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**PERCEPTIONS OF WORKERS OF THE ROLE OF MALTESE
TRADEUNIONS IN HEALTH AND SAFETY ISSUES**

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PERCEPTIONS OF WORKERS OF THE ROLE OF MALTESE TRADE UNIONS IN HEALTH AND SAFETY ISSUES

Saviour Rizzo¹ and Mario Micallef²

Abstract: Issues related to Occupational Health and Safety (OHS) form part of the domain of the trade unions, as workers' representatives, and of the employers who have to shoulder responsibility for what goes on at the workplace. The Legislative framework governing and regulating OHS practices in Malta assigns specific roles to the employers and to workers' representatives. How does this affect the psyche of the workers who ultimately are the main stakeholders in this issue? How are the provisions in the law being translated into practices and policies that affect workers' perceptions and awareness at the workplace? Are initiatives and measures being taken to raise the level of awareness and alertness about OHS issues among the workers? These are the main questions being addressed in this paper through a quantitative survey complemented by data emanating from interviews with three actors who play a leading role in this field. From the data that emanate from the empirical study the indicators are that, by and large, the employers are putting into practice the principles underlying OHS practices and overall they are conforming to the provisions of the OHSA Act regulating and governing OHS practices and policies. Indeed most of the employees do not believe that there is wide gap between the principles governing OHS and the practicalities at the workplace. The trade union however is not seen by most employees as being the focal point about OHS issues. What the data emphatically points out is the need to raise the awareness of employees to a higher level so as to make OHS measures more effective.

1. The Input of Trade Unions

The trade union movement has made its presence felt in the Occupational Health and Safety (OHS) strategies laid out by the EU for 2007-2012 and 2013-2020. In its final report issued in March 2013 'Evaluation of the European Strategy on Safety and Health at Work 2007-2012' the European Trade Union Confederation (ETUC) is listed as one of the key stakeholders in the strategy implementation at EU level while sectoral social partners are listed as stakeholders at national level. As direct actors in the negotiation of working conditions the trade unions provide the channel through which the views of employees can be conveyed.

A prime example of the valid input of trade unions as stakeholders in the formulation of Health and Safety (H&S) strategies emerges from the European Trade Union Institute (ETUI) conference entitled 'Trade Union and Civil Society for a strong and ambitious EU Strategy for Health and Safety at Work 2013-2020' held in Brussels on 26th and 27th March 2013. The integration of HS within an economic policy in the context of the present dominant neo-liberal ideology of liberalisation, de-regulation and austerity measures hit a negative cord within the trade union movement. Philippe Pochet, the Director of the European Trade Union Institute (ETUI, a branch of ETUC), remarked that unions are experiencing an 'unprecedented attack' and that health and safety standards are insidiously being seen as a burden to business. Other speakers emphasized the positive effect of workers' representativeness in OHS matters as it can 'facilitate better management practices leading to better OHS performance'. Other points raised were the emergence of new technology and nano materials and their yet unknown effect on the health of the workers, the importance of

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state intervention through labour inspectorate and the harmonization of European standards. It was emphatically stated that the constraints of the economic crisis should never serve as a pretext to give a lower priority to health and safety issues at the workplace since health and safety is a 'fundamental human right'. These statements are meant to alert the trade unions to be more vigilant in their role of promoting and defending worker's rights (ETUI, 2013). Such alertness seems to be evident in the national Trade Union Congress (TUC) in UK. In its report 'How Unions make a difference to health and safety, the Union Effect' (2011) the TUC states that a trade union has proved to be the most effective tool in promoting good health and safety standards at work since workplaces with trade union presence tend to be better organised and hence ensure safer workplaces. The OHS workers' representative whether appointed by the trade union or nominated by the workers is perceived by the TUC as an agent who instills a more positive culture which may result in a reduction of injuries and more report of near misses. Indeed this TUC Report refers to the 2009 H&S strategy document which states that while research suggests that 'the involvement of workers lead to positive effects on a company's performance in Health and Safety there is also strong evidence that unionised workplaces and those with health and safety representatives are safer and healthier' (TUC,2014).

