Chairperson proposed that “other employers,” be added before “workers” in the penultimate line. Employers not only needed to cooperate with workers, emergency services and other bodies, but also with other employers to establish emergency prevention, preparedness and response arrangements. This proposal was adopted.
73. In paragraph 7, the Employer Vice-Chairperson proposed that the last sentence read: “Emergency alarms should be distinguishable from other alarms and capable of being seen and heard by everyone.” This proposal was adopted.

### 3.6.2.First aid

74. The Government Vice-Chairperson proposed to add a new paragraph after paragraph 7, to read: “Safety data sheets that are used in manufacturing operations should be kept readily available and used in the application of first aid.” This proposal was adopted.
75. The Employer Vice-Chairperson proposed to delete paragraph 11, since it seemed outdated. First-aid capacity should be available to all, not just supervisors. The Government Vice-Chairperson and the Government expert from Bangladesh considered that the first sentence was justifiable and was a standard formulation. The second sentence should be retained. The Worker Vice-Chairperson proposed to retain the original text, while replacing the second sentence by the following: “First-aid training should be made available to an adequate number of workers and first-aiders should hold a valid certificate.”
76. The matter was referred to the working group, which recommended to retain the original text with the amendment proposed by the Workers, while adding: “As per national laws and regulations,” at the beginning of the paragraph. The recommendation was adopted.



## **4. Reporting, recording and notification of work-related injuries and diseases, ill health and dangerous occurrences**

### **4.1. General provisions**

- 77. In subparagraphs 3(a) and 4(c), the Government Vice-Chairperson proposed that age be added as a basis for the disaggregation of data. This proposal was adopted here and elsewhere in the text.
- 78. In subparagraph 3(b), the Worker Vice-Chairperson proposed that “and young workers” be added after “women and men”. This proposal was adopted.
- 79. The Government Vice-Chairperson proposed to add a new subparagraph to follow subparagraph 3(d), to read: “identify possible gaps in safety and health legislation and regulation”. This proposal was adopted.
- 80. The Employer Vice-Chairperson proposed to delete clause 4(a)(iv). This text had not been used in the model codes cited. The matter was referred to the working group, which recommended the following wording: “as appropriate, commuting accidents and suspected cases of occupational diseases”. The recommendation was adopted.
- 81. In subparagraph 4(d), the Worker Vice-Chairperson proposed that the term “factories” be replaced by “employers”. This proposal was adopted.

### **4.3. Recording at the level of the factory**

- 82. The Worker Vice-Chairperson proposed to add a new sentence at the end of paragraph 1, to read: “For long latency occupational diseases, records should be retained for such time as to recognize work-related associations.” This proposal was adopted.

### **4.4. Notification of work-related injuries**

- 83. The Government Vice-Chairperson proposed to delete subparagraph 2(b). This proposal was adopted.
- 84. In subparagraph 2(d), the Government Vice-Chairperson proposed for consistency that age be added as a basis for the disaggregation of data. This proposal was adopted here and elsewhere in the text.

## **5. Safety and health organization**

### **5.1. Occupational health services**

- 85. In subparagraph 2(c), the Employer Vice-Chairperson proposed to replace “social security institutions or any bodies authorized by the competent authority” by “any institutions authorized by the competent authority”. The proposal was adopted.
- 86. In paragraph 5, the Worker Vice-Chairperson proposed to add a new paragraph at the end, to read: “All health surveillance should respect medical confidentiality, worker privacy and data protection.” The proposal was adopted.

### **5.2. Safety and health officers**

- 87. In paragraphs 1 and 3, the Employer Vice-Chairperson proposed to replace “factory” by “manufacturing facility”, and that this change be made globally. The proposal was adopted.

- 88. In paragraph 2, the Government Vice-Chairperson proposed to add “recognized” before “qualifications”. The proposal was adopted.
- 89. In clause 4(a)(iii), the Government Vice-Chairperson proposed to add “supply and maintenance” after “selection”; the Worker Vice-Chairperson proposed that the text read “the selection, supply, maintenance and safe use of PPE”. This proposal was adopted.

### 5.3. Worker safety and health representatives

- 90. In the chapeaux of paragraphs 2 and 3, the Worker expert from the United Kingdom proposed to add “worker” before “safety and health representatives” at the beginning. The proposal was adopted.

### 5.4. Safety and health committees

- 91. The Employer Vice-Chairperson proposed to add “with the concurrence of the co-chairs” after “committee” in the penultimate line of paragraph 1. The Worker and Government Vice-Chairpersons opposed the proposal. The Employer Vice-Chairperson explained that while either party should be able to call a meeting to take place within a reasonable time frame, the calling of an extraordinary meeting should normally require some approval mechanism to avoid frivolous meetings. As a compromise he proposed instead that the insertion read “as appropriate”. This proposal was adopted.

### 5.5. Industry tripartite committees

- 92. The Employer Vice-Chairperson proposed to delete this section. While they strongly believed in tripartite dialogue, tripartite committees were not often found in the textiles sector. The Government and Worker Vice-Chairpersons wished to retain the section. The proposal was withdrawn.

## 6. Building and fire safety

### 6.1. General provisions

- 93. The Employer Vice-Chairperson found paragraph 1 poorly worded, and proposed as an alternative: “It is the responsibility of the employer to ensure, so far as is reasonably practicable, that factories, buildings and structures under their control are safe and without risk to health.” The proposal was adopted.
- 94. The Employer Vice-Chairperson proposed to add a new paragraph to follow, to read: “The competent authority should formulate and implement a coherent building safety and fire prevention policy, including appropriate systems of inspection.” The proposal was adopted.

### 6.2. Hazard description

- 95. The Employer Vice-Chairperson proposed to delete the first sentence in the chapeau of paragraph 1, which was purely descriptive. The proposal was adopted.
- 96. In subparagraph 1(d), the Employer Vice-Chairperson proposed to add “lack of signage” at the end. The proposal was adopted.
- 97. The Worker Vice-Chairperson proposed to add a new subparagraph at the end, to read: “(e) lack of appropriate evacuation procedures”. The proposal was adopted.

## 6.3. Building safety

### 6.3.1. General provisions

98. In paragraph 2, the Employer Vice-Chairperson proposed to add “under their control” after “buildings and structures”. The proposal was adopted.
99. In paragraph 5, the Worker Vice-Chairperson proposed to add “bipartite and tripartite agreements” after “instruments” in the last line. The Employer Vice-Chairperson objected to “bipartite”; tripartite committees were the normal reference. The Worker expert from the United Kingdom observed that bipartite committees were widespread in the industry and regarded as good practice. Failure to recognize them would confuse readers. The Government Vice-Chairperson supported the proposal.
100. The Employer Vice-Chairperson suggested replacing the new text by “national bipartite and tripartite agreements”.
101. The matter was referred to the working group, which recommended that the final phrase read: “... other relevant national and internationally recognized instruments or bipartite and tripartite agreements, as appropriate.” The recommendation was adopted.

### 6.3.2. Structural assessment

102. The Employers’ group proposed to replace “employer” in the second sentence of the chapeau of paragraph 1 by “the owner of the building or structure”; employers did not necessarily own all the buildings they occupied. The structural assessment was the responsibility of the owner of the building; the employer need only verify the information. Only if the employer owned the building were they responsible for building safety. The Government Vice-Chairperson disagreed, as employers were normally held responsible for ensuring that assessments were carried out on building safety. The Worker Vice-Chairperson opposed the proposal.
103. The Worker expert from the United Kingdom accepted that the owner of a building should ensure the assessment. However, employers also had to perform a structural assessment, since buildings were often converted to different uses involving different stresses. The Employer Vice-Chairperson withdrew the proposal and instead proposed to add a new subparagraph at the end, to read: “if there are modifications to the usage of a building, the employer should verify it is fit for purpose”.
104. The matter was referred to the working group, which recommended that the chapeau read as follows: “Each building should have a valid building permit clearly identifying the design loading and approved use. The owner of the building and employer should also have documented evidence of the authorized use and design loading, and if the building is to be used for a different use or higher loading than authorized, should have a detailed structural assessment performed to determine whether the building as constructed continues to be safe for its specific use. The assessment should include as a minimum:”. The recommendation was adopted.

### 6.3.3. Control measures

105. In paragraph 11, the Worker Vice-Chairperson proposed to add “boilers,” after “walls,”. The Government Vice-Chairperson questioned the proposal, since other equipment might also be added and the list would be long. The Employer Vice-Chairperson proposed instead that

the addition read: “boilers, and heating, ventilation and air conditioning systems,”. This proposal was adopted.

106. In paragraph 12, the Employer Vice-Chairperson proposed to delete “or relevant international standards or codes” unless the international standards relevant to building infrastructure were clearly identified. The proposal was rejected by the Government and Worker Vice-Chairpersons. The Worker expert from the United Kingdom explained that such texts were non-binding, and employers could use them voluntarily. Employers were using an increasing number of building-related codes, such as the Leadership in Energy and Environmental Design (LEED) standard, which overlapped with health and safety and was internationally recognized, including by COP26 in the context of climate change. The Employer Vice-Chairperson withdrew his proposal.
107. In paragraph 13, the Employers proposed to replace “all” in the first line by “relevant”; only relevant workers needed to be so trained, particularly for specific tasks such as placing loads and assessing load capacity, which were under the responsibility of civil engineers and maintenance workers. The Government Vice-Chairperson opposed the proposal; all workers should have access to relevant training on the use of the building, including crucial matters such as escape routes. The Worker Vice-Chairperson opposed the proposal. The proposal was withdrawn.
108. The Government expert from Brazil proposed to replace “should” with “could” in the second sentence of paragraph 13. The proposal was adopted.

## 6.4. Fire safety

### 6.4.1. Fire-risk assessment

109. In clause 1(d)(iii), the term “fire-fighting” was replaced by “fire-response”, in line with the previous decision.
110. In figure 2, the Government Vice-Chairperson proposed to qualify “fire extinguishers” in the tenth question with “appropriate” and to add a new question: “Are fire hydrants and/or sprinkler systems fully functional?” These proposals were adopted.

### 6.4.2. Fire-risk reduction and control measures

111. In paragraph 1, the Employer Vice-Chairperson proposed to replace “international” by “national”. The Government expert from Morocco proposed that the reference be to “accepted national or international practice”. The proposal was adopted.
112. In paragraph 4, the Employer Vice-Chairperson proposed to replace “their representatives” with “their safety and health representatives”. The Government and Worker Vice-Chairpersons opposed the proposal. It was withdrawn.
113. In the chapeau of paragraph 5, the Employer Vice-Chairperson proposed to add “work” after “specific”. The proposal was adopted.
114. The Employer Vice-Chairperson proposed to replace “weekly” by “regular” in subparagraph 5(b). The proposal was adopted.

#### 6.4.2.1. Controlling flammable materials

115. The Head of Unit proposed in the heading to replace “flammable” with “combustible” as “combustible” was generally defined as anything that could catch fire easily and was broader than “flammable”. The proposal was adopted.

- 116.** In paragraph 1, the Employer Vice-Chairperson proposed that “must” be replaced by “should” as the appropriate language for a code. This proposal was adopted.
- 117.** In paragraph 2, the Government Vice-Chairperson proposed to replace the second sentence by: “The amounts of stored materials should be kept to a minimum and kept in a safe manner.” The proposal was adopted.

#### 6.4.2.2. Reducing the potential for ignition

- 118.** The Worker Vice-Chairperson proposed a new subparagraph at the end of paragraph 2, to read “minimizing and monitoring the risks arising from potentially explosive dust accumulations.” The Head of Unit suggested the text should instead be inserted between subparagraphs (c) and (d). It was so agreed and the proposal was adopted.
- 119.** The Government Vice-Chairperson proposed that subparagraph 4(e) read: “persons should not wear clothes likely to cause static electricity or shoes likely to cause sparks, but should be provided with anti-static PPE”. The proposal was adopted.

#### 6.4.2.4. Effective emergency provision and procedures

- 120.** The Employer Vice-Chairperson observed that this subsection repeated much of section 3.6. The Head of Unit explained that there was indeed some overlap between the two, but that section 3.6 contained provisions on general contingencies and was not limited to fires, whereas subsection 6.4.2.4 dealt specifically with issues related to fires.
- 121.** In paragraph 5, the Worker Vice-Chairperson proposed to insert “two or more” before “exit route(s)”. The Employer Vice-Chairperson suggested to replace the word “acceptable” with “appropriate” and to merge paragraphs 4 and 5, including the Workers’ proposed addition.
- 122.** The Worker Vice-Chairperson proposed that since agreement was difficult, paragraph 5 should be deleted in view of the broader provision in paragraph 4. The Government Vice-Chairperson opposed deletion. The Government expert from Bangladesh agreed that, in view of paragraphs 3 and 4, paragraph 5 seemed repetitive. The matter was referred to the working group, which recommended that paragraph 5 be deleted. The recommendation was adopted.

#### 6.4.2.5. Control of the fire

- 123.** In the chapeau of paragraph 1, the Employer Vice-Chairperson proposed to delete “internationally recognized instruments and”, since he was not aware of any internationally recognized instrument for control of fire. He also proposed, in subparagraph 1(g), to replace “at least weekly” with “on a routine basis”. Furthermore, he proposed to replace the word “must” with “should” in all instances it was used in the paragraph.
- 124.** The Government Vice-Chairperson and the Worker Vice-Chairperson preferred the original text.
- 125.** The Secretary-General of the Meeting referred to the ILO *Fire Risk Management* booklet available on the ILO website, which was the basis for the proposed text, and which used the word “must”.
- 126.** The matter was referred to the working group, which recommended a new text for the paragraph and its subparagraphs, which was adopted. The new text is reproduced in the revised text of the code.

