



## A STRONG TEAM: REPRESENTATIVES OF EMPLOYEE SAFETY AND HEALTH AND WORKS COUNCILS

Both health and safety at work are important issues, as they concern the avoidance of work related accidents and the reduction of various types of stress, caused for example through lifting and carrying, working with hazardous materials and psychological stress.

**Representatives of employee safety and health and members of the works council are the point of contact for health and safety issues at work.**

Representatives of employee safety and health are workers' representatives with specific responsibility for the safety and health of workers.

Companies with 11 or more employees are obliged to appoint a representative of employee safety and health. Works councils can be formed in companies that employ 5 or more employees by means of a staff vote. Works councils are amongst other things entitled to negotiate and sign works bargaining agreements.

Representatives of employee safety and health and works councils

therefore form a strong team to point out defects and hazards which affect health and safety in the workplace, and promote the elimination of these.

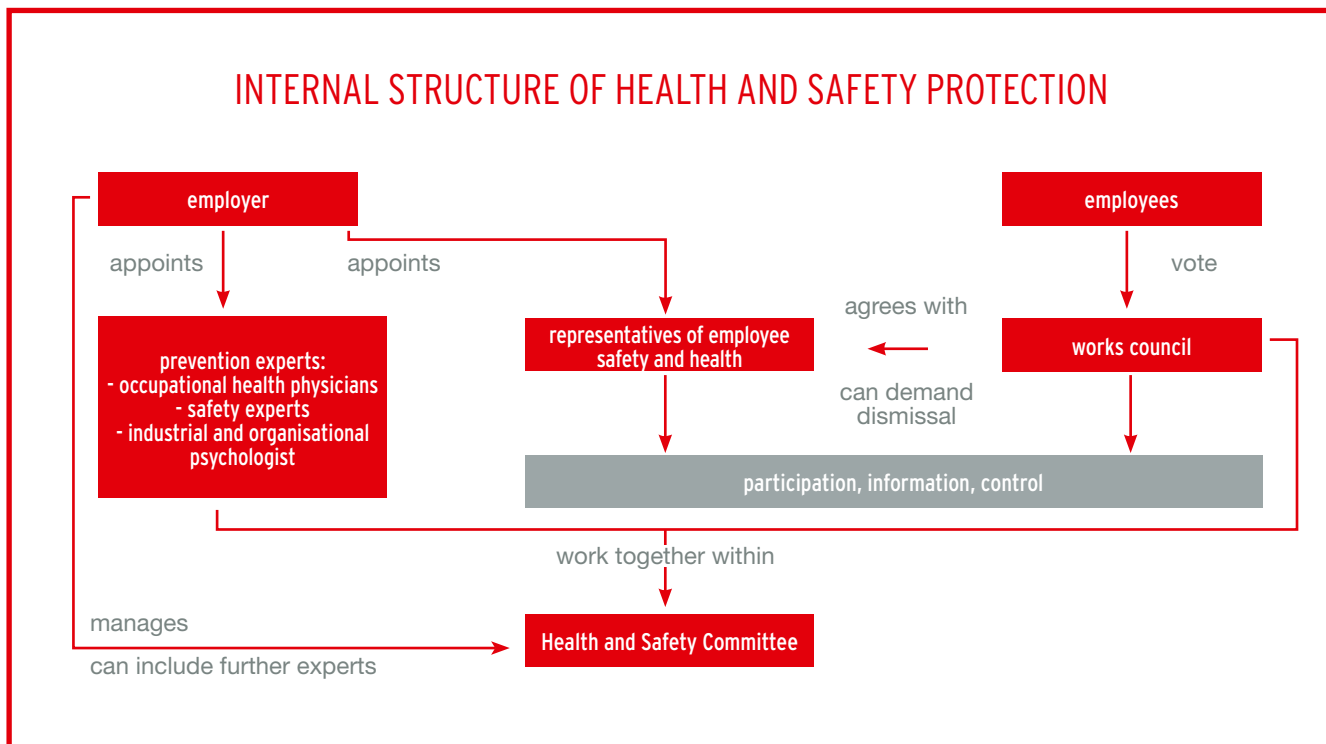
### **The internal network of staff protection**

Representatives of employee safety and health and works council members are important stakeholders in the field of occupational health and safety, as they are familiar with the structure of the company and in close contact with the staff. →



In addition, prevention experts advise employers on matters of health and safety, and cooperate with representatives of employee safety and health and works councils. The duration of on-site presence of prevention experts is dependent on the type of work undertaken in the company and the number of staff (preventive time).

