

Guidelines for labour inspection in forestry

International Labour Organization

Guidelines for labour inspection in forestry

International Labour Office Geneva

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Guidelines for labour inspection in forestry

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Preface

These ILO guidelines provide orientation to governments, employers and workers, about labour inspection in forestry. The guidelines were adopted unanimously by a Meeting of Experts held in Geneva from 24 to 28 January 2005. The good collaboration among all participants led to the achievement of a consensus on a comprehensive and practical set of guidelines, which, if widely applied, will be useful for all who work in forestry. The Governing Body of the ILO approved the publication of the guidelines at its 292nd Session (March 2005).

These guidelines begin with a background to forestry and its labour issues, followed by an introduction to managing labour standards in the sector. The main part of the publication includes two chapters, which focus on the implementation of the guidelines, the evaluation of what has been implemented, as well as the organization of labour inspections and how to assess compliance. The text is complemented by annexes, which include sample checklists and aides-memoires for forest managers and labour inspectors.

Forestry provides an important contribution to the economic development of many countries, generating foreign exchange and employment. Management is crucial for the development of this sector, which has brought in new technologies and cultivation practices, in order to remain competitive. Since the times of the United Nations Conference on Environment and Development (Rio de Janeiro, 1992), the idea of sustainable forest management has been widely supported throughout the world. The ILO is actively involved in the development of social standards for sustainable forest management, with a focus on labour standards. The present guidelines are an important part of these efforts of the ILO.

Guidelines for labour inspection in forestry

This new set of guidelines provides practical suggestions related to labour inspection, ensuring that the working conditions of all those involved in forestry activities, in large and small enterprises, are afforded the highest priority.

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Introduction

The contribution of forestry to the economic development of many countries is significant. Forestry can generate sustained benefits, notably from timber for many downstream industries and from a variety of non-wood products. Both are traded globally. Thus forestry can generate foreign exchange and many jobs. The forest industry has introduced new technologies, management systems and silviculture practices in order to remain competitive and sustainable, and it continues to develop them. Forest management therefore plays an important role in the process of economic development and in bringing prosperity to the many who are directly and indirectly involved.

Good forest management should generate considerable revenue and benefits for the enterprises and workers concerned. While some forests are located in areas with good road access built by the enterprises, most forest operations are in remote areas that are difficult to reach. The majority of forest workers in these areas are locals. For them, the forest is the main source of employment and income. Thus, in these areas there are generally strong links between forest enterprises and workers. Forest enterprises generally provide the basic needs of the community; some may go further by also providing social and cultural facilities.

In the years since the adoption of Agenda 21, the global action plan for environment and development by the United Nations Conference on Environment and Development (Rio de Janeiro, 1992), the world has reached a consensus on the importance of sustainable forest management. Virtually every country in the world has adopted some form of sustainable forest management for both public and private forests. As part of the global community, the ILO has been at the forefront in

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developing social standards for sustainable forest management based on the clear relationship between sustainable development and labour standards in the forestry sector.

In accordance with the decision taken by the Governing Body of the ILO at its 287th Session in June 2003, a Tripartite Meeting of Experts on Labour Inspection in Forestry was convened in Geneva from 24 to 28 January 2005 to draw up and adopt guidelines on labour inspection in forestry. The Meeting was composed of five experts appointed following consultations with Governments, five appointed following consultations with the Employers' group and five appointed following consultations with the Workers' group of the Governing Body.

The guidelines address some of the main issues and general principles of labour standards and their inspection in the forestry sector (from planting to logging). The guidelines are aimed at three main users:

- *labour inspectors/certifiers*: state labour inspectors and sustainable forest certifiers who are evaluating compliance with labour standards in forestry enterprises, as well as others, such as internal auditors;
- *forest managers*: individuals and management teams responsible for running forest enterprises and implementing labour standards in such enterprises, including employers, senior managers, workers, contractors, self-employed people and forest owners;
- *training and educational organizations*: organizations responsible for training both forest management staff and inspectors.

The guidelines are based on the principles contained in relevant ILO Conventions and Recommendations, and make use of existing interpretations of these, in particular the ILO code

of practice *Safety and health in forestry work, Social criteria and indicators for sustainable forest management: A guide to ILO texts and Approaches to labour inspection in forestry: Problems and solutions* (see Annex 2).

The guidelines are set out in five main sections. Chapter 1 provides a background to the forestry sector and the labour issues encountered in forestry work. Chapter 2 is a general introduction to managing labour standards in forestry. Chapter 3 presents guidelines in a modular format that enables forest managers to implement them and inspectors to evaluate that implementation. Chapter 4 contains general guidelines for organizing labour inspections and assessing compliance. The annexes comprise sample checklists and aides-memoires for forest management and labour inspectors on the issues to cover when implementing and evaluating labour standards, bringing together the guidelines in Chapter 3.

The guidelines should be read in the context of the conditions in the country where they will be used.

1. Background: Labour standards in forestry

1.1. General description of labour issues in forestry

Working conditions and the working environment in forestry have particular features that distinguish forestry from many other industries. Worksites are usually temporary and scattered; facilities are more difficult to arrange than at permanent work premises; climatic, topographical and biological conditions, and the large share of contractual and seasonal workers, have significant impacts on labour issues and on the welfare of labour.

In most countries the forestry sector is characterized by a public or state forestry service, a few large integrated enterprises producing for international and domestic markets, and a large variety of small and medium-sized forest industry units. A large part of forestry work is carried out by contractors (contractor enterprises), the size of which may vary from one to two people to hundreds of workers. In these enterprises, there are direct workers and also contract workers whose employment status may not always be clear. Small-scale forestry employs self-employed persons in their own forest holdings. Temporary workers and contractors are common in small-scale forestry.

General working conditions

General working conditions include hours of work and rest periods, procedures related to dismissal and remuneration, and other aspects agreed in an employment contract or collective agreements. Provisions may concern rights and responsibilities related to cooperation at the workplace. They apply to all sizes of enterprise, but the approaches to the management of labour conditions may be different. Large enterprises may have com-

prehensive systems and procedures to ensure that the requirements for working conditions are met. Small enterprises may benefit from better communication between management and staff and greater flexibility of practices.

Working hours in forestry are often more flexible than in other sectors. Many tasks can be performed quite independently, weather conditions may affect the possibility to work, managers are not able to control exact working hours, and, in rural areas, work traditions may affect the availability of labour.

In many countries forestry is a low-paid industry (although there is less discrepancy between forestry and other industries in developed countries). As forestry work tends to be seasonal, annual income may be low even though daily rates are relatively high.

In many countries it is up to the employer and worker or their organizations to agree on remuneration. Minimum levels of pay may be set in statutory instruments. Remuneration can be based on piece rates, time wage or combinations of these. Under no circumstances should the payment system encourage workers to take risks or to engage in unsafe work to meet production targets.

In the forestry sector, group wage systems may be in use. The group members divide the sum they have received for a certain task. Helpers are often used in felling, and the wage can be paid by the chainsaw operator or by the main employer. All these arrangements require clear and precise agreements, not only on remuneration, but also on arrangements for supervision and on other rights and responsibilities.

Living conditions

Forestry workers are sometimes required to stay at temporary work camps in remote areas to remain near their place

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of work. Camps are usually owned and managed by employers. Geographic isolation can make enforcement of labour standards more difficult. Standards of living should not threaten the health and safety of workers and adequate facilities for eating, sleeping, washing, cooking and, where possible, communication should be provided. There should always be access to sufficient drinking water and food.

Equal opportunity and vulnerable groups

Groups of workers who are exceptionally vulnerable to infringements of ILO labour standards include migrants, workers with language skills different from the dominant culture, women working in remote locations in non-traditional jobs, the young and those in extreme poverty. Other groups of workers who may be more prone to accidents and injuries include the young, the old and, in some cases, women. The protection of young children was, in fact, the origin for labour inspection in the nineteenth century.

Young workers are not always capable of defending their rights or negotiating serious work-related problems. They are particularly at risk from heavy physical work. The employment of children below the age of completion of compulsory schooling (or 15 years in most countries) should be prohibited by minimum age restrictions. Ageing workers experience a gradual decline in their physical working capacity, but often have great resources of experience and knowledge. Work should be adapted to their needs. Maternity protection needs special consideration, in particular when chemicals are used and in physically demanding tasks.

Many countries have benefited from immigration and immigrant workers in the forestry sector. The integration of immigrants to the life of work is a key issue in promoting mutual

benefits. Regardless of the nationality and status of workers, the same level of safety, health and other criteria of decent work should be met. If this equality is neglected, integration and social balance may not be reached.

Migrant workers are often in a weaker position than local people when it comes to defending their rights or meeting their responsibilities. There may be language problems leading to difficulties in the communication of work instructions. Cultural differences and preferences may bring tension to the workplace and act as a barrier to social integration. Migration can also lead to problems of illegal work, in which case the areas of safety and health, remuneration and social security, and all other aspects of decent work may be poorly regulated. This may need the intervention of and cooperation by several different authorities.

Occupational safety and health

Forest workers are faced with serious occupational safety and health (OSH) risks. However, the experience of several countries and forest enterprises shows that, through practical efforts, the standard of OSH can be improved considerably.

Public labour inspection is one of the fundamental ways of enhancing safety and health and general working conditions in the forestry sector. The technical development of forestry tools, operational procedures and the mechanization of high-risk operations can also improve occupational safety and health and productivity. However, other organizations, such as government agencies and employers' and workers' associations, can provide useful help and input to OSH management.

In most countries, the rates of accidents and occupational diseases are still high in the forestry sector. However, in some countries with good management practices and legislation, the rate is similar to the general industry average. In some regions

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in the world, rates of fatal accidents can be dozens of times higher than in other regions.

Within the forestry sector, accident rates are highest in logging work. Felling of trees, lifting and extraction of logs, and repair and maintenance work carry high accident risks. Many accidents take place in the transportation of timber and in travel to worksites. In silvicultural activities, accidents are less frequent and less serious, but are still relatively common. Slipping, falling and cuts by sharp tools or hand-held machines are the most common causes.

Even in forestry work, however, most accidents are avoidable. Regardless of the work, accidents are normally caused by poor organization and supervision, inadequate tools and equipment, poor planning, and lack of skills and competence among workers, supervisors and managers. Terrain and weather conditions increase accident risk but are often excuses for, rather than the principal causes of, accidents.

Small-scale operations on farms and private small-wood holdings are of particular concern. These situations and tasks are often neglected in analysing safety and health and in carrying out improvement projects. In small-scale forestry, the risk of accidents tends to be high because of poor work equipment and safety gear, unskilled and inexperienced workers, and lack of awareness of safety hazards. Most of these accidents are not reported as they are not covered by accident compensation or other systems for collecting statistics.

Most forest work is physically demanding. Hand-held tools and machines are heavy and moving and lifting timber is strenuous. Mechanization does not necessarily reduce the physical load. In work with machines, it is more common to suffer from one-sided repetitive work, pain in the neck, shoulders and back and other ergonomic problems. Vibrations from machines can

be problematic, as can noise levels. Health problems can be caused by continuous machine operation to meet demanding production objectives.

Work-related negative effects on the physical and mental health of the workers can be experienced if the demands of the work and the work environment exceed the worker's ability to cope with and control work demands. These can be reduced by enhancing worker competence and command of the work, by improving the work environment and by changing the contents and amount of work.

Many organizational aspects can also influence (positively or negatively) the work load. The negative aspects include, for example, excessively demanding or unclear roles, tense relationships and atmosphere, and responsibility for the safety of other persons. Payment systems should never encourage risk-taking.

Chemical agents used in silvicultural work, timber protection and maintenance work may cause health risks if not used correctly. Chemicals should be stored, mixed, used and discharged correctly. They can have short-term acute effects and longer term chronic effects. Adequate protective equipment is necessary. Correct use of personal protective equipment (PPE) and its maintenance is essential for safe work.

In tropical countries, diseases transmitted by insects, such as malaria or dengue fever, intestinal worms or dysentery caused by contaminated food or water can impair workers' health. Hygienic conditions in camps and housing areas are important in this respect.

1.2. Forestry frameworks for decent work

ILO instruments for labour inspection in forestry

International labour Conventions and Recommendations are formal instruments most commonly used by the International Labour Conference to formulate standards. The Conventions are open for ratification by member States. In ratifying an international labour Convention, a member State makes a formal commitment to give effect to the provisions of that Convention, and member States are obliged to bring national legislation and practice into line with their provisions. International labour Recommendations provide guidance and suggestions for national legislation and supportive programmes and institutions. They are not intended for ratification. In the absence of ratification by a country, a Convention can provide – in the same way as a Recommendation – guidance and suggestions for national legislation and supportive programmes and institutions.

International labour Conventions have been codified and referenced by various international treaties addressing the issue of sustainable forest management – such as those adopted in Rio and in Montreal, among others.

In its turn, the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (adopted by the International Labour Conference on 18 June 1998 and endorsed by all ILO constituents) aims to ensure that social progress goes hand in hand with economic progress and development.

The Declaration recalls already existing commitments from the ILO Constitution to respect and promote principles and rights in four categories. These categories are:

- freedom of association and the effective recognition of the right to collective bargaining;

Background: Labour standards in forestry

- the elimination of all forms of forced or compulsory labour;
- the effective abolition of child labour;
- the elimination of discrimination in respect of employment and occupation.

The Labour Inspection Convention, 1947 (No. 81), and the Labour Inspection (Agriculture) Convention, 1969 (No. 129), are the basic instruments for the organization of labour inspection in each country.

