



Europäischer Metallgewerkschaftsbund  
European Metalworkers' Federation  
Fédération Européenne des Métallurgistes



## Terms of Reference for a Joint Global OHS committee in ArcelorMittal.

The most effective tool that we have ensuring good health and safety in the workplace is cooperation between trade unions and management, because organised workplaces are safer workplaces. Increased employee involvement leads to higher levels of compliance and better health and safety performance with this in mind this agreement sets out areas of cooperation between management and trade unions at global level.

By identifying common ground between workers, unions and management on health and safety issues we can make a positive impact on the number of accidents in the workplace and significantly reduce the risk faced by workers. A Global OHS committee will help to improve communication, collaboration and coordination between unions and management.

### Size and scope

The committee should be made up OHS experts ideally this would amount to 9 from unions and 3 management. (4 from the EMF and 5 from IMF) with the ability to call in expertise as and when required. All costs associated with the committee will be borne by the company. 3 Union representatives from the committee will also attend Arcelor Mittal OHS board meetings.

The main function of the committee would be to identify areas for improvement in the company and act as a facilitator in harmonising safety performance across the group. The committee would only deal with issues related to health and safety and would not act as a negotiating committee on behalf of unions or management its function would be solely to offer guidance.

### Initial Steps

- a. Review current performance in the company.
- b. Identify common problems or areas for improvement.
- c. Establish OHS committees in each plant-look at what mentoring is needed.
- d. Encourage unions and management to work together.
- e. Develop the role of safety representatives-training programmes.
- f. Develop a joint publication.

Signed: LN Mittal M Malentacchi B Samyn L Gerard

Date:

Place:



## Agreement on minimum requirements for Plant level Joint H&S Committees

### 1. Principles

- This agreement cannot replace any national legislation and/or local, national, regional or company level agreements if these are more favourable.
- Where already legal or contractual obligations exist, it belongs to the local social partners to decide where these are exceeding this agreement, where they are complimentary or where they should be adapted. The H&S committees can in no way replace existing legal or contractual H&S committees, but these can adopt points from this agreement where it exceeds what already exists.
- This agreement recognises the key role that trade unions can play in addressing health and safety issues and encourages union management partnerships to improve standards and participation in order to raise health and safety standards.
- People are the most important element in the success of any health and safety programme.
- While line management is ultimately accountable for providing a safe workplace, the communication between workers and management, active involvement of every employee and training are essential elements for achieving zero injuries.
- A safe and healthy working environment in the interest of both workers and management.
- Workers and management are in the best position to identify safety and health problems and develop solutions relatively quickly.
- We are committed to the health and safety of all employees, both on and off the job.
- All injuries, including occupational illnesses are preventable.
- We all have a key role to play in preventing injuries and illnesses.

### 2. Objective

To set a minimum requirement to all AM Plants on how to establish joint Management and Worker Health and Safety Committees at Plant level.

To facilitate the active involvement of workers as well as management in improving occupational safety and health at the workplace.

To promote the idea of real social dialogue between local management and the workers' representatives/trade unions on the prevention of safety risks and the protection of the workforce

### 3. Worker Rights and Responsibilities.

Workers have the right to bring concerns and complaints to the committee representatives without fear of reprisal, and to refuse work they believe is unduly hazardous until the hazard stops.

Workers have the responsibility to follow all safety rules and regulations.

Workers have the responsibility to report any unsafe act or situation to management or their H&S committee member without delay.

### 4. Purpose of Health & Safety committees

The main purpose having a Health & Safety (H&S) committee in a plant is to increase workers involvement in improving their working environment, to engage the management to take action on critical issues and in this way reduce the number of accidents and incidents.

- Follow-up on the decisions previously made and still outstanding.
- Discussion about any accidents or near-misses that have taken place since the previous meeting
- Discussion of the findings of the monthly joint inspection of aspects of the company's operations.

Additionally, all employees should be afforded the opportunity to have items placed on the agenda via a suggestion box, which would be sorted and reviewed by the chairman and vice-chairman prior to the preparation of every agenda.

#### **9. Implementation time and approval criteria**

All plants are expected to set up Joint H&S committees with immediate effect. Compliance will be monitored by the Joint Global Health and Safety Committee.

#### **10. Duration of this agreement**

This agreement will be valid for a period of 4 (four) years from date of signing. It shall be tacitly renewed for periods of 4 (four) years, unless terminated by one of the signatories by notification of the others, by registered letter, at least 6 (six) months before the end of the four year period. Throughout its duration this agreement may be revised by the Joint Global H&S Committee by means of addenda to adapt it, particularly if the perimeter of the group changes.

#### **11. Further guidance**

The attached annexure contains guidelines on the establishment of a Joint Health and Safety Committee.

#### **12. Implementation of the agreement**

The actual implementation of the agreement on health and safety committees has to be reached between the management and employee representatives/trade unions at site level, and should be done following local and/or national traditions and legislation.

