TruStone

International **R B C** | *SER*

Stakeholders working towards responsible
business conduct in the natural stone sector

Occupational Safety and Health

The right to safe and healthy working conditions is a globally recognised human right. Companies have the responsibility to respect this human right and are increasingly recognising that this also applies to their supply chain.

The OECD Guidelines for Multinational Enterprises recommend companies to take adequate steps to ensure occupational safety and health (OSH) in their operations. The ILO Constitution sets forth the principle that workers must be protected from sickness, disease and injury arising from their employment. The ILO has adopted more than 40 standards specifically dealing with occupational safety and health, as well as over 40 Codes of Practice.

This guidance sheet will help you in addressing the issues of health and safety in your supply chains.

Why should we address occupational safety and health?

All workers, worldwide, have a right to a safe and healthy workplace. Unfortunately, that right is too often denied to them. Occupational safety and health risks are significant in the natural stone sector, including a high probability of accidents (e.g. unsafe use of machinery, lack of personal protection equipment) and serious occupational health problems (e.g. tuberculosis and lung cancer associated with quartz exposure and silicosis).[1]

Inadequate occupational safety and health practices such as long working hours, are linked to low labour productivity, poorer performance and high worker turnover rates. Conversely, a healthy workforce with greater job satisfaction can improve business performance, reduce recruitment and training costs, and minimise supply chain disruptions caused by serious accidents or labour unrest.[2]

In the current context of the health pandemic, it is worthwhile to include COVID-19 measures and safeguards, as the pandemic could become endemic in the coming years, so it is here to stay. A company that is better prepared for this, will bear the fruit of good risk management in the long run.

Another reason why taking appropriate safety and health measures at the workplace of your (suppliers') company is important, is because safety and health risks are very much linked to other risks in the natural stone sector. For instance, when workers are unable to express their needs and difficulties, and their interests are not being represented, there are fewer chances that problems

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1   SER (2019) *TruStone Initiative.*
2   Ethical Trading Initiative (2015) *A guide for the ethical sourcing of natural stone from Rajasthan*, India. SER (2015) *Kansen in mondiale duurzame ontwikkeling.*

related to safety and health at work will be addressed properly. Safety and health at work is also strongly related to the issue of living wage. When hourly wages or piece rate pay do not offer workers sufficient income, workers will be inclined to accept excessive working hours. This will, in the longer run, increase the risk of accidents and other health issues among workers.[3] Good risk management involves looking at the links between risks and makes it easier to come up with a good plan.

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3   CNV (2019) *Convenant Initiatief TruStone.*

What is occupational safety and health?

Indicators that demonstrate an increased risk to an unsafe and unhealthy work environment[4]:

- Informal labour relations and high personnel turnover
- Absence of one or several workers / a working group charged with prevention management
- No or a lack of first aid procedures in case of fire or other calamities
- Heavy physical work
- Hazardous substances
- Pressure and intimidation at work
- Working under extreme weather conditions (very high or very low temperatures)
- Working at height
- Working with explosives
- Lack of sanitary facilities (separated for men and women)
- Absence of proper signage like walking routes, or to indicate dangerous machinery, materials and tools…
- Absence of clear policy and training in security
- Absence of risk management and a (regularly updated) plan of action related to it
- Absence of rest rooms in the shadow
- Absence of clean drinking water
- Poor lighting, ventilation and a lack of lockable rooms (to put away Personal Protective Equipment (PPE), to process specific chemical substances, to change clothing….)
- Absence of PPE and measures that address the source of risks
- Poor quality or visible damage of source protection and PPE

- Poor government policy and methods in handling OSH in sourcing regions / countries
- No ratification of ILO conventions in sourcing countries
- Absence of services that support workers and employers in OSH management in sourcing countries (equivalent to 'Arbodienst' in the Netherlands and the 'External Services for prevention and protection at work' in Belgium)
- Extensive use of flexible contracts and subcontracts (workers without fixed contracts are more often involved in dangerous work and are less aware of risks and safety procedures)
- Lack of active labour unions
- Regular occurrence of excessive overtime at work
- Lack of appropriate measures to protect workers in a pandemic or epidemic (like Covid-19)

