

IOSH Global Container Ports Roundtable

London, 27 September 2017

Summary notes



Introduction

The Institution of Occupational Safety and Health (IOSH) published a research report, *Experiences of arrangements for health, safety and welfare in the global container terminal industry*, in 2016. The study was co-funded with the International Transport Workers' Federation (ITF) and undertaken by Cardiff University, UK.

The report discusses the health and safety arrangements in container terminals operated by national and global logistics companies in several countries. The researchers were granted unique workplace access by six major port operators at locations in Europe and Asia-Pacific.

IOSH understands this study to be the first major project providing detailed examination of health and safety arrangements in major container terminals globally. We discussed the findings at an international roundtable event to which we invited around 20 participants, including the co-funders of the research, ITF, and the researchers themselves. Other participants included the following groups:

- policy-makers, regulators and groups representing workers and employers in the sector
- occupational safety and health (OSH) practitioners in container terminals and related to distribution, logistics and global supply
- other senior stakeholders from related international institutions or the sector
- labour / OSH inspectors
- the research and academic community.

Our objectives for the event included:

- encouraging mutual learning through interaction with a broad range of expertise
- stimulating policy-level debate, discussing the findings and agreeing further actions
- working collaboratively to help improve health and safety risk management across the sector.

The event was chaired and facilitated by the President of the International Association of Labour Inspectors (IALI), Mr Kevin Myers. IALI is an organisation with a strong focus on global working conditions in all sectors.

The first part of the event saw a presentation of the research findings, comparing the key results between “rich” and “poor” countries, by Professor David Walters, the project's principal investigator, from the Cardiff Work Environment Research Centre (CWERC) at Cardiff University, followed by questions and answers. A copy of the presentation is available at www.iosh.co.uk/containerterminals.

Context for the debate

There was general discussion around the current global context and whether the existing regulatory framework impedes or facilitates good OSH standards. The contrast in working arrangements was highlighted. While some container ports provide good conditions, others need to improve.

From a policy perspective, it was noted that the research findings come at a time of change for the industry. For example, there has been a recent revision of the ILO code of practice on safety and health in ports (2016). The forthcoming ISO 45001 *Occupational Health and Safety Management Systems – Requirements with guidance for use* will be the world's first international OHSMS standard and have a stronger focus on leadership, worker participation and supply chain management. At the same time, the International Cargo Handling Coordination Association (ICHCA) is keen to raise awareness of the packing code for containers and other transport modes, which includes fumigation and declaration of dangerous goods, known as the CTU code (a joint IMO / ILO / UNECE publication).

Participants referred to recent discussions on the health and safety agenda at a sector social dialogue meeting involving the ports industry, via a Committee for European Social Dialogue, established in June 2013. It was pointed out that related sectors, such as seafarers, are also introducing new measures to improve working conditions at a cross-European level. Technology, it was emphasised, is now changing every

IOSH Global Container Ports Roundtable

Summary notes

aspect of how logistics companies operate. Globalisation and digitalisation have accelerated the flow of goods worldwide, dramatically increasing the number of interfaces and processes involved in moving goods between the point of origin and the point of consumption. Participants also highlighted a down-side of automation: the potential loss of jobs from the sector.

Given the widely-anticipated changes in the organisation of terminal operations in the future, it is likely that the participation of women in the labour force will increase. This will have implications for arrangements for health, safety and welfare.

Participants highlighted how the industry has traditionally been driven and managed by cost-results and how this has had a direct influence on OSH standards. It was felt by some that, unfortunately, this trend is not likely to change soon, as the industry is not well positioned economically to make major investment in OSH standards improvement.

Some key findings from the research

Several questions were asked about how workers and managers proactively tackle risk management within the sector. The research found a strong focus on systematic risk management through attention to the physical design of terminals, followed by engineering and administrative controls. At board level, this approach was characterised by high-profile commitment to 'zero harm'.