Within this framework, once the agreement is signed, it is agreed that the commitments herein shall be implemented as follows;

- Each site will, where they do not exist, set up a Joint H&S committee as soon as practically possible
- Where H&S committees exist, they will investigate the elements of this agreement and the annexure and evaluate where, if any, they have to adapt their working method and/or structures to meet the requirements in this agreement.
- Each site will make an evaluation of this comparison and report to the Joint Global H&S Committee on what actions, if any, were undertaken
- Where adjustments are required an action plan to implement those will be developed.

#### **13. General**

The signatories agree that in case of any dispute in interpretation of this agreement the English text will be valid.

## **Further guidance regarding Joint Health & Safety Committees**

### **PURPOSE**

The purpose of this document is to provide further guidance for the implementation of a Joint Health & Safety committee to plant management in all plants of the ArcelorMittal group. The content of this document is of general character, and should be used as a guideline.

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The number of committee members will depend on the size of the workplace. But there should never be fewer than two worker representatives. The term of office should be long enough for members to gain some experience in health and safety while allowing other workers an opportunity to learn how the committee functions. A good practice might be to arrange rotating terms of office, so that a committee would never be completely made up of inexperienced members.

#### **4. Composition of the joint H&S committee**

The committee should have representation from the various levels of the organisation, i.e. workers, supervisors, middle management and top management. At the same time representation of all sections or departments would be desirable.

Management should appoint staff members with direct responsibility for departmental operations, making sure that all levels of management (foremen, supervisors, etc.) are represented in the committee. Such diversity in the representation of management would guarantee the presence in the committee of the necessary knowledge and expertise to provide accurate information to the committee on company policy, production needs, and on technical matters in relation to premises, processes, plant, machinery and equipment. Special attention should be given to the fact that the level of management commitment to safety and health issues is reflected in the level of managers appointed to the committee.

Worker representatives should be elected by their fellow workers or appointed by the trade unions but not selected or appointed by management. The company should provide the practical arrangement for the first election after the establishment of the committee. If the workplace is unionised / where trade unions are present it would be natural to involve the respective trade union(s) in this process. The committee itself should arrange the following elections.

Unless stated otherwise in the legal framework it is recommended that, all members of the committee should serve in terms of duration of four years. Re-appointment of management representatives and re-election of worker representatives is possible. Good practise will be to elect alternates who will complete the rest of a committee member's term in case of him/her being unable to fulfil the term by reason of:

- No longer being in the employ of the company.
- Being promoted to Management
- Personal reasons
- No longer a member of the union who elected or appointed him/her

The membership of the joint H&S committee should be regarded as a part of the individual's normal function in the company. Thus, members should not suffer any loss of pay because of attendance of meetings or at agreed activities related to safety and health, as outlined below.

Where a medical practitioner, occupational health nurse and workplace safety officer are employed, they should serve on the committee as observers. The medical doctor most frequently used by the company may attend meetings from time to time, or only parts thereof, to give advice on specific problems or to answer the committee's questions. A similar arrangement may be feasible where a plant is a member of a group medical service or occupational health service.

In all cases country legislation on the protection of personal information must be adhered to at all times. Doctor/patient confidentiality must be respected at all times.

#### **5. Chairmanship etc. of the committee**

The most senior management representative should chair the committee and the worker representatives elect amongst themselves the vice-chairman.

The role of the chairman is to ensure full participation of all members to the meeting and to strive for consensus on matters discussed.

The first task for a newly established committee would be to develop an education programme for itself - which includes training expertise provided by trade unions and management.

Further tasks may be defined in national legislation but this would never be an exhaustive listing. Neither is the following listing of tasks that should be undertaken by the committee; - it is intended to serve as inspiration and further development. The tasks mentioned hereunder are not in any order of priority.

a) Develop both a long-term and a short-term plan of action

This is necessary to ensure maximum effect of any investment in improved working conditions as unlimited resources is not normally available in the real life scenario. The plans should constantly be updated and should include recommendations to the management and the workers on the establishment, maintenance and monitoring of programmes, measures and procedures to ensure and enhance the safety and health of workers.

b) Personal protective equipment

Based on a thorough assessment of all work processes and all jobs, including information provided by suppliers of chemicals, machinery, tools, etc., the committee should develop guidelines on the use of personal protective equipment. The guidelines should include recommended type(s) and how frequently they should be replaced.

c) Reporting, recording and investigation of accidents and near-misses

The committee should develop practices for the reporting, investigation and recording of accidents. All reports should be placed on the agenda of the following meeting of the committee. The committee should develop practices regarding the investigation of accidents. To this end, the committee may wish to appoint, for instance, two members who should investigate all accidents immediately after occurrence. The recording of all accidents and incidents is important to the development of accident prevention programmes. All significant incidents, including fatalities must be conveyed to the committee without delay.