This positive role of trade unions is also acknowledged by ILO. The Director of the ILO Bureau for Workers' Activities, Manuel Simon Valasco (2002), states that since their inception trade unions have seen improvements of workers' conditions as their first priorities. He asserts that the shocking figures of fatal accidents at work should act as an impetus for trade unions to put the promotion of safe practices high on their agenda so that preventive measures remain in force and standards are maintained. In summing up the role of trade unions within the workplace Jukka Takala, Director of ILO InFocus Program on Health and Safety at Work and Environment, states that 'there is constant need for training and follow up. Workers' participation in OHS Management system is vital. Accidents don't just happen, they are caused. We never agreed that accident and disease go with the job. Unions can leave nothing to chance' (Takala, 2014).

This means that trade unions have to make their input in OHS matters visible. Unionisation per se does not improve workers' participation but it is the development of programs that increase knowledge, political consciousness and worker empowerment by the unions that give workers the mechanism to express their concerns (Mendendez et al 2013). In other words trade unions should focus on strengthening the position of their safety representatives through the provision of knowledge, information and training. Trade unions can also further their educational role by providing networking channels to its safety representatives within different organisations and by providing legal and technical advice to its workers.

Besides the issue of training, trade unions must ensure full backing to its appointed workers' safety representative so as to ensure the optimum level of the effectiveness of this role. The work of the safety representative is seen within the context of the development of a wide array of activities such as providing information and training to workers, negotiating with employers, investigating workplace conditions and workplace injuries, carrying out inspections of workplaces helping with workers queries and assisting with risk assessments and prevention proposals (Garcia et al 2013).

Tripartite Dimension

What the foregoing implies is that since trade unions, as representativeness of workers are perceived to be active agents in OHS matters, there should be a tripartite dimension (state, employers and trade unions defined as social partners) in the formulation and implementation of OHS policies and practices. This tripartite dimension comprising the three social partners is evident in the OHSA Act. Indeed this act which regulates OHS matters in Malta assigns roles to each of the three social partners. The OHSA ACT XXVII of 2000, which came in vigore in 2002, established the Occupational Health and Safety Authority (OHSA) whose governing board is made up of members who are nominated by the Minister after consultation with the social partners. Each of the social partners nominates their representative to sit on this OHSA governing board.

As a statutory enforcement regime, the OHSA assumed the role of a national body to, amongst other obligations, oversee the upkeep of the legislative structure and ensure that the implementation and enforcement of the provisions laid down in the Act. The employers are bound by this Act to provide all the required H&S information to workers and it also provides for the appointment of a workers' representative from among the workforce. In such a scenario the pivotal role of the trade unions, as workers' representatives at workplace, is clearly spelt out.

This involvement of the Maltese trade unions at national level through their participation in the OHSA board is complemented at international level. As affiliates of the European Trade Union Confederation (ETUC) the Maltese trade unions have been engaged in the discussions about the EU strategies outlined for 2007-2012 and 2013-2010.

Initiatives to Raise the Level of Alertness and Awareness

Initiatives aimed at promoting OHS practices have been taken by the two largest Maltese trade unions, namely the General Workers Union (GWU) and the Union Haddiema Maghqudin (UHM). The GWU set up the Turu Micallef Institute, a health and safety centre which it incorporated within its statute. In 2008 in its aim to bring the stakeholders together to discuss health and safety issues it organised a National Conference on Occupational Health and Safety. On its part the UHM set up a Health and Safety Committee whose remit is to organise training and disseminate H&S information to its members. It has concurrently set up a web site to promote this committee.

Both unions have also insisted to include health and safety measures in the collective agreements which they have signed. These measures include the mandatory use of Personal Protective Equipment (PPE) , setting up of H&S Committee and the sanctions to be applied for non-adherence to the rules.

In spite of these initiatives the level of alertness and awareness among employers, and employees and their representatives about OHS issues and hazards at work is a moot point. Evidence about the perceptions of the workers on the role which their union is playing in the health and safety issues related to their workplace tends to be rather scant. The questions which this paper has set out to pose are:

- To what extent are workers involved in H&S issues? Does any real involvement exist or is it just on paper?
- What is the level of awareness about issues related to OHS among the workers?

