IOSH Global Container Ports Roundtable

Hong Kong, 06 December 2018

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. 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.

This 2018 international roundtable in Hong Kong was the second of IOSH's public policy-oriented series that started in London with European stakeholders. This event had a greater focus on industrial relations with significant contributions from two bodies: ITF, the International Transport Federation, and DP World, one of the main multinationals operating in the sector. The discussion was facilitated by Er Ho Siong Hin, Secretary-General of the International Association of Labour Inspection (IALI).

The first part of the event saw a presentation of research findings by Professor David Walters, the project's principal investigator, from the Cardiff Work Environment Research Centre (CWERC) at Cardiff University. After comparing key results in "rich" and "poor" countries there was a question-and-answer session.

The ensuing debate was based on six themes:
- How can worker involvement/participation be increased?
- How should health and wellbeing risks be tackled proactively?
- How can sub-contracted workers' health and safety be better protected?
- How can the needs of women workers be better accommodated?
- How can lessons be learned so that incident reporting levels and investigations are improved?
- Health and safety performance and productivity

How can worker involvement and participation be increased?

It was suggested that worker involvement could be increased through inclusive communication and developing a learning culture, which would lead to greater awareness and help to build trust. The potentially significant influence of the new international standard, ISO 45001, on occupational health and safety management systems was highlighted, with its strong emphasis on leadership, worker participation, communication and culture.

There was general consensus on the importance of the relationship between workers' involvement and operations and that sector requirements should be made more understandable for end-users. It was felt that this is not currently always the case and could result in a breakdown of operational processes. One example mentioned was the practice of applying theoretical principles, taught by office-based safety and health professionals, who may work in isolation and have insufficiently deep understanding of the practical realities. The resulting standard operational processes (SOPs) were considered by some participants to be too 'high-level' and impractical for end-users, who are the experts when it comes to daily operations. So, professionals who write SOPs or similar procedures need to engage in active consultation. At sector level, non-prescriptive legislation is growing and also needs more consultation with relevant stakeholders.

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In this arena, consultations are pivotal in managing occupational safety and health (OSH) effectively, but delegates felt the sector seemed to be moving in circles around this issue, with barriers related to fear and mis-communication. This could lead to contradictions such as companies encouraging increased reporting while facing pressures to minimise the time and resources devoted to this.

The need to strengthen trust and improve levels of communication were agreed as the main areas of concern. Delegates talked about a long-existing culture of fear and distrust, with workers not encouraged to participate, which is the case for both developing and non-developing economies and similar to that found the maritime and shipping industry. Distrust in management remains the root cause of the problem and requires a shift in approach.

Improving leadership and the increasing use of technology were two of the solutions advocated by participants. Key to the improvement of working conditions was how effectively the message is cascaded from the CEO to middle managers, supervisors and eventually to the shop floor. Specific examples of good practices were given, such as: encouraging leadership at the shop floor level; the increase of face-to-face talking and interaction with managers; and better mechanisms for collaboration. Technology developments were mentioned from a positive perspective, in contrast to the negative connotations linked to the impact of robotisation and automation on the number of workers employed. Operators in certain parts of the Asia region are already using advancements in information and communications technology systems to improve the way they reach out to workers, to raise awareness or enhance health and safety.

The key role of trade unions in improving mechanisms of worker communication was highlighted. It was felt there should be more effort in facilitating peer-to-peer education as a methodology, with better buy-in from decision-makers.

How should health and wellbeing risks be tackled proactively?
It was suggested that for health and wellbeing to be addressed more proactively, safety issues that also have health implications (causes or consequences) should be 'red-flagged', so that when these are identified, they act as a trigger to look at the potential health problems too.

Participants took the view that safety management systems still need to shift to a culture where health is given equal importance and prioritised appropriately by managers. Concerns about the relevant expertise of some OSH professionals in this field was raised. Many OSH practitioners in this industry have a technical background (engineering, environmental or safety), which it was felt did not necessarily equip them to address health and wellbeing issues. However,

it was also noted that occupational nurses and doctors are available to advise on these topics in larger organisations and their supply chains, as part of a multidisciplinary approach.

Sector comparisons and the need for benchmarking on health and wellbeing were highlighted. Other sectors, such as the construction industry, have begun to take a holistic approach to OSH. It has used various awareness-raising campaigns to tackle physical health and, more recently, mental health, particularly suicide prevention. Participants mentioned that they should be agreeing a framework prioritising two or three main issues (e.g. mental health and fatigue) affecting the industry, and then work on a coordinated approach with cooperation between management, labour unions and site safety committees. In terms of these priorities, night shift work (mainly for occupational drivers), fatigue and stress are key issues. For this purpose, better use of technology solutions should be encouraged, as they can help in monitoring the number of working hours.

