

5. KEY ROLE OF LABOUR INSPECTION: HOW TO INSPECT PSYCHOSOCIAL PROBLEMS IN THE WORKPLACE?

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What are the preconditions for labour inspectorates if they shall take a more active role in the area of psychosocial problems? There are several obstacles that have to be confronted politically and administratively. But first and foremost, the directorates and the ministry must actively support initiatives taken by inspectors in this area.

There is a certain inertia in all bureaucracies, and the labour inspectorates are no exception to that. Traditionally they are manned by technical inspectors(male?) with competencies in the area of safety and physical and chemical exposures. With focus more on safety than health. With focus on reactive types of inspection more than proactive inspection. As there is always enough problems in these fields to inspect, there will be a tendency to marginalize new tasks. They are simply not dealt with, as long as management is not giving priority to the psychosocial issues. Let me give a few central points that can change this state of affairs:

First lesson: Recruit psychologists to the inspection teams to develop competencies regarding psychosocial factors and their assessment.

Second lesson: Inspection campaigns focused on branches with documented psychosocial risks can stimulate prevention efforts and raise the issue in the public sphere.



Third lesson: It is important that the law has concrete and detailed regulations that allow labour inspectors to enforce these regulations. ILO-convention no. 81 says that, labour inspectors are foreseen to play an active role: "Bringing to the notice of the competent authorities any defects or abuses not covered by existing legislation"

Fourth lesson: Regulations concerning risk or workplace assessment is central, but it has to be focused on the whole working environment, not only on traditional risks. We have seen that risk management regulation has stimulated systematic work environment management. Systematic inspection methods has shown good results.

This is not plucked out of the air, but documented by long experience from the Danish Labour Inspectorate (Arbejdstilsynet). Psychologists have been active for 20 years as inspectors in areas where workers are making complaints like:

- symptoms of stress and burnout due to high workload, time-pressure and lack of meaning
- lack of prevention and emergency plans in institutions with violence and threats.

In the planning period from 2002-2005 the Danish Ministry of Labour has the following priorities:

- Serious accidents and deaths at the job
- Heavy loads
- Repetitive work
- Psychosocial problems.

This is supported by the social partners (employers and unions), who also wants to raise these issues through the rules of industrial disputes. Arbejdstilsynet must document results in all 4 areas. In Denmark we see more psychologists are being recruited to the districts to fulfill these political priorities.

Workplace assessment is a valuable tool that helps workers getting control and knowledge about their health and safety risks at work. But it must include the psychosocial risks. Experience shows, see the Dublin report

5. Key role of labour inspection: how to inspect psychosocial problems in the workplace?

on best European assessment practices by Mossing&De Gier(1996), that workers participation and involvement is central. That expert-oriented methods are less effective.

What inspection methods are useful?

Our experience shows that a method of dialogue can be useful, at least as long as there is no open conflict between the enterprise and the inspectors. To get access to the daily life of an enterprise, you have to use antropological methods... doing fieldwork....not long and time-consuming like studying other cultures... but taking your time to listen to the voices of workers, middle management and the bosses. Not as a consultant, but with a problem-focused approach screening for psychosocial problems that can be prevented or reduced. See Cooper at al.'s differentiation between primary, secondary and tertiary prevention.

Our experience shows that it is normally possible to reach an agreement with the enterprise, to use these methods. Using qualitative methods is logical as there is no other way than listening to people, if we wish to get knowledge about their experience and thoughts about safety and health in their work. What are the motivating, positive factors and what are the limiting, degrading and negative factors?

The first contact with the enterprise

Whenever the *Arbejdstilsyn* carries out an inspection of the psychosocial environment, it is normally arranged with the enterprise concerned. This is because of the wish to inspire trust and create an atmosphere in which both management and employees are willing to cooperate actively. There are also practical reasons, it must be ensured that the people the inspectors wish to meet are actually present. The *Arbejdstilsyn* therefore first of all contacts the enterprise by phone to arrange a date for the visit.