- How do workers perceive the role of the trade union in OHS matters? Do the workers have the tendency to put the onus of OHS practices on the employer rather than the trade union as the latter is seen simply as body to look after their material interests such as pay?
- How do trade unions view their role in the H&S issues at the workplace?

2. Quantitative Survey

In order to answer these questions a quantitative survey was conducted among workers employed in three different sectors. This survey consisted of a self-administered questionnaire which was distributed to the employees at Otec* and Divadem* (two foreign-owned firms operating in the service industry of the Maltese labour market), Brand* (a foreign-owned firm operating in the Maltese manufacturing sector)³ and individuals in the teaching profession. Given that no attempt was made to draw a representative sample of workers employed in the Maltese labour market, these firms involved in this survey, were selected with the aim of representing a microcosm of the service industry and the manufacturing sector.

The number of respondents from these two sectors was 112 with 90% of respondents hailing from the Service industry and 10% from the manufacturing sector. The profile data emanating from the survey indicates a satisfactory level of representativeness. Taking age as a variable, the 18-30 age cohort was represented by 21% of the respondents, the 31-45 cohort by 48% and 46-61 cohort by 31%. As regards union membership 84% of respondents were paid union members with 60 % of them belonging to one of the two general trade unions, the GWU and the UHM. This corresponds to the figures about trade union membership issued annually by the Registrar of Trade Unions. According to this report the GWU and UHM comprise more than 80% of the Maltese unionised workforce.

The questionnaire consisted of close-ended questions including a number of checklist and Likert scale questions. The ‘Don’t Know’ answer was limited so as reduce the possibility of respondents opting for a psychological safe neutral reply. This could have happened since the perception still prevails that the trade union and employers have conflicting interests, the questionnaire might have appeared to some respondents as test water of this perceived us/them dichotomy. The questionnaire was pilot tested among some individuals. A total of 112 actual questionnaires were completed.

Awareness and Commitment

The questionnaire was designed with the aim of gauging the H&S awareness of respondents and the perceived commitment of the company and the trade union in health and safety awareness. According to the data (summarized in Table 1) respondents claim to be highly aware of OHS issues. Indeed 83% of respondents rated their awareness at a level of 4 to 6 points on a Likert scale (point 6 being the highest) while only 17% rated their awareness on the lower scales (1-3). Also similarly positive is the perception of the respondents with regards to their company’s commitment to H&S - 78% perceive the company as committed on points 3 to 6 of the same Likert scale.

Table 1

³ The names marked with an asterisk are pseudo names.

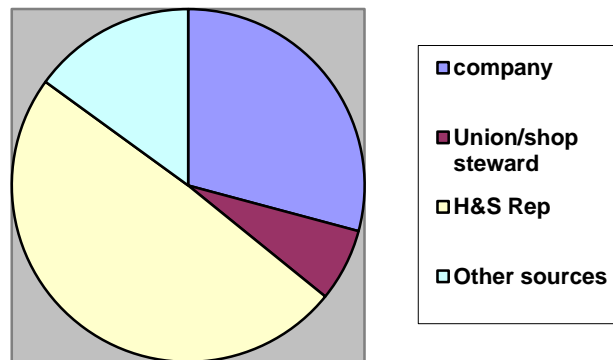
**Workers' Rating of their own Awareness to H&S issues
and the Commitment of the company towards H&S.**

| Question / rating (1 lowest-6 highest) | 1 | 2 | 3 | 4 | 5 | 6 |
|---|----------|----------|----------|----------|----------|----------|
| Workers Awareness to workplace health and safety | 5 % | 5% | 7% | 25% | 39% | 19% |
| Workers perception of company's commitment to Health and Safety | 8% | 7% | 7% | 24% | 37% | 17% |

Source for Information

The rather positive aspect of awareness might be partly attributed to the role of the H&S representative on the workplace. To the question about the source of the H&S information 59% of respondents stated that they would use the H&S representative as their source while 35% would revert to the company. Significantly only 8% would seek information from the union or shop steward while 18% would also seek other sources (Fig.1). With regards to H&S training 60% of respondents have attended H&S training during the last 2 years, 90% of these attended training organized by the company. 10% attended training organized by other sources while none of the respondents attended training organized by their trade union.

