

**§ 814. Prevention of Industrial Accidents Recommendation, 21 Giugno 1929 n. 31**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twelfth Session on 30 May 1929, and

Having decided upon the adoption of certain proposals with regard to the prevention of industrial accidents, which is the first item on the agenda of the Session, and

Having determined that these proposals should take the form of a Recommendation,

adopts this twenty-first day of June of the year one thousand nine hundred twenty-nine, the following Recommendation, which may be cited as the Prevention of Industrial Accidents Recommendation, 1929, to be submitted to the Members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise in accordance with the provisions of the Constitution of the International Labour Organisation:

Whereas the protection of workers against injury arising out of their employment is instanced by the Preamble to the Constitution of the International Labour Organisation as one of the improvements in industrial conditions which are urgently required;

Whereas industrial accidents not only cause suffering and distress among workers and their families, but also represent an important material loss to society in general;

Whereas the International Labour Conference in 1923 adopted a Recommendation concerning the general principles for the organisation of systems of inspection, in which it is laid down *inter alia* that inspection, in order to become progressively more effective, should be increasingly directed towards securing the adoption of the most suitable safety methods for preventing accidents and diseases with a view to rendering work less dangerous, more healthy, and even less exhausting, by the intelligent understanding, education and co-operation of all concerned;

Whereas it is desirable that these measures and methods which experience in the various countries has shown to be most effective in enabling the number of accidents to be reduced and their gravity mitigated should be put on record for the mutual advantage of the Members;

Whereas a resolution was adopted at the 1928 Session of the International Labour Conference in which the Conference declared its opinion that the time had come to attempt to reach a higher standard of safety by the development of new methods and that the greatest advance could be made on the lines of the Safety First Movement, although it could not supersede the action of the State in prescribing and enforcing regulations for the prevention of accidents;

Considering that it is of the highest importance that all persons or bodies, including employers, workers, employers' and workers' organisations, Governments and the general public, should use

their best endeavours and every means in their power to help to prevent industrial accidents;

The General Conference recommends that each Member of the International Labour Organisation should take the following principles and rules into consideration for the prevention of accidents in industrial undertakings. The following in particular are considered as such:

(a) mines, quarries, and other works for the extraction of minerals from the earth;

(b) industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding and the generation, transformation, and transmission of electricity or motive power of any kind;

(c) construction, reconstruction, maintenance, repair, alteration or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, waterwork or other work of construction, as well as the preparation for or laying the foundations of any such work or structure;

(d) transport of passengers or goods by road, rail, sea or inland waterway, including the handling of goods at docks, quays, wharves or warehouses, but excluding transport by hand.

The Conference, considering further that the prevention of accidents is as necessary in agriculture as in industrial establishments, recommends that each Member of the International Labour Organisation should apply the Recommendation to agriculture, taking into account the special conditions of agricultural work.

## I

1. Whereas the foundations of the study of accident prevention are—

(a) enquiry into the causes and circumstances of accidents,

(b) the study, by means of statistics of accidents in each industry as a whole, of the special dangers which exist in the several industries, the laws determining the incidence of accidents and, by comparison over a series of years, the effect of measures taken to avoid them,

The Conference recommends that each Member should take the necessary steps, by means of legislative or administrative action, effectively to ensure the collection and utilisation of the above information.

The Conference also recommends that methodical investigation should be carried out in each country by public services assisted, where it appears desirable, by institutions or committees set up by individual branches of industry.

The public services should have recourse to the collaboration of the industrial organisations of employers and workers and of the services responsible for the supervision of accident prevention, as well as, where desirable, of technical associations and accident insurance institutions or companies.

It is also desirable that industrial associations of

employers and workers should collaborate in the institutions for accident prevention in the individual branches of industry.

2. As experience and research have shown that the incidence and gravity of accidents do not depend merely upon the dangers inherent in the work or in the kind of equipment or the various appliances in use, but also on physical, physiological and psychological factors, the Conference recommends that in addition to the investigations mentioned in paragraph 1 in connection with material factors, these other factors should also be investigated.