Convention No. 81 lays down the main rules governing the setting up, organization, means, powers and obligations, and functions and competence of the labour inspectorate as the institution responsible for ensuring respect for and protection of workers in the exercise of their duties, and for promoting legislation adapted to the changing needs of the world of work. Convention No. 81 deals with industry and commerce. Convention No. 129 establishes a system of labour inspection for the agricultural industry in general; it sets out the rules covering the organization and functioning of the system.

Convention No. 129 mentions forestry as a category of agriculture. It is left to each country to decide if they include forestry with agriculture. Countries with large forest industries have usually decided to leave forestry outside their interpretation of Convention No. 129. However, the sector is covered by Convention No. 81, so labour inspection activities should also comprise forestry inspections.

Forestry frameworks at the national level

Voluntary forest management certification

Since the early 1990s, independent third party (non-governmental) forest certification has become increasingly common in

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the forestry sector. A variety of initiatives have developed guidelines for sustainable forest management based on the idea that sustainable management can be achieved through balanced consideration of environmental, social and economic concerns. Two of the major international forest certification schemes (the Forest Stewardship Council (FSC) and the Programme for the Endorsement of Forest Certification Schemes (PEFC)) incorporate consideration of international labour Conventions into their standards to ensure that certification bodies check on compliance with labour standards and the protection of workers' rights during certification audits.

Certification schemes may have different provisions to forest enterprise affiliations, forest ownership or aggregate ownerships and also be adapted to the characteristics of the country.

The forest certification evaluation process differs from traditional labour inspection in a number of ways including:

- the entire process is voluntary;
- the evaluation period continues over a number of months or longer;
- the evaluator is required to actively solicit extensive stakeholder involvement frequently including civil society;
- the evaluation concludes with a public statement by the evaluator including a recommendation as to whether or not the enterprise or owners will receive certification;
- the social standards evaluated can extend beyond ILO core labour standards.

Some extracts from the relevant standards are shown in the following table.¹

¹ Extract from “FSC principles and criteria for forest stewardship”, Forest Stewardship Council (2000).

Background: Labour standards in forestry

FSC principles and criteria	Requirements
1.1	Forest management shall respect all national and local laws and administrative requirements.
1.3	In signatory countries, the provisions of all binding international agreements such as CITES, ILO Conventions, ITTA, and the Convention on Biological Diversity, shall be respected.
4.2	Forest management should meet or exceed all applicable laws and/or regulations covering health and safety of workers and their families.
4.3	The rights of workers to organize and voluntarily negotiate with their employers shall be guaranteed as outlined in Conventions Nos. 87 and 98 of the International Labour Organization.
<hr/>	
Annex 3: “Basis for certification schemes and their implementation”, from the Programme for the Endorsement of Forest Certification Schemes (PEFC): <i>Basis for National Schemes and their Implementation</i> , technical document, 2003	Requirements
3.3 ILO Conventions	<p>The core Conventions of the ILO, as amended, whether ratified or not, will be respected in the implementation of SFM. The core Conventions of the ILO are as follows:</p> <ul style="list-style-type: none">– Forced Labour Convention, 1930 (No. 29)– Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)– Right to Organise and Collective Bargaining Convention, 1949 (No. 98)– Equal Remuneration Convention, 1951 (No. 100)– Abolition of Forced Labour Convention, 1957 (No. 105)– Discrimination (Employment and Occupation) Convention, 1958 (No. 111)– Minimum Age Convention, 1973 (No. 138)

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In addition to the two major international schemes, national schemes such as the Indonesian Ecolabelling Institute (LEI) and the Malaysian Timber Certification Council (MTCC) standard also include certain requirements relating to the rights of workers.

The LEI contains requirements for:

- equal employment opportunities;
- fair wages and minimum wages;
- improvements in workers' health and welfare;
- maintenance of human rights, including the independence of workers' organizations and the maintenance of workers' cultural integrity;
- health and safety of workers and communities;
- mutually understood work contracts;
- correct handling of labour disputes.

The MTCC standard contains requirements for:

- the fair and equitable sharing of costs and benefits among the parties involved;
- procedures to ensure the health and safety of forest workers;
- respect for the rights of indigenous peoples, local communities, forest dwellers and other forest-dependent communities.

Certification bodies operating under these certification schemes will therefore examine the applicant's performance on some of the key labour issues. Failure by the applicant to address any of these requirements would prevent them being certified and labelling their products with the logo of the forest management scheme.

Several features of third party certification audits should be considered here. First, certification audits, like labour inspections, are based on sampling and can never examine every

aspect of a forestry operation. Where this is the case, the certification body may make use of the findings of labour inspections in determining the outcome of the audit. Second, certification bodies are not permitted to engage with the applicant to offer advice on how to resolve non-conformities that have been identified. In this respect, the remit of the certification auditor is considerably narrower than that of the labour inspector. Finally, the cost of certification under a third party scheme is borne entirely by the applicant. These are market-based initiatives that tend to attract larger companies geared to an international or export market. Forest management certification has been relatively slow to expand in developing countries, especially where enterprises are only operating on the domestic scene. However, some forestry bodies are developing and overseeing phased approaches to certification. The idea behind a phased approach is that it enables a step-wise progression towards certification for forestry enterprises that are not prepared for a full certification audit. This is intended to make certification more accessible to enterprises starting from a lower level of development that are operating in challenging areas. Third party forest certification is currently becoming widespread in certain sectors of the industry.

There is considerable scope for the sharing of information between labour inspectors and certification bodies where such cooperation would bring enterprises into compliance with the requirements of the international labour Conventions more quickly. This should take into account that:

- the information that labour inspectors have obtained through labour inspection about enterprises' compliance with national regulations may be confidential; in this case they should not share this information with non-entitled parties without the agreement of the company;

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- as a rule, enterprises have to comply with applicable national regulations.

Unlike mandatory legal conventions, voluntary forest certification schemes do not require national legislation to be enforced. In some countries a ratified international labour Convention is legally binding. In most countries, the provisions of a ratified international labour Convention should be transposed into national legislation before becoming effective.

It is common that legally binding laws and acts contain references to relevant standards or other norms which in themselves are not legally binding. Laws may allow enterprises to use different approaches to meet the requirements.

Voluntary recommendations, codes of practice and other material describing a practical and realistic level of safety and other work-related conditions are often necessary in assessing compliance with the legislation.

Other organizations can contribute to improving labour standards and may provide information, advice and guidance on safety, health and other working conditions. These include:

- enforcement organizations;
- workers' organizations;
- contractors' associations;
- organizations of self-employed people;
- certification organizations or bodies;
- consultants and advisory services;
- research and training organizations.

In addition to labour inspectorates, enforcement activities are carried out in the forestry sector by many other organizations. The forestry administration monitors compliance with forestry legislations, for example, with concession agreements.

Some accident insurance organizations provide information and consultation to their client organizations, but also enforce compliance with the legislation. Other provisions may also be a condition of full compensation in case of damage or accident. Forest certification bodies assess environmental and economic, as well as social, performance. Certification organizations provide information on the criteria of forest certification systems. Some certification organizations also publish guidelines and advice for forest owners, workers and other stakeholders in meeting the certification criteria.

Employers' and contractors' associations provide information and advice on labour issues. This may include information on new legislation and guidance and advice on meeting the requirements. Employers may organize voluntary schemes on social responsibility. Workers' organizations provide advice, arrange training events and information dissemination, and may publish material. Workers' organizations can negotiate collective agreements either at the enterprise level or at the national level.

Contractors' associations are an important means of improving the management competence of contractors. They organize training sessions and meetings and publish guidance material, formulas and model documents. Organizations of self-employed people are normally found in the agricultural sector. The owners of small forest holdings sometimes have their own organizations.

Consultants and advisory services (extension organizations) provide a large variety of advice, professional help and services to forest owners, managers and other forestry actors. The services may concern OSH, conditions of work, forest management, forest planning and operations, work techniques and financial and administrative duties. Some of the activities may

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be commercially run, and some may be subsidized by public bodies or other organizations.

Training organizations play a key role in improving the skills and competences of workers (e.g. vocational training), but may also offer short courses to managers.

Research institutes are useful partners for large enterprises. Work studies and larger research projects are often set up in partnership with research organizations.

Private sector initiatives

Corporate social responsibility

Corporate social responsibility (CSR) and other similar approaches emphasize the responsibility of enterprises and other organizations. Corporations are becoming increasingly aware of their visibility and their accountability to the public. More importantly, however, the demonstration of responsible business is fast becoming important to attract financial backing from shareholders and investors.

Large internationally operating forestry enterprises have been active in CSR schemes. This approach can be transferred through the supply chain, including suppliers of services, raw materials and products. This can also strengthen the social dimension of sustainable forestry by integrating labour issues more closely as part of social sustainability.

The effective integration of CSR, social sustainability, certification schemes and labour inspections can form a solid basis for a new positive work and business culture in the forestry sector.

2. General introduction to managing labour standards in forestry

In some countries, forest enterprises (and particularly small and medium-sized enterprises) have difficulties in understanding what they are required to do and how they should approach labour standards. This section provides an overview of the management of labour standards in forest enterprises.

2.1. Management systems

It is not usually practical for a forest enterprise to have separate management systems for each issue it needs to address (e.g. for labour issues, environment and quality). Hence, labour standards will be part of a single overall management system.

The management system will depend on the size and complexity of the forest enterprise. For many small enterprises, a formal, documented management system is too complicated and unnecessary. The bigger the enterprise, the more need there is for a formal management system to implement labour standards, codes of practice and other norms. A management system is the structure that connects all aspects of management. Meeting all legal requirements should be part of an effective and comprehensive management system.

Authorities may set requirements for management systems. This is common in industries where the risk of a major accident is high (e.g. in the chemical industry). In the forestry sector, the enterprise can usually build a management system to meet the prevailing circumstances. Such a system should ensure and improve the quality of performance, well-being of workers and the competitiveness of the enterprise. The ILO has adopted the *Guidelines on occupational safety and health management*

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systems: ILO-OSH 2001 (see Annex 2), which is a good international model for building a management system.

Working conditions and other human resources aspects should be integrated into the management system and receive equal priority with other aspects of the enterprise's activities.

2.2. Consultation of workers' organizations

The right of workers to organize and elect representatives should be respected. Employers should be encouraged to engage in meaningful discussions with workers' organizations where they exist. Forestry enterprises should consult with workers' organizations about relevant issues including the organization of work. Effective social dialogue would be facilitated if workers channelled their inputs through these established mechanisms. As far as possible, decisions should be arrived at by consensus.

2.3. Working with contractors

First of all, enterprises, contractors and contract workers operating on a subcontracting basis should clearly define the sequence of their own responsibilities and duties and those of the commissioning party under national legislation and international recommendations, such as paragraphs 45 and 46 of the *Code of practice on safety and health in forestry work* (page 21 of the English version, reproduced in the box below) and ensure compliance with them. Given the variety of subcontracting arrangements, responsibility for treatment of the workers may rest on the contractor in one country and the enterprise for which the latter works, in another. Therefore labour inspectors should be perfectly aware of the legal situation in their country as regards

the distribution of responsibilities between the enterprise which contracts for the work and the contractor who carries it out, and who in turn subcontracts workers for the purpose.

45. Employers and commissioning parties contracting out services should promote stability and low rates of turnover among their workers and contractors.

46. When using contractors, the commissioning party should ensure that:

- (a) the same safety and training requirements apply to the contractors and their workers as to the workers in the enterprise;
 - (b) where required, only such contracts are used that have been duly registered or hold licences;
 - (c) contracts specify safety and health requirements as well as sanctions and penalties in case of non-compliance. Contracts should include the right for supervisors mandated by the commissioning party to stop work whenever a risk of serious injury is apparent and to suspend operations until the necessary remedies have been put in place;
 - (d) contractors who repeatedly violate their contractual obligations are excluded from future bidding.
-

2.4. Working with small enterprises

Bargaining groups formed by workers in small enterprises may not be able to gain legal recognition as workers' organizations. In some countries, there is legislation that specifies the minimum number of workers that an enterprise should have before it is legally obliged to recognize an organization of its workers.

Many small enterprises rely on family labour, including children. Just as in large enterprises, adherence to the requirements of the international labour Conventions is necessary in all cases. No child under 13 years may be employed (under 12 years

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in some developing countries), even for light work, whether or not the child is employed for wages. However, the means by which compliance is achieved may be different. For example, it may not be necessary for a small enterprise to produce documented policy detailing the tasks that young people may or may not carry out when verbal communication and instruction would be equally efficient and effective.

Workers employed by small enterprises on a temporary or casual basis should also receive remuneration not less than the established minimum wage.

Workers should have the same level of safety and health regardless of the size of the enterprise. Small enterprises will address OSH management in a different way just as there are differences in other areas of management systems.

Risk assessment is very different in small, medium-sized and large enterprises. In an enterprise with a couple of workers carrying out normal forest work, risk assessment is simple; often it can be done in a couple of hours, where in large enterprises special systems for risk management would be required. Note that even in small enterprises risk assessment should include all contractors and self-employed workers. Whatever the size of the enterprise, the findings of risk assessments should be used to develop safe working practices that are appropriate to the size and means of the enterprise. Personnel should be trained or instructed in how to work safely. Accidents and any ill health caused by the work should be noted and continuous efforts to improve performance should be made.

Small enterprises should also be legally compliant where there are requirements for skills qualifications to operate vehicles, tools or machinery. Small enterprises will need to know the legal requirements. However, small enterprises should not be expected to conduct an analysis of staff training needs, as any shortcomings should be obvious.

3. Implementing the international labour Conventions

The guidelines on implementing the international labour Conventions are applicable to both labour inspection and forest management.

