

Security and safety at work

Practical guide for health and safety representatives

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Guide pratique du délégué à la sécurité et à la santé

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Security and safety at work

Practical guide for health and safety representatives

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Preface

Nora BACK, CSL President

Health, safety, and well-being at work must remain a priority, even more so after the difficult experiences of the COVID-19 pandemic.

That's why the Chambre des salariés has decided to reissue this guide, which aims to provide employee representatives, specifically health and safety representatives, with the information they need to develop and implement prevention plans within their companies.

While health, safety, and well-being in the workplace concern everyone in the company, the role of the health and safety representative is vital.

He or she represents employees and defends their interests in accident risk prevention.

He or she must implement a genuine health, safety, and well-being at work policy.

To do this, they must have the technical, legal, and human skills to detect risks and support employees through collective and individual initiatives.

Luxembourg, June 2021

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1. What is a health and safety representative?

The health and safety representative is appointed by the staff delegation at its constituent meeting. He or she is either an elected employee delegate or a company employee. He or she is specifically responsible for issues relating to health, safety, and well-being at work.

He or she must maintain permanent contact with the members of the delegation, in the same way as the other staff delegates, to obtain general information on all subjects affecting the company's life.

His job involves meeting employees working in all the company's departments and services. Their privileged position in the field gives them a general understanding of the problems faced by all employees. As such, he is important in providing the staff delegation with information on the social climate. He also acts as an intermediary for information emanating from the delegation.

1.1 What is the role of the health and safety representative?

It monitors and creates a working environment, encouraging all employees and management to integrate health, safety, hygiene, and well-being objectives into their daily tasks. According to the WHO (World Health Organization) definition, health is a complete physical, mental, and social well-being, not merely the absence of disease or infirmity.

As a rule, the health and safety representative must be kept informed of trends in absence rates and ensure that all staff:

- work safely, in compliance with current legal requirements,
- work under proper conditions and in a healthy working environment,
- work in hygienic conditions,
- is protected against harassment and violence in the workplace.¹¹

The role of the Health and Safety Officer (HSO) is to contribute to:

- eliminate all physical risks that could lead to work-related injury or illness,

¹ Convention of June 25, 2009 relating to harassment and violence at work, signed between the UEL, the OGBL and the LCGB.

- improve working conditions and eliminate psychosocial risks,
- improve working conditions and employee health:
 - develop a policy of safety in the workplace, with the aim of:
 - an absence of risks of incidents and accidents, injuries, and illnesses of a physical or psychological nature, safe and proactive execution of tasks, i.e., to avoid accidents,
- promote health by giving employees the tools to improve their own health (information, advice, programs), i.e. health promotion helps employees to take care of themselves,
- communicating about prevention: raising awareness of risk prevention within the company among the various parties involved.
- engage in negotiations with management on issues relating to workstation layout, plant modifications, machine safety, ergonomic layout of workstations and the environment, as well as on all matters relating to health, safety, hygiene, and well-being in the workplace,
- promote the implementation of environmental protection measures,
- maintain high-quality professional relations with the various internal and external players involved in occupational health and safety,
- welcome new recruits and train them on the major risks that exist in the company,
- find out how to update the inventory of high-risk jobs to be submitted to the Ministry of Health.

1.2. What knowledge is useful and necessary for the exercise of its mandate?

- First-aid certification and awareness of health, safety, and welfare risks in the workplace or within the company,
- be trained in fire safety,
- have a good knowledge of the company's trades and the risks incurred by them in order to identify a problem relating to the workstation, environment or work organisation,
- good technical knowledge of the company's installations and premises, as well as the technical vocabulary needed to identify better and describe problems,
- have a good knowledge of health and safety legislation (players, public institutions) as well as the administrative forms to be completed and submitted to the various institutions: occupational

physicians, Association d'Assurance Accident (AAA), National Health Fund (CNS), National Pension Insurance Fund (CNAP),

- good knowledge of office automation tools to draw up reports, instructions, accident declarations and analyses for various contacts,
- design and draft written instructions,
- use the Internet to access various sites and information (information searches, forms),
- be able to write clear, concise reports and findings.