The enterprise then receives a written confirmation and a guide published by the *Arbejdstilsyn* which sets out the main working environment problems in the sector and also contains a section on the psycho-social problems regarded by the *Arbejdstilsyn* as the most widespread in the sector concerned.

The actual inspection consists of four parts:

- an initial meeting;
- a tour of the enterprise's premises;
- collection of data on the psychosocial environment;
- a final meeting.

The duration of a visit may vary greatly, depending on the size of the enterprise and on the scope of the problems met. It may be quite short or last for a number of days. Several days is quite normal, however. The initial and final meetings are usually fairly short; it is the collection of data which takes up most time.

The initial meeting

An inspection visit starts with a meeting with the managers and safety representatives.

Arbejdstilsynet describes its purpose and what the inspection visit will involve, and check out the expectations with management and employees. Furthermore information about the organisation, departments, activities and occupations are obtained.

At the initial meeting, the enterprise is demanded to give an account, on the basis of its own assessment of the workplace, of what measures it has itself taken with respect to the psychosocial environment. The psychosocial aspect is also discussed in relation to the guide which was sent out.

In hospitals, the inspection has been based on a checklist with the following psychosocial problems:

- heavy workload and time constraints;
- conflicting demands;
- absence of or unclear priorities as regards work tasks;
- lack of clarity on the organisation of work within and between groups;
- work with people under special conditions, like psychiatric and dying patients, with higher risk of burn-out.
- as is the case with burn-out syndrome, for example;
- little influence on one's own work;
- lack of professional or personal support from colleagues and management;
- variations in working hours and night-work;
- violence, threats and conflicts in dealings with patients;

5. Key role of labour inspection: how to inspect psychosocial problems in the workplace?

- shocking and traumatic incidents at work;
- conflicts, mobbing and harassment within or between professional groups.

Arbejdstilsynet might then be able at the initial meeting, to get some impression of the psychosocial environment in the workplace concerned. At last an agreement on the inspection plan is made.

Tour of the premises

The initial meeting is usually arranged so that it can be rounded off with a tour of the work premises which enables the inspectors to get a general overview of the enterprise. The inspectors can talk to any employees they meet.

Collection of data on the psychosocial environment

After the initial meeting and the tour of the premises, data relating to the psychosocial environment are collected. Various methods are used here:

- observations;
- observations;
- conversations with individuals;
- group discussions;
- written recording media;
- written data.

The ready assistance and active cooperation of the enterprise is, to a greater or lesser degree, a necessary prerequisite for all the data collection methods.

Observations

The inspectors may observe work procedures and processes. Already in 1985, *Arbejdstilsynet* brought out a publication called: Observation methods to record mental stresses in the work environment. This publication describes an observation method which inspectors can use when monitoring work procedures. Finally, the method is also described in the *Arbejdstilsyn's* 2000 publication: Surveying the

psychosocial environment, which informs the public about the different methods which can be used to survey the psychosocial environment in the workplace. At the same time, the publication serves as a guide for inspectors

Interviews with individuals

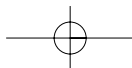
The inspectors may conduct interviews with individuals (management or employees). It may also be important to talk to key persons such as the employee representatives or employees subject to particular exposure or stresses. These interviews may be on an informal basis or be conducted more systematically, whereby the inspectors set out in advance the subjects they specifically wish to discuss.

When conducting interviews with individuals, inspectors work on the basis of the above-mentioned materials on data collection methods, and the publication on surveying the psychosocial environment, which also provides a description of interviewing methods.