- 127.** In the chapeau of paragraph 2, the Employer Vice-Chairperson proposed to replace “all workers” with “a sufficient number of workers”; workers should be trained in fire response but not all workers were expected to use fire extinguishers. The Government Vice-Chairperson and the Worker Vice-Chairperson preferred the original text. The proposal was withdrawn.
- 128.** In paragraph 5, the Employers proposed to shorten the paragraph by replacing “local codes, but will generally be in line with internationally recognized standards” with “national laws and regulations”. The Government Vice-Chairperson and the Worker Vice-Chairperson preferred the original text. The proposal was withdrawn.

#### 6.4.2.7. Information, instruction and training

- 129.** In paragraph 1, the Employers proposed to delete “and fire-management processes as part of their induction training”; whereas the text stated that all workers should be trained in fire-management processes, it was not possible to train all workers on all fire-response roles. Fire wardens, supervisors and managers should take control of the situation, and specific training was needed by them, not by everyone.
- 130.** The Government Vice-Chairperson and the Worker Vice-Chairperson preferred the original text. The Government Vice-Chairperson proposed that the paragraph should read: “All workers should be given formal training on emergency procedures as part of their induction training.” The proposal was adopted.

## 7. Other general preventive and protective measures

- 131.** In subparagraph 1(b), the Employer Vice-Chairperson proposed to delete “or in the vicinity of”. The Worker expert from the United Kingdom explained that employers also had responsibilities to people living near a facility, particularly to those who might have to cross factory areas, those in premises shared with the factory, and those in nearby housing that might be affected by incidents. The Government Vice-Chairperson supported the Workers’ view.
- 132.** The Head of Unit stated that the wording had been taken from the code of practice on safety and health in shipbuilding and ship repair, which was in turn based on the Prevention of Major Industrial Accidents Convention, 1993 (No. 174), which embodied the notion that there was not only a need to protect the workers but also the public and the environment. The proposal was withdrawn.

### 7.1. Prohibition of unauthorized entry

- 133.** In paragraph 1, the Employers proposed to replace “Visitors should not” and replace it with “Only authorized persons should”; persons other than visitors also entered the workplace, such as contractors. The Government and Worker Vice-Chairpersons preferred the original text. The Worker expert from the United Kingdom explained that the paragraph did not exclude people with the right to enter the premises, such as firefighters or the police. In any case, this would lead to duplication of the term “authorized” in the sentence.
- 134.** The Government expert from Bangladesh proposed to delete the text “unless accompanied by, or authorized by, a responsible and competent person” if the wording “Only authorized persons” was kept at the beginning of the paragraph.

135. The Government expert from Morocco proposed to rephrase the paragraph to read: "Access to a textiles, clothing, leather or footwear factory should only be allowed to persons authorized by a responsible and competent person."
136. The Employer Vice-Chairperson proposed as a compromise to shorten the paragraph to: "Only authorized persons should be allowed access to a textiles, clothing, leather or footwear factory.", and to add the original second sentence at the end. There seemed to be agreement on what was required. The Government Vice-Chairperson supported this proposal. The Worker Vice-Chairperson opposed it.
137. The Worker expert from the United Kingdom drew attention to a further concern: many employers had signed up to international and national agreements or, for example, the Bangladesh National Building Code, which authorized unannounced on-site inspections, but there had been reports that access had been denied. The Government expert from Bangladesh proposed that the paragraph read: "Only authorized persons should be allowed access to a textiles, clothing, leather or footwear factory, accompanied by a responsible and competent person."
138. The Government Vice-Chairperson observed that Article 12 of the Labour Inspection Convention, 1947 (No. 81), gave labour inspectors the right "to enter freely and without previous notice at any hour of the day or night any workplace liable to inspection". The Employer Vice-Chairperson explained that the proposed new text would not exclude the right of labour inspectors to freely enter any workplace, since they were authorized by law to do so.
139. The Chairperson proposed that the Office draft new text reflecting the concerns expressed. The Office accordingly proposed the following text: "No person should be allowed access to a textiles, clothing, leather or footwear factory unless authorized to do so. Authorized persons may be accompanied by a responsible and competent person. They should be provided with appropriate PPE and made aware of emergency procedures and all risks to which they might be exposed." The proposal was adopted.

## 7.2. Heating, cooling and ventilation

### 7.2.1. Heating and cooling

140. In the chapeau of paragraph 1, the Employers proposed to replace "Where necessary" with "In accordance with national laws and regulations ...". The Worker and Government Vice-Chairpersons opposed the change, the latter considering it unnecessary to repeat the phrase "in accordance with national laws and regulations" throughout the text. The proposal was withdrawn.
141. In the chapeau of paragraph 1, the Employer Vice-Chairperson proposed to remove the reference to "confined spaces", since such spaces were not technically workplaces. The proposal was adopted.
142. In subparagraph 1(b), the Workers proposed to add "or other means" after "ventilation". The proposal was adopted.

### 7.2.2. Ventilation

143. The Worker Vice-Chairperson proposed to add at the end of paragraph 4 "to ensure effective and continued safe operation, including a programme of preventive



maintenance”; and in the second line of paragraph 5 to add “a written procedure on” after “there should be”. These proposals were adopted.

- 144.** In paragraph 6, the Government Vice-Chairperson proposed to add “and lack of oxygen” after “contaminants”. The Government expert from Turkey supported this view. The Employer Vice-Chairperson observed that confined spaces and the possible lack of breathable air were addressed more specifically elsewhere in the draft.
- 145.** The Head of Unit referred to existing text on respiratory protective equipment in subsection 9.3.5.3, and to section 7.5 on confined spaces, which could support the decision to remove references to confined spaces in this subsection.
- 146.** The proposal was withdrawn.
- 147.** In paragraph 9, the Employer Vice-Chairperson proposed to add “as far as reasonably practicable” after “from people living near the factory”. The Worker and Government Vice-Chairpersons preferred the original text. The proposal was withdrawn.

### 7.3. Housekeeping

#### 7.3.1. Control measures

- 148.** In paragraph 1, the Worker Vice-Chairperson proposed to replace “clean-up is completed” by “elimination or mitigation of the risks enumerated in section 7.3 above”. The proposal was adopted.
- 149.** The Government Vice-Chairperson proposed to add a new subparagraph at the end of paragraph 2, to read: “the protection of the safety and health of workers responsible for housekeeping.” The proposal was adopted.

### 7.4. Material storage and racks

- 150.** The Employer Vice-Chairperson proposed to delete paragraph 1, which was purely descriptive.
- 151.** The Worker expert from the United Kingdom proposed to add a new subparagraph at the end, to read: “other forms of injuries arising from poorly designed materials and inappropriate handling of materials.” The Government Vice-Chairperson supported the proposal.
- 152.** The matter was referred to the working group, which recommended the following new text:
  - 1. Risks from unsafe use of material storage and racks should be addressed to minimize injuries such as:
    - (a) fractures, cuts and bruises from falling materials;
    - (b) musculoskeletal and other injuries from lifting loads that are either too large or too heavy; and
    - (c) other forms of injuries arising from poorly designed material-handling equipment and inappropriate handling of materials.
- 153.** The recommendation was adopted.

### 7.5. Confined spaces

- 154.** The Worker Vice-Chairperson proposed to add a new paragraph, to read: “Prior to entering a confined space, workers must be informed of the nature of potential risks and the full



requirements of the permit to work.” The Government Vice-Chairperson supported the text, but proposed instead to insert it in subsection 7.5.2, to follow paragraph 3. It was so decided and the proposal was adopted.

### 7.5.1. Risk assessment

155. In paragraph 2, the Government and Worker Vice-Chairpersons supported a proposal by the Employers to remove the last two words, “and suppliers”. The proposal was adopted.

### 7.5.2. Control measures

156. In subparagraph 6(a), the Government Vice-Chairperson proposed to add a reference to respirators. The Employer Vice-Chairperson considered this too limiting. The Government expert from Turkey suggested specifying the types of respirators intended. The Worker Vice-Chairperson proposed to amend the text to read: “including appropriate breathing apparatus or respirators”.
157. The Government expert from Turkey proposed instead to add the text “appropriate respirators, including air purifying or supplied air respirators”.
158. The matter was referred to the working group, which recommended the following new text:
- 6(a) adequate ventilation, facilities and equipment, including appropriate breathing apparatus or respirators, retrieval equipment, first-aid kit, resuscitation apparatus and oxygen, should be readily available for rescue purposes.
159. The recommendation was adopted.
160. In subparagraph 6(d), the Employer Vice-Chairperson proposed to add “or other rescue personnel” after the word “attendant(s)”. The proposal was adopted.

## 7.7. Precautions against the fall of persons and materials

161. The Government Vice-Chairperson proposed that the heading of section 7.7 should read: “Precautions against the fall from heights”. The Worker Vice-Chairperson opposed this. The Employer Vice-Chairperson questioned the reference to “materials”. As a compromise, the Worker Vice-Chairperson proposed that it read: “Precautions against risk arising from work at heights”. The proposal was adopted.
162. In paragraph 1, the Worker Vice-Chairperson proposed to add after the first sentence, the sentence: “The use of ladders and stepladders should be minimized.” The Government Vice-Chairperson supported the proposal. The Employer Vice-Chairperson stated that ladders were a normal piece of equipment used in a workplace. A Worker expert from the United Kingdom observed that current legislation was moving towards replacing ladders with mobile elevated platforms for greater safety. The Government expert from Brazil observed that subsection 7.8.1 addressed the use of ladders. The Office was asked to review the issue. The Head of Unit observed that, in view of paragraph 17 of this section and section 7.8, the addition was not necessary.
163. In subparagraph 9(a), the Government Vice-Chairperson proposed to add “safety netting”, after “barriers”. He was supported by the Worker expert from the United Kingdom. The Employer Vice-Chairperson observed that other types of control measures might equally be added if the text was expanded. As a compromise, it was decided to delete the reference to safety nets in subparagraph 9(a) and to insert a reference to them in paragraph 13.

- 164. In the chapeau of paragraph 13, the Worker expert from the United Kingdom accordingly proposed that “such as safety nets” be added after “systems” in the first sentence; and that “A fall-arrest system” be replaced by “Individual fall-arrest systems”. These proposals were adopted.
- 165. In the chapeau of paragraph 14, the Government Vice-Chairperson proposed that the first phrase read: “The fall-arrest system should be selected in accordance with the worker’s height and weight and consist of:”. The proposal was adopted.
- 166. In paragraph 15, the Government Vice-Chairperson proposed to add the words “(except for self-retracting equipment)” after “destroyed after a fall”. The proposal was adopted.
- 167. In paragraph 16, the Government Vice-Chairperson proposed to add the words “in the event of a fall” after “take the required load”. The proposal was adopted.

## 8. Biological hazards

### 8.1. Hazard description

- 168. In paragraph 2, the Employer Vice-Chairperson suggested adding after “(COVID-19)” the words “and tuberculosis.” and the sentence: “While these are not generated in the workplace, they can have an impact on it.” The Worker Vice-Chairperson proposed the phrase be adjusted to read “may not be generated”; and to expand the reference to diseases to include tuberculosis, anthrax and Q fever, and to add a reference to skin irritation after “respiratory disease”.
- 169. The Government expert from Turkey suggested adding “endotoxins and mycotoxins”, as these were very specific to the textile sector. She asked whether the list of diseases was in line with those mentioned in Recommendation No. 194. The Head of Unit confirmed that this was so and that the list was relevant to the textiles, clothing, leather and footwear sector.
- 170. The proposals were adopted, the Office being asked to perform final editing.

### 8.3. Control measures

- 171. The Worker Vice-Chairperson proposed to add in paragraph 1 “risks from” before “biological agents”. The proposal was adopted.

#### 8.3.1. Elimination

- 172. The Worker Vice-Chairperson suggested adding the following sentence at the end of paragraph 1: “Where exposures are a result of biological agents affecting work materials used in the sector – such as Q fever or anthrax – measures should be taken to eliminate the risk prior to use.” The proposal was adopted.
- 173. In paragraph 2, the Employer Vice-Chairperson proposed to delete the reference to “vaccination”. This was not an employer’s responsibility. The proposal was adopted.

#### 8.3.4. Vaccination

- 174. The Employer Vice-Chairperson proposed to replace paragraph 1 by the following: “The competent authority should make available information on vaccination and provide appropriate support services with regard to public and occupational health measures.” The

Worker Vice-Chairperson suggested to add “, in line with World Health Organization (WHO) guidelines”. These proposals were adopted.

- 175.** In paragraph 4, the Worker Vice-Chairperson proposed to add the words “in paid work time, with paid sick leave for workers suffering any side effects” after “free of charge to workers”. The Employer Vice-Chairperson suggested adding “, in accordance with national laws and regulations”. A Worker expert from the United Kingdom proposed further that the text should be broader and include collective agreements and best practices. The Employer Vice-Chairperson subamended the proposal to read “, in accordance with national laws, regulations and practices, and where appropriate, collective agreements”. These proposals were adopted.
- 176.** The Employers proposed to delete paragraph 5. The proposal was adopted.

#### **8.3.6. Information and notification**

- 177.** The Worker Vice-Chairperson proposed to add “and, where appropriate, relevant public health agencies” at the end of paragraph 4. The proposal was adopted.

#### **8.3.7. Surveillance of workers’ health and the working environment**

- 178.** After paragraph 3, the Workers proposed to add two new paragraphs, to read:
- 4. All information retention and disclosure should take worker privacy and data protection requirements into account.
  - 5. There should be no stigmatization or discrimination based on the medical records of the worker.
- 179.** The Employer Vice-Chairperson opposed the addition; the issues were already covered in an appendix. The Government expert from Morocco observed that the subsection concerned surveillance; the text should be moved to the previous subsection on information and notification.
- 180.** The matter was referred to the working group, which recommended adopting the proposed insertion. The recommendation was adopted.

