



The Institution of Occupational Safety and Health (IOSH), the Chartered body for occupational safety and health (OSH) professionals and international NGO, has around 47,000 members in 130 countries. As an international non-profit organisation, IOSH influences important decisions that affect the safety, health and wellbeing of people at work worldwide. We collaborate with governments, advise policymakers, commission research and set standards, and run high-profile campaigns to promote awareness of OSH issues. We advocate that OSH is a fundamental right for all workers and that improved transparency and due diligence can ensure this is a reality.

As the largest membership organisation for OSH professionals, we support them in their work to advise businesses on the impact of OSH performance on human capital management and sustainability. We champion and advocate policy to ‘put people back into sustainability’, with OSH integral to sustainable business performance. We support the United Nations Guiding Principles on Business and Human Rights (UNGPs) ‘UNGPs 10+ / Next Decade BHR’ project, aimed at improving implementation and raising standards.

Q(1) Where has progress taken place in UNGPs implementation over the course of the last decade? What are the promising developments and practices (by governments, businesses, international organizations, civil society organizations, etc.) that can be built on?

IOSH welcomes progress on the following policy-related initiatives that we believe have significant potential to improve working conditions and OSH:

- The UN 2030 Agenda for Sustainable Development and Sustainable Development Goals (SDGs) – these aim for a world of work where businesses frame their sustainability policies towards decent work principles. Many of the SDGs relate to OSH, for example, SDG 3 seeks to reduce deaths, injuries and illnesses from road traffic accidents, hazardous substances and contamination; and to improve mental health and wellbeing. While SDG 8 underlines the need to protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious jobs.
- Group of Seven (G7) and Group of Twenty (G20) – we value the commitment from these groups in their recent declarations and strategic priority setting, recognising the positive contribution of businesses to sustainable development through responsible business conduct and human rights due diligence in global value chains. Importantly, we note that the G20 Riyadh Summit (November 2020) *Leaders’ Declaration* highlights the need for responsible investment; a strong sustainable, balanced and inclusive post-COVID-19 era; protecting and promoting decent jobs for all; and eradicating human trafficking and modern slavery.
- Europe – we welcome European public policy progress and developments supporting Corporate Social Responsibility, Responsible Business Conduct, and Business and Human Rights, in particular those initiatives looking to achieve policy coherence.¹ We also recognise significant European Union developments leading on the implementation of partnership and cooperation agreements that focus on the rule of law, human rights, including labour rights, good governance, multilateralism and sustainability by strengthening responsible trade, human rights and sustainable development including decent work issues.²

¹ European Commission. Corporate Social Responsibility, Responsible Business Conduct, and Business & Human Rights: Overview of Progress. Brussels. March 2019. <https://ec.europa.eu/docsroom/documents/34963>

² European Commission. Promote decent work worldwide. Brussels. October 2020. <https://ec.europa.eu/social/BlobServlet?docId=23131&langId=en>