d) Inspections, audits and Job Safety Analysis

The committee, or the committee members appointed to perform the task, should carry out regular safety inspections at the workplace. Each work area should be visited at least once a month. Over time, these inspections should cover all shifts. The reports of the inspections provide valuable basic information on the practical situation and additionally serve to identify situations that may be sources of danger or hazard to the workers, and should be placed on the agenda of the following meeting of the committee. In addition, the committee should perform a comprehensive, in-depth audit of the overall workplace safety program at least once a year. This audit should be linked to a program of job safety analysis, focusing on the hazards, processes, procedures, equipment and protective devices applicable to every job or task. Special attention should be given to the risks associated with abnormal situations, such as equipment failures and process upsets. To be effective, job safety analysis should involve workers actually assigned to that job. This program of inspections, audits and job safety analysis will also::

- reinforce the link between the committee and the shop-floor workers,
- stimulate interest in the committee's activities,
- emphasise the part played by the workers themselves in the company's safety and health programmes and;
- help to increase the prestige of committee membership.
- Encourage trade unions to play a more active role

k) First aid

The committee should establish systems to ensure that first aid kits are conveniently located in the various departments of the company and that they are adequately stocked and maintained. First aiders should be trained. The committee should ensure that emergency response structures are in place and adequately tested.

l) The workplace and the surrounding environment

All workplaces exist and function as a part of a community and many of the pollutants and hazards, originally identified as occupational hazards, have an effect far beyond the workplace. The rising number of major industrial accidents, and their local and global impact, provides dramatic evidence that what happens within the plant deeply affects the safety, health and welfare of the local population and general environment.

In addition to the highly publicised catastrophes, there is an even bigger environmental problem, which might be called the silent disaster in which everyday leaks, spillages and "normal emissions" find their way into the environment with considerably greater collective impact than any of the single event disasters. In fact the quiet and often unseen daily accumulation of pollutants from leaks, spills and normal operation procedures have much more severe impact on the environment than any single disaster that may hit the headlines.

The workplace committee should, on the basis of a thorough investigation of the actual situation, discuss to what extent the workplace can minimise its negative environmental impact on the surrounding environment. The committee might also want to suggest policies and practice regarding the disposal of solid waste, effluent or aerial emissions. Furthermore, the committee might want to establish systems to deal with a potential uncontrolled emission, i.e. emergency procedures, early warning systems, community information, evacuation plans, etc. Where the committee deems it necessary the services of experts may be commissioned.

## **8. Company Safety Policy**

The company's safety policy can be considered the constitution of the joint H&S committee. Consequently, once established according to an agreement, one of the first tasks for the joint H&S committee is to develop a Company Safety Policy if not already in existence. The Company Safety Policy - and along with it, all practices - should be in accordance with national legislation, recognised practices, international standards and collective agreements, and as a minimum, should live up to the provisions stated in those instruments.

Furthermore, the Policy should reflect the specifics of Company history and tradition, specific Company issues and interests and - very importantly - the company-trade union relationship both in its written (e.g. in collective agreements) and its verbal form. Once consensus is reached in the committee on a draft policy it should be forwarded to the President and/or the Managing Director for endorsement before it is finally adopted by the committee itself. The document is a very important one as it states the level of commitment to safety and health on the side of the company and - along with the agreement on the role and functions of the joint H&S committee - is the working basis for the committee.

- Ensuring that no employee is assigned to a job without necessary training - both in the job tasks themselves and in safety and health.
- Establishing and requiring a safety and health programme that emphasises the integration of safety and health measures into each job task so that safety and health and job performance become inseparable.
- Requiring safety orientation for new and transferred employees, timely and appropriate training, a well-functioning joint H&S committee, a self-inspection programme, proper mechanical guards (adherence to national as well as international safety standards), and a personal protective equipment programme. - Providing safety and fire inspection to identify potential hazards of operation, then developing necessary protective measures.
- Establishing registration of accidents and near-misses and maintain good practices of record-keeping.
- Conducting accident investigation to determine the cause of accidents and the action required to prevent recurrences.
- Developing safety and health publicity and promotion to maintain interest and participation, both on and off the job.

#### Responsibilities

The company safety and health action plan will describe in detail the specific assignment of responsibilities, duties, and delegation of authority. The policy statement may summarise these responsibilities e.g.:

- The joint H&S committee is responsible for developing an effective safety and health programme to be endorsed by management.
- The supervisors in cooperation with relevant members of the committee are responsible for maintaining safe and healthy working conditions and practices in the areas under their jurisdiction.
- Department heads and supervisors in cooperation with relevant members of the committee are responsible for preventing accidents in their departments.
- Supervisors will be accountable for the safety and health of all employees working under their supervision.
- Each level of management must reflect an interest in company safety and health objectives and set a good example by complying with company safety and health rules. Management interest must be vocal, visible and continuous, from top management to departmental supervisors and foremen.
- Management representatives who have been assigned safety and health responsibilities will be held accountable for meeting those responsibilities.

#### Employee Participation

- Companies should acknowledge the vital role of their employees in the operation of a successful safety and health programme by summarising their roles and contributions in the policy statement. The following are some examples.
- All employees, including management, are expected to follow safe working practices, obey rules and regulations, and to work in a way that maintains the high safety standards developed and sanctioned by the joint H&S committee and endorsed by the company.
- All employees are expected to give full support to safety and health programmes and activities.