Group discussions

The inspectors may also conduct group interviews or group discussions. *Arbejdstilsynet* has developed its own method of collecting data in this connection, which is based on the focus group interview method as used in the research field. *Arbejdstilsynet*'s method draws partly on the experience of the Swedish Labour Inspectorate (Fokusinspektion) and partly on inspectors' experience with the less systematic use of group interviews and various meetings within enterprises, such as staff meetings

The inspectors inform the management and safety representatives about what group discussions they wish to conduct during their visit. It is then up to the management and safety officers to decide who will take part in the discussions. The composition of the groups could conceivably vary depending on the corporate culture or current problems regarding the work environment. A group may consist of employees and managers, or exclusively of employees, e.g. from a single department or with special functions. Usually the interviews are done separately for employees and leading staff.



5. Key role of labour inspection: how to inspect psychosocial problems in the workplace?

Written recording media

The inspectors may also use written recording media, such as questionnaires and check-lists, in order to survey the psychosocial environment in the workplace. They are seldom used by inspectors, mainly for reasons of validity as a majority of employees must answer to obtain validity. They are also more time-consuming. Furthermore qualitative methods are more problemfocused and open to solutions and ideas about changing the work environment.

Written data

Finally, inspectors may also collect written data which may help to give an overall picture of the psychosocial environment in the workplace. Such data may, for example, comprise information on absences owing to sickness, written risk/workplace assessments, employee turnover, personnel policy details or reports on the work environment.

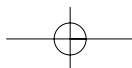
The various methods of collecting data complement each other. In each individual instance, a decision is taken as to which methods are required. However, strong preference is given to group discussions, which are conducted in all cases where it seems at all relevant. The method is thus used systematically in practice, and it is possible to some extent to assess training in the method in connection with the skills development programme for inspectors.

Final meeting

The inspection visit is concluded by a final meeting attended by the same participants as the initial meeting. At this meeting, the inspectors explain what they have learned from their inspection and how *Arbejdstilsynet* intends to respond. The inspectors also give the enterprise positive feedback, if there is basis for this.

The central role of focus group interviews.

Using the group interview method is not an exclusive expertoriented area. Inspectors are to a high degree already working as communicators asking questions to workers and bosses in all matters of health and safety of



work. It is possible to train inspectors with good communicative compencies in these methods. Furthermore, using the focus group interview has been used for many years in applied social scence as a valuable method to get access to peoples own experience and judgments, see literature. Let me repeat som of the most central advantages:

It provides more authentic data about:

- workers experience of workload, stress, conflicts, time pressure, threats etc.
- workers experience of influence and degree of participation.

Furthermore it:

- creates legality, openness and consultation on all matters central to their health and safety.
- generates insights in problems, not easily detected by quantitative methods.
- generates solutions and ideas about prevention and a more satisfactory oranisation of work.

This can be supplemented by interviews with key persons like middle management, safety representatives, shop stewards and workers having specific tasks.

The methods are not used for investigating the whole enterprise, but with a focus on problem- and conflict-areas in relation the laws and regulations concerning health and safety at work. And as psychosocial factors often are manifested through longtime expositions to hazardous labour conditions, methods must be adapted to this fact.

Enforcement and evaluation of risk.

In evaluating the risk, inspectors can be helped by paradigms, typical reactions in typical situations. When workers are at risk, the inspectorate must also make enforcements and advice in the area. Doing nothing will only lower expectations that the law is relevant to workers concerns and in line with the problems of modern working places. In Denmark it was decided to

5. Key role of labour inspection: how to inspect psychosocial problems in the workplace?

focus on the branches where there existed some consensus about the scale of psychosocial problems. Teams of inspectors with special instructions were created. From 1997 there has been focused inspection campaigns on doormen, institutions for disabled and elderly people, hospitals, primary schools, busdrivers and prisons. The prison campaign started in 2003.

In Denmark there has been political debate about the role of enforcements in the psycho-social area. And under pressure from the employers organisations, the ministry has decided that all enforcements are issued as notices. If the company accept the inspection report and respond with a concrete time-and actionplan, the enforcement is suspended. If there is no action taken, or the problems are still existing, an enforcement will be made with possible legal consequences.