Some of the problems that occur in the natural stone sector are not related specifically to the sector itself but reflect the stage of development of and/or weak democratic and governance systems in a number of countries. There can be a lack of adequate legislation, for example setting legal exposure limits for crystalline silica, not to mention compliance, oversight and enforcement. This

All these indicators are sensitive to specific cultures and thus depend on where the quarries and factories of your company or your suppliers are located. Some indicators will be more prevalent in India, other will be dominant in China or other countries in Asia. You might still need to get more insight on the risks in production sites in Africa or Latin-America. To make sure that your company with the supplier(s) address the right issues in the particular business location, it is crucial to start a stakeholder dialogue. You can only prioritise risks by starting a conversation, asking questions to those involved in the risk (in the case of occupational safety and health this is mainly the workers).

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4   Ethical Trading Initiative (2015) A guide for the ethical sourcing of natural stone from Rajasthan, India.

implies that solving structural health and safety problems requires cooperation between multiple parties, both 'here' and 'there'.[5] TruStone-membership offers the opportunity as a company to work with the right and the most knowledgeable parties in risk prone countries to be able to manage risks better.

About silicosis

Occupational diseases such as tuberculosis and **silicosis**, caused by inhaling large amounts of silica dust found in natural stone quarries, are widespread. Respirable crystalline silica (RCS) is one of the substances with the highest respiratory health risk to construction workers. The cutting, breaking, crushing, drilling, grinding, or abrasive blasting of silica-containing materials produces airborne dust containing a range of sizes of crystalline silica particles, some of which can be inhaled. Inhaling RCS can lead to serious health effects such as silicosis, Chronic Obstructive Pulmonary Disease and lung cancer.[6]

Silicosis (especially the acute form) is characterised by shortness of breath, fever, and cyanosis (bluish skin). The good news is that the disease can be prevented. In countries like the US and in the EU member states where appropriate measures have been taken, the incidence of silicosis has decreased dramatically. However, silicosis still persists worldwide.[7] A recent study on silicosis among workers in sandstone mines in Rajasthan shows a high prevalence of the disease.[8] Stone mines are mostly located in rural or semi-urban areas, often belonging to an unorganised sector. Hence, the stone mining industry workers are not covered under any medical scheme offered by state government. There is a general lack