According to delegates, occupational health in the sector has historically been perceived to be about medical conditions, with people tending to focus on outcomes rather than prevention. As well as the need to focus far more strongly on prevention, the discussion highlighted the importance of effective rehabilitation programmes, return to work and disability management, which facilitates employers keeping track of workers' health.

Specificities of the Asia region were mentioned, including the lack of medical support and the generalised practice of private hospitals to overtreat or over-medicalise patients for economic reasons.

OSH competence was again considered, and participants agreed on the need to understand better the health and wellbeing hazards directly from the specialist-professionals in these particular disciplines. The role of the 'wellbeing champion' was cited as a good practice that is starting to be used in some areas, in contrast to Europe where this figure tends to be more dedicated to mental health awareness. It was felt that across the region, sufficient focus on health and wellbeing may take years to embed.

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

The need for a system to tackle contractors or third-party contract labour suppliers more effectively was highlighted and a responsible contract labour supply framework or scheme was felt to be a good starting point.

A strong point was made in favour of aligning OSH with mechanisms of finance reporting and those used in sustainability environments and reporting initiatives, as a driver to improved occupational safety and health performance. An example was outlined from the International Finance Corporation (IFC), a sister organisation of the World Bank, to leverage change and require better contractor management within the industry. The IFC's Sustainability Framework includes Policy and Performance Standards on Social and Environmental Sustainability and builds on best practices from other industries. This standard considers good and poor practice in safety, labour and supply chain monitoring.

Similar bodies who use this approach are the European Bank for Reconstruction and Development and the Asian Development Bank. In this context, development banks require performance reports reviewing the characteristics of the labour force – for example, whether they have facilities, labour contracts, OSH and labour law basic rights.

In conclusion, from a business perspective, it was felt to make perfect sense to align supply chain management to financial accountability and reporting initiatives, including the new Global Reporting Initiative's standard GRI 403, with its strengthened OSH content. GRI is one of the most widely used sustainability reporting standards in the world.

In terms of guidance, for contractor management, the role of the ILO code on container ports was debated. According to some participants, it was very industry- and task-specific (for example, on lashing requirements) and did not take sufficient account of the need for new processes and practices related to trends affecting the sector such as digitalisation and automation. The ILO maritime code was also mentioned, but was not considered fit for purpose for container ports.

It was recognised that the practice of subcontracting will continue in the form of using registered pool workers who are hired on a daily basis-for a shift or a half shift. Approaches such as the use of the pooling system (that deals with the compatibility of the national or local port labour regimes) in Europe were referenced as a highly regulated area , in contrast to the Asia region. Some labour unions embrace pooled labour as long as workers are regularly and effectively trained, working hours are respected and OSH rights are empowered. Pooled labour is particularly welcomed in some areas – for example, in the Netherlands, where this workforce is well-trained and effective, and the approach should be benchmarked as a good practice case.

How can the needs of women workers be better accommodated?

Unfortunately, female representation, secured for our London debate, was unavailable for this one. Discussion reinforced the need to talk to women in the industry to understand their requirements. This issue was also mentioned during the International Transport Federation (ITF) Congress that took place in late 2018 in Singapore. Tellingly, there were still conversations going on that just tackled the basics, like the availability of bathroom or changing room facilities.

Participants were concerned that there still have not been open conversations on the role of women in the sector. Recruitment is an issue, as workers tend to start off lashing or machine operation (heavy work) that may actively discourage women from joining. Problems like sexual harassment still need to be properly managed. Participants also reported that feedback from surveys reviewing work-related violence and sexual harassment in particular exposed deeply shocking experiences.

Management structures in container ports that lack women members should also be reviewed. Women's issues need to be part of the discussion and though women might not lash the same way as men, this does not mean that they cannot do the job.

Overall, though the situation is starting to improve, there is a long way to go and progress has been too slow.

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

Some participants described a picture where, regrettably, the same accidents tend to be repeated on a periodic basis even where regulations exist. One of the reasons for this is that workers are still managed by fear. When analysing the topic, the following points relating to workers' participation were raised:

- an increasing conflict between encouraging reporting and the level of organisational workload when this reporting takes place
- blame-free cultures should be encouraged, together with incident or near-miss reporting and investigation practices
- there is a need to develop a 'learning environment' to improve on these practices
- following reports or investigations, feedback should be treated as an essential aspect (thanking reporters and providing feedback to them, for example)
- the way transparency is managed and communicated is pivotal.

Linked to incident reporting, the following question was posed by participants: How do we encourage a better system for incident reporting as well as accident investigation? Near-miss reporting can sometimes provide unhelpful information (near-miss reports can show low rates while accident prevalence can be high). But if employers encourage active and more transparent reporting, then near-misses can provide the possibility of more beneficial learning (in some cases, even more than from accident investigation).