### **8.4. Special provisions for COVID-19 and other highly infectious viruses and communicable diseases**

- 181.** In the heading, the Worker Vice-Chairperson proposed to add “or highly dangerous” after “infectious”; this would emphasize that there were other highly dangerous viruses that were not so highly infectious, such as severe acute respiratory syndrome (SARS) or Middle East Respiratory Syndrome (MERS). While these two were not so infectious as COVID-19, they had higher mortality levels. The Government Vice-Chairperson and the Government expert from Brazil supported the proposal.
- 182.** The matter was referred to the working group, which recommended that the focus of the section be narrowed to COVID-19 and that the heading be shortened to “Special provisions for COVID-19”, and that accordingly throughout this subsection all references to “other highly infectious viruses presenting a serious risk to health and communicable diseases” be deleted. The recommendation was adopted.
- 183.** In paragraph 1, the Worker expert from the United Kingdom proposed to add “be vigilant of emerging risks and” between “should” and “quickly”. The proposal was adopted.

#### 8.4.1. Planning, systems and resources

184. In paragraph 1, the Worker Vice-Chairperson proposed to add a new paragraph at the beginning: "Competent authorities should maintain vigilance for emerging disease threats that could have a significant detriment to workplace health and safety, in consultation with government and public health agencies."
185. The Government expert from Bangladesh supported the proposal, and further proposed to add "and national laws and regulations" at the end. The Worker Vice-Chairperson observed that text was unnecessary, since this was already a necessary condition for consultations. This proposal was withdrawn. Following opposition, the proposals were withdrawn.
186. The Employer Vice-Chairperson proposed to delete the text from "irrespective" to the end of paragraph 3; it was not appropriate to mention contractual arrangements in the context of preparedness and response plans. He asked the Office for guidance on the sources of the text. The Worker Vice-Chairperson opposed the deletion.
187. The Secretary-General explained that the phrase came from the sectoral briefs on COVID-19 that had been prepared by the Office in 2020.
188. The Employer Vice-Chairperson explained that the Employers' approach was to treat all workers in the same way. The Worker Vice-Chairperson agreed to deleting the words "irrespective of contractual arrangements", but not to the rest of the proposed deletion. He accordingly proposed to replace "as well as" by "taking into account" before "the special needs". The proposal was adopted with the subamendments proposed by the Worker Vice-Chairperson.
189. In paragraph 3, the Worker Vice-Chairperson proposed to add "existing health vulnerabilities" after "disabilities,". The proposal was adopted.
190. The Employer Vice-Chairperson proposed to include in the first sentence of the chapeau of paragraph 4 the word "appropriate" before "resources". The Government expert from Bangladesh preferred the word "required" instead. With this subamendment, the proposal was adopted.
191. The Worker Vice-Chairperson proposed in the chapeau to add "or conferring a high risk of fatal or serious diseases" after "diseases". The current section did not deal with dangerous diseases but only potentially fatal diseases. While accepting that the text lacked adequate references to serious diseases, the Employer Vice-Chairperson opposed the addition. The matter was referred to the working group, which recommended against the proposed insertion because it had been agreed to narrow the focus of the entire section to COVID-19. The proposal was withdrawn.
192. In subparagraph 4(b), the Worker Vice-Chairperson suggested to include the word "and suitable" before "stocks"; PPE should be fit for purpose in the particular circumstances. To improve the readability of the sentence, the Employer Vice-Chairperson asked to change the order and suggested the word "suitable" should qualify "PPE". It was so agreed.
193. The Employer Vice-Chairperson proposed to delete subparagraph 4(d). The proposal was adopted.
194. The Employer Vice-Chairperson proposed to delete subparagraph 4(f). The Worker Vice-Chairperson stated that his group could accept the deletion of the first part of the subparagraph, but would like to keep the reference to arrangements for the safe transfer of workers. The Employer Vice-Chairperson explained that the provision had a broad scope as every country had different provisions on emergency transport. He accordingly proposed

to add “, where appropriate,” after “clinics” to qualify the sentence. These amendments were adopted.

- 195.** In paragraph 5, the Worker Vice-Chairperson proposed to add “or conferring a high risk of fatal or serious diseases” at the end of the paragraph. The proposal was referred to the working group, which recommended it not be adopted as it did not fit with the narrower focus on COVID-19. The proposal to add this wording here and elsewhere was withdrawn.

#### **8.4.2. Information, training and communication**

- 196.** The Worker Vice-Chairperson proposed the deletion of subparagraph 1(a); it was unnecessary. The proposal was adopted.
- 197.** In the chapeau of paragraph 2, the Employer Vice-Chairperson proposed to delete the word “suppliers”. The Worker Vice-Chairperson opposed the deletion, since risks and responsibilities could apply both up and down the supply chain, and offered the example of contaminated products that could lead to risks outside the workplace. The Government experts from Bangladesh, Brazil and Germany supported the proposal. The Government expert from Morocco opposed the amendment; suppliers should also have access to information, in particular on COVID-19. Morocco had recently implemented a protocol on COVID-19 prevention that included in its scope and target groups all suppliers. The Employer Vice-Chairperson withdrew the proposal, while emphasizing that it was the responsibility of governments to inform the population about COVID-19 matters.
- 198.** In subparagraph 2(a), the Worker Vice-Chairperson proposed to add the text “the International Labour Organization,” before “the World Health Organization”. The Employer Vice-Chairperson rejected the amendment; the ILO as an agency did not have expertise in biohazards. The Worker Vice-Chairperson stressed that the ILO had produced valuable workplace information on this matter during the COVID-19 pandemic, including information produced for employers by the Bureau for Employers’ Activities (ACT/EMP). The ILO guidance included safe return to work checklists and documents, and thus supplemented the role of WHO’s guidance with expert knowledge of workplace issues. The Government Vice-Chairperson supported the amendment and agreed on the ILO’s expertise on the matter.
- 199.** The matter was referred to the working group, which recommended the following text for subparagraph 2(a): “based on the most up-to-date information and guidance released by the WHO and national or local health authorities and on guidance by the ILO on implementation in the world of work.” The recommendation was adopted.
- 200.** In paragraph 3, the Employers proposed to delete “suppliers”; the Worker Vice-Chairperson and the Government Vice-Chairperson preferred the original text. The proposal was withdrawn.
- 201.** In paragraph 3, the Worker Vice-Chairperson proposed to delete “using electronic means, where possible”; and “strict physical distancing controls where floor-level and other face-to-face meetings are necessary”. The proposal was adopted.
- 202.** In paragraph 4, the Employer Vice-Chairperson proposed to add a sentence at the end: “They should also be informed of their duty to inform management.” The proposal was adopted.
- 203.** The Worker Vice-Chairperson proposed that the chapeau of paragraph 5 be replaced by: “Workers’ and employers’ organizations should negotiate provisions for”. The Employer Vice-Chairperson opposed the proposal.

- 204. In subparagraph 5(a), the Employers proposed to add “as appropriate,” after “care leave;” and to change the word “expanded” to “adjusted.” The proposal was adopted.
- 205. In subparagraph 5(c), the Worker Vice-Chairperson proposed to replace the word “need” to “right”. The Employer Vice-Chairperson strongly opposed the proposal, since staying home in this particular case might be a need, but was not a right. The Worker expert from the United Kingdom observed that the code of practice was an aspirational document: people should have the right to stay at home when it was absolutely essential for them on public health grounds.
- 206. The Employer Vice-Chairperson proposed to delete clauses 5(c)(ii) and 5(c)(iii); although most States had suspended such legal provisions at the beginning of COVID-19, the normal legal position was to require such certificates. The Worker Vice-Chairperson preferred the original text since such certificates may be difficult to obtain when normal processes had to be suspended.
- 207. This entire paragraph was referred to the working group, which recommended that: the chapeau of paragraph 5 be replaced by “Workers’ and employers’ organizations should consult and provide information on:”; that subparagraph 5(c) read: “the provision to stay at home if workers or a family member or dependant is sick or exhibits symptoms related to COVID-19”; and that clauses 5(c)(ii) and (iii) be deleted, and correspondingly that the text of clause 5(c)(i) be merged as the continuation of subparagraph 5(c). The recommendation was adopted.
- 208. In subparagraph 5(e), the Employer Vice-Chairperson proposed to delete “, such as in the case of domestic violence”; this was out of context in a chapter on biohazards and public health. The Government Vice-Chairperson supported the proposal.
- 209. The working group recommended that the phrase be deleted. The recommendation was adopted.

#### 8.4.3. Control measures

- 210. In paragraph 1, the Employer Vice-Chairperson proposed to replace “eliminate” by “minimize”. The Government experts from Bangladesh and Turkey expressed support. The Worker expert from the United Kingdom suggested instead “satisfactorily reduce.” The Chairperson suggested “eliminate or minimize”. This proposal was adopted.
- 211. The Worker Vice-Chairperson proposed to add a new paragraph to the subsection, to follow paragraph 1, to read: “Where an outbreak is established, the closure of all, or of sections of the workplace, should be considered, to allow affected workers and their close contacts to self-isolate. Measures should be taken to protect the income of affected workers through furlough schemes, sick pay or other mechanisms.”
- 212. The Employer Vice-Chairperson agreed to the first sentence but not the second. The Government expert from Morocco opposed the proposal, since governments should be free to adopt different solutions to protect workers. The Worker expert from the United Kingdom replied that the second sentence was not intended to be exhaustive. The Government expert from Bangladesh opposed the second sentence, since it did not concern control measures and belonged in the section on social security. The Worker expert considered that income security was also a control measure since an absence of income security prevented workers from going to the workplace while infected.
- 213. The matter was referred to the working group, which recommended a compromise text, to read: “Where an outbreak is established, the closure of all, or of sections of the workplace,



should be considered to allow affected workers and their close contacts to self-isolate. Measures, as appropriate, should be taken to protect the income of affected workers.” The recommendation was adopted.

- 214.** The Worker Vice-Chairperson proposed that paragraph 3 of subsection 8.4.3.2 be moved to the end of this section. The proposal was adopted.

#### 8.4.3.1. Engineering controls

- 215.** In paragraph 1, the Employer Vice-Chairperson proposed to delete “physical distancing of at least 2 metres (6 feet)”. The Head of Unit explained that the reference was based on WHO and ILO guidance. The Worker expert from the United Kingdom considered that this would not necessarily apply to all diseases, and proposed that the phrase should be replaced by “for the necessary physical distancing”. This proposal was adopted.

#### 8.4.3.2. Administrative controls and work planning

- 216.** The Worker Vice-Chairperson proposed to add “, in consultation with workers’ representatives,” after “put in place” in the chapeau of paragraph 3; and to add “presential” in subparagraph 3(a). These proposals were adopted.
- 217.** The Employer Vice-Chairperson proposed to replace subparagraph 3(c) by: “using a staggered working-time schedule”. The Worker Vice-Chairperson accepted the proposal, but wished to retain the original text to follow the new wording. The Employer Vice-Chairperson explained that limiting overtime might have the paradoxical effect of increasing regular working time. The Government expert from Brazil proposed that the two be separated by “and/or”. The Employers maintained their opposition to the reference to overtime.
- 218.** The working group upheld the Employers’ proposed new text. The proposal was adopted.
- 219.** The Worker expert from the United Kingdom proposed that paragraph 3 as now adopted be moved to the end of subsection 8.4.3. The proposal was adopted.
- 220.** In paragraph 5, the Employer Vice-Chairperson proposed to add “where these are provided by the employer” after “housing”. The proposal was adopted.
- 221.** In paragraph 6, the Employer Vice-Chairperson proposed to delete the phrase “women of childbearing age”, which was too broad. The Worker expert from the United Kingdom observed that certain diseases such as the Zika virus presented special problems for pregnancy. The Employer Vice-Chairperson proposed instead that the text read: “linked to the particular disease”. The Worker expert from the United Kingdom proposed that the addition read “linked to the particular disease, for example risk to reproductive health”.
- 222.** The issue was further discussed in the working group as part of a package of agreements on certain texts. The working group recommended that the text refer only to COVID-19, and to reject the amendments. The recommendation was adopted.

#### 8.4.3.3. Hygiene and cleaning

- 223.** The Employer Vice-Chairperson proposed to add a new paragraph after paragraph 2, to read: “All workers should follow the hygiene protocols established by the employer.” The proposal was adopted.
- 224.** At the beginning of paragraph 8, the Employer Vice-Chairperson proposed to add “Where provided,”. The proposal was adopted.

- 225.** The Worker Vice-Chairperson proposed to add a new paragraph at the end of the subsection, to read: “Employers should be responsible for cleaning working clothes, including protective clothing.” The Employer Vice-Chairperson refined this to refer only to “cleaning provided working clothes”. With this change, the proposal was adopted.

#### 8.4.3.4. Personal protective equipment

- 226.** The Worker Vice-Chairperson proposed to add a new paragraph at the beginning, to read: “All required PPE should be provided at no cost to the worker.” The Employer Vice-Chairperson considered that this should be “in accordance with national laws and regulations”. The Worker expert from the United Kingdom observed that Article 16(3) of the Occupational Safety and Health Convention, 1981 (No. 155), stated this specific requirement without any reference to national laws or regulations, which obviously applied. The Government expert from Brazil stated that paragraph 3(b) of section 15.1 also did not make reference to national laws. The Employers withdrew their opposition. The proposal was adopted.
- 227.** In paragraph 3, the Worker expert from the United Kingdom proposed to add “selection and” after “correct”. The proposal was adopted.

#### 8.4.3.5. Worker health surveillance, self-monitoring and contact tracing

- 228.** The Worker expert from the United Kingdom proposed to delete paragraphs 2, 3, 4 and 5, since the text was clearly derived from a source addressing COVID-19 specifically and was not universally applicable. The relations between employers, public health authorities, labour inspection authorities and others changed according to the specifics of each serious disease.
- 229.** The Employer Vice-Chairperson appreciated the argument, but paragraph 3 referred to information that workers should naturally receive; while paragraphs 4 and 5 were generally applicable. He preferred to retain the draft text.
- 230.** The Government expert from Germany considered that it was for employers to engage with the health authorities. The Employer Vice-Chairperson observed that testing for COVID-19 was the responsibility of health authorities, not employers.
- 231.** The issue was referred to the working group, which recommended that paragraph 2 be retained in the form: “Competent authorities should engage with local, regional or national public health authorities to ensure access to free testing for COVID-19. Employers should cooperate with these authorities.”; and that paragraphs 3, 4 and 5 be deleted. The recommendation was adopted.