These guidelines are divided into a series of topics, which are based on *Social criteria and indicators for sustainable forest management: A guide to ILO texts* (see Annex 2). The topics to be covered in these guidelines are:

- 3.1. The right to organize and bargain collectively
- 3.2. Prohibition of forced labour
- 3.3. Child labour
- 3.4. Equality of opportunity and treatment (non-discrimination)
- 3.5. Fair remuneration
- 3.6. Occupational safety and health
- 3.7. Workforce qualification and training

There is a module for each topic, which covers:

- the requirements of international labour Conventions and codes of practice;
- guidelines for the management of the forest enterprise on meeting the requirements;
- guidelines for inspectors on what to look for during inspections.

In each module, the relevant Conventions and their key points are highlighted. The guidelines for meeting the requirements are intended as an aid to forest managers. They offer

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practical suggestions of the systems and procedures an enterprise should implement to ensure that it complies with ILO requirements. The guidelines for inspectors are drawn up in a similar way and provide instruction on how labour inspectors can check that enterprises meet ILO requirements.

3.1. The right to organize and bargain collectively

Introduction: ILO requirements

The Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), concern the rights of workers and employers to organize themselves in workers' or employers' organizations and to bargain collectively. These Conventions affirm the principle of freedom of workers' organizations and the rights of workers and employers to join organizations of their own choosing. Workers and employers should be able to join associations without fear of intimidation or reprisal. Bargaining and negotiations with workers' organizations should be carried out in good faith with every effort made to come to an agreement.

The ILO Governing Body Committee on Freedom of Association, which is a supervisory body for the application of Conventions Nos. 87 and 98, has explained its views in more than 2,000 cases involving detailed and specific facts. Along with the experience of the Fact-Finding and Conciliation Commission on Freedom of Association, the ILO has identified behaviours typically used to infringe the right to freedom of association and the right to bargain collectively. These include:

- use of civil authorities to arbitrarily arrest and detain those seeking to form or join associations;

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- non-financially based confiscation of the property of organizations advocating freedom of association and the right to bargain collectively;
- permitting private parties, with impunity, to physically intimidate those seeking to exercise their right to freedom of association and collective bargaining;
- limitations on membership in associations based on gender, national origin (migrants), religion or race;
- blacklisting advocates of freedom of association and collective bargaining.

Conventions Nos. 87 and 98 are included in the ILO Declaration on Fundamental Principles and Rights at Work. Most ILO member States have ratified these Conventions.

The basic requirements of the international labour Conventions Nos. 87 and 98 are:

- the right to establish and join organizations without previous authorization;
 - the right to draw up constitutions and rules and to elect representatives in full freedom, to organize their administration and activities and to formulate their programmes;
 - that membership of such organizations shall not prejudice the employment, or cause the dismissal, of a worker;
 - that the public authorities shall refrain from any interference which would restrict this right;
 - that workers' and employers' organizations enjoy protection from acts of interference by each other;
 - to encourage and promote the development and utilization of voluntary collective bargaining to regulate terms and conditions of employment.
-

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Meeting the requirements

1. Workers, both permanent and temporary, and self-employed contractors, have the freedom to establish and join their organizations. The employment or dismissal of a worker should not be prejudiced by membership in a workers' organization. Neither should membership of a workers' organization influence the treatment of workers, the division of tasks, remuneration and career opportunities.
2. Forest managers should ensure that workers' freedom to organize is respected. Workers and self-employed contractors should be treated equally with respect to their freedom of association.
3. Employers have the same freedom to join employers' associations. This should facilitate good cooperation and understanding between employers, managers and workers.
4. A clear policy explaining the basis on which the enterprise enters into discussions with workers' organizations would be a useful instrument.
5. It would also be useful to explain the rights of workers under Conventions Nos. 87 and 98 in written and oral contracts. Forestry workers are often among the labour groups that are least aware of workers' rights, due to language and communication problems and low levels of literacy. This should not affect the expression of their rights.

Guidelines for inspectors

Specific expertise needed for assessing this topic:

- knowing when national legislative limitations concerning the freedom of association for certain groups of workers or managers are in compliance with the international labour Conventions;

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- knowing when legislation about the employer's obligation to recognize workers' organizations, e.g. with respect to number of workers, is in compliance with the international labour Conventions;
 - knowing about recent disputes relating to labour rights.
-

1. Before visiting the site, inspectors should check whether a workers' organization is present.
2. Inspectors should check that the enterprise has an appropriate policy to negotiate collectively with workers' organizations.
3. Inspectors should conduct interviews with employers, workers and representatives of workers' organizations to find out about membership, if any. They should look for any recent disputes regarding freedom of association or collective bargaining, the cause of those disputes and the means by which they were resolved.
4. Inspectors should check the records of meetings and negotiations between employers and workers' organizations, and the results that were reached.

3.2. Prohibition of forced labour

Introduction: ILO requirements

The Forced Labour Convention, 1930 (No. 29), covers the use of forced labour, its suppression and the conditions under which it may be acceptable. Private individuals, companies or associations are forbidden to use forced labour. Any of the above that are using forced labour when the Convention is ratified, shall completely suppress its use from the date the treaty comes into force.

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The Abolition of Forced Labour Convention, 1957 (No. 105), supplements Convention No. 29 explicitly to prohibit recourse to forced labour for the purposes of political coercion, labour discipline, punishment or discrimination.

Even if the country in question has not ratified these Conventions, the ILO Declaration on Fundamental Principles and Rights at Work (1998) lays down that all members of the ILO have a responsibility to respect and promote the elimination of all forms of forced or compulsory labour.

The basic requirements of the international labour Conventions are:

- to suppress the use of forced labour in the shortest possible time;
 - that forced labour shall not be permitted for the benefit of private individuals, companies or associations;
 - that no concessions to private individuals, companies or associations shall involve forced labour for the purposes of that individual, company or association.
-

Meeting the requirements

1. Forced labour is defined as work that is extracted under the threat of any penalty and for which the person has not offered himself or herself voluntarily. It is strictly prohibited.
2. Forced labour includes debt bondage, whereby a contractor pays back a loan of capital through production of a commodity. Rates are commonly set so low that the contractor remains permanently indebted to the loan provider.
3. Forced labour includes all forms of debt bondage and labour that is used for the following purposes:
 - as a means of political coercion or punishment;

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- to promote economic growth/development;
 - as a means of labour discipline;
 - as a punishment for having participated in strikes;
 - as a means of discrimination (racial, social, national or religious).
4. All workers should have voluntarily accepted the terms and conditions of their employment and should not have been forced or coerced to work.
 5. It is recommended that all workers and any type of contractors have written contracts to demonstrate their acceptance of the terms and conditions.
 6. In addition, the forest manager should monitor the situation in the enterprises with which he or she has contact or from which he or she is buying products or services.
 7. The forest manager should also consider the partner enterprises to whom he or she is providing products or services. In no case should the enterprises in question be permitting or supporting the use of forced labour.

Guidelines for inspectors

Specific expertise needed for assessing this topic:

- an awareness of any recent disputes (regional or national) concerning the use of forced labour;
 - knowledge of national regulations in the field of forced labour.
-

1. Inspectors should contact all relevant enforcement and monitoring organizations and workers' organizations to obtain relevant background information before visiting the enterprise.

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2. Inspectors should conduct separate interviews with workers (including self-employed contractors), with workers' representatives and with representatives of management to satisfy themselves that forced labour is not being used.
3. Inspectors should collect a sample of workers' names from different sections of the enterprise and check that the enterprise maintains copies of their signed contracts of employment.
4. If the site is remote, workers may be obliged to buy supplies of consumables from a company store. The prices of goods in such a store should be accessible to all who are dependent upon it, and should not place an unacceptable credit burden on workers. This should be addressed in discussions with workers and workers' representatives.

3.3. Child labour

Introduction: ILO requirements

Child labour is covered by the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182). These Conventions are included in the ILO Declaration on Fundamental Principles and Rights at Work.

National legislation derived from Conventions Nos. 138 and 182 usually sets a minimum age at which children may work and the ages below which young people may not participate in hazardous work, and may set requirements for attendance at full-time education. Exceptions may be permitted for informal work within a family context (e.g. non-commercial agriculture in developing countries), but are unlikely to apply to commercial forestry activity.

The basic requirement of the international labour Conventions is:

- strict adherence to minimum age provisions of the international standards.
-

Meeting the requirements

The well-being of children, their personal development and protection should be ensured at all times by the employer.

1. Forest managers should ensure that they know the legal minimum age at which they may employ children and young people in their country. If the minimum age is not specified, children who have not reached the age of completion of compulsory schooling or who are under the age of 15 should not be employed in any case.² Young persons under the age of 18 should not be employed in hazardous work unless they have received specific training and their health and safety are fully protected, in which case they may be employed as of the age of 16.
2. Forest management should document a policy regarding the employment of young people, defining the jobs which can be undertaken, hours worked, part-time work and educational facilities, among others. The policy should be communicated to contractors with a clear statement that they will be expected to comply with the policy.
3. Forest management should establish a system to check and record a worker's age when joining.

² ILO: *Combating child labour: A handbook for labour inspectors* (Geneva, 2002).

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4. Forest management should check retrospectively that no children below the minimum age are employed currently, either directly or through contractors.
5. Forest management should ensure that any children who are working part time on the forest management unit have access to appropriate education facilities, which can be combined with their work.

Guidelines for inspectors

Specific expertise needed for assessing this topic:

- an understanding of national legislation relating to child labour and compulsory education;
- an understanding of the main principles of child labour monitoring through labour inspection action.¹

The ILO publication *Combating child labour: A handbook for labour inspectors* gives comprehensive guidance on the subject (see Annex 2).

¹ In collaboration with the ILO and the International Association of Labour Inspection (IALI), the Dutch Labour Inspectorate has set up a child labour helpdesk to provide assistance to labour inspectors on child labour issues. This can be accessed at www.iali-aiit.org.

Child labour monitoring

Eliminating child labour in hazardous forest work is the main role of labour inspectors in the fight against child labour at national level in the forestry sector. The ILO is currently working on developing schemes describing how workplace information on working children can be shared amongst labour inspectors and which role the voluntary initiatives can play.

Implementing the international labour Conventions

1. Inspectors should ensure that they know the legal minimum age at which forest enterprises may employ children and young people. If the minimum age is not specified, children who have not reached the age of completion of compulsory schooling or who are under the age of 15 (14 in developing countries) should not be employed in any case.³
2. Inspectors should examine the forest enterprise's policy covering the employment of young people and the system which is in place to implement it. The policy should include all age limits in particular tasks, identify hazardous tasks, night work or other criteria, which limit the work of children and young persons.
3. Inspectors should check employment records to ensure that the system is being implemented to check workers' ages.
4. During field inspections, inspectors should look out for any children or young people carrying out work. If children are observed, the inspector should note their names and roles and check with the forest management and workers' representatives for records of their age and occupation. Bear in mind that children can be easily intimidated and may be under considerable pressure from the enterprise. Interviewing children requires sensitivity and it will be necessary to provide reassurance that you are there to help the individual, not just the employer. More guidance can be found in *Combating child labour: A handbook for labour inspectors*.
5. Inspectors should discuss with workers' organizations, workers' representatives and contractors their understanding of the forest enterprise's policy regarding employment

³ ILO: op. cit.

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- of young people and children, to check that the policy is clearly understood throughout the enterprise.
6. Where educational facilities are available, inspectors should visit them and discuss with teachers how children and young people combine work with education.
 7. Inspectors should pay special attention to contractors and contract labour. Forest management should be asked to explain clearly how it ensures that contractors comply with their policy on child labour.
 8. Inspectors should consult with education organizations, medical professionals, parents, organizations that provide activities for children, village organizations and similar to initiate preventive action in eliminating child labour – starting with the most hazardous forms.

3.4. Equality of opportunity and treatment (non-discrimination)

Introduction: ILO requirements

The Equal Remuneration Convention, 1951 (No. 100), concerns equal remuneration for men and women workers for work of equal value. It is intended to ensure that rates of remuneration are established without discrimination on the grounds of sex. Differential rates of pay related to differences in the work performed are not considered contrary to this principle.

The Discrimination (Employment and Occupation) Convention, 1958 (No. 111), defines discrimination as any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, where this nullifies or impairs equality of opportunity or treatment. However, it allows distinction, exclusion or prefer-

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ence in relation to the requirements of a particular job as well as measures of protection or assistance.

Conventions Nos. 100 and 111 are included in the ILO Declaration on Fundamental Principles and Rights at Work.

The basic requirements of the international labour Conventions are:

- equal pay for men and women for work of equal value;
 - no discrimination on the basis of race, colour, sex, religion, political opinion, national extraction or social origin.
-

The Indigenous and Tribal Peoples Convention, 1989 (No. 169), aims to protect the rights of indigenous and tribal peoples in independent countries and to guarantee respect for their integrity. It includes substantive parts concerning recruitment and conditions of employment, vocational training, social security and health. The Convention recognizes that in many parts of the world these peoples are unable to enjoy their fundamental human rights to the same degree as the rest of the populations of the States within which they live.

Meeting the requirements

1. Workers should be recruited on the basis of skills, qualifications and experience. The advancement of staff should be based on these same factors. The dismissal of staff should not be on a discriminatory basis.

Management should have a sensitive approach to the potentially discriminating characteristics. All groups of workers should have an equal opportunity to be nominated as safety representatives or to similar positions and, if equally qualified, to be promoted.

