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Occupational Safety and Health and Workplace Health Promotion: an Essential Area for a Recovery from Covid-19 Based on Decent Work

Silvia Fernández Martínez *

Abstract

Against the rapid increase in psychosocial risks around the world brought by the COVID-19 pandemic, the workplace has become an ideal venue to address emerging psychosocial risks to protect the health and well-being of all workers. The paper aims to study how the promotion of Occupational Safety and Health measures could contribute to the recovery from COVID-19, with a particular focus on Workplace Health Promotion and Well-being at Work. The analysis will also focus on the inclusion of safe and healthy working conditions in the ILO's Framework about Fundamental Principles and Rights at Work.

Keywords: Occupational Safety and Health, Workplace Health Promotion, Well-being at Work.

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1. Introduction

The COVID-19 pandemic has brought to the fore the question of Occupational Health and Safety (OSH) and its central role in Decent Work. The *ILO Centenary Declaration* adopted in 2019, at the 108th session of the International Labour Conference, declared that “safe and healthy working conditions are fundamental to decent work”. The Declaration also established that “all workers should enjoy adequate protection in accordance with the Decent Work Agenda, taking into account: [...] safety and health at work”¹.

However, this was not the first time that the International Labour Organization (ILO) pointed out the importance of OSH for Decent Work. In fact, safe working conditions are inherent to Decent Work. According to the definition of Decent Work used by the ILO, “Decent work sums up the aspirations of people in their working lives. It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families [...]”². Therefore, there can be no Decent Work without security at the workplace. The notion of Decent Work does not end at access to employment. It requires work to be provided with rights and in healthy and safe conditions³. In other words, Decent Work implies safe work⁴. In 2003, the ILO established that OSH had been a central issue ever since the organization’s creation in 1919 and that it continued to be a fundamental requirement for achieving the objectives of the Decent Work Agenda⁵. These statements are even more significant today, as ensuring safety and health at work is indispensable in the management of the pandemic and the ability to resume work⁶.

¹ *ILO Centenary Declaration for the Future of Work*, adopted by the International Labour Conference at its 108th Session, Geneva, 21 June 2019: Available at: https://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_711674.pdf

² <http://www.oit.org/global/topics/decent-work/lang-en/index.htm>

³ J. L. Gil y Gil, *El trabajo decente como objetivo de desarrollo sostenible*, in *Lex Social. Revista jurídica de los Derechos Sociales*, vol. 10, n. 1, 2020, p. 164. Available at: <https://doi.org/10.46661/lexsocial.4539>

⁴ B. O. Alli, *Fundamental principles of occupational health and safety*, International Labour Office, Geneva, 2008, p. 19.

⁵ ILO, *Improving health in the workplace: ILO’s framework for action*. Fact sheet, 2014 p. 1. Available at: https://www.ilo.org/safework/info/publications/WCMS_329350/lang-en/index.htm

⁶ ILO, *In the face of a pandemic: Ensuring safety and health at work*, Geneva, 2020, pp. 6 and 28. Available at: <https://www.ilo.org/global/topics/safety-and-health-at-work/events->

2. Workplace Health Promotion and Well-being at Work

The concept of health promotion comes from the field of Public Health. The *Ottawa Charter for Health Promotion*, adopted by the World Health Organization (WHO) in 1986, defines health promotion as “the process of enabling people to increase control over, and to improve, their health”. The Charter recognized the workplace as one of the key components for successful health promotion⁷. Hence, there is an important connection between Public Health and work. Specifically, Public Health problems can impact on workplaces, as happened during the COVID-19 pandemic, because economic activities needed to stop for Public Health reasons. At the same time, working conditions are one of the main factors that condition Public Health.

In 1997, the European Network for Workplace Health Promotion (ENWHP) developed the *Luxembourg Declaration on Workplace Health Promotion in the European Union*, in which Workplace Health Promotion is defined as “a modern corporate strategy which aims at preventing ill-health at work (including work-related diseases, accidents, injuries, occupational diseases and stress) and enhancing health-promoting potentials and well-being in the workforce”. The Luxembourg Declaration stressed that OSH alone cannot address all the challenges for the working world in the 21st century, i.e., globalization, unemployment or ageing. For that reason, the complementary concept of Workplace Health Promotion is extremely important.