1.3. The company manager is required to consult and inform the health and safety representative on:

- assessment of occupational health and safety risks, including those relating to groups of employees at particular risk,
- the protective measures to be taken and, if necessary, the protective equipment to be used,
- declarations to be filed with the Labor and Mines Inspectorate under article L. 614-11 of the Labor Code,
- any action that may have a substantial impact on health and safety,
- the appointment of employees designated to carry out the company's protection and occupational risk prevention activities,
- measures taken for first aid, fire-fighting and employee evacuation, as well as any necessary measures adapted to the nature of the activities and the size of the company, and taking account of other persons present,
- measures to organise the necessary relations with external services, particularly in terms of first aid, emergency medical assistance, rescue and fire-fighting,
- the use of outside expertise to organise protection and prevention activities within the company,
- appropriate training for each employee in the interests of health and safety,
- an assessment of the risks that the company's activities may entail for the environment, insofar as health or working conditions are concerned,
- measures taken to protect the environment insofar as employees' health or working conditions are concerned.

The health and safety representative has the right to ask the employer to take appropriate measures and submit proposals to this effect to mitigate any risk to employees or eliminate sources of danger.

1.4. What are the behavioural qualities needed to carry out your mandate?

The health and safety representative is a contact person who will talk to anyone in the company, whatever their function or hierarchical level.

As such, he or she must:

- be communicative: maintain social dialogue to resolve safety issues,
- be a recognised player in the company's health and safety arena (e.g. exemplary individual behaviour in terms of safety; credibility with management and other stakeholders in terms of mastery of the subject),
- know how to communicate about malfunctions with the various parties involved (employees, management, delegation, Labor, and Mining Inspectorate (ITM), occupational physicians),
- be a person of trust for employees and their representatives, as well as for management,
- maintain good relations with public bodies responsible for health and safety at work, the Inspection du Travail et des Mines, the Association d'Assurance Accident (AAA), occupational physicians, the Caisse Nationale de Santé (CNS) and the Caisse Nationale d'Assurance Pension (CNAP),
- be a good mediator between employees and management, and/or employees and the delegation,
- be rigorous and organised,
- team spirit,
- ability to listen, observe, analyse, take initiative, be available,
- take an active interest in the work of the employee delegation.

1.5. What are the constraints associated with exercising this mandate?

Messages concerning compliance with safety regulations are often difficult to get across to some employees. That's why the health and safety representative needs to be both diplomatic and firm to ensure that these instructions are respected.

For certain sectors of activity, he must have the necessary authorisations to be able to intervene.

1.6. Who does the health and safety officer report to?

The health and safety representative reports to the employer, as the employer is responsible for the health and safety, hygiene, and well-being of all employees in the workplace.

The health and safety representative must keep the head of the company, his representative, or the designated worker informed of any malfunctions that give rise to technical or organisational risks and any other risks observed during his movements within the company.

The employer is obliged to inform the health and safety representative of the various points relating to safety, health, hygiene, and well-being at work.

1.7. Who does the health and safety representative work within the company?

The health and safety representative works primarily with the staff delegation, with the designated worker and with all other players inside and outside the company directly concerned with employees' health, safety, and well-being.

Employee delegation:

- It assists and supports the representative in negotiations with management on health, safety, hygiene, and well-being issues (e.g.: releasing budgets proposing safety upgrades for a facility requiring a substantial budget).
- The employee delegation appoints the health and safety representative.

The designated worker:

- The Designated Worker (DW) is the person entrusted by the employer to deputise for him in all matters relating to the health and safety of employees. He or she is responsible for defining the company's occupational health and safety strategy. He or she is required to make regular visits to the company.

- The DW is obliged to inform the representative of any initiatives concerning health and safety in the company (e.g. first-aid training, drafting of new instructions or procedures, workstation analysis, evacuation drills, inspection visits by the Labor and Mines Inspectorate, and new initiatives agreed with the employer).
- The representative must forward to the DW the findings and malfunctions collected during his inspection rounds. He/she must provide support during the analysis of an accident or incident. He/she must also participate in the various initiatives organised by the DW.
- The representative can assist the DW in drawing up a health and safety plan.
- For companies with up to 49 employees, the employer may assume the role of DW.

The employees:

- Employees inform the representative of any malfunctions or risks encountered at their workstations.
- The representative informs employees about the various subjects discussed at delegation meetings. He also informs them about the various actions organised by the DW.

The middle hierarchy:

- The hierarchy cooperates with the representative in reminding people of basic rules and specific safety instructions.

Management:

- The representative negotiates with management on safety and facilities projects and on any other project related to safety, health, hygiene, and well-being at work.
- Following the findings, management can provide the human and financial resources needed to carry out the work (following the findings) to ensure employee safety.

The occupational physician:

- At the request of the employee or the representative, the occupational physician can implement reclassification procedures following an occupational accident or illness (consultation, preparation of a medical file, administrative follow-up of the file).