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2. The enterprise should have an equal opportunities policy that covers the recruitment, promotion and dismissal of staff. The policy should incorporate the requirements of the international labour Conventions and any relevant legal requirements present in national legislation.
3. There should be procedures (written or unwritten) to ensure that this policy is implemented.
4. Contractors should have their own policies and practices in keeping with these requirements.
5. Male and female workers should be paid equally for work of equal value, but this does not mean that workers cannot be paid according to their productivity.
6. Convention No. 169 (concerning indigenous and tribal peoples in independent countries) calls on governments to do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards admission to employment, including skilled employment as well as measures for promotion and advancement; equal remuneration for work of equal value; medical and social assistance, occupational safety and health, all social security benefits and any other occupationally related benefits and housing; the right of association and freedom for all lawful trade union activities, and the right to conclude collective agreements with employers or employers' organizations. It also requires that particular attention shall be paid to the establishment of adequate labour inspection services in areas where workers belonging to the peoples concerned undertake wage employment.
7. Work should, as far as possible, be adapted to meet the characteristics of the worker. Special arrangements for dis-

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abled people may be necessary. These do not constitute discrimination against able-bodied workers. In certain tasks, some diseases, disabilities or characteristics of the person may cause risk to the worker or other persons. This should be taken into account in the organization of work and does not constitute discrimination against the disabled staff.

8. Where workers of different genders and backgrounds work together, the employer should ensure that adequate rest facilities are provided and that due consideration is given to cultural traditions.
9. The forest manager should acquire information about the availability of support and advice from other enterprises or social welfare systems which may be able to help (e.g. in adapting work to the needs of disabled people or working women). This kind of cooperation improves working conditions and shows stakeholders that the employer is interested in wider social responsibility. In many countries, society (state, regions, insurance organizations, and others) provides incentives for improving the employability of disabled people.

Guidelines for inspectors

1. Inspectors should review the enterprise's equal opportunities policy for compliance with ILO requirements and the law, and the system that is in place for its implementation.
2. Discussions of employment conditions should be sought with workers' organizations and workers' representatives.
3. Inspectors should establish which jobs are carried out by regular workers, self-employed contractors and hired labour. They should discuss equality with each group, if possible with no management representative present.

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4. During field/site visits, inspectors should note that there should be no evidence of any discrimination which would have prevented workers of either sex from carrying out work for which they have the appropriate skills, qualifications and experience.
5. Inspectors should check that, where appropriate, adequate provision has been made for rest facilities, and due consideration has been given to cultural traditions and gender.
6. Inspectors should check the payroll of the enterprise for a representative sample of workers. They should discuss this with the management representative, representatives of the workers' organization and workers and seek confirmation that there is a rational and non-discriminatory basis for deciding levels of payment.

3.5. Fair remuneration

Introduction: ILO requirements

The Minimum Wage Fixing Convention, 1970 (No. 131), covers the main aspects of fair pay for workers. It requires countries to establish legislation for minimum wages for all appropriate wage-earning groups.

The levels of minimum wages should be set according to the needs of workers and their families, the cost of living and the general level of wages in the country. They should be set in consultation with representative organizations of employers and workers, and, where appropriate, the direct participation of such bodies.

The basic requirements of the international labour Convention are:

- in no case should the remuneration of wage earners be lower than the legal minimum wage;

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- failure to comply with the minimum wage rates must be sanctioned by appropriate penalties.
-

Meeting the requirements

1. Minimum wages may vary by region according to the local cost of living. This is consistent with the requirements of the relevant international labour Convention, but should be specified in national or regional legislation. (It should be noted that a number of countries do not have a defined minimum wage.)
2. Forest managers should be aware of the legal minimum wage for all relevant worker groups, and for all similar occupations in the region. They should have a means of keeping up to date with legal developments in this area.
3. The forest manager is responsible for specifying the appropriate wages at or above minimum required levels for all functions. If there is no minimum wage, or if this is set below a level that will allow an adequate standard of living, wages should be set according to the needs of workers and their families, the cost of living, and the relative living standards of other social groups.
4. It is recommended that all conditions of work are agreed in written form before workers enter employment, particularly their wages and pay period.

Guidelines for inspectors

Specific expertise needed for assessing this topic:

- an understanding of national legislation relating to minimum wage levels for different groups of wage earners;
 - an awareness of prevailing wages and the cost of living in the region.
-

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1. Inspectors should note that the wage at which forest enterprises employ workers is at least as high as that in comparable occupations in the same region, and in no case lower than the established minimum wage. This can be done by:
 - conducting interviews with workers, and, if possible, representatives of workers' organizations; interviews should be conducted without any management representative present;
 - checking the payroll of the enterprise;
 - checking a sample of contracts for workers;
 - checking that payroll records are maintained including all payments and deductions.
2. Inspectors should be aware that forestry workers can be paid either by time or according to production (piece work). They may be paid rates with a production bonus, or daily rates with a daily production target. In either case, workers should earn a wage that is not below the established minimum wage without needing to work extra hours.
3. Wages for forestry workers are often low in relation to other sectors. However, low wages are commonly augmented with other sources of income or benefits such as housing or land available for growing crops provided by the enterprise. Local expertise will be of crucial value in deciding this issue.

The guidelines should take into account that assessing the application of valid regulation in the field of fair remuneration may not always be part of the competence of labour inspectors.

3.6. Occupational safety and health

Introduction: ILO requirements

Occupational safety and health (OSH) are covered by numerous international labour Conventions, the most important of which are the Occupational Safety and Health Convention, 1981 (No. 155), and its accompanying Recommendation No. 164, and the Occupational Health Services Convention, 1985 (No. 161), and its accompanying Recommendation No. 171.

Convention No. 155 requires ILO member States to develop a national policy on occupational safety and health and to enforce OSH laws and regulations through a system of inspection. Convention No. 161 requires ILO member States to develop occupational health services for all workers. Their common objective is to prevent accidents and injury to health by minimizing the causes of hazards inherent in the working environment.

The basic requirements of the international labour Conventions are:

- that employers must ensure that, so far as is reasonably practicable, workplaces, machinery, equipment and processes are safe and without risk to health and safety;
- that employers must take appropriate measures to reduce risks to health from chemical, physical and biological substances;
- that employers must provide, where necessary, adequate protective clothing and protective equipment to prevent, so far as is reasonably practicable, risk of accidents or of adverse effects on health;
- that workers shall be informed of health hazards in their work and shall be given appropriate training in OSH.

The ILO *Code of practice on safety and health in forestry work* contains guidance on specific issues related to forestry work. The code

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of practice is followed in this publication. However, it is important to note that in many countries or small enterprises such best practice is not fully feasible, but gives a good benchmark and direction for further improvements.

Meeting the requirements

Systematic occupational safety and health management

Any employer or other person responsible for forest operations (referred to hereafter as “the forest manager”) should organize work, define duties and tasks, and provide the necessary resources to carry out the work. The forest manager should develop a system which ensures that work is carried out in a safe and healthy manner. The *ILO Guidelines on occupational safety and health management systems: ILO-OSH 2001* can provide guidance in setting up a management system at the enterprise level.

The framework for systematic occupational safety and health management should include:

- (a) Development of an enterprise safety and health policy.
 - (b) Assignment of responsibilities.
 - (c) Identification and management of risks.
 - (d) Employment conditions, qualifications, organization and training of personnel.
 - (e) Provision of adequate resources and safety equipment.
 - (f) Communication and information about risks and their prevention.
 - (g) Documentation, reporting and monitoring.
-

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(a) Development of an enterprise safety and health policy

The policy should be a public statement of the aims of the enterprise with respect to the management of health and safety. It should be a tool to communicate the importance of OSH to managers, workers, contractors, suppliers and customers. It should state the enterprise's goals for improving this through a systematic programme, and should contain a commitment to monitor and review the implementation of the programme.

The policy should be drawn up within the enterprise and with input from both managers and workers (and their representatives). It should be well adapted to the specific needs of the enterprise and the local geographical and social conditions. It should be directly applicable to the work of the enterprise. The safety policy should also apply to other smaller enterprises that work for larger enterprises. According to information received through academics and enterprise managers from some internationally operating enterprises in several countries, some large enterprises require their whole production chain to meet certain minimum criteria in OSH and other labour issues.

(b) Assignment of responsibilities

The forest manager should ensure that all personnel are competent to carry out any assigned work, and have the necessary authority and resources to do so. The management are also responsible for ensuring that workers and contractors are able to meet the OSH requirements. National legislation may specify the responsibilities of the commissioning employer, contractors (including their workers) and contract workers (self-employed workers) at a shared workplace. There should be a management representative with overall responsibility for OSH, and relevant documentation should show named representatives within the enterprise with particular responsibilities.

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- The management has a responsibility to ensure that:
- appropriate measures are in place to ensure that all workers have a safe and healthy working environment;
 - safe working methods and equipment are provided and used;
 - tasks are assigned appropriately;
 - regulations and policies are communicated to all relevant parties;
 - the workers are trained in accident prevention, the use of protective equipment and in the reporting of accidents;
 - the performance of workers and contractors is monitored and appropriately controlled;
 - occupational accidents and diseases are recorded and notified as required;
 - any necessary remedial action is taken.

(c) Identification and management of risks

Each employer should systematically establish and maintain procedures to identify any risks to safety and health associated with the operations of the enterprise. Risks are not always apparent at the time. To ensure that risks are fully identified and assessed, continuous monitoring is necessary. The collection of information for risk evaluation may involve site visits, discussions with staff, interviews with safety delegates, questionnaires, statistics and records on accidents and diseases, and research findings of similar work. There is usually sufficient expertise and knowledge within the enterprise to do this. However, some enterprises may wish to use the services of an external OSH specialist. In some countries, consultation with occupational health services is compulsory.

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Risk assessment should include the following steps:

- identification of factors affecting risk (e.g. working hours, work conditions, equipment);
- classification of risks (the significance of the risk is determined by the seriousness of consequences and the probability of the event);
- identification of appropriate measures to prevent, reduce or mitigate risks;
- follow-up to review the effectiveness of measures to reduce risks.

(d) Employment conditions, qualifications, organization and training of personnel

Enterprises should ensure that all managers and workers have the appropriate skills, qualifications or experience to carry out their particular operations. For certain jobs, national certificates of competence may be required (e.g. driving licences and machine operator certificates). Forest managers should be aware of the national legal requirements and ascertain that the relevant workers have the necessary certificates and/or training. They should also be aware of the legal requirements for working conditions in specific jobs. For example, these may contain provisions for work and rest hours, or minimum age. Where there is no legal requirement, or where the enterprise wishes to apply stricter rules than those required by law, the enterprise may choose to carry out its own in-house training or certification of competence. Records of training and competency amongst staff should be kept as part of a systematic approach to OSH.

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This applies to contracted labour as well as to permanent workers. When using contractors, the forest manager should ascertain that:

- at least the same safety and training requirements apply to the contractors and their workers as to the workers of the commissioning employer;
- contracts specify safety and health requirements, sanctions and penalties in case of non-compliance;
- the commissioning party has the right to intervene in dangerous operations to remedy any problems;
- compliance with safety and health requirements is controlled as effectively as other areas of the contract (e.g. quality management).

In many countries there are certification systems for contractor enterprises and service providers. Contractors may need to be registered or hold licences. There may be national, regional or other lists of competent contractors.

(e) Provision of adequate resources and safety equipment

Sufficient resources should be allocated to ensure the effective implementation and maintenance of safety and health measures. Resource provision should be reviewed regularly. Personnel should be encouraged to draw attention to any perceived shortcomings.

Safe and effective forest work requires work equipment which is appropriate to the work and to the prevailing conditions. Even simple and old equipment can be safe; modern or complicated equipment may cause risks if it is used incorrectly or in conditions or for purposes for which it is not intended. It is the responsibility of the employer to assess the appropriateness of machinery, equipment and tools for the required task.

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The good condition of tools, equipment and machines is a prerequisite for safe and ergonomic work. Workers should receive instruction in the safe use and maintenance of work equipment and they should have the necessary tools and facilities to do the maintenance work. The skill of maintaining work equipment is one of the key practical steps in improving occupational safety and productivity.

The selection of tools, equipment and machines that are appropriate to and practical for the work and environment concerned is important for safety and health. Failure to do so cannot always be corrected later, or the subsequent prevention of risks to acceptable levels may be difficult and expensive. The enterprise should operate a rolling programme of work equipment maintenance. The enterprise should make contractors aware of the standards of OSH that they are expected to attain. Contractors should be aware of their responsibilities for the upkeep of their own work equipment to facilitate safe and healthy work.

(f) Communication and information about risks and their prevention

The forest manager should establish and maintain procedures to ensure that workers, contractors and self-employed persons are aware of the safety requirements, responsibilities and roles of everyone in the workplace. Workers and contractors should be aware that it is their responsibility to carry out their work in a safe manner. It is important to provide mechanisms by which workers and contractors can communicate OSH issues and concerns to management. Workers have the right to choose OSH representatives to liaise with management on their behalf, and to stop work if there is an imminent risk of accident or a danger to health.

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Measures should be taken to ensure that there is close co-operation between employers and workers to promote safety and health. Such measures could include:

- the establishment of health and safety committees with representatives of the employer and workers, which have well-defined roles and duties;
- the appointment of elected workers' safety representatives with well-defined roles and responsibilities;
- the appointment by the employer of suitably qualified and experienced persons to promote and advise on safety and health matters;
- the training of both safety representatives and committee members.

(g) Documentation, reporting and monitoring

Relevant information concerning safety and health should be collected and kept up to date. It should be readily available to managers, workers' representatives, safety and health authorities/labour inspectors and any other parties concerned.

Documentation should include at least information on relevant legislation, OSH policies, strategic objectives and implementation strategies, named OSH representatives and the tasks and responsibilities of management, supervisors, workers and contractors. Records should be kept of:

- the findings of risk evaluation and risk management, including a list of all hazardous substances used in the workplace;
- all occupational accidents, occupational diseases and dangerous occurrences and remedial action taken.