There were several questions around the real influence of safety training and its relationship to performance. The research found that training was a measure of health and safety arrangements and that all the terminals visited had made some training provision. For some new and contract workers who were trained, there were identity cards schemes indicating the training received. This meant they could not operate in parts of the operation for which they were not trained. Although it was reported that ongoing training was provided, often this was provision of supervisor toolbox talks, rather than more formal training.

The content of the training was often linked to procedures expected in the behaviour-based systems (BBS), with little on the awareness of health and safety issues, but more on how to operate within required procedures. Often there were issues about how aware workers are of the health and safety consequences of their work.

There was concern about a combination of 'regulatory decline' and operators being driven by compliance rather than a risk management attitude, and whether this could constitute a trend for the future.

The researchers found that regulators in some countries in the study lacked the tools with which to inspect and drive safety management systems, with some being unable to evaluate the systems in place in terminals. This meant they assumed the existence of a documented system was sufficient indication that safety was managed effectively. This is not the approach in advanced economies with longer experience of regulation and methods for examining the effectiveness of systems. The researchers found that labour inspection authorities, during their workplace visits, find a legacy of restrictive measures, with which those workplaces are comfortable (and therefore need to be challenged. The gap between what the terminal companies try to achieve and the findings of the monitoring by labour inspection authorities in such countries means that the companies' view of local regulatory activity can be less than positive, which can be a problem.

In advanced market economies, the research team saw good practice and clear understanding and reflections on the decline of resources by regulators. They concluded that, though legislation in these environments appears fit for purpose, enforcement is a challenging aspect.

One major concern is the perceived difference in views on the frequency of accidents between workers and management. Worker experiences were obtained by interview and questionnaire and suggested that the reporting systems only captured a small part of the overall picture. Perceptions from trades union representatives (where existing) and workers were that companies try to manage safety, but miss a large part of the actual experience. The systems in place capture something, but not the entire problem that the workers experience. It was felt that a good system needs trust and effective communications.

IOSH Global Container Ports Roundtable

Summary notes

Patterns for communicating investigation results varied greatly. The researchers received mixed responses, ranging from little communication to the workforce through to elaborate communication at managerial level, within and across terminal operators. The latter was where there are good systems for communication through joint structures on health and safety and feedback to the workforce. From the interviews, it seems that communication with directly employed workers was more effective than that with contractors.

The research team reflected on the complexity of the issue of how the migrant workforce was covered by OSH standards. The team outlined concerns, especially in Asian countries, that workers were not only contract workers, but also migrant workers. This meant they often came from villages located very far from the terminal, and had different cultures and language to that in use at the terminal. They were also in poor housing with poor facilities within the terminal. Often the terminal management had major problems identifying who the workers were. In one case, there were issues about recording the death of a worker, whose identity was not known.

How can lessons be learned so that incident reporting levels and investigations are improved?

One of the key aspects of the discussion focussed on the discrepancies between accident rates being reported and the research findings.

It was explained that the traditional management approach, based on performance and injury rates or lost-time accidents, is still used in the sector and can lead to policies aimed at getting workers back to work before incidents need to be reported – a practice that unfortunately can mean that accident data are manipulated or not even recorded. On the other hand, there were some examples of more positive reporting management, with businesses seeking to ensure that performance-related pay isn't directly linked to lost-time accidents, but rather to incidents and near-miss reporting, in order to reflect the integration of OSH culture within the organisation.

The report also described variable practice in accident investigation. While there were examples of good practice, it was felt that with behaviour-based systems, accountability concepts sit poorly with a 'no-blame' culture in some places. Examples of good practice mostly came from terminals where there is a strong trade union presence in health and safety arrangements and where representatives are involved in investigations. The researchers concluded that a more participatory approach to investigation may help in those areas which traditionally have lacked detailed information in accident investigation.

There was some discussion linked to the development of internal and external communications as a mechanism to improve reporting levels and accident investigation. It was thought that internal communications needed to reflect a strong relationship between workers' trust and the preventative purposes of accident investigation.