- The occupational physician is familiar with the various workstations. He can suggest that certain employees be repositioned to more suitable positions if necessary.

1.8. What external players does the health and safety representative work with?

Inspection du travail et des mines (ITM) :

- The representative is entitled to call in the ITM at any time when it considers that a risk may be vital for employees, provided that the employer and the ITM are notified at the same time.
- The representative accompanies the ITM on its inspection tours of companies and even on visits to bring machines and/or installations into compliance.
- The ITM may be assisted by the representative when investigating accidents.

Association d'assurance accident (AAA):

- The representative can liaise with the AAA in the case of administrative follow-up of a work-related accident (e.g.: the representative helps the employee select and complete the specific form).

Caisse nationale d'assurance pension (CNAP):

- The representative can assist the employee if he or she contacts the CNAP (e.g. to obtain a disability pension or reclassification).

2. How does the health and safety representative operate in the field?

2.1. Organize and carry out the inspection tour

2.1.1. Inspection tour

How does the health and safety officer organise his inspection tour?

What are its practices in the field?

What documents does he need?

What follow-up action should be taken?

Under article L. 414-14 of the French Labor Code, the health and safety representative, accompanied by the head of the establishment or his or her representative, may carry out a weekly inspection tour of the company's head office, worksites, or other temporary workplaces. In administrative departments, the number of inspection rounds may not exceed 2 per year.

The head of the division being inspected and the head of the maintenance department attended the inspection tour referred to in the previous paragraph.

The DSS can inspect the workstation, the environment, work organisation and hygiene. He can also take note of the state of sanitary installations (state of hygiene, enough installations).

A practical example of an inspection tour:

- A. Antoine is a health and safety representative for a steel construction company in Luxembourg. As an electro-mechanical technician, he works in the maintenance department, dealing with repairs and emergency interventions. Open-minded and concerned about the problems and risks encountered by his fellow workers during interventions, his job requires him to be very familiar with his sector

of activity, working conditions, work organisation, know-how and employee culture. Two years later, he joined the staff delegation and was appointed health and safety delegate. He aims to change attitudes about the risks incurred in his sector.

- B. According to Antoine, the inspection tour is the "heart" of the representative's "job", enabling him to establish contact with employees in the field and identify any safety problems. Antoine has one day a week, as negotiated with his employer and in agreement with the staff delegation, to carry out his safety rounds. He is accompanied by the designated worker or the head of the maintenance department. His sector of activity comprises 180 people, spread over 3 different departments: the workshop, manufacturing, and shipping. He has organised himself to inspect all three areas. Using his local knowledge, Antoine has defined the key safety points to be checked (guardrails, machine guards, floor markings, safety signs). During his rounds, he also gathers information from employees and management on working conditions and the various points where safety upgrades are essential. He may, therefore, be required to observe or have the employee observe the danger (level of danger) of a situation or tool.
- C. At the end of his inspection tour, and after talking to employees, Antoine writes up his findings in a safety register, which he then has the sector manager or company director sign. In the event of differing opinions on the findings, the company manager (or the person appointed by the company manager to monitor safety findings) must notify his or her refusal, justify it and sign the safety register.
- D. Antoine then transcribes the findings into a computer database to save the information. These reports are sent to the designated worker, the sector manager, the delegation, and management.
- E. The safety register is kept in a place accessible to the staff delegation and the ITM.

Essential knowledge:

The health and safety representative has excellent knowledge of the company, the building and the worksites, so he can manage his inspection rounds efficiently.

The number of inspection rounds varies from one business sector to another. In an administrative building, the tour is carried out a maximum

of 2 times a year. In all other locations where employees work, the inspection tour may take place once a week.

Tools:

There are no "standard" tools for managing a control tour.

The representative will need to assemble his or her own toolbox, which may vary according to the size and characteristics of the company.

Appropriate behaviour and best practices:

- Continuously train and update your company's knowledge of health, safety, hygiene, and well-being in the workplace,
- Observational and organisational skills,
- Knowing how to listen and consider employees' grievances.

Specific comments:

To carry out a quality control tour, the DSS must take the time needed to observe and talk to employees. The latter are confronted and exposed daily to the various risks associated with their work.

Identifying risks means pinpointing all the hazards to which employees may be exposed in each work unit. Identification is based on analysis of internal documents, workstations, and work situations, as well as listening to employees and their representatives and understanding their problems.