Many countries have legal requirements for the reporting of accidents and occupational diseases (e.g. accidents leading to

absence from work for a certain minimum period or accidents involving certain types of injury). Forest managers should be aware of these requirements. Adequate reporting of accidents should guide improvements to working practice.

Specific provisions for safe and healthy forestry work

Many forestry operations are hazardous and require the use of machinery for which specific training is necessary. They are often carried out in remote locations, with associated risks of limited access to medical facilities, poor maintenance of machinery, inadequate management supervision and poor living conditions. There are, therefore, certain specific provisions that can be suggested for good OSH management in forestry. However, any provisions should be guided by rigorous risk assessment as part of a systematic approach.

Testing and certification of equipment

The employer and OSH experts in the enterprise should know the most important machinery safety standards. They should be used to aid selection of the right work equipment. Standards may also be useful in setting procedures for the maintenance of equipment and machinery. (More information can be found in *Safety and health in forestry work*, pages 151-156. See Annex 2.)

Equipment and machinery require continuous maintenance and monitoring. Periodic tests and inspections are needed. For certain machines, testing may be obligatory (cranes, vehicles, vessels), depending on national requirements. Tests and inspections should be recorded. Tests may also be necessary after major repair work.

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Dangerous substances

Dangerous substances include any substance that poses a risk to workers' health or safety. Some examples of dangerous substances in forestry work include chemical pesticides and herbicides, wood treatment chemicals, dust particles and petrol or diesel exhaust fumes. Safety and health when using dangerous substances can be ensured only by proper work methods, equipment and personal protective equipment (PPE). Washing and changing of clothes may be particularly important and need special attention at temporary worksites. For example, in the use of chemicals, attention should be paid to the correct storage and preparation of mixtures and dilutions, the safe means of application, safe disposal of waste and appropriate emergency procedures for spillages and poisoning. Workers should be informed and trained on the risks associated with the use of hazardous chemicals, including long-term health hazards and hazards to reproductive health of both men and women.

Work clothing and personal protective equipment

The employer should assess the potential risk of inappropriate work clothing to workers' safety and health, and, based on this assessment, should ensure that the appropriate clothing and equipment are provided at no cost and used by all workers concerned. If PPE is necessary, certified products should be used whenever possible. The protective capacity of PPE should be regularly monitored. If PPE is repaired it should be assessed and checked to ensure that it retains the original protective capacity. Incorrect repair work may reduce or eliminate the protective properties of the product.

First aid and emergency rescue

Training: Every forestry worker should be sufficiently trained in first aid to meet national and local legal requirements.

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Basic training should include the treatment of open wounds and resuscitation. In areas where work involves the use of chemicals, exposure to smoke or snakes, or other specific hazards, the basic first-aid training should be extended accordingly.

Equipment: Good risk assessment will guide the requirements for first-aid equipment, but an appropriate first-aid kit should be available at the worksite. This should be well maintained and protected from contamination. All workers should know where the first-aid kit is kept and how to obtain first-aid stocks. A personal first-aid pack is compulsory in many countries; purpose-designed work clothing has a pocket for this equipment.

Communication: In cases where forestry work is performed by individuals working alone, the employer should provide a means of contact (e.g. radio, mobile phone). If this is not possible, he or she should be in contact with the worker at least once a day and immediately after the work shift is over. If the worker is not going to maintain this practice, he or she should inform the employer of this in advance.

An example of felling in remote and storm-damaged forest

Felling by chainsaw in storm-damaged forest and in other exceptionally dangerous circumstances should be arranged so that workers are constantly in visual or aural contact with one another. When timber harvesting is taking place in remote areas, there should be appropriate transport to the place where medical assistance can be obtained.

Occupational health services

Occupational safety and health should be provided by professionals who are qualified to deal with health problems specific to forestry work. They should also pay attention to the

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development and safety of working conditions, equipment and work organization. They may also undertake health education measures on, for example, prevention of HIV/AIDS, malaria, dengue, tuberculosis and on promoting vaccination campaigns.

Shelters, housing and travel

Where forest operations are undertaken in remote locations, the enterprise should provide transport for the workers or accommodation near the worksite. Temporary dwellings and forest camps are common in many areas. In all cases accommodation should meet basic living standards such that it does not cause any risk to health and safety, and it should be reasonably comfortable. In the forestry context, it is crucial to ensure that there is access to washing and drinking water and that there are appropriate facilities to maintain hygiene. There should also be an appropriate means of waste disposal.

In addition, at the worksite, the employer should allow workers to take breaks in appropriate conditions. Some protection from heat, cold, rain and wind may be necessary, although there is no fixed definition of what constitutes appropriate protection.

Guidelines for inspectors

Specific expertise needed for assessing this topic:

- good understanding of the national legislation on OSH, including the requirements for PPE;
- good knowledge of forest operations, methods and machinery, and the risks associated with forestry work;
- any additional criteria applicable to the enterprise; this may include codes of practice, concession regulations, mutually agreed instruction and training material produced by forestry

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institutes, manuals for the safe use of machines, international guidelines (e.g. ILO, FAO, certification bodies);

- information about organizations that can support work organizations in improving safety and health (e.g. research and development institutes, funding organizations).
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1. Risk assessment is the main approach to improve OSH. Risk assessment forms a part of total risk management or safety management. Inspectors should discuss with the OSH manager/forest manager how risk assessment is carried out and recorded, how risk mitigation plans are made and how procedures are implemented.
2. Records of all accidents, serious accidents, absence from work because of diseases and ill health should be examined. Inspectors should look for evidence that these records are used by management in the planning of safety measures.
3. Inspectors should check that staff have and use the PPE that is required by law. They should check that this is in good condition.
4. Inspectors should check that workers are competent to use machinery and that safe working procedures are established and in use. Safe working instructions for machinery should be available at the worksite.
5. Inspectors should check that machines and tools are assessed by the enterprise for their health and safety implications, especially latent problems such as musculo-skeletal diseases that may arise from long-term use.
6. During the inspection it may be necessary to make rough assessments of certain parameters such as noise levels, vibration, lighting, exposure to chemicals. Inspectors should

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- check that the enterprise has made a systematic assessment of these factors. If inspectors suspect that levels are unsafe, measuring devices can be used, but precise measurements are usually made by other specialized organizations.
7. In line with national legislation, inspection activities should cover contractors and contract workers. Wherever possible, contract workers and self-employed workers should be inspected together with their employer. The commissioning employer is responsible for the safety of other persons at the worksite. National legislation may have more specific requirements on the division of responsibilities.
 8. Inspectors should check that all workers are registered in insurance and social security regimes where they exist, and that the statutory payments are made where appropriate by the company on their behalf.
 9. Vulnerable groups such as young, old, female, disabled and migrant workers may need special consideration by inspectors. Wherever vulnerable groups are employed, inspectors should check that work tasks are adapted to the needs and limitations of the individual, and that their presence at the worksite does not cause risk to themselves or others.
 10. Migrant workers, including clandestine migrants, should be covered as comprehensively as other workers. Difficulties in understanding the language at the workplace may cause safety risks to the persons themselves or to others.
 11. Inspectors should remember that some of the more general rules for OSH that are applicable to other enterprises may also apply to forestry.
 12. In inspecting housing, camps and food hygiene, the legal and cultural aspects of privacy should be respected.

13. Inspectors should remain within the boundaries of their mandate. An inspector's task is to assess that occupational health services exist and are functioning appropriately, but he or she may not give orders concerning the medical content of OSH services and may not assess the medical competence of medical practitioners, doctors or physicians.

3.7. Workforce qualification and training

Introduction: ILO requirements

Workforce qualification is covered generically in the Human Resources Development Convention, 1975 (No. 142). It requires ILO member States to develop policies and programmes of vocational training sufficient to meet employment needs.

Ensuring adequate workforce qualification and training is one of the most effective ways of preventing accidents and other OSH problems in the workplace. Convention No. 155 requires that there are arrangements to ensure that workers and their representatives are given the appropriate information and training in OSH. The ILO *Code of practice on safety and health in forestry work* contains detailed recommendations for the training and qualification of personnel.

The basic requirements of the international labour Conventions are:

- vocational guidance and employment information should be available to all children, young persons and adults, without discrimination;
- information and guidance should cover, among other things, vocational training and related educational opportunities, employment prospects, promotion prospects, conditions of work,

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safety and hygiene at work, and other aspects of working life and labour relations.

- The ILO *Code of practice on safety and health in forestry work* contains the following provisions:
 - managers and supervisors should be appropriately qualified to plan and organize forestry operations;
 - employers should ensure that all workers, contractors and self-employed persons are sufficiently educated and trained in the tasks to which they are assigned;
 - the required level of skill and knowledge should be defined and objectively assessed by an authorized body.
-

Meeting the requirements

1. Managers should establish the requirements for skills, knowledge and other relevant aspects of each job to ensure that the recruitment process can lead to the best possible result. Where contractors are used, managers should seek to use those that are nationally certified, where this can provide assurance that they meet the requirements of the international labour Conventions.
2. The skills testing and skills certification of operators is practised in many countries, and there are often legal requirements for skills testing, e.g. driving licences (cars, trucks, machines, vessels). Chainsaw operation and machine driving are among the occupations where skills certification may be necessary. Employers or managers may have stricter rules for their own operations, but they should ensure that all legal requirements are met.
3. Workers should receive adequate training. Orientation is especially necessary for new staff or when new working practices are introduced.

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4. Managers should provide such information, instruction and training for, and supervision of, workers as necessary to protect their health and safety. Managers should ensure that they:
 - know the requirements for the work in question;
 - review the qualifications and skills of the worker(s);
 - identify any training gaps;
 - develop a training programme to address needs;
 - monitor and review the success of training;
 - make workers aware of the provisions of OSH acts and regulations and relevant codes of practice relating to the prevention of accidents and diseases;
 - inform workers of their individual and collective responsibility for safety and health.

Guidelines for inspectors

Specific expertise needed for assessing this topic:

- awareness of the legislation that sets requirements related to qualifications and training of workers (e.g. safety and health, occupational health services, forestry, traffic);
 - knowledge of other relevant schemes that contain requirements or opportunities for worker qualifications (e.g. forest certification);
 - knowledge of the structure of vocational education and training in the country.
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1. Inspectors should seek evidence that recruitment is based on competence, bearing in mind that full competence may only be achieved when in the job.

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2. Inspectors should check the skills and knowledge of workers and contractors. The level of competence can be assessed in discussion, or by analysing work (e.g. examination of the site for correct felling, checking the quality of logs and condition of PPE).
3. In tasks where formal skills certification is a requirement, the certificates should be inspected. Inspectors should check the validity of certificates and that their scope covers the activity in question.
4. Inspectors may find it useful to promote the introduction of skills certification systems. In some cases, employers, contractors, workers and other partners may find a voluntary approach more feasible.
5. Inspectors can evaluate the effectiveness of training material and procedures by observing individuals in the field. They should check that the enterprise has a system for evaluating the effectiveness of training.

4. General guidelines for labour inspectors

The primary responsibility for carrying out labour inspections rests with the labour inspectorate (see Annex 7). Considerable training is required for competent labour inspection. The inspector will need competence in the technical aspects of forestry and forestry work, as well as an understanding of how best to communicate the findings of the inspection in the most helpful way. Some suggestions on appropriate training requirements can be found in *Approaches to labour inspection in forestry: Problems and solutions*. More general information on this topic can also be found in *Labour inspection: A guide to the profession* (see Annex 2).

Many forestry enterprises accept and actively pursue good employer principles and practices in workplace employment and health and safety management because the concepts of decent work provide significant commercial and social advantages. Such enterprises may provide innovation and leadership in forestry workplace management, supporting labour inspectorates in the advocacy of decent work principles.

Within the context of national labour laws, labour inspectorates should explore their ability and the strategic value in effecting improvements and equity in employment and health and safety management practices through both their workplace compliance activities and relationships with enterprises and workers. Consultation with enterprises and workers' organizations on such a strategic approach and planned interventions in inspector compliance and its management should be in good faith and consistent with the ILO Declaration on Fundamental Principles and Rights at Work.

These guidelines highlight key steps that labour inspectors should consider when organizing and implementing a labour

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inspection of a forestry organization. The guidelines will also be useful for certification assessors and internal auditors who are involved in assessing labour practices.

Guidelines for inspectors will cover:

- organizing an inspection;
- the inspection in practice;
- assessing working conditions and labour practices;
- feedback of results;
- follow-up.

4.1. Organizing an inspection

Planning

Inspection activities should be strategically planned to maximize positive decent work outcomes and efficient use of inspectors' resources. The inspection plan should foresee “proactive” (individually planned) and “reactive” (on demand) inspections.

Successful inspections depend on the assistance and cooperation of managerial representatives and workers. This can rarely be assured at a moment's notice and advance planning and dialogue are therefore essential. To organize and implement the labour inspection, there should be a dialogue among inspectors, employers and workers' organizations.

Inspections that are sufficiently thorough, and make use of appropriate sampling will still provide reliable results. Inspectors where permitted can inform enterprises in advance of when the inspection will take place, and any logistical support that will be required. Inspectors should also tell the enterprises about what the inspection process will involve and the time that it is likely to take. However, inspectors should not be obliged to

give a detailed briefing of what will be inspected or which sites will be visited. In planning the inspection, it is essential to ensure that the enterprises understand inspectors' authority or mandate to visit and how the results of the inspection will be handled.

Deciding where to visit

The inspection should cover the full range of activities carried out by the enterprise. Therefore, when planning the inspection, it is important to get an overview of all work processes and the subdivision of tasks. Good quality data is also essential. In the case of a logging company, this might involve felling, de-limbing, extraction to a log-holding area, timber grading, loading and transport, each of which is carried out by a different subset of workers. Inspectors should cover all activities and labour groups to an adequate extent. It may not be possible to visit every site of activity, and some decisions will have to be made about sampling (see section 4.2), but the inspection should aim to cover each major process. Care should be taken not to exclude non-forestry-specific areas such as offices and kitchens.