Following that approach, the ILO has pointed out that “safety and health at work does not merely mean preventing workers from being exposed to workplace risks and hazards and to protect them against these. It also involves being proactive in promoting healthy lifestyles and practices. Using the workplace as a platform to raise awareness of healthy lifestyles can help workers and reach out to their families and the community as a whole”⁸. The ILO has been using a broad concept of OSH since the first session, in 1950, of the Joint ILO/WHO Committee on Occupational Health. The Committee established that “Occupational health should aim at: the promotion and maintenance of the highest degree of physical, mental and social well-being of workers in all occupations; the prevention

[training/events-meetings/world-day-safety-health-at-work/WCMS_742463/lang-en/index.htm](https://www.ilo.org/training/events-meetings/world-day-safety-health-at-work/WCMS_742463/lang-en/index.htm).

⁷ ILO, *Improving health in the workplace: ILO's framework for action*, cit., p. 15.

⁸ ILO, *Health and life at work: A basic human right*, Geneva, 2009, p. 14. Available at: https://www.ilo.org/safework/info/publications/WCMS_108686/lang-en/index.htm

amongst workers of departures from health caused by their working conditions; the protection of workers in their employment from risks resulting from factors adverse to health; the placing and maintenance of the worker in an occupational environment adapted to his physiological and psychological capabilities; and, to summarize: the adaptation of work to man and of each man to his job”⁹. From that definition, we can conclude that OSH is not only about preventing hazards and professional diseases, but also about promoting physical, mental and social well-being at work.

The ILO has been dealing with Workplace Health Promotion for many years. In fact, it is one of their areas of work within the Department of Occupational Safety and Health. More specifically, in 2002 the ILO published the first edition of the *SOLVE training package: Integrating health promotion into workplace OSH policies*, as a direct response to the needs of ILO constituents to protect workers against emerging psychosocial risks and to promote their health and well-being in the workplace. In 2012, the ILO updated and enlarged that first version and published a second edition of the SOLVE training package¹⁰.

In recent years, different phenomena, such as globalization and digitalization, have changed the way we work. The effects of those changes on OSH are very important because new risks in the workplace, for example psychosocial risks, have emerged¹¹. The new version of SOLVE was designed to offer an integrated workplace response for dealing with stress, violence, tobacco use and exposure to second-hand smoke, drugs and alcohol abuse, and HIV and AIDS. SOLVE also introduced an innovative approach whereby workers’ health, safety and their well-being became an integral part of organizational development and economic sustainability, by contributing to productivity and competitiveness in the globalized world economy¹².

Against the rapid increase in psychosocial risks around the world, the workplace has become an ideal venue to address emerging psychosocial risks to protect the health and well-being of all workers. In this context, in

⁹ B. O., Alli, *op. cit.*, p. 22.

¹⁰ ILO, *SOLVE: integrating health promotion into workplace OSH policies: trainer’s guide*, Geneva, 2012. Available at: https://www.ilo.org/global/topics/safety-and-health-at-work/resources-library/training/WCMS_178438/lang--en/index.htm

¹¹ ILO, *Emerging risks and new patterns of prevention in a changing world of work*, Geneva, 2010. Available at: https://www.ilo.org/safework/info/promo/WCMS_123653/lang--en/index.htm

¹² ILO, *SOLVE: integrating health promotion into workplace OSH policies: trainer’s guide*, *cit.*, p. 6.

addition to being considered in risk assessment in the same way as other risks, developing preventive measures by incorporating health promotion strategies in the workplace is key to dealing with those risks¹³. Traditional OSH approaches are not enough to fight against new challenges. In consequence, we need new approaches that focus on prevention to avoid the negative consequences of psychosocial risks and work-related stress. Workplace Health Promotion has proven to be a very effective one. SOLVE offers the tools for the design of such a policy and for taking immediate action to reduce or eliminate the emerging risks associated with these problems in the workplace¹⁴.

Workplace Health Promotion measures contribute to enabling workers to cope more effectively with psychosocial risks and work-related, personal or family problems that may impact their well-being and work performance, such as stress, violence or the abuse of alcohol and drugs. They also help workers to manage their chronic conditions and to be more proactive in their health care in order to improve their lifestyles, the quality of their diet and sleep, and their physical fitness¹⁵.