To help the representative identify the main risk families, a non-exhaustive list of risks is published below:

- road traffic (inside and outside the company),
- addictions (alcohol, drugs...)
- psychosocial risks (stress, harassment, physical and verbal aggression, violence, etc.)
- fire/explosion (emanation of gas or vapours, source of ignition by a hot spot, failure to organise rescue services, etc.),
- working environment (noise, lighting, temperature, ventilation, and sanitation, etc.)
- work equipment (machines, systems, pressure vessels, etc.),
- hazardous products, chemical and carcinogenic risks (storage and use of new products, waste disposal, etc.),
- electricity (contact with a live metal part or an electrical conductor),
- asbestos,

- fall (fall from ground level, fall from height...),
- manual handling (musculoskeletal disorders, injuries linked to physical exertion, etc.) and mechanical handling (use of fixed or mobile lifting equipment),
- outside contractors,
- biological agents (contamination, infection, or allergy to these products...),
- radiation (laser, ultraviolet, ionising, and non-ionizing...),
- hygiene and safety (failure to comply with hygiene and food hygiene regulations, poor work organisation, failure to comply with training requirements, etc.)
- screen work (ergonomics, gestures, and postures),
- projections.

2.1.2. Update the safety register and record findings relating to safety conditions in the company.

What is the safety register and recording of findings?

What's it for?

Who has to sign it?

Who can consult it?

The safety register is a special register drawn up by the Health and Safety Officer (DSS) after each inspection tour. It is a mandatory document, also known as a "safety booklet" or "safety notebook".

The DSS makes a note of all the observations made during his or her tour, and which require corrective action or specific instructions. It serves as "evidence" for the staff delegation and for the ITM. It must be countersigned by management or a manager designated by management. It can be consulted by anyone concerned with health, safety, hygiene, and well-being at work.

In practice, there are no standard documents. The following is an example of a security register that the representative can use.

Sample of a safety register page

Report from the safety and health delegate	
Date:/...../..... Name of the gelegue:	
Sector:	
Report No.	Reports:
843	At office No. 124 the electrical outlet is torn from the wall and the wires are visible, risk of electrocution. To be repaired urgently.
844	High heat in the computer room. Fire risk and poor working conditions for staff who have to go there regularly. Check the installation and air condition the room.
845	Broken railing of the 3rd-floor emergency exit staircase. Risk of falling. To be repaired urgently.
846	Lighting to be repaired on the cross carriage of loading bridge No. 5 in Hall B of the factory. More visibility when loading at night. Risk of serious accident.
847	Renovate the sanitary facilities in the factory's refectory A. The hygienic conditions are deplorable and the toilets and showers are dilapidated.
Signature of delegate	Remarks and signature of the head of department
date:	Date:

Essential knowledge:

- Know how to write up reports in a clear, concise manner, possibly with the help of photos, to make it easier to understand the problem and emphasise the seriousness and urgency of the intervention,
- Be familiar with the legal procedure for using the safety register.²²

Tools:

- Safety register,
- Computer skills (if the safety register is also transcribed in computerised form and has to be communicated by e-mail).

Appropriate behaviour and best practices:

- Assist employees in formulating their demands in writing and ensure that the problem is indeed a safety issue, i.e. a problem relating to health, safety, hygiene, and well-being in the workplace.

2.2. Supporting a victim of an industrial accident or long-term illness

How can I help a victim of an industrial accident or long-term illness?

A victim of a work-related accident or long-term illness generally suffers physical and/or psychological trauma. These traumas are often compounded by administrative problems.

The health and safety representative must be able to inform the victim of his or her rights and of the various administrative steps to be taken following an accident or long-term illness. At the victim's request, he or she must be able to direct him or her towards the various players involved in health and safety at work, such as occupational physicians, social workers, psychologists, and even legal experts.

Essential knowledge:

- Good knowledge of social legislation to fill in the appropriate forms and inform employees of their rights in the event of illness, occupational disease, reclassification or even disability,

² As a reminder, the company manager or his representative must sign the safety register. In the event of an accident or incident, the safety register must be located in a place that can be consulted by the staff delegation or by the Labor and Mines Inspectorate.

- Know the administrative procedures to help the victim in the event of a workplace accident (competent bodies, forms),
- Know the different procedures for entering a disability claim with a view to reclassification or invalidity.

Tools:

- Social legislation,
- Internet (websites of competent organisations),
- List of experts to contact following the various problems encountered (occupational physicians, social workers, psychologists, union representatives, lawyers, etc.),
- Camera, notepad.