Assembling a team

If the terms of the inspection require an inspection team, efforts should be made to recruit inspectors with specific knowledge and experience in key areas. The specific guidance for inspectors in section 3 should help to identify important areas of expertise. The areas that require attention will depend on the scope of the inspection. However, they are likely to include OSH, which has many forestry-specific aspects, and the rights of workers to organize and to bargain collectively.

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Developing a checklist

The conditions of the inspection will define what needs to be inspected. In forestry, the issues set out in section 3 show the main requirements of the ILO for the key topics. These provide the basis of the sample checklist shown in Annex 5, and the one in the following example. However, in most cases it will be necessary to develop a specific checklist that is tailored to the particular inspection, the enterprise to be inspected and the geographic and social context of the area. The objective, after all, is to provide the maximum amount of specific, practical feedback

Organization and collective bargaining

Requirements	Checklist points	Comments
Workers have the right to establish and join organizations without previous authorization from the employer.	The company places no restrictions on its workers concerning the establishment or membership of unions. Contracts of employment do not contain any clauses that may affect these restrictions.	
Membership of such organizations shall not prejudice the employment or cause the dismissal of a worker.	There is evidence that all workers have been recruited on the basis of skills and experience, and that no other conditions apply. There is no evidence that workers have been dismissed from work without good cause or purely on the basis of membership of workers' organizations.	

to the enterprise undergoing inspection. The checklist should include requirements concerning national legislation, local regulations and other norms, which will require the input of local expertise.

When developing a checklist, each requirement should be translated into a verifiable statement. During the inspection, objective evidence that the statement is true can be sought. A space can be provided for inspectors' comments as shown in the example above.

Logistics

Inspectors will need access to a management representative and a worker representative from the organization. Management representatives should be responsible for facilitating the inspection and should accompany inspectors when their presence will be useful. Inspectors should ask the organization to make available all necessary documents and records. It is a good idea if an administrative assistant can be on hand to help find and explain paperwork. The enterprise may provide the transportation required to access remote sites. Having independent transport can be important. Access to telephones or computing facilities is often useful.

4.2. The inspection in practice

Opening meetings and working with the enterprise management

The lead inspector will be expected to convene an opening meeting as the first activity of the inspection. Senior management representatives, administrative staff, key workers' representatives should all be invited to attend. A record of attendance

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should be kept by inspectors. It is helpful to ask one of the management representatives to give a brief introduction to the organization and an overview of their activities. Inspectors will be required to explain the scope of the inspection and outline the inspection procedures, to introduce the inspection team and to indicate the reporting procedure that will be used. They should also invite those present to attend a closing meeting at the conclusion of the inspection.

Inspectors should seek the maximum cooperation from staff and management, and should explain that they are able to provide help and advice on possible ways to meet the labour requirements.

Management systems review

Many of the requirements of the ILO need the organization to develop and implement policies and procedures. For example, in large organizations, there may be an OSH policy, a policy on the recognition of trade unions and statements of intent to avoid child labour and respect equal opportunities. Depending on the size of the enterprise, there may also be formal procedures for feedback and monitoring of policy implementation. Inspectors should ask to see the relevant documents, and discuss the means by which they are implemented in the field. This will provide the basic framework for the inspection; that is, whether the systems are adequate, and whether they are implemented in practice. Before visiting any sites it is important to assess the management systems for compliance with national legislation and, when appropriate, with the ILO Declaration on Fundamental Principles and Rights at Work. Inspectors should be sure to check the issue dates of relevant policies and ask how they are revised when this is necessary. If there are no formal procedures, there should be an appropriate means of internal review.

Types of evidence

Inspectors should substantiate every conclusion they draw from an inspection with appropriate objective evidence. There are three types of objective evidence:

- documentation;
- an inspector's observation of a procedure or event;
- interviews with staff.

Documents do not need to be copied, but it is wise to note document reference numbers and dates of issue. The times and locations of observations should always be noted. Inspectors should conduct interviews with workers, workers' representatives and representatives of management whenever possible. These can be formal meetings or informal workplace chats. Inspectors should always note the names of the people who have been interviewed without intimidating them. Some staff may need to be reassured that their information will be treated as confidential if they do not wish the management to know who has provided information.

Where personal views are expressed, these may not be objective, so inspectors should seek independent verification of claims made by interviewees. For this, it will be important to obtain specific details that allow inspectors to follow up. Views expressed by any relevant party need to be evaluated objectively. Unconfirmed views can still provide useful context and may lead to further important questions.

Sampling field sites to visit

Visiting every field site in which operations are taking place is often impossible owing to time constraints, logistics or a lack of personnel. A sample of sites may have to be chosen. It is important that the visited sites are an accurate reflection of the

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overall activities of the organization, so the way in which sites to be visited are chosen is very important. The selection of sites can be random or targeted.

If the inspectorate has not set up an enforcement policy for forestry inspections, the random method could be used. This method gives a good statistical basis for monitoring. A fully random sample of sites is desirable, but this may throw up locations that are practically inaccessible within the scope of the inspection. Potential sites can be stratified to take into account important geographic, environmental or social variation between locations. Enterprises or activities with higher rates of accidents should be visited more often and thoroughly. If accidents have happened, follow-up inspections may be required to verify whether the company has introduced the new health and safety measures that were suggested by inspectors.

Random sampling

Choosing sites on a fully random basis; for example, assigning each site a number, and choosing numbers at random.

Stratified random sampling

Zoning or classifying sites into categories; for example, by size or forest type, then sampling at random within the categories.

Non-random sampling

Choosing sites for inclusion on the basis of particular factors; for example, particular complaints, new sites, unique features, high risks, high rates of accidents.

Inspectors should bear in mind that sites close to company headquarters are likely to be visited frequently by management, and are therefore not necessarily representative of all sites.

Keeping notes and using a checklist

Checklists can be a very useful tool for maintaining the structure and direction of an inspection, and can help to ensure that nothing is overlooked. They are especially important where inspectors are unfamiliar with any aspect of the work. But checklists should not be used inflexibly. There is, for example, no need to follow the checklist closely when free-flowing discussion is likely to be more informative. It is often better to memorize the questions, or use the list as an aide-memoire.

Different inspectors will have different approaches to the problem of note-taking, as taking effective and reliable notes in an efficient manner is difficult. Many prefer not to record written notes until after the conclusion of an interview, as doing so can obstruct effective discussion. However, as memory is fallible, notes are vital. Always note the dates and times of site visits, the locations and the names of people interviewed. Notes provide the basis for writing up the report and need to contain sufficient evidence to back up any claims. For example, in ISO 9000 auditing, the auditors' notes can be examined by an independent body, and should be sufficiently thorough to enable verification of the auditors' conclusions in the event of a query. Photos can be very helpful in addition to written notes. Remember always to ask permission to take photographs.

It is important to point out that labour inspectors have much more to offer than the collection of data on a checklist and the delivery of a verdict. Modern labour inspection encompasses advice on risk assessment, training, facilitation, networking, mediation and the improvement of social competencies.

More information can be found in:

- *Labour inspection: A guide to the profession;*
- *Ten steps for strengthening labour inspection;*

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- *Combating child labour: A handbook for labour inspectors* (see Annex 2).

Team coordination

The lead inspector is responsible for ensuring that the team conducts the inspection in an efficient manner. This will involve appropriate delegation of responsibilities and tasks and effective time management. The team should divide to cover the areas of each member's expertise, provided that it is possible to reconvene regularly to discuss findings and to check progress. The team leader is ultimately accountable for the outcome of the inspection, and should deliver the findings at the closing meeting; however, each team member should be encouraged to report on his or her own areas.

4.3. Assessing working conditions and labour practices

Important issues to assess

The rights of workers to organize and to bargain collectively should be respected for all labour groups. Many forestry workers are local rural people, employed as contracted labour to carry out unskilled but physically demanding tasks. They tend to be among the lowest earners in society, and often have low social standing and low levels of literacy. This should not prevent the expression of their rights.

Similarly, the other issues identified in section 3 all have important implications for forestry enterprises. Occupational safety and health is a key issue. The use of child labour can be a problem in remote areas and the use of forced or bonded labour has

been recorded. Rates of pay should allow a reasonable standard of living, and should not be so low that they require workers to work extra hours or to take safety risks in order to earn enough to live on. Unfair discrimination between workers is as unacceptable in forestry as it is in any other industry.

Interpreting the requirements in context

The national context of labour rights and standards will have important implications for inspectors' decisions. General labour standards in the region may be very different to the minimum requirements of the international labour Conventions, and inspectors will regularly be required to make judgements about appropriate values. For example, individual companies may determine pay and conditions by taking into account regional standards and the attainment of an adequate standard of living. However, ILO requirements should be ensured, if the country has ratified the respective Conventions. Even if they have not, fundamental principles should be the target for inspectorates. The provision of other, non-financial, assistance to workers by the organization may need to be considered in this context. Approaches to OSH standards can vary between regions and countries; for example, with differing levels of mechanization. Inspectors will not find the same levels of OSH management in each case. What is always essential is evidence of a systematic approach to the assessment and mitigation of risk and that work has, in fact, been made safe.

Workers in small enterprises are entitled to the same rights and protections as workers in large ones. While the method to obtain this might be different, the standards for decent work and safe work should not be undermined: the saw should be guarded regardless of the owner, the energy isolation system should be applied regardless of the size of the firm.

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Small-scale forest owners, or managers of small forest holdings, will usually require a slightly more flexible approach from inspectors. Although the ILO does not make the requirements less stringent for small enterprises, it does concede that special rules are often needed, the burden of paperwork may need to be reduced and more time to meet requirements should sometimes be given. Where documents and written systems may be appropriate for the management of large companies, these may be an unnecessary time burden for enterprises that have only a handful of workers. For example, when the number of employees is small, verbal instruction in operating procedures is likely to be more effective and appropriate than the production of written operations training manuals.

4.4. Feedback of results

Working with the employer and workers' representatives

It is important that any problems (or requirements for improvements and/or changes) are identified as the inspection proceeds, and are discussed with the management and workers' representatives at the time (see also section 4.4, Intervention, enforcement and advice). Inspectors should not wait until the closing meeting to spring a list of complaints on the organization management, as agreement on the inspection outcome is very unlikely to be achieved. Inspectors should stress that their role is to provide information, advice and assistance to the organization on how best to meet the national requirements. An inspector's role is as much to prevent breaches of the law as to enforce it.

The closing meeting

At the closing meeting it is important that all parties are fully informed of the outcome of the inspection and in particular which recommendations will be made to the relevant authority and why. It is helpful if management is able to agree upon and “sign off” on any changes recommended by the inspector, but this is not essential and should not compromise the findings of the inspection. The best way to avoid confrontation in the closing meeting is to have maintained good communication with the management representative throughout the inspection. Labour inspection training on social skills can help inspectors to get the message across without escalating dispute. The terms of reference for the production of a final, detailed report should be agreed, and the necessary follow-up activities that will be required by the enterprise should be discussed. A record should be taken of those present.

Intervention, enforcement and advice

The general labour inspection approach is evolving from being merely enforcement to the parallel provisions of competent advice. However, in the forestry sector, where premises are moving and where inspectors may not be able to trace the employer again, the enforcement mechanisms need to be very effective. In such cases, inspectors should not rely solely on the goodwill of the employer to improve conditions of work and health and safety measures.

A modern labour inspection approach puts the responsibility for any avoidable accident or injury at the core of the management functions. After all, the employer would bear the legal and financial consequences of not having imposed sufficient preventative measures at the workplace.

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The role of labour inspectors is to provide guidance to the employer on how to proceed and how to integrate health and safety issues as a core management function. It is also to raise awareness among the workers that every accident or injury to health is only avoidable if the workers themselves pay great attention to avoiding accidents and identifying and possibly removing hazards.

The written report for the forest management

The report should be presented promptly and be written in clear and concise language. It should present sufficient evidence to substantiate any conclusions that are drawn and reference key sources of information. It should list any actions that need to be taken by the enterprise, and those that are being taken by the inspectors. It should not be overlong or too complex in its approach. If appropriate, it is a good idea to work from a standard report format that is only adapted where necessary.

Reporting to other parties

This will depend on the terms and scope of the inspection, which should have been agreed with the enterprise in advance. For labour inspection, the results will be dealt with according to state rules and procedures. The results of inspections for other purposes (e.g. forest certification) may need to be made public if this is a requirement of the certification scheme. Not all forest certification schemes have the same requirements for public reporting. External stakeholders who have had input into an inspection may wish to receive a copy of the inspection report if the enterprise is in agreement. The enterprise itself may wish to make the report publicly available.

4.5. Follow-up

Keeping records

All records will need to be maintained for a period defined by the inspecting organization. The final report should be kept on file, together with any relevant information that was collected in preparation for the inspection. As previously mentioned, it will also be important to keep field notes from the inspection, as they will be a vital reference in the event of any queries.

Checking improvements and corrective actions

Many recommendations can be easily implemented and may not require inspectors to return to the site. For example, the inspector found a machine operator who did not have the relevant training certificates, and submitted a request for change; evidence that the relevant person had attended and passed the training course would be adequate information to consider the matter closed. In this case, the inspector could ask that the relevant evidence be sent on, and could agree that the necessary action had been taken without the need for a subsequent visit.

However, there are many recommendations that may not be so easily verifiable. For example, inspectors may need evidence that staff trained in a new procedure are actually abiding by that procedure. Or they may need to check that a freedom that is theoretically available to the worker is also available in practice. In either case, a return visit and some inspecting work will be required before the matter can be considered closed. This may be carried out at a subsequent monitoring visit.