A significant barrier to address was giving people confidence in reporting and how to shift the approach from blaming people to open conversations. Encouraging staff actually to see the performance data and be involved in reducing incidents and accidents was commended as the right approach. This can help to produce positive outcomes from negative aspects of OSH management. It was felt that a focus on supporting workers' development in finding solutions (through learning tools) would help in growing a culture of trust in the sector.

Another issue highlighted was related to improving communications coming from leadership. A missing link was shown between what workers report and subsequent remedial action taken by leadership teams, which naturally discourages such reporting. A contributing factor is that corrective measures can take up to one year and workers tend to be kept out of the loop of these actions and improvements. As a result, workers think the company fails in its duty of care and are concerned that blame or discipline practices will be used against them. Worker participation in accident investigation is crucial and workers, managers and safety representatives need to be trained effectively in incident investigation.

More support must be given to improve knowledge, awareness and capability in this field. Specific examples at a policy level were mentioned such as a new legal requirement in Singapore for the release of 'learning reports' on accidents, comprising safety recommendations to prevent recurrence of complex accidents. Another useful reference in the industry mentioned was the report that DP World produces on accidents and incidents, which was felt beneficial for other container companies to follow and to learn from.

Insufficient understanding of risks that lead towards a false sense of security was mentioned as a reason for under reporting and causing unreliability of the systems. If the root cause is a lack of awareness or distrust, then reporting should not be negotiable at all, but a basic right. The business should always encourage trust-building wherever there is an opportunity. Positive trust and culture mean that those responsible are accountable and this shows the importance of OSH within the business.

In terms of capability, the quality of lead investigators was highlighted as an area for improvement. The professional who facilitates the process needs to have in-depth understanding of the organisational factors and underlying causes that lead to changes in risk identification, management and mitigation. Key elements are getting high-quality investigation facilitation that understands the organisational factors; knowing how to take it beyond the immediate causes to the underlying causes; and then direct the necessary rectification. Without all this, the process lacks legitimacy.

Care and the development of a 'culture of care' can also be enablers for the growth of trust, and are facilitated by the business' health and wellbeing strategy. There was agreement that this could only be achieved by focusing equally on health and safety.

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Health and safety performance and productivity
The relationship between health and safety performance and productivity was seen as a corporate risk – to people, to assets and to programmes. Companies that have a good OSH performance tend to have better productivity.

The ability to articulate this and what the risk is can help in terms of productivity, changing the dynamics assigned to the work-versus-safety debate, enabling the process to become a calculated decision. And to monitor performance, there is a need for both leading and lagging indicators for OSH, as well as for process safety.

Some discussion took place about the phrase "Safety is the number one priority". Recognising that health and safety improves productivity (less downtime, reduced reputational risks and so on) and must not be compromised by it, businesses need to be consistent with this message and conscious of their organisational context and culture.

Statements of the individual commitments from delegates
At this point, summing-up, Er Ho brought proceedings to a close by asking each participant for a final thought and what they could commit to doing as a result of the discussion. Some examples included:
- supporting the role of women in the industry, as a generational opportunity
- raising awareness among labour inspectors and setting up a comprehensive system to audit OSH in relation to subcontracting and supply change management regulation
- chairing a prevention section on transport and logistics at the International Social Security Association
- producing a summary report that will be shared with participants and published and facilitating further engagement and collaboration between key stakeholder groups
- mentoring workers, participating in international forums and working in alliances with key industry groups
- developing guidelines on Vision Zero for the transportation industry
- providing specific training for workers to know the regulations they work under and what is required of them
- sharing between different industries, to establish a knowledge mechanism to disseminate learning on similar issues
- moving forward issues such as a process for contract labour and worker engagement in the emerging markets

Next steps for IOSH and ITF
- IOSH will share its summary of the December 2018 Hong Kong roundtable with interested parties.
- IOSH will invite participants to share progress on the issues raised at regular intervals.
- IOSH will continue to share its research findings at www.iosh.co.uk/containerterminals
- IOSH and ITF will work together to encourage more participation from the global terminal operators.

Relevant resources
- DP World Corporate responsibility annual report
- IFC International Finance Corporation. Environmental, health and safety guidelines for ports, harbours, and terminals' https://www.ifc.org/wps/wcm/connect/d2f2cf88-ce22-4a48-86fc-45ee3b8e9e45/20170201-FINAL_EHS+Guidelines+for+Ports+Harbors+and+Terminals.pdf?MOD=AJPERES
- IMO and ILO, Code of Practice on Security in Ports, 2003, www.imo.org/en/OurWork/Security/Guide_to_Maritime_Security/Documents/ILOIMOCodeOfPracticeEnglish.pdf
- Ministry of Manpower (MOM) Workplace Safety and Health (Amendment) Act 2017

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