Appropriate behaviour and best practices:

- Be present as quickly as possible at the accident scene to gather and consider as much information as possible from witnesses to analyse the cause of the accident.
- Checking on an employee who has had an accident or is seriously ill,
- Demonstrate a caring attitude and ability to listen,
- Being reachable by phone,
- Coping with stressful situations.

AAA accident declaration (forms)

When a workplace or commuting accident occurs, the employer is required to complete the official form from the Accident Insurance Association d'assurance accident (AAA).

<https://aaa.public.lu/fr/documentation/formulaires.html>

This form will then be sent to AAA, which will take charge of the file.

On the following pages, you will find examples of the various declarations and requests in the event of an accident at work, commuting accident or occupational disease, to be completed by the company manager, the accident victim or the attending physician and sent to AAA.

2.3. Participate in the analysis of an incident or workplace accident

Can the health and safety representative take part in the analysis of an incident or accident in the workplace?

It is essential for the health and safety representative to take part in the analysis of an incident or accident in the workplace, and then to cooperate in the development of corrective and preventive actions.

Under article L. 414-14 of the French Labor Code, ITM inspection and control staff may be assisted by a health and safety representative when investigating accidents.

Various methods exist for analyzing an incident or accident in the workplace. The cause tree is the method most used by companies. It consists in determining all the causes of an accident or incident, comparing them, and finding solutions for each of these causes. The elimination of one of the causes logically leads to the elimination of the accident.

Essential knowledge:

- Good knowledge of the company's various trades to identify problems relating to the workstation, environment, and work organisation.
- Master an accident analysis method,
- Know the safety rules and instructions common to and specific to the company and workstation in question.

Tools:

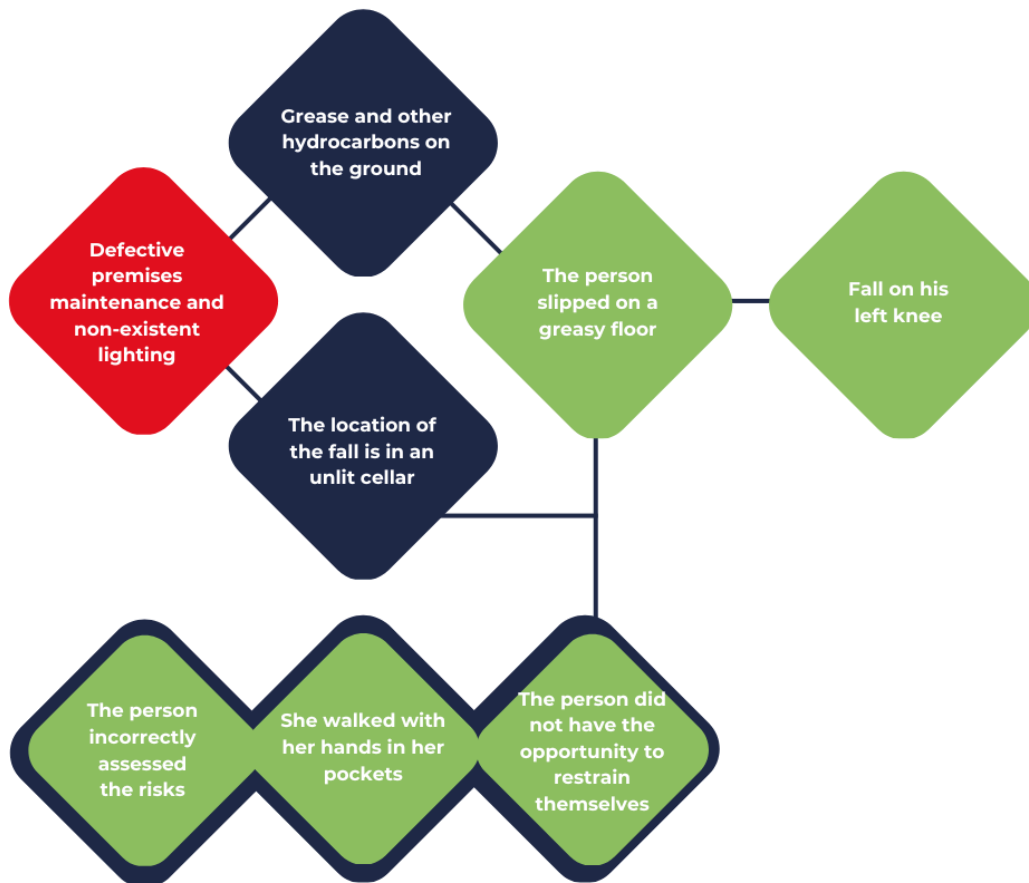
- Analysis methods e.g.: cause trees
- Safety register,
- Accident report.

