

## **I. INTERNATIONAL X. NATIONAL OCCUPATIONAL HEALTH AND SAFETY CONGRESS RESULT REPORT**

I. International X. National Occupational Health and Safety Congress is organized by UCTEA Chamber of Mechanical Engineers Adana Branch, and held on 23 - 26 October 2019 at Çukurova University in Adana. A total of 1,814 people, including 472 delegates, participated in the congress and 14 companies, institutions and organizations participated in the exhibition. 53 oral and 23 poster presentations, two opening panels, two conferences and closing sessions totaling 40 sessions were presented with participation of International Labor Organization (ILO) Turkey Office, the World Health Organization (WHO) Turkey Representation, Universities, TTB, DISK, KESK, CME, other chambers connected to UCTEA, the Ministry of Family, Labor and Social Services, Ministry of Health, other professional organizations, public and private institutions and organizations, engineers, doctors, workers, nurses, students, health personnel and related technical personnel. In the sessions, scientists and trade unionists from Macedonia, India, Germany, England, USA, Iran and Switzerland also participated and presented papers.

In addition, a short film competition was held within the scope of congress activities. Ömer ÇOLAK won the prize with his short film "FATHERS AND SONS". Selman Vefa YILDIRIM's photo exhibition "ABSCISSA LOAD" was organized.

In the panels and sessions of the congress, important determinations and suggestions were made on the field of occupational health and safety.

Developing security measures to provide the right solutions for occupational health and safety problems are among the main duties of our profession and chamber. As in all branches related to our fields of expertise, our Chamber considers contributing to improvement of occupational health and safety as one of its most important tasks.

The congress, organized by our Chamber since 2001, has an important role in establishing the sensitivities related to occupational health and safety. The recommendations and Chamber Reports formed in our congresses have been and continue to be an important source of reference for those working on OHS.

According to SSI Statistics, since 2012, since the Occupational Health and Safety Law No. 6331 was adopted, the number of job killings, the frequency of job killings and the rate of weight have been increasing every year. The reality of not being able to detect occupational diseases still continues.

After the Occupational Health and Safety Law No. 6331 entered into force in 2012, work murders continued to increase and the legislation was revised and re-changed after every accident in which mass deaths occurred.

The law regulating working life should not be considered only as the Occupational Health and Safety Law No. 6331. Working life is shaped by many laws including Labor Law No. 4857, Social Insurance and General Health Insurance Law No. 5510. With the Law No. 4857, which was put into force in 2003, working life has been completely flexed, and subcontracting of jobs

has become the usual way of working. With the “employment offices”, the business relations were completely turned to “let them do it” and “let them pass”, and as a result of all these, unorganization increased. Flexible work patterns introduced by Law No. 4857 played an important role in the increase of work murders. Therefore, this should be the legislation that needs to be emphasized.

Occupational accidents and occupational diseases are not fate. Seeing work accidents and occupational diseases as a "natural result of work" invites new job killings.

Ensuring occupational health and safety is primarily the duty of the employer. However, in the system introduced by Law No. 6331, this task has become more expected from occupational safety experts and physicians rather than employers. Like other regulations in Law No. 6331, regulations concerning specialists and physicians are exclusively for employer interests. Occupational safety experts and physicians have become responsible for every occupational accident.

As a result of regulations aiming to provide occupational health and safety services by the private sector, the number of Joint Health and Safety Units (OSGB) in our country has exceeded 2,000. Businesses prefer to receive services from OSGBs.

The steps, measures and arrangements that are expected to be taken in the field of occupational health and safety (OSH) as a result of the discussions and observations presented in the panels and sessions of the congress are presented to the public;

- 1) Every employee has the right to work in a healthy and safe environment.
- 2) Ensuring worker health and safety is primarily the duty of the state and employer.
- 3) Establishment of national policies on occupational health and safety, taking decisions and supervision in the workplaces are carried out by the Ministry of Family and Labor and Social Services. The point reached shows that; the right decisions are not taken and the desired practices cannot be implemented. A national institute, mostly administrative and financially independent should be established with the participation of trade unions, universities, UCTEA, TMA, MCHSSH, the Ministry of Health and labor organizations most importantly. The institute must carry out the duties of policy making, decisions and supervision in the workplaces.