3. Since the suitability of the worker for his work and the interest which he takes in his work are factors of primary importance for the promotion of safety, it is important that the Members should encourage scientific research into the best methods of vocational guidance and selection and their practical application.

4. Since it is important for the furtherance of accident prevention that the results of the investigations referred to in paragraphs 1 and 2 should be made known as widely as possible, and since it is also desirable that the International Labour Office should be in possession of the information necessary to enable its work in connection with accident prevention to be extended, the Conference recommended that the more important results of the investigations should be communicated to the International Labour Office for use in its work and publications.

It is also desirable that there should be international consultation and exchange of results between the research institutions or organisations in the several industrial countries.

5. The Members should establish central departments to collect and collate statistics relating to industrial accidents and should communicate to the International Labour Office all available statistics on industrial accidents in their respective countries. They should also, with a view to the subsequent preparation of a Convention, keep in touch with the International Labour Office in framing and developing their industrial accident statistics, with a view to arriving at uniform bases which would as far as possible allow of a comparative study of the statistics of the different countries.

## II

6. In view of the satisfactory results which experience in different countries has shown to follow from co-operation between all parties interested in the prevention of industrial accidents, particularly between employers and workers, it is important that the Members should do all in their power to develop and encourage such co-operation, as recommended in the Recommendation on systems of inspection adopted in 1923.

7. It is recommended that in every industry or branch of industry, so far as circumstances require, periodical conferences should be held between the State inspection service, or other competent bodies, and the representative organisations of employers and workers concerned: (a) to consider and review the position in the industry as regards the incident

and gravity of accidents, the working and effectiveness of the measures laid down by law, or agreed upon between the State or other competent bodies and representatives of the industry, or tried by individual employers, and (b) to discuss proposals for further improvement.

8. It is further recommended that the Members should actively and continuously encourage the adoption of measures for the promotion of safety, in particular (a) the establishment in the works of a safety organisation which should include arrangements for a works investigation of every accident occurring in the works, and the consideration of the methods to be adopted for preventing a recurrence; the systematic supervision of the works, machinery and plant for the purpose of ensuring safety, and in particular of seeing that all safeguards and other safety appliances are maintained in proper order and position; the explanation to new, and especially young, workers of the possible dangers of the work of the machinery or plant connected with their work; the organisation of first aid and transport for injured workers; and the encouragement of suggestions from the persons employed for rendering work safer; (b) co-operation in the promotion of safety between the management and the workers in individual works, and of employers' and workers' organisations in the industry with each other and with the State and with other appropriate bodies by such methods and arrangements as may appear best adapted to the national conditions and aptitudes. The following methods are suggested as examples for consideration by those concerned: appointment of a safety supervisor for the works, establishment of works safety committees.

9. It is recommended that the Members should do all in their power to awaken and maintain the interest of the workers in the prevention of accidents and ensure their co-operation by means of lectures, publications, cinematograph films, visits to industrial establishments, and by such other means as they may find most appropriate.

10. It is recommended that the State should establish or promote the establishment of permanent safety exhibitions where the best appliances, arrangements and methods for preventing accidents and promoting safety can be seen (and in the case of machinery, seen in action) and advice and information given to employers, works officials, workers, students in the engineering and technical schools, and others.

11. In view of the fact that the workers, by their conduct in the factory, can and should contribute to a large extent to the success of protective measures, the State should use its influence to secure (a) that employers should do all in their power to improve the education of their workers in regard to the prevention of accidents, and (b) that the workers' organisations should by using their influence with their members co-operate in this work.

12. The Conference recommends that, in addition to measures taken in pursuance of the preceding paragraphs, the State should arrange for monographs on accident causation and prevention in particular industries or branches of industry or particular processes, to be prepared by the State inspection service or other

competent authorities, embodying the experience obtained as to the best measures for preventing accidents in the industry or process, and to be published by the State for the information of employers, works officials and workers in the industry and of employers' and workers' organisations.