Appropriate behaviour and best practices:

- The health and safety representative must be able to analyse and summarise the facts of an accident, to trace and document its progress.

Exemple d'une analyse basique par la méthode de l'arbre des causes :

The cause tree is read from right to left.



Legend :



Every event has a single necessary and sufficient cause



Two or more events result from the same cause



Various causes are necessary for an event to occur

2.4. Participate in analyses to assess safety risks at various workstations

How does the health and safety representative participate in risk analysis?

The health and safety representative may be asked to support the designated worker in assessing safety risks at the company's various workstations. Safety professionals use a variety of methods to assess risks, the most used of which is the Kinney method.

Essential knowledge:

- Good knowledge of the company's various trades to identify a problem relating to the position, environment, or work organisation,
- Master the various methods for analysing the workstation and its environment,
- Basic knowledge of work ergonomics and metrology,
- Training in risk identification (health, ergonomics, psychosocial risks),
- Know the safety instructions for the workstation concerned,
- Be familiar with ITM regulations, AAA recommendations and safety standards (machinery or other)

Tools:

- Workstation analysis methods (Kinney),
- Fundamental principles of ergonomics,
- New risks (psychosocial risks),
- Experts to contact when analysing the workstation and its environment (occupational physicians, occupational psychologists, ergonomists),
- ITM website (www.itm.lu) to search for safety regulations.

Appropriate behaviour and best practices:

- Analytical skills,
- Ability to draw up a summary of problems encountered,
- Ability to call on experts to analyse specific problems.

What is the Kinney Method?

This method, which originated in the USA in 1976, has become a classic in the field of risk assessment. For each safety aspect studied, the risk must be assessed. This is done by assigning a number to the individual factors determining the risk rate. This figure is the product of the probability of occurrence of the hazardous event, the frequency with which users are exposed to the risk, and the severity of the consequences.

The advantage of this method is that risks can be compared with each other, and priorities can be set.

According to *Kinney*, risk (R) is the product of probability (P), frequency of exposure (F) and the effect produced (E): $R = P \times F \times E$.

It then assigns values to these variables.

The probability of occurrence is rated on a 7-point scale:

Probability P	
0.1	hardly conceivable
0.2	practically impossible
0.5	conceivable but unlikely
1	unlikely but possible in borderline cases
3	uncommon
6	quite possible
10	foreseeable

Frequency is assessed on a 6-point scale ranging from "very rare" to "continuous":

Frequency of exposure F	
0.5	very rare (less than once a year)
1	rare (annual)

2	sometimes (monthly)
3	occasional (weekly)
6	regular (daily)
10	continuous

The effect produced by the event (consequence) ranges from "injuries without loss of work" to "several deaths":

Effect E		
1	small	injuries without loss of work
3	large	injuries with loss of work
7	serious	irreversible injuries
15	very serious	1 dead
40	catastrophe	several deaths

Risk score R		
1	$R \leq 20$	very limited risk - "acceptable"
2	$20 < R \leq 70$	attention required
3	$70 < R \leq 200$	action required
4	$200 < R \leq 400$	immediate improvements required
5	$R > 400$	cease activities

Once preventive measures have been drawn up, the risk must be reassessed to see whether it has been eliminated or reduced so that it can be brought under control. It is also important to check that no new risk has been created by applying new measures. We recommend that you update your risk assessment regularly.

2.5. Supporting and building awareness campaigns in the fields of health, safety and well-being at work

The designated worker or the company manager must involve the health and safety representative (DSS) in all health and safety initiatives. The head of the company (or management) is required to inform and consult the DSS on all new health and safety initiatives, as well as on fire drills, evacuation exercises and any new procedures introduced in the company.

The representative must inform employees of the various health and safety initiatives undertaken by the company and consider employees' views on new procedures and the resulting reorganisation of work.

The representative must integrate prevention measures for psychosocial risks into an overall approach to health and safety in the workplace.

Essential knowledge:

The representative should be familiar with the World Health Organization's (WHO) 3 levels of prevention:

- Level 1: primary level interventions directly address the causes of work-related accidents and illnesses; they aim to eliminate or reduce the sources of risk present in the organisation, to eliminate their negative impact on the health and safety of individuals,
- Level 2 & 3: second and third-level strategies will focus more on the consequences of work-related accidents and illnesses.

