TÖÖINSPEKTSIOON

EESTI VABARIIK 100

WORK ENVIRONMENT 2017

WORK ENVIRONMENT 2017

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FOREWORD

Safe and healthy jubilee year

Maret Maripuu
Director General

The centennial has arrived: The Republic of Estonia became 100 years old this year, and towards the end of it we shall also celebrate the 100th birthday of the Labour Inspectorate. It is a milestone at which we can look back while setting goals for the future.

The country needs an efficiently functioning economy to be competitive and take care of its people. The economy is directly dependent on the efficiency of enterprises. The health and sustainability of entrepreneurship depends on how well an enterprise earns money, but also on how it does it. In this relation, the extent to which enterprises value occupational safety culture is becoming more important.

Based on the indicators of last year's work environment, we may say that the occupational safety culture has taken a step and become more like the Nordic countries that serve as an example for us. However, taking a step does not mean arrival at your destination. Safe and healthy working has not yet become a natural value in the organisational culture.

Both the employers and employees need to contribute to this. During our visits, we still come across the attitude that occupational safety requirements should be followed only to avoid fines because of labour inspectors. Things get better when people understand that removing a protective cover from a work bench is dangerous for an employee's fingers, as well as the enterprise's economic results more broadly, because an injured employee will be kept away from work, and the work will not be done. Or that working without a protective mask can damage the employee's lungs, which could only years later end with a serious diagnosis.

This in turn could cause an enormous financial expense to the enterprise as it must compensate for the health damages. More and more enterprises do understand this. Wearing a helmet is a good example – only a few years ago, it was necessary to always repeat "Put the helmet on!", but today each self-respecting construction enterprise has a sign at their working site – "Entrance only with a helmet". This gives us hope that occupational safety culture can become a natural part of work.

In 2017, there were more than 5,000 occupational accidents. In comparison with the last few years, we can say that the situation has stabilised; the number of accidents increased only by 1.7 percent. Last year saw the lowest number of occupational deaths since the restoration of independence; nine people were killed at work. However, serious accidents are on the rise, and there were about 1,000 of them last year. While we can talk about growing awareness regarding less serious occupational accidents and that they are covered up less, the increase of serious accidents continues to indicate that occupational safety is still underestimated.

In an enterprise, the journey towards safer working conditions starts with an honest risk assessment. While deficient or non-existing risk analyses have been a problem for years, a breakdown of last year's surveillance results showed that employers have started to perform more precise and careful scrutiny in this area. Risk analysis indicates good management; by knowing the risks, it is possible to hedge and prevent against them. This helps maintain the health of the employees as well as the enterprise, and does not damage performance.

The Labour Inspectorate now also celebrates its 100th birthday, just like the Republic of Estonia. During our centennial, we shall continue trying to contribute to creating a working environment that maintains efficiency through well-directed supervision, professional counselling of the parties on the employment relationship, and the competent resolution of labour disputes. We shall continue with sector-based targeted checks to focus on the most burning issues. We can check only a sample of enterprises, but the prior and following notices allow those enterprises that we could not inspect this time overviewing their working environment.

We shall also continue our routine checks, during which we visit enterprises with a high-risk rating. We shall continue to pay increased attention to the building sector and metal industry. Other important areas are in the transport, wood, and food-processing industries, and also in health care, in which the number of occupational accidents has increased. We shall also pay attention to the accommodation and catering sector. In addition to supervision, we shall continue with prevention and communication to help prevent occupational accidents.

Moreover, employers may invite a Labour Inspectorate consultant to their enterprise for a consultation on how to make the working environment safer and more health-preserving. If the employees, employers, and the state make a joint effort, we might, a year after the centennial, be able to say that working in Estonia is safer than it has ever been before.

1. ESTONIAN WORK ENVIRONMENT THROUGH THE EYES OF THE LABOUR INSPECTORATE

The Labour Inspectorate (LI) carries out supervision over enterprises with at least one employee working under an employment contract or where the management board members perform the work. Enterprises, where the employee-employer relations are regulated under the Law of Obligations Act (LOA), are beyond the scope of our supervision. Below is a description of the work environment in enterprises supervised by us.

The work environment is growing year by year. The number[1] of active enterprises has significantly increased since 2010, i.e., after the recession. While in 2010 our database contained slightly more than 43,000 active enterprises, today the number has increased by around a fifth.

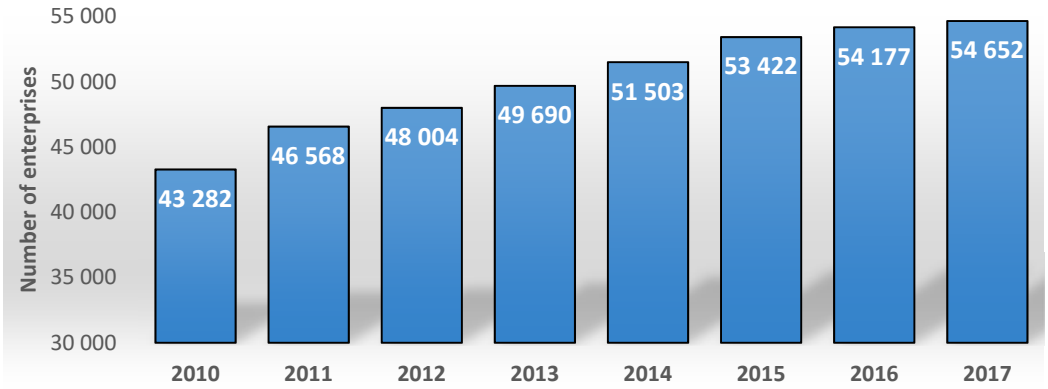
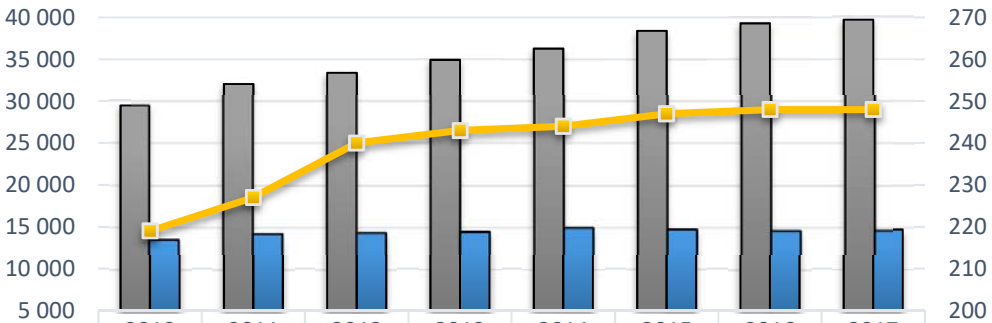


Figure 1. Number of enterprises subject to supervision in the LI database, 2010–2017

The micro and small enterprises add significance to the Estonian work environment – approximately 85% of enterprises have fewer than ten employees. Medium-sized, in line with the European standards, but in the context of Estonia still large enterprises (with 50–249 employees) account for approximately 3% of the business environment and those with more than 250 employees account for only 248, i.e., 0.5% of the total number of enterprises in our database.

The share of micro-enterprises, with up to five employees, has continued to increase. According to our information, such companies account for 73% of the total number of enterprises.



	2010	2011	2012	2013	2014	2015	2016	2017
less than 5 employees	29486	32042	33382	34920	36274	38397	39299	39734
5-249 employees	13577	14299	14382	14527	14985	14778	14630	14670
more than 250 employees	219	227	240	243	244	247	248	248

Figure 2. Division of enterprises by size (2010–2017)

1 Number of enterprises in LI database with at least one employee according to the Tax and Customs Board

By fields of activity, the enterprises in Estonia are mostly engaged in the trade sector (approximately 9,300), construction (6,400), and real estate (6,060)[2]. The number of enterprises in processing industry ranks fifth, overall with nearly 5,000 companies.

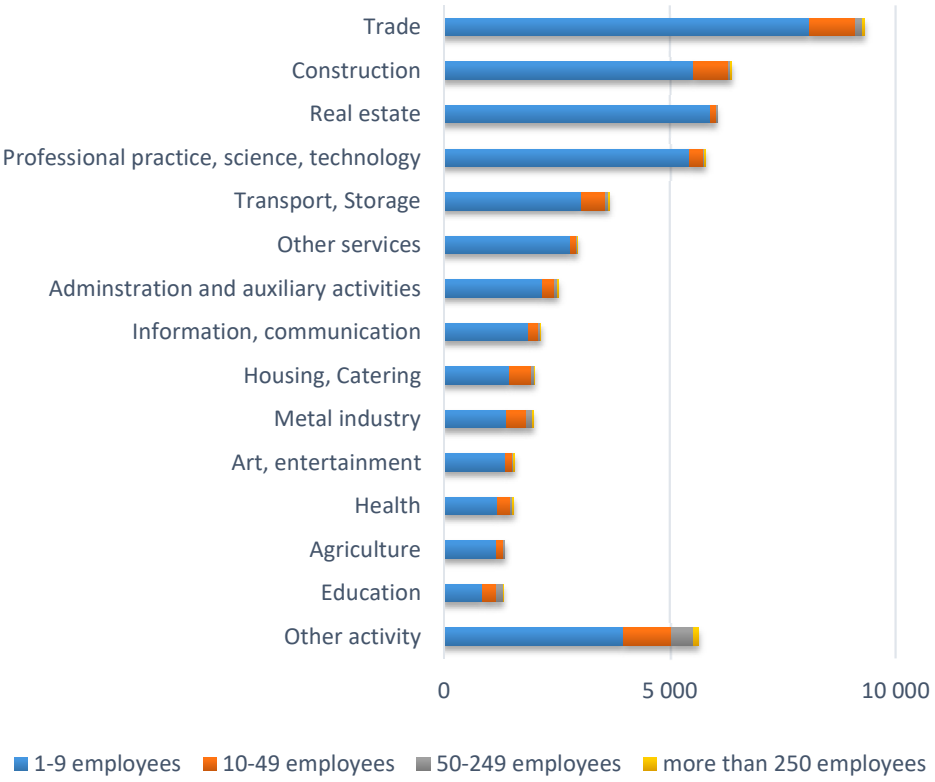


Figure 3. Enterprises by fields of activity, 2017

When looking at the fields of activity by the number of employees, most of the employees, i.e., approximately 20%, are engaged in the processing industry sectors. Major fields are the manufacturing of metal products, the timber industry and the textile industry. A total of 13% of employed persons work in trade and 9% in construction.

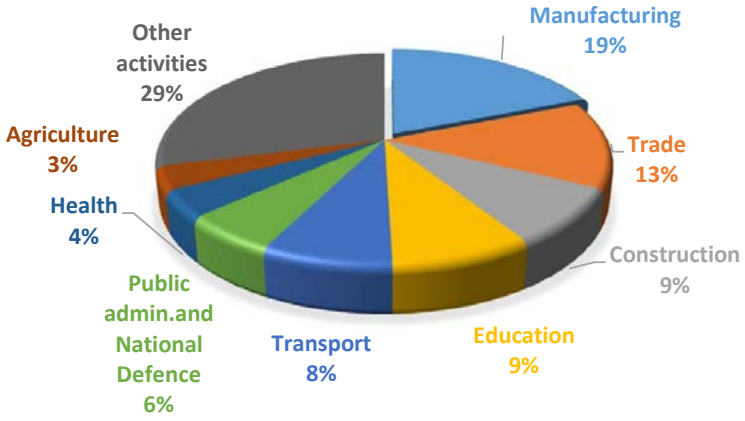


Figure 4. Share of employed persons by fields of activity, 2017 (source: Statistics Estonia)

In 2017, more than 23,650 new enterprises were established in Estonia, according to the commercial register. Also, we can see the same trend here – in a year, most companies are added to the trade sector (approximately 3,400), professional activity and research (approximately 2,800) and construction sector (approximately 2,200). By counties, more than a half (63%) of new enterprises were established in Tallinn and Harju County.

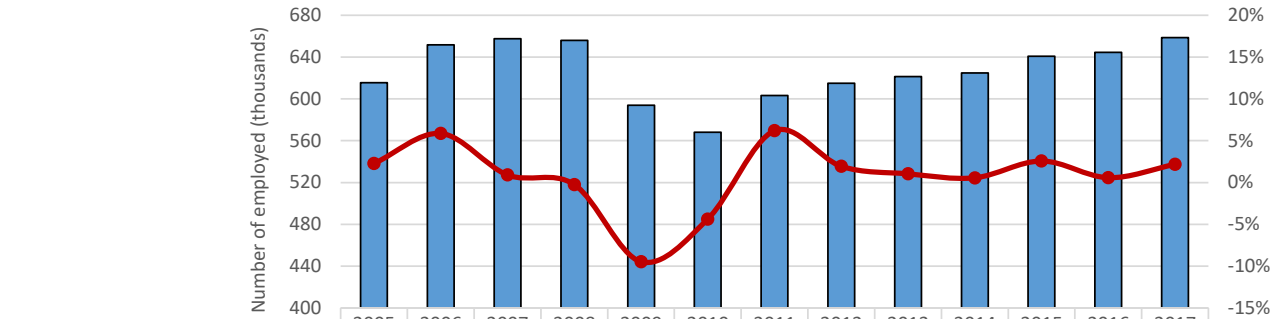
2 Real estate also includes all apartment associations in Estonia

Employment in 2017 – good labour market indicators last year

According to Statistics Estonia, the national unemployment rate in 2017 was 5.8%, employment rate 67.5%, and labour market participation rate 71.6%. In the second quarter, unemployment temporarily increased, but mainly due to previously inactive people entering the labour market. Employment and employment rate were consistently high for the entire year of 2017 and broke the records of the last 20 years. The fourth quarter had a very low unemployment rate for young people (15–24-year-old) – 6.2%.

Labour market indicators improved in 2017 almost throughout the entire year and mostly exceeded indicators of the previous year, based on quarterly comparisons. Although the total number of working age (15–74-year-old) people keeps decreasing in Estonia, the number of people active in the labour market (total of employed and unemployed people) increased by 7,000 and reached estimably 699,000. The labour market participation rate increased by 1.2 and the employment rate by 1.9 percentage points. The unemployment rate decreased by 1 percentage point. The number of inactive people continued to decrease. On the average, there were 277,000 inactive people a year, which is 13,500 less than in 2016. The number of employed people has increased both due to unemployment decreasing and previously inactive people entering the labour market. /source: Statistics Estonia/

For us, it is essential to observe changes among the employed in the age group of 15–74-year-olds, the number of which has increased estimably by 14,000 compared to the previous year.



	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
No of employed	615,6	651,7	657,6	656,0	593,9	568,0	603,2	614,9	621,3	624,8	640,9	644,6	658,6
Change relative to previous year	2%	6%	1%	0%	-9%	-4%	6%	2%	1%	1%	3%	1%	2%

Figure 5. Number of employed persons (aged 15–74) and change compared to the previous year

Role of the Labour Inspectorate in Estonia's working environment

Our work is based on state supervision, counselling and information, and resolving labour disputes. Our goal is to reach each and every enterprise through the combination of these activities – be it through supervision, consultation or the distribution of information on labour relations and about the possibility of a better working environment.

The number of employed persons shows an increase and a significant number of new companies have also been founded. This shows that Estonia's economy remains agile. One of the goals of our activities is to increase fair competition. The capacity for work and commitment of people is the cornerstone of the productivity and competitiveness of the state as well as the enterprises. Therefore, we make sure that the working environment of all employees in Estonian enterprises and organisations is safe and healthy. This goal is an ambitious one and good results can only be achieved through the cooperation of employees, employers, and the state.

The number of registered accidents at work has been increasing steadily for the past twenty years. However, this does not automatically mean that occupational safety has significantly deteriorated in Estonia compared to 1995. It is more likely a sign of increased awareness on the part of both employers as well as employees, and work-related accidents are no longer covered up or presented as everyday accidents. Last year, 78% of all work accidents were registered as minor accidents.

Significantly more serious work-related accidents were reported to us. The number of serious work accidents increased by 9% year-on-year. Nine people lost their lives at work, which is the lowest number in the last 23 years. The number of fatal accidents has decreased, but even one life lost because of work is one too much. The sad fact is that in many

cases, fatal consequences could have been avoided if more attention had been paid to occupational safety and instruction of employees. Inexperience as well as routine work and wrong habits acquired over many years may prove fatal in an instant.

The law states that a work accident is an accident taking place with a person working under an employment contract. The landscape of Estonian labour relations is, however, much more diverse. Contracts for services, authorisation agreements, and working as a self-employed person or through one's own small business are very common. **It is important to understand that only an employment contract can provide protection in case of a work accident.** Last year, we witnessed several cases where a worker died from a health problem while working. These cases did not qualify as work-related deaths, even though in some cases they could have been avoided by referring the employees to medical examination in a timely manner.

Thirty-six per cent of all work accidents continue to take place with workers who have been employed for less than a year. These are either young people who have just begun their working life or those who have switched jobs and have not yet completely acquired the skills required for their new job.

The most common problems Estonian enterprises face are related to the training and instruction of workers, organisation of medical examination, and the selection and appointment of staff responsible for occupational health and safety. All three of these activities are, however, crucial to avoid work accidents and damage to employees' health.

As regards the **advisory service**, we have received very positive feedback. People can ask for advice either by phone or e-mail, or by visiting our offices. The work environment consultation service, launched in 2015, has been fully implemented. In 2017, the service was used by about 200 enterprises. Employers can invite a LI consultant to visit their enterprise, to give advice on both the work environment and the required documentation. The consultant can also be asked to give advice on a specific sphere of working environment (e.g., the use of personal protective equipment). The service is free of charge for employers.

Information and prevention activities were also more visible last year through two campaigns: "Know Your Rights – Notice the Danger" and the campaign of the European Agency for Safety and Health at Work "Healthy Workplaces for All Ages".

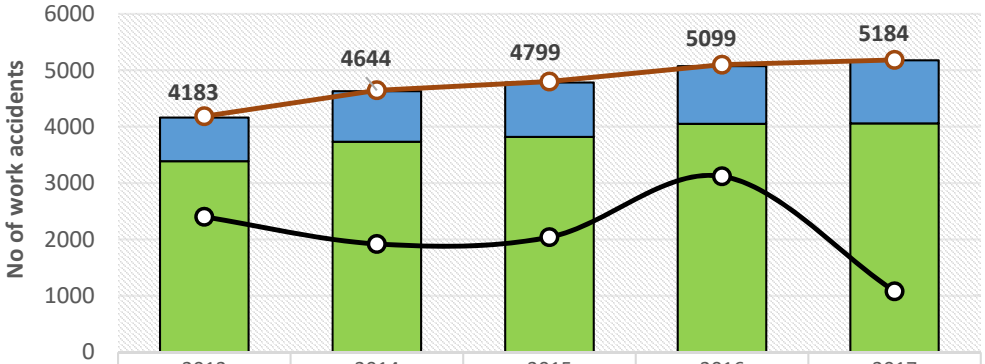
Our managed Working Life portal Tööelu provides work environment related information also in English, besides Estonian and Russian. Information on occupational health and safety is shared with children starting as early as kindergarten, where our mascot NAPO tells the kids about occupational safety. Participation rates in morning briefings remain high. Last year, two international conferences were organised. In April, we discussed working time with a large number of participants. The autumn conference was organised as a part of the EU presidency and focused on safe work environment in the updated ways of working. At the spring conference, we presented the Good Work Environment award already for the third time. The Good Work Environment 2017 award was given to Baltic Oil Service and Derivco Estonia.

Regarding all the indicators, 2017 was a good year in Estonia's work environment. Less violations related to the work environment were detected and the number of fatal work accidents was at its lowest for the last 23 years. The work of the Inspectorate is now more purposeful, and the number of inspectors has remained the same as well. The budget for carrying out state supervision has largely remained unchanged for several years, while the employment rate and the number of enterprises have increased significantly. Based on the situation with the work environment, the supervisory role of the inspectorate must be intensified even more.

1.1 Work accidents

In 2017, the Labour Inspectorate received 5,184 notifications of work accidents. Each number represents a person who has suffered. The statistics regarding work accidents interpret these numbers as follows: 4,058 workers suffered a minor bodily injury, 1,117 workers – a severe bodily injury, and for nine the work accident was fatal. In other words, about 1% of workers suffered to a greater or lesser extent due to a work accident.

Compared to 2016, the number of registered work accidents increased by 85 cases and mainly regarding serious work accidents. The number of fatal accidents is the lowest for the past two decades but losing even one person at work is too much.



	2013	2014	2015	2016	2017
Serious work accidents	775	895	962	1023	1117
Minor work accidents	3388	3733	3820	4050	4058
Registered work accidents	4183	4644	4799	5099	5184
Fatalities	20	16	17	26	9

Figure 6. Number of registered work accidents by their severity during 2013–2017

The statistics of work accidents is based on the details from the official work accident reports submitted by the employers. However, the number of officially reported work accidents in Estonia, like in other European Union countries, is estimated to be slightly lower than the actual number of accidents. Thus, we must constantly work to improve the level of awareness of both employers and employees concerning the importance of reporting work accidents. At the same time, *Figure 7* indicates that the number of registered work accidents has been steadily increasing over the last twenty years, with a few exceptions. This, however, does not mean that occupational safety has significantly deteriorated in enterprises, compared to 1995. It is more likely a sign of improved awareness on the part of both employers as well as employees, and work-related accidents are no longer covered up or presented as everyday accidents.

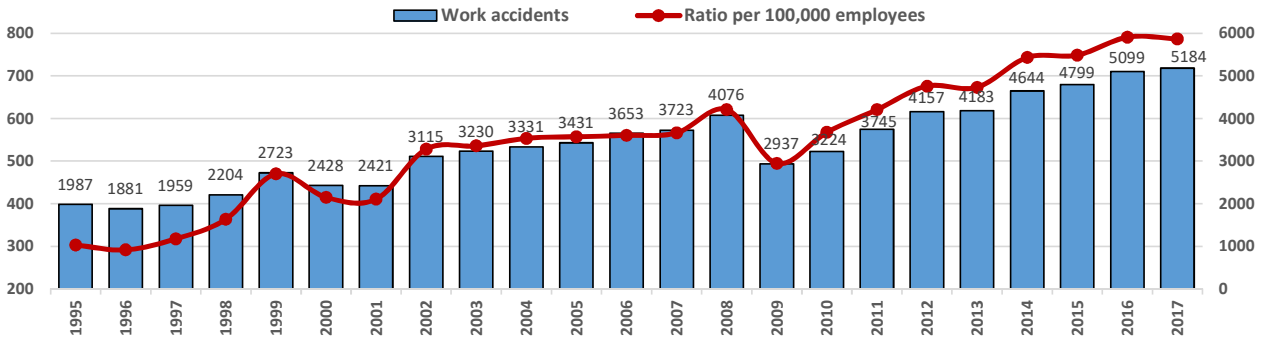


Figure 7. Registered work accidents and the ratio of accidents per 100,000 employees, 1995–2017

In 2017, 78.3% of all work accidents were registered as minor accidents. The number of serious work accidents increased by 9% year-on-year. As already highlighted previously, nine fatal work accidents were registered that qualified as occupational deaths pursuant to the Occupational Health and Safety Act[3]. This tragic list excludes, however, cases where the employee dies at the workplace from an unexpected health problem, works as a self-employed person or on the basis of a contract under the Law of Obligations Act. This year, 11 such deaths at work, however not related to work, were registered. All these cases were linked to an employee's health problem, mainly heart disease. Several of these fatal health problems could have probably been avoided with a medical examination at the proper time.

3 A work accident in the meaning of the Occupational Health and Safety Act is damage to the health of an employee or death of an employee which occurred in the performance of a duty assigned by an employer or in other work performed with the employer's permission, during a break included in the working time, or during other activity in the interests of the employer. Damage to the health or death which occurred in the cases listed but which is not in a causal relation to the work of the employee or the work environment is not deemed to be a work accident. Accidents occurring in the performance of a contract of services, authorisation agreement or other agreement made for rendering services under the law of obligations also do not qualify as work accidents.