5   SER (2019) *TruStone Initiative.*
6   Senior Labour Inspectors Committee (2016) *Guidance for National Labour Inspectors on addressing risks from worker exposure to respirable crystalline silica (RCS) on construction sites.*
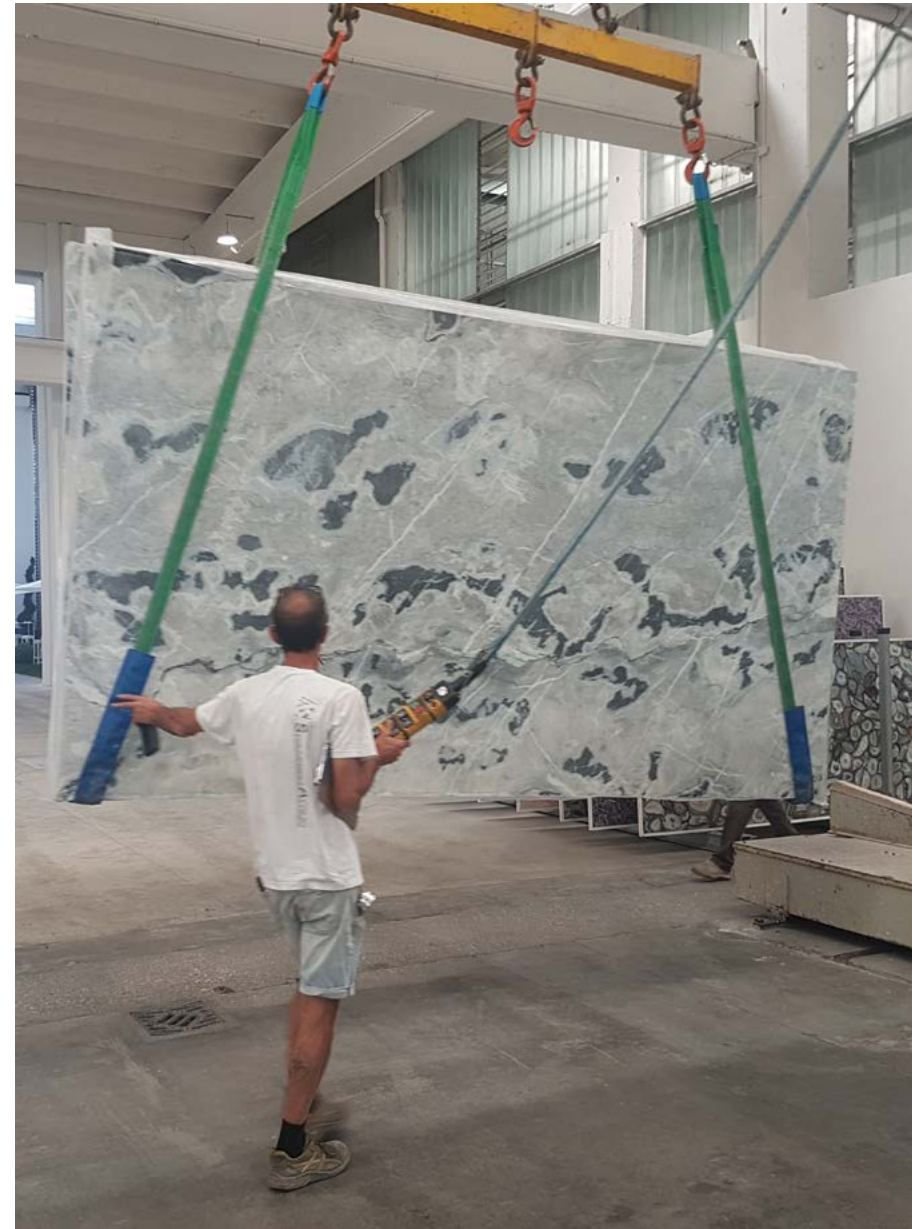7   Global Occupational Health Network (2007) *Elimination of Silicosis*, GOHNET Newsletter, no. 12.
8   Rajavel, S. [et al.] (2020) *Silico-tuberculosis, silicosis and other respiratory morbidities among sandstone mine workers in Rajasthan- a cross-sectional study,* PLoS ONE, vol. 15 issue 4.
    This cross-sectional study done in sandstone mines in Jodhpur reveals in a total of 15 mines with a sample size of 174 mine workers that the prevalence of silicosis was 37.3%.

of awareness about occupational diseases including silicosis among practicing physicians and it is often misdiagnosed.[9]

An effective silicosis preventive strategy should be based on one hand on the control of silica hazard at source by the engineering methods of dust control. Prevention is, on the other hand, also about the surveillance of the working environment (are dust control measures adequate? Is the health status of all workers well checked to ensure early detection?).[10]

The Rajasthan State Government in India adopted a silicosis policy[11] in 2019. Rajasthan has been the first federal state to launch such policy. Apart from advancing measures on detection and testing, the policy has been useful in extending social security benefits to silicosis affected workers and their families. Although, certain implementation challenges remain, it has been an important step in silicosis detection and relief. Currently, different funds managed by the Rajasthan Environment & Health Administrative Board are used to provide this relief.[12]

9   Nandi, S. S. [et al.] (2021) Silicosis, progressive massive fibrosis and silico-tuberculosis among workers with occupational exposure to silica dusts in sandstone mines of Rajasthan state, *Journal of Family Medicine and Primary Care*, vol. 10, issue 2. An urgent need for initiating national silicosis control programme in India
10 Global Occupational Health Network (2007) *Elimination of Silicosis,* GOHNET Newsletter, no. 12.
11 Government of Rajasthan (2019) *Policy on Pneumoconiosis: including Silicosis Detection, Prevention, Control & Rehabilitation.*
12 Contact of Building and Wood Workers' International (BWI).