**Figure 1
Source of H&S information for workers**



Collective Agreement

Section 3 of the questionnaire was aimed at assessing the level and perceived level of H&S obligations by employers and unions. In the question about the content within the collective agreement related to Health and Safety 30% of respondents stated that they do not know how H&S issues feature in their collective agreement. Considering that the collective agreement is the main employment contract that binds all parties the number in percentage terms is rather substantial. The point which should raise the proverbial eyebrows is that only 59% said that the collective agreement obliges the employer to provide employees with PPE. Practically all collective agreements provide for this most basic element of OHS. All the workers should be aware of this basic fact. This data may cast some doubts about the high level of awareness which respondents claim to have about H&S issues.

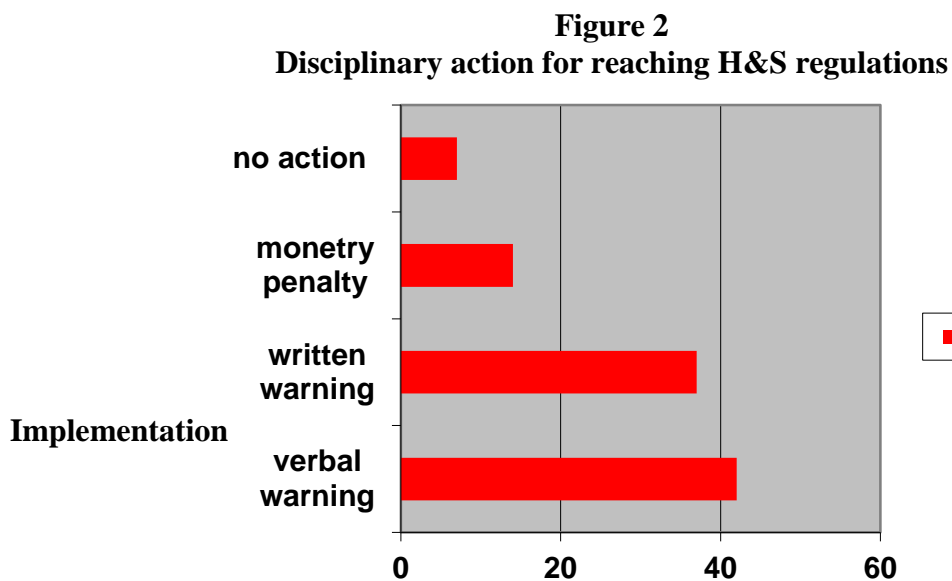
OHS Representative and Role of Trade Union

In the companies involved in this survey a Health and Safety representative is appointed while 90% of respondents also declared that a Health and safety officer is also appointed. However the majority of respondents (65%) said that the H&S representative was appointed by Management rather than being elected by the workers. This may go against the principles of the unions since they see the H&S representative as their best tool for the effective vigilance of H&S principles at the workplace.

What however may exasperate the unions in this regard is how workers perceive the role of trade unions. Whilst only 45% of respondents have raised any Health and Safety issues during the preceding 6 months, of these 60% addressed these issues to the Health and Safety Officer, 27 % of respondents addressed the issues to the Health and Safety representative and 13% addressed the issue to the HR Manager, another direct company official. No respondents would address H&S issues to the shop steward. This may confirm the widely held view by workers that OHS is not high on the agenda of the union.

Sanctions

The most intriguing question which respondents had to answer was about the measures that ought to be taken when or if rules are repeatedly breached. The great majority (79%) would prefer a warning with 42% opting for a verbal warning and 37% for a written warning. Only 14 % opted for a monetary fine while 7% did not think that any disciplinary action should be taken.