Figure 8 shows the number of fatal work accidents and their ratio per 100,000 employees over 23 years. In the long-term perspective, the situation has improved considerably compared to 1995. However, a country the size of Estonia cannot afford even a single employee death resulting from the failure of the employer or the employee to follow occupational safety requirements. Our priority is to avoid fatal work accidents and to focus our activities on reaching this goal.

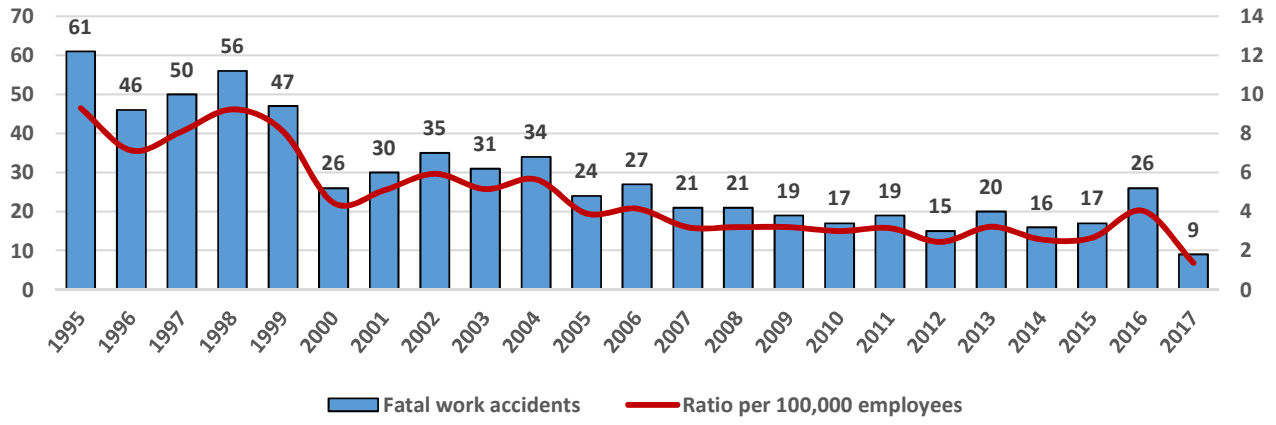


Figure 8. Fatal work accidents and ratio of fatal accidents per 100,000 employees, 1995–2017

The ratio of work accidents per 100,000 employees decreased in a year for work accidents as well as the total number of fatal work accidents. The ratio is related to the number of employed, aged 15–74 years. Thus, the ratio of work accidents per 100,000 employees is 787 and the ratio of fatal work accidents 1.4. This figure shows that the probability of being injured in the work environment has decreased. Special attention must be paid namely to the training and instructing of new employees, as a large portion (about 36%) of work accidents involve people who have been employed less than a year.

The most work accidents were registered in Tallinn and Harju and Tartu Counties. Broken down by counties, the number of work accidents increased in a majority, while, however, decreasing in six. The growth was greatest in Harju, Tartu, and Lääne Counties. The number of registered work accidents in Harju County increased mainly due to the increase of minor work accidents in the administration and auxiliary activities sector, i.e., the labour hire field. While in 2016, only three work accidents were registered in this field, this year the indicator was 42. This clearly indicates how even one enterprise who has started to properly register the work accidents can influence a sector of one county. In Tartu County, the number of work accidents mainly increased in the wood industry, accommodation and catering.

Table 1. Number of registered work accidents in Estonia, by county, 2013–2017

Work accidents in Estonian counties						
County of accident	2013	2014	2015	2016	2017	change vs 2016
Tallinn	1,209	1,293	1,303	1,486	1,286	-200
Harju County	517	698	774	928	1,081	153
Tartu County	601	631	593	455	532	77
Lääne-Viru County	333	338	444	420	486	66
Ida-Viru County	272	285	317	299	331	32
Pärnu County	196	236	257	274	230	-44
Järva County	154	152	200	193	201	8
Viljandi County	172	166	159	175	151	-24
Võru County	92	111	79	153	140	-13
Saare County	126	133	106	124	162	38
Jõgeva County	67	105	92	101	109	8
Lääne County	55	70	65	71	50	-21
Põlva County	60	69	60	67	53	-14
Rapla County	54	77	78	67	88	21
Valga County	51	86	71	62	89	27
Hiiu County	12	6	12	17	24	7
Estonia total	3,971	4,456	4,610	4,892	5,013	121

*excluding work accidents occurring with Estonian employees outside Estonia

A better overview of work accidents by counties is acquired when the fields of activity are added. In the table below, we shall see which field of activity and in which county has the most work accidents. For instance, the metal products manufacturing industry has the largest number of work accidents, but most of them occurred in Tallinn and Harju County enterprises. By counties, Saare County, for instance, has most work accidents in the food industry, etc. This overview helps the labour inspectors to plan their supervision, while also indicating to the local governments, what is happening in their county. Explanations of highlights: red fields – a field of activity with the highest number of accidents in the county; orange fields – a field of activity with the highest number of accidents.

Table 2. Work accidents by the field of activity and county (2017)

Field of activity	Harju County	Hiiu County	Ida-Viru County	Jõgeva County	Järva County	Lääne County	Lääne-Viru County	Põlva County	Pärnu County	Rapla County	Saare County	Tallinn	Tartu County	Valga County	Viljandi County	Võru County	Total
Metal industry	145	1	42	9	21	1	24	1	31	6	17	144	65	3	13	5	528
National defence	182		37	1		2	165	2	4		1	16		1	1	34	446
Trade	101	1	10	8	15	6	19	3	16	3	13	169	50	5	13	12	444
Timber industry	58	1	13	24	27		42	11	43	29	5	11	53	13	41	26	397
Transport, storage	132	4	17	5	9	2	14	12	12	3	7	104	25	4	5	7	362
Public administration	33	1	50	4	9	5	33	5	12	6	4	131	46	4	4	13	360
Construction	77	2	18	14	18	5	21	4	15	9	11	84	44	3	12	2	339
Health	35	2	16	9	10	4	10	2	12	5	9	136	38	13	12	4	317
Food industry	43		5	13	20	8	73	2	7	5	32	29	30	11	7	12	297
Administration and auxiliary activities	87		11	2	7	1	6		7	1	7	122	27	5	5	2	290
Accommodation, catering	22					2	2	1	11		6	106	26		1	1	178
Chemical industry	38	10	24		5	2	6	1	2	7	13	33	26	1			168
Education	21		13	1	5	2	11		3	2	7	52	30	3	1	4	155
Agriculture	9	1	4	12	44	3	15	4	7	4	16		11	4	14	6	154
Art and entertainment	14		11	1	5	1	3	1	2	1	3	54	11		1		108
Textile industry	13		5			2	6		31	1		8	10	2	8	1	87
Furniture industry	10		4	3	3		25	1	3	2	2	7	4	9	8	5	86
Mining industry	2		32	2	1	2			1		1	2	2				45
Water supply	7		2			1	2		3	1		17	10		1		44
Professional activity and research	5		2		1		1		1	1	4	13	6		1	1	36
Real estate	9		1		1		1				1	14	6	1		1	35
Forestry	4	1	2	1		1	7	1	4			1	2	4	2		30
Pulp and paper industry	19							2		2		4	2				29
Information and communication	6		3						1			13	2			3	28
Other service sectors	7		1						1		1	9	4	2			25
Electricity	1		7								2	1		1	1	1	14
Finance and insurance	1		1						1			6	2				11
Total	**1,081**	**24**	**331**	**109**	**201**	**50**	**486**	**53**	**230**	**88**	**162**	**1,286**	**532**	**89**	**151**	**140**	**5,013**

Figure 9 provides the ratio of work accidents per 1,000 employees. In terms of the above, Lääne-Viru County remains the county with the largest number of work accidents, with approximately 18 work accidents happening per 1,000 employees. One of the reasons is definitely the fact that the county is home to large food and timber undertakings, where the number of work accidents unfortunately tends to be higher.

Compared to 2016, the ratio of work accidents per 1,000 employees has increased the most in Lääne-Viru, Valga, and Harju Counties, while decreasing in Põlva, Lääne, and Viljandi counties. In all these counties, this indicator was mainly influenced by the change in the number of work accidents rather than the change in the number of people employed in the county.

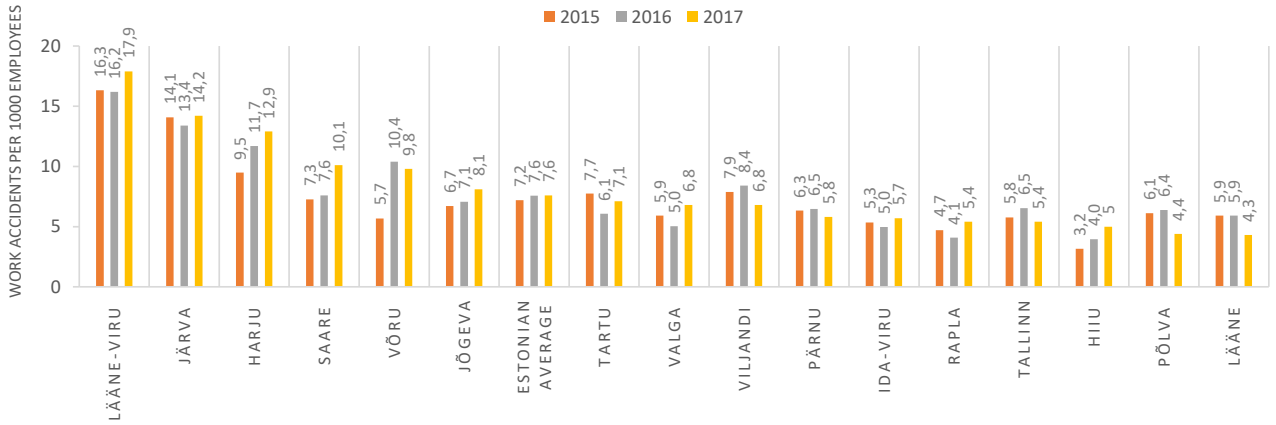


Figure 9. Ratio of work accidents per 1,000 employees by county

In addition to work accidents that occurred in Estonia, we also register cases with employees of Estonian enterprises outside Estonia. *Table 3* confirms that in those places where more Estonians work, more work accidents happen. Outside the territory of Estonia, 166 work accidents happened. It is a delight to note that the number of work accidents has decreased. The number of work accidents occurring with Estonian construction workers has finally started to decrease also in Finland, where, as a rule, most of the work accidents have been registered.

While in 2016, five employees died outside Estonia, this time two employees died in a traffic accident in Poland.

Outside Estonia, most work accidents still occur involving Estonian construction workers in Finland, and to stewardesses-customer service providers on board ships cruising between Helsinki and Tallinn. Outside the EU countries, most work accidents happened in the national defence sector in Lebanon. Fortunately, most of the accidents have been minor injuries.

Table 3. Registered work accidents involving Estonian employees outside the Republic of Estonia (2013–2017)

Work accidents that occurred with the employees of Estonian enterprises outside Estonia						
Place of accident	**2013**	**2014**	**2015**	**2016**	**2017**	**change vs 2016**
Finland	87	80	91	98	76	-22
Outside EU countries	62	22	4	12	24	12
Sweden	15	26	20	36	20	-16
Norway	11	8	12	13	10	-3
Latvia	14	27	19	12	9	-3
Germany	8	4	10	17	5	-12
Lithuania	2	4	3	1	5	4
France	5	2	3	0	4	4
Poland	3	0	4	2	3	1
Other EU countries	5	11	17	12	10	-2
Total outside Estonia	**212**	**184**	**183**	**203**	**166**	**-37**

Workdays lost due to work accidents

In Estonia, work accidents are divided into work accidents with minor or serious injuries, and fatal work accidents based on the severity diagnosed by physicians. This definition, however, does not define the severity of the work accident itself.

Another possibility for determining the severity of a work accident is to consider the days of incapacity for work. Some minor injuries do not lead to incapacity for work, or it is of a very short duration. Serious work accidents or accidents with serious consequences are the cases where the employee was on sick leave for more than 30 days. This definition is used in most EU countries.

When looking at the registered work accidents based on incapacity for work, the results are the following:

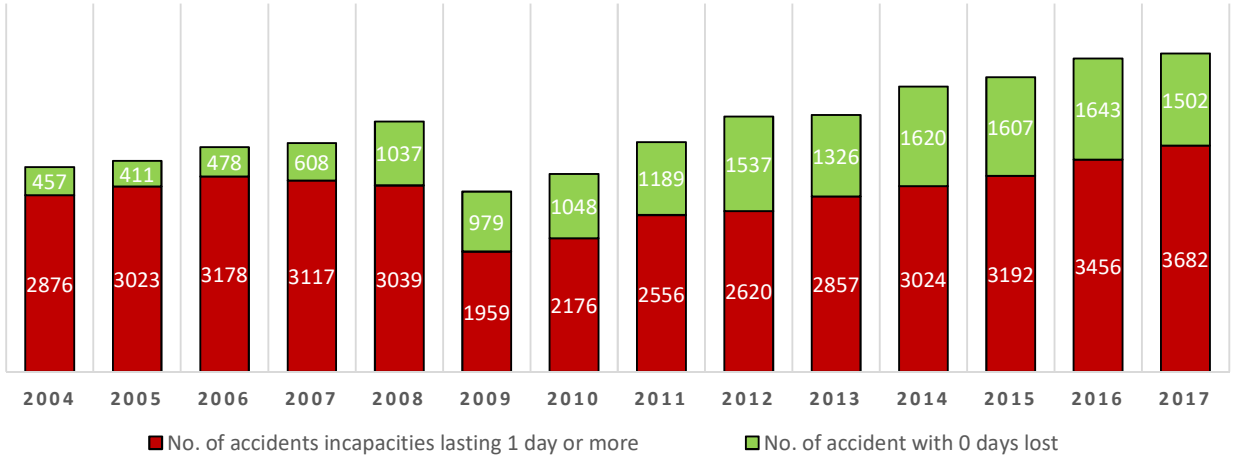


Figure 10. Division of work accidents based on incapacity for work

The figure shows that in the previous years the number of such cases that did not involve incapacity for work has significantly increased. This means that physicians notify the Labour Inspectorate of all possible accidents and we may also assume that covering up work accidents has also significantly decreased. However, this also shows that the percentage of cases that involve actual incapacity for work has increased. Therefore, we may say that work accidents are covered up less, but unfortunately the percentage of such accidents, in case of which an employee must actually be away from work due to an injury, is increasing. This increases the costs related to work accidents for the employer, state, and the society.

Direct monetary and time loss for the state as well as for employers and employees resulting from work accidents can be assessed based on the data of the Estonian Health Insurance Fund. As can be seen from the below table, both the number of days compensated due to incapacity for work as well as the amount of compensation have increased every year.

Table 4. Costs on work accident benefits in 2011–2017 according to Estonian Health Insurance Fund

Work accident benefit	2011	2012	2013	2014	2015	2016	2017
Number of certificates of incapacity for work	4,796	5,026	5,469	5,731	6,158	7 037	7464
Days compensated by the Health Insurance Fund	101,848	107,547	118,109	124,114	137,096	139,848	149,088
Amount of benefit (thousands of euros)	2,061	2,337	2,752	3,144	3,603	4,010	4,443
Average benefit per day (EUR)	20.2	21.7	23.3	25.3	26.3	28.7	29.8
Average length of certificate	21.2	21.4	21.6	21.7	22.0	19.9	20.0

EU consolidated work accident statistics includes only those work accidents as a result of which the employee was assigned four or more days of incapacity for work. While in 2004 the proportion of such cases was 84% of the total registered number of work accidents, in 2017 it was 69%.

You can view a comparison of the work accidents statistics of Estonia and EU Member States from here: http://ec.europa.eu/eurostat/web/health/health-safety-work/data/database As Eurostat considers details of work accidents of only certain fields of activity to better compare EU states, the one-on-one data does not match our overview.

Where and why do work accidents occur?

We collect data on work accidents based on the methodology of the European Statistical Office (Eurostat). In our work accidents analysis, we consider the description of work accident circumstances from the work accident report. The more precisely the circumstances of the entire work accident are described, the better overview we acquire about why and regarding what employees are injured. In addition to basic details – who are involved in accidents: men or women, how old they are, what their jobs are – we collect three indicators describing the circumstances: specific physical activity or what the employee was doing at the time of the accident; deviation or what went wrong, and the nature of the injury or exposure to the cause of injury. This knowledge helps analyse the causes of work accidents and plan prevention, communication, and supervision activities.

Unlike previous years, we have started to observe only those work accidents that included at least one day of incapacity for work.

In 2017, more than half or 65% of work accidents happened with men. A total of 3,345 men and 1,839 women were injured in work accidents (in 2016, it was 3,328 men and 1,771 women, respectively, with 65% of accidents occurring to men). Most work accidents happen with 25–34-year-old men. With women, however, in the 55–64 age group. While among men, the main risk group has remained the same, among women there has been a minor change – the number of work accidents a year before was the highest in the 45–54 age group. Thus, in terms of work accidents, the main risk group is young men, the same as for traffic accidents.

In 2017, most work accidents occurred with:

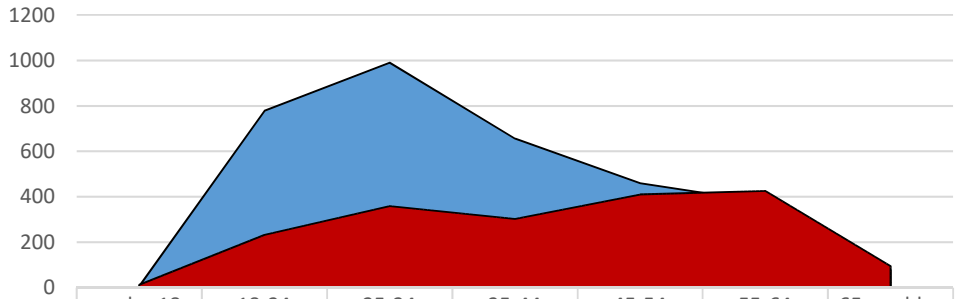
Wood processors – 246

Shop assistants – 175

Truck drivers – 137

Transport workers – 136

Production manual labourers – 122



	under 18	18-24	25-34	35-44	45-54	55-64	65 or older
Men	7	778	990	656	460	376	78
Women	13	233	359	302	411	426	95

Figure 11. People injured in work accidents by sex and age, 2017

Most work accidents occur from 10 to 11 a.m. and around two o'clock in the afternoon. This indicates that the recommendation to take breaks approximately every 1.5 hours is not given without a reason, since the person becomes tired and attention gets distracted and accidents happen easily.

In terms of enterprise size, most work accidents are more likely to occur in big enterprises. The data of 2017 shows that 2,111 work accident notifications were received from enterprises with more than 250 employees. From small enterprises with less than 10 employees, 487 notifications were received. Essentially, it can be said that about 70% of work accidents occur in enterprises with more than 50 employees. However, slightly more than half of Estonian workers work in enterprises with 50+ employees. Thus, one of the conclusions is that the more employees, the higher the chance that someone is involved in an accident. At the same time, we might question: are all work accidents reported in small enterprises? When looking at the percentage of employees, mainly work accidents are covered up in small enterprises and organisations with up to nine employees. For instance, if based on the data of 2017, one work accident per 81 employees occurred in enterprises with more than 250 employees, then in enterprises with 1–9 employees, one work accident occurred per 235 employees.

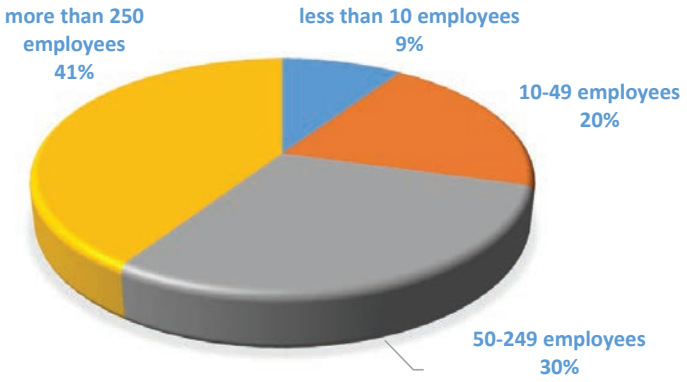
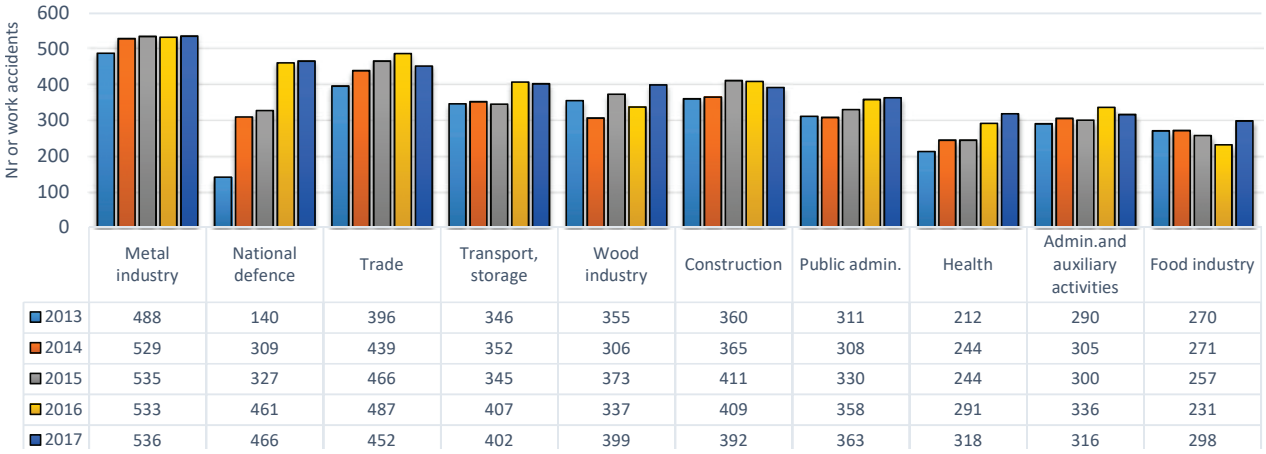


Figure 12. Percentage of work accidents by the size of enterprises (2017)

Work accidents and areas of activity

As regards the areas of activity, most accidents continue to be registered in the metal industry, national defence, trade, and transport. While the number of work accidents in general is quite comparable in most areas of activity, in the timber and food industry, the situation has somewhat worsened. Compared to the year before, there were less work accidents in construction, accommodation and catering sectors, furniture industry, and trade.

The national defence sector, in which the number of work accidents shockingly increased in the previous years, has by now fortunately stabilised and we hope that in the following years this sector shall face a downward trend.



	Metal industry	National defence	Trade	Transport, storage	Wood industry	Construction	Public admin.	Health	Admin.and auxiliary activities	Food industry
2013	488	140	396	346	355	360	311	212	290	270
2014	529	309	439	352	306	365	308	244	305	271
2015	535	327	466	345	373	411	330	244	300	257
2016	533	461	487	407	337	409	358	291	336	231
2017	536	466	452	402	399	392	363	318	316	298

Figure 13. Areas of activity with the largest number of work accidents in Estonia

Last year, the number of traffic accidents decreased in Estonia as a whole and thus the number of work accidents in traffic also decreased. While in 2016, 114 work accidents came with a comment that it was a traffic accident, last year this number was 70. These were mostly less severe cases, but in two instances the accident was fatal for the employees. The large number of work accidents in traffic indicates a need for greater cooperation with authorities that are also contributing to traffic safety – Road Administration, Ministry of Economic Affairs and Communications and above all the Police and Border Guard Board.