The National Occupational Health and Safety Council, which has been disintegrated and almost eliminated by the Presidential Decree, should be removed from a government and employer-dominated structure; employee, employee organizations and professional organizations should be weighted. Decisions of this council should be removed from the nature of advice and should be guided and functional.

In the state of social law, labor laws adopt the basic principle of protecting and improving the rights of employees, but the Labor Law No. 4857, the Labor Health and Safety Act No. 6331, the Trade Unions and Collective Bargaining Act and other regulations related to the field are shaped in line with the interests of employers. Laws and other regulations that makes legalization of flexible and unregulated work, temporary employment relationship and

subcontracting; pruning severance pay, overtime wages, trade union rights and powers; do not consider occupational health and safety as an employer's obligation and which impede the organization should be canceled. After the establishment of the Institute of Occupational Health and Safety, all legislation and supervision mechanism, especially the Labor Law and the Occupational Health and Safety Law, should be rearranged with a human-centered approach with the participation of the parties involved. The Ministry of Health, the Ministry of National Education, the Ministry of Industry and Technology, TSE and other relevant ministries and organizations should be cooperated.

4) According to the United Nations (UN) Universal Declaration of Human Rights Article 23 "Everyone has the right to work in a workplace determined by his own free choice, in fair and favorable working conditions" approach, to prevent work accidents and occupational diseases "health first, worker safety first" approach should be placed in the production process, occupational health and safety measures and practices. In all arrangements to be made, it should not be distracted from the fact that the employer has the main responsibility in ensuring the health and safety of workers in the workplaces.

Provisions should include to protect children, young people and women. All negative practices for women and women's labor, which are regarded as cheap labor, should be abolished, equal wages for equal work and equal opportunities in employment should be ensured.

Occupational health and safety regulations and practices should include all workplaces and all employees (including home services, convicts and detainees) without any distinction including sector, number of employees.

OHS starts from the project stage of the workplaces. For this reason, the requirement of obtaining a 'workplace permit' and 'operating certificate' in the previous practices should be included in the legislation again.

In public institutions and in less dangerous workplaces with less than 50 employees, the fact that the practice of employing specialists and physicians is constantly being delayed has resulted in the disregard of OHS. The employment of specialists and physicians in these workplaces should be started immediately.

5) Protecting OHS issue, bring up this issue to the agenda, establish audit mechanisms for workplaces, establishing of control mechanisms for workplaces, joining, training employees and member of Trade Unions and Confederations that has organizations in the workplaces; will reduce the number of accidents and occupational diseases in a positive way. We expect Confederations to put OHS on their agenda more. In case the OHS is more on the agenda of trade unions and confederations; positive results are expected.

6) Based on the fact that job security and occupational health and safety complement each other, all employees should be placed under a social security umbrella. Uninsured and non-union employment should be prevented, informal economy should be recorded. Barriers to unionization should be removed, the social and economic lives of employees should be improved.

7) Marketization of occupational health and safety services is one of the main sources of problems. Occupational health and safety services to be provided to workplaces should be considered as a public service.

The understanding that OHS expert, workplace doctor and workers have the all responsibilities; without paying regard of employers' obligation to take measure and supervisory duty of the state, is a behavior that increases employers' indifference. With seeing the fact that duties of occupational physicians and occupational safety specialists are guidance; without fulfilling their determinations, requirements and recommendations, holding responsible for occupational accidents, diseases; and suspending their documents are not correlated with the reality. Professional independence and job security of workplace physicians and occupational safety specialists must be protected. The Ministry -should fulfill its public audit obligations.

8) Ensuring worker health and safety is the employer's obligation. In order to starting business the people who will start business, according to business' qualification, must be obliged to receive training on OHS before starting the business. In addition, OHS training should be made compulsory for those who will have management duties in the workplaces, depending on their position. The prerequisite for opening a business and becoming a manager should receiving these trainings and certification of these trainings.

9) Considering the fact a major part of occupational accident happened in small scale enterprise in our country, the obligation to establish an OHS Committee should be made compulsory in workplaces with at least 30 employees, this number should be lowered gradually. In line with the fact that the workplace is a whole, there should be only one OHS Committee in a workplace. The establishment of a committee and decision-making mechanisms should be democratized. Participation of employee representatives and employees should not be an application on paper and participation mechanism should be strengthened. The job assurance of employee representatives, should be brought into equal level with the trade union representatives.

