

# COOPERATION OF EMPLOYEES AND EMPLOYERS IN OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT

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**Abstract** The main theme of this paper is worker-employer cooperation in occupational health and safety management. This is one of the most topical topics, since the provision of occupational health and safety is key to reducing risks in the workplace. Therefore, questions arise about how to ensure that the health and safety problem in a company or organisation is addressed by the employer and employee working together. Many companies are tackling this issue in different ways, whether through employee motivation, on-the-job training, raising awareness, cooperation, etc. Various research has been conducted on this topic, which has shown the positive results of cooperation in occupational health and safety management. This paper thus deals with the themes of employer-employee interaction, in which mutual communication, risk reduction and prevention are key. The paper then goes on to compare governance in the European Union and Slovenia. Given the situation that forced large numbers of employees to work remotely during the COVID-19 pandemic, the subject is also approached from this aspect, how employers can ensure employee safety when working from home. At the end of the paper, some examples are given of how Slovenian and foreign companies are tackling and solving the problem in practice.

**Keywords:**  
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## 1 Introduction

Employee participation is key to a safe and secure working environment. Employees must play an active role and work together with their colleagues and management to achieve improvements in their workplace. Evidence has shown that workers' cooperation with employers would bring various benefits, including a reduction in the number of fatalities and injuries at work. However, effective worker participation in this area requires several key criteria, such as legal support, management and trade union support, training and the positive quality of the workers involved (Soehod, 2008).

Workers' health has been an area of growing concern over the last two decades. The globalisation of the world economy and rapid technological change continue to change the nature of work and employment practices, exposing employees to new and serious health risks. These challenges are unavoidable in any workplace, and it is important that employers consider how they can best fulfil their legal and managerial responsibilities to promote and protect the health and well-being of their employees (Chu & Dwyer, 2012).

To a large extent, this topic depends on human awareness, as there is a danger or disease that is not foreseen. It is important that organisations ensure both health and safety at work through appropriate measures. Safety at work is paramount in an organisation, especially in manufacturing companies, where numerous accidents may occur, anywhere and anytime, during the work process itself.

The causes of accidents vary and depend on the complexity of the jobs. Therefore, it is necessary to assess the dangers and risks posed by employees. Only by doing so can measures be taken to reduce the number of accidents. Hazards at work can also be improved through education and training, as well as regular medical examinations of all members of organisations that are legally prescribed. Every employer is aware of the benefits of having employees who are satisfied and healthy in their workplace, as it ultimately contributes to business success. Unfortunately, in some companies a scenario can be witnessed in which employers do not take health and safety at work seriously. Some jobs in a company can be more stressful than others, so the employers must pay certain amount of attention to employees on these positions. If

they do not care enough this can lead to human burnout, which in turn directly affects their health of employees.

The structure of this paper is as follows. First, a theoretical insight is provided into the cooperation of employees and employers in occupational health and safety and health and a description is given of the main responsibilities of each side. Next, the differences are described between the state of this topic in European Union versus Slovenia; through research, the authors describe their findings and share their thoughts about the situation. Finally, the impact of COVID-19 is discussed and some examples of good practice are described. The paper concludes with some thought for future research directions.

## **2 Workers' and employers' participation in occupational health and safety management**

European workers have seen their occupational safety and health levels rise in recent decades. Nevertheless, workplace injuries, illnesses and deaths continue to occur and take their toll. In order to further improve the level of health and safety in the workplace in the future, workers and management need to work closely to find solutions to common problems.

Workers who participate in occupation health and safety management (OHS) are safer and healthier, which has a positive impact on the whole organisation. The very effectiveness of worker-employer cooperation is influenced by legal requirements. Many employers in the European Union are unwilling to establish cooperation without legal requirements, and if they are willing, they generally only follow the rules that are written and enforced. This shows that cooperation needs to be properly regulated in order to have the desired effects and that the relevant body needs to be aware of its obligations. Workers' participation in OHS can best be promoted by electing representatives for this type of work. In Slovenia, however, there is more focus on good reputation than on legal requirements – as is seen later in this paper.

## 2.1 What does worker participation in management mean?

Workers' participation in OHS management is a simple two-way process involving workers, employers, and workers' representatives:

- talk to each other
- listen to each other's concerns
- discuss problems in a timely manner
- exchange information and views
- take on board what each other has to say
- make decisions together
- trust and respect each other

There are several reasons why workers should actively influence management decisions. The first is that workers' participation in OHS management contributes to the development of effective ways of protecting workers. If workers are involved from the planning stage of a change, they are more likely to identify the reasons for taking a particular action, help find practical solutions and subsequently act on the action taken. Workers can also participate in the design of safe systems of work and can then advise, suggest and demand improvements, thus helping to design measures to prevent accidents and work-related ill health in a timely and cost-effective manner (Health, and safety at work, 2021).

One of the key factors for good OHS management is worker involvement. Employers have a legal duty to consult employees on health and safety issues. However, they will benefit greatly by going beyond the minimum requirements. Occupational health and safety management stands a better chance of success if it encourages active worker participation and establishes a dialogue between employees and management.