For the ILO, an effective Workplace Health Promotion programme complements OSH measures and should be integrated into the OSH management system of the organization¹⁶. The integration of Workplace Health Promotion into OSH management has been identified as a success factor for the implementation of those programmes¹⁷. Workplace Health Promotion aims to complement, but not to replace, workplace risk management. On the contrary, risk management is an essential foundation for a successful Workplace Health Promotion programme¹⁸. However, Workplace Health Promotion is not only about meeting the legal requirements for health and safety. It also means that employers actively

¹³ ILO, *SOLVE: integrating health promotion into workplace OSH policies: trainer's guide*, cit., p. 11.

¹⁴ ILO, *SOLVE: integrating health promotion into workplace OSH policies: trainer's guide*, cit., p. 6.

¹⁵ ILO, *SOLVE: integrating health promotion into workplace OSH policies: trainer's guide*, cit., p. 12.

¹⁶ ILO, *SOLVE: integrating health promotion into workplace OSH policies: trainer's guide*, cit., p. 12.

¹⁷ EU-OSHA, *Motivation for employers to carry out workplace health promotion. Literature review*, Luxembourg: Publications Office of the European Union, 2012, p. 11. Available at: https://osha.europa.eu/en/publications/literature_reviews/motivation-for-employers-to-carry-out-workplace-health-promotion/view

¹⁸ EU-OSHA, *Motivation for employers to carry out workplace health promotion. Literature review*, cit., p. 9.

help their staff to improve their own general health and well-being¹⁹. For the ILO, safety and health does not only mean preventing workers from being exposed to workplace risks and protecting them. From a broad perspective, OSH also involves being proactive in promoting healthy lifestyles and practices. Therefore, health promotion in the workplace is an integral part of OSH practice²⁰.

There is evidence of a relationship between poor employee well-being and an increased risk of work-related accidents and occupational diseases. By addressing the factors and psychosocial risks that affect employees' well-being, Workplace Health Promotion programmes can contribute, indirectly, to reducing the costs of work-related accidents and occupational diseases²¹. In consequence, health promotion should be added to OSH measures to prevent those kinds of problems.

In any case, it is necessary to take into account that the implementation and the participation in health promotion measures is voluntary for employers and for employees. Employees cannot be forced to change their health behaviours. However, Workplace Health Promotion programmes can encourage employees to make the decision of changing their habits²². Indeed, Workplace Health Promotion is effective when employers, employees and their representatives are involved²³.

For that reason, the SOLVE training course uses the social dialogue approach to promote the implementation of successful workplace and community initiatives, with the involvement of employers, workers, governments, public services and NGOs²⁴. Workplace Health Promotion measures should adopt a collective point of view and focus on the improvement of working conditions, the working environment and work organization, as well as on family, community and social contexts. In consequence, Workplace Health Promotion is the combined effort of employers, workers, their communities and society to improve the health and well-being of women and men at work²⁵.

¹⁹ EU-OSHA, *Workplace Health Promotion for Employees*, FACTS 94, 2010. Available at: <http://osha.europa.eu/en/publications/factsheets/94>

²⁰ ILO, *Health and life at work: A basic human right*, cit., pp. 10 and 14.

²¹ EU-OSHA, *Motivation for employers to carry out workplace health promotion. Literature review*, cit., p. 20.

²² EU-OSHA, *Motivation for employers to carry out workplace health promotion. Literature review*, cit., p. 9.

²³ ILO, *Improving health in the workplace: ILO's framework for action*, cit., p. 4.

²⁴ ILO, *SOLVE: integrating health promotion into workplace OSH policies: trainer's guide*, cit., p. 8.

²⁵ ILO, *SOLVE: integrating health promotion into workplace OSH policies: trainer's guide*, cit., p. 12.

The ILO has pointed out that there is a growing trend to integrate health promotion into OSH programmes as an additional element to complement traditional programmes for the prevention of work-related accidents and occupational diseases²⁶. However, even if during recent years many enterprises or organizations have been undertaking health promotion activities in the workplace, in the vast majority of cases, these measures were adopted in the framework of corporate social responsibility without coordination with OSH measures. Indeed, Workplace Health Promotion is considered a strategic element of corporate social responsibility²⁷.