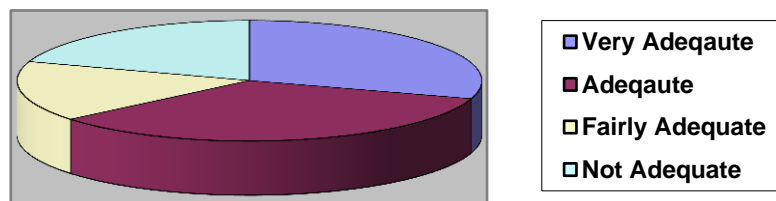
Implementation

To the question as who should be the main driving force in ensuring the implementation of the Health and Safety principles and regulations the majority of workers (77%) opine that the employer should be the main driving force whilst 13% thought this role should be the governments. Only 10% thought this role should be assigned to the trade union. While the answer is correct and conforms to the responsibility put on the employer through the Occupational Health and Safety Act 2002, Part II Section 2 ‘Duties of Employers’, it is

questionable if their perceptions are in line with the rationale of the law. Putting the onus on the employers could be interpreted as ‘not my problem’ attitude, which in a way exonerates the trade union from shouldering any responsibility for the shortcomings and accidents that may ensue. Given the expectations expressed by the respondents the question that may arise is whether the employers are living up to these expectations.

The answer to this question is positive. Indeed 67% of respondents think that there is either no gap (16%) or only a narrow gap (51%) between H&S principles and the practices on the workplace. There were 33% who stated that there exists a wide gap. This figure, though in percentage terms does not represent the majority, is not considered to be a negligible. The same positive opinion is expressed about overall H&S measures being taken by the employers - 71% rated measures taken by their employers as either ‘very adequate (47%) or ‘adequate’ (47%) while 13% rated the measures as fairly adequate. Only 16% rated the measures taken by their company not adequate (figure 3)

Figure 3
Measures taken by employers to prevent injuries at work



3. The Qualitative Survey

The quantitative study was complemented by data emanating from three face-to-face semi-structured interviews with three persons who play a leading role in the OHS matters: two trade union officials (one from GWU and the other from Malta Union of Teachers) and a health and safety adviser in employment at a firm operating in the Maltese manufacturing sector. These interviews were conducted following the processing of the data from the quantitative study with the aim of serving as a verification exercise on the validity of the data emanating from the quantitative study. Besides gathering primary data these interviews served to make up for the limitations inherent in the quantitative study as regards the size and representativeness of sample. The three interviews took place at the interviewee’s office.

The Appointment of the OHS Representative

The interview with the General Workers Union (GWU) official confirms the difficulty, highlighted in the quantitative analysis of finding volunteers to stand as Health and Safety representative within workplaces. He attributes this to ‘lack of interest from workers’. This lack of interest may justify why the H&S representative is often appointed by management. On the other hand the Health and Safety advisor states that he faces no problem in finding volunteers to act as H&S representatives. The Malta Union of Teachers (MUT) official gives

a rather different perspective to this issue as it seems interest was generated amongst the teachers but conditions offered by the government were not considered to be attractive. Thus only 2 of 50 who attended the course on OHS applied for the post. The question arises if compensation, monetary or otherwise, should be the instigator for a person to take up the H&S representative role. This could be conflicting with the unpaid role of a shop steward.

Training and Union Involvement

The GWU official also states that he finds little interest from employees to attend H&S training organized by the union's institute. This statement corroborates the fact that none of the respondents in the questionnaires has ever attended training programmes organised by union. The MUT official shares with his members most of the information/knowledge he acquires in international fora but is rather skeptical whether the teachers are perusing this information.

The GWU official refers to the importance of the H&S clause within the collective agreement as the means through which the union involves itself into H&S. Although such a statement may have a ring of truth, it is not given so much weight by the respondents (30% do not know what their collective agreement says about OHS).

On the issue of danger money, (an issue not addressed in the questionnaires) the H&S adviser and the GWU official disagree in principle. While the former disagrees with any sort of compensation the latter agrees with some method for compensating employees who perform work which may expose them to danger. However the latter argues that the compensation should not be directly linked to the danger of the job itself but should act as a motivator for the individuals to perform such jobs.