Another overview of the frequency of work accidents is provided by the ratio of work accidents per 100,000 employees. Based on 2017 data, the areas of activity with the highest risk of work accidents are still the timber industry and food industry. Within a year, the biggest turning to worse has happened in the wood industry and water supply area, whereby in the wood industry the number of work accidents has increased, while the number of employees decreased. In the water supply area, both the number of work accidents and employees have increased. However, the risk of a work accident in furniture industry has decreased, with a notable drop in the number of accidents and an increase in the number of employees. The ratio is affected by changes in the number of people employed in the field as well as each work accident. The lower the number of employees in the specific industry, the more each work accident affects the ratio of accidents in this field.

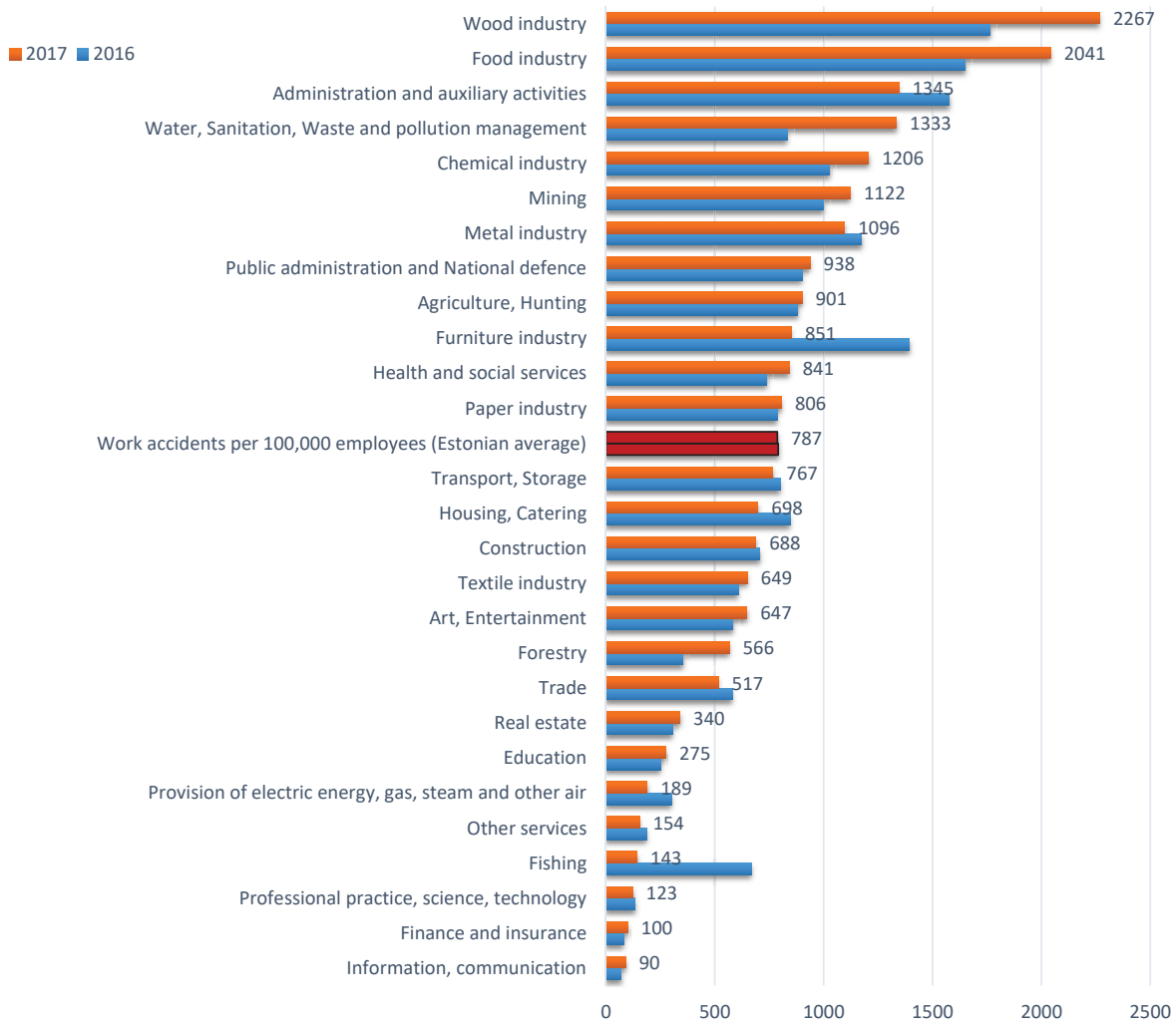


Figure 14. Ratio of work accidents per 100,000 employees in the field of activity 2016–2017

Deviation

Deviation indicates what went wrong during work, so the work accident could happen. The figure below includes data on work accidents that resulted in actual bodily injury and incapacity for work. Minor cases that did not include incapacity for work have been left out.

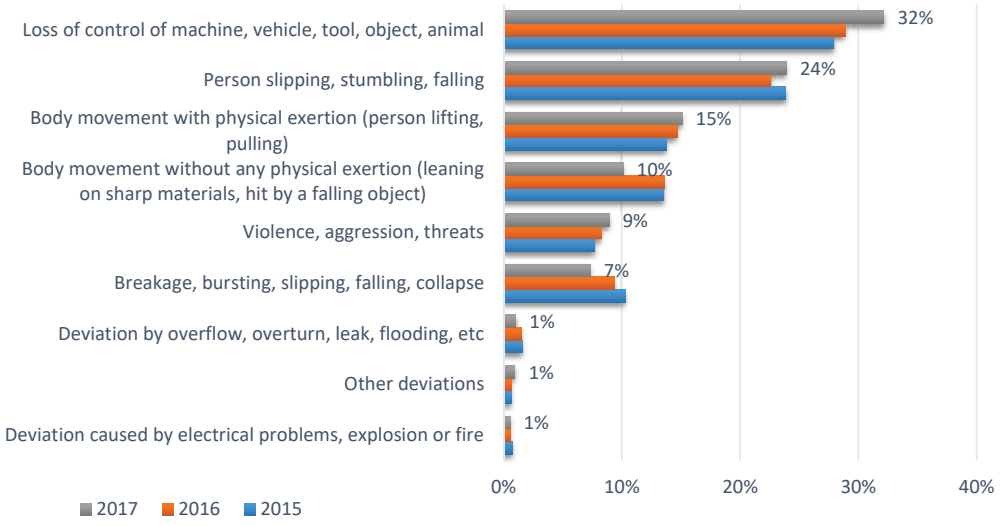


Figure 15. Deviation causing a work accident, 2015–2017

The first place is still held by work accidents caused by **loss of control** over machinery, work equipment, means of transport or animals. While in 2016, 29% of all registered work accidents were caused by these factors, in 2017, the share of such accidents has increased even more. Above all, such accidents occur in the metal and timber industry, which use different machines, sharp tools or processed materials.

The second place is still held by easily preventable accidents like work accidents associated with **slipping, stumbling, and falling.** These types of accidents account for 24% of the total number of work accidents and comprise a quarter in the case of serious work accidents. Again, passageways must be kept clear of excessive items. An employee might fall seriously on slippery and wet floors and this could result in a bone fracture as well as severe bodily injury and long period of incapacity for work.

It is, however, alarming that about 10% of work accidents are associated with violence and assault. These cases are most common in police work and healthcare.

Cause of injury

In terms of the causes of injury, most common are injuries caused by a fall, 28% of cases. This is followed by stress to the musculoskeletal system (17% of accidents) and exposure to sharp objects (knives, other tools) (11% of accidents). Getting stuck between and bruised by objects: 10% of accidents and blow from a falling object about 8% of accidents.

To sum up, these factors in the work environment should be under special attention, so the employee would not injure themselves.

Serious work accidents

1,117 work accidents that resulted in severe bodily injuries were registered in 2017 (in 2016 – 1,023), of which the Labour Inspectorate investigators examined 194 cases. Every fifth serious work accident investigation led to misdemeanour proceedings and a fine because the work accident was caused by someone's failure. During the year, the work accident investigators have initiated 93 misdemeanour procedures, which have all led to a fine. Misdemeanour proceedings have mainly been initiated against legal persons, but in two cases also against natural persons. The highest fine imposed due to ignoring occupational safety requirements was EUR 1,000.

The largest number of serious work accidents took place in the construction sector, transport and storage, and metal industry. Compared to the year before, the number of serious accidents has mostly increased in construction, food industry, and mining industry. The results are slightly more positive for agriculture as well as the area of accommodation and catering.

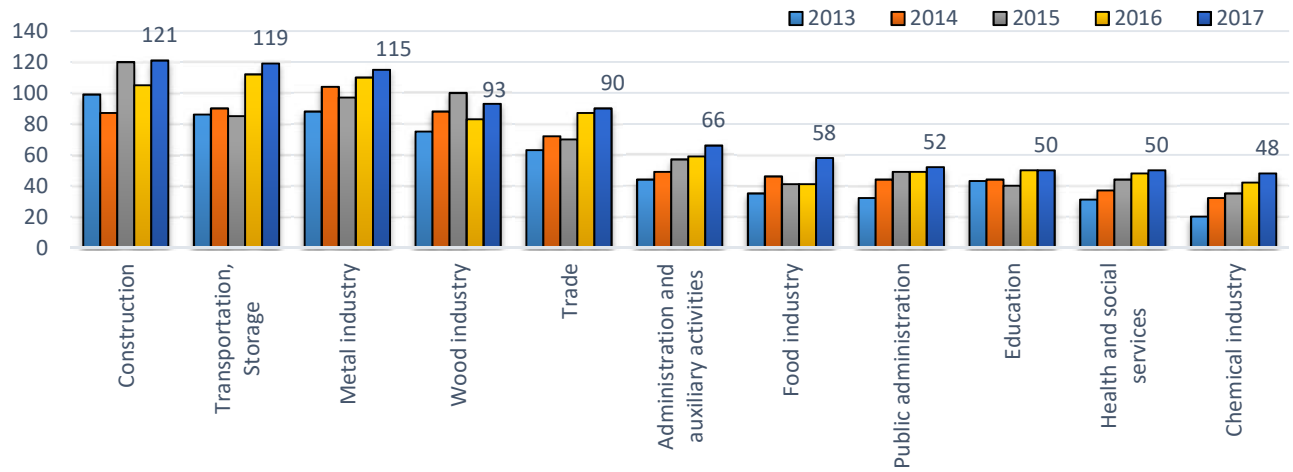


Figure 16. Areas of activity with the largest number of serious work accidents (2013–2017)

The most common causes for serious work accidents, regardless of area of activity:

- Every fourth serious work accident occurred because an employee had slipped, stumbled, fell. In other words, work accidents occurred because the enterprise's or institution's passageways, stairs, outside territory were not clean and tidy or movement was obstructed by wires, boxes, furniture, stored materials or finished products, etc.
- An employee falling from a higher to a lower level – here it includes falling from quite high (ladders, scaffoldings, platforms) as well as from chairs, stairs and other surfaces that are higher than the floor – 163 accidents or about 14% of serious work accidents.
- Losing control over different items to be carried – 125 or 11% of serious work accidents.

The main causes of work accidents in the **construction sector** are falling from heights, loss of control over tools, being hit by construction material or other objects, etc. The main keywords in construction continue to be the same as in previous years – ladders, scaffolding and other work surfaces must be installed in a safe manner and be in working order. Accidents related to the use of equipment can be best prevented by work organisation measures. Situations, where an employee is injured due to the activity or inactivity of another employee, should be avoided on construction sites. Labour inspectors note that the issuing of safety equipment to employees has improved; however, the training to use it is often inadequate. In the construction sector, the number of injuries was the highest in the group of men aged 25–34.

The **transport and storage** area of activity is not just the transport sector but is in turn divided into three bigger groups. Most work accidents happen in road transport, that is carriage of goods by road (approx. one-half of all cases in the area), in general postal service (approx. 20% of accidents) and storage and cargo handling (also approx. 20% of cases). In the area we can witness an increase in the number of accidents due to falling, and breakage, falling or collapsing of materials.

- Road transport of goods – falling from heights comes first – from a ladder, cargo area of truck, i.e., accidents are caused when loading the goods or fixing the tent. People jump off or fall from a trailer, ladders slip away, etc. Second place is held by losing control over the means of transport, where the main factor is traffic accidents. This also includes accidents with hoists at loading areas, when loading and unloading cargo.
- General postage service –75% of serious accidents are related to falling on the same level. At the same time, most of accidents happened not on the territory of the employer, but rather with mail carriers on the streets, property of clients, etc.
- Loading, cargo handling – the causes of accidents were ladders, loading bays and hoists, meaning negligence when working on them.

To sum up, greater attention should be paid here to falling – when coming down the ladders, trailers, etc., and on the organisation of work when working with hoists. As a rule, a lot of similar accidents happen in the companies of this sector. The situation can be improved, above all, by the employer itself, by mapping these hazardous situations and implementing measures to avoid similar accidents.

In the **metal industry,** most work accidents were related to the manufacturing of metal structures and other metal products, electric engines, and lifting and moving equipment. In this sector, the top of the list includes the same factors as the construction sector, however in a slightly different order. Ranked first is work with machines, followed by falling accidents and third, breakage of objects resulting in their falling on employees. Most often the descriptions of work accidents indicate the following machines and equipment: presses, rolls, guillotines, milling machines, etc. The nature of accidents also reveals the accidental starting of machines, meaning that the employee's foot accidentally hits the pedal (due to negligence or tiredness) and the machine starts. Thus, when working with different machines and equipment, safety requirements must be followed without exception. Most injuries in this sector have happened to men over 45; however, the share of young men (25–34) is quite high.

A cautionary fact – statistical data reveals that there may be as many as five minor work accidents or similar dangerous situations in a company, in which luckily no one gets hurt, but an error occurs in the work process, before a serious work accident happens.

Fatal accidents at work

There were nine fatal work accidents in 2017. There were 1.4 occupational deaths per 100,000 employees (in 2016, these numbers were 26 and four, respectively). Altogether we registered 20 fatal incidents in work environment. In eleven cases, the investigation was terminated due to the incident not qualifying as a work accident within the meaning of the Occupational Health and Safety Act[4].

No single cause can be highlighted in fatal accidents. In many cases, a dangerous situation could have been avoided through the timely intervention of the employer or if the employee had paid more attention to their safety. In several occasions, the human factor also played a significant role, making it difficult for the employer to foresee the work accident. In these cases, the employee made an impulsive decision with tragic consequences.

Of nine fatalities, one was a female employee. In one work accident/traffic accident, two employees died together.

For 2016, we made it a goal to inspect even more thoroughly the enterprises engaged in electrical works, transport and warehousing companies and companies using hoists as tools or engaged in other lifting works. In addition to normal supervision, we also conducted targeted checks in the construction sector, metal product industry, wood industry, and increased co-operation with employers, i.e., professional associations, to increase safety culture and improve co-operation and information exchange between different supervision authorities. We also prepared a new approach for supervision, in which we intensify control over these enterprises, in which work accidents repeatedly occur. However, the fight against deaths at work is still halfway there. The Labour Inspectorate does not have sufficient resources to perform catch-all inspection in all areas of activity. We must primarily contribute to increasing the awareness and skills of employers and employees, how to preserve the life and health of yourself as well as the co-workers.

The reasons for work accidents, including fatal work accidents, can be divided broadly into two. In half of the cases, the employer performs insufficient control over correspondence of the work equipment to safety requirements and the company has no systemic organisation of the internal control of the work environment, that is management of occupational safety and health. On the other hand, however, the responsibility for the prevention of work accidents lies also with the employees themselves, who must adhere to safety requirements or refuse to perform works that could have potentially adverse health effects. Careless attitude towards their own health and safety or that of the colleagues causes a work accident sooner or later.

In conclusion, the most important factor is cooperation between employees and employers. Safety requirements must be constantly monitored. Work environment risks must be evaluated and internal work environment control must be functional, ensuring, inter alia, that adequate measures are taken if occupational safety requirements are found to be violated. Workers must receive appropriate training and instruction before they start work and, if necessary, at regular intervals. To reduce sudden deaths, the employee must have regular medical examinations.

Falling from heights:

- *A 63-year-old woman fell from a window at the height of nine metres while washing the windows.*
- *A 35-year-old man died after falling from the fourth floor.*
- *A 49-year-old man fell from the height of approximately 8 metres.*

Means of transport and other factors:

- *A 41-year-old man was caught under a hoist that toppled.*
- *A 60-year-old man died when a co-worker hit him with a loader.*
- *A 59-year-old man died under a reversing train in an oil shale bunker.*
- *A 60-year-old man died in a crop bunker, in which the bottom of the bunker collapsed and the employee was buried under the crops.*

Work accident in traffic:

- *A 48-year-old and a 43-year-old man died in a traffic accident in Poland.*

4 A work accident in the meaning of the Occupational Health and Safety Act is damage to the health of an employee or death of an employee which occurred in the performance of a duty assigned by an employer or in other work performed with the employer's permission, during a break included in the working time, or during other activity in the interests of the employer. Damage to the health or death which occurred in the cases listed but which is not in a causal relation to the work of the employee or the work environment is not deemed to be a work accident. Accidents occurring in the performance of a contract of services, authorisation agreement or other agreement made for rendering services under the law of obligations also do not qualify as work accidents.

1.2 Work-related diseases

In 2017, 37 new [5]cases of occupational disease were registered. In 33 of these cases, an occupational disease investigation was conducted, and investigation was not initiated in four cases.[6]. A total of six men and 31 women were diagnosed with an occupational disease. Seventy-eight notifications of work-related diseases were registered. As can be seen from the figure below, registering work-related diseases has decreased every year.

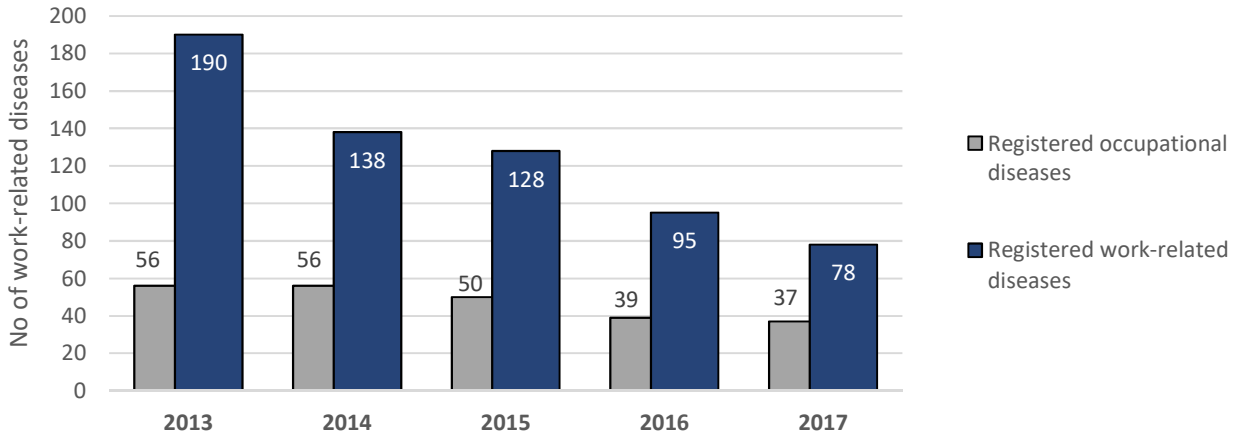


Figure 17. Registered cases of occupational disease and work-related diseases, 2013–2017

Unfortunately, we cannot say that our employees are significantly healthier than before and that the work environment is much better. Causes should rather be searched from procedures related to diagnosis of occupational diseases. Moreover, the lenient attitude of occupational health physicians towards allowing a person with health damage back to work is becoming somewhat problematic. As a result of medical examination, the employee is allowed to continue working in the same conditions and limiting their activities is rather an exception. The number of work-related diseases (WRD), which in most cases, although not always, can serve as an early diagnosis for an occupational disease, has dropped. WRDs are mostly diagnosed during regular medical examinations that the employers are required to organise based on the procedure for the medical examination of employees. The occurrence of WRDs is still a warning sign, indicating that work-related diseases are nowhere near disappearing from the workforce.

The shortest time for developing an occupational disease has been less than one year; the longest period is 45 years. The youngest person having an occupational disease in 2017 was aged 36, the oldest, aged 65. At the same time, the youngest person diagnosed with work-related disease was just 25, whose work-related disease (asthma) developed in only four years. Accordingly, a relatively short period of working in an improper working position or contact with dangerous hazards is also enough for a work-related disease to develop. Damage to health, however, is permanent.

The main cause of work-related disease is the physiological risk factor (overly excessive physical exertion). If we examine diseases by the risk factors that caused them, then monotone motions recur. Overstraining positions were causes for disease in about half of the diseases.

The results by different areas of activity of enterprises show that in 2017 occupational diseases were diagnosed the most for employees in the metal and wood industry and work-related diseases for the employees in the metal, textile, and transport industry. However, if we look at changes in work-related diseases in last ten years, we see that work-related diseases have significantly decreased among the employees in the agriculture and metal industry. While ten years ago about 50 employees were diagnosed with a disease in these areas of activity, then this year it was only up to ten.

5 An occupational disease is a disease caused by a work environment risk factor enumerated in the list of occupational diseases or the nature of the work. The list of occupational diseases is established by Regulation No. 66 of the Minister of Social Affairs of 09.05.2005. A work-related disease is a disease caused by a work environment risk factor that is not considered an occupational disease.

6 The regulation establishes that a labour inspector shall investigate all fatal work accidents and, if necessary, cases of occupational disease and other work accidents. The necessity of initiating an investigation is established based on the circumstances of the case and whether the investigation can yield recommendations for preventing similar cases of occupational disease in the future.

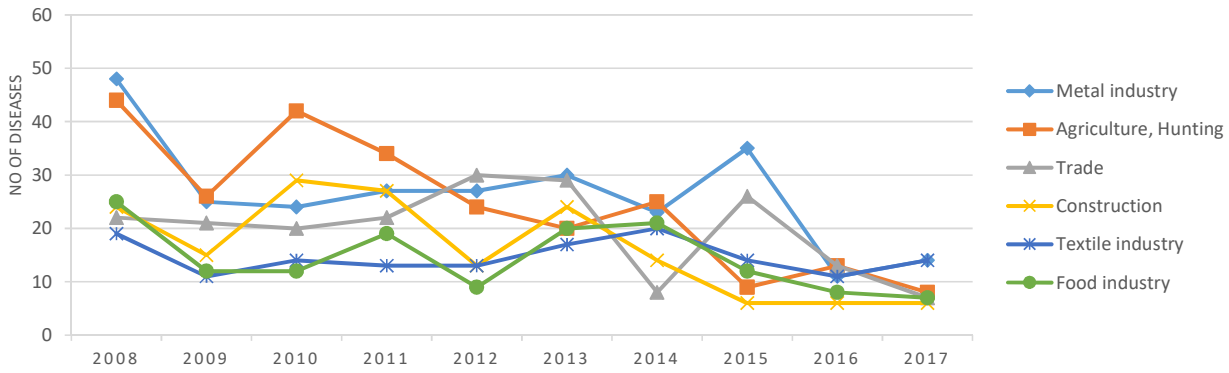


Figure 18. Areas of activity with the highest number of work-related diseases over a ten-year period

The conclusions of occupational disease investigations show that employers fail to evaluate properly the effect of working environment risk factors on people's health. Health risks are usually underestimated. The biggest problem continues to be physical overexertion. While there is an instruction for risk assessment for manual handling of loads, then the risks affecting other bones and muscles are mostly not assessed at all. This way, a labour inspector, who investigated the occupational disease, has repeatedly had to write in its investigation summary that working in a forced position with forced movements, load on single muscle groups, etc., has not been considered.

Also, the work environment does not consider the combined effect of different hazards. For example, the dangerous effect of physical exertion is bigger if employees work in too cold premises. The muscles being tense enough, try to maintain also the overall body temperature by raising the muscular tone, and the muscular effort increases even more.