Secondary prevention acts on personal factors, helping workers to better adapt to their work environment (training, procedures). Tertiary prevention, on the other hand, focuses on individual care for employees with physical and/or psychological health problems at work.

Tools:

- Risk assessment,
- Employee awareness campaigns (e.g. dissemination of campaigns proposed by ministries and public institutions responsible for health and safety).

Appropriate behaviour and best practices:

- The representative must be familiar with the company's operations and culture in order to raise employee awareness of safety, health and well-being in the workplace.

The three levels of intervention:

1. Primary

Primary intervention consists of identifying hazards in work situations, to eliminate or avoid accidents. It involves work organization, workload, work distribution, the leeway employees must work, and the means they have to carry out their work correctly.

Example:

Mr. Müller fell into a hole dug by a company to repair a pipe. He broke his right leg.

Possible causes of the accident:

- the hole was not marked,
- the hole was not marked,
- the company had finished work for the day, and the hole was wide open.

In this case, immediate action is taken to tackle the cause of the accident.

A wooden guardrail will be placed around the hole, and a flashlight will be installed. If possible, a metal sheet will also be placed over the hole, and if the area is dark, temporary lighting will be installed. Signalling tape will mark the access.

2. Secondary

Secondary interventions consist of reducing the severity of a risk that cannot be prevented from occurring. They aim to raise awareness, and inform and train employees and management.

Example:

Ms Meyer has only been working in the cleaning sector for a short time. She has to use a variety of chemical products, as her job requires her to work in different environments such as offices, industries, hospitals and communities.

These products can be dangerous if handled incorrectly.

To avoid accidents, it is advisable to undergo training to perfect your knowledge of the use of chemical products. This is a case of secondary intervention, as the risk of an accident is anticipated by the worker's specific training.

3. Thirdly

Tertiary interventions focus on damage. This type of prevention takes place after the accident or tragedy has occurred, to prevent it from happening again.

Example:

When a serious accident occurs, this type of prevention consists of setting up a listening unit to minimise the trauma for the victim's colleagues, involving social workers, psychologists, and experts in the field.

2.6. Training the health and safety representative

Article L. 414-14 of the French Labor Code stipulates that employers must give health and safety representatives time off, known as "training leave", to take part, without loss of pay, in training courses organised by trade unions or specialised institutions, coinciding with normal working hours and designed to improve their knowledge of health and safety at work.

This training leave is due in addition to the training leave provided for employee delegates and cannot be deducted from annual recreation leave.

The duration of training leave is 40 hours per mandate, plus an additional 10 hours for a first mandate in the company concerned.

It is treated as a period of work, with the related remuneration costs borne by the State, in the case of companies whose total number of employees does not exceed one hundred and fifty.

3. Non-exhaustive list of public institutions and signage to be familiar with as a health and safety representative.

Useful addresses

Association d'assurance accident (AAA)

125, route d'Esch

L-1471 Luxembourg

www.aaa.lu

www.visionzero.lu

Caisse nationale de santé Luxembourg (CNS)

125, route d'Esch

L-1471 Luxembourg

T +352 27 57 - 1

www.cns.lu

Inspection du travail et des mines (ITM)

3, rue des Primeurs

L-2361 Strassen

T +352 247 76100

www.itm.lu

Ministère de la Santé, Division de la santé au travail (DSAT)

Villa Louvigny

Allée Marconi

L-2120 Luxembourg

e-mail : dsat_lu@ms.etat.lu

Service Prestations

T +352 26 19 15 2012

F +352 49 53 35

e-mail : prestations.aaa@secu.lu Service Prévention

T +352 26 19 15 2201

F +352 40 12 47

e-mail : prevention.aaa@secu.lu

Santé au travail multisectoriel (STM)

32, rue Glesener

L-1630 Luxembourg

T +352 40 09 42 - 1000

F +352 40 09 42 - 512

Pour rendez-vous et informations : rendezvous.lux@stm.lu

Service de santé au travail de l'industrie (STI)

6, rue Antoine de Saint Exupéry

L-1432 Luxembourg

T +352 26 00 61

F +352 26 00 67 77

e-mail : sti.nord@sti.lu

sti.centre@sti.lu

sti.sud@sti.lu

www.sti.lu

Association pour la santé au travail des secteurs tertiaire et financier (ASTF)

15-17, avenue Gaston Diederich

L-1420 Luxembourg

T +352 22 80 90 1

F +352 22 80 81

e-mail : accueil@astf.lu

www.astf.lu

Caisse nationale d'assurance pension (CNAP)