## **2.2 Employers' roles and obligations**

Employers are legally responsible for ensuring health and safety at work, which means they must take measures to protect workers from anything that could harm them. Any risks to injury or health that might arise in the workplace must be well controlled (Obligations of employers, rights and duties of workers and the self-employed, 2020).

Employers are obliged to take such preventive measures and to choose production and working methods that ensure a higher level of occupational safety and health and which will be integrated into all the employer's activities at all organizational levels. Employers must assess in writing the risks to which workers are or may be exposed at work. Once an occupational health and safety risk assessment has been carried out, the employer must draw up and adopt a safety statement with a risk assessment in writing.

Employers must also make workers aware of the risks in their workplace, how they are protected and instruct and train them on how to manage these risks. Employers must provide appropriate work equipment and ensure a safe environment in which employees can carry out their work without interruption.

This leads to the realization that employers must consult workers on health and safety issues. Employers must also promote a culture in which occupational health and safety are integral parts of everyone's role (Health and Safety at Work Act, ZVZD-1, 2011).

The following are recommendations for successful worker participation in health and safety (GOV.SI site, 2021):

- Employers must consult workers or their representatives and give them the opportunity to participate in a balanced way in discussions on occupational safety and health issues.
- Workers or workers' representatives have the right to make suggestions and to request the employer to take appropriate measures.

- National laws or practices lay down several specific requirements regarding information and consultation, as regards workers' representatives and their rights, as well as the establishment of forums such as joint safety committees.
- It is usually best to use a combination of methods and arrangements – formal and informal. The direct involvement of workers and workers' representatives should not be considered as an alternative but rather as a different option, which should be combined as effectively as possible.

### **2.3 The role of workers' trustees in Slovenia**

The Slovenian Occupational Safety and Health Act provides the following definition: the workers' Health and Safety Officer is the workers' confidant, who has the status and role of a works council. The employer must enable workers to participate in the deliberations on all issues concerning the provision of safe and healthy work, in accordance with this Act and other regulations. This right shall be exercised by workers directly and through their trustees in the works council, in accordance with the provisions governing workers' participation in management or through the workers' health and safety representative. If a works council is not elected, the employer must consult all workers on occupational health and safety matters. The employer must provide the health and safety representative with a way of working and the rights applicable to the works council. The exercise of these rights must not place the worker at a disadvantage with the employer. The Labour Inspectorate monitors compliance with the provisions on workers' co-management in the field of occupational health and safety and imposes fines on employers who fail to facilitate the exercise of these workers' rights.

In Slovenia, there are three forms of workers' trustees who participate in management. Workers' councils can be elected by workers in the private sector where the employer employs more than 20 workers. Private sector employers with fewer than 20 employees are allowed to elect a shop steward. However, the workers' confidant for occupational health and safety is a confidant of public sector workers who has the status and role of a works council and is elected in the manner provided for the election of works councils in the Workers' Participation in Management Act. A workers confidant is also elected by private sector employees under the Workers' Participation in Management Act when they do not exercise their right to elect a

works council. In this case, they only participate in management in the field of occupational health and safety. Elections are a right, not an obligation, under the OSHWL, which workers in many companies do not take advantage of, particularly where there is no organized trade union. Elected shop stewards are therefore particularly scarce in micro and small companies.

Under Occupational Safety and Health Act, employers must provide appropriate forms of training for members of the works council or the health and safety officer to carry out their duties. This is not the case for the safe work training that the employer is obliged to provide to all employees, depending on the risks in different workplaces, as provided for in the employer's document 'Safety Declaration with Risk Assessment'. In fact, the Occupational Safety and Health Act provides for specific training for the effective performance of the role of the safety representative.

## **2.4 The role of trade unions**

Trade unions are also responsible for regulating or protecting health and safety at work. In this respect, they must inform workers about injury insurance, help draw up national policies and integrate occupational health and safety principles into education programmes at all levels (Koželj, 2018).

To ensure effective occupational health and safety support for representatives, trade unions need to integrate the most important occupational health and safety issues into their strategies. The main needs and challenges are to (Menéndez, Benach & Voge, 2017):

- Improve the provisions of collective agreements on health and safety at work. At the micro level, collective bargaining should develop provisions based on the actual experience of workers and occupational safety representatives
- Inform and train workers on health and safety at work and include these issues in negotiations between workers and employers
- Add a broader social and occupational health perspective to the now purely technical and legal 'framework' of some occupational health and safety topics

- Identify how safety representatives can best influence other stakeholders in occupational health, including employers' organisations, occupational health and safety professionals and public authorities, to co-create an enabling environment for representing workers' safety and health interests
- Raise co-management to a higher level, so that safety representatives are not only informed about occupational health problems or only give advice, but also have the influence and power to negotiate them.

### **3 Comparison of cooperation on occupational safety and health in the EU and Slovenia**

Health and safety at work is an important objective for countries, as it has a direct impact on the working, social and economic environment. Regulatory frameworks in each country are extremely important in managing the basic principles of society, including the physical well-being of its workers (Zhang, Yang, & Martinez-Aires, 2021).