If we add to this some work stress, which can be caused by bad work organisation or other disturbing factors at work, the health-damaging effect of physical load comes even quicker. Psychosocial risk factors have a significant role in amplifying the effect of all work environment risk factors.

Overall, it may be stated that still no attention is paid to risk factors, whose effect is not visible immediately but only after a certain period.

Another problem area alongside the lack of risk assessment or underestimation of risks is the lack of an action plan or the insufficiency of measures taken for removing risk factors. Often the action plan is too general and does not help to avoid damage to health. This shows that the employer has not associated work environment risk analysis with establishing an action plan and is unable to perceive the usefulness of the information gained from risk assessment. Of course, it should be considered that the written risk analysis document or a written action plan in itself is not a direct measure that would make a work environment healthier and safer. Risk analysis is a tool that helps the employer to detect risks occurring in the work environment. Action plan helps to keep the focus on activities that improve the work environment, so working would be safer and healthy.

It is extremely important to also follow the requirement for the medical examination of employees. While medical examination does not allow avoiding damage to health, it facilitates quicker detection of work-related health risks. Measures for avoiding the development or worsening of damage to employees' health can be planned in cooperation with an occupational health physician and the enterprise's working environment specialist.

Too often the occupational health labour inspectors discover when investigating the occupational disease events that a medical examination of the employee has been organised only after ten years of working or the enterprises has not followed the term for re-examination established by the occupational health physician.

Last year, occupational disease was diagnosed for three employees in one timber company. In the risk analysis, the employer had not assessed the physical load effect properly and did not consider moderate load as a hazard to the health of the employees. The health risk of handling weights manually was considered moderate, explaining that the weights lifted did not exceed the prescribed norms. However, there are no determined norms for handling weights manually. Any lifting, lowering, holding, carrying, pulling, and pushing of an item weighing more than 5 kg can be viewed as handling weights. Health risk depends on the recurrence of the handling, the body position, and other circumstances.

The last problem we should highlight here are the deficiencies in instructing employees. Employees often admit that they have not been shown safety instructions on how to avoid health disorders that may result from physical overexertion. In some cases, the instructions are not appropriate for the circumstances and contain excessive unrelated information. In other cases, the instructions are available but the worker has forgotten its requirements. A single instruction session is clearly insufficient and the employer should hold more frequent trainings where the employees are informed of the effect of work environment risk factors on health and the necessary measures and means that can be used for preventing or reducing the effect of risk factors.

To reduce any work-related diseases, also the workload of employees should be evaluated to judge whether all tasks can be performed by the available workforce. The workload will increase if the number of employees is insufficient. Also, breaks and relaxation exercises will not be enough if the workload is too high and the number of employees too small.

Thus, managing occupational health and safety in the work environment is a complex task requiring an in-depth analysis, where all the aspects of work are objectively analysed and evaluated.

Main work environment risk factors resulting in occupational diseases still include repetitive stereotypical movements and incorrect work posture. Unfortunately, the employees themselves also fail to understand that repetitive movements or unsuitable working position can have a negative effect on health. They often fail to see the connection between physical overexertion and the resulting health disorders. Instead, they tend to associate back or neck pain with age, rather than working conditions. This even though the main cause of diseases related to physical overexertion are excessive workload and incorrect work practices.

The diagnoses of work-related diseases show that also here the workers' health is affected the most by physiological risk factors: repetitive stereotypical movements and forced postures leading to exhaustion. Also, manual handling of loads is becoming a problem again.

When five years ago, occupational diseases were diagnosed most frequently in workers from the 45–54 age group, then from 2013 on, however, the number of diagnosed occupational diseases has been the highest in the 55–64 age group. This indicates that the average age of employed persons has increased, but also points out the age group, whose occupational health awareness needs to be improved.

Last year, the largest number of work-related diseases was diagnosed in the 55–64 age group. Although the number of older workers suffering from WRDs has decreased over the last years, their ratio has not. At the same time, work-related disease is diagnosed already for young employees, who have not managed to be on the labour market that long. This, in turn, means that the work environment of these young people has been very poorly organised, since the reason cannot be located from long-term impact of the work environment.

The gender statistics of work-related diseases show that women are more likely to be diagnosed with an occupational or work-related disease at a younger age than men. Women either undergo medical examination earlier or take their health problems more seriously and are not afraid to discuss them with the person doing the medical examination.

In addition, we should bear in mind the fact that the number of women working in occupations with higher risk of work-related diseases is bigger. A survey conducted in Sweden on the differences of jobs held by women and men has shown that women tolerate better routine tasks (such as routine movements at work) and are therefore more open to the risk of work-related diseases. For example, a woman working in stock farming is generally a milker, whose work is affected by handling of loads, repeated similar movements, work in an inconvenient position. A man, working in stock farming however, is rather a driver of mobile machinery, whose work environment risk factor could be instead noise and only then physical exertion.

Such differences between the jobs of men and women could be highlighted also in other areas of activity. For example, occupational diseases were diagnosed often among employees of food industry. Once again it must be admitted that the line workers there are mostly women and maintenance workers of mechanisms are men.

It is worth noting the observations Labour Inspectorate labour inspectors regarding the employees. There is also a serious problem with employees who with an occupational disease diagnosis – they do not realise what an occupational disease involves. In many cases, an occupational health doctor has written on the notification about the further organisation of work that the employee is not suitable to continue the same work. Often, an occupational health labour

inspector has had to explain the employer as well as the employee that from now on the employee may do some other work but cannot continue with the same job that caused the disease.

Moreover, employees do not know what they should do once a notification confirming the occupational disease arrives by mail.

More detailed overviews of different types of occupational and work-related diseases are prepared by the Estonian Health Board since 2011. Summaries of work-related disease statistics can be found at: http://terviseamet.ee/tervishoid/toeoetervishoid/aruanded.html

2. STATE SUPERVISION

Within the supervision of compliance with occupational health and safety requirements we commenced supervision proceedings on 4,308 occasions in 2017. 213 proceedings involved the supervision of both work environment as well as work relations in one enterprise. As one of the priorities of last year was to reach almost all construction sites, whereas one enterprise can have more than one, the number of supervision proceedings was greater than the number of enterprises included in the proceedings.

In 2017, the Labour Inspectorate visited 3,777 different enterprises and organisations. As can be seen from the figure below, the number of inspections has slightly decreased compared to the previous year. One cause for this is the changing of supervision methodology, whereas the Labour Inspectorate tries to influence enterprises with formal notice and remote inspections rather than with inspections. On the other hand, the volume of supervision has been reduced because specific target inspections are performed in less enterprises, while one enterprise's branches are inspected. Nonetheless, the influence on an area of activity is somewhat broader because a detailed summary is compiled for the target control of each area of activity, which shall then be forwarded to all enterprises in that specific area of activity. Thus, enterprises that were not inspected this time can assess and improve their work environment based on the summaries.

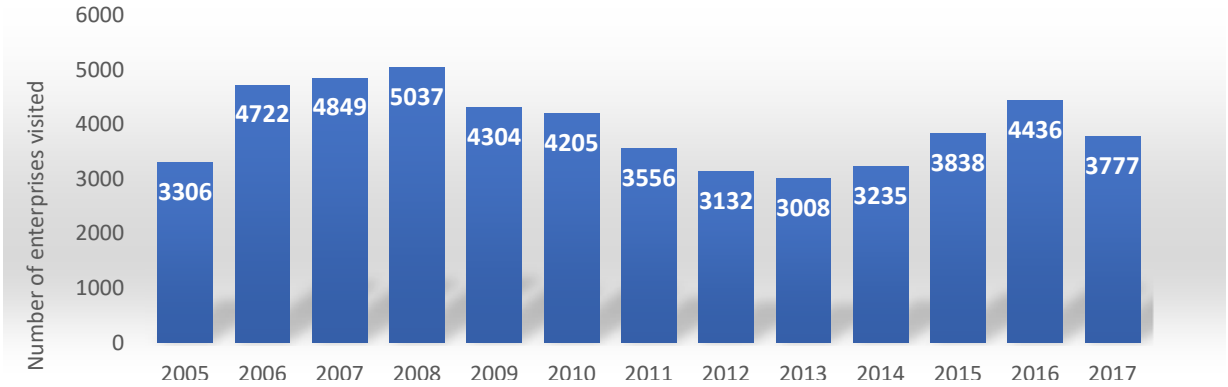


Figure 19. Number of enterprises subject to state supervision, 2005–2017

The state supervision of the Labour Inspectorate includes five areas. The supervisory capacity is still largest for work environment, but also for occupational health and safety. About 10% of supervision involves the supervision of labour relations and 2% of supervision involves the supervision of working and rest time of drivers of motor vehicles. In addition, 213 proceedings focusing on the situation of occupational safety as well as labour relations as a whole in an enterprise were carried out. The Labour Inspectorate supports the market supervision of personal protective equipment designed for professional use, for which we used 1% of our supervision resource in 2017.

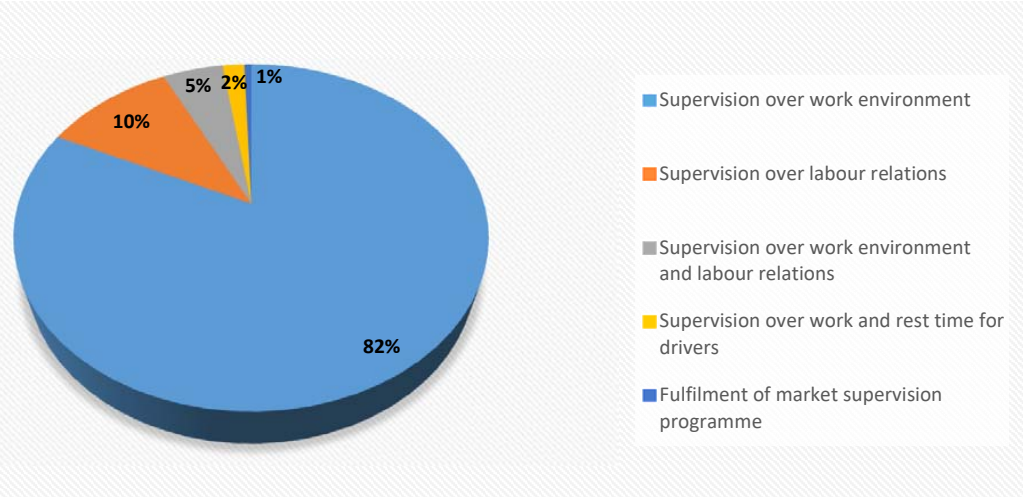


Figure 20. Supervision proportions of the Labour Inspectorate by areas of activity (2017)

In terms of counties, most supervision proceedings were carried out in enterprises in Tallinn and Harju County (total 1,660 visits, i.e., one third of the supervision proceedings). Compared to the year before, the number of inspections increased in Pärnu, Saare, Viljandi, Võru, and Järva Counties. The labour inspectors visited Hiiu, Lääne, and Jõgeva County the least. On one hand, such results and changes are caused by the locations of the enterprises and on the other hand, the area of activity of the enterprises; whether enterprises in one county were selected for the control sample based on their risk factor. It is also significant that the Labour Inspectorate has about 65,000 working hours per year that can be used for state supervision, due to which it is impossible to inspect each county and each area of activity to the same extent. This means that high priority areas of activity that shall be checked the most must be determined every year.

2.1 Occupational safety

In occupational safety supervision, the main priority of our activities is the reduction of the number of serious or fatal work accidents. We check the work environment of enterprises based on the risk rate, which includes the number and characteristics of accidents at work, occupational diseases, and work-related diseases in the area of activity and the specific enterprise. The risk rate is also influenced by the risk level attributed to the area of activity, the time of the last visit to the enterprise, and detected deficiencies. Each enterprise will have an individual risk rate and the enterprises and organisations with the highest risk rate are chosen for inspection. Since 2017, we also inspect those enterprises separately, in which accidents at work recur or the employer as not paid sufficient attention to finding out the causes of accidents at work and preventing similar cases.

All in all, we may say that during supervision we have influenced the work environment of approximately 95,000, i.e., 15% of employees in one year. Pursuant to the European Union Strategy for Health and Safety at Work 2014–2020, a great deal of the supervision continues to focus on the inspection of small and medium-sized enterprises. Unfortunately, we have to admit that we cannot reach all small enterprises, i.e., enterprises with less than four employees, with adequate frequency. We are planning other solutions to reach new or small enterprises with adequate frequency. For instance, our consultants are doing a good job in new enterprises, so the employer would know already at the beginning of an enterprise how a good work environment looks like. We continue to implement control surveys and approach based on target inspections, in case of which several risk factors are inspected in approximately 10% of enterprises in the area of activity and a summary is compiled based on the discovered deficiencies, which shall then be sent out to all enterprises and professional associations of the area of activity.

In terms of areas of activity, in 2017 we mostly supervised construction sector, metal industry, accommodation and catering, transport and storage, and trade sector.

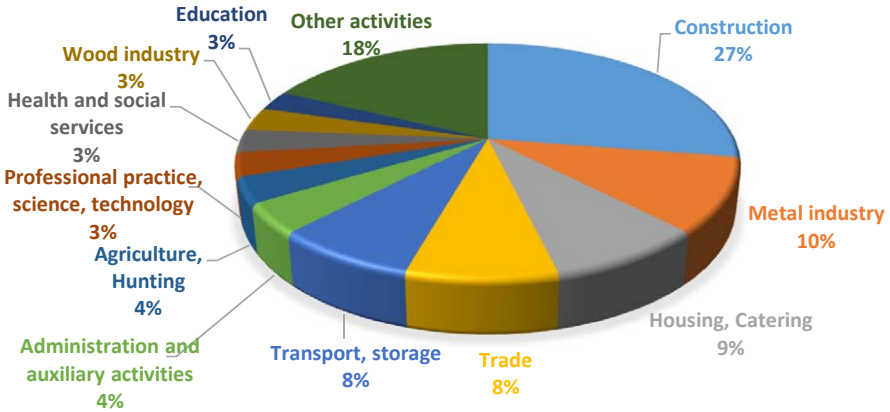


Figure 21. Proportion of areas of activity subject to supervision, 2017

Ratings for work environment risk factors and the employer's activities in the enterprises

As a rule, the labour inspectors assess the entire work environment based on 26 different aspects during occupational safety inspection. They assess the work environment activity of the employer, risk factors in the work environment and whether or not these have been mitigated. Also, as a result of 2017 inspections it appeared that approx. 83% of assessments were more likely to be positive. However, if we look at separate ratings for the work environment activities of the

employer, the labour inspectors were not satisfied with the activity of approximately 25% of employers; even, if the risk factors had been mitigated and there was no direct hazard in the work environment, the employers have neglected the employees themselves. The inspector was satisfied with the training and instructing of employees in just 63% inspected enterprises. Another bigger problem is the organisation of medical examination, which was rated as good only in slightly more than one-half of the enterprises. Such kind of a situation of a work environment is in no way acceptable and there is a lot of room for improvement in the occupational safety culture in Estonian enterprises and organisations.

Although, the majority of employers are interested in creating a safer work environment independent of control actions, then unfortunately, there are still employers who tend to neglect occupational safety until the labour inspector's intervention. Employers list lack of knowledge or lack of time or lack of financial means as the main reasons for ignoring occupational health and safety issues. Fortunately, employers are also beginning to realise that every euro invested in occupational safety and the health of their employees pays back multifold because each accident at work means both direct and indirect damage for the enterprise, to which moral damage is added due to employee traumas caused by undoings.

Compared to previous years, ratings for **risk factors occurring in the work environment of enterprises** have slightly improved. *Figure 22* includes ratings "good" or "rather good" for risk factors in those enterprises, in which the risk factor was present. We are delighted to say that several risk factors have acquired a slightly better rating than in previous years. For instance, noise, vibration, explosion hazard, hazardous chemicals, manual handling of loads, and working in forced positions, i.e., risk factors that cause work-related diseases have been mitigated with suitable measures in most enterprises.

At the same time, there are still problems with risk factors, such as exposure to moving parts of tools – meaning that protective covers are still removed from some machinery/equipment to work more quickly or comfortably. However, the work accident statistics indicates that such behaviour causes more and more accidents at work. Moreover, inspectors are not satisfied with the movement paths of enterprises, both on the indoor and outdoor territory. Labour inspectors continue to identify many problems related to both movement paths and the danger of falling from heights. In many enterprises, guardrails are lacking, loose openings are not properly labelled, or protective covers are missing, movement paths are not properly marked and maintained, etc. Also, wires, cables or other objects are found in movement paths or raw materials or products have been temporarily stored there. These, however, obstruct the movement of employees and may cause work accidents related to falls.

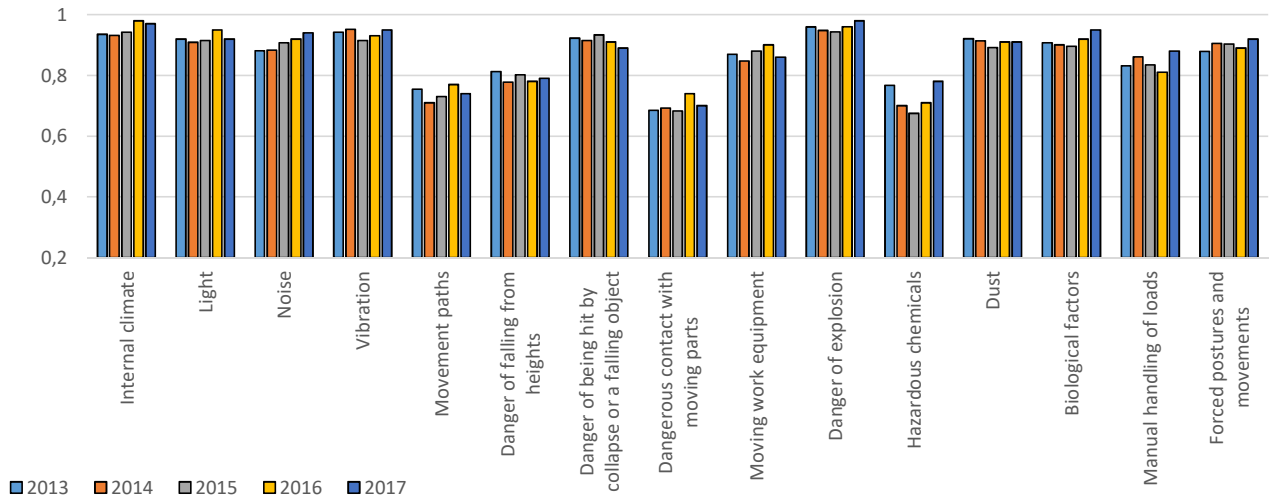


Figure 22. Assessments of risk factors present in work environment (positive assessment – % of enterprises assessed)

Regarding assessments to the **employer's activities** (*Figure 23*), the most problematic aspects and activities have stayed the same as before, but the situation has still slightly improved. For instance, while in previous years the inspectors considered employee training and instruction problematic in more than a half of enterprises, then in 2017 this activity was considered good in 63% of enterprises. The result is not yet excellent, but it can still be seen that this subject has become more serious because insufficient training and instruction is one of the main causes of accidents at work.

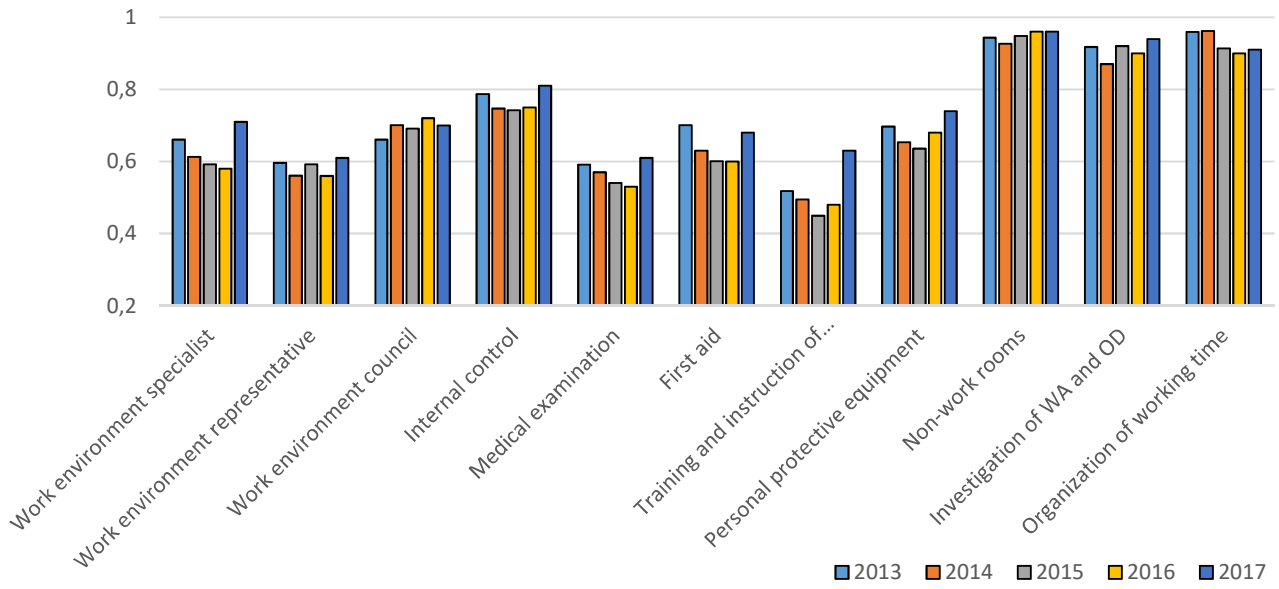


Figure 23. Assessments to employers' activity (positive assessment – % of evaluated enterprises)

Another big problem regarding the undoings of the employer concerns forwarding the employees to medical examination. However, the percentage of such enterprises who do not send their employees to medical examination at all has decreased, but anything related to medical examination continues to be the most problematic. The employer often neglects the timely medical examination of a new employee, justifying this with the uncertainty whether the employee passes the trial period after all. At the same time, this aspect plays a significant role in the statistic of work accidents because each year there are deaths, that involve the employee suffering a health disorder at work. Maybe several regular medical examinations could save the employee's health or life.

Area of activity and problem-based target inspections:

While work environment ratings are assigned based on enterprises chosen according to their risk rate, then targeted inspection is based on either a specific area of activity or the most problematic aspect. The annual target inspection subjects and main directions of communication activities are formed namely based on assessments to the risk factors in the work environments and assessments to the employer's activities. Our common goal with our social partners is still notifying employers and employees of risk factors occurring in the work environment and options on how to avoid or reduce them.

In 2017, 19 different target inspections were conducted in a total of 437 enterprises.

The following topics and areas were focused on:

- The working conditions of minors
- The target inspection of construction sites
- Occupational diseases and their risk factors
- Car washes
- Social welfare institutions
- Electrical installations
- Security work
- Working in heights
- Posted workers
- Biocide
- Work-related diseases
- Biological agents
- Restaurants and cafés
- Wooden furniture
- Manual handling of loads
- Buying up scraps
- Construction site on a Saturday
- Interior decoration
- Metal industry

The target inspection has proven to be a very efficient control measure because a detailed summary on the area of activity or the subject is compiled after each inspection and this shall be forwarded to all enterprises in the same area of activity or to all enterprises that are exposed to the same topics. This way, enterprises who have not been directly inspected can improve their occupational health and safety management system based on the observations. We will also give an overview of all target inspections via media.

The summaries of target inspections can be found from the Labour Inspectorate website: http://ti.ee/est/meedia-trukised-statistika/statistika/tookeskonna-jarelevalve/.

Based on complaints, supervision proceedings were commenced on 182 occasions (in 2016, on 211 occasions). Although the number of complaints has increased in recent years, less supervision proceedings were initiated due to this cause.