### 8.5. Special provisions for HIV and AIDS and other blood-borne pathogens

- 232.** The Worker Vice-Chairperson proposed to add “appropriate” to qualify “PPE” in subparagraph 2(c). The proposal was adopted.
- 233.** The Employer Vice-Chairperson proposed to delete subparagraphs 2(f) and 2(g); it was not for employers to provide free vaccines or prophylaxis for hazards that were not work-related. The Worker Vice-Chairperson opposed the proposal; in certain jurisdictions an explicit requirement existed to that effect.
- 234.** The Head of Unit explained that the text was taken from the Nike Code Leadership Standards. Highly dangerous diseases were already addressed in the section on biological hazards.



235. The issue was referred to the working group, which recommended that the two subparagraphs be deleted. The recommendation was adopted.
236. The Employer Vice-Chairperson suggested deleting the words “regardless of sexual orientation” at the end of paragraph 6. The proposal was adopted.

## 9. Hazardous substances

### 9.1. Hazard description

237. At the end of paragraph 1, the Worker Vice-Chairperson proposed to add: “Exposure to natural fibres like flax, cotton and wool or synthetic fibres like flock can cause work-related health problems.” This issue was a specific concern in the textiles sector.
238. The Employer and Government Vice-Chairpersons opposed the addition. The issue was referred to the working group, which recommended to accept it. The recommendation was adopted.

#### 9.1.1. Routes of exposure

239. In paragraph 1, the Employer Vice-Chairperson proposed to delete the words “and those with more body fat”. The Worker Vice-Chairperson supported the proposal. The Government Vice-Chairperson agreed; the increased vulnerability of such persons was not evident. The amendment was adopted.
240. In paragraph 3, the Worker Vice-Chairperson proposed to insert the words “or in a workplace where these substances are being used”. The original text was too general, since workers could be exposed to ambient factors without necessarily handling substances. The Employer and Government Vice-Chairpersons opposed the proposal, since the paragraph dealt with ingestion of substances rather than inhalation or absorption.
241. The matter was referred to the working group, which recommended rejecting the proposal. It was withdrawn.

#### 9.1.2. Principal health effects

242. The Employer Vice-Chairperson proposed to delete this section. The Government and the Worker Vice-Chairpersons opposed this proposal. The proposal was withdrawn following the recommendation of the working group.
243. The Worker Vice-Chairperson proposed to insert the word “can” before “produce” in paragraph 1; and in paragraph 5 to insert “or more” between “equally” and “severe”. These proposals were adopted.

### 9.2. Risk assessment

244. In paragraph 1, the Employer Vice-Chairperson proposed to insert the words “and suppliers” after “subcontractors”. The proposal was adopted.
245. In paragraph 3, the Employer Vice-Chairperson proposed to delete the reference to the European Union, which was specific to a single region. The proposal was adopted.
246. In paragraph 4, the Worker Vice-Chairperson suggested inserting the words “up to date” before “International Chemical Safety Cards (ICSCs)”. This also applied to paragraph 7 of subsection 9.3.1. A significant number were in fact outdated. The Head of Unit acknowledged the concern about the long-standing need to update certain ICSCs, but the

Office still considered the ICSCs a useful point of reference covering a broad range of chemicals.

- 247. The Employer Vice-Chairperson believed that they should not be referenced at all if they were not up to date. The Chairperson observed that 80 per cent of the ICSCs were up to date. The proposal was withdrawn.
- 248. In paragraph 7, the Worker Vice-Chairperson proposed to replace “he or she” by “the employer”. The Employer Vice-Chairperson noted that the phrase occurred several times in the draft. The proposal was adopted and the Office was asked to replace the term “he or she” with “employer” in all instances it occurred.
- 249. The Employer Vice-Chairperson proposed to delete subparagraph 8(a), which was vague. The Worker and Government Vice-Chairpersons preferred to keep the original text. The proposal was withdrawn.
- 250. In subparagraph 8(b), the Workers proposed to replace: “Women during pregnancy” by “Working while pregnant”; to add “or are” at the end of the first sentence so that it read: “where hazardous substances have been or are used”; and to amend the last sentence to read: “Employers should take measures to protect women when pregnant from hazardous substances to avoid or greatly minimize exposures”. These proposals were adopted.

### 9.3. Control strategies

#### 9.3.1. General provisions

- 251. In subparagraph 5(b), the Government expert from Turkey proposed that the text read: “health and precautions phrases” instead of “risk and safety phrases” in accordance with the published and revised UN Globally Harmonized System of Classification and Labelling of Chemicals. The Worker Vice-Chairperson requested clarification. The Head of Unit stated that the term used in the Globally Harmonized System was “hazard and precautionary statements”. This phrase was adopted.
- 252. In paragraph 8, the Employers proposed to replace “displayed” by “available”. The requirement to display information was inappropriate, since there could be thousands of such data sheets. The Worker Vice-Chairperson supported the proposal.
- 253. The Government Vice-Chairperson supported the proposal on condition that the words following “available” be “to all workers”. The proposal was adopted.
- 254. In paragraph 8, the Employers proposed to replace “appropriate” by “the primary” to qualify “language”. The proposal was not supported and was withdrawn.
- 255. In paragraph 8, the Workers proposed to insert “and the related acute and chronic health effects,” after “the hazards that they may be exposed to,”. The Employer and Government Vice-Chairpersons preferred the original text. The Worker expert from the United Kingdom explained that informing workers of their exposure to a hazard did not necessarily include information on the symptoms to be aware of.
- 256. The Employer Vice-Chairperson favoured the original text, since the section concerned health hazards. The proposed wording was too limiting. The Government Vice-Chairperson supported the original text.
- 257. The Worker expert from the United Kingdom stated that the term “acute” encompassed the other health effects and that the term “chronic health effects” had a preventative force flagging potential long-term effects. The proposal was adopted.

- 258. In subparagraph 10(b), the Workers proposed that the text read “for example, replace carcinogenic azo dyes or the solvents n-hexane and benzene with safer alternatives”.
- 259. The Government Vice-Chairperson thought it unnecessary to list examples in the text. The Employer Vice-Chairperson supported this view.
- 260. The Worker expert from the United Kingdom explained that “silica” had already been specified. The examples proposed were major carcinogens that were widely known to cause bladder cancer. Alternatives had been found to n-hexane and benzene but many employers still used the solvents, for example, in footwear and dye manufacture. The proposal was later withdrawn.

### 9.3.2. Elimination or substitution

- 261. In subparagraph 3(a), the Employers proposed to delete “by less hazardous substances or”, since it amounted to duplication. The Government and Worker Vice-Chairpersons preferred the original text. The proposal was withdrawn.

### 9.3.3. Engineering and administrative controls

- 262. In the chapeau of paragraph 1, the Worker Vice-Chairperson requested clarification on the meaning of the first sentence. The Head of Unit considered the sentence should be deleted. It was so agreed.
- 263. In paragraph 5, the Workers proposed to delete the word “knowingly”. The proposal was adopted.

### 9.3.4. Information, instruction and training

- 264. In paragraph 5, the Employers proposed to add “available” before “in writing” in line with previous decisions. The matter was referred to the working group, which recommended the phrase “available in writing in printed or digital form, if appropriate, and presented in forms and languages easily understood by all workers”. The recommendation was adopted. The Head of Unit stated that the Office would ensure that this wording was used consistently throughout the text.

### 9.3.5. Personal protection

#### 9.3.5.3. Respiratory protective equipment

- 265. In paragraph 1, the Employers proposed to replace the word “must” by “should”. The proposal was adopted.
- 266. In paragraph 2, the Employers proposed to replace: “Respiratory protective equipment should also be selected taking into account the work involved and should be matched to the wearer.”, with: “The selection of correct equipment is essential and should be done in collaboration with those who need to wear the equipment. Since there is a wide variety of equipment available, advice should be sought from competent persons on the appropriate equipment for particular purposes. Different sizes and models should be available to accommodate a broad range of facial types.”
- 267. The Head of Unit stated that the original sentence essentially repeated the text in section 15.6.
- 268. The Worker expert from the United Kingdom proposed to include “and the worker representatives” after “wear the equipment” in the proposed new text. The Government

Vice-Chairperson opposed this. The Employer Vice-Chairperson proposed the simpler text “and their representatives. With this addition the proposal was adopted.

- 269.** The Employers proposed to add “as per national laws and regulations” at the end of paragraph 3. The Worker expert from the United Kingdom considered that this was a separate issue, as respiratory protective equipment should be tested periodically for each worker regardless of national laws. The Government expert from Bangladesh supported the proposal. The Government expert from Turkey opposed the proposal, as such tests were not optional. The Worker expert from the United Kingdom stated that it was unacceptable to use untested respiratory protective equipment.
- 270.** The proposal was withdrawn.

#### **9.4. Transport, storage and disposal of hazardous substances**

- 271.** In paragraph 4, the Workers proposed that the second sentence be replaced by the following: “Pregnant workers and particularly vulnerable workers should not be required to work in chemical storage areas.”
- 272.** The Employer Vice-Chairperson preferred the original version, as issues concerning pregnant workers had already been addressed. If chemical storage areas were managed properly there was no reason why pregnant workers could not work there. The Government Vice-Chairperson agreed with the Employers.
- 273.** The Worker expert from the United Kingdom explained that pregnant workers should be allowed to work in such places only if they were subject to proper controls and rendered safe. The original text, on the contrary, prohibited them from working in such areas.
- 274.** The question was referred to the working group, which proposed that the second sentence read: “Consideration should be given to vulnerable workers when making the authorization.” The recommendation was adopted.

#### **9.5. Monitoring for hazardous substances in the workplace**

##### **9.5.2.Risk assessment**

- 275.** In paragraph 1, the Workers proposed to add a new subparagraph at the end, to read: “harmful chemical substances should be classified as highly toxic, inflammable, corrosive or cancer inducing.” The Employer Vice-Chairperson did not support the proposal, since it concerned a control mechanism and not risk assessment. The Government Vice-Chairperson agreed with the Employer Vice-Chairperson. The proposal was withdrawn.

##### **9.5.5.Record-keeping**

- 276.** In subparagraph 1(b), the Workers proposed to add at the end, “taking account of any exposures associated with long latency diseases”. The Employer Vice-Chairperson observed that the issue was already addressed in section 4.3. The Government Vice-Chairperson preferred the original text. The proposal was withdrawn.

## 9.7. Specific hazards

### 9.7.1. Silica and abrasive blasting

#### 9.7.1.1. Hazard description

- 277.** The Employer Vice-Chairperson proposed to delete this subsection, which was purely descriptive. The Government Vice-Chairperson asked to retain the original text.
- 278.** The Worker expert from the United Kingdom said that the subsection needed some context, and suggested that the two paragraphs be replaced by a short sentence, to read: "Silica is a cause of chronic lung and other diseases for those exposed at work." The proposal was adopted.

#### 9.7.1.2. Risk assessment

- 279.** In the chapeau of paragraph 1, the Employers proposed to add "or providing" between "using" and "silica for abrasive blasting". The proposal was adopted.

#### 9.7.1.3. Control measures

- 280.** In paragraph 2, the Employers proposed to add ", if possible," between "should" and "eliminate the risk of abrasive sandblasting". The proposal was adopted.
- 281.** In paragraph 3, the Employers proposed to add ", if possible," before "be carried out in a blasting enclosure". The Vice-Chairpersons of the Workers' and Government groups disagreed with the proposal, which was withdrawn.
- 282.** In paragraph 6, the Employers suggested changing the last sentence of the paragraph to read: "It should be presented in forms and primary languages of the facility." The question was referred to the working group, which recommended that the last sentence read: "It should be presented in forms and languages easily understood by all workers." The recommendation was adopted.
- 283.** In paragraph 7, the Employers suggested adding "When abrasive blasting is done outside the enclosure, [o]perators ..." at the beginning of the last sentence. The Worker expert from the United Kingdom stated that the use of sandblasting was not essential to the manufacture or quality of products and its effect was purely cosmetic. In view of the dangers involved it should be prohibited.
- 284.** The Government expert from Brazil requested clarification and asked whether such workers were normally inside or outside a designated blasting enclosure.
- 285.** The Employer Vice-Chairperson explained that it was not always possible to confine blasting to a booth. People engaged in blasting should be protected. The intention behind the proposal was not to leave any options open around sandblasting.
- 286.** The Government Vice-Chairperson perceived an obvious hazard in such a process and preferred the original text. The Worker expert from the United Kingdom suggested the addition of a sentence at the beginning of the new text agreed for subsection 9.7.1.1., to read: "Because of the risk of serious disease, wherever possible silica should be replaced by alternative safer substances or processes." The Employer Vice-Chairperson opposed this proposal and withdrew his own proposal.
- 287.** In paragraph 10, the Workers proposed to add "spirometry and" between "including" and "a chest radiographic examination". The proposal was adopted.

## 9.7.2. Other dusts

### 9.7.2.2. Risk assessment

- 288.** In paragraph 2, the Workers suggested adding a sentence at the end of the paragraph, to read: “Evidence on risk can evolve and should be kept under review. Some dusts previously considered relatively benign have been shown to pose significant risks, for example, “flock workers lung” was identified in 1998 in textile workers.” The Employer Vice-Chairperson supported the first sentence, but not the second. The Government Vice-Chairperson preferred the original text.
- 289.** The Worker expert from the United Kingdom agreed to remove the second sentence from the amendment. The new paragraph was adopted as amended: “Evidence on risk can evolve and should be kept under review.”