- International standards – we appreciate the inclusion of human and labour rights and OSH in standards, such as ISO 26000 (social responsibility), which includes respect for human rights as one of its key principles and core subjects; and ISO 20400 (sustainable procurement), which references the UNGPs in its definition in ‘sphere of influence’ and lists ‘respect for human rights’ as one of its principles for sustainable procurement, core subjects and drivers. We are also contributing to the British Standards Institute’s current work to develop a new standard on modern slavery risk management, which is intended to become international. In addition, please see reference to OSH-related standards ISO 45001 and GRI 403 below and also in our answer to question 4.
- Recent developments on Trade and Sustainable Development, Finance and Investment:
 - Trade and investment – in the UN Policy hackathon - *Model Provisions for Trade in Times of Crisis and Pandemic in Regional and other Trade Agreements*, the IOSH submission³ recommends that trade policy and agreements include clear OSH requirements as model provisions at times of crisis and pandemic and that these also inform all future general trade and development strategies. IOSH welcomes the promotion of business respect for human rights in international trade and investment agreements in bilateral, regional or international settings, in line with Principle 9 of the United Nations Guiding Principles on Business and Human Rights (UNGPs). IOSH advocates socially responsible trade and investment and believe a good example of collaborative working to benchmark is the ‘*Sustainability Compact*’ for improving labour and OSH conditions for garment workers in Bangladesh. This brings together the EU and the Governments of Bangladesh, the United States and Canada and the ILO, together with employers, trade unions and other key stakeholders to promote continuous improvement.
 - Transparency – IOSH welcomes increasing requirements for corporate transparency on social issues, including OSH, and the promotion of sustainable finance. In the EU review of the Non-Financial Reporting Directive 2014/95/EU, IOSH was pleased to highlight our contribution to the development of *GRI 403: Occupational Health and Safety 2018*, which we believe can help reporting organisations to provide decision-useful data for stakeholders, including on their adoption of management system principles, such *ISO 45001: 2018 Occupational health and safety management systems – Requirements with guidance for use* and we also advocated the use of the UNGPs. For the future, the EU commitment to a new law on ‘due diligence’ means that this may be required as part of corporate disclosures. IOSH was also pleased to contribute to the development of the Corporate Human Rights Benchmark project, an open and public benchmark of corporate human rights performance, created by a collaboration of investors and civil society organisations.
 - Social license to operate – the potential for increased stakeholder and investor requirements for companies to report on and improve OSH can act as a positive lever. Not only can OSH be recognised as an important element of the ‘triple bottom line’, but also, OSH can be seen as integral to the company sustainability brand and ‘social license to operate’. There is now a growing trend towards comprehensive corporate reporting among leading sustainability and integrated reporting organisations, aiming for combined or ‘nested’ non-financial and financial performance reports, and we believe that both OSH and UNGPs should feature in such disclosures.

³ Institution of Occupational Safety and Health. Revitalising 2.0: building back better and healthier. Leicester. September 2020. <https://www.unescap.org/sites/default/files/135%20Final-Team%20Richard%20Jones-UK.pdf>



- National Action Plans (NAPs) on Business and Human Rights – IOSH welcomes progress on initiatives that support implementation of the UNGPs. There are many national jurisdictions that have developed (or are developing) NAPs and the database providing access to these is helpful.⁴ We value progress on the OECD Working Party on Responsible Business Conduct (WPRBC) to help foster due diligence in value chains, including the promotion of the *OECD Guidelines for Multinational Enterprises*, with labour rights and safe and healthy working conditions core elements of these initiatives.
- On the possible development of an international binding instrument on business and human rights – IOSH supports the work of the UN Working Group on Business and Human Rights and the UN Office of the High Commissioner on Human Rights, including the associated implementation of the UNGPs. We also welcome international and European efforts in the form of a future legislative proposal addressing human rights and environmental duty of care and mandatory due diligence across value chains, aiming to ensure that sustainability and OSH is further embedded into the corporate governance framework.

Q(2) Where do gaps and challenges remain? What has not worked to date?

While there has been work to improve governance globally, through initiatives such as the OECD WPRBC, the link between UNGPs and ILO's Decent Work Agenda and its associated International Labour Standards, and progress in sustainability development, IOSH believes more must be done to improve OSH and worker wellbeing, integrate the SDGs into business models, and link targets with core activities and supply chains. Concerningly, the ILO estimates that *“Every day, people die as a result of occupational accidents or work-related diseases – more than 2.78 million deaths per year. Additionally, there are some 374 million non-fatal work-related injuries each year, resulting in more than 4 days of absences from work. The human cost of this daily adversity is vast and the economic burden of poor occupational safety and health practices is estimated at 3.94 per cent of global Gross Domestic Product each year.”*⁵

Despite the progressive implementation of international labour standards contained in the fundamental Conventions of the ILO, as well as other international labour standards in areas such as OSH together with the International Bill of Human Rights, the UN 2030 Agenda for Sustainable Development, and different guidelines and declarations on RBC from the UN, the ILO and the OECD, we are concerned that many states still fail in securing business respect for human rights and OSH. We understand from the European Parliament study into implementation of the UNGPs (2017)⁶ that one of the key contributing causes of this situation for UNGPs is a lack of awareness and expert capacity, coupled with the lack of resources, both financial and human, to develop necessary policies, including NAPs, and regulations and ensure their effective implementation, enforcement and monitoring. The report specifically refers to *“...lack of good governance and prevalence of corruption, as well as political limitations imposed by foreign governments or multilateral institutions...”* and includes analysis of company responses to the business version of the survey, which it reports *“...often indicated weak government frameworks and enforcement as a challenge.”*

⁴ Danish Institute for Human Rights website for national action plans on business and human rights <http://globalnaps.org/>

⁵ International Labour Organization. Health and Safety in the Workplace. <https://www.ilo.org/global/topics/safety-and-health-at-work/lang-en/index.htm> Consulted November 2020.