Unfortunately, there are still situations, in which the Labour Inspectorate receives a tip or complaint that turns out to be irrelevant upon inspection. During 2017, more than five hundred notifications were received, in which the complainer thinks that something is seriously wrong with the enterprise's work environment or labour relations, but only slightly more than third of these claims turn out to be relevant. Therefore, upon receiving a complaint, the Labour Inspectorate shall decide whether or not include the enterprise in the supervision plan based on the enterprise's previous behaviour (previous complaints, tips, inspection results, information in public databases and information submitted by other state authorities), the area of activity, and the effect of possible risks to the employee's health. Last year, there were many cases, in which inspection was not conducted in an enterprise, but a free Labour Inspectorate consultant service was offered. There were also such enterprises, who received an orderly formal notice that at the same time gave additional information. The number of enterprises who have received a formal notice from us has increased. In such a formal notice we point out which activities should be implemented in an enterprise, so it would be compliant with the law and the work environment would preserve the health of the employees. As our database includes all previous activities that we have performed in relation to the enterprises and organisations registered in Estonia, then the formal notice decreases the number of such employers who could justify their undoings by ignorance.

To improve general safety culture and value safe and healthy work environment, the Labour Inspectorate continues to agitate everyone to notice unmitigated hazards around them and notify the supervision institutions of them. Every professional tip may help prevent injuries at work and allow the worker to go home in one piece.

2.2 Occupational health

In occupational health supervision, the inspectors carried out large volumes of target inspections. In 2017, 219 inspections were conducted for monitoring compliance with occupational health requirements, in the course of which, 638 violations were identified and precepts issued to 42 enterprises.

In 2017, the target inspections of occupational health supervision focused on the following areas: car washes, security work, timber and furniture industry, buying up scraps, manual handling of loads, biocides, and biological agents in work environment.

The daily visits of Labour Inspectorate labour inspectors indicate that too often we come across with uncomfortable work position, frequent bending forward, and overstraining movements in work environment. Bad workplace design is so striking that you do not need to be an expert to recognise the problem: too forward-bent and at the same time standing production workers, working with raised hands, or repetitive movements. For some reason, it has become a norm to design the workplace "somehow".

The target inspections show that focusing on a single area of activity provides a relatively good means for organising occupational health and safety in a specific field. The inspections result in improved employer awareness and increase responsibility in improving the work conditions of employees and preventing work-related health risks. Different tasks must be conducted in such a way that an employee is still healthy decades later; it is also important to recognise that physical overexertion usually appears without notice. Once your health has deteriorated, it might not be possible to restore it.

Upon preparing target inspections, we always send an information letter to the enterprises of the respective area of activity, explaining that a target inspection shall be initiated in this area of activity and outlining its main focuses.

In selecting the target inspections aimed at occupational health we always proceed from risk factors, in which case the likelihood of damaging one's health is always there, however its realisation is a long-term process.

The main cause for the diseases of employees is physical overexertion of the body – be it the neck, hands, back or feet. Employees work in long shifts and in inconvenient postures. If, however, the work process of an employee depends on that of their co-worker, it adds even more stress to the work. Internal climate of work rooms is also important. If this is unsuitable for working, the likelihood of diseases is even higher.

In addition to physical overexertion, we pay more attention to the use of hazardous chemicals. Previous target inspections and campaigns have shown that the awareness of both, the employers as well as employees of the impact of different chemicals on human health is low. As a main problem we can list inability to foresee health problems, the impact of which does not disclose itself immediately, but instead may become evident even after years. Normally these are different allergic diseases, inflammations and in more serious cases also tumours.

The Labour Inspectorate labour inspectors conducted target inspection in enterprises, in which work-related diseases (WRD) were diagnosed. During this target inspection, the focus was once and again on the quality of risk analysis.

Usually, an employee's WRD is detected during regular medical examination. During the last five years, 723 WRDs have been diagnosed in Estonia, whereas an occupational disease may often follow the WRD diagnosis. The analysis of previous cases has shown that 37 per cent of occupational diseases have been preceded by the employee being diagnosed with a WRD. This indicates that an employee who has a health disorder continues to work in the work environment in same conditions, the organisation of work stays the same and the health disorder gets worse.

Most WRDs are caused by physical overexertion at work and the most endangered jobs are chefs, sellers, tailors, equipment and machinery operators, metal-workers, welders, wood processors, etc.

While analysing the target inspection results, we had to note that in almost half the cases the enterprise's work environment risk analysis does not describe the enterprise sufficiently and the risks should be assessed again to describe the current work environment of the enterprise. Deficiencies were found in both risk analyses compiled by the enterprise's own employees (employer, working environment specialist) and in those compiled in co-operation with someone.

Therefore, it is important to ensure that the employers are able to see and properly evaluate different health risks affecting the employees. Upon proper assessment of risks, it is possible to implement appropriate protection measures on collective as well as single employee level. Each conducted internal inspection ends with the sending of a formal notice to the enterprises of the same area, in which we give recommendations on how to make the work environment even safer for the health of employees. We have also received answers from some enterprises, where they express their appreciation for the recommendations and try to implement these. Thus, in 2017 a total of 3,790 letters were sent related to conducting target inspections.

All in all, it must be said that the problems are similar regardless of the year – the work environment risk analysis underestimates the risk factors and there are no measures for preventing-reducing health disorders. People tend to accept solutions that are just fine.

When managing the work environment, the employers are more likely to choose the easy option – they buy a standard risk analysis to be able to show something to the supervision authorities but forget about the specifics of their enterprise. However, each enterprise is unique and every job special and so the person doing that job is also unique. Unfortunately, the change in the employee's productivity throughout the working day and their individuality is not considered.

Therefore, in the coming years we shall continue to emphasise the importance of work environment risk analysis because only knowing the risks and assessing them objectively allows to ensure a good work environment and the maintains the employee's work ability for long years. The employer is more likely to require loyal and persistent employees, but this can only be acquired by respecting the employee and caring about them.

2.3 Labour relations

Labour inspectors-lawyers are people with legal training, meaning that during supervision they are focused primarily on inspecting the adherence to the Employment Contracts Act. Although the labour inspector-lawyer examines the enterprise's all documents related to labour relations, such as employment contracts, time schedules, recording of working

time, documents certifying the payment of remuneration, work organisation rules, etc. They also check adherence to the requirements of the Occupational Health and Safety Act: whether the enterprise, institution, or organisation has appointed and trained a work environment specialist, elected a work environment representative, if necessary, formed a work environment council; they determine how the internal control of the work environment is organised, whether the employer has organised a medical examination for employees, implemented training and instruction necessary for the work, appointed the provider of first aid, and provided them with the necessary training.

In a year, labour inspector-lawyers inspected 520 different enterprises, mainly based on the area of labour relations. The inspections detected a total of 2,140 violations in 374 enterprises. In other words, there were no violations in 146 enterprises. However, it should be highlighted separately that 74 enterprises did not have documents required by the labour inspector during the inspection.

In terms of labour relations, the biggest problem continues to be insufficiently described working time and remuneration in employment contracts. About a third of inspected enterprises had such violations. The problem with no break included in the working time, at least 30 minutes long for each six hours of working, is prescribed for the employees (either not fixed in writing or with no option whatsoever).

2.4 Maritime work

Supervision of maritime work was conducted in 42 different companies. A total of 296 violations related to seafarers' contracts of employment or other violations were identified. 37 of these 42 companies had violations of different degree of severity, meaning that only five enterprises were such, in which the maritime work inspector could be satisfied with the work environment.

The most frequent omission in the supervised companies was the failure to notify the employees of the additional data to be contained in a written document of a seafarer's employment contract. This means that the employers' awareness of the new Seafarers Employment Act is still low; changes brought on by new law have gone unnoticed. There are problems with the submission of data on seafarers' contracts of employment, as well as the organisation of working and rest time.

Often people cannot distinguish the situations, when the Seafarers Employment Act is applied and when the Employment Contracts Act. The Seafarers Employment Act regulates to whom the Act applies and inter alia stipulates that the Act is not applied to employment on fishing vessels under 24 metres in length. The problem of what to do with workers sailing aboard ships under and over 24 metres in length is a major headache for the owners of fishing vessels – is it allowed to apply the specifications of the Seafarers Employment Act in every case or should the work conditions be clearly separated on fishing vessels under 24 metres (in this case, only the Employment Contracts Act would apply) and on those ships, where we can talk about a crew member and their rights and obligations.

The Labour Inspectorate has one leading inspector, who focuses on maritime work and inspects the vessels sailing under the Estonian flag in different Estonian ports. The scope of the labour inspector of maritime work is wide, as they must be able to examine adherence to the requirements of the Seafarers Employment Act, the Employment Contracts Act as well as the Occupational Health and Safety Act in the course of performing their tasks.

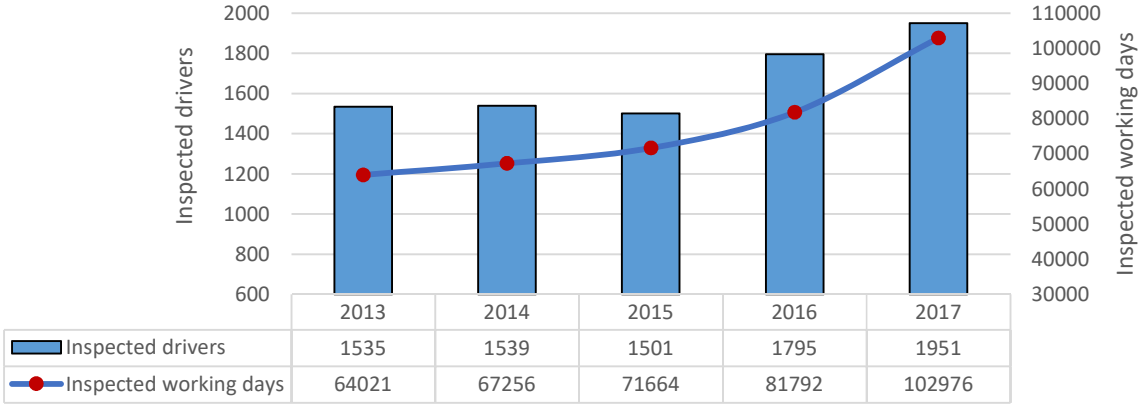
Regarding work environment and occupational safety, the maritime work inspector detected most problems related to the organisation of administering first aid on vessels; moreover, dangerous places and movement paths have either not been marked or do not adhere to the requirements.

In summary, it can be said that out of the violations detected by the labour inspector of maritime work in 2017, only 20% are violations of the Seafarers Employment Act. Most of them were still related to the habitual violations of work environment and occupational safety requirements.

2.5 Working and rest time of drivers of motor vehicles

State supervision over the work, driving, and rest time requirements, tachograph, map usage, and data retention requirement included in the Traffic Act is performed by the Labour Inspectorate at the enterprise and the Police and Border Guard on the road. To promote general road safety, in 2017, the Labour Inspectorate significantly increased the number of inspected vehicle drivers as well as the number of inspected working days.

With the inspection of the working and rest time it is ascertained how the working and rest time is organised by enterprises and whether the established driving and rest periods are observed to ensure traffic safety on roads. We inspect the organisation of working time at enterprises, drivers' daily driving hours and rest periods, breaks and weekly working, driving and rest time, bi-weekly driving time limits, conformity of data recorded by tachographs with requirements, and also compliance of remuneration with the collective pay agreement.



	2013	2014	2015	2016	2017
Inspected drivers	1535	1539	1501	1795	1951
Inspected working days	64021	67256	71664	81792	102976

Figure 24. Number of drivers of vehicles inspected and their workdays, (2013–2017)

In terms of mode of transport, in 2017, freight carriers were inspected the most, although the direction was to focus more on inspecting drivers performing the carriage of passengers as well. While in 2016, 197 drivers performing the carriage of passengers were inspected, this time the number was 545. A year before, 1,598 freight carriers were inspected, while last year the number was 1,406.

The number one violation is not adhering to the daily rest time during freight carriage, i.e., 436 of a total of 1,343 violations. The second position is held by weekly rest time during freight carriage (217) and the third spot by daily violations of driving time during freight carriage (161).

Storage and copying of data on working and rest time

In the beginning of 2017, we sent the enterprises a formal notice that informed them that we were going to inspect them. Therefore, transport enterprises had less violations regarding the storage and copying of data, compared to the previous year. Based on the relevant regulation and the Traffic Act, data must be stored for 365 days. Storage of data specifically from analogue tachographs was a major problem. Downloading data from the driver's card of a vehicle equipped with digital tachographs at least every 28 days and at least every 90 days from the vehicle and presenting these to the inspector was also a problem.

Daily rest time of drivers of vehicles

Main violations related to daily rest time result from the carrier's inability to plan the length of the drivers' workday. Their workdays often tend to last over 13 or even 15 hours. However, drivers of vehicles must have either 11 hours of resting time inside a 24-hour period or as an exception, three rest periods of at least nine hours. Rest periods can be taken also in two parts (at least three hours + at least nine hours).

Many violations occurred due to the interruption of daily rest time on ferries. As an exception, a driver accompanying their vehicle transported on a ferry may interrupt their regular daily rest period with other activities (driving on and off the ferry) no more than twice for a maximum duration of one hour. During this regular daily rest period, the driver shall have access to a bunk or couchette. The daily rest time of drivers of vehicles was basically shorter than 11 hours with interruptions; rest time was interrupted three times instead of twice, or the total duration of other activities exceeded one hour.

Consecutive driving time

Also, the requirement of consecutive driving time was violated. After a 4.5-hour driving period, the driver must take an uninterrupted break of at least 45 minutes. This break may be substituted with at least a 15-minute break and the next break must be at least a 30 minutes long. The number of cases, where the break was less than 45 minutes or the second break was shorter than 30 minutes was the highest.

Weekly rest time

Between any two consecutive weeks, the driver must use at least two regular, that is, 45-hour weekly rest periods or one regular weekly rest period and one reduced (at least 24-hour) weekly rest period.

Generally, the 45-hour rule was violated. Mainly, this requirement was violated especially by enterprises engaged in transportation in Scandinavia. There are also cases where the driver starts their weekly rest period too late, that is 144 hours after beginning their workweek. For instance, if the driver of a vehicle begins their workweek at 8 in the morning on Monday, they are required to begin their weekly rest period no later than 8 o'clock on Sunday.

Daily driving time

The drivers of vehicles also violated the requirements of daily driving time on many occasions. Daily driving time may not exceed nine hours; however, it may be extended to ten hours twice a week, at a maximum.

Often, the drivers used their two up to ten-hour exceptions at the beginning of the week and in the second half of the week they violated the requirements of driving time to arrive at the destination on time.

Violation explanations by drivers

The driver is not allowed to deviate from the driving, work, and rest time restrictions, except in a case, in which an extraordinary situation occurs and following the regulation becomes impossible. Thereby, road safety nor the safety of people in the vehicle, of the vehicle itself, or of its cargo cannot be compromised. If a driver decides that there is a need to deviate from the regulation and this deviation does not compromise road safety, the driver shall have to write down the characteristics and reason of the deviation manually immediately after stopping (onto the record sheet, tachograph printout or their work schedule in any official language of the EU).

Drivers should present these to their carrier within 28 days, who shall then retain the records for one year.

Use of tachographs

There were still many violations in relation to using tachographs. In most of the cases, the switches were not appropriately used, that is the drivers of vehicles left the switch in the position "other work" for the daily rest time.

- The recording sheet was kept in the tachograph for more than 24 hours. This way the stored data was overwritten and cannot be connected to any specific day or time.
- For a digital tachograph, the drivers did not enter manually the country where the working time was started and ended.

Inspection of OHSA documents

In 2017, we continued the inspection of OHSA documents. The main violated OSHA requirements were:

- work environment risk analysis has not been performed;
- lack of internal control of work environment, meaning that in essence the work environment related activities are not analysed;
- safety instructions have not been prepared or approved;
- a work environment specialist has not been appointed in the enterprise;
- the enterprise has not performed initial instructing and training of employees;
- an employee was not sent to a medical examination, since the employer thought that periodical health check of the driver is enough;
- due accounting, storage and maintenance of personal protective equipment was not ensured in the enterprise.

Publishing precepts in the register of economic activities

As of April 2017, the precepts of a labour inspector regarding the violations of motor vehicle driver's work, driving, and rest time, use of tachograph, data retention, and remuneration of the driver shall be entered to the register of economic activities pursuant to the procedure of the General Part of the Economic Activities Code Act.

2.6 Fulfilment of market supervision programme

Supervision over products is carried out in Estonia by eight authorities: Consumer Protection Board, Health Board, Technical Regulatory Authority, Maritime Administration, Environmental Inspectorate, Agricultural Board, Road Administration, and the Labour Inspectorate.

The Labour Inspectorate carries out market supervision over the safety and protective qualities of personal protective equipment used in the work environment when preparing and selling these, to ensure that personal protective equipment not corresponding to requirements do not reach the market and are not used. We proceed from a work plan, which considers the available resources and obligations established with legislation and development plans. The basis of the plan is the danger prognosis of an enterprise, which is prepared considering the country of origin of products, the work accidents, deficiencies detected in the course of inspections, complaints, awareness of target group and other factors that are important from the supervision viewpoint. One of the inputs for assessing the need for supervision in case of retail and wholesale sellers are the work environment (e.g., construction sites, production and industrial enterprises) inspection results, during which the compliance of personal protective equipment with safety requirements shall be checked and the conformity of the protective features of personal protective equipment with the environment of use shall be assessed. Upon assessing the need for supervision, the control reports of the Tax and Customs Board shall also be considered.

In 2017, we performed the market supervision of personal protective equipment in 25 cases.

The summary of performing state supervision is that inspectors detected a total of 17,686 occupational health, occupational safety, employment relationship, maritime work, or vehicle drivers* work and resting time violations. In 2016, this number was 21,827.

The number of detected violations has in a year decreased by about 4,000 cases, but violations were still detected in 86% of enterprises that were checked (in 2016 it was 85%). Therefore, the number of violations has decreased, but unfortunately the percentage of enterprises, in which the violations are detected, has not decreased. Pursuant to the guidelines of the assessment team of the European Senior Labour Inspectors Committee (SLIC), the labour inspectors have started to record small incompliances in writing slightly less and these are forwarded to the employer orally instead. Thereby, the number of violations does decrease, but more attention is paid to violations that significantly influence the enterprise's occupational health and safety system.

The figure below includes most detected violations in 2017 and comparison with the last previous years.

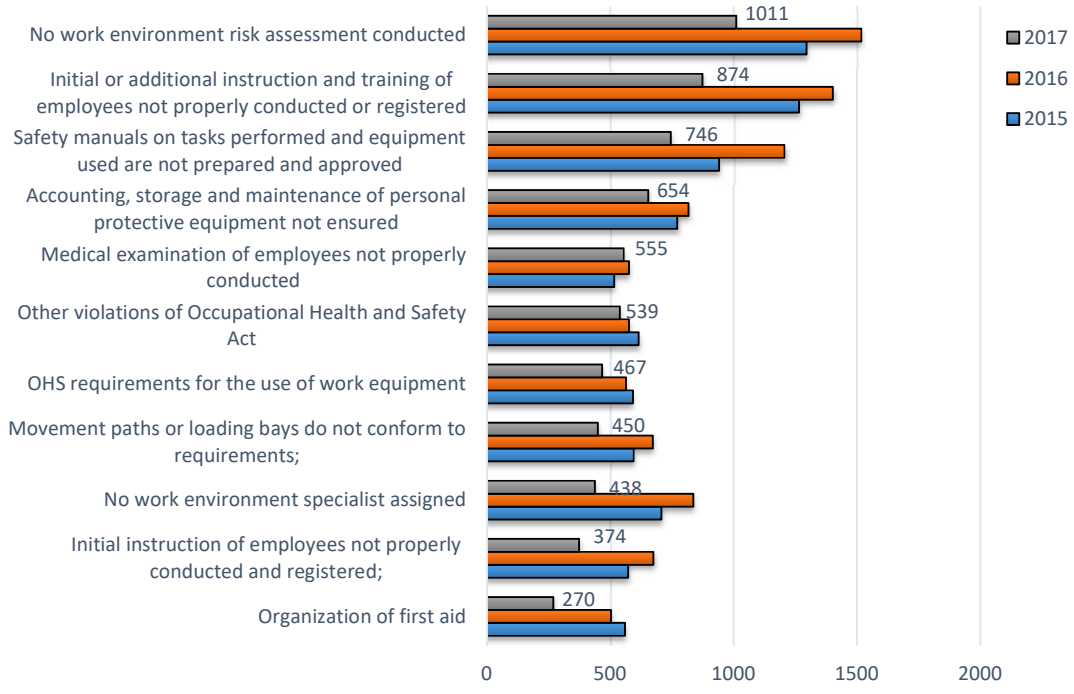


Figure 25. Most detected violations in the work environment

Based on the detected violations, it can be said that the biggest problems in the work environment of Estonian enterprises are still not compiling or not updating a work environment risk analysis and the insufficient training and instruction of employees. Related violations were detected in every fourth enterprise. Every fifth enterprise had problems with safety guidelines and every sixth had problems with the proper accounting, storage, or maintenance of personal protective equipment. In addition, the organisation of medical examinations is also very important – not all employers wish to send their employees for medical examinations and in some cases the employer may organise the medical examination of the employees, but the employee does not show up at the appointed time.

Precepts recorded 41% of violations (in 2016 – 48%). A precept for the removal of violation was compiled for 1,668 or one-half of the enterprises, in 2016, for 2,272 or 60% of enterprises.

Therefore, both the number of precepts and the number of violations in precepts have decreased. This means that compared to the past, the inspector uncovers more such violations in the course of inspection, which the employer could eliminate in five days and in this case no precept is issued.

On the average, the inspectors detected 5.4 violations per enterprise

One construction enterprise had the most violations: 67

Work was suspended on 165 occasions

The use of work equipment was forbidden on 228 occasions

During one inspection, inspectors detected on the average 5.4 violations per enterprise. As a rule, there are not many violations in one enterprise, but rather some in almost every inspected enterprise. There are always exceptions, e.g., in 2017, an enterprise with the largest number of violations was one construction enterprise that has several different construction sites, in which a total of 67 different occupational safety violations were recorded. This result, however, shows genuinely that there is no adequate occupational safety activity going on in the enterprise and there is no common management system of occupational safety.

To eliminate violations, the labour inspectors suspended work on 165 occasions and the use of work equipment was forbidden on 228 occasions (in 2016 – 171 and 173, respectively). The use of work equipment was most frequently forbidden in cases where the devices ensuring the safety of the equipment, lifting devices, or equipment meant for temporary work at heights did not conform to the requirements or broken power tools were used for work.

Work was most frequently suspended at construction works, due to insufficient safety measures while working at heights or the lack of personal protective equipment. In other fields of activity, work was suspended most often due to the safety devices (protective covers) of work equipment not meeting requirements or being removed.

However, labour inspectors find that a significant number of employers still fail to contribute to their work environment before the labour inspector's visit. On the other hand, we can acknowledge that the work environment of enterprises improves after every inspection.

2.7 Misdemeanour proceedings, fines

Despite the wide-spread myth that the Labour Inspectorate is a punishment-minded institution, the numbers of misdemeanour proceedings initiated by the inspectors do not confirm this. For years, the inspectorate has followed the principle that if a problem occurring in the work environment can be eliminated with other measures, a punishment shall not be prescribed.

However, these enterprises and persons should be punished who have deliberately or due to gross negligence (admitting the possible consequences) and repeatedly violate regulations established by the law or if it is apparent that someone's illegal activity or undoing caused an employee's severe work accident.

In 2017, misdemeanour proceedings were conducted on 194 occasions in the course of the supervision of occupational health, occupational safety, and labour relations, of which all misdemeanour proceedings ended with a fine. The total amount of fines per year was EUR 77,330. Of which 139 were issued to legal persons for a total of EUR 64,170 and 55 issued to natural persons for a total of EUR 13,160. Compared to the previous year, the number of misdemeanour proceedings as well as fines has increased mostly in terms of legal persons. The majority of misdemeanour proceedings are expedited procedures. The general procedure was carried out only five times and proceedings concerning actions three times.

