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Conclusions – Turkey

Occupational Safety and Health Convention, 1981 (No. 155)

The Committee noted the detailed oral information provided by the Government representative on the issues raised by the Committee of Experts and the discussion that ensued relating to: ensuring that occupational safety and health (OSH) legislation applied to all workplaces covered by the Convention; the need to improve the functioning of the National OSH Council, including effective representation and consultation of the social partners; the need to improve inter-ministerial coordination on OSH issues; clarifying the roles and responsibilities of employers and occupational safety experts (OSEs) and ensuring workplace safety; the need to periodically review the OSH situation with particular attention to subcontracting and the mining, metal and construction sectors; strengthening labour inspection, particularly with respect to the various forms of precarious work, and ensuring the effective application of penalties; improving and ensuring the application in practice of procedures established for the notification of occupational accidents and diseases, and the production of annual statistics; ensuring that workers can remove themselves from situations of serious and imminent danger without suffering undue consequences; and ensuring collaboration on OSH between two or more undertakings engaging in activities simultaneously at one workplace.

The Committee noted the information provided by the Government representative on the adoption of the Third National Occupational Health and Safety Policy Document and Action Plan for 2014 -2018 by the tripartite National Occupational Health and Safety Council. This Action Plan included the objectives of : improving the quality of OSH activities; reducing the number of accidents in the metal, mining and construction sectors; intensifying OSH activities for agriculture and public sectors; disseminating a safety culture; improving the collection of statistics on work accidents and occupational diseases as well as diagnostic data; and providing hospitals with the infrastructure necessary to diagnose occupational diseases. In this regard, the Government indicated that a workshop with the relevant stakeholders had been held in May 2015 in order to identify a roadmap for improving the collection and dissemination of data on OSH. Moreover, amendments to the Occupational Safety and Health Act No. 6331 had been adopted in April 2015 to: strengthen the applicable administrative fines; clarify the authority and responsibility of workplace physicians and occupational safety experts; add incentives for enterprises with good OSH records; include OSH obligations in public procurement and prohibit mining companies that had experienced fatal work accidents from public procurement for two years; specify that pressure for overproduction could be a reason for suspending work; limit the maximum hours of work for miners; and introduce OSH as a compulsory curricula component in relevant educational programmes. The Government indicated it was implementing several awareness raising measures aimed at developing a preventative culture of safety and health, including by disseminating information on the new legislation. Other measures taken included the ratification of

the Safety and Health in Mines Convention, 1995 (No. 176) and the Safety and Health in Construction Convention, 1988 (No. 167) in March 2015. The Government further indicated that it was cooperating with the ILO on a project that aimed to develop a tripartite roadmap for improving occupational safety and health, particularly in the mining and construction sectors, in line with international commitments under relevant ILO labour standards. The Government provided information on the number of labour inspections undertaken, including sectoral inspections, administrative fines imposed and stop orders issued.

The Committee welcomed the ongoing efforts made by the Government and the social partners to improve safety and health at work and the intention to overcome the issues identified in a comprehensive and sustained way, with the support of the Office.

Taking into account the discussion, the Committee requests the Government to:

- Ensure that the Occupational Safety and Health Act is in compliance with Convention No. 155, in particular with respect to its coverage and ensure the right of workers to withdraw themselves from serious and imminent danger;
- Assess the effectiveness of the measures undertaken in the context of the National Action Plan aimed at increasing workplace safety;
- Improve record keeping and monitoring systems concerning health and safety, including occupational diseases;
- Increase the number of labour inspections and ensure that dissuasive sanctions are imposed for infractions of laws and regulations, in particular with respect to subcontractors;
- Refrain from interfering violently in lawful, peaceful and legitimate trade union activities addressing health and safety concerns;
- Engage in genuine dialogue with all social partners.

The Committee urged the Government to present its report on the Convention to the Committee of Experts ^{this} before the end of the year, and to continue to avail itself of ILO technical assistance.