In this context, the ILO considers that when integrated into OSH policies, the potential for Workplace Health Promotion to improve working life increases²⁸. In consequence, to reach its full potential, we should move from the field of corporate social responsibility to the promotion of the inclusion of Workplace Health Promotion into the employer's duty to protect health and safety. By doing so, Workplace Health Promotion would no longer be voluntary, but would become an obligation both for employers and for employees.

The ILO's framework for improving health in the workplace is not something totally different from the actions that the organization has been taking in the field of OSH since its creation in 1919. On the contrary, the principles of this approach are based on the *Occupational Safety and Health Convention*, 1985 (No. 155) and its accompanying Recommendation (No. 164) as well as in the *Occupational Health Services Convention* (No. 161) and its accompanying Recommendation (No. 171)²⁹. In fact, the *Occupational Health Services Convention* establishes that "the term occupational health services means services entrusted with essentially preventive functions and responsible for advising the employer, the workers and their representatives in the undertaking on (i) the requirements for establishing and maintaining a safe and healthy working environment which will facilitate optimal physical and mental health in relation to work; (ii) the adaptation of work to the capabilities of workers in the light of their state of physical and mental health". Therefore, they can also play an important

²⁶ ILO, *Emerging risks and new patterns of prevention in a changing world of work*, cit., p. 14.

²⁷ ENWHP, *Making the Case for Workplace Health Promotion. Analysis of the effects of WHP*, 2004, p. 55. Available at: https://www.enwhp.org/resources/toolip/doc/2018/04/24/report_business_case_01.pdf

²⁸ ILO, *Improving health in the workplace: ILO's framework for action*, cit.

²⁹ ILO, *SOLVE: integrating health promotion into workplace OSH policies: trainer's guide*, cit., p. 4.

advisory role in the implementation of Workplace Health Promotion programmes.

Among other reasons, we can say that the workplace is an important setting for health promotion because it is possible to use the structures that already exist in it for meeting OSH requirements, to develop health promotion programmes³⁰. Furthermore, given the important connections between OSH and health promotion it is advisable to use and expand the already existing structures in the field of OSH, for example occupational health services, to incorporate Workplace Health Promotion measures within organizations. It should be easier to use these existing structures than to create entirely new ones³¹.

3. Workers' Well-being and the Recovery from COVID-19

The COVID-19 pandemic has created not only a health crisis, but also a social and economic one. The main objective has been to prevent the propagation of COVID-19 in the workplace. The measures taken by different governments all over the world -mainly lockdown- have had an unprecedented impact on the labour market. The main dilemma has been to decide when workplaces should remain closed and when they can be reopened.

In May 2020, the ILO created a four-pillar policy framework, based on international labour standards for tackling the socio-economic impact of the COVID-19 crisis. Pillar 3 is about “Protecting workers in the workplace”. The ILO has recognized the importance of protecting workers in the workplace, by strengthening OSH measures, adapting work arrangements (e.g. teleworking), preventing discrimination and exclusion, providing health access for all and expanding access to paid leave³².

The *Resolution concerning a global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient*, adopted by the International Labour Conference during its 109th Session, on 17 June 2021, includes the protection of workers among the actions needed for

³⁰ EU-OSHA, *Workplace Health Promotion*. OSH Wiki. Available at: http://oshwiki.eu/wiki/Workplace_Health_Promotion

³¹ ILO, *SOLVE: integrating health promotion into workplace OSH policies: trainer's guide*, cit., p. 21.

³² ILO, *A policy framework for tackling the economic and social impact of the COVID-19 crisis*. ILO Policy brief, 2020. Available at: https://www.ilo.org/global/topics/coronavirus/impacts-and-responses/WCMS_745337/lang-en/index.htm

recovery from COVID-19. Governments and employers' and workers' organizations have committed to providing all workers with adequate protection by reinforcing the respect of international standards, especially those related to the areas most affected by COVID-19, such as safety and health at work, with a particular focus on the challenges presented by the COVID-19 pandemic³³. As in the *ILO Centenary Declaration*, the Resolution again recognizes that safe and healthy conditions are fundamental to Decent Work. According to the Resolution, OSH measures could be strengthened through cooperation with public institutions, private enterprises, employers, workers and their representatives for the provision of tailored practical guidance, support for risk management, the introduction of appropriate control and emergency preparedness measures, measures to prevent new outbreaks or other occupational risks and compliance with health measures and other COVID-19-based rules and regulations³⁴.