### 9.7.2.3. Control measures

- 290.** The Employers proposed to delete paragraph 9. The Government and Worker Vice-Chairpersons opposed the proposal. It was withdrawn.
- 291.** In paragraph 9, the Workers proposed to add, after “short term”, “... or medical suspensions with no loss of pay”. This proposal was referred to the working group, which considered that it should not be adopted. The proposal was withdrawn.

## 9.7.3. Asbestos

### 9.7.3.2. Risk assessment

- 292.** The Employers proposed to add “or provided” at the end of paragraph 1. The paragraph was adopted as amended.
- 293.** In paragraph 3, the Government expert from Turkey proposed to add “in order to ensure the stability of the building structure” after the word “inspected”. There was no support for the proposal, and it was withdrawn.

# 10. Ergonomic hazards

## 10.1. Hazard description

- 294.** The Employers proposed to delete paragraph 2. The text went beyond a purely factual description of ergonomic hazards to discuss possible and debatable causes. The Worker Vice-Chairperson wished to retain the text, even though in his view its content did not live up to the heading; ergonomics involved more than the risks inherent in manual handling. The Government Vice-Chairperson preferred the original text.
- 295.** The paragraph as a whole was referred to the working group, but it was unable to reach agreement. The various amendments were therefore discussed at the final sitting.
- 296.** The Employers objected to the overall negative tenor of the text, and especially the phrase “excessive overtime work and task rates”. The Workers insisted that the paragraph refer in some way to the factors that can cause injuries.
- 297.** After some discussion of various proposals, the meeting adopted the following text for paragraph 2: “While the causes of musculoskeletal injuries and cumulative disorders are difficult or sometimes impossible to determine, the most common contributing factors

include work postures and movements; repetitiveness and pace of work; reward systems; the force of movements; vibration; temperature; psychosocial factors; poor design of the workstation; and the weight and other characteristics of objects lifted or handled.”

- 298.** The Workers proposed to add at the end of paragraph 3, “herniated disc; and rotator cuff syndrome”. The Employer Vice-Chairperson supported the proposal. The Government Vice-Chairperson felt that there were already sufficient examples but he did not oppose the addition. The paragraph was adopted as amended.

## 10.2.Risk assessment

- 299.** The Workers proposed to add “workstations and work organization,” before “manual handling” in the first sentence of the chapeau of paragraph 1. The Employer Vice-Chairperson preferred the original text, but the Government Vice-Chairperson supported the proposal. The proposal was adopted.
- 300.** The Workers proposed to add a new subparagraph at the end of paragraph 1, to read: “psychosocial hazards should be taken into consideration in the risk assessment, such as repetitive work and tasks with little variety and/or few events that may lead to boredom and errors being made, potentially causing accidents.” The Worker expert from the United Kingdom noted that psychosocial and mental hazards were already mentioned in ISO standards. They could lead to mistakes. Their proposed text was taken from the ILO code of practice on OSH in open-cast mines. The Employers agreed only to the first phrase. The Government expert from Germany supported the proposal.
- 301.** The proposal was referred to the working group, but it could not reach agreement. At the final sitting, it was agreed to add a new paragraph after paragraph 1, to read: “Psychosocial hazards should be taken into consideration in the risk assessment.”
- 302.** In the chapeau of paragraph 2, the Employer Vice-Chairperson requested the secretariat to provide a definition of “young workers” and asked whether “increased exposure” in subparagraph 2(b) meant trauma due to exposure. The Head of Unit stated that the Office had considered texts in other ILO codes with similar provisions and would propose new text. At the final sitting, a new text for paragraph 2 as a whole (replacing the subparagraphs and taking account of various proposed amendments) was proposed by the Office, to read: “The risk assessment should also take account of vulnerable populations, including pregnant women and those caring for infants, and it should be considered that musculoskeletal injuries and cumulative trauma disorders may cause osteoarthritis, in particular for women.” This text was adopted.

## 10.3.Control measures

- 303.** In paragraph 1, the Workers proposed to add, after “working postures”, the phrase “work pace, work demand, work volume,” which were expressions taken from existing legislation. The Employer Vice-Chairperson opposed the addition. The working group recommended it be adopted and that “requirements” in the first sentence be replaced by “considerations”. The recommendation was adopted.
- 304.** In paragraph 2, the Workers proposed to add, after “differentiated by gender”, the phrase “and diverse physical characteristics of workers”. The Employer Vice-Chairperson subamended this to refer to “and physical characteristics of the workforce”. The proposal was adopted with this change.



### **10.3.1. Elimination of ergonomic hazards through engineering controls or substitution and**

### **10.3.2. Control of ergonomic hazards through engineering and administrative minimization of impact**

- 305.** A small number of amendments were proposed to the wording in these sections. It was agreed that there was some repetition. The Office was asked by the working group to merge these two subsections so as to delete repetitive wording. The resulting text is that in the final version of the code of practice, which is appended.

### **10.3.3. Minimization of ergonomic hazards through information, instruction and training for workers**

- 306.** The Chairperson proposed, in light of the earlier decision to delete specific thresholds and limits, that “greater than 23 kg” be deleted in subparagraph 1(e). The proposal was adopted.
- 307.** The Workers proposed to delete subparagraph 1(k). The Worker expert from the United Kingdom considered that the text did not belong in a section on ergonomics. The language was too broad and the list of possible prohibitions for workers and employers alike could be endless, apart from the fact that the text did not specify “at work”. The Employer Vice-Chairperson stated that employers always encouraged workers not to use alcohol or other stimulants while at work. He did not support the proposal; it was the employer’s duty to ensure a safe workplace. The Government Vice-Chairperson supported the proposal to delete the subparagraph.
- 308.** The question was referred to the working group, which recommended deletion. The recommendation was adopted.

## **11. Physical hazards**

### **11.1. General provisions**

- 309.** In paragraph 1, the Workers proposed to add “and healthy” after “safe” in the first line. The proposal was adopted.
- 310.** The Government expert from Morocco suggested moving subparagraph 2(a) to Chapter 7. The Worker Vice-Chairperson observed that various sections of the chapter could be moved elsewhere, but to avoid confusion they should be retained in their current position. The proposal was withdrawn.
- 311.** The Workers proposed to add, at the end of the paragraph, the following: “Poorly signed, designated or impeded walkways, or inadequate segregation between pedestrians and vehicles (see Chapter 13), can also create or exacerbate risks.” The Employer Vice-Chairperson agreed to the text, but proposed that its contents be moved and merged with existing text in Chapter 13 and adjusted to fit the wording there. The proposal was adopted subject to the move proposed by the Employer Vice-Chairperson.



## 11.2. Slips, trips and falls

### 11.2.2. Risk assessment

- 312.** The Workers proposed to replace “the risk of slips and trips” with “the risk of slips, trips and falls” in paragraph 1. The proposal was adopted.

### 11.2.3. Control measures

#### 11.2.3.2. Safe work systems and procedures

- 313.** The Workers proposed to add “, where suitable,” after “tools” in the chapeau of paragraph 4. The proposal was adopted.

## 11.3. Lighting

### 11.3.2. Risk assessment

- 314.** In paragraph 2, the Workers proposed to add “burling and mending, quality checks,” before “reading a product label”. The proposal was adopted.

### 11.3.3. Control measures

- 315.** The Workers proposed to add a new paragraph to follow paragraph 1, to read: “General lighting should be supplemented by local lighting where necessary for particular tasks”. The Employer Vice-Chairperson proposed to replace “local lighting” by “task lighting”. The proposal was adopted with this change.

## 11.4. Noise

### 11.4.1. Hazard description

- 316.** The Workers proposed to add, at the end of paragraph 1, the sentence: “Long-term occupational noise exposure is also linked to other conditions, including tinnitus (a chronic ringing or buzzing in the ears) and heart disease.” The Employer Vice-Chairperson queried the reference to heart disease. The Worker Vice-Chairperson proposed to replace “heart disease” with “other diseases”. The Employer Vice-Chairperson proposed the phrase “other diseases, including tinnitus and other conditions”.
- 317.** The matter was referred to the working group, which decided against retaining the amendment. The proposal was withdrawn.
- 318.** In paragraph 3, the Workers proposed to add “stress,” before “irritability”. The proposal was adopted.

### 11.4.2. Risk assessment

- 319.** The Workers proposed to delete “considered acceptable” in paragraph 1, since no level could be considered acceptable. The Employer Vice-Chairperson agreed, but the Government Vice-Chairperson objected. The Government expert from Morocco explained that national legislation normally defined thresholds. She was in favour of keeping the original text.
- 320.** The matter was referred to the working group, which recommended deletion. The recommendation was adopted.

- 321.** The Employers' Group proposed to delete "and internationally" in subparagraphs 3(a) and 3(c). The proposal was not supported and it was withdrawn.

#### **11.4.3. Control measures**

- 322.** The Employers proposed to replace "exposure" with "overexposure" in subparagraph 2(c). The Government and Worker Vice-Chairpersons opposed the idea. The proposal was withdrawn.
- 323.** In paragraph 7, the Workers proposed to add a reference to "baffle plates," after "sound-absorbing materials," and before "sound curtains". The proposal was adopted.
- 324.** In the chapeau of paragraph 9, the Employer Vice-Chairperson proposed to delete the phrase in brackets "(for example within three months of commencing work, and at least annually)", since it was not clear what standard was being invoked. The Worker and Government Vice-Chairpersons supported this proposal, which was adopted.
- 325.** At the end of subparagraph 10(e), the Workers proposed to add "and the need to take account of other potential hazards, including the need to hear emergency alarms or in-workplace transport". The Employer Vice-Chairperson considered that the proposed change was unrelated to the subject-matter of the paragraph, which dealt with the education of workers. They favoured the original text. The matter was referred to the working group, which recommended adoption, but replacing "in-workplace transport" by "moving equipment". The proposal was adopted.

### **11.5. Vibration**

#### **11.5.1. Hazard description**

- 326.** The Employer Vice-Chairperson questioned whether body vibration was a factor in the industry and therefore proposed to delete the entire subparagraph 1(a). The Government Vice-Chairperson and the Worker Vice-Chairperson disagreed and preferred to retain the original text. The proposal was withdrawn.
- 327.** The Employer Vice-Chairperson questioned the reference to hand-arm vibration in subparagraph 1(b). The Worker Vice-Chairperson explained that this could be found in the Recommendation No. 194.

#### **11.5.3. Control measures**

- 328.** The Worker Vice-Chairperson proposed to add a new subparagraph at the end of paragraph 2, to read as follows: "Employers should provide health surveillance to workers exposed to significant vibration risks, to identify early onset of symptoms and to enable appropriate preventive interventions." The Employer Vice-Chairperson pointed out that the text already contained a large section on health surveillance, for which reason he could not support the proposal. The Government Vice-Chairperson expressed support for it.
- 329.** The matter was referred to the working group, which recommended that the new subparagraph (e) read: "provided health surveillance to identify early onset of symptoms and to enable appropriate preventive interventions." The recommendation was adopted.

### **11.6. Electricity**

- 330.** In paragraph 1, the Employers proposed to replace the word "must" with "should". The proposal was adopted.

- 331.** In paragraph 8, the Government expert from Brazil proposed that the phrase “completely enclosed and protected from wet conditions” should be replaced with the phrase “in accordance with the required ingress protection rating to avoid exposure to wet conditions and dust”. The proposal was adopted.
- 332.** In paragraph 13, the Employers proposed to add “relevant” after “all” and before “workers”. The Worker Vice-Chairperson and the Government Vice-Chairperson favoured the original text. The proposal was withdrawn.

## 11.9. Extreme heat and high humidity

### 11.9.2. Risk assessment

- 333.** In subparagraph 3(d), the Employer Vice-Chairperson proposed to replace the word “susceptibility” with “vulnerability”. The proposal was adopted.

## 12. Safety requirements for tools, machines and equipment

### 12.2. Risk assessment

- 334.** The Workers proposed to replace paragraph 1 by the simple phrase: “Employers should carry out risk assessments.”, and delete the original text. The Government Vice-Chairperson supported the proposal. The Employer Vice-Chairperson emphasized that responsibilities also lay with workers and their representatives. The Worker expert from the United Kingdom proposed that the original text be amended to accommodate the Employers’ wishes, to read: “Employers should carry out a risk assessment in consultation with workers and their representatives to ensure safety in the use of tools, machines and equipment and to determine the measures required to eliminate the hazard or the control strategies required to eliminate or minimize risk.” The proposal was adopted.
- 335.** The Worker Vice-Chairperson proposed to add at the end of subparagraph 2(a) the phrase “particularly the possibility of cutting off the energy supply for any kind of intervention (electrical, hydraulic, or any other source)”. The Government Vice-Chairperson and the Employers did not support the proposal. The Worker Vice-Chairperson explained that when doing repairs or maintenance, workers needed to be sure that the machine on which they were working was not live. The Employer Vice-Chairperson stated that if the proposed text concerned the locking down of the machinery, it would be acceptable. The expert from the Government of Brazil suggested referring to lock and tag systems. The Employer Vice-Chairperson pointed out that this issue was addressed more specifically in paragraph 15 in section 12.3. The proposal was withdrawn.

### 12.3. Control strategies

#### 12.3.2. Safe working systems and procedures

- 336.** In paragraph 10, the Worker Vice-Chairperson proposed to add a sentence: “Emergency stops should be included on machines and should be easily accessible for the worker.” The Employer Vice-Chairperson suggested to add “, as applicable,” after “machines”. The proposal was adopted as so amended.

## 12.4. Control measures for selected tools, machines and equipment

### 12.4.1. Sewing machines

- 337.** The Employer Vice-Chairperson proposed to add a sentence at the end of paragraph 3, to read: "Noise and vibration should be minimized." The Worker expert from the United Kingdom considered this unnecessary since noise was addressed in another section of the draft code.
- 338.** The Government Vice-Chairperson suggested to amend the proposal to read "be eliminated or minimized". The Employer Vice-Chairperson agreed to the Government Vice-Chairperson's amendments, since sewing machines made little noise.
- 339.** The Worker expert from the United Kingdom proposed instead that the addition read: "Noise and vibration should be controlled." This proposal was adopted.