Regular monitoring

Monitoring visits will need to be carried out at intervals according to the requirements of the labour inspectorate,

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inspecting body or the organization to which it is accredited. Monitoring inspections need not be as time consuming as initial compliance inspections, and they should focus predominantly on issues raised in the previous inspection.

Competent inspectors should carry out sufficient interventions and should enforce legal provisions; they will also improve the situation at the workplace through stimulating responsibility at the employers' and workers' level. In order to ensure this consultative role, inspectors require sufficient, qualified training in technical and social skills.⁴ Inspectors do not need to have all the skills of workers or supervisors, but participation in some technical training on practical forest work improves their competence to communicate with workers. Inspectors need to be trained to exercise discretion. Hence, training of labour inspectors has become a key element in the move from enforcement to advice.

⁴ More information can be found in *Labour inspection: A guide to the profession*, see Annex 2.

5. Annexes

- Annex 1. Criteria, indicators and verifiers for labour
- Annex 2. Further reading
- Annex 3. Model of a safety policy/programme with a checklist for small enterprises
- Annex 4. Occupational safety and health checklists for specific forestry tasks
- Annex 5. Aide-memoire for establishing a checklist for forest management on meeting labour standards
- Annex 6. Aide-memoire for labour inspectors
- Annex 7. The role of the labour inspectorate

In the annexes, the guidelines contained in the separate topics are brought together in two practical checklists. These are arranged more holistically, in the way that a forest manager or labour inspector might approach them. For instance, labour inspectors are not interested solely in health and safety, non-discrimination or child labour, but they need to be checking all these issues in every area they visit. Therefore, the checklist describes:

- all the areas that should be covered by a forest enterprise's policy;
- the systems that should be established as part of an enterprise's management system relating to labour issues;
- the topics that labour inspectors should discuss with union leaders.

Annex 1

Criteria, indicators and verifiers for labour

Criteria	Indicators	Verifiers	References
1. Respect for fundamental rights at work			
1.1. Freedom of association	<p>1.1.1. All workers are able to form and join a trade union of their choice without fear of intimidation or reprisal</p> <p>1.1.2. Collective bargaining with representative workers' organizations is carried out in good faith and with best efforts to come to an agreement</p>	<ul style="list-style-type: none"> - Interviews with representatives of workers' organizations and workers - Collective agreements - Records of labour inspectorate 	<p>Convention No. 87, Convention No. 98, ILO Declaration on Fundamental Principles and Rights at Work, or equivalent national legislation</p>
1.2. Abolition of child labour	<p>1.2.1. Strict adherence to minimum age provisions of national labour laws and regulations or, where those are defective, of the international standards</p> <p>1.2.2. No workers under the age of 18 in hazardous or heavy work except for purposes of training</p>	<ul style="list-style-type: none"> - Interviews with representatives of workers' organizations and workers - Payroll (of enterprise and/or contractors) - Findings of employment surveys - Records of labour inspectorate 	<p>Convention No. 138, Convention No. 182, ILO Declaration on Fundamental Principles and Rights at Work, or equivalent national legislation</p>

1.3. Elimination of forced labour	1.3.1. No workers in debt bondage or other forms of forced labour (including employees, self-employed and contractors)	<ul style="list-style-type: none"> - Interviews with representatives of workers' organizations and workers - Records of labour inspectorate 	Convention No. 29, Convention No. 105, ILO Declaration on Fundamental Principles and Rights at Work, or equivalent national legislation
1.4. Elimination of discrimination	1.4.1. Policies and procedures make qualifications, skills and experience the basis for recruitment, placement, training and advancement of staff at all levels	<ul style="list-style-type: none"> - Interviews with representatives of workers' organizations and workers - Payroll (of enterprise and/or contractors) - Findings of employment surveys 	Convention No. 111, Convention No. 100, ILO Declaration on Fundamental Principles and Rights at Work, or equivalent national legislation
	1.4.2. Workers are not discriminated against in hiring, advancement, dismissal, remuneration and employment-related social security	<ul style="list-style-type: none"> - Records of labour inspectorate 	
2. Workforce qualification	2.1.1. Managers and supervisors are in possession of an appropriate qualification, preferably one that is nationally recognized, ensuring that they are able to plan and organize forest operations	<ul style="list-style-type: none"> - Skills certificates, records of training and skills testing (national or enterprise) - Field observation - Interviews with union representatives and workers 	Convention No. 142, ILO Declaration on Fundamental Principles and Rights at Work, or equivalent national legislation

(continued overleaf)

Criteria, indicators and verifiers for labour (concl.)

Criteria	Indicators	Verifiers	References
2. Workforce qualification (concl.)	2.1.2. All workers, as well as contractors and their workers and self-employed persons, are sufficiently educated and trained in the tasks they are assigned to and hold the relevant skills certificates		
3. Occupational safety and health	3.1.1. A safety and health policy and a management system are in place that systematically identify hazards and ensure that the preventive measures are implemented in the operations	<ul style="list-style-type: none"> - Safety and health policy statement - Organigram with safety and health management system - Documented requirements for planning and work organization 	Convention No. 155, ILO Declaration on Fundamental Principles and Rights at Work, or equivalent national legislation
	3.1.2. All necessary equipment, tools, machines and substances are available at the worksite and in safe and serviceable condition	<ul style="list-style-type: none"> - Job descriptions of supervisors - Field observations - Interviews with union representatives and workers 	
	3.1.3. Safety and health requirements are taken into account in the planning, organization and supervision of operations	<ul style="list-style-type: none"> - Records of labour inspectorate and/or accident insurers 	

3.1.4. Where workers stay in camps, conditions for accommodation and nutrition comply at the minimum with the ILO Code of practice on safety and health in forestry work

Note: Annex based on P. Poschen: *Social criteria and indicators for sustainable forest management: A guide to ILO texts*, Forest Certification Working Paper No. 3 (Geneva, ILO, 2000).

Annex 2

Further reading

G. Albracht: *Ten steps for strengthening labour inspection* (Geneva, ILO, SafeWork Discussion Paper, 2004).

ILO: *Approaches to labour inspection in forestry: Problems and solutions* (Geneva, 2000).

— . *Combating child labour: A handbook for labour inspectors* (Geneva, 2002).

— . *Guidelines on occupational safety and health management systems: ILO-OSH 2001* (Geneva, 2001), available at www.ilo.org/public/english/protection/safework/cops/english/download/e000013.pdf (accessed 30 August 2004).

— . *ILO Declaration on Fundamental Principles and Rights and Work and its Follow-up* (Geneva, 1998), see www.ilo.org/dyn/declaris/DECLARATIONWEB.INDEXPAGE (accessed 30 August 2004).

— . International labour Conventions and Recommendations, available at www.ilo.org/ilolex/english/index.htm (accessed 30 August 2004).

— . *Safety and health in forestry work: An ILO code of practice* (Geneva, 1998), available at www.ilo.org/public/english/protection/safework/cops/english/download/e981284.pdf (accessed 30 August 2004).

International Federation of Building and Wood Workers (IFBWW): *Social standards for forest workers in forest certification: Application of International Labour Organisation (ILO) Conventions* (Geneva, IFBWW Global Forestry Programme, 1999).

P. Poschen: *Social criteria and indicators for sustainable forest management: A guide to ILO texts*, Forest Certification Working Paper

No. 3 (Geneva, ILO, 2000), available at www.gtz.de/forest_certification/download/wp3.pdf (accessed 30 August 2004).

- W. von Richthofen: *Labour inspection: A guide to the profession* (Geneva, ILO, 2002), available at www.ilo.org/public/english/protection/safework/labinsp/guide.pdf (accessed 30 August 2004).

Annex 3

Model of a safety policy/programme with a checklist for small enterprises

Basic information and OSH organization

- Name of the enterprise
- Main functions of the enterprise
- Responsible safety manager or director
- Representative(s) of employees, if elected/nominated
- Occupational safety and health responsibilities of workers

Occupational health services or other provider of health services

- The service provider for occupational health services
- Location/address
- Responsible person(s)/contact person(s)
- Principles in using the services

The principles of ensuring safe and healthy working conditions¹

This safety policy/programme is aimed at promoting workers' safety, health and well-being at work (including also prevention of musculo-skeletal diseases, promoting mental well-being at work, conditions of work, training and instruction, maintaining working ability, etc.).

This safety policy/programme is carried out in cooperation with the employer, workers and occupational health services. In our enterprise we discuss, analyse and continuously improve the level of occupational safety and health. We use development discussions, meetings and workshops.

¹ Revised from a model published by Koneyrittäjien liitto ry (Trade Association of Forestry and Earth-Moving Contractors, Finland).

A preventive and proactive approach is the starting point of our improvement activities and the implementation of the safety policy/programme.

We monitor the assessments and the results achieved in improving safety and health on a yearly basis and review the functioning of our systematic safety activities/our safety and health system.

Safety and health checklist (columns: OK/No/Comments)

- Work instruction/initiation (responsible person)
- Work contracts, conditions of work
- First-aid skills
- Communication (general, on isolated worksites, and at work alone)
- Worksite plans (received from the commissioning party/done ourselves)
- Safe work methods and practices, also in difficult and exceptional situations (dangerous soil and terrain conditions, transfer of machines, etc.)
- Awareness of electrical and telephone lines and underground cables (getting information, marking in maps and in terrain)
- Safety of other persons at the worksite or in the work area
- Lifting equipment and devices are in good condition and are approved and inspected according to requirements
- Safety equipment (personal/group) is correct and in good condition
- All compulsory licences are in order
- Transfer of machines and goods takes place properly (binding, licences, etc.)
- Fuel supply is in order (legal fuel tanks and canisters, storage areas/places, etc.)

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- Safe work procedures are followed in maintenance and repair work
- Machines are maintained in good and safe condition (maintenance, electronic devices, inspection of lifting devices, railings, anti-skid surfaces, danger zone signs, ergonomics, etc.)
- Maintenance and repair instruction books are with the machines

Good order of the enterprise, garage, maintenance and storage halls/areas and worksite

- Good order and cleanliness of machines and vehicles
- Fire prevention, inspected extinguishers in machines and vehicles
- The use of hazardous substances
- Licences for welding work
- Measures to manage risks and problems

Employers and workers shall be responsible for identifying hidden hazards in the office, garage and on worksites.

Information on accidents, work-related diseases, near misses (near accidents) and other damage shall be recorded.

Based on the findings of the above checklists and other sources, measures will be devised and implemented to remedy the situation.

Work plan

Practical implementation of the safety policy/programme in the enterprise will help to reduce risks in the enterprise and to its personnel.

The following measures should be improved:

Objective/concrete measure	Timetable	Responsible person
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Other notes

Staff have been informed of this safety policy/programme and of the proposals for improvement. This safety policy/programme is communicated to new employees as part of their instruction in their new job.

Date/Signatures

Employer or safety manager

Workers' representative

Annex 4

Occupational safety and health checklists for specific forestry tasks

Example 1. Motor-manual felling with a chainsaw

Checklist item	Inspectors' comments
1. Work methods	
1.1. Correct worksite planning	
1.2. Directional felling	
2. Operators	
2.1. Correct training/instruction in felling, cross-cutting, de-branching	
2.2. Awareness of risks and their prevention	
2.3. Attitude to safe work	
2.4. Competence in special situations (e.g. hung-up trees, bad weather conditions)	
3. Chainsaws	
3.1. Adequate safety features: chain brake, chain catcher, rear-handle guard, throttle control lockout, anti-vibration devices, exhaust system, guide-bar cover	
4. Tools and equipment	
4.1. Fuel/chain container	
4.2. Maintenance tools	
4.3. Hooks/tongs for wood handling	

Checklist item	Inspectors' comments
4.4. Axe (if necessary)	
4.5. Availability of machinery for timber extraction	
4.6. First-aid equipment	
5. PPE and appropriate work clothing	
5.1. Helmet with ear defenders and eye protection	
5.2. Safety boots	
5.3. Leg protection	
5.4. Visible jacket	
5.5. Gloves	
6. Organization of work	
6.1. Length of working day	
6.2. Communication and supervision (including emergency contact procedures)	
6.3. Travel to worksite	

Annex 5

Aide-memoire for establishing a checklist for forest management on meeting labour standards

Checklist item, ILO requirements	Inspectors' comments
1. Freedom of association and collective bargaining	
1.1. There is a mutually agreed procedure to enter discussions and negotiations with workers and their representatives concerning conditions of work.	
1.2. The procedure is communicated to workers.	
1.3. Workers have had the opportunity to elect or nominate their representatives.	
1.4. There is documented protection against anti-workers' organization discrimination based on membership and activities of workers' organizations.	
1.5. Employment protection coverage includes dismissal of workers because of legitimate strike activity.	
1.6. Freedom of association and right of collective bargaining are recognized even if there is not a workers' organization.	
1.7. Protection against blacklisting for activities of workers' organizations is stated.	
1.8. Any discussions concerning freedom of association are dealt with according to national law.	

Checklist item, ILO requirements	Inspectors' comments
1.9. Discussions are handled constructively and with every effort to reach consensus.	
1.10. Workers' organizations have been informed about the grounds for dismissal and the conditions of employment which may affect freedom of association.	
1.11. There is a transparent procedure for dismissal.	
1.12. There is a policy regarding access to workers by their representatives.	
1.13. All employment contracts affirm the right to freedom of association and collective bargaining for workers.	
1.14. Civil law is not used to infringe on freedom of association or collective bargaining.	
2. Fair remuneration	
2.1. Managers know the national regulations concerning the minimum level of wages.	
2.2. Managers are aware of general levels of remuneration in the region. This is taken into account when fixing wage rates.	
2.3. Wage rates for all labour groups should take into account the relative living standards of other social groups.	
2.4. There is an agreed procedure for timely and correct payments.	