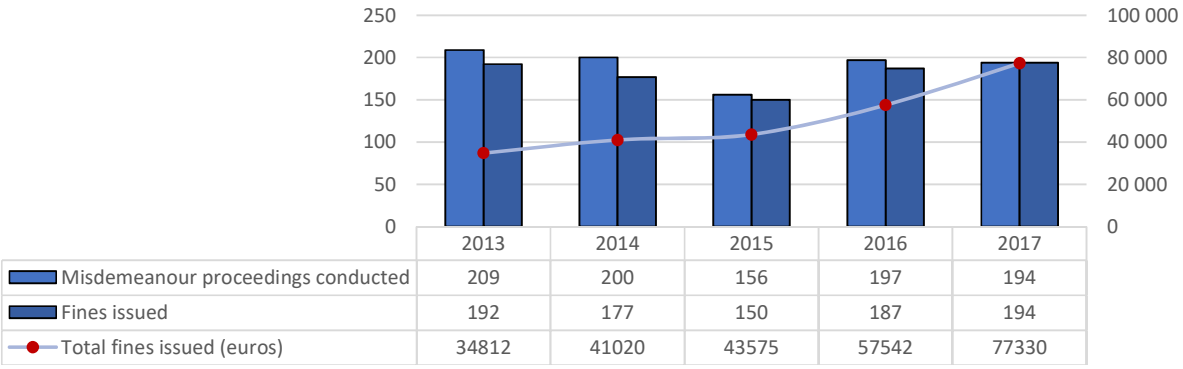


Figure 26. Number of misdemeanour proceedings and fines

When is it most likely that supervision ends with misdemeanour proceedings or fine?

The main basis for legal and natural persons has been violation of the requirements, § 27[1] of the OSHA, i.e., violation of the requirements of occupational health and safety on a combined 141 occasions. As a result of violations of occupational health and safety requirements, penalties were imposed in the course of misdemeanour proceedings primarily for three types of violations:

- Failure to comply with occupational health and safety requirements for workplaces;
- Failure of the employer to comply with occupational health and safety requirements;
- Unprotected dangerous exposure to moving parts of work equipment or inappropriate work equipment provided for the performance of work.

Misdemeanour cases resulting from the Employment Contracts Act were heard on 18 occasions, mostly:

- Under § 126 and subsection 127 (1) of the ECA, i.e., for violations of daily or weekly rest time requirements;
- Under subsection 128 (1) of the ECA, i.e., for failure by an employer to perform the obligation to inform and consult upon collective cancellation of employment contracts.

Pursuant to the Traffic Act (TA), most fines were issued under subsection 137 (1) of the TA, i.e., for the violation of requirements for retaining the data of digital tachograph.

The biggest fine for a legal person was imposed as an aggregate punishment for the violation of the Employment Contracts Act in the amount of EUR 2,250, i.e., three times EUR 750. The biggest fine for a natural person was associated with the violation of the Trade Unions Act, EUR 800.

Table 5. Misdemeanour procedures by laws

	2013	2014	2015	2016	2017
Occupational Health and Safety Act (OHSA)	120	106	84	124	141
Traffic Act (TA)	30	32	33	45	32
Employment Contracts Act (ECA)	52	57	37	27	18
Seafarers Employment Act (SEA)	0	0	0	0	2
Trade Unions Act (TUA)	3	1	1	1	1
Employees' Trustee Act (ETA)	2	2	1	0	0
Penal Code (PC)	1	0	0	0	0
Code of Misdemeanour Procedure (CMP)	1	1	0	0	0
Chemicals Act (ChemA)	0	1	0	0	0
Total number of misdemeanour proceedings conducted	**209**	**200**	**156**	**197**	**194**

3. PREVENTION AND LEGAL ACTIVITIES

The prevention and legal department gives explanations on the implementation of legislation that regulates labour relations, occupational health and safety requirements. Moreover, we counsel employers and employees on work environment and provide employers a consultant service.

In addition, we provide contactless supervision, actively participate in international communications with other countries to compare and design our legal practice and represent Labour Inspectorate in court actions.

Contactless supervision primarily means managing notifications regarding posted workers and registering the commencing of work of children up to 14 years old to decide whether it is necessary to forbid the child to work or partially restrict it.

3.1 Posted workers

As of 17.12.2016, pursuant to the subsection 5¹ of the Working Conditions of Employees Posted to Estonia Act, the employer of a posted worker shall be obliged to register the workers posted/to be posted to Estonia at the Labour Inspectorate.

What does the status of a posted worker mean for the worker?

First, it means that their employer must compare the legislation of their home country with that of Estonia in certain aspects and adapt the work and rest time, minimum wage, compensating for overtime, and annual leave based on the legislation of that country that favours the worker.

For instance, if a worker is temporarily posted from Germany to Estonia, the German employer cannot announce that the worker shall receive only the minimum wages established for Estonia while working in Estonia. Instead, the worker shall receive the remuneration agreed on in the employment contract or at least the minimum wages established in Germany.

The same goes for a worker from Romania who shall receive at least the valid minimum wages established in Estonia while working in Estonia because the minimum wages of Romania are lower.

What does posting the worker mean for the employer?

The requirements regarding posted workers are very different in the Member States. Thus, before posting their worker, the employer must determine what conditions must be met.

As of December 2016, Estonia established the obligation to pre-register posted workers. An employer posting a worker to Estonia must forward data on the employee, customer, and the area of activity via e-mail. A more detailed explanation and a form that facilitates the submission of data can be found on the Labour Inspectorate website from the posted workers information field.

Based on the registrations of 2017, we see countries from which workers are posted to Estonia and the areas of activity where they are employed in Estonia.

In a year, 329 posting notifications from 16 different countries have been registered. Based on this data, 1,220 posted workers have arrived in Estonia.

Mostly, posted workers from Latvia were registered in the casinos and ship repair area of activity, while electricians, welders, plumbers, and construction workers for construction enterprises mainly arrived from Poland. Ship builders mainly come from Lithuania.

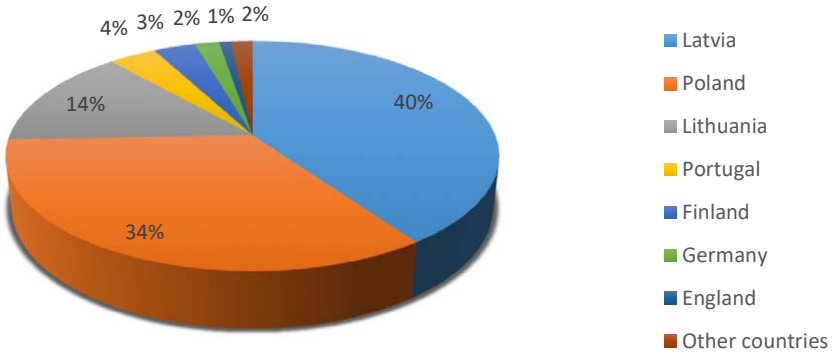


Figure 27. Countries, from which most workers are posted to Estonia

PS! Posted workers only come from EU countries. Workers coming from Russian, Ukrainian, or Belarusian enterprises, i.e., from third countries, are not posted workers in terms of WCEPEA. Workers arriving from third countries may be posted workers in case if they have concluded an employment contract in some other European Union Member State and have hen been posted to Estonia to perform an order at an enterprise around here, work as a temporary workforce or in case they are moving from one country another inside a group.

Based on the statistics of posted workers, posted workers are mostly used in the gambling area of activity, but mainly inside one enterprise. Ship repair, metal industry, and construction are also common areas. Although presumably even more foreign labour should be working in the construction area, the registering of them is still poor.

A current overview of registering posted workers can be found on the LI website.

3.2 Undeclared work, joint verification visits and cross-border cooperation

After the implementation of the employment register, the workers of Estonian employers have generally been added to the register, so they are not undeclared workers. Workers who have arrived in Estonia from abroad are the problem, mainly from Ukraine, Belarus, or Moldova.

In Estonia, workers from third countries are protected with the obligatory salary criterion established under the Aliens Act and the immigration quota. However, employers have found a way how to not fulfil the requirements found in the law. The citizen of a third country is changed into a worker of a Member State in some other Member State, e.g., Poland, and then sent to another Member State, including Estonia, already as a posted worker.

The rights of posted workers must at the time of working in Estonia be guaranteed by the Working Conditions of Employees Posted to Estonia Act together with the Aliens Act. For the state to know that a third country citizen has started working here either hired by a local enterprise or as a posted worker, the worker must reach the picture for the state – be registered at the police, as a posted worker at the Labour Inspectorate, or as a worker of an Estonian enterprise in the employment register. However, if the worker is in Estonia illegally, the state does not notice them and automatically there arise difficulties with ensuring their rights.

Workers arriving from Ukraine and Belarus under different business schemes also reach Finland and Sweden in addition to the Baltic states.

An alien who stays in Estonia legally and temporarily (either with a visa or visa-free) may work in Estonia for a short period if their employment has been registered at the Police and Border Guard before starting work. Short-term working can be registered for up to 270 days per year. Registering short-term work is possible for a longer period, if the worker is a teacher, lecturer, researcher, top specialist, or works at a start-up company.

Upon arriving to the country, the alien must know whether and under which conditions they can work Estonia, but their employer must also observe adhering to the law.

To ensure that all workers get at least the minimum working conditions established by the law, the Labour Inspectorate co-operates with the Police and Border Guard and the Tax and Customs Board to detect undeclared and illegally working people in Estonia.

For all the listed supervision authorities this is a priority in association with other topics, such as work-related exploitation and possible human trafficking. The joint actions are based on the Strategy for Preventing Violence for 2015–2020 and the co-operation agreement between the Police and Border Guard and the Labour Inspectorate.

Namely, an undeclared and/or illegal worker has a greater risk of falling victim to work-related exploitation or human trafficking. Illegal working also includes different tax violations, unfair competition between enterprises, the chance of exploiting the workers, meaning that basically these people do not get the social guarantees while working in Estonia and which all workers must have while working in the European Union.

In 2017, we participated in 24 joint verification visits, during which both, undeclared workers as well as workers illegally staying in Estonia were discovered.

The joint verification visits also revealed several cases where an entrepreneur, organising work in Estonia, claimed that the employees at the site are posted workers for the purposes of the EU directive, whose employer is a company of another member state. These are employees who are not registered in the employment register of Estonia, and accordingly, the migration department of the PBGB will first ascertain whether the person even has the requisite residence and/or work permit to stay and work in Estonia. In addition to that a confirmation needs to be obtained that this is really a posted worker within the meaning of the directive, to whom the Working Conditions of Employees Posted to Estonia Act applies. For this, the Labour Inspectorate makes an inquiry to another state through the European Commission's Internal Market Information System (IMI).

Last year, we sent out nine IMI inquiries to other member states (four to Poland, one to Lithuania, two to Finland, one to Sweden, and one to Latvia) under a supervisory procedure, during which workers posted to Estonia and their working conditions were checked. In 2017, 13 IMI inquiries were received about the activities of Estonian enterprises and their posted workers for Estonia to respond. This means that on 13 occasions, proceedings had been commenced against Estonian enterprises, during which they established whose employees they were and whether and on which legal grounds they were working in the foreign country. Upon receiving an IMI inquiry from a supervision authority of another country we commence proceedings against the Estonian enterprise, to gather the necessary data and information for deciding for the foreign authority. Estonia received six inquiries from Norway, 2 from Denmark, 1 from Latvia, 1 from France, 1 from Belgium, 1 from Finland, and 1 from Sweden.

A major problem in responding to IMI inquiries is the fact that a management board member of the posting enterprise does not co-operate in the administrative proceeding and we are not able to find the employer who posted their workers to the territory of another member state. Often, the enterprise has been registered to Estonia fictitiously and actual business is not conducted here – this is mostly the case with enterprises providing services in Finland. Another reason is that the enterprise has entered either false or incorrect information about their means of communication (such as phone, e-mail, is not located at the seat entered in the commercial register) in the official registries (register of employees, commercial register). Despite the drawbacks, the Labour Inspectorate managed to respond to all IMI inquiries, mainly thanks to databases and co-operation with the Tax and Customs Board, Police and Border Guard, and the Estonian National Social Insurance Board. In addition, since July 2017 IMI also includes cross-border document delivery application. Member States have also already started using it, so the important proceedings documents would reach the employer of another Member State who avoids co-operation with supervisory authorities in the receiving Member State. Another update from the same period is the enforcement of IMI cross-border fines, which has not yet been implemented in Estonia, but which gives the opportunity for the Labour Inspectorate of Estonia to collect fines for Estonian enterprises imposed by the Finnish Labour Inspectorate.

3.3 Working of minors

On 8 May 2017, amendments to the Employment Contracts Act came into force, giving workers under 18 years of age more options to participate in the working life. On 1 July 2017, additional amendments came into force, making the submission of data to the Labour Inspectorate easier regarding working children who are under 15 years old.

While the previous wording of the Employment Contracts Act (ECA) was valid together with a regulation of the Government of the Republic regarding light work allowed for minors, now § 4 note 1 of the ECA gives an indication that now the employer may conclude an employment contract with a child of at least 13 years of age for the performance of agricultural work, ancillary work performed in trade or service establishments, ancillary work performed in catering or

accommodation establishments or other light work. Thereby, the employer must consider that the work offered to a child may not include exposure to work environment risk factors that are forbidden to children.

For instance, a person under 18 years of age may not work in a room with high or low temperature, high noise level work environment (over 80 dB), be exposed to certain chemical risk factors that could cause irreversible health damages for a developing organism.

Work involving risk factors forbidden to a minor additionally includes work with wild or poisonous animals and work associated with high psychological strain (e.g., healthcare services in the field of psychiatry, working at a prison, house of detention, autopsy chamber or in places where animals or birds are killed or destroyed).

Of course, youth under 18 years of age are not suitable for work at places where there is a danger of collapse, e.g., demolition work, working at a mine, but also work that includes the danger of falling from heights.

For instance, children cannot be hired as window cleaners, if this includes working at heights, either on a ladder or on a special lift. However, if the work is performed while standing on the ground (e.g., washing a shop or restaurant door or window) and with a detergent that does not include chemical agents which could harm young organism and does not involve handling heavy weights, this work might be perfectly suitable for a 14 or 15-year-old child.

Before hiring a minor, the employer must think it through which work the minor can perform and whether it is suitable. The work environment risk analysis must be conducted and the list of work environment risk factors clearly forbidden for minors must also be considered.

On 1 July, another amendment regarding minors entered into force, i.e., the procedure for applying for a consent required to hire a person under 15 years of age was amended.

The employer now has the obligation to make an entry to the employment register 10 working days before the minor commences work. In addition to the ordinary employment entry, the comments field of the register should also include information about the consent of a legal representative of the minor, the working conditions of the minor, including the minor's place of work and duties and whether the minor is subject to the obligation to attend school (ECA § 8 (4)).

After the employer has made the entry, the Tax and Customs Board shall forward the details of the entry to a labour inspector who may then contact the employer to specify the information, if necessary. If this and additional information makes the inspector think that this specific job is not suitable considering the child's age, the inspector submits a refusal and the employer may not hire the child.

If the inspector does not make a refusal, no resolution shall be submitted and the employer may automatically presume the consent and a child of under 15 years of age may start working at the agreed time.

As a new procedure for hiring minors entered into force on 1 July 2017, the information was divided between two different institutions throughout the year. While the consent application for hiring a minor had to be submitted to the Labour Inspectorate in the first half-year, as of 01.07.2017 it is sufficient to make an entry to the employment register at the Tax and Customs Board.

Therefore, work with registering minor workers was divided into two for the Labour Inspectorate.

In the first half-year, the Labour Inspectorate received a total of 151 applications for acquiring a consent for minor workers, in which job was offered to 1,932 minors. The Labour Inspectorate gave its consent to 108 applications and 21 applications were satisfied partially. Therefore, pursuant to the wording of the ECA that was valid until 30.06.2017, the labour inspector's consent was given to the hiring of 1,797 minors.

As of 1 July, the Labour Inspectorate has gone through 385 notifications of working minors by using the notifications received from the employment register of the Tax and Customs Board, including notifications of 1,051 minors under 15 years of age commencing work.

Thus, throughout the year, the **working of 2,848 minors** has received a consent or been registered in the employment register.

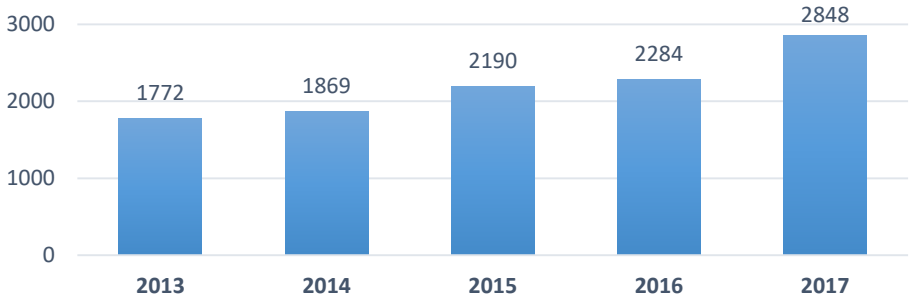


Figure 28. Number of minor workers in 2013–2017

In the first half-year, mostly the retail sector and rural municipality and city governments applied for consent, the latter offering children work in districts. The main areas of activity in the second half-year were accommodation and catering companies, trade, and art and entertainment area of activity.

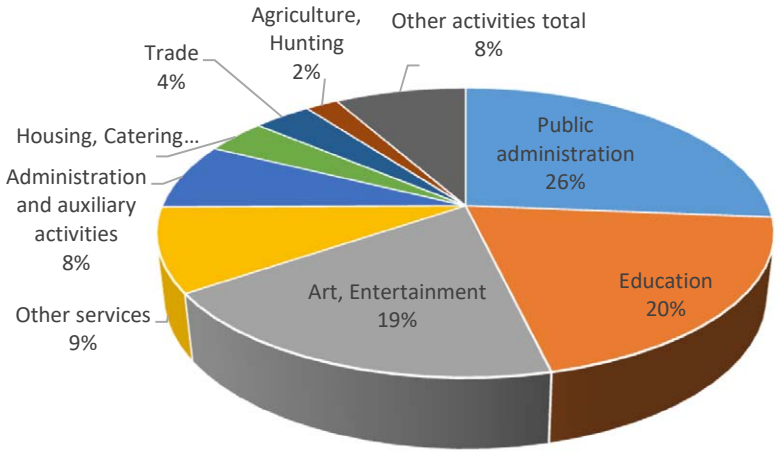


Figure 29. Area of activity, in which minors are mostly hired (2017)

Based on the type of legal relationship, most of the contracts concluded with minors are still employment contracts (57% of contracts), but the contract under the law of obligations is not rare either (37% of contracts) and in 20 cases (6%) the minors were hired to work for free. *Of all working children, 74% of minors worked under an employment contract, 22% under a contract under the law of obligations, and approximately 4% of children worked for free!*

If we look at the data by the areas of activity, entry into both an employment contract and a contract under the law of obligations has a 50/50 ratio in accommodation and catering; employment contracts are mostly entered into in trade, but there are also areas of activity, in which contracts under the law of obligations are preferred.

By counties, minors have a better chance of getting a summer job in Tallinn and Harju County (approximately 40% of registrations), Tartu, and Pärnu County (approximately 10%). These are followed by Lääne-Viru, Järva, and Ida-Viru County. The least applications were received from Hiiu County (only three applications, seven children), Jõgeva and Valga Counties (only seven registrations from both counties, approximately 40 children in each).

Summary:

While in the first half-year there were refusals regarding allowing the hiring of minors, in the second half-year the employers were guided by formal notices. Thus, the LI did not implement any refusal directly. Employers who received a formal notice changed their information in the employment register and organised the work, so it was in accordance with the law. Therefore, several contracts under the law of obligations were changed into employment contracts.

3.4 Formal notices

To increase contactless supervision, implement the sending of formal notices to enterprises to guide their attention to meeting different requirements arising from legislation.

While in 2016, we managed to send out approximately 165 formal notices, in 2017 this number was close to 10,000. One of the reasons for sending a formal notice arises from a tip received concerning a particular enterprise or explaining a problem arising from the area of activity. Another reason for sending a formal notice is, for instance, explaining the working of minors and the relevant legislation based on the specific requirements. The largest volume of formal notices are sent to enterprises on whose area of activity a thematic target inspection is about to start or in which it has been terminated. Thereby, the effect of one target inspection can be widened and information that improves the work environment reaches a larger number of enterprises that the supervision could possibly handle.

4. ASSESSMENT OF ESTONIA'S WORK ENVIRONMENT VIA ADVISORY SERVICE PROVIDERS

4.1 Labour Inspectorate's advisory service

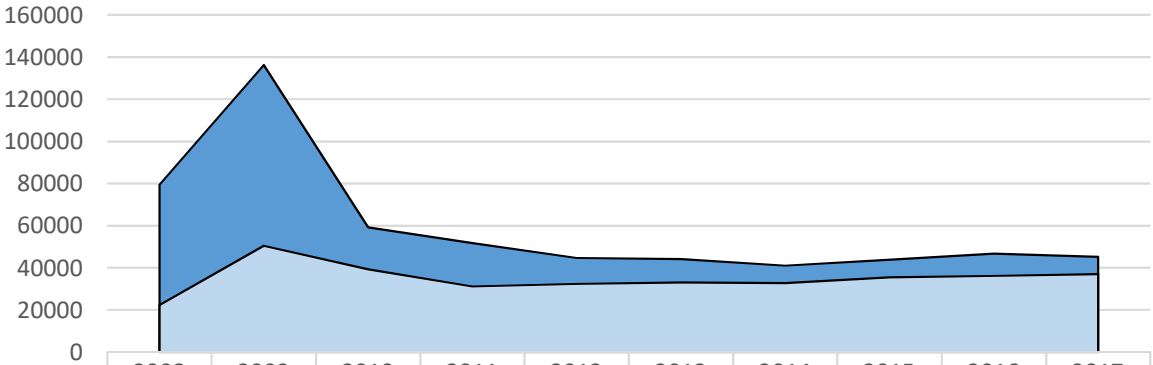
The advisory service plays an important role in increasing the safety and quality of working life. The advisory service is directed to all parties of labour relations (hereinafter also clients): employees, employers, and professional associations. We give advice over the information line (640 6000), respond to clarification requests received on the e-mail address jurist[at]ti.ee, advise during face-to-face counselling sessions and consult at the sites of enterprises. The counsellors mainly include counselling lawyers and work environment consultants, or labour inspectors and labour inspector-lawyers advising at the office.

The advisory service enables parties to labour relations to act consciously in compliance with legal acts regulating labour relations and occupational health and safety; to promote law-abiding behaviour in labour relations and thereby prevent the violation of legal acts, damage to health, and labour disputes. The goal is also maintaining and improving the work ability of employees, supporting the employer in developing the work environment, increasing participation in the labour market of persons with reduced work ability, preventing early retirement, and ensuring the sustainability of work ability support scheme.

Our advisory service is accessible, professional and the counsellors are ethical. Each year, we examine the satisfaction of clients with the quality of the advisory service to maintain or improve the quality of the service. In 2017, we assessed the satisfaction with the Labour Inspectorate's advisory service. To ensure the quality of the service, we conduct regular internal quality control of the advisory service.

Labour Inspectorate's information line

The information line 640 6000 has now been working for almost ten years. The need for our service continues to be high. The number of calls has remained consistent over the last five years, with just a slight increase.



	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Calls	79521	136250	59140	51819	44644	44133	40954	43778	46720	45276
Answered calls	22306	50461	39235	31202	32359	32985	32652	35423	36128	36990

Figure 30. Number of calls to information line and percentage of calls answered

In 2017, 45,276 calls were made to the information line, out of which 36,990 were answered by lawyers (88.2% of queued calls). Every month, the lawyers answered on the average 3,082 calls (a year before, the average was 3,010 calls per month).