The COVID-19 pandemic has impacted on workers' health in different ways. Many of them lost their jobs due to the crisis, but many others continue to work. In these cases, the priority has been to guarantee that work can be performed safely³⁵. However, there are important differences between the working conditions of frontline workers who provide essential services, such as care workers, cleaners, or those involved in the production and sale of basic goods, and those workers whose job can be performed remotely.

On the one hand, frontline workers are particularly exposed to the risk of infection by COVID-19. In consequence, risk control measures need to be specifically adapted to the needs of these workers³⁶. The implementation of adequate safety and health measures, such as preventive health protocols, was key to protecting them. Nevertheless, the risk of contagion is not the only risk to which frontline workers are exposed. Other occupational risks, particularly psychosocial ones, have been amplified by COVID-19. During the pandemic, frontline workers,

³³ ILO, *Resolution concerning a global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient*. International Labour Conference – 109th Session, 2021, p. 4. Available at: https://www.ilo.org/ilc/ILCSessions/109/reports/texts-adopted/WCMS_806092/lang-en/index.htm

³⁴ ILO, *Resolution concerning a global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient*, cit., pp. 4-5.

³⁵ ILO, *A policy framework for tackling the economic and social impact of the COVID-19 crisis*, cit., p. 10.

³⁶ ILO, *In the face of a pandemic: Ensuring safety and health at work*, cit., p. 15.

particularly health workers, have been working longer hours with heavier workloads and without enough time for rest. This situation can result in chronic fatigue³⁷. Moreover, the level of stress experienced by health workers could also derive from strict OSH measures aimed at preventing infection³⁸. The ILO and the WHO came to the conclusion that these risks should also be addressed³⁹.

On the other hand, the situation for those workers who can perform their job remotely is totally different. Remote working is extremely effective in the fight against COVID-19 as it allows employers to remove workers from the risk of contagion in the workplace. However, telework raises other concerns related to the well-being of working people⁴⁰. Working conditions and arrangements have changed considerably during the last year and these changes have brought new psychosocial challenges for the health and well-being of workers⁴¹. Even if psychosocial and ergonomic problems may seem secondary when compared to the hazards presented by COVID-19 itself, we cannot undervalue them⁴². If psychosocial risks are not correctly managed, they can increase stress levels and lead to physical and mental health problems⁴³.

In this context, the ILO has elaborated the *Managing work-related psychosocial risks during the COVID-19 pandemic* guide to provide employers and managers with key elements to consider when assessing psychosocial risks and implementing preventive measures to protect health and well-being in the context of the COVID-19 pandemic. To this end, the protection of workers' mental health should be integrated into workplace OSH management systems, emergency preparedness and response plans and return-to-work plans developed in response to the COVID-19 crisis⁴⁴.

³⁷ ILO, WHO, *COVID-19: Occupational health and safety for health workers*, Interim guidance, 2 February 2021. Available at: https://www.who.int/publications/i/item/WHO-2019-nCoV-HCW_advice-2021.1

³⁸ ILO, *In the face of a pandemic: Ensuring safety and health at work*, cit., p. 20.

³⁹ ILO, WHO, *COVID-19: Occupational health and safety for health workers*, cit., p. 1.

⁴⁰ ILO, *Work in the time of COVID*. Report of the Director-General. International Labour Conference. 109th Session, 2021 (ILC.109/I/B), International Labour Office, Geneva, 2021, P. 14. Available at: https://www.ilo.org/ilc/ILCSessions/109/reports/reports-to-the-conference/WCMS_793265/lang-en/index.htm

⁴¹ ILO, *Managing work-related psychosocial risks during the COVID-19 pandemic*, Geneva, 2020, p. 6. Available at: https://www.ilo.org/global/topics/safety-and-health-at-work/resources-library/publications/WCMS_748638/lang-en/index.htm

⁴² ILO, *Work in the time of COVID*, cit., p. 14.

⁴³ ILO, *In the face of a pandemic: Ensuring safety and health at work*, cit., p. 6.

⁴⁴ ILO, *Managing work-related psychosocial risks during the COVID-19 pandemic*, cit., p. 9.