(continued overleaf)

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Checklist item, ILO requirements	Inspectors' comments
2. Fair remuneration (concl.)	
2.5. Payments are made correctly and in a timely manner.	
2.6. There are written work contracts (or other relevant documents) for each worker.	
2.7. Minimum wage legislation is respected.	
3. Child labour	
3.1. There is a functioning procedure to verify the age of workers.	
3.2. Ages of workers are monitored. The minimum age requirement is part of the contract of work.	
3.3. There is a policy that defines the jobs that can be undertaken by young people and the hours worked.	
3.4. The policy has been prepared in cooperation with workers and communicated to all employers and workers.	
4. Equality of opportunity and treatment (non-discrimination)	
4.1. Workers have been recruited and promoted on the basis of skills qualifications and experience.	
4.2. The enterprise has an equal opportunities policy that covers, at the minimum, recruitment, promotion, division of work and dismissal of staff.	

Checklist item, ILO requirements	Inspectors' comments
4.3. There are procedures to ensure that this policy is known and implemented.	
4.4. Workers are paid equally for work of equal value. Employers do not value certain tasks above others (i.e. "male tasks" higher than "female tasks").	
4.5. Work is adapted to meet the characteristics of workers. Work is adapted to the needs of disabled or elderly workers to allow them to continue work where this does not cause risk to themselves or others.	
4.6. Forest managers have access to support and advice from other enterprises.	
5. Workforce qualification and training	
5.1. Supervisors have the skills qualifications and experience to plan and organize forestry operations.	
5.2. The required level of skill and knowledge for all work is defined and objectively assessed (in line with the assessment by an authorized body, whenever relevant).	
5.3. All workers are sufficiently educated and trained.	
5.4. There are competence requirements for selecting contractors; certified contractors are used whenever possible.	

(continued overleaf)

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Checklist item, ILO requirements	Inspectors' comments
5. Workforce qualification and training (concl.)	
5.5. All necessary licences and certificates are checked and filed.	
5.6. There is an orientation procedure (including an orientation checklist) for workers and contractors.	
6. Prohibition of forced labour	
6.1. There is a policy to prohibit the use of forced labour.	
6.2. Forced labour is reported to the competent authority.	
6.3. There are known procedures for management and workers' organizations to be informed of any suspected use of forced labour.	
7. Systematic OSH management	
7.1. <i>Management system</i>	
7.1.1. A management system is documented and described.	
7.1.2. The management system is regularly reviewed.	
7.1.3. The level of OSH is monitored by meetings, supervisory discussions, interviews with workers and specialists, collection of statistics, periodic reviews.	
7.1.4. The management review has led to measurable improvements.	
7.2. <i>Development of an enterprise safety and health policy</i>	

Checklist item, ILO requirements	Inspectors' comments
7.2.1. There is an OSH policy.	
7.2.2. The policy is implemented.	
7.2.3. The OSH policy has been communicated to workers and contractors.	
7.2.4. The OSH policy has been monitored and reviewed with the involvement of workers and contractors.	
7.3. <i>Assignment of responsibilities</i>	
7.3.1. There are named OSH management representatives.	
7.3.2. Workers are aware of these representatives.	
7.3.3. Workers are aware of their responsibilities for safe work.	
7.4. <i>The identification and management of risks</i>	
7.4.1. An adequate risk assessment has been carried out.	
7.4.2. The risk assessment has guided the identification and implementation of preventative measures and has improved practices.	
7.5. <i>Employment conditions, qualifications, organization and training of personnel</i>	
7.5.1. Supervisors are in possession of appropriate skills and qualifications.	
7.5.2. Where certificates of skills qualifications are required by national legislation, copies of these are maintained.	

(continued overleaf)

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Checklist item, ILO requirements	Inspectors' comments
7. Systematic OSH management (concl.)	
7.5.3. Training requirements for workers and contractors are reviewed regularly.	
7.5.4. There are effective procedures to ensure that contractors use skilled and competent personnel.	
7.5.5. Where in-house training is carried out, appropriate and up-to-date records of all training and skills certification are maintained.	
7.6. <i>Provision of adequate resources, safety equipment</i>	
7.6.1. Human and financial resources are sufficient to reach OSH objectives.	
7.6.2. There is a maintenance programme covering machinery, tools and PPE.	
7.6.3. The maintenance programme is implemented.	
7.7. <i>Communication and information on risks and their prevention</i>	
7.7.1. Workers and contractors are aware of the enterprise's safety requirements.	
7.7.2. Workers and contractors can communicate OSH concerns to management when this is necessary.	
7.7.3. Proposals for improvements have been made. These proposals have led to improvements.	

Checklist item, ILO requirements	Inspectors' comments
7.8. <i>Documentation, reporting and monitoring</i>	
7.8.1. Documentation concerning legislation relevant to OSH is collected and is available.	
7.8.2. OSH policies and objectives are available to workers and contractors.	
7.8.3. Records of risk assessments are maintained.	
7.8.4. Accidents are recorded. Particularly severe accidents are reported to the relevant authority, as appropriate.	
7.8.5. Implementation of OSH management is regularly monitored.	
8. Specific provisions for safe and healthy forestry work	
8.1. <i>Testing and certification of equipment</i>	
8.1.1. There is a programme for testing, inspection and certification that should be carried out (obligatory and voluntary/in-house).	
8.1.2. There is up-to-date information on the national/legal requirements for testing and certification of work equipment.	
8.1.3. The programme for testing of equipment is followed.	
8.1.4. Adequate records are maintained.	

(continued overleaf)

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Checklist item, ILO requirements	Inspectors' comments
8. Specific provisions for safe and healthy forestry work (concl.)	
8.2. <i>Dangerous substances</i>	
8.2.1. A list of all dangerous substances in use is maintained.	
8.2.2. All necessary documents (material safety data sheets, package labels, work instructions) are available at the worksite.	
8.2.3. Storage of dangerous substances is safe.	
8.2.4. Workers are aware of the risks posed by dangerous substances.	
8.3. <i>PPE and appropriate work clothing</i>	
8.3.1. Employers inform workers of the required PPE for their work.	
8.3.2. Workers have adequate PPE. This is provided for them without cost where this is necessary.	
8.3.3. The PPE is in an adequate state of repair.	
8.4. <i>First aid, emergency rescue and occupational health services</i>	
8.4.1. First-aid training needs are assessed with occupational health services or other medical professionals. These meet national/local requirements.	

Checklist item, ILO requirements	Inspectors' comments
8.4.2. There are records to demonstrate that all workers have received the necessary training.	
8.4.3. First-aid equipment is available at the worksite and is well maintained.	
8.4.4. There are adequate emergency procedures including emergency transport.	
8.4.5. There are adequate provisions for communication with workers in the field in the event of an emergency.	
8.5. <i>Shelters, housing and travel</i>	
8.5.1. Where housing is provided, this allows an acceptable standard of living.	
8.5.2. Construction, bedding, other rooms, storage space, kitchen, washing facilities, facilities for maintenance of tools and equipment, emergency preparedness (fire, first aid, security), water and food supply, and waste disposal are all adequate.	
8.5.3. The need for shelters has been assessed with management and workers.	
8.5.4. Workers have shelter for rests during the workday.	

Annex 6

Aide-memoire for labour inspectors

Checklist item	Inspectors' comments
1. Checklist for management systems review	
1.1. The organization has a written policy or policies stating a commitment to: <ul style="list-style-type: none">– occupational safety and health;– avoidance of forced labour and child labour;– equal opportunities in the workplace;– fair remuneration for workers.	
1.2. There are procedures (written or unwritten) that ensure implementation of these policies.	
1.3. These policies contain a commitment to monitor and continuously improve the organization's performance.	
1.4. The organization has a written basis on which it recognizes freedom of association and this is consistent with national legislation.	
2. Checklist for interviews with human resource management	
2.1. There are written contracts for workers and contractors, unless this is inappropriate for clear and justifiable reasons.	

Checklist item	Inspectors' comments
2.2.	Written contracts specify the terms and conditions of the work and the level of remuneration.
2.3.	Levels of remuneration are at or above legal minimum levels and allow a reasonable standard of living for all workers. They are commensurate with levels of training and qualification.
2.4.	There are up-to-date records of the training and qualifications of workers.
2.5.	Contracts with workers contain no restrictions on the employee's freedom to organize and to bargain collectively.
2.6.	Where required by national legislation, only contractors who are certified by the appropriate authorized bodies are used.
2.7.	There are up-to-date records of approved contractors who have the certification required by the national legislation.
2.8.	There are procedures to check that employers meet the health and safety requirements of company policies. There is evidence that such checks have been carried out. See also 4.5.
2.9.	The ages of workers are routinely recorded to ensure that no child labour is used.
2.10.	There are procedures to ensure that recruitment and promotion are carried out in compliance with requirements to ensure quality.

(continued overleaf)

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Checklist item	Inspectors' comments
2. Checklist for interviews with human resource management (concl.)	
2.11. Records and minutes of meetings with workers and their representatives are kept.	
3. Checklist for interviews with national/local workers' organizations and workers' representatives	
3.1. All workers are free to become members of workers' organizations.	
3.2. Membership in a workers' organization does not affect a worker's standing in the enterprise, and there is no evidence that members suffer any prejudice or discrimination including: <ul style="list-style-type: none">– inappropriate use of civil authority;– non-financially based confiscation of property;– physical intimidation;– limitations on membership and/or blacklisting.	
3.3. The enterprise deals with workers' organizations according to national legislation and Conventions Nos. 87 and 98.	
3.4. Workers' representatives can arrange meetings with management staff without difficulty.	
3.5. Meetings are handled in a constructive manner, and best efforts are made to reach a consensus. Actions are agreed and	

Checklist item	Inspectors' comments
	carried out to the satisfaction of both parties.
3.6.	There is evidence that any disputes have been handled by the organization according to national law.
3.7.	Wages do not fall below the legal minimum for any worker and reflect their skills levels.
3.8.	Forced labour is not used.
3.9.	No labourers are debt bonded by their employers.
3.10.	Child labour is not used.
3.11.	No person under the age of 18 is employed in hazardous work.
3.12.	Men and women are paid equally for work of equal value.
3.13.	Workers are not discriminated against on the grounds of race/ethnic background, religious beliefs, sexual orientation or gender.
3.14.	Supervisors have the appropriate skills and experience to plan and organize operations effectively and without risk to the safety and health of employees.
3.15.	PPE is provided to workers without cost where this is required and adequate.
4.	Checklist for field visits
4.1.	All workers carrying out field operations have been adequately trained to perform the tasks to which they have been assigned.

(continued overleaf)

Guidelines for labour inspection in forestry

Checklist item	Inspectors' comments
4. Checklist for field visits (concl.)	
4.2.	Workers carrying out tasks where formal certification of skills is a national requirement have received the appropriate certificates. Copies are held by the enterprise.
4.3.	There is evidence that field operations carried out by workers meet the requirements of the enterprise for quality and safety and health.
4.4.	Machinery and tools are adequately maintained and are appropriate for the work.
4.5.	Workers have adequate PPE that has been provided for them without cost by the employer, where this is necessary.
4.6.	Where machinery, tools or hazardous substances are used, there is evidence that the risks they represent have been systematically assessed and: <ul style="list-style-type: none">– workers are aware of the risks;– work methods are designed to reduce risk;– accident prevention measures have been taken;– emergency procedures exist;– accident investigations occur and are documented.
4.7.	There are no children actively employed at the worksite.
4.8.	There are no persons below the age of 18 employed in hazardous work.

Checklist item	Inspectors' comments
4.9.	Forced labour is not used.
4.10.	First-aid equipment is available at the worksite and is adequately maintained.
4.11.	There is evidence that there is staff trained in the relevant first-aid techniques, and that this staff know how they can get emergency medical help in a timely manner.
4.12.	There is provision for emergency procedures such as communication and transport.
4.13.	Shelter provided by the enterprise at the worksite provides workers with sufficient protection from heat, cold, wind, rain or other climatic extremes.
4.14.	Offices and housing provided by the enterprise allow reasonable comfort and do not represent a risk to safety or health. Such accommodation has adequate and appropriate ventilation, lighting, heating, cooking and washing facilities.
4.15.	There is provision of fresh drinking water and water for washing.
4.16.	Sanitary provisions and the means of waste disposal are adequate.
4.17.	Workers living in accommodation at the worksite have access to enough food. Where food is provided by the enterprise, it is made available at a reasonable cost.

Annex 7

The role of the labour inspectorate

The Labour Inspection (Agriculture) Convention, 1969 (No. 129), and also the Labour Inspection Convention, 1947 (No. 81), set out the authority of the labour inspectorate:

1. The scope of the inspection system extends to all “agricultural undertakings ... including ... forestry, horticulture, the primary processing of agricultural products ...”.
 2. The functions of the system of labour inspection in agriculture including forestry are:
 - to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers and ensure the compliance with legal provisions;
 - to supply technical information and advice to employers and workers;
 - to bring to the notice of the competent authority defects or abuses to remedy defects observed in plant layouts or working methods which cause a threat to the health and safety of workers.
 3. In order to ensure the provisions of legal requirements, the inspectorate:
 - is an independent public authority, exercising state functions;
 - shall not be gradually replaced by private monitoring “initiatives”;
 - shall not exclude any agricultural or forestry undertaking from the national labour inspection system;
 - shall be empowered to enter freely and without previous notice at any hour of the day or night any workplace liable to inspection;
 - shall ensure the competence, qualification and training of its staff;
 - shall make best use of already existing, or promote the use of, management systems.
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