In 2017, the lawyers forwarded some of the calls, based on their content, to a consultant, secretary, or the eLI customer support. The consultants received 1,573 calls, i.e., 4.3% of all answered calls and 80 calls were forwarded to the eLI customer support. The statistics shows that the language selection, added two years ago, has justified itself year-on-year, approximately 30% of callers wish to use the service in Russian.

The questions of callers are varied. Mainly, they ask about the termination and cancellation of employment contract and unreceived wages. In terms of work environment, most of the questions are related to work accidents.

The quality of answering to the information line was also assessed in 2017. For this purpose, 100 randomly selected calls from the period 1 January–31 December 2017 were listened to.

All in all, it can be said that the quality of answering the information line has been improved every year, but there are still mistakes in the answers. By leaving aside single mistakes, it can be said that the advisors are friendly to the clients and answer the questions professionally. Moreover, advisors give information and recommendations on topics that are important for the client, although the client did not know that they should ask about it.

Counselling by e-mail

As of January 2017, all requests for explanation received on jurist[at]ti.ee are registered and answered.

In 2017, the advisors answered 5,900 requests. This is 6% less than a year before (6,263). Seven point five per cent (442) of answered e-mails were related to work environment. The number of questions related to work environment has slightly decreased (in 2016, the consultants answered 483 e-mails).

Like in previous years, most questions were related to cancellation of employment contract, holiday, remuneration, and work time. As regards cancellations, people inquiry primarily about the terms, grounds and compensations. Redundancy is especially popular. In terms of holidays, people asked about using their holiday (incl. conditions of study leave), and about compensation and wages, about changing wages, and unreceived wages.

Most questions regarding work environment are associated with work accidents. Both employers and employees are our clients. They ask whether an accident that occurred in a certain situation was a work accident or not and both the employees and employers have the same question. Employers often ask how to carry out the investigation and which documents should be drawn up. Employees mostly ask about claiming a compensation. Questions are also asked about the training and duties of a work environment specialist. Appointing and training the first aid providers is also of interest. A positive trend can be highlighted: employees submit more questions, discussing whether their working conditions and work environment meet the requirements.

In 2017, we also assessed the quality of answering to e-mails. 200 replies from the period January–December 2017 were assessed.

In general, it may be stated that the quality of e-mail counselling is satisfactory because all requirements were met for 88.5% of assessed emails (in 2016, 81%). It is definitely positive that we are quick to respond and that our advisory service is accessible.

All these topics serve as a good input for better organisation of our information activities.

Counselling at office

A part of our Labour Inspectorate's advisory service is also reception at the offices. In 2017, we gradually closed the counselling offices due to the low number of visits. As of July, the reception was open only in Tallinn, Tartu, Pärnu, Narva, and Jõhvi and we only give advice on labour relations. If a reception is required to discuss occupational health and safety, it must be previously agreed with a work environment consultant.

In 2017, lawyers and consultants received citizens on 2,925 occasions. This is 12.6% less than the year before (3,348). During the reception, work environment related advice was given only on 33 occasions. This is half the amount than a year before (69). The reason for the number of receptions decreasing is that people prefer other channels for advice.

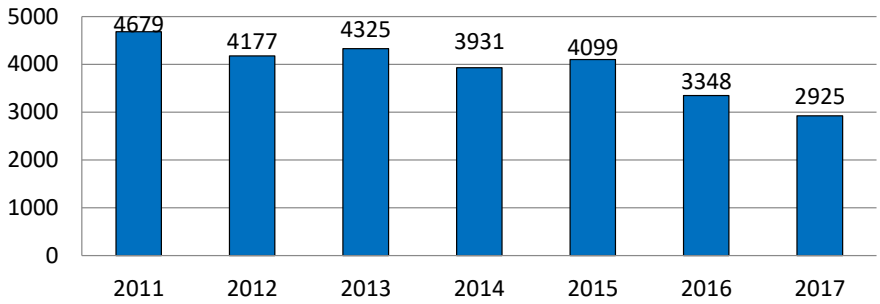
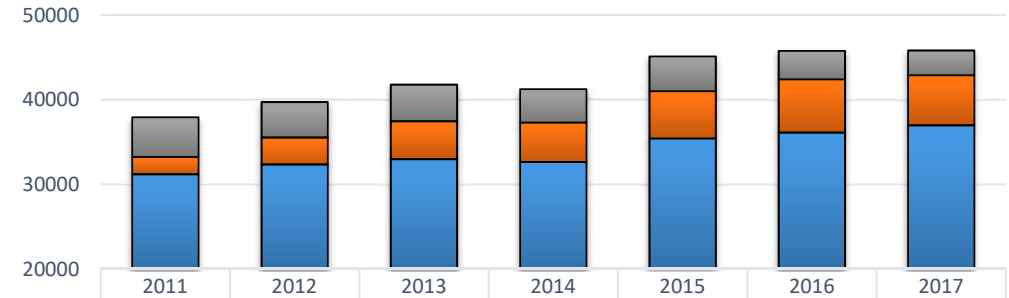


Figure 31. Number of consultations during receptions

In conclusion, it may be said that in 2017, we advised the employees and employers in matters related to labour relations on 45,815 occasions. It is almost as much as the year before.

Counselling via e-mail and during receptions has decreased, but more people are using the information line (there were less callers than a year before, but we answered more calls).



	2011	2012	2013	2014	2015	2016	2017
Counselling at office	4679	4177	4325	3931	4099	3348	2925
e-mails	2040	3181	4475	4664	5586	6284	5900
Answered calls	31202	32359	32985	32652	35423	36128	36990

Figure 32. Advisory service in figures

The advisory service of the Labour Inspectorate is popular and needed and greatly appreciated by customers. This suggestion is also supported by the client satisfaction survey, as the customers were usually very pleased with the service.

4.2 Estonia's work environment through the eyes of work environment consultants

In 2017, we advised 177 enterprises. An employer invited the consultant to the site on 125 occasions, the most active inviters were the employers in Tallinn and Harju County, Tartu and Tartu County. Enterprises located in Tallinn were advised on 56 occasions, enterprises located in Tartu on 27 occasions. Enterprises located in Ida- and Lääne-Viru Counties were advised on 21 occasions. Once a consultant was invited to Saare County as well. Only Hiiu County was the only place with no consultations.

On 23 occasions, starting enterprises were advised (registered after 01.01.2015). Last year, we started advising the employers applying for the family-friendly employer badge to help such enterprises acquire the badge whose work environment is healthy and in which they contribute to the safety and health improvement of the employees.

The consultations included the work environment of the entire enterprise and occupational health and safety documentation, but also consultations on a specific area.

Some examples:

- A consultant was invited to advise on a topic of working long shifts at night. The enterprise's employees expressed a wish to start working in 12-hour shifts and the employer invited a work environment consultant to find out what needs to be considered when working long shifts.
- The work environment specialist of one enterprise had the suspicion that the work environment risk analysis compiled by a service provider was not detailed enough. A work environment consultant was invited to overview the

work environment and risk analysis. During the consultation, it appeared that the employer's doubts were justified and the risk analysis had to be supplemented.

- A work environment consultant was involved in a situation, in which the CEO was not sure about the activities and competence of a service provider providing the work environment specialist service. At the end of the consultation, the work environment and work environment management were reviewed. The doubts of the enterprise were justified and the summary gave a basis what they could ask for from the service provider in the future.

There were also employers who were aware of the problems and wanted a consultation to get a written confirmation. For instance, an enterprise located on rental premises wanted a consultation because the work environment had ventilation system deficiencies. The employer had notified the building owner and manager of the problem, but it was not taken seriously. The employer included the Labour Inspectorate as a third party and asked for its opinion and a written document that could then be submitted to the building owner and manager.

Cases, in which a consultant is included in the beginning of activities, have also become more frequent. For instance, a consultant was invited to inspect premises before starting the reconstruction of the rooms. We have also advised new enterprises before they commence with their activities.

Last year, we advised quite many of such enterprises who are doing quite fine in terms of safety, but wanted feedback for their actions, confirmation that they are on the right track, and to discuss with substantial issues together.

For instance, during consultations it was discussed how to better deliver safety-related information to the employees, how to make office workers move more and make healthier choices, what the modern options are for registering instructing, how to better implement so-called responsible persons (work environment specialist, representative, heads of departments, etc.) to do substantial work, what occupational health and safety issues should be considered regarding tele-working.

It is good that representatives of employees are included in the consultations. For instance, a work environment representative acted positively in one metal industry enterprise by highlighting the excess workload for the consultant during the consultation. Upon organising the work environment risk analysis, approximately two thirds of employees thought that the forced position occurs too often, the work is both physically and mentally hard, and often requires too much concentration. Although the employer provided breaks during the working day to recover and avoid mistakes in work, these breaks were not included in the working time. Among other things, the consultant proposed to allow the employees to have breaks during their shift that would be included in their working time.

The consultations involved approx. 6,000 workplaces. Approximately 2,100 proposals were made to improve the work environment. On the average, one enterprise received 12 proposals. The largest number of proposals made to one enterprise was 28.

Consultations involved very different enterprises and areas of activity: for instance, three congregations and one foreign embassy were advised. However, most of the consultations took place in production enterprises – wood processing, metal industry, food processing industry –, a total of 38 occasions. Children's institutions (kindergartens, schools) were advised on 12 occasions. Catering facilities on 10, transport enterprises on 7 occasions. Call centres and offices were also advised, in total on 20 occasions. Welfare institutions on 4 occasions, agricultural enterprises on 5 occasions, and shops and wholesale companies on 12 occasions.

During the consultation, we had the so-called job shadowing days this year as well. This gave the opportunity to observe the work for a bit longer and also try and understand possible internal issues by talking to the employees.

Unfortunately, the main violations are related to occupational health and safety requirements, regarding which the work environment consultants made the same proposals as earlier, a year ago:

- The enterprise has compiled a risk analysis, but the risk analysis needs to be supplemented and specified. For instance, the risk analysis has been compiled more than ten years ago and during that time the work environment has undergone changes. During the risk analysis, the risk factors of the work environment (e.g., noise, vibration, temperature) have not been measured. It is also a problem that some risks have not been detected in the risk analysis and thus they have not been assessed, the risks are underestimated. It is also common that risk factors are assessed as a bundle: for instance, the assessment of working in a forced position includes both working while standing and while sitting. Assessment compiled in such a way does not give the employer sufficient information,

what the problem is all about and therefore it is not possible to implement measures to reduce or prevent a health risk. There were also enterprises who lacked the risk analysis, still these were mostly starting and small companies.

- It is also quite common that no action plan has been prepared on the basis of the risk analysis for mitigating the impact of or eliminating the risk factors. At times, the same activities are repeated year after year in the action plan, meaning that in essence the action plan is not reviewed and fulfilment not monitored.
- The enterprises mostly have safety instructions, however these need supplementing and specifying, to make sure that these correspond to the actual work situation and process. A lot of standardised instructions are used, which are loosely worded and long, with a lot of repeated text. Instructions are visually poor and thus boring and barely legible for the employees. When new tools are bought, the safety guidelines are not updated and if there are no safety guidelines for the purchased tool, it is not compiled either.
- There are deficiencies in organising instructing and training. Main problems are that instructing has not been organised, instructing has been partly organised or there are problems with registration of instruction, training and permission to work independently.
- It has not been properly thought through by the enterprise how to perform systemic internal control of work environment. Inadequate organisation of internal control is demonstrated also by deficiencies detected by the consultant during the consultation and not the employee during routine internal control.
- Organisation of medical examination is insufficient; the given deadlines are not met neither for initial not periodical medical examination.
- Deficiencies in handling hazardous chemicals. Unfortunately, it is often thought that no hazardous chemical are used in the enterprise, while actually they might use a coffee machine detergent, to start with. The enterprise has no information concerning the properties of chemicals used and how to use them safely. The enterprise has no safety data sheets for the chemicals, these have not been introduced to the employees or the used personal protective equipment has not been chosen based on the safety data sheets and which means that it may not protect the employee. Chemicals are poured into handier tare, which is not labelled or has incorrect label (incl. food packaging).
- While advising on issues related to office work, mostly the ergonomics of workplaces is problematic – people work on a laptop for the entire day. Adjusting the work chair and work desk are also problematic, there are no supports, such as the footrest. The smallness of the table is also an issue, the necessary items do not fit onto the table and there is no place where to support the arms, whether on the table or on the chair's armrest.
- Violations regarding the use of tools have become more frequent, for instance, the machinery has no emergency stop equipment, protective covers prescribed by the manufacturer have been removed, i.e., the employee's access to the machine's dangerous moving parts is not restricted, adjustable protective covers have not been adjusted based on the size of the processed material, there are no safety guidelines.

It can be said that the results are basically the same than those that labour inspectors detect while performing inspections at enterprises.

2017 was significant in terms of advisory service also because the Labour Inspectorate conducted a satisfaction survey for the first time ever, concerning the satisfaction with the Labour Inspectorate's advisory service. The survey was completed by about a third (125) of employers who received it.

The results indicated that 77% of the recipients invited the consultant to the enterprise themselves. Most of the recipients (68%) had used the advisory service also in 2016.

The recipients were satisfied with the consultant's activities at the enterprise – comprehensibility 99%, expertness 98%, usefulness 97%, and consultant's friendliness 99%. The consultation summary was also satisfactory – 96% of the recipients found that the summary arrived at a reasonable time and the same amount of people thought that the summary was clear and comprehensible.

94% of recipients found that the advisory service is useful in this form and the same number of people would recommend this service to other employers as well.

Lots of positive comments and proposals were made. Some negative ratings were mainly associated with personal negative experience gained from consultation, which influenced assessing the service as a whole. However, the negative ratings did not follow any pattern: who is not satisfied and to whom the dissatisfaction is directed at.

5. RESOLUTION OF LABOUR DISPUTES

Labour dispute committees have been extra-judicial labour dispute resolution and collegiate bodies for more than 20 years. The committee resolves labour relation-related conflicts between the employer and employee based on simplified rules of procedure and therefore, the committee is a preferred option for resolving the disputes when compared to the court.

While On the average the number of labour disputes resolved in a committee has been around 2,600 disputes per year, the largest number of disputes had to be resolved during recession between 2008–2010. In 2009, the number of labour disputes peaked and a total of 6,371 applications were submitted to labour dispute committees. As it can be seen, the number of labour disputes is significantly influenced by the state's overall economic situation, but amendments to laws, Supreme Court practices, changing forms of labour relations, and people's awareness of their rights also play a role.

Although one has the right to contact a labour dispute committee to detect a labour relation, demand a compensation for unreceived wages, dispute the extraordinary termination of an employment contract as well as demand final settlement that has not yet been received, mostly disputes arise because of money. This means that year by year, most of the petitions submitted to the labour dispute committee by employees consider unreceived wages and final settlements. Moreover, petitions submitted by employers also primarily include compensation claims for damages caused by an employee. In 2017, slightly less labour dispute petitions were received than a year before. Thereby, the number of labour disputes has remained stable in recent years, while the number of submitted petitions has not increased either.

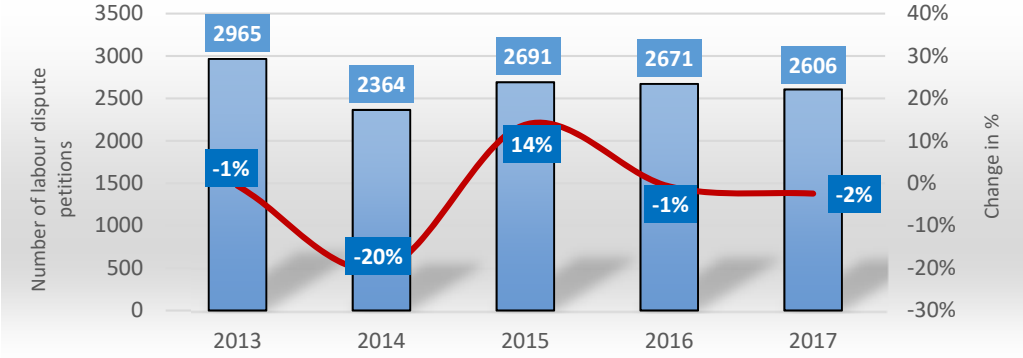


Figure 33. Number of labour dispute petitions received, 2012–2017

In terms of counties, we can say that similar to enterprises, labour disputes tend to be consolidated in Tallinn and Harju County, since approx. 60% of labour disputes are registered namely in the labour dispute committees of Tallinn and Harju County. In other counties, the number of labour disputes depends on individual enterprises and related issues.

For instance, in Hiiu County, 11 of the 15 received petitions consider an enterprise active in the field of temporary agency, in which the problem was unreceived wages and final settlement.

In Ida-Viru County, there has been more problems in two metal product processing enterprises, from which about a third of labour disputes of Ida-Viru County were received. Again, the main problem is unreceived wages.

Therefore, the smaller the county, the more the number of labour disputes depends on a few individual problematic enterprises in the county.

Table 6. Number of labour dispute petitions by counties, 2013–2017

County	2013	2014	2015	2016	2017	change vs 2016
Tallinn and Harju County	1,800	1,321	1,527	1,529	1,555	26
Tartu County	328	266	332	322	282	-40
Ida-Viru County	222	234	280	259	277	18
Pärnu County	151	129	160	124	147	23
Lääne-Viru County	76	71	70	96	47	-49
Rapla County	41	33	47	47	58	11
Jõgeva County	39	41	41	34	42	8
Saare County	102	64	37	39	29	-10
Järva County	58	36	36	37	28	-9
Valga County	26	16	36	46	25	-21
Viljandi County	41	63	33	42	42	0
Põlva County	18	30	31	20	19	-1
Võru County	41	22	27	40	23	-17
Lääne County	17	22	25	31	17	-14
Hiiu County	5	16	9	5	15	10
Total number of petitions	**2,965**	**2,364**	**2,691**	**2,671**	**2,606**	**-65**

The areas of activity in Estonia with the largest number of labour disputes are construction, trade, accommodation, catering, and administration and ancillary activities. The higher percentage of disputes in these areas is linked to the staff's greater mobility and often also to the short-term nature of the work. This causes problems for both sides of the labour relation: for employees who have not received the expected wages or final settlement for their work and for employers who experience unfair too quick abandoning of the work by the employee due to overtaking and thus demand a compensation for this.

However, when compared to the year before, it can be seen that in construction, accommodation, and catering the problems have increased, while in trade and transport they have decreased.

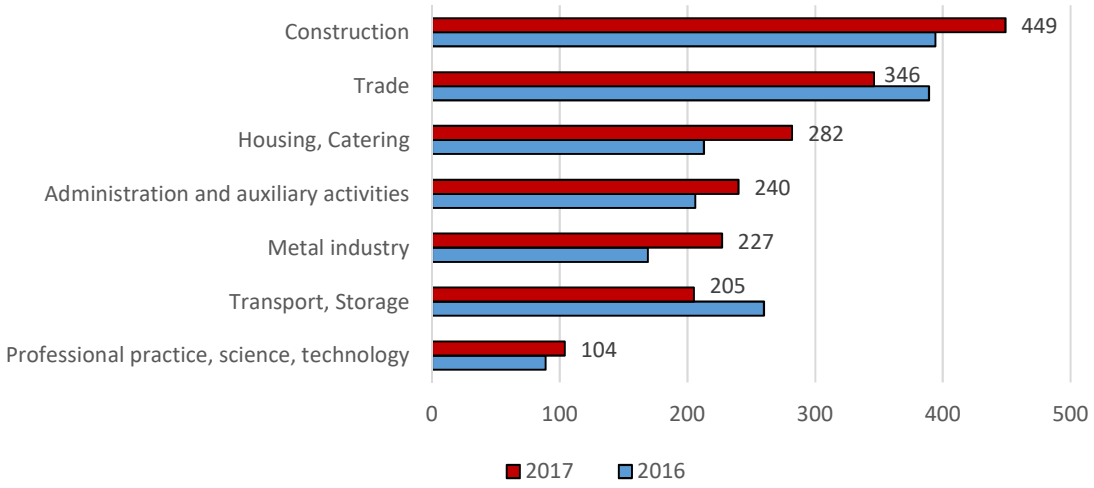


Figure 34. The areas of activity with the largest number of labour disputes in Estonia in 2017

It is still a trend that disputes are not resolved in labour dispute committees (LDC) during the labour relation, but typically after the labour relation has been terminated. However, it is worth remembering that there are situations, in which contacting a dispute body would be appropriate already during the labour relation, for instance, to demand for an interest

for delayed wages payment or to demand compensation for overtime. Even more so, considering that as of 2018 it is possible to approach the labour dispute committee to conduct a conciliation procedure.

When looking at the labour disputes of 2017, it can be claimed that the parties to disputes are simultaneously filing an increasing number of different claims. For instance, several different monetary claims, identification claims, for the compensation of entries in the employment register or rather non-patrimonial, i.e., moral damage.

Submitting very different claims at once is certainly a sign of increased awareness related to labour relations. On one hand, it improves work culture, on the other hand brings about higher expectations for the other party.

Higher expectations should be accompanied by more specific negotiations over working conditions and clearer agreements, but it not always like that. For instance, an employee approached the committee and asked for a compensation from the employer for 98 hours worked overtime. In addition, the employee asked the LDC to consider the effect of paying out this amount on the maternity leave support and the amount of parental leave compensation, delay of payment, and, if possible, the fact that she had to be available on phone around the clock.

The employee submitted a detailed calculation of overtime because her employment contract stipulated that she works 40 hours per week and decides the distribution of this time herself, i.e., her working time is flexible and she manages it herself. The only condition was that the work was smooth and of high-quality, and the agreed shifts would be filled.

The LDC found that the hours spent in a shift were not overtime in the meaning of § 44 of the Employment Contracts Act (ECA) as the employee decided the duration of her own working day, so it would total 40 working hours per week. This means that the parties did not agree on working over the agreed time and doing the shifts did not result from unforeseen circumstances. Therefore, the employee's claim for overtime work was not satisfied.

Employers' claims

Although usually resolving a labour dispute at a LDC starts with an employee's petition, the number of cases, in which an employer files a petition against an employee are increasing year by year.

Employers submitted a total of 286 petitions containing 395 claims, accounting for almost 11% of all received petitions. Most of these are:

1) Contesting the cancellation of an employment contract due to a breach of the employer's obligation under § 91 (2) of the ECA – 98 claims;
2) Claims demanding for a compensation for the material damage caused by an employee (except ECA § 74 (3)) – 79 claims;
3) Claims for compensation related to an employee resigning their job under § 74 (3), § 100 (5) of the ECA – 69 claims;
4) Other claims related to contesting the cancellation of an employment contract – 34 claims;
5) Contractual penalty and claims for compensation of damage exceeding the amount of the contractual penalty – 22 claims;
6) Other claims – 91 claims.

The claims of the employers arise from the structure of the Employment Contracts Act, i.e., starting a dispute is in some situations the only way the employer could ensure their rights. For instance, if an employee submits the employer an extraordinary declaration of cancellation, thinking that the employer has violated the contractual obligations and refers to § 91 (2) of the Employment Contracts Act, the employer who does not agree with that statement has no other way than to contest the employee's petition within 30 days from receiving the application either in a labour dispute committee or in the court.

Pursuant to § 91 (2) of the ECA, i.e., the extraordinary cancellation of the employment contract due to the employer's fundamental breach, is a common legal basis among employees because this includes the right to demand the employer a compensation in the amount of average wages of 3 months. However, in such cases the employees want to go even further into disputes and fight for their right for compensation upon the termination of labour relation.