### 12.4.4. High-temperature dyeing machines

- 340.** The Worker Vice-Chairperson proposed to add a paragraph to follow paragraph 4, to read: "Employers should ensure that risks to workers from hot work, including burns and heat stress, are minimized". The proposal was adopted.

### 12.4.8. Robots and advanced automated technologies

- 341.** The Employer Vice-Chairperson proposed to delete the introductory paragraphs of this section.
- 342.** The Worker Vice-Chairperson preferred to retain it, and proposed to add a new paragraph at the beginning, to read: "When introducing robots and advanced automated technologies, workers and their representatives should be informed and consulted." The Worker expert from the United Kingdom proposed to add at the end the words "on all health and safety related issues."
- 343.** The matter was referred to the working group, which recommended that paragraph 1 be retained as drafted, but that a new paragraph should precede it, to read: "Advanced automated technologies and robots provide opportunities to improve OSH. They can eliminate repetitive tasks, provide for safer and more efficient handling and storage solutions, reduce the need for workers to lift heavy weights, minimize the risk of musculoskeletal injuries and cumulative disorders, reduce the risk of falling from heights and limit exposure to hazardous substances, noise, vibrations and other hazards. However, the introduction of new technologies can introduce new hazards and risks."
- 344.** The recommendation by the working group was adopted.
- 345.** In paragraph 3, the Worker Vice-Chairperson proposed to add, after "risk assessment", the phrase "in consultation with workers and their representatives". The working group recommended that the idea be captured in a new paragraph to precede paragraph 5, to read: "When introducing robots and advanced automated technologies, workers and their representatives should be informed and consulted on all health and safety related issues." The recommendation was adopted.

## 13. Workplace transport safety

### 13.1. General provisions

- 346.** In paragraph 1, the Employer Vice-Chairperson proposed to delete the phrase: “as well as the cars, motorbikes and scooters of those who work at the factory”. The Government and Worker Vice-Chairpersons preferred the original text. The working group recommended the proposed deletion. The recommendation was adopted.
- 347.** The Workers proposed that a new sentence be added at the end of paragraph 1, to read: “Employer-provided transport to and from the worksite, between the worksites, and within the worksite, are included in the scope of this code.” The Employer Vice-Chairperson opposed the proposal. It was referred to the working group, which recommended adoption. The recommendation was adopted.
- 348.** The Employer Vice-Chairperson proposed to delete paragraph 3, since it was purely descriptive. The working group recommended it be retained. The proposal was withdrawn.
- 349.** In paragraph 4, the Employer Vice-Chairperson proposed to add in the chapeau: “and in line with national codes and regulations,”. The proposal was adopted.

### 13.2. Safe sites

- 350.** In the chapeau of paragraph 10, the Employer Vice-Chairperson proposed to move the phrase “ensure that trained and competent banksmen or signallers are available to help the operator avoid accidents” to the end of the paragraph to become new subparagraph (g), to read: “if necessary, ensure trained and competent signallers are available.” The proposal was adopted.

### 13.3. Safe vehicles

- 351.** The Workers proposed to add a new paragraph after paragraph 1, to read: “All vehicles used for work purposes inside or outside the workplace should be subject to the management and safety provisions of this code.” The Worker expert from the United Kingdom explained that it was the responsibility of employers to provide workers with all vehicles at work. The Employer Vice-Chairperson accordingly proposed to replace the word “used” with the words “provided by the employer” so that the employers’ responsibilities would be clear.
- 352.** The matter was referred to the working group, which recommended the amendment be adopted as subamended. The recommendation was adopted.
- 353.** In paragraph 6, the Employer Vice-Chairperson proposed to insert at the end of the paragraph: “before operation.” The proposal was adopted.

### 13.4. Safe operators

- 354.** In paragraph 1, the Employer Vice-Chairperson proposed to delete the phrase: “, both women and men,” and replace “physically able” with “capable. These proposals were adopted.
- 355.** The Employer Vice-Chairperson proposed to insert a new paragraph after paragraph 1, to read: “The operator should be fit for work and not impaired due to fatigue, alcohol or drug use.” The Government Vice-Chairperson agreed. The Worker expert from the United Kingdom objected, since alcohol and drug abuse were addressed elsewhere in the draft. The proposal was withdrawn.

## 14. Competence and training

### 14.1. General provisions

- 356.** In paragraph 2, the Employer Vice-Chairperson proposed to replace “women” with “workers” and delete “and the training should be gender-sensitive”; discrimination did not concern only women. The text should address all workers. The proposal was adopted.
- 357.** In subparagraph 5(b), the Employers proposed to add “, as appropriate,” before “industry tripartite committees”. The proposal was adopted.
- 358.** In paragraph 6, the Employer Vice-Chairperson proposed to delete: “If this is not possible, workers should be compensated for overtime, and”. Overtime was part of working hours, and hence the sentence did not make sense.
- 359.** The Worker expert from the United Kingdom stated that the Workers preferred the original text, but proposed the wording “, where possible, should take place during normal working hours, and in any circumstances be in paid time” before the proposed deletion and after “at no cost to them and”. It was important to ensure a reference to training taking place during paid time in any circumstances. This was also stipulated in Convention No. 155, which stated that anything workers are required to do in relation to health and safety should be in paid time.
- 360.** The Employer Vice-Chairperson agreed that the training should not cost anything to the worker, and requested the source of the quote. The representative of the ILO Labour Administration, Labour Inspection and Occupational Safety and Health Branch stated that the reference was to the Occupational Safety and Health Recommendation, 1981 (No. 164), Paragraph 12(2)(i): “Workers’ safety delegates, workers’ safety and health committees, and joint safety and health committees or, as appropriate, other workers’ representatives should ... have reasonable time during paid working hours to exercise their safety and health functions and to receive training related to these functions”.
- 361.** The Employer Vice-Chairperson proposed to use the text of the Recommendation for this paragraph, and asked the Office to ensure this. However, Recommendation No. 164 referred only to the training of worker representatives, not all workers, and the Office should further clarify this.
- 362.** The matter was referred to the working group, which recommended the following text for paragraph 6: “Training should be provided to all workers at no cost to them and should take place during paid working hours.” The recommendation was adopted.

### 14.3. Qualification and training for workers

- 363.** The Workers proposed to add a new subparagraph after 2(e), to read: “training should not cause discrimination of workers, and equal opportunities should be safe for promotion or promotions.” The Employer Vice-Chairperson requested clarification on the meaning of “equal opportunities should be safe for promotion or promotions”. The Worker expert from Spain explained that training should not be an impediment to workers’ professional development.
- 364.** The Employer Vice-Chairperson proposed that the text was limited to: “Training should not cause discrimination of workers.”, and be added as a new paragraph after paragraph 2. This proposal was adopted.

#### 14.4. Qualifications of contractors, subcontractors and other third parties

- 365.** In paragraph 1, the Worker expert from the United Kingdom proposed to insert “and verify systems are in place to ensure compliance with these clauses”. The Employer Vice-Chairperson objected and the original wording was retained.

### 15. Personal protective equipment

#### 15.1. General provisions

- 366.** In paragraph 2, the Workers suggested to add at the end: “and, when advised by circumstances, appropriate signalling on risks, mandatory use of PPE, etc. should be included.” The Employer Vice-Chairperson requested clarification since the wording was unclear.
- 367.** The Worker expert from Spain explained that the amendment was meant to cover the introduction of visual signs to indicate clearly the kind of PPE to be used in workplaces.
- 368.** The Employer Vice-Chairperson preferred the original text, unless better wording could be found. A member of the Workers’ secretariat proposed: “when appropriate, signalling on risks, mandatory use of PPE, etc. should be included.” The Worker expert from Spain explained that there was a need for clear visual signals for information purposes, including for third parties who might be present.
- 369.** The Employer Vice-Chairperson took it that the issue at stake was appropriate signage. He accordingly proposed that “with appropriate signage” be added at the end of the paragraph. This proposal was adopted.
- 370.** In paragraph 2, the Workers suggested to add “with special attention to the differences of men and women”. The Employer Vice-Chairperson did not agree, as there would then be a need to capture the differences, bearing in mind the text already in subparagraph 3(a). The Worker expert from Spain observed that this aspect was missing in the Spanish translation, and agreed with the language suggested by the Employer Vice-Chairperson.
- 371.** After discussion, it was agreed that the paragraph should read: “The minimum requirements for mandatory PPE in textiles, clothing, leather and footwear manufacturing operations should be established and clearly communicated with appropriate signage.”
- 372.** The Workers suggested to add, at the end of paragraph 6: “, and its use should not create additional risks”. The Employer Vice-Chairperson proposed instead “, and its use should not create additional hazards”. This proposal was adopted.
- 373.** In paragraph 8, the Workers proposed to add “or the results of health surveillance” after “accident records”. The proposal was adopted.
- 374.** In subparagraph 13(b), the Workers proposed to add “with special attention to training in the use of respirators and their use in confined spaces”. The Worker expert from Spain stated that the amendment addressed cases where the level of risk was high, such as work in confined spaces; otherwise the text might imply that, without appropriate training, workers might remove or misuse the PPE and expose themselves to possibly fatal risks.
- 375.** The Employer Vice-Chairperson opposed the reference to confined spaces, which were addressed elsewhere. All PPE was uncomfortable if worn all day. The Government Vice-Chairperson preferred the original text.



376. The Head of Unit observed that training on PPE use was covered in paragraph 8. The proposal was withdrawn.

## 15.2. Protective clothing

377. The Employer Vice-Chairperson proposed to add “, as applicable” at the end of the chapeau to paragraph 2. The proposal was adopted.
378. The Workers proposed to add a new subparagraph after subparagraph 2(c), to read: “clothing that protects against thermal stress and against risk from exposure to cold and heat.” The Government Vice-Chairperson supported the amendment.
379. The Employer Vice-Chairperson disagreed, as the issue was addressed in subparagraph 2(c) and in other sections also covering thermal stress. The proposal would be better accommodated by amending subparagraph 2(c) to add “or cold” between “minimize” and “heat stress”. This proposal was adopted.

## 15.3. Head protection

380. In subparagraph 1(a), the Employers proposed to replace “helmets” by “head protection” to ensure consistent terminology, and to add “maintenance and” after “engaged in”. The Government Vice-Chairperson supported the amendment. The proposal was adopted.
381. The Workers proposed to add at the end of paragraph 4: “In addition, according to the manufacturer’s instructions, helmets should have an expiry date.” The Employer Vice-Chairperson did not support the amendment; manufacturers could not provide expiry dates for all equipment. The Government Vice-Chairperson opposed the amendment.
382. The Worker expert from Spain explained that sometimes helmets did not show any signs of damage despite having sustained structural faults. An expiry date would guard against such eventualities. Helmets usually had a life cycle of two to three years.
383. The Government expert from Brazil observed that this would probably apply only to plastic or textile helmets. An alternative amendment might be to add “when applicable”.
384. The Employer Vice-Chairperson proposed an alternative amendment: simply to add “as per manufacturer’s instructions” at the end of paragraph 4. This proposal was adopted.

## 15.5. Hand, body and feet protection

385. The Government expert from Turkey proposed to change the heading to “Hand and foot protection” as this was the more common term. The Worker expert from Spain disagreed, as this excluded skin and body protection. The Employer Vice-Chairperson opposed the amendment in view of the need for consistent terminology. The proposal was withdrawn.

## 15.6. Respiratory protective equipment

386. The Employers proposed to delete the last sentence of paragraph 1. The proposal was adopted.
387. The Workers proposed to add a new paragraph at the end of the section, to read: “When negative pressure respiratory protection equipment is required, workers should have training for its use.” The Employer Vice-Chairperson opposed the amendment, since the issue was already addressed in the section on training. The Government Vice-Chairperson also opposed it. The proposal was withdrawn.

## 15.7. Hearing protection

- 388.** The Worker expert from Spain proposed to add a new paragraph after paragraph 4, to read: "Hearing protectors should be provided by the employer if noise causes discomfort." The Employer Vice-Chairperson observed that noise discomfort was experienced by individuals differently. The proposal was also not adequately descriptive; the focus should be on protection from harm and not discomfort. The proposal was withdrawn.

## 15.8. Protection from falls

- 389.** The Employer Vice-Chairperson proposed to delete the entire subsection or move it elsewhere. The reference to "fall protection systems" was inadequate. The Government Vice-Chairperson supported moving the subsection. The matter was referred to the working group, which asked the Office to review the text of section 15.8.
- 390.** The Head of Unit announced the outcome of the review of the text: section 15.8 would be deleted. An important element of paragraphs 1 and 2 would be moved to section 7.7 concerning risks associated with working at heights. A new subparagraph 22(g) under section 7.7 would be added and read: "use appropriate fall-protection equipment, such as harnesses and lifelines."

## 16. Special protection

### 16.1. Social security

- 391.** The Employer Vice-Chairperson proposed to delete paragraph 2, which concerned issues outside the mandate of the meeting. Old-age and unemployment benefits were not related to occupational safety and health.
- 392.** The Worker Vice-Chairperson opposed the proposal, since it was impossible to enjoy safety and health without social protection. He proposed the following compromise wording: "The social security of workers should be protected and guided by the Social Security (Minimum Standards) Convention, 1952 (No. 102), in all regards pertinent to occupational health and safety."
- 393.** The matter was referred to the working group, which proposed that the new text for the paragraph read: "The social security of workers should be protected and guided by the Social Security (Minimum Standards) Convention, 1952 (No. 102), and other relevant ILO social security standards in all regards pertinent to occupational safety and health." The proposal was adopted.
- 394.** In subparagraph 4(b), the Employer Vice-Chairperson questioned the wording "and that other formalities to ensure the coverage of all workers and their dependants are duly completed". The matter was referred to the working group, which recommended that these words be deleted. The recommendation was adopted.
- 395.** The Employer Vice-Chairperson considered that the wording of subparagraph 4(c) was ambiguous. The matter was referred to the working group, which recommended that the subparagraph read: "coverage is provided, such as benefits in case of injury, sickness, temporary and permanent disability through workers' compensation in the event of occupational accidents and diseases, and compensation for survivors in the event of work-related death, for all workers in the textile, clothing, footwear and leather industries, irrespective of their employment status"; and that an additional subparagraph be added at

the end, to read: “contributions to workers’ compensation schemes are paid.” The recommendation was adopted.