Workplace hazard identification and risk assessment should not only focus on the risk of exposure to the virus, but they also have to include all the different hazards and risks arising from the work environment, including psychosocial factors⁴⁵. Employers have the responsibility, in consultation with workers, to take measures to manage psychosocial risks that may arise due to new working conditions⁴⁶. Therefore, the risk assessment process in the context of COVID-19 should identify any hazard related to OSH measures or to new work processes adopted to prevent contagion. Psychosocial risk factors (for example, long working hours, reduced rest periods, increased workload and pressure, violence and harassment), ergonomics, chemical and other hazards should all be taken into account. Also, external factors affecting mental health and well-being, such as fear (of being infected, losing one's job, seeing revenues reduced and experiencing a lower quality of life) and social isolation should be considered in the risk assessment process⁴⁷. By doing a correct hazard identification and risk assessment, it would be possible to adopt appropriate measures adapted to the workplace and to workers' needs⁴⁸.

As pointed out by the ILO in the SOLVE training package, in times of global financial and social crisis and workplace change, coping successfully with psychosocial risks in the workplace is essential for protecting the health and well-being of workers, while enhancing productivity⁴⁹. This statement can be extrapolated to the current situation. As we have seen, the rapid spread of COVID-19 has also brought about a rapid spread of psychosocial risks, both among frontline workers and remote workers. Therefore, OSH should also focus on the prevention and mitigation of psychosocial risks and mental health problems during the COVID-19 pandemic, and not only on the prevention of contagion. The ILO has identified ten areas for managing work-related psychosocial risks during the COVID-19 crisis, which are the following: environment and equipment; workload, work-pace and work-schedule; violence and harassment; work-life balance; job security, management leadership; communication, information and training; health promotion and

⁴⁵ ILO, *Managing work-related psychosocial risks during the COVID-19 pandemic*, *cit.*, p. 9.

⁴⁶ ILO, *Anticipate, prepare and respond to crises: Invest now in resilient OSH systems*, Geneva, 2021, p. 78. Available at: <https://www.ilo.org/global/topics/safety-and-health-at-work/events-training/events-meetings/safeday2021/lang-en/index.htm>

⁴⁷ ILO, *Managing work-related psychosocial risks during the COVID-19 pandemic*, *cit.*, p. 10.

⁴⁸ ILO, *Managing work-related psychosocial risks during the COVID-19 pandemic*, *cit.*, p. 11.

⁴⁹ ILO, *SOLVE: integrating health promotion into workplace OSH policies: trainer's guide*, *cit.*, p. V.

prevention of negative coping behaviours; social support and psychosocial support⁵⁰.

Psychosocial risks and work-related stress are associated with unhealthy behaviours, such as heavy alcohol consumption, poor eating habits, less frequent physical exercise and irregular sleep patterns. Therefore, Workplace Health Promotion is very important for avoiding the adoption of unhealthy behaviors to cope with the increased stress related to the COVID-19 pandemic⁵¹. The employer's duty to protect health and safety includes protection from psychosocial risks. As Workplace Health Promotion is key to managing psychosocial risks and work-related stress in the workplace, we stand for its inclusion as part of the employer's duty to protect health and safety. Avoiding situations that can favour the appearance of psychosocial risks, such as unhealthy habits, means fighting psychosocial risks at the source. As those risks could cause mental and physical problems, by avoiding their materialization in the workplace, the employer would be complying with their duty to protect health and safety, if we understand this duty in a broad sense. Therefore, the employer's duty to protect health and safety may also include measures for avoiding the adoption of unhealthy behaviours that can lead to psychosocial risks.

The guide elaborated by the ILO includes some actions that could be considered by employers to promote workers' health and well-being, such as revising working-time arrangements (including shifts, overtime and working hours); informing workers about how to adopt a routine for healthy sleeping, including the use of dedicated apps; encouraging workers to exercise regularly and providing information on how to exercise at home; and encouraging workers to maintain healthy habits by taking regular breaks⁵². However, even if the implementation of these kinds of actions could be very effective for coping with the spread of psychosocial risks caused by the COVID-19 pandemic, as we have already said, the implementation and the participation in those actions is voluntary for employers and for employees.

Psychosocial support is also a very important action for managing work-related psychosocial risks during the COVID-19 pandemic. In workplaces where adequate psychosocial support is provided, workers experiencing work-related stress and other mental health issues are more likely to seek it out. For that reason, the ILO's guide suggested some actions, such as the integration of psychosocial support into the workplace COVID-19

⁵⁰ ILO, *Managing work-related psychosocial risks during the COVID-19 pandemic*, cit., p. 11.