Having a better knowledge of the root causes of accidents was underlined as a necessary step, with businesses starting to look at external factors affecting the psychology of people's decision-making at certain points. It was noted that while it is easy to say someone don't follow procedures, this doesn't have a very strong preventative influence and doesn't recognise the pressure and signals sent by the organisation and its structures which influence decision-making. It was commented that non-compliant behaviour can reward the individual in the short-term, provided there is no accident or other negative consequence, as a job gets done faster or the pressure is reduced.

Regarding external communications, it was felt that regulators and OSH professionals tend to think that there are good levels of communication in the different parts of the industry (for example, an assumption that terminals talk to shippers on a general basis). However, this is not always the case, increasing the lack of coordination for reporting information.

There was some consensus reinforcing the view that the industry could not afford to neglect a major finding from the research, namely the huge differences in reporting practice in different parts of the world and even within the same company. Attention was drawn to 'lost learning potential' from incidents, due to a failure to focus sufficiently on intervention and evaluation.

How can worker involvement/participation be increased?

According to trade union representatives at the roundtable, low levels of worker involvement or participation are indirectly associated with some OSH management systems, with behaviour-based systems unfortunately acting to marginalise autonomous workers' voices'. They highlighted mistrust as a reason for the lack of co-operation between workers and employers. It was suggested this could be due to attributing blame and trying to rationalise conditions that should not occur. It was felt that lines of communication should be more open and reflect a 'no-blame' culture. This is a skill to be acquired and means attempting to get to the root causes of failure. Organisations must secure better engagement in order to get better quality results – and trust is required for this.

IOSH Global Container Ports Roundtable

Summary notes

There is a need for businesses to encourage the promotion of a blame-free culture and the measurement of contributions (what is done to make workplaces healthier) instead of only measurements related to accident reduction targets. It was thought that this approach had helped to reduce lost-time injuries and improve employee engagement responses.

The key role of line managers or managers was also a subject of discussion, with an acknowledgement that they are often caught in the middle and driven by production schedules, while criticised for failing to meet OSH standards or meeting them with some perceived negative consequences.

How can sub-contracted workers' health and safety be better protected?

Experiences and challenges of subcontracting in the terminals were not so different to other industries. The researchers' findings indicate that new strategies are needed to work effectively with contractors, perhaps at two to three tiers of subcontracting, for example in the construction industry, which is a more complex arrangement than that seen at container terminals. There are regulations and strategies to manage effectively where a significant proportion of the workforce is contracted.

There was a general concern at the roundtable that the voice of outsourced labour is marginalised and that there are few provisions for its representation.

It was felt that more action is needed on managing contractors effectively, given a lack of attention to the detail of labour supply chain management. Some good practices from larger EU players were identified, for example creating joint guidance about employing contractors, together with the principle of providing the same level of protection as for a directly employed workforce (to treat them as if they were direct employees) and directly employed contractors trained as if employed directly. It was commented that where senior management is as committed as unions are to health and safety, mid-management can be directed the same way.

Contract workers are usually employed in higher-risk activities like pinning containers, involving more manual handling, but current 'restraints' on engagement with subcontract workers mean clients are unwilling to train them themselves, in case they incur liability for them as employees. This means they only provide training material for others to undertake the training, so there is a difference from training activities that are delivered by in-house trainers.

The complexity of the different forms of workforce in the sector was also mentioned as an important issue. In some countries operators have to use 'pool labour': direct employment is not allowed and labour may vary daily. The standards and operations vary between multinational and other companies and there is no common standard. Port authorities dictate terms and often the government employs the port authority. Operators comply with rules which say who they can employ and there may be little else they can do. This complexity is also increased by blurred roles in the sector, as often the worker has to learn different processes and is frequently working in different working environments.

The debate focussed on clarifying the difference between 'the pool' and contractors. It was explained that 'pool workers' are usually fully trained in what they do and though they cannot be hired full-time, are engaged to work full-time overall, for example, in working for different companies. The pool system was created to help the company to cope with internal resource shortage patterns arising from peaks of activity. Those peaks of activities are arguably increasingly frequent due to larger and larger vessels, implying a lower need for labour in the port and more activity on any given vessel.