## 16.2. Maternity protection

396. The Employer Vice-Chairperson proposed to delete the end of the first sentence in paragraph 1, namely: “, it protects against economic vulnerability due to pregnancy and maternity, and it is central to gender equality in employment”. The Worker Vice-Chairperson categorically objected.
397. The Government Vice-Chairperson, speaking on behalf of the Governments of Germany, Morocco and Turkey, preferred the original text.
398. The Worker expert from the United Kingdom stated that Convention No. 155 included provisions on maternity protection: maternity protection was hence a relevant issue in OSH. The Government expert from Bangladesh questioned this.
399. The Secretary-General observed that the meeting could not adopt any text that lowered the provisions of existing international labour standards. The proposal to delete the end of the first sentence in paragraph 1 was withdrawn.
400. The Employer Vice-Chairperson proposed to delete several subparagraphs in paragraph 2, since these contained provisions not found in international labour standards and hence should not be included in the code.
401. The Worker Vice-Chairperson stated that in the garment industry more than 76 per cent of workers were women, and the code must fully respect their rights.
402. As a way forward, the Worker expert from the United Kingdom proposed that paragraph 2 be amended to read: “In accordance with the provisions of the Maternity Protection Convention (No. 183) and Recommendation (No. 191), 2000, the competent authority should adopt regulations, policies and measures that provide for the safety and health aspects in relation to maternity protection.” The subparagraphs in paragraph 2 could then be deleted. This would restrict the text to the existing standard. The proposal was adopted.
403. The Government expert from Germany expressed grave disappointment that the subparagraphs had not been adopted, since they reflected provisions applicable in Germany.
404. In paragraph 3, the Employer Vice-Chairperson proposed to add “applicable” before “international instruments”. The proposal was adopted.
405. In paragraph 9, the Worker Vice-Chairperson proposed to insert a new sentence after the first: “The employer should provide leave in case of illness, complications or risks of complication arising out of pregnancy or child birth.” The Employer Vice-Chairperson objected to the amendment, since it did not concern OSH. He proposed to delete the paragraph if agreement could not be reached on the original text.
406. The Worker expert from the United Kingdom stated that this referred to statutory workers’ rights. Women workers must be able to exercise their legitimate choice in order to protect themselves from potential risks.
407. The Employer Vice-Chairperson proposed to withdraw their amendment if the Workers withdrew theirs, and the original text was retained. It was so decided. The paragraph was adopted without change.

- 408.** The Employer Vice-Chairperson proposed to delete paragraph 11, since the meeting had already agreed to delete similar provisions in the subparagraphs under paragraph 2 in this section. The Government and Worker Vice-Chairpersons opposed the deletion. The matter was referred to the working group, which recommended to retain the original text. It was so decided.
- 409.** The Employer Vice-Chairperson proposed to add “Where practicable,” at the beginning of paragraph 13. The proposal was adopted.

### 16.3. Working hours and overtime

- 410.** The Worker Vice-Chairperson proposed to add a new first sentence at the beginning of paragraph 2, to read: “The limit of overtime hours should be determined in line with the Reduction of Hours of Work Recommendation, 1962 (No. 116).” The original first sentence should then follow, amended to read: “Overtime policies should be negotiated and agreed between workers and their representatives and employers in a scheduled and predictable manner when possible.”
- 411.** In the absence of agreement, the matter was referred to the working group, which recommended adopting the new first sentence proposed and deleting the rest of the paragraph. The recommendation was adopted.
- 412.** In paragraph 3, the Worker Vice-Chairperson proposed to replace the text “agreed between workers and employers” with “negotiated and agreed between workers and their representatives and employers” after “where overtime hours are”. The proposal was adopted.
- 413.** The Employer Vice-Chairperson proposed the deletion of all but the first sentence of paragraph 5. The Worker Vice-Chairperson preferred the original text.
- 414.** The Government expert from Brazil proposed instead to add “and comply with” before “national laws and regulations or collective agreements as applicable”. The second sentence could then be deleted.
- 415.** The Worker Vice-Chairperson proposed that, rather than delete the rest of the paragraph, only the second sentence be removed. The final sentence should be retained. The Employer Vice-Chairperson agreed to this proposal, with the addition of “and their” before the word “representatives”.
- 416.** The amendments and subamendments were adopted, the final sentence being retained.
- 417.** The Employer Vice-Chairperson proposed to delete paragraph 6, but when this was opposed he instead proposed to delete only the last line. The Worker and Government Vice-Chairpersons preferred the original text.
- 418.** The matter was referred to the working group, which recommended the following text for paragraph 6: “Conditions for part-time work should be addressed through prescribed national laws and regulations or in collective agreements. Employers should also ensure that part-time workers are offered protections and conditions equivalent to those of full-time workers in respect of the right to organize, the right to bargain collectively, non-discrimination and OSH”. The recommendation was adopted.

### 16.4. Night work

- 419.** The Worker Vice-Chairperson proposed to replace “and/or” by “or” in paragraph 2. The proposal was adopted.

- 420.** In paragraph 4, the Employer Vice-Chairperson proposed the addition of the words “, as far as possible,” before “the isolation of workers” in paragraph 4. The text figured in section 17.3 of the ILO code of practice on safety and health in shipbuilding and ship repair (revised edition). The proposal was adopted.
- 421.** In paragraph 6, the Worker Vice-Chairperson proposed the deletion of the words “during the day”. The Employer Vice-Chairperson accepted the proposal, but questioned its logic, since a job for which a night worker was unfit would likely be replaced by a day job. The proposal was adopted.
- 422.** The Worker Vice-Chairperson proposed to add three new paragraphs to follow paragraph 6:
7. Suitable and sufficient emergency, fire and first-aid systems should be in place during night work.
  8. All necessary welfare facilities, including provisions for rest and meal breaks and access to washrooms, should be available to night workers.
  9. Rotating shift patterns should be designed to minimize harmful impacts on health, and should be agreed in consultation with workers and workers’ representatives.
- 423.** The Employer Vice-Chairperson proposed to subamend the third to read: “Rotating shift patterns should be designed to minimize harmful impacts on health in consultation with workers and their representatives.” This subamendment was adopted. The three new paragraphs were adopted as subamended.

## 16.5. Working alone

- 424.** The Worker Vice-Chairperson proposed to amend the second sentence of paragraph 1 to read: “Where working alone or in isolation is necessary, the employer should, in consultation with workers and their representatives, take appropriate measures for the protection of workers working alone or in isolation.” The proposal was adopted.
- 425.** The Worker Vice-Chairperson further proposed the addition of two new paragraphs following paragraph 1:
2. Suitable welfare, emergency and emergency contact arrangements should be in place.
  3. Risk assessment should be performed for those who work alone in consultation with workers’ representatives.
- 426.** The Employer Vice-Chairperson opposed the addition. The Government Vice-Chairperson supported the addition of the first new paragraph, but not the second, questioning its purpose in this section.
- 427.** The Employer Vice-Chairperson suggested merging the Workers’ group proposals into the end of paragraph 1, which would then read: “Risk assessment should be performed for those who work alone or in isolation in consultation with workers and their representatives to ensure that suitable welfare, emergency or emergency contact arrangements are in place.” The proposal was adopted.

## 16.6. Rest periods

- 428.** The Workers’ group suggested adding two subparagraphs after subparagraph 1(b), to read:
- (c) the organization of shift work patterns, including rotating or irregular shifts;
  - (d) overdemanding work pace systems.

- 429. The Employer Vice-Chairperson said they agreed to the first subparagraph proposed but wanted to remove “, including rotating and irregular shifts”. He did not support the second.
- 430. A member of the Workers’ secretariat would accept alternative wording for the second subparagraph. The Worker expert from the United Kingdom proposed “excessive work pace”.
- 431. The Employer Vice-Chairperson disliked the proposal and preferred the original.
- 432. The matter was referred to the working group, which recommended retaining the original text of the draft. It was so decided.

## 16.7. Fatigue

- 433. In paragraph 2, the Workers proposed to add two new subparagraphs to follow subparagraph 2(b), to read:
  - (c) pace of work;
  - (d) organization of shift work patterns;
- 434. The proposal was adopted.
- 435. In paragraph 4, the Workers’ group proposal was to delete “whereas” in the last sentence and begin a new sentence afterwards. The proposal was adopted.
- 436. The Worker Vice-Chairperson also suggested the addition at the end of paragraph 4 of a sentence that would read: “In both instances, this should be done in consultation with workers and their representatives”. The Employer Vice-Chairperson could not agree to the proposal.
- 437. The Worker expert from the United Kingdom observed that the Employers had repeatedly stated that the document had to deal solely with occupational safety issues; the suggestion should be acceptable for this reason.
- 438. The Employer Vice-Chairperson stated that employers had no obligation to discuss non-work-related fatigue issues with their workers. The Government Vice-Chairperson also opposed the proposal.
- 439. The matter was referred to the working group, which recommended the following wording for the proposed new sentence: “In both instances, where fatigue impacts the workplace, this should be addressed in consultation with workers and their representatives.” The recommendation was adopted.
- 440. In paragraph 5, the Employers proposed to delete the first two sentences of the chapeau and, as a result, to delete “furthermore” in the third sentence, since the chapeau was purely descriptive. The Workers’ group disagreed.
- 441. The matter was referred to the working group, which recommended adopting the Employers’ proposals for deletion. The recommendation was adopted.
- 442. In subparagraph 5(a), the Workers proposed to add “or poorly planned shift patterns” at the end. The Employer and Government Vice-Chairpersons disagreed with the proposal.
- 443. The matter was referred to the working group, which recommended that a new subparagraph be added as (b), to read “shift patterns;”. The proposal was adopted.

- 444.** The Workers proposed to add four new subparagraphs at the end of paragraph 5, to read:
- (f) work pace;
  - (g) the use of over-demanding piece rate systems;
  - (h) long hours of work;
  - (i) intense manual labour.
- 445.** The Employer Vice-Chairperson opposed the additions. The matter was referred to the working group, which recommended that the proposed new subparagraphs not be added. It was so decided.
- 446.** In paragraph 7, the Workers proposed to add a new subparagraph after 7(a), to read: “are employed on rotating or irregular shift patterns;”. This would make the list more inclusive. The proposal was adopted.
- 447.** In subparagraph 7(b), the Employers suggested deleting “or six-day” before “period”, as they did not understand the purpose. The proposal was adopted.
- 448.** In paragraph 9, the Employer Vice-Chairperson queried the term “work underload”. The Worker expert from the United Kingdom replied that jobs that were not sufficiently demanding to occupy the workers fully might cause them stress and related mental health problems. This phenomenon was well reported in the literature and the reference was not contentious.
- 449.** The Employers proposed to delete paragraph 10. Following objections, the Employer Vice-Chairperson proposed instead to add, at the beginning of the chapeau: “In consultation with workers and their representatives;”. This proposal was adopted.
- 450.** In paragraph 13, the Workers proposed to add, at the end of the paragraph, “and should include a risk assessment”. The Employer Vice-Chairperson thought this unnecessary. The proposal was withdrawn.

## 16.8. Violence and harassment

- 451.** In the chapeau of paragraph 2, the Employers proposed to delete “and workers” after “Employers” in the first sentence, since it was inappropriate; to add “applicable” before “international instruments”; and to add “and take appropriate steps commensurate with their degree of control, so far as is reasonably practicable to” after “recommendations of the competent authority”, to be consistent with the Violence and Harassment Convention, 2019 (No. 190).
- 452.** In subparagraph 2(c), the Employers proposed the deletion of “employer, including any disciplinary measures in case of violence and harassment”.
- 453.** In paragraph 3, the Employers’ group proposed to add, after “The employer should” in the first line, “take appropriate steps commensurate with their degree of control, so far as is reasonably practicable to [identify ...]” and to delete all the text after “violence and harassment”. This would remove the list of specific groups and bring the text closer into line with Convention No. 190, since inclusion of the list might imply the exclusion of other categories.
- 454.** The Employers also proposed to delete paragraph 4.
- 455.** The Worker Vice-Chairperson preferred to retain paragraph 4. The Worker expert from the United Kingdom furthermore proposed to add three new subparagraphs at the end of the paragraph.



- 456.** The representative of the ILO Conditions of Work and Equality Department explained the relation between section 16.8 and Convention No. 190. In the chapeau of paragraph 2, though “take appropriate steps” occurred in the Convention, language should not be mixed as the paragraph also concerned national law. Under subparagraph 2(c), it was correct that the wording “disciplinary measures” was not included in the Convention. As regards amendments to paragraph 3, she recalled the discussions preceding the adoption of the Convention, where constituents had agreed to remove the list of categories of workers. With respect to paragraph 4, the paragraph included some elements from the Convention, in particular the obligation of information and training, which was touched upon in subparagraph 4(c), while subparagraph 4(a) appeared in Article 9. Article 9(d) also specified that training should cover the rights and responsibilities of workers in relation to workplace policies. Subparagraph 4(f) also clearly reflected Article 10(g) of the Convention, as well as other relevant international labour standards on occupational safety and health. The references to third parties in subparagraph 4(e) reflected Article 4 as well as Paragraph 8 of the Violence and Harassment Recommendation, 2019 (No. 206), which concerned workplace risk assessment including in relation to third parties such as clients, customers, service providers, users, patients and members of the public. Reporting under subparagraph 4(g) was mentioned in the Convention, as was workplace policy. With respect to the reference to domestic violence in subparagraph 4(j), the Convention recognized the impact of domestic violence in the world of work, while the Recommendation suggested including domestic violence in OSH risk assessments as well as information and awareness raising by employers.
- 457.** The Secretary-General asked the meeting to bear in mind that sectoral codes of practice, even if fully aligned with the language of international labour Conventions, were not binding or subject to ratification or the supervisory mechanisms applicable to ILO standards. Codes were aspirational in scope, aimed at expanding the principles laid down in international labour standards and other international standards and policies.
- 458.** Section 16.8 was referred to the working group, which recommended a new text that had been proposed by the Office for the section, and which took account of the amendments proposed. This text was adopted. For the new text, see the revised text of the code.