1a, boulevard Prince Henri

L-1724 Luxembourg

T +352 22 41 41 1

F +352 22 41 41 6443

www.cnap.lu

Organismes de la sécurité sociale du Luxembourg

www.secu.lu

Portail juridique du gouvernement luxembourgeois

www.legilux.public.lu

Luxembourg Institute of Health

www.lih.lu

Agence européenne pour la sécurité et la santé au travail

<https://osha.europa.eu>

Organisation mondiale de la santé

www.who.int

Campagne trajet

www.trajet.lu

Portail de l'administration luxembourgeoise

www.guichet.public.lu

Organisation internationale du travail

www.ilo.org

Campagne nationale VISION ZERO

www.visionzero.lu

4. Article of the French Labor Code concerning the health and safety representative

The Health and Safety Representative

Art. L. 414-14 of the Labor Code

(Law of August 10, 2018)

- (1) At the constituent meeting, each staff delegation appoints a staff health and safety delegate from among its members or other company employees. Within three days of the constituent meeting, the delegation chairman notifies the head of the company in writing with the surname, first name, and national registration number of the health and safety delegate.

(Law of July 23, 2015)

- (2) If the safety and health representative designated under subsection (1) is not an elected member of the delegation, he may attend all meetings of the delegation concerned in an advisory capacity.

- (3) The safety and health representative shall record the results of his or her findings, countersigned by the head of the department, in a special register which shall be kept at the company office, where members of the delegation and the inspection and monitoring staff of the Labor and Mines Inspectorate may inspect them.

In urgent cases where the findings require the immediate intervention of the Labor and Mines Inspectorate, the delegate has the right to contact the Inspectorate directly, if he or she informs the company manager or his or her representative and the staff delegation at the same time.

- (4) Every week, the health and safety representative, accompanied by the head of the company or his representative, may carry out an inspection tour at the company's head office and on construction

sites or other temporary workplaces. In administrative departments, the number of inspection rounds may not exceed two per year.

The head of the company being inspected and the head of the maintenance department attend the inspection tour referred to in the preceding paragraphs.

(5) The inspection and control staff of the Labor and Mines Inspectorate have the right to be accompanied, during their tours of duty, by the Health and Safety Officer; they may also be assisted in the investigation of accidents.

(6) The Health and Safety Officer shall not suffer any loss of remuneration because of his or her absence from duty on inspection tours or to assist the inspection and control staff of the Labor and Mines Inspectorate.

(7) The company manager is required to consult and inform the safety and health representative about:

1. the assessment of occupational health and safety risks, including those relating to groups of employees at particular risk,
2. the protective measures to be taken and, if necessary, the protective equipment to be used,
3. declarations to be filed with the Labor and Mines Inspectorate pursuant to Article L. 614-11,
4. any action that may have a substantial impact on health and safety,
5. the appointment of employees designated to deal with the company's protection and occupational risk prevention activities,
6. measures taken for first aid, fire-fighting and evacuation of employees appropriate to the nature of the activities and the size of the company, and taking into account other persons present,
7. the measures taken to organise the necessary relations with outside services, particularly in terms of first aid, emergency medical assistance, rescue and fire-fighting,
8. the use of outside expertise to organise protection and prevention activities,

9. the provision of appropriate training for all employees in the interests of their health and safety,

10. an assessment of the risks that the company's activities may pose to the environment, insofar as health or working conditions are concerned,

11. measures taken to protect the environment insofar as employees' health or working conditions are concerned.

Health and safety representatives have the right to ask the employer to take appropriate measures and submit proposals to alleviate any risk to employees or eliminate sources of danger.

(8) The safety and health representative collaborates closely with the employee(s) designated under Article L. 312-3.

(9) The employer must allow the health and safety representative time off, known as "training leave", to take part, without loss of pay, in training courses organised by trade unions or specialised institutions, coinciding with normal working hours and designed to improve knowledge of health and safety at work.

This training leave is due in addition to the training leave provided for employee delegates and cannot be deducted from annual recreation leave.

The duration of training leave is 40 hours per mandate, plus an additional 10 hours for a first mandate in the company concerned.

It is treated as a period of work, with the related remuneration expenses borne by the State, in the case of companies whose total number of employees does not exceed one hundred and fifty.

A Grand Ducal regulation may specify the terms of this training leave and increase its duration in the event of exceptional circumstances due to changes in the workplace.