How to address OSH risks?

OSH and due diligence

If you decide to work towards a safe and healthy environment for workers in the entire supply chain, you can do so by including OSH in all 6 due diligence steps. Here we explain what you can do at each step.

Step 1: include OSH in your code of conduct

The first step to ensure that measures are being taken to ensure a healthy and safe workplace is to discuss the issue with your suppliers. In a code of conduct, or similar document, your company can stipulate what is expected regarding key risk areas like OSH.

Example extract code of conduct

We expect our business partners and their subcontractors to follow all relevant legislations, regulations and directives in the country in which they operate to ensure a safe and healthy workplace. The workplace shall be ordered such as the well-being and health of the employees are neither jeopardised nor compromised.

Step 2: check if OSH risk is present in your value chain

An important step in the due diligence process is identifying and assessing adverse impacts. Public sources, like reports of independent unions and NGOs, can help in finding out if a certain risk is common in a certain region. To find out if a risk also occurs within your supply chain, it is recommended to start a conversation about the specific risk with people that might be affected by the risk, like workers or local organisation and labour unions.

Questions you may ask your supplier:
- Is there an assessment of risks and appropriate controls in place?
- Does the supplier have the necessary knowledge?
- What is the % of informal employment?
- Does the supplier have an emergency preparedness and response procedure?
- Is the supplier willing to start a conversation about OSH with its own suppliers?
- Are the workers allowed to organise themselves in e.g. workers committees? Or are there other ways, e.g. via labour unions, through which they can talk about their rights with the management of the workplace? If so, how often do these conversations take place?

To properly assess the OSH risks in your supply chains, it can be useful to conduct an operational risk assessment. A risk assessment is an analysis of the factors that could cause harm to people in the workplace. You start by looking at all business processes and identifying job-specific hazards.

The Ethical Trading Initiative identifies various ways to identify hazards in the workplace, including:
- walking through the plant and noting what factors (machines, tools, materials or operations) may cause harm to people;
- reviewing past records of injuries and identifying common causes of work place accidents;
- asking workers what processes they consider to be hazardous;
- reviewing occupational health and safety meeting minutes;
- checking worker sick leave reports;
- reviewing information provided by manufacturers of the machinery (e.g. instruction booklet) and chemical products (e.g. medical safety data sheet).

The next step is to identify who may be harmed by these potential hazards. Workers, but also external maintenance workers or plant visitors should be given adequate instructions and protection. When prioritising the potential hazards, you should look at the severity of the potential impact caused by the hazard (e.g. minor injury, fatal accident or health issue) and the likelihood of the occurrence of the risk.

Results of risk assessments should be recorded and shared with employees, as well as reviewed and updated regularly (with e.g. workers feedback).[13]

To assess the risks but also to implement and monitor OSH policy, it is crucial to assign responsibility to a person, or a group of people. See step 3 (actions) for more details.

Via the following link you can see a list of OSH risks in sandstone processing;
https://www.ethicaltrade.org/sites/default/files/shared_resources/rajastan_sandstone_ethical_sourcing_guide_aw.pdf

Step 3: Take actions to improve the safety and healthy work conditions in your value chain
Here is a list of actions[14] you can undertake to improve the work conditions at your own factories or quarries in risk prone countries. They are also useful when thinking of support you want to offer your supplier to improve safety and health conditions:

- Develop an occupational safety and health policy. Developing such a policy will allow you to demonstrate commitment to complying with occupational health and safety regulations.