To give an exampe of enforcements in the hospital campaign, there were reactions in areas like:

- overload and time-pessure.
- unclear or contradictory job description.
- lack of professional and social support.
- role conflict and lack of clarity.
- violence, threats and conflicts.

Labour inspection has a key role.

Labour inspection can play an important societal role, by actively focusing on stress and other psychosocial problems. Labour inspection can play an active role in primary prevention of stress-related health disorders. Labour inspection can make work-related stress a legitimate health and safety management issue. It can foster mutual understanding of the relavance of this issue. Stress is a key issue for both employers and staff. It can share information and knowledge by disseminating results to a wider audience. To marginalize this area to advice is in direct conflict with the overwhelming massive scientific documentation, that stress is a great health problems in modern workplaces, both to employees and leading staff.

And from a human rights and labour law view there is no reason why workers should not be protected by the law against unhealthy work environments, here also resulting from psychosocial stress from the work

organisation. And work organisations can be changed, adapting the work to man, not adapting man to work. See the Framework Directive, which mentions this common ergonomic principle, but often forgotten in the name of production and effectivity. Employers have duties to consider stress and mental health generally when they are assessing possible health hazards in the workplace. Furthermore it is employers duty to develop " a coherent overall prevention policy", see the excellent "Guidance on work-related stress" by Lennart Levi. Labour inspection can help them with this task.

Where worker participation is low and there is a low level of trade union organisation, there is often more psychosocial problems. Let me report a conclusion made by Walters & Freeman: "In the absence of trade union organisation, the role of law and its enforcement by the labour inspectorate becomes more central to worker participation". We see also many unions becoming more active in this area, and gaining more respect from their members by relating to their direct needs in the daily work pressures

Recruitment and training of inspectors.

The question of qualification and training of inspectors is essential. To raise the quality of inspection work, there must be knowledge in the inspection teams about:

- proactive systematic inspection methods.
- organisational and psychosocial factors.
- the role of work organisation in creating a healthy work environment,

It is essential to focus on the personal qualifications that have "a direct effect on the prestige of the service with empleoyers, workers and the general public"(ILO-Guide

for Labour Inspectors). There must be opportunities for learning in relation to occupational, organising and communicative skills.

Also modern stress-theory says that quality of inspectors work improves when there are less risk of stress and more opportunities for learning. Inspection work is quite stressful and if inspectors are not equipped with training and qualifications commensurate with their duties, there will be a great risk of low quality work and burn-out. All to the detriment of the

5. Key role of labour inspection: how to inspect psychosocial problems in the workplace?

public image of the labour inspectorate and the workers, who need assistance from inspection.

Labour inspection must undertake assessments of all risks, and need therefore qualified professionals in all areas. Inspection of the non-industry sectors like public social and health sector, has shown the need for new types of professions recruited to the labour inspection. There is not much research on labour inspection, but danish research by Bitsch Olsen has shown that "bottom-up inspection" has more advantages than "top-down inspection". One central advantages is that it is concrete and analyzes each risk-situation as unique. And the professionalism and abilities of the inspector is both developed and challanged in a supporting learning organisation.

In Denmark recruitment of psychologists to the inspection districts has sparked a positive development. They take a leading role in special cases of complaints about psychosocial problems in the enterprises, but also provides training and support to the inspection teams in all branches.

How to break the circle?

To make a summary:

- Assessment of psychosocial factors is different from assessing physical hazards.
- Qualitative methods like structured focusgroup interview must be • Resources in labour inspection are limited... also there is lack of qualified personnel.

To increase the effort in this important area, we must:

- Provide comprehensive professional trianing for existing labour inspectors.
- Create inderdisciplinary teams including professionals in organisation and psychology.
- Make it obligatory to include psychosocial factors in risk/workplace assessments.
- Focus on occupations and branches with the worst record in psychosocial hazards.

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