10) There must be workplace doctors, engineers, technical personnels, medical personnel, economist and expert for labor hygiene in the team which help to employers for ensuring worker health and safety at workplaces. Occupational safety experts, occupational physicians and all personnel working on OHS issues should be rearranged for their professional independence, working time, annual leave, personal development training and etc. In industrial enterprises with more than 50 employees, it is necessary to employ "full-time" occupational safety specialists. In the workplaces where there are less than 10 employees, SSI premium resources should not be used to cover the OHS service cost; a separate resource should be allocated for this item in the budget.

11) It should be aimed to bring contemporary approaches to our country like giving trainings about occupational health and safety from professional chambers allied with UCTEA, Turkish Medical Association and universities.

12) Postgraduate trainings in OHS are aimed at gaining the right to take the B class specialty exam rather than academic / scientific study. These programs are completed in a few months,

the attendance of the course is not followed and the thesis writing is not obligatory should be reorganized according to the needs of OHS and science.

13) Specific faculty members should be trained in the OHS Department. In the departments opened in some universities in OHS field, education is given only as distance education. Far away training in this field should be stopped as soon as possible.

14) In the prevention of occupational accidents and diseases, the inspections of the official authorities have an important place. In recent years, however, supervision in workplaces has been greatly reduced. Audits in workplaces should be increased quantitatively and qualitatively the way free from political concerns. In case the audit task is not fulfilled, barriers to the being tried of responsible ministers and ministerial officials should be removed.

15) Assignment within the same institution or other institutions and organizations in addition to primary duties of workplace physicians and occupational safety specialists that working in public institutions and organizations, eliminates the application of expertise with a certain competence due to additional workload. Doctors and occupational safety specialists should not be assigned any other duties. Getting the practice of free occupational services by occupational safety specialists should be terminated in public workplaces.

16) All employees should be given rights and responsibilities and continuous training on OHS, these trainings should be conducted in such a way that the intervention of the employer to the duration and content is prevented. Vocational Education Certificate and Vocational Qualification Certificate application should be removed only from the traded applications, a system that considers the vocational education and qualification system as an employer and a public obligation should be established.

17) Education and training curriculum should be reorganized starting from secondary education to include health and safety, health and safety training should be provided in all schools; occupational health and safety course should not be limited with courses in higher education institutions, where occupational safety specialists can be trained, OHS major branches should be established in related faculties of universities.

18) The development of OHS sensitivity and awareness among employees and employers is in line with the formation of a healthy and safe workplace. For this purpose, security culture, family culture and social worker health culture should be created and encouraged together.

19) Published by the social security institution; "Occupational Accident and Occupational Diseases Statistics" is far from reflecting the facts. Information on accidents and occupational diseases in workplaces should be collected in a database, occupational diseases polyclinic and occupational diseases department should be established, this information should be used for measurement and evaluation purposes.

The Ministry should share with the public not only the number but the detailed analysis of the root causes of accidents and diseases with regard to the occupational accidents and occupational diseases examination reports prepared after the examinations carried out by the SSI.

20) Lack of detection of occupational diseases is still a problem. Turkish Medical Association and Union of Chambers of Turkish Engineers and Architects should work together for making study aimed at prevention of occupational diseases and ensuring that physician and expert collaboration is more effective in the workplace. In order to prevent occupational diseases, physician and expert cooperation mechanism should be established. Work should be carried out by the Ministry of Family, Labor and Social Services to ensuring job security of diagnosed employee and occupational health professionals.

21) The exploitation of child labor, which has reached eerie dimensions in the world and in our country, should be eliminated, child workers should be rehabilitated and directed to formal education.

22) The ministry of labor and social services and the ministries of family and work should configured as the ministry of family and working

23) Local authorities that give the license to open workplaces in order to comply with workers' health and safety at workplaces should be controlled whether workplaces are suitable for worker health and safety before opening workplaces. Local governments should be provided with the staff to make this assessment.

24) Other Health Personnel title in the legislation should be changed to "Workplace Health Personnel". In addition, they should be able to carry out active duties in the workplaces.

With the responsibility and awareness of being a professional public institution health and safety at work; We announce that we are ready to contribute to the development and improvement activities of occupational health and safety which is a bleeding wound in our country, and that we will continue our struggle in this direction.

**(26.10.2019)**

**UCTEA Chamber of Mechanical Engineers**