- Assign responsibility for occupational safety and health. A manager responsible for occupational health and safety should be appointed to implement the policy, provide training and expertise, and monitor safety performance on an ongoing basis. If this person is not a specialist, they should receive the appropriate training to perform this role.
- Set up an occupational health and safety committee. Creating a joint committee to oversee occupational health and safety issues is a good practice. Regular communication between workers and management will allow you to identify and report safety issues more rapidly.
- Train employees for sufficient awareness of OSH among workers: include relevant information in induction plans, talk about the subject at team meetings, ensure that supervisors understand and respect their duty to protect their teams.
- Provide worker welfare: like health checks, safe drinking water, sanitary facilities, shade and rest areas, nutritious meals, health insurance.
- Provide proper housing conditions for migrant workers: especially in the Indian context, migrant workers' settlements are near the stone quarry sites.
- Provide support to workers to obtain an Identity Card (or other legal documentation): this is an important point which is often not followed - as a result, in many cases employer-employee relationship cannot be established, and in case of any mishap/accident resulting in injury or loss of life, workers' families have thus not been able to receive legally due compensation.
- Ensure emergency preparedness and response: this includes emergency evacuation procedures such as safety alarms, evacuation plot plans and signs as well as resources and procedures for responding to accidents.
- Ensure that hazard controls and risk prevention measures are enforced: provision and inspection of occupational health and safety equipment (PPEs, first aid boxes...), storage and labelling of hazardous chemicals, permits to operate dangerous machines.

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13 Ethical Trading Initiative (2015) *A guide for the ethical sourcing of natural stone from Rajasthan*, India.
14 Ethical Trading Initiative (2015) *A guide for the ethical sourcing of natural stone from Rajasthan*, India.

A common method to monitor this progress is by conducting audits at the suppliers' premises, as quite some expertise is required to do the monitoring of the process. The first audit would be a baseline assessment to get to know the situation at that moment in time of the factory or quarry and can be used in the following to continue the auditing process. When doing so, it is important to make the auditor aware of specific concerns regarding health and safety.
It is important to directly involve people affected by the risk of health and safety, or their representatives like local labour unions, with the monitoring of the progress.

Companies could ask questions themselves to their business partners – suppliers – and their employees (or representatives). This can be done e.g. by asking certain specific questions as referred to in step 2. Talking with people outside the premises can be very useful to gain insight as a company.

TruStone companies that have experience in closely monitoring OSH risks, mention the crucial point of reiterating continuously the importance of the use of PPEs with the groups of workers as well as the management of the supplier. This continuous dialogue is part of an awareness raising process that can take a long time but eventually these efforts will bear fruit.

Step 4: track implementation and results
The continuous follow-up of the progress of the action plan is indispensable if a company wants to know if the policy and actions taken in the field of occupational health and safety are being executed and whether or not workers are getting the protection they are entitled to. Monitoring safety performance involves keeping a detailed record of accidents, near misses and days lost in the workplace. Investigate every accident thoroughly to identify what caused it and prevent similar accidents from happening again.

Step 5: communicate about efforts taken
The UN Guiding Principles on Business and Human Rights (UNGPs) and OECD Guidelines stress the importance of public communication of due diligence efforts and results. By 'knowing and showing' your efforts and results, your companies' profile will become much more transparent. This 'knowing and showing' will manifest your company as an organisation that takes responsibility in addressing risks and impact.
It could be useful to address in your communication the link between OSH and the Sustainable Development Goals (SDGs) of the UN. The SDGs are recognised

by companies, governments, international organisations and civil society organisations as an inspirational shared blueprint to reach peace and prosperity. Step 6: make people that may be adversely affected by your or your suppliers' business operations aware of the possibility to notify the TruStone independent Complaints & Disputes Committee.

Despite the effort taken by your company to improve the health and safety measures of your suppliers, accidents may occur, or risks might still need to be addressed. It is therefore important that workers and other stakeholders are aware of the existence of the TruStone Complaints & Disputes Committee. People that might be adversely affected by business operations in your value chain, will only be able to address these issues when they know about the existence and role of the Committee. You can inform workers, or their representatives, and others involved, about the Committee via your website, or your code of conduct. You can also mention the Committee during your visits to the suppliers, and use these visits to talk to workers' representatives like local labour unions and NGOs about the possibility to notify problems related to health and safety to the TruStone Complaints & Disputes Committee.

The TruStone Complaints & Disputes Committee can be reached at the following email address: *trustone-complaints@internationalrbc.org*

For further questions or suggestions: please contact the TruStone secretariat via *InitiatiefTruStone@ser.nl*

GUIDANCE | April 2022