Although the Supreme Court has explained in several verdicts that in case a labour dispute body considers the employee's extraordinary cancellation of the employment contract trivial, the contract shall be considered terminated pursuant to § 85 (4) of the ECA, according to which the contract is terminated with the employee's ordinary cancellation, which does not give the right for compensation. Nonetheless, there are still petitions that demand, in case the extraordinary cancellation does not remain valid, termination with the committee's resolution pursuant to § 107 (2) of the ECA as well as compensation pursuant to § 109 of the ECA. However, this is wrong and unfair.

resolving a labour dispute often starts in the labour dispute committee but may turn into judicial proceedings and all the way to the Supreme Court if the parties wish. The standpoints of the Supreme Court in turn have an effect on the work of the LDC because following the principles stated by the Supreme Court helps to achieve and maintain legal certainty. LDC resolutions may often have references to Supreme Court resolutions.

It may also happen that the Supreme Court assigns new content to the provision of law, of which an extrajudicial body, i.e., the labour dispute committee shall also have to adhere to in their proceedings. This has happened with § 100 (5) of the ECA, pursuant to which, if the employer or employee notifies of the cancellation of the labour relation later than stipulated by the law or the collective agreement, the employee or employer shall have the right for compensation in the amount that it could have received if the notification period would have been followed properly. The Supreme Court, however, found that pursuant to this clause the employee shall definitely have the right to demand for a compensation, but the employer shall have to prove the damages caused by the employee's leaving to receive the compensation. In case the employer cannot prove this, the employer shall not have the right to demand for compensation even if an employee suddenly disappears without giving any reason.

Direct damage, the compensation of which an employer could theoretically demand, may in such circumstances be the need to outsource a service until finding a new employee, direct damage cannot be paying remuneration to employees who replace the employee who left.

New approach to the compensation of § 100 (5) of the ECA from the employer's point of view has now been accepted and some employers have submitted a specific calculation for the compensation of damages caused by the employee leaving before the advanced notification period was terminated.

Claims by employees

Claims made by employees have not changed much over the years; however, labour disputes related to entries in the employment register have firmly established themselves.

There are also many employment contract termination/cancellation detection claims related to the fact that employers have made incorrect entries to the employment register. Very often the employers mark the employment contract to be terminated by agreement of the parties, mark the wrong clause in the employment register, or forget about the entry altogether.

A party to a labour relation is not aware that making an entry to the employment register does not mean that the employment contract has been terminated. For termination, it is necessary to follow the regulations of the Employment Contracts Act and submit a declaration of cancellation to the other contractual party. Incorrect entries cause lots of damage to the employees. Example: an employee was made redundant and upon going to the Unemployment Insurance Fund it turned out that the former employer had not made an entry regarding the termination of an employment contract in 2015. The employee could not register as an unemployed person and apply for benefits.

When contesting the cancellation of an employment contract, giving evidence is problematic. If an employee has submitted an extraordinary declaration of cancellation because of the employer's violations, the employee may often not be able to prove the employer's breaches, e.g., especially the employer's indecent behaviour. The employers also terminate employment contracts without thinking that in case of a dispute they would have to prove the circumstances that were the basis of the cancellation.

In construction, working without a written employment contract is still common and the amount of the remuneration can be detected by using the average wages in that area of activity, published by Statistics Estonia.

Employees mostly continue to turn to the labour dispute committee to claim unreceived wages (about 30%), including compensation for overtime work. Compared to 2016, the requirements for detecting the termination of a contractual relation or the employment contract have somewhat increased.

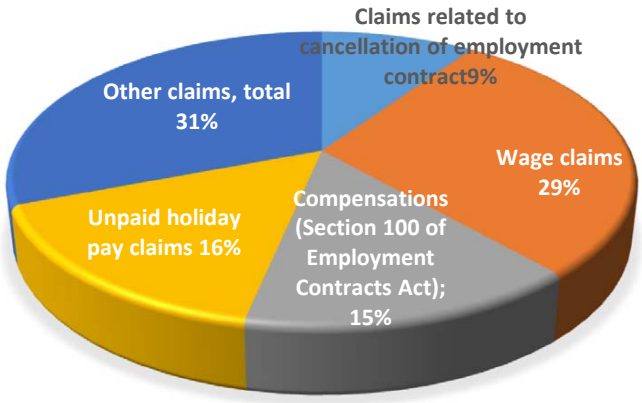


Figure 35. Claims filed by employees (2017)

According to LDCs, the number of disputes regarding terminating the contract due to redundancy (ECA § 89 (1)) has been decreased among the employment contract cancellation disputes, while more employment contract cancellations during the trial period (ECA § 86 (1)) have been contested.

In terms of financial claims, the increase in claims over EUR 3,200 is noticeable. This can be explained by increased wages as well as claiming several months' wages together. There are also situations, where the agreement on wages in the employment contract (or as declared with the Tax and Customs Board) differs from the actual agreement, which the parties try to establish in the labour dispute body. If the employer does not respond to the labour dispute committee and does not turn up at the hearing, the labour dispute resolution body has used data from Statistics Estonia on the average wages in the industry in the relevant quarter for determining the likely amount of wages.

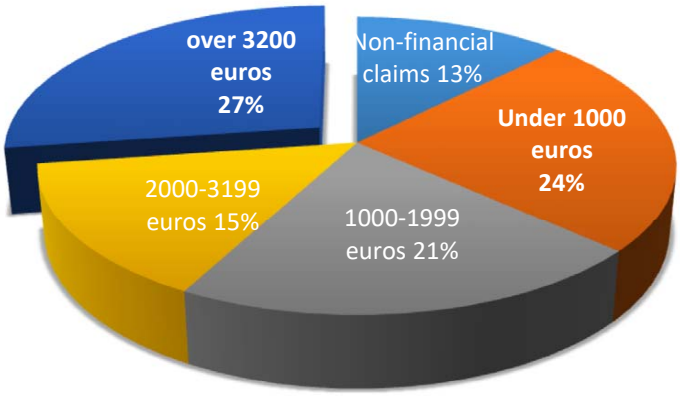


Figure 36. Division of claims by amount of money (2017)

A critical problem is certifying the claims of parties in the LDC, which is why many claims are not satisfied. Often, employees do not understand when turning to the LDC that the underlying circumstances of the claim must be certified. There still exist situations, where the employees do not submit any documents or other evidence, which would certify their relationship with the employer, existence of agreements or other facts, such as termination of the employment contract.

Unfortunately, a large number of labour dispute petitions not duly submitted is still high. It's not rare that the submitted petitions are loosely worded, lack supporting evidence, amounts claimed and justifications. To process such petitions, the labour dispute resolution body has to request for the mitigation of significant deficiencies, which extends the time of labour disputed proceedings.

As of 01.01.2018, a new Labour Dispute Resolution Act has entered into force, pursuant to which labour disputes are resolved. The new Labour Dispute Resolution Act brings about significant changes in the work of the labour dispute committee. The objective of the changes is to modernise the rules of resolving labour disputes to meet more expectations the society has, although at the same time this objective is essentially slightly contradictory. On one hand, more

precise rules are required to more efficiently ensure the rights of people, which inevitably makes the proceeding rules more complicated. On the other hand, there is still a desire to guarantee simple, quick, and cheap labour dispute resolution in Estonia.

The new law eliminated the EUR 10,000 limit for submitting claims to the LDC. Yet another change is related to submitting financial claims – the written procedure of a financial claim. Based on the previously valid procedure, the labour dispute petition must certainly be reviewed and resolved while the parties to the labour dispute are present. The new procedure allows the LCD manager to process a financial claim petition in writing, alone and at their initiative, for instance, review remuneration or employment contract cancellation compensation claims. This is possible only in the case if the total amount of claims does not exceed EUR 6,400, if the manager thinks that a party to the labour dispute does not need to be present, and if a party to the labour dispute agrees with a written procedure. Upon submitting a claim to the LDC, the inquirer shall mark whether written procedure is fine for them or whether the dispute should be reviewed at a sitting.

In addition to the previously mentioned aspects, a new type of procedure shall be added to the LDC, the conciliation procedure. During such a procedure, the LDC manager shall be the sole conciliator who shall act in the name of reaching a reconciliation agreement. During a conciliation procedure, solutions can be reached in a simplified way and the result of the conciliation shall not be published. When opting for the conciliation procedure, the future options to continue the same labour dispute should be considered.

In addition to the conciliation procedure, a welcome option is to conclude labour dispute proceedings with a compromise. Thereby, this is possible not only until the LDC makes a decision, but also until the committee's resolution enters into force. The manager of the LDC shall confirm the compromise with a regulation which also terminates the labour dispute proceedings. The contents of the compromise are somewhat limited, for instance, the compromise must be realisable. The compromise cannot be contested like an ordinary LDC resolution.

Therefore, the new law has given the parties to the labour relation a clear direction that they should do everything they can to reach a result that satisfies both parties and to conciliate.

6. NOTIFICATION ACTIVITY AND EXTERNAL COMMUNICATIONS

One of our main tasks, in addition to supervision and counselling, is also carrying out prevention and information activities, to increase the awareness of employers and employees in relation to occupational health and safety and labour relations and enhance the quality of working life. Prevention and information activities include media communication and informing the public of the conditions of work environment, managing the Labour Inspectorate website, social channels and the Tööelu portal, publication of printed matter, gathering the best articles, organising and conducting the information days, conferences, etc. as well as information campaigns, co-operation with European institutions and inspections and coordinating information exchange and campaigns with the European Agency for Safety & Health at Work (EU-OSHA). Information and prevention activities were financed in 2017 from the European Social Fund (ESF) conditions for granting support under "Development of a sustainable work environment and retaining the work ability 2014–2020".

6.1 Prevention and information campaigns

Information campaign "Know Your Rights – Notice the Danger"

In 2017, the Labour Inspectorate organised an information campaign "Know Your Rights – Notice the Danger", which this time focused on machinery safety. The main message of the campaign was "The machine has power. You have a brain." We focused on both Estonian and Russian audiences. The campaign was organised between 14 April and 17 May.

Almost every fourth work accident is related to machinery, tools, and means of transport. In fact, these cases could be prevented. The objective of the campaign was to make both the employees and employers aware that one should pay attention when working with machines and always check the condition of the tools. If tool deficiencies or errors are noticed, the employer should always be notified.

The campaign's media activities can be divided into five. We spread information on machinery safety in television (video clips), online, and on the radio. We also used outdoor media solutions and several relevant articles were also published in print. Moreover, employers could use stickers with funny proverbs that remind of safety measures when starting to work on a machine.

European Agency for Safety and Health at Work campaign "Healthy Workplaces for All Ages"

In 2017, the two-year campaign of the European Agency for Safety and Health at Work (EU-OSHA) "Healthy Workplaces for All Ages" was continued. The objective of the campaign was promoting sustainable work and healthy ageing from the start of the working life, protecting the health of employees before and after retirement and thereby also the productivity of organisations. In Estonia, we focussed on the importance of medical examination in working life and maintaining the work ability. In August, thematic seminars during the pan-European occupational health and safety week, the traditional occupational health day and two movie nights in different towns were organised.

6.2 Morning briefings and round tables

In 2017, the Labour Inspectorate organised 58 morning briefings on the following topics: "What should you know of labour relations?", "Labour relations and work environment", "Posted workers", "Occupational safety on a construction site", "Overtime work", "Working minors", "Physiological risk factors: working on feet", "Occupational health and occupational safety in metal industry", "Labour Inspectorate's supervision pursuant to the Seafarers Employment Act and analysis of breaches mostly detected during supervision", and "Working and rest time of drivers of motor vehicles". In addition to morning briefings, the representatives of Labour Inspectorate participated in 19 round tables where the overall situation of work environment and labour relations as well as the safety of chemicals were discussed. Additionally, we participated in several information events where the representatives of Labour Inspectorate were invited. Within the framework of cooperation, the consultants organised 92 information days.

At the beginning of the year, all counties held round tables for the representatives of all Estonian local authorities and entrepreneurs, where we introduced our activity and discussed the possibility of a good work environment in Estonian institutions and companies. We also made an overview of the current situation in the work environment, causes of work accidents, possibilities of making the work environment safe and how we could assist here. The participants in the discussion confirmed that the work environment is playing an ever-increasing role in the assessments of employees given

to the activity of the enterprise. The participants in the round table were mostly the representatives of small and medium sized companies and local authorities.

NAPO and exhibitions of children's drawings

Mascot Napo from the European Agency of Health and Safety at Work conducted throughout the year safety classes in nursery schools and primary schools. Napo urged the children to think of the occurrence of potential dangerous situations in nursery school and at home, but also on the street. In total, Napo held 68 safety lessons in 2017 and participated in four events.

Napo invited children to draw their future work. More than 600 drawings were submitted. Children's drawings were exhibited at a conference organised during the EU presidency. You can read more about Napo from our website.

Participating in fairs

In 2017, the Labour Inspectorate participated in 31 fairs where a lecture was also often given. We were present at the Estonian Unemployment Insurance Fund's biggest fairs, such as the Maamess (Agricultural Fair) and Estbuild 2017 as well as safety-related family days. The Labour Inspectorate was represented by a consultant and a counselling lawyer who distributed materials and gave advice when asked. A labour relation related quiz turned out to be quite an attraction, the resolvers of which could choose a souvenir of their liking.

International conference "Does time kill?"

On 25 April, the Labour Inspectorate's third international conference dedicated to occupational health and the possibility of working safely. We focused on the time of working and changed practices. The presentations talked a lot about flexible working time and tele-working as well as whether shorter working time is more efficient. During the debate, the representatives of employers and employees and politicians discussed whether and how to change the working time regulation.

European Union presidency

The Labour Inspectorate contributed to the success of Estonia's European Union presidency. A great event was the Senior Labour Inspectors Committee (SLIC) Thematic Day organised in Tallinn on 8 November and the occupational health and safety conference "New Forms of Work and Occupational Safety and Health". At the conference, practitioners, experts, social partners, and scientists discussed how to ensure and monitor the high European occupational safety and health standards at a time when the work contents, habits, and environment have changed.

The presentations touched upon the readiness of employers and employees to go along with it, new forms of work, and occupational safety and health regulation. Experience in new entrepreneurships and with new generations on the labour market was shared; an overview of Europe's labour inspections, their different models, and their readiness to handle new challenges was given. The Labour Inspectorate's role in the changed society was discussed.

"Good work environment 2017"

For a third year in row, the Labour Inspectorate presented the Good Work Environment award to enterprises valuing occupational safety and the health of their employees. The Good Work Environment 2017 award was given to **Baltic Oil Service** and **Derivco Estonia**. The award was delivered on the Occupational Health Day, on 24 October.

6.3 Information materials

Publications

Last year, we published five new brochures and one booklet; materials were also reprinted. The publications were in Estonian and Russian and some in English as well.

All publications are available in pdf-format on the homepage of the Labour Inspectorate and in the portal Tööelu and in the Issuu environment. The new brochures focus on occupational health and safety in the metal industry, upon exposure to electromagnetic fields, in apartment associations and non-profit organisations, and at the office. A booklet about the accounting and maintenance of personal protective equipment was also published.

Newsletter for start-up enterprises

We send a newsletter to starting enterprises to help the young entrepreneurs understand the need of managing work environment, establish safe and healthy working conditions and create proper labour relations. The newsletter is distributed electronically on a quarterly basis to new registered enterprises. In 2017, the newsletter was sent to 9,690 addresses.

Journal Tööelu

The journal Tööelu was published four times a year, where we discussed the currently important working life issues and news, gave advice on labour relations and work environment. Last year, the journal underwent a facelift and is now sharing significantly more experience of Estonian entrepreneurs in developing a good work environment. 3,811 readers subscribed to Tööelu and in addition, we also made a print copy of it and distributed to libraries and partners.

All the published issues can be found from our website. It is also possible to order the Tööelu journal.

Collection of best work environment practices

Each year we collect the best work environment practices from enterprises, which in turn can be shared with other companies through homepage and Tööelu portal. Last year, we collected 25 best practices.

The winners were announced on 24 October, the Occupational Health Day.

The best were Jeld-Wen Eesti AS, Saue Production OÜ, and Hotell Pärnu OÜ.

The three winners of the best practice competition were:

- Jeld-Wen Eesti AS "Creating and implementing the management system for work environment improvement options",
- Saue Production OÜ "Ensuring safety in loading areas",
- Hotell Pärnu OÜ "Using a door wedge with a pole in room cleaning".

The best practices are available on our homepage and in the Tööelu portal.

6.4 Media and information channels

Communication of the Labour Inspectorate is aimed at reaching as broad as possible target group through different channels. With various media activities, we support the mission of the Labour Inspectorate to create the feeling of security for participating in working life and help promote occupational safety culture in Estonia.

In 2017, our activities were mentioned in a total of 2,252 times, both in the national and local media. An important part was notifying of the target inspections, which was also published to the media in addition to the sector's enterprises. The questions-answers by a lawyer or consultant, where a reader asks for advice or explanation on a problem concerning labour relations or work environment, to which our specialist answers, continue to be popular. We are paying more attention to notifying via our own channels. For this purpose, we use our own homepage and social media channels. Increasingly more often people also address their questions to us via social media channels.

Tööelu Portal

Information on the Tööelu portal is available in Estonia, Russian, and English.

In 2017, the Tööelu portal was visited 447,736 times, which is 68.7% more than in 2016. The number of visits was increased thanks to the portal's reliability, consistent referring to it in the Labour Inspectorate's social media channels, social media campaigns organised via the Tööelu portal, and relevant content.

In 2017, the most popular pages among topics regarding labour relations were still those linked to the cancellation of employment contract. Topics linked to remuneration and different types of holidays can also be highlighted.

6.5 International and national cooperation and participation in work groups

International cooperation was marked by Estonia's European Union presidency. The priorities for the international cooperation of the Labour Inspectorate are related to Estonia's membership in the European Union, in the European Committee of Senior Labour Inspectors (SLIC), and the European Agency for Health and Safety at Work (EU-OSHA).

Close cooperation with Baltic inspection bodies continued. An annual meeting was held. Good and consistent co-operation is also organised with the regional labour inspectorate of South Finland. We signed a co-operation agreement with the Polish Labour Inspectorate and we also started co-operation negotiations with the Norwegian Labour Inspectorate.

Our employees participate in several international and also national working groups as experts. On the international level, we also participate in several projects and working groups regarding posted workers (e.g., the INTEPF project "Learning by Doing", SLIC WG Cross-Border Enforcement working group, the posted workers expert committee of the European Commission). We also participate in the joint project of the Baltic states and Poland led by Lithuania, "Towards protection of posted workers", University of Jyväskylä's project "Protecting Mobility through Improving Labour Rights Enforcement in Europe" (PROMO), and in the work of the European platform of undeclared work together with the Tax and Customs Board.

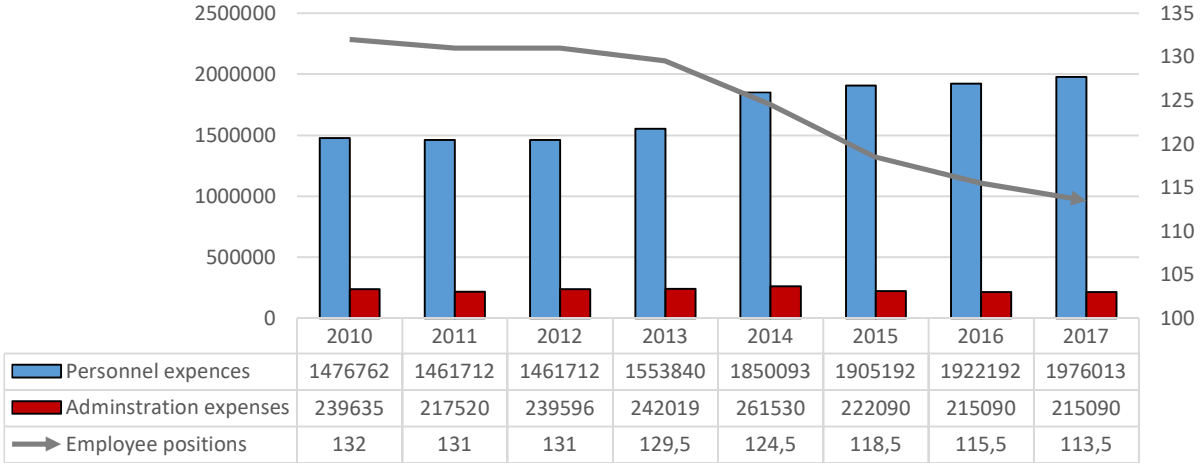
We also participate actively in different SLIC working groups and the EU-OSHA network. The exchange of information on the international level takes place through the European Commission's Internal Market Information System (IMI) and individual queries, as well as the Senior Labour Inspectors' Committee information system, KSS. The queries are mainly related to the law applied in the Republic of Estonia.

On the national level, the officials participate in broad working groups created for the regulation of immigration as well as in the market supervision working group.

7. ABOUT LABOUR INSPECTORATE

In 2017, the number of confirmed Labour Inspectorate staff was 113.5, being by 1.7% less than a year before. In the year before, we hired 11 new employees and 27 employees left. State supervision over occupational health and safety and labour relations was daily carried out by 44 inspectors. In 2017, the labour relations supervision was combined with the occupational safety and health supervision and one supervision department was formed, which performs supervision in enterprises and organisations registered in the commercial register. Work environment consultations were provided by four consultants and nine counselling lawyers responded to the queries of employees and employers at the advisory service. The investigation service of work accidents had nine offices. Labour disputes are settled by 15 officials and employees.

77% of the employees of the Labour Inspectorate are with higher education, 14% with secondary specialised education and 9% with secondary education. The remuneration of labour inspectors and labour inspector-lawyers ranges from EUR 1030 to 1250.



	2010	2011	2012	2013	2014	2015	2016	2017
Personnel expences	1476762	1461712	1461712	1553840	1850093	1905192	1922192	1976013
Adminstration expenses	239635	217520	239596	242019	261530	222090	215090	215090
Employee positions	132	131	131	129,5	124,5	118,5	115,5	113,5

Figure 37. Budget and staff of the Labour Inspectorate, 2010-2017

Compared to 2016, the personnel expenses in the 2017 budget of the LI increased 2.8% and administration costs remained the same. We can use the funds of the European Social Fund up to 2020, of which the budget for 2017 was EUR 973,228. From these funds we finance activities aimed at increasing the capacity of the Labour Inspectorate as well as the training of employees and activities, which increase the awareness of enterprises and employees in the possibilities of maintaining the work ability.

8. WORK ENVIRONMENT IN FIGURES, 2016 VS 2017

	2016	2017	Change
Employed persons	644,600	658,600	i.e., 2% approx. 14,000 more
Unemployment rate	6.8%	5.8%	Decreased
Enterprises with at least one employee * In Labour Inspectorate's database, according to the Tax Board	54,177	54,652	i.e., 475 more
Registered work accidents	5,081	5,184	Growth 1.7%, i.e., 85 more
Minor	4,036	4,058	Growth 0.2%, i.e., 8 more
Severe	1,019	1,117	Growth 9.2%, i.e., 94 more
Fatal	26	9	Decrease 65.4%, i.e., 17 less
Work accidents per 100,000 employees	791	787	Decreased
Fatal work accidents per 100,000 employees	4	1.4	Decreased
Number of enterprises subject to state supervision	4,436	3,777	i.e., approx. 660 more enterprises
Number of detected violations	21,827	17,686	Decreased
Percentage of enterprises where violations were detected	85%	86%	Increased
Misdemeanour proceedings conducted	197	194	Decreased
Number and amount of fines	187/57,542	194/77,330	Increased
Lawyers of the Labour Inspectorate gave advice:	45,760	45,815	Increased
By phone	36,128	36,990	Increased
By e-mail	6,284	5,900	Decreased
At office	3,348	2,925	Decreased
Companies counselled by a work environment consultant	212	177	Decreased
Petitions to labour dispute committee	2,671	2,606	Similar
Employees of the Labour Inspectorate:			
Occupational health and safety and labour relations inspectors	46	44	Decreased
Consultants	4	4	Same
Counselling lawyers	10	10	Same
Work accident inspectors-investigators	6	7	Increased
Labour dispute committees	8	8	Same

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March 2018