⁵¹ ILO, *Managing work-related psychosocial risks during the COVID-19 pandemic*, cit., p. 26.

⁵² ILO, *Managing work-related psychosocial risks during the COVID-19 pandemic*, cit., p. 27.

response plan⁵³. Following the guide, the Resolution adopted by the International Labour Conference in June 2021 included psychosocial support as one of the measures that should be provided for workers at a higher risk of exposure to COVID-19 and for those at a greater risk of negative health impacts, such as frontline workers⁵⁴. However, the Resolution does not mention that psychosocial support is also important for remote workers. Even if it is not mentioned, psychosocial support should also become important for those workers, as the Resolution also includes the introduction, utilization and adaptation of teleworking and other new work arrangements among the actions aimed at protecting all workers⁵⁵.

The report published by the ILO on the occasion of the World Day for Safety and Health at Work 2021 includes the adoption of provisions for addressing associated OSH risks, such as psychosocial risks, among the necessary elements to build strong and resilient OSH systems, but it does not mention the importance of promoting workers' health and well-being⁵⁶. However, the promotion of workers' well-being and the management of psychosocial risks are essential for a human-centered recovery from the COVID-19 crisis based on Decent Work. To protect workers' health from the consequences of the COVID-19 pandemic, it is necessary to promote health and well-being. Therefore, the process of recovery from the COVID-19 crisis represents an opportunity to foment the inclusion of Workplace Health Promotion in OSH policies. Even if those kinds of measures already exist in some companies, their integration into OSH policies would increase their potential to promote workers' well-being. It also represents an opportunity to promote other measures, such as psychosocial support, in all workplaces and for all workers.

Social partners have had an important role in the implementation of measures for protecting workers' health in the recovery from COVID-19. Social dialogue between employers or their organizations and workers' organizations has led to joint responses to COVID-19⁵⁷. To ensure the

⁵³ ILO, *Managing work-related psychosocial risks during the COVID-19 pandemic*, cit., p. 29.

⁵⁴ ILO, *Resolution concerning a global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient*, cit., p. 4.

⁵⁵ ILO, *Resolution concerning a global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient*, cit., p. 5.

⁵⁶ ILO, *Anticipate, prepare and respond to crises: Invest now in resilient OSH systems*, cit.

⁵⁷ ILO, *Employers and workers negotiating measures to prevent the spread of COVID-19, protect livelihoods and support recovery: A review of practice*, ILO brief, Geneva, July 2020. Available at: https://www.ilo.org/global/topics/collective-bargaining-labour-relations/publications/WCMS_749844/lang-en/index.htm

efficient management of psychosocial risks, workers and their representatives should be involved in the whole process: they should actively participate in the identification of hazards and collaborate in the development and implementation of preventive and control measures⁵⁸. Therefore, social partners also need to play an important role in the process of including Workplace Health Promotion in OSH policies.

4. The Consideration of OSH as a Fundamental Principle and Right at Work

At the international level, it is increasingly recognized that the protection of life and health at work is a fundamental workers' right⁵⁹. In fact, many international instruments, such as the Universal Declaration of Human Rights, proclaimed by the United Nations General Assembly in Paris on 10 December 1948, refer, at least indirectly, to OSH in articles 23 and 25. However, OSH is not one of the four fundamental principles and rights at work recognized by the ILO Declaration on Fundamental Principles and Rights at Work, adopted by the International Labour Conference at its 86th Session, in Geneva, on 18 June 1998.

The report prepared by the Global Commission on the Future of Work on the occasion of the ILO's Centenary pointed out that "the international community had long recognized health as a human right", and, therefore, it was time "for safety and health at work to be recognized as a fundamental principle and right at work"⁶⁰. Indeed, the Draft Declaration for the consideration of the International Labour Conference expressly stated that "Occupational safety and health is a fundamental principle and right at work in addition to those specified in the ILO Declaration on Fundamental Principles and Rights at Work (1998)"⁶¹. However, it was not possible to reach the necessary consensus at the Plenary debate of the International Labour Conference at its 108th Session, in 2019. In consequence, as we have already said, the ILO

⁵⁸ ILO, *Managing work-related psychosocial risks during the COVID-19 pandemic*, cit., p. 7.