While the GWU official would like that unions, through the workers representative, to become more involved in the management of health and safety, the H&S adviser believes that the trade union, as an organization is still perceived to be an institution whose main concern ought to be bread and butter issues of its members.

Disciplinary Measures

On the issue of discipline the three interviewees tend to be divergent in their views. While the H&S adviser does not believe in inflicting fines, the GWU official argues that a fine is an effective means to ensure conformity to rules. The two trade union officials expressed their satisfaction about their personal as well as their union involvement in H&S at international fora. Both agreed that the benefits derived from such an international experience have been positive to them in particular and to their union in general. They acknowledge the fact that

4. Conclusion

The lack of a representative sample is one of the limitations of this study. However the sample of respondents includes different categories and grades of workers from the service and manufacturing sectors. Moreover the interviews with three actors involved in OHS were meant to make up for this lack of representativeness of the sample. The fact that more or less the interviewees corroborated most of the data emanating from the quantitative questionnaire adds to the validity and reliability of the data. Thus in spite of the limitations of this empirical study some generalisations can be made and conclusions drawn.

Following are main conclusions that could be drawn from the quantitative research:

- The indications that emerged from the data are that employees tend to rely more on company's management for their health and safety issues at their workplace.
- Training programmes organized by the company tend to be well subscribed by employees in contrast to those organized by unions which are poorly subscribed. Even though this may be due to the fact that programmes organized by the company are held during work hours it can still be argued that the company prevails over the trade union in this matter.
- Information is sought from the H&S representative who in turn in the majority of cases is nominated by the company.
- The majority of workers address H&S issues to the management.
- The majority see the company as the driving force behind workplace H&S.
- Overall data indicates that the trade union officials do not keep a high profile in OHS issues.

The trade union is not perceived by the workers as a supporting body in dealing with H&S workplace issues. This conclusion is drawn from the following responses:

- Information is not generally sought from unions or shop stewards.
- None of the respondents have attended training organized by a trade union.
- A significant percentage, even though not the majority, do not know what the collective agreement says about OHS.
- None of the respondents would address health and safety issues to the shop steward
- Only 10 % see that the trade union should be the driving force behind ensuring their health and safety.

Overall workers who responded to the questionnaire expressed their satisfaction of measures and initiatives taken by the company to address H&S issues.

- The majority claim to have a high level of awareness of H&S issues.
- The majority rank highly their company's commitment to health and safety.
- The majority have attended training on H&S issues within the last 2 years.
- Most of the concerns about health and safety issue were addressed to management.
- The majority of respondents feel that there is either no gap or a narrow gap between H&S principles and the company's actual practices
- The majority of workers deem the measures taken by their company as either adequate or very adequate,

The above data emanating from the quantitative questionnaire merges with the data emerging from the qualitative questionnaires. Both trade union officials admit that members do not generally seek their help in H&S matters. Nevertheless the views expressed by the three actors during the interviews were not always convergent with those expressed by respondents. While all interviewees pointed to a lack of general awareness by employees, the employees themselves rated their awareness as rather high. Another example of a conflicting view is that while the three interviewees (especially the two union representatives) say that a lot still needs to be done, the majority of respondents are rather satisfied with their employment situation in relation to H&S. This could be due to the tendency of trade union officials to generalize and see the bigger picture while employees focus mainly on their particular work place.

5. Recommendations

As a way forward for the benefit of all stakeholders these recommendations are being made:

- A sustained effort by employers and trade unions to disseminate information through training and media.
- The diffusion of knowledge by trade unions through their network of shop stewards in workplaces.
- A continuous effort to entice individual to put their name forward to take up the role of Health and Safety workplace representatives and to give value to this role.
- Synergies between the various trade unions in Malta to address the issue of resources within the trade union sector.
- More visible and tangible involvement by trade unions in OHS issues within workplaces and also at national level to increase the perception of workers with regards to their role in OHS.

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