⁶ European Parliament. 2017. *Implementation of the UN Guiding Principles on Business and Human Rights* study. [https://www.europarl.europa.eu/RegData/etudes/STUD/2017/578031/EXPO_STU\(2017\)578031_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2017/578031/EXPO_STU(2017)578031_EN.pdf)



IOSH believes that the proposed roadmap defining businesses and governments' human rights obligations for the next ten years towards 2030, should embed the social elements of sustainability requiring decent work, effective OSH risk management and the prevention of modern slavery, as reflected in our 2019 white paper, *Tackling modern slavery together: the roles of governments, employers, professionals and the public*. This framework should include a multi-stakeholder commitment to ensure safe and healthy working conditions for all workers as a fundamental right.

On national action plans on business and human rights, IOSH would like to see more countries develop and share NAPs and the further translation of the UNGPs into other languages, as recommended by the European Parliament in its 2017 study into UNGP implementation⁶ and that there is a requirement for a 'baseline assessment' so that progress can be tracked, with information also provided about future plans and commitments.

Q(3) What are key obstacles (both visible and hidden), drivers, and priorities that need to be addressed to achieve fuller realization of the UNGPs?

- Global reach – IOSH advocates that the decade of global implementation initiative should prioritise expanding global inclusivity and reach for UNGPs. Europe's focus and leading work in sustainability reporting and business human rights due diligence needs to be promulgated more widely, aiming to address insufficient transparency on human rights and OSH in corporate social footprints worldwide.
- Capacity-building – in line with the Principles 8 to 10 and the rights to information, training, awareness-raising, support, technical assistance and capacity-building, IOSH calls for this project to strengthen the coherence between human rights and OSH standards to reinforce the principle that all workers share the right to safe and healthy working conditions, as outlined in international human rights instruments. This is needed to address the challenge that unscrupulous employers that may not acknowledge safe and healthy work as a fundamental right; and that OSH is not stated as one of ILO's fundamental principles and rights at work for policymakers. Capacity-building should include requirements for human and labour rights training for those involved in investment, governance and stewardship and include translated materials.
- Informal economy – according to the ILO⁷, some 60% of the world's employed population are in the informal economy, mostly in emerging and developing countries. This means that many workers still lack access to social safety nets and are left behind. We believe that socially sustainable globalisation requires enhanced OSH standards and practices for such individuals within the business and human rights agenda.

Q(4) What systemic or structural challenges need to be tackled to realize sustainable development based on respect for human rights?

IOSH believes that this 'UNGPs 10+ / Next Decade BHR' project can be a great opportunity to explicitly include the promotion of the safety, health, and wellbeing of workers in the vision and roadmap for a decade of implementation, as one of the fundamental rights of every worker.

⁷ International Labour Organization. More than 60 per cent of the world's employed population are in the informal economy. Press release April, 2018. https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_627189/lang--en/index.htm



As indicated in our answer to question 1 (above) the case for investor action is clearer than ever. Investors need to respect human rights, including labour rights, under the UNGPs and under the OECD expectations of RBC for institutional investors. Investors are also expected to respect the ILO core standards and to work with investee companies to ensure that they respect human and labour rights. The future roadmap should encourage organisations to go beyond minimum OSH compliance in the sustainability agenda, recognising the benefits to individuals, employers and communities of delivering long-term socioeconomic value and the UN SDGs. Reporting on this can provide the supply-chain transparency that stakeholders demand and drive good governance, protection of vulnerable workers and higher standards.