⁵⁹ B. O. Alli, *op. cit.*, p. 19.

⁶⁰ ILO, *Work for a brighter future – Global Commission on the Future of Work*, International Labour Office, Geneva, 2019, p. 39. Available at: https://www.ilo.org/global/topics/future-of-work/publications/WCMS_662410/lang-en/index.htm

⁶¹ ILO, *ILO Centenary outcome document*. Report IV. International Labour Conference, 108th Session, 2019, International Labour Office, Geneva, p. 7. Available at: https://www.ilo.org/ilc/ILCSessions/108/reports/reports-to-the-conference/WCMS_700622/lang-en/index.htm

Centenary Declaration just pointed out that “safe and healthy working conditions are fundamental to decent work”, without any reference to the ILO’s Framework about Fundamental Principles and Rights at Work.

In any case, in addition to the Declaration itself, at its 108th Session in 2019, the International Labour Conference also adopted a Resolution on the ILO Centenary Declaration for the Future of Work. In this Resolution, the Conference requested “the Governing Body to consider, as soon as possible, proposals for including safe and healthy working conditions in the ILO’s framework of fundamental principles and rights at work”⁶². At its 337th Session of October-November 2019, the Governing Body decided to approve the procedural road map as a planning tool, which can be reviewed and modified by the Governing Body based on progress made, for the consideration of proposals for including safe and healthy working conditions in the ILO’s framework of fundamental principles and rights at work. However, the evolution of the COVID-19 pandemic impacted on the implementation of that procedural road map. In consequence, at its 341st Session, in March 2021, the Governing Body approved a revised procedural road map. The final step will be the consideration, at the 110th Session (2022) of the International Labour Conference, of a possible outcome document concerning the inclusion of safe and healthy working conditions in the ILO’s framework of fundamental principles and rights at work⁶³.

The devastating effects of COVID-19 on human lives, employment and the economy alerted the world to the urgency of placing occupational safety and health at the center of global and national responses to tackle the pandemic, prepare for recovery and build resilience against forthcoming global emergencies⁶⁴. In consequence, more than ever, it is vital to include OSH among the fundamental principles and rights at work. Therefore, the necessary consensus for including OSH in the ILO’s

⁶² ILO, *Resolution on the ILO Centenary Declaration for the Future of Work*. International Labour Conference, 108th Session, 2019, International Labour Office, Geneva. Available at: https://www.ilo.org/ilc/ILCSessions/108/reports/texts-adopted/WCMS_711659/lang--en/index.htm

⁶³ ILO, *Follow-up to the resolution on the ILO Centenary Declaration for the Future of Work. Proposals for including safe and healthy working conditions in the ILO’s framework of fundamental principles and rights at work*. Institutional Section. Governing Body, 341st Session, Geneva, March 2021, p. 17. Available at: https://www.ilo.org/gb/GBSessions/GB341/ins/WCMS_769712/lang--en/index.htm

⁶⁴ ILO, *Follow-up to the resolution on the ILO Centenary Declaration for the Future of Work. Proposals for including safe and healthy working conditions in the ILO’s framework of fundamental principles and rights at work*, cit., p. 16.

Framework about Fundamental Principles and Rights at Work is expected to be finally reached at the 110th Session of the International Labour Conference. This would represent a change of paradigm and would be a significant moment in the process of recovery from COVID-19 based on Decent Work, as it would contribute to highlighting the extreme importance of OSH. The inclusion of OSH in the ILO Declaration on Fundamental Principles and Rights at Work would also be an important step towards the integration of Workplace Health Promotion into OSH systems.

ADAPT is a non-profit organisation founded in 2000 by Prof. Marco Biagi with the aim of promoting studies and research in the field of labour law and industrial relations from an international and comparative perspective. Our purpose is to encourage and implement a new approach to academic research, by establishing ongoing relationships with other universities and advanced studies institutes, and promoting academic and scientific exchange programmes with enterprises, institutions, foundations and associations. In collaboration with the Centre for International and Comparative Studies on Law, Economics, Environment and Work, (DEAL) the Marco Biagi Department of Economics, University of Modena and Reggio Emilia, ADAPT set up the International School of Higher Education in Labour and Industrial Relations, a centre of excellence which is accredited at an international level for research, study and postgraduate programmes in the area of industrial and labour relations. Further information at www.adapt.it.

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