## 16.9. Alcohol and drugs at work

- 459.** In paragraph 5, the Employers proposed to replace “abuse” with “addiction” and delete “like any other health disorder at work”.
- 460.** The Worker Vice-Chairperson considered “abuse” restrictive; in the spirit of compromise he proposed “misuse”. In the airline industry, pilots were encouraged to disclose drug and alcohol issues, which were dealt with as a health disorder. Misuse and addiction would give rise to similar workplace issues, but in varying degrees.
- 461.** The Employer Vice-Chairperson had difficulties with “misuse”, since the issue concerned what was a choice by the individual, and in most cases a violation of company policy attracting disciplinary action. It was not to be equated with “addiction”, which was a health disorder necessitating treatment. The “misuse” of drugs and alcohol did not fall under the purview of non-discrimination principles.
- 462.** The Worker Vice-Chairperson, responding to the objection by the Employers, proposed to retain “misuse is a problem at work” and delete “without any discrimination, like any other health disorder at work”. The first sentence should read: “Alcohol and drug misuse is a problem at work and therefore should be addressed in accordance with national and

international guidance.” This subamendment was accepted and the proposal was adopted as so amended.

- 463.** In paragraph 8, the Workers proposed to invert the order of the first two sentences so as to prioritize counselling and rehabilitation over disciplinary action; to delete “However,” at the beginning of the second sentence; and to delete the last sentence. The Employer Vice-Chairperson rejected the proposal, as misconduct associated with alcohol and drugs was a violation of company policy, and should be dealt with accordingly in order to address the behavioural and security situation, unlike addiction, which was a health disorder requiring treatment as the first step. The Government Vice-Chairperson preferred the original text.
- 464.** Following discussions on the matter in the working group, the Employer Vice-Chairperson proposed to replace the paragraph by the following: “It should be recognized that the employer has authority to discipline workers for employment-related misconduct associated with alcohol and drugs. However, recognizing that each case is unique and different, counselling, treatment and rehabilitation should be the preferred action.” The proposal was adopted.

## 17. Welfare and well-being

### 17.1. General provisions

- 465.** The Employers proposed to delete subparagraphs 1(e) and 1(f), which were taken from the shipbuilding code. The Worker and Government Vice-Chairpersons preferred the original formulation. The matter was referred to the working group, which recommended retaining the subparagraphs with the addition of the words “and, where they exist” at the end of subparagraph 1(e). It was so agreed.
- 466.** In paragraph 4, the Employers proposed to delete “satisfied and engaged”. The Worker Vice-Chairperson preferred the original formulation. The Government Vice-Chairperson had no strong opinion on the issues.
- 467.** The matter was referred to the working group, which recommended retaining the original text. The proposal was withdrawn.

### 17.2. Drinking water

- 468.** In paragraph 1, the Employers proposed to replace “wholesome” with “clean”. The Government Vice-Chairperson preferred the original, which was taken from the shipbuilding code. The Head of Unit proposed that the Office review the wording of other recent texts. As a result, the term “wholesome” was retained.
- 469.** The Workers proposed to delete “, or within reasonable access of,” before “every textiles, clothing, leather or footwear factory”; “reasonable access” would even qualify a shop near the factory as a source of water. The Employer Vice-Chairperson and the Government Vice-Chairperson preferred the original formulation. The matter was referred to the working group, which recommended deletion. The proposal was adopted.

### 17.3. Sanitary and washing facilities

- 470.** The Employers proposed to delete “The employer should ensure the following:” in the chapeau and all the subparagraphs in paragraph 3; and to delete “The employer should ensure that:” in the chapeau and all the subparagraphs in paragraph 4. The Government and Worker Vice-Chairpersons were opposed. The Government expert from Bangladesh

supported the proposal, and, in addition, proposed to add “in line with national laws and regulations” at the end of the chapeaux of the two paragraphs.

- 471. Following discussions in the working group, it was agreed to adopt the original proposal made by the Employers, with the addition of “toilet paper,” before “hand-washing facilities” in paragraph 3. It was so decided.
- 472. In paragraph 5, the Worker Vice-Chairperson proposed the addition of the word “adequate” before “earthing system”. The proposal was adopted.

#### 17.4. Facilities for changing and storing clothing

- 473. In paragraph 1, the Employer Vice-Chairperson proposed to add “, where appropriate,” after “provided” in the chapeau. The proposal was adopted.

#### 17.5. Facilities and shelters for food and drink

- 474. The Employer Vice-Chairperson proposed to delete paragraph 5 in its entirety. The Government and Worker Vice-Chairpersons were opposed. The matter was referred to the working group, which recommended replacing the original paragraph with the following: “The employer should provide food or facilities for heating, warming, obtaining or preparing food and drink.” The proposal was adopted.

#### 17.7. Living accommodation

- 475. The Employers proposed to delete the subparagraphs in paragraph 2. The Government and Worker Vice-Chairpersons were opposed. The matter was referred to the working group, which recommended retaining the original. The proposal was withdrawn.
- 476. The Employers proposed to delete paragraph 4. The Government and Worker Vice-Chairpersons were opposed. The matter was referred to the working group, which recommended a compromise text, to read: “In cases where housing is provided by the employer, the accommodation should comply with minimum housing standards established by the competent authority in the light of local conditions.” The recommendation was adopted.
- 477. The Employers proposed to delete paragraph 5, which seemed excessively prescriptive. The Government and Worker Vice-Chairpersons were opposed. The matter was referred to the working group, which recommended deletion. The proposal was adopted.

### 18. Waste and emissions management

- 478. Introducing the section, which was a new area for an ILO code of practice, the Head of Unit explained that, in proposing this new section on waste and emissions management, the Office had recognized that there was general concern among constituents about the impact of climate change on the world of work. Constituents had committed to advancing decent and sustainable work, including in the resolution concerning sustainable development, decent work and green jobs adopted by the 102nd Session of the International Labour Conference in 2013 and the 2015 *Guidelines for a just transition towards environmentally sustainable economies and societies for all*. The Guidelines contained a specific OSH section that highlighted the need for governments, in consultation with the social partners, to conduct assessments of increased or new OSH risks resulting from climate change. Furthermore, the Guidelines stated that there was a need for governments to assess and define appropriate legislation to ensure companies took appropriate steps to mitigate

adverse impacts on health and safety and, where applicable, the wider environment, throughout the life cycle of products and processes. In referring to other relevant ILO Conventions, the Office had also identified, in Convention No. 174, wording on the need to protect workers, the public and the environment. In this context, it had been decided to focus on two specific issues in textiles, clothing, leather and footwear production, which were waste and emissions management, and the need to minimize the negative impact on workers as well as the community and the environment. It was also noted that growing numbers of enterprises were combining OSH management systems with environmental management systems to build synergies in their operations to protect the environment and to protect workers from safety and health hazards and risks. The proposed section sought to promote such good practice across the textiles, clothing, leather and footwear sector.

- 479. Acknowledging this explanation, the Employers stated that they held reservations regarding the section and proposed to delete it, since in their view the subject was not appropriate to a code of practice on OSH in a specific sector.
- 480. The Government and Worker Vice-Chairpersons were in favour of retaining the entire section.
- 481. Following detailed discussion of various proposals for amendment, a compromise was reached whereby the section was retained subject to agreement on various deletions in this section. All amendments reported as adopted below should be regarded as part of the compromise agreement.

### 18.1. Hazard description

- 482. The Employer Vice-Chairperson proposed to delete the second sentence in paragraph 1. The Worker Vice-Chairperson and the Government expert from Germany preferred to retain it. It was agreed to retain the paragraph as drafted.
- 483. The Employer Vice-Chairperson proposed to delete paragraph 2. It was agreed to delete only the phrase “in the textiles, clothing, leather and footwear industries, including but not limited to extreme heat and air pollution”.

### 18.2. Risk assessment

- 484. The Employers proposed to delete paragraph 6, which seemed vague. The proposal was adopted.

### 18.3. Control measures

- 485. In paragraph 1, the Worker expert from the United Kingdom proposed to delete “and the protection of public health in the vicinity of textiles, clothing, leather and footwear factories.” The proposal was adopted.
- 486. The Government Vice-Chairperson proposed that paragraph 3 read: “The employer should undertake to eliminate or reduce emissions of smoke and chemicals, as well as the disposal and discharge of solid waste, effluent and hazardous waste, in accordance with laws and regulations” and to delete the subparagraphs. The Employer Vice-Chairperson proposed that the phrase “in accordance with national laws and regulations” be placed at the beginning. With this change the proposal was adopted.

#### 18.4. Emissions of smoke and chemicals

487. The Government expert from Germany proposed to delete the sentence at the end of the chapeau of paragraph 1, which read: "This includes but is not limited to:" and to delete the subparagraphs. The Employer Vice-Chairperson agreed with the deletion, and proposed to add "on workers" at the end of the first sentence. The Worker expert from the United Kingdom preferred the phrase "workers, the public or the environment", which was found in Article 6 of Convention No. 174. The proposal was agreed as proposed by the Government expert from Germany.
488. In paragraph 1, the Employer Vice-Chairperson proposed to delete "the impacts of the emissions of". The proposal was adopted.

#### 18.5. Solid waste

489. In paragraph 1, the Employer Vice-Chairperson proposed to move "in accordance with national laws and regulations" to the beginning of the paragraph. The proposal was adopted.
490. The Employer Vice-Chairperson proposed to delete paragraph 2. The proposal was adopted.

#### 18.6. Effluent

491. In paragraph 1, the Employer Vice-Chairperson proposed to insert "production of" before "effluent". The proposal was adopted.
492. In paragraph 2, the Worker expert from the United Kingdom proposed to add ", in line with national laws and regulations," before "strive to be a good water steward". The Employer Vice-Chairperson proposed that "strive to be a good water steward by understanding and" be deleted, and "managing" replaced by "manage"; and that the paragraph end at "associated risks". These proposals were adopted.
493. The Employer Vice-Chairperson proposed to delete paragraphs 3 and 5. The proposal was adopted.

#### 18.7. Hazardous waste

494. The Employer Vice-Chairperson proposed to delete paragraphs 2 and 3. The proposal was adopted.

### ► III. Final sitting

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495. At its final sitting, the experts completed consideration of the outstanding amendments. It then proceeded to adopt each of the sections of the code individually with the agreed amendments.

#### Appendices

496. The text of Appendices I and II were adopted as drafted.

#### Adoption of the code of practice

497. The code of practice was adopted as a whole.

## Closing statements

- 498.** The Secretary-General congratulated the experts on having completed the adoption of what had proved a challenging text. The outcome offered valuable guidance that would promote safety and health in the textile, clothing, leather and footwear industries. She thanked the Chairperson for his very able conduct of the sittings, which had been complicated and long. She also thanked the secretariat and other ILO colleagues.
- 499.** The Employer Vice-Chairperson paid tribute to the joint effort by all the experts to produce a valuable code of practice on OSH in the textiles, clothing, leather and footwear industries, a subject that employers took to heart. The initiative to draft a code of practice had in fact come from the Employers' group of the ILO in 2019, which was a reflection of the commitment of employers to improve safety and health at work. He thanked all those whose work had contributed to the success of the meeting, including the group secretariats and the Office staff. The meeting marked a high point in his involvement with the ILO. The experience had been fun, and despite the difficulties encountered had produced a result of which all could be proud.
- 500.** The Worker Vice-Chairperson paid tribute to the major efforts by the Secretary-General and her team to ensure the success of the meeting, which had resulted in a code of practice that offered a strong foundation for promoting standards and compliance in the sector. It would improve working life throughout supply chains and would harmonize conditions of work and employment while promoting a level playing field for all manufacturers in the sector. He thanked those behind the scenes for their hard work, which had helped ensure the meeting's success. He congratulated all participants on their achievement.
- 501.** The Government Vice-Chairperson thanked the Secretary-General and her staff for their unfailing support and guidance. All the government experts had contributed to the meeting, including those attending as observers and online, and he thanked them for their contributions. He paid tribute to the Employer and Worker Vice-Chairpersons for their experience and skill, and thanked the Chairperson for his patient, skilful and wise conduct of the sittings. He thanked those behind the scenes who had facilitated the meeting's progress. The resulting code of practice concerned over 60 million workers worldwide, and would have a major impact on the world of work in helping ensure a safer working environment for all. It had been a great pleasure to return to a real face-to-face meeting and not totally online. The adoption of the code of practice was a major achievement.
- 502.** The Chairperson paid tribute to the experts, their advisers and secretariats, both those present and those on line, for their relentless support for the successful completion of a long process to adopt a new ILO code of practice on safety and health in textiles, clothing, leather and footwear. This historic and important code of practice marked a major step on the journey to promote decent, productive and sustainable work in the textiles, clothing, leather and footwear industries. The real work now began, namely to join forces to apply the code. Those who had participated in this historical meeting should be champions ensuring that the code reached all those involved in the industry. He expressed his personal gratitude to all involved in this important process. He thanked the Secretary-General and her team for the support provided before and throughout the meeting, as well as the secretariat support staff, translators and interpreters, without whom such a meeting would be impossible. The opportunity to chair this meeting had been a great personal honour and concerned OSH, a subject on which he remained passionate.