

GOVERNMENT INSPECTION ON OHS IN BRAZIL

II HEMISPHERIC WORKSHOP ON OCCUPATIONAL HEALTH AND SAFETY

Junia Maria Barreto
Labor Inspector



2006

MINISTÉRIO DO TRABALHO E EMPREGO

Secretaria de Inspeção do Trabalho
Departamento de Segurança e Saúde no Trabalho



Legal Framework

Federal Constitution

- *Art. 7o., XXII: (...) the reduction of inherent risks at work are urban and rural workers' rights, through health, hygiene and safety norms;*
- *Art. 21, XXIV: It is the Union's competence to organize, maintain and execute Labor Inspections.*

Legal Framework

- ILO Convention 81;
- Decree-law 5.452, 1943 – Consolidation of Labor Laws;
- Order 3.214, 1978 – Occupational Health and Safety Norms;
- Decree 4.552, 2002 – Regulation of Labor Inspection.

Structure

Ministry of Labor and Employment:

- **Secretariat of Labor Inspection**

Department of Labor
Inspection

Department of
Occupational Health and
Safety

- **Decentralized Units**

- **Regional Labor Commissariats (27)**
 - Sub-commissariats (115)
 - Attention Agencies (480)

Labor Inspection Career

- 2.929 labor inspectors – 737 specialists in occupational medicine and engineering of occupational safety;
- Exclusive entrance by a public concourse;
- Federal civil servant.

Responsibilities

1. To verify the enforcement of labor norms;
2. To provide orientation to workers and employers;
3. To inspect the workplaces, and enforce the adoption of preventive measures;
4. To investigate the causes of workplace injuries and illnesses;
5. To notify any violations on legal dispositions.

Context

Workplace injuries in 2004:

- 459 thousand non-notified injuries
- 2.801 fatalities
- Mortality rate of 11,3 per 100.000 employees

Different forms of work contracts


Informality

Productive restructuring and precarious working conditions

Difficulties

- ✚ Institutional conflicts;
- ✚ Lack of mechanisms to incentive prevention;
- ✚ Precarious information systems;
- ✚ Exclusion of several types of workers.

OHS Inspection

- 
- Setting priorities in the planning of economic activities that have:
- High incidence on workplace injuries and illnesses;
 - Important occupational risks;
 - Great number of workers.

OHS Regulation

Origin of the demands:

- Labor union movement
- International Conventions
- Inspection

Discussion process:

- Elaboration of a base document
- Public consultation
- Tripartite discussion

Worker Feeding Program

 Voluntary adherence

 Shared costs

 Mandatory nutritional parameters

2005 Results

Combating informal labor

- 746.272 registered workers;

Combating slave work

- 4.133 freed workers;

Combating child labor

- 7.748 workers under 16 years of age in irregular conditions;
- 29.605 young workers aged 14 to 24 hired as apprentices.

2005 Results

OHS Inspection

- 166.126 inspection visits;
- 1.327 workplace serious and fatal injuries analyzed;
- 3.743 high or imminent risk situations.

Worker Feeding Program

- 8,5 million workers assisted

2005 Results

OHS Regulation

- Work at electric installations and electricity services;
- Safety and Health in health care centers;
- Rural work;
- In progress: norms on workplaces that have a restricted area, *checkouts*, engineering and occupational health services, fabrication of fireworks, work at costumer services calling centers;
- Being reviewed: norms on individual protection equipments, health and safety in the construction industry, OHS in mining activities and work at ports.

National Policy on Occupational Health and Safety

- ✚ Jointly drafted by the Ministries of Labor and Employment, and Social Health and Safety;
- ✚ Presented for public consultation;
- ✚ Current stage: final revision and definition of a National Plan of Action.

Guidelines

- Expansion of action in OHS, by fostering the inclusion of all workers in the occupational health protection system;
- Harmonization of the norms and actions that promote, protect and assists occupational health;

Guidelines

- Giving priority to preventive measures over reparation ones;
- Articulation of integrated network of information on occupational health;
- Restructuring OHS training;
- Elaboration of an integrated agenda on studies and research on OHS.

Thank you!

juniam.drtmg@mte.gov.br

www.mte.gov.br