How can the needs of women workers be better accommodated?

Serious concerns were expressed during the discussion regarding the low levels of women employed as port workers, considering the evolution of the nature of port work. This factor was also apparent when comparing this demographic and diversity aspect against similar sectors such as the mining, transport and construction industries.

Unfortunately, because of low female participation in the study, the research did not provide a representative sample to show how any relationship between gender and OSH management standards. The debate highlighted how this sector still has a predominantly male culture, where women are more likely to work as a foreman or tallyman than being involved in manual work activities. Other challenges highlighted for women entrants were elements such as adequate facilities (changing rooms, toilets). When it comes to managerial roles, female representation levels are even worse.

There was discussion on the significant difference between the container and other industries that historically did not employ women, but now do. In the mining sector, for instance, women were originally denied jobs in an effort to protect them, but the situation changed with strong engagement between employee representatives and industry to ensure strategies for introducing standards that would support female employment.

IOSH Global Container Ports Roundtable

Summary notes

Some examples of business adapting policies to employ women were cited (including in Belgium, UK and Australia), but the general view was that the sector needs to be much more inclusive.

Poor engagement of women at terminals was also considered to be due to a lack of leadership at an organisational level and needed development. Other sectors, such as mining, were cited as examples of “evolution” in tackling diversity and inclusion.

How should health and wellbeing risks be tackled proactively?

A key finding of the study was that the systems were focussed on safety and its indicators at terminals, but less so on health and welfare issues. To move forward, this gap needs to be closed. The researchers found some attempts at some terminals, and with some effect, to address this, but felt that leadership development was needed. It was suggested that over-focus on safety could lead to narrowly-defined systems rather than looking at the broader issues and that the ability to measure a particular activity should not be the only driver for action.

The participants agreed that while there has been a traditional focus on safety in the industry, health and welfare should be covered too. But this requires real engagement and good dialogue at all levels. One proposed solution for this was to regard improving health as a way of reducing the level of the accident plateau. This was summarised as the sum of safety, health and mental health. Wellbeing equates to a total experience of a container port worker.

There were some suggestions from participants about encouraging business to introduce health schemes addressing not only physical but also mental health issues. It was recognised that some businesses currently find health-related issues difficult to tackle in the industry, especially long-term health issues where there is no return-to-work process. Where this is the case, workers are unlikely to return to the industry, particularly given the temporary nature of the jobs.

Other participants highlighted the deep mistrust by the workforce when health is discussed, with concern that health is being used to marginalise people. Some solutions to this were discussed, including educating managers and workers about making the workplace healthier and not singling people out. It was commented that in Asia, there are very few people prepared to report workplace health issues, because of the societal reporting culture and people being afraid of losing their jobs. It was explained that even where rewards for reporting were offered, this did not improve reporting numbers.

From a policy and transparency perspective it was mentioned that health has not been very prominent in international reporting frameworks and indices, but also that the new Global Reporting Initiative occupational health and safety standard is seeking to strengthen its reporting requirements in this area, to help drive improvement.

Psychosocial risks, work intensification and the lack of support in managing tiredness and fatigue are problems that need to be identified and tackled properly in the industry. Insecurity in the sector is also an issue and there were some comments reflecting a level of mistrust, based on the realities of worker experience among contract workers who fear losing jobs. IOSH is currently funding research linked to this sector with Cardiff University, “Safeguarding seafarer mental health”, to gain a better understanding of the health and mental wellbeing issues for this profession.

Brief summary of the discussion and some policy pointers

Because risk management in this sector has not traditionally covered the more holistic concept of a container port worker, there needs to be a clearer understanding of the different functions and risk management should be tailored accordingly: for example, container fumigation, where better coordination is needed between producers or manufacturers and the ports and container companies. Other examples include labelling, packaging, transporting and chemical use.

Working strategies such as restructuring, contracting and subcontracting have a strong impact on safety and health performance and there is a need for greater understanding of this in the sector’s global supply chains.