13. In view of the importance of the work of education referred to in the preceding paragraph, and as a foundation for such education, the Conference recommends that the Members should arrange for the inclusion in the curricula of the elementary schools of lessons designed to inculcate habits of carefulness, and in the curricula of continuation schools lessons in accident prevention and first aid. Instruction in the prevention of industrial accidents should be given in vocational schools of all grades, where the importance of the subject both from the economic and moral standpoints should be impressed upon the pupils.

14. In view of the great value of immediate first-aid treatment in lessening the gravity of the consequences of accidents, measures should be taken to ensure that the necessary material for first aid should be kept ready for use in all undertakings and that first aid by properly trained persons should be given. It is also desirable that arrangements should be made to ensure that in case of serious accidents the services of a doctor are available as soon as possible. Arrangements should also be made for providing ambulance services for the rapid transport of injured persons to hospital or to their homes.

Special attention should also be paid to the theoretical and practical training of doctors in the treatment of injuries due to accidents.

### III

15. As any effective system of accident prevention should rest on a basis of statutory requirements the Conference recommends that each Member should prescribe by law the measures required to ensure an adequate standard of safety. 16. It should be provided by law that it is the duty of the employer to equip and manage his undertaking in such a way that the workers are adequately protected, regard being had to the nature of the undertaking and the state of technical progress, as well as to see that the workers in his employment are instructed as to the dangers, if any, of their occupation and in the measures to be covered by them in order to avoid accidents.

17. It is in general desirable that plans for the construction or substantial alteration of industrial establishments should be submitted in due time to the competent authority, in order that it may be ascertained whether the plans are such as to satisfy the statutory requirements referred to above. The plans should be examined as rapidly as possible in order not to delay the execution of the work.

18. So far as the administrative and legal systems of each country allow, officials of the inspection service or other body responsible for supervising the enforcement of the statutory requirements for the protection of workers against accidents should be empowered to give orders in particular

cases to the employer as to the steps to be taken by him to fulfil his obligations, subject to a right of appeal to a higher administrative authority or to arbitration. In case of imminent danger the supervising authority should be empowered to require immediate compliance with the orders, notwithstanding the right of appeal.

19. In view of the importance of the conduct of the worker in connection with accident prevention, the law should provide that it is the duty of the worker to comply with the statutory requirements on accident prevention and particularly to refrain from removing safety devices without permission and to use them properly.

20. It is recommended that before administrative orders or regulations for the prevention of accidents in any industry are finally issued by the competent authority, opportunity should be given to the representative organisations of employers and workers concerned to submit their views for the consideration of the competent authority.

21. Statutory or administrative provision should be made enabling the workers to collaborate in securing the observance of the safety regulations by the methods best suited to each country: for example, the appointment of qualified workers to positions in the official inspection service; regulations authorising the workers to call for a visit from an official of the inspection service or other competent body when they consider such a course desirable, or requiring the employer to give workers or their representatives an opportunity of seeing the inspector when he is visiting the undertaking; inclusion of workers' representatives in safety committees for securing the enforcement of the regulations and establishing the causes of accidents.

### IV

22. The Conference recommends that the State should endeavour to secure that accident insurance institutions or companies take into account, in assessing the premium for an undertaking, the measures taken therein for the protection of the workers, in order to encourage the development of safety measures by employers.

23. The State should use its influence with accident insurance institutions and companies to cooperate in the work of accident prevention by such means as the following: communication of information on causes and consequences of accidents to the inspection service or other supervising authorities concerned; co-operation in the institutions and committees referred to in Paragraph 1 and in the Safety First Movement in general; advances to employers for the adoption or improvement of safety appliances; the award of prizes to workmen, engineers and others who, by their inventions or ideas, contribute substantially to the avoidance of accidents; propaganda among employers and the public; advice on safety measures, contributions to safety museums and institutions for instruction in accident prevention.