Analyses of the occupational health and safety situation in Slovenian organisations have shown that there are no significant differences in the risks to which workers are exposed in the work environment compared to the EU-28 average. However, there are some differences compared to the EU-28 average. In Slovenia, the adoption of a safety declaration and risk assessment are central to occupational health and safety regulation. This is outsourced in the majority (87.1%) of Slovenian companies, which is quite different from the EU-28, where almost half of the organisations (47.3%) assess this with their own employees. Due to legislation, workplace risk assessment is more frequently carried out in Slovenia (compared to the EU-28). However, in Slovenia the main reason for implementing occupational health and safety is not to comply with legal obligations, as in the EU-28 but rather to maintain a good reputation (Kanjou Mrčela & Ignjatovič, 2017).

Slovenia also carries out risk assessments more frequently than the EU-28. This is mainly a reflection of legislation. In Slovenia, it is a legal requirement for employers to assess in writing the risks to which workers are or may be exposed at work. In Slovenia, the most important reason for addressing health and safety issues is to maintain the company's reputation, and it is over 10% higher than in other European countries. This is followed by compliance with legal obligations, which is most



important in the EU-28. Another thing that Slovenian organisations pay more attention to than the EU-28 average is regular health checks to monitor the health of employees. Slovenia is also one of the few European countries that has made the planning and implementation of health promotion in the workplace mandatory by the law on occupational health and safety. Despite being above the European average in some aspects, it is worrying to note that occupational health and safety is regularly discussed at the top management level in only 34.5% of Slovenian organisations compared to a EU-28 average of 63%. Only 37.5% of workers and management regularly discuss occupational health and safety, while the remaining 57.7% only discuss it when problems arise. The EU-28 average is 61%, which shows that Slovenia is much lower than other EU countries in this area. On the other hand, a higher proportion of workers in Slovenian organisations are involved in the design and implementation of occupational health and safety measures than in the EU-28. Only one third of Slovenian organisations have an occupational safety and health representative at work, which is significantly less than in the EU-28, where the percentage is 61.8%. The most represented sectors are services and industry. Medium and large companies are the most likely to have a health and safety representative. There are some differences in occupational safety and health between companies with and without a shop steward (Kanjou Mrčela & Ignjatovič, 2017).

As an example of good practice, the authors of this paper highlight the company Triglav Insurance, whose Triglav.smo programme and eCampus system addresses issues such as health promotion, a safe and healthy working environment, interpersonal relations and job satisfaction. This is how the company address these issues in a holistic way, both physically at the company and remotely. This also includes Izola General Hospital, which, through its Green Cities, is working to reduce overwork and improve the mental health of its employees. Finally, there are many organisations that use the ISO45001 system to ensure health and safety at work.

#### 4 Discussion and conclusion

This paper describes the involvement of workers and employers in the management of occupational health and safety. Health and safety are not only important in the workplace, but also in every part of our lives. It is important to be able to distinguish between what we can and cannot do, so that we do not endanger ourselves and others with whom we interact daily.

There are many key factors that have a significant impact on the results of worker and employer involvement in occupational health and safety. It is important that workers' representatives – whether trade unions or works councils – consider workers' wishes and rights, and it is the employer's responsibility to incorporate these wishes into the occupational health and safety system as effectively as possible.

Companies are looking for different ways to integrate worker and employer participation in occupational health and safety management into their business. This takes the form of employee motivation, training, awareness-raising, etc. In both the European Union and Slovenia, there has been significant progress in this area, as evidenced by the many companies that are introducing good practice in their work. In addition to the old methods of cooperation between workers and employers in the management of health and safety at work, new trends are also emerging, such as teleworking, which raises new problems and, therefore, new solutions.

In this paper, the authors discovered that cooperation between workers and employers on occupational health and safety directly affects the working, social and economic environment. They came to the conclusion that cooperation in Slovenia is higher than in European Union, which can be confirmed by the data obtained through the internet. When it comes to employee cooperation, most rules are dictated by law, as well as adequate provision for the proper functioning of workers' trustees in the companies. According to the Occupational Safety and Health Act, the employer must provide appropriate forms of training for the performance of the duties of the member of the works council or the shop steward.

Suggestions on how to improve this topic include increasing the active participation of workers in deciding how to ensure safety at work, as workers themselves know best how a job is done and are therefore often the first to see where there is room for improvement or where safety can be improved. It should also be ensured that workers are not overworked and that they have enough time to take breaks, which in turn maintains the level of concentration necessary for safe and healthy work. The final suggestion that the authors consider sensible is to incorporate sports recreation into working time, as it promotes better body mobility, which in turn reduces the risk of injury and has a positive effect on health.

The authors conclude that the system of worker-employer cooperation in the area of occupational health and safety in Slovenia is well established, however, in a context of constantly changing work circumstances, the attention of participants is increasingly needed and could be further improved. In addition to this topic, the authors recommend that further research should be conducted into the link between employers and workers in the field of occupational health and safety in relation to productivity at work.

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