It was recognised that improving health and wellbeing in the industry can enhance working lives and productivity, but it was felt that existing international standards, such as those from the ILO and International Maritime Organisation, seem insufficient to assure this.

Some comments reflected the aspiration that ‘zero harm’ needs ownership and leadership by workers, as in other industries, and this requires a certain level of corporate cultural maturity.

There was concern relating to weak supply chain regulation, except for ILO regulations, though it was thought too soon to gauge the impact of recent changes in the ILO Code of Practice on safety and health in ports, particularly in developing countries.

IOSH Global Container Ports Roundtable

Summary notes

Other interesting points raised in the discussion

It was felt the ICHCA's safety information needs greater industry interventions to be more effective. Terminal operators have a safety grouping, but ICHCA could widen its impact in the industry.

It would be helpful to define standard OSH key performance indicators for the global container port industry.

The perceived reluctance to invest in occupational health should be acknowledged and implemented at board level, as it affects the whole business, whether in large or small operators and terminals.

There is a need to influence cultural perceptions of OSH and safety reporting, including in many parts of Asia and Africa, using OSH education and awareness to build trust.

A participatory approach to accident investigation within the industry is required.

The training focus should be on OSH awareness and not just on procedures.

There is a need for international intervention to be made, and the International Maritime Organisation may be open to doing this. Though its approach is currently maritime-based, it aims to reach into wider supply chains. This will require the right level of competence and strong relationships with international governments and bodies.

There is an opportunity to benchmark and replicate good OSH practices from similar industries, for example, oil and gas.

Where there are major global players wanting to drive the industry forward regarding good OSH standards, other companies may be able to adopt these practices, via a global code of conduct or common standard.

Next steps for IOSH

- IOSH should arrange a further roundtable involving more global container ports operators. IOSH should engage with multinationals such as APM Terminals in order to improve training and awareness for those areas or countries in need.
- IOSH should help promote relevant guidance, codes and standards.
- IOSH will continue to share our research findings at www.iosh.co.uk/containerterminals.
- We will share our summary of the September 2017 London roundtable with interested parties.

Relevant resources

HSE, Port Skills and Safety, and Unite the Union, *Health and Safety Leadership and Worker Engagement in the Ports Industry*, www.portskillsandsafety.co.uk/sites/default/files/2017-03/H%26S%20Worker%20engagement_0.pdf

ILO, *Portworker development programme in bulk terminals Instructional material*, 2017

IMO and ILO, *Code of Practice on Security in Ports*, 2003, www.imo.org/en/OurWork/Security/Guide_to_Maritime_Security/Documents/ILOIMOCODEofPracticeEnglish.pdf

ILO, *Code of Practice on Safety and Health in Ports*, (Revised 2016) www.ilo.org/wcmsp5/groups/public/---ed_dialogue/--sector/documents/normativeinstrument/wcms_546257.pdf

ILO, *The Inspection of Occupational Safety and Health in Ports*, 2008, www.ilo.org/wcmsp5/groups/public/---ed_dialogue/--sector/documents/publication/wcms_161219.pdf

Watch our short video on YouTube

Health and safety in global container terminals roundtable.
youtu.be/rVOF5r8IUFM

Acknowledgement

We are grateful to the European Bank for Reconstruction and Development (EBRD), which kindly provided the excellent London venue and contributed to the discussion. EBRD is aligned to ILO standards and EU Directives and liaises with several international employers and trade union associations. EBRD is currently supporting and funding several port projects in North Africa, Montenegro and Poland. The EBRD has a global remit, serving the interests of all its shareholders (66 countries from five continents, plus the European Union and the European Investment Bank). New members include China and Lebanon.

IOSH is pleased to publish notes from the discussion, so that the reflections are available to a wider audience and can inform and encourage debate at a policy level.

The views, opinions, findings and recommendations expressed in these notes are strictly those of the participants in the roundtable event and do not necessarily reflect the views or policies of IOSH.