The future roadmap should improve dissemination and awareness of successful regulations around human rights and labour and OSH rights relevant to public policy, civil society, investors and companies beyond traditional human rights forums. For example, promoting the benefits of legislative and policy developments and the potential to level the playing field upwards, including the Modern Slavery Act in the UK and ongoing discussions around mandatory human rights due diligence in the European Union.

IOSH would support policy-oriented initiatives that stimulate business working together towards comprehensive corporate reporting and disclosure on work-related human rights. As part of the recovery from the current coronavirus crisis and to support revitalising and building back better and healthier, it is important that corporate reporting and disclosure practices become more effective, including on supply chain management, human capital, OSH, human rights and environmental due diligence. It is essential that OSH is designed-in from the concept stage of new developments.

We believe that human rights performance information and labour and OSH indicators need to be gathered across all countries. They should be easy to access and meaningful, and provide quality, comparability and reliability, enabling cross-country comparisons on respect for human rights issues. We advocate research into improved methods to identify shortcomings associated with labour and human rights in corporate supply chains and capacity-building for decision-makers via training and guidance on how to monitor and improve delivery of human and labour rights, including translated materials.

On corporate transparency, IOSH jointly-leads the Center for Safety Health and Sustainability agenda, promoting improved and standardised OSH metrics from international standards (see *ISO 45001: 2018 Occupational Safety and Health Management systems – Requirements with guidance for use* and *GRI 403: Occupational Health and Safety 2018*). IOSH advocates a transparent, human-centred approach that properly values the role of OSH in developing and protecting human and relationship capital. It is important that a future framework embeds the principle that workers are recognised as material to organisational success and sustainability, with people positioned at the heart of the agenda, and that this is reflected in national and corporate governance reporting.

Q(5) In concrete terms, what will be needed in order to achieve meaningful progress with regard to those obstacles and priority areas? What are actionable and measurable targets for key actors in terms of meeting the UNGPs' expectations over the coming years?

IOSH supports the principles behind the UNGPs strategic priorities that promote and protect human rights worldwide. We believe that the current public policy development routes (based on policy and sectoral dialogue, public diplomacy and strategic communication, human rights dialogue), should be more inclusive, allowing the participation of a variety of stakeholders including those who champion corporate social responsibility. And in furtherance of this, we recommend that the UNGPs should encourage companies to go beyond compliance on OSH and performance reporting as part of valuing human capital and sustainability. This can provide the supply-chain transparency that stakeholders demand and help drive good governance, protection of vulnerable workers and higher standards.



IOSH believes organisations cannot be sustainable without protecting the safety, health, and wellbeing of their most vital resource: workers. Good health and safety is fundamental to supply chain management and maintaining a social license to operate. This needs to be achieved through a global framework that promotes responsible, sustainable and lawful conduct as integral to company-purpose and embedded in corporate strategies.

IOSH takes the view that this UNGP project represents a valuable opportunity to progress the universal recognition of OSH as a fundamental right. The right to safe and healthy work needs to be inseparable from other basic labour rights, such as to freedom of association and the elimination of discrimination, and to fully become one of the fundamental principles and rights at work.

Key to delivering improvements will be capacity-building for decision-makers (at international, regional, national and corporate levels) in monitoring and improving human rights due diligence and OSH management across operations and supply chains worldwide, including access to translated materials.

Q(6) Is there other information relevant to the UNGPs 10+ project that you'd like to share?

IOSH is pleased to engage in OSH public-policy initiatives with like-minded stakeholders on understanding and raising awareness of the broader context of sustainability and human capital management and the role of OSH within it. We would like to be considered as a key stakeholder that can seek to engage with the business sector on upholding and promoting human and labour rights, due diligence and decent job creation along the value chain, to improve working conditions and OSH.

IOSH welcomes the opportunity to comment on '*Business and human rights: towards a decade of global implementation*', also known as 'UNGPs 10+ / Next Decade BHR,' carried out in collaboration with OHCHR, UNDP, and others. We welcome the focus on human rights, due diligence, responsible business conduct and sustainable corporate governance. IOSH would be very pleased to provide further input on working conditions and OSH aspects that could fill potential gaps within the vision and roadmap for scaling up implementation of the UNGPs over the course of the next decade.

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