Safety experts take care of the technical side of occupational health and safety. This includes taking measurements in the company (noise, draughts, light, etc.) and providing suggestions regarding issues related to occupational health and safety. The occupational health physician deals with the interaction of work and health from a medical point of view. Amongst their duties and responsibilities are the maternity protection assessment and the organisation of first aid. The risk assessment looks at both physical strain as well as mental stress. If it is concluded that there is an occupational risk of mental stress, an industrial and organisational psychologist will be consulted. Other experts (such as toxicologist, chemist, etc.) can be →



### What the legislation states:

The Labour Constitution Act (Arbeitsverfassungsgesetz) and the Occupational Health and Safety Act (ArbeitnehmerInnenschutzgesetz) commit both the works councils and the representatives of employee safety and health to cooperate in all areas of health and safety, to advise employers on matters of health and safety and to represent employees interests vis-à-vis the employer.

Employers have the obligation to listen to the suggestions given by the representatives of employee safety and health and works councils, to consult them on all matters of health and safety, and to take action to eliminate all shortcomings. Representatives of employee safety and health and works councils act autonomously. Neither of them work for the prevention experts, but both will cooperate with them.

consulted too. Industrial and organisational psychologists in particular are gaining importance as increasing numbers of workers suffer from illnesses due to mental stress at work.

Numerous people take care of health, safety and well-being in the workplace.

Representatives of employee safety and health, works councils and prevention experts must work together to guarantee effective occupational health and safety protection. Employers however must be advised and take the information on board. The appointment of representatives of employee safety and health and prevention experts does not relieve employers of their responsibilities in the field of health and safety.

### A strong team

Employers do not always fulfil their obligations. Common causes for this are lack of time, lack of information, but also fear of high costs. If this is the case, representatives of employee safety and

health should consult the works council and call for a solution together. Works councils are given numerous possibilities to intervene by the legislature. Works councils have therefore great influence on employers when highlighting employers' obligations in the field of occupational health and safety protection. Furthermore, they can demand the rights of the representatives of employee safety and health vis à vis the employers (e.g. additional vocational training, participation in the on-site inspection with the labour inspectorate etc.).

If this strong team cannot convince the employer to establish a safe and healthy working environment, outside help should be sought. This can be from the Chamber of Labour (Arbeiterkammer) or a Trade Union. Ultimately the labour inspectorate should be contacted to eliminate shortcomings in health and safety.

Representatives of employee safety and health and the works council complement and support each other. The works council can transfer its competences in the matters of health and safety to the representatives of

employee safety and health. These key areas are as follows:

- Advisory function and implementation of necessary measures (especially technical and organisational measures)
- Selection and introduction of personal protective equipment (this only makes sense if technical and organisational measures have been exhausted)
- Obtaining and exchanging information
- Listening to and consulting employees
- Advising employers
- Cooperation with all stakeholders in the internal network of occupational health and safety protection
- Involvement in the assessment of risk
- Participation in the organisation of instructions

If no works council has been established in a company, the works council's rights are automatically transferred to the representative of employee safety and health.



You can download the Chamber of Labour folder „Arbeitnehmerschutz und Gesundheit“ via <http://www.arbeiterkammer.at/online/page.php?P=29&IP=7728&AD=0&REFP=3042>



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**Consult your representative of employee safety and health and works council in matters of occupational health and safety!**



**Please visit the website of the Chamber of Labour on [www.svp.at](http://www.svp.at) to find**

- More information and booklets regarding this topic, which you can either download or order
- General information regarding occupational health and safety, including health promotion in the workplace

**Please contact us, if you have further questions or suggestions.**

Name: .....

Function: ☐ Representative of employee safety and health ☐ Member of works council

Tel: ..... E-Mail: .....

### **ADVICE FROM THE CHAMBER OF LABOUR!**

- ➔ Please consult your representative of employee safety and health or works council in matters of occupational health and safety.
- ➔ Please inform your representative of employee safety and health and works council about safety-related short-comings, near misses and accidents.
- ➔ Do you want to pose questions to the occupational health physician, the industrial and organisational psychologist or safety expert? If so, your representative of employee safety and health or works council can put you in touch with them.

### **Further questions?**

If you wish further information regarding this topic, please contact the **Chamber of Labour Department of Safety, Health and Work** (Abteilung Sicherheit, Gesundheit und Arbeit) 1040 Vienna, Prinz-Eugen-Strasse 20-22  
Telefon: (01) 501 65 208, <http://wien.arbeiterkammer.at>



### **IMPRESSUM**

Herausgeber, Verleger, Medieninhaber:  
Kammer für Arbeiter und Angestellte für Wien,  
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Grafik: [www.fielhauer.at](http://www.fielhauer.at) · Jakob Fielhauer  
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