REPUBLIC OF ESTONIA
LABOUR INSPECTORATE

WORKING ENVIRONMENT 2020

TABLE OF CONTENTS

Viral crisis in the working environment 5

Labour Inspectorate 6

An overview of the Estonian working environment — the companies and employees 8

Occupational accidents 11

Work-related illnesses 18

Public supervision 20

- General Supervision 23
- Construction and infrastructure 24
- Targeted controls based on sectors and issues 24
- The working and rest time of vehicle drivers 25
- Supervision of maritime labour 25
- Supervision of employment relationships 25
- Foreign labour 26
- Children and youths in the labour market 27
- Main issues of the Estonian working environment 28
- Misdemeanour proceedings, penalties 29
- The employers' assessment of the supervision 29

Prevention 30

- Counselling 30
- Work environment consultations 33
- Information sharing 34
- Information materials 35

Labour disputes 36

ACKNOWLEDGMENTS FOR CONTRIBUTION

Maret Maripuu, Director General
Meeli Miidla-Vanatalu, Deputy Director General
Krista Vaikmets, Advisor
Silja Soon, Head of the Supervisory Department
Kaire Saarep, Head of the Department of Prevention
Kristel Plangi, Head of the Department of Information and Foreign Relations
Helen Tonkson, Head of the Labour Dispute Committee
Mariko Vahula, Leading labour inspector
Valentina Soone, Leading labour inspector
Liis Naaber-Kalm, Chief labour inspector-lawyer
Jüri Milov, Leading labour inspector
Veigo Tumaševski, Senior labour inspector
Piret Kaljula, Work environment consultant
Greete Kaar, Leading counselling lawyer

Editor Kristel Abel, Media advisor
The information may be used with reference to the Labour Inspectorate.
Design: Putka OÜ
Photos: Labour Inspectorate, Unsplash, visitestonia

TABLE OF CONTENTS >

VIRAL CRISIS IN THE WORKING ENVIRONMENT

The normal functioning of the world was disrupted in 2020. Countries went into lockdown, airplanes stopped flying, and ordinary communication was replaced by virtual interaction. We are much more informed about viruses, we wash our hands more than ever before, and we wear masks. This year could be called the 'Year of Occupational Health', as, due to the coronavirus, special attention has been given to maintaining the health of workers in the workplace — by employers who shape the working environment, and by the employees who started to value occupational safety, increasingly realising that they need to contribute to creating a good working environment.

This year also significantly changed the activities of the Labour Inspectorate. As the coronavirus started to spread, plans and goals made at the beginning of the year had to be reconsidered. The establishment of the emergency situation dramatically increased the number of telephone and e-mail enquiries to our counselling lawyers, on some days even sevenfold. It was especially gratifying to see that colleagues from other departments — chief lawyers, lawyers, and labour inspectors — came to help our small team of lawyers. This helped us deal with the increase in enquiries, but at the same time also strengthened our teamwork. In retrospect, everyone agrees that it was a busy period, but working together increased the understanding of the different stages of work.

Our usual supervision activities were also changed due to the viral crisis. During critical times, we have decided to monitor what is happening in companies from a distance, but will certainly intervene when human life is in danger, or if we receive a serious inclination of this. At the same time, labour inspectors prepared for the transition to the new information system TEIS, which simplifies the lives of both the employer and the labour inspector. By logging in to the self-service environment, the employer can enter information about the people responsible for the company's working environment, upload a risk analysis, or, in the near future, create one in the system using the risk assessment tool. All communication is digital during supervision, thus making the process faster and smoother.

Our prevention and information activities have played a particularly important role. The need for information about employment relationships and the working environment saw a huge increase. We reacted quickly and the Working Life portal became the centre of information about COVID-19 and working life, with continually added current and clear information, including texts and infographics.

Virtual meetings also became part of life at the Labour Inspectorate. Labour dispute committees started conducting sessions via a video bridge. We will continue to do so in order to reduce the need to travel and simplify participation for people located further away. Several information sharing events were also held over the Internet, thus allowing for a much higher number of participants. The recordings are available to everyone on the Working Life portal so that the correct information reaches as many people as possible.

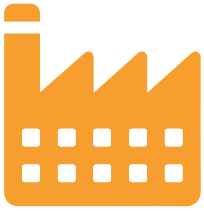
2020 marked the importance of cooperation — between the employer and the employee, between the employer and the inspectorate. We would like to thank our partners, representatives of the employees and employers, and the companies with an open mind and the readiness to take action. Your help in sharing information has been invaluable for preventing the spread of coronavirus in the workplace.

Hopefully, 2020 gave us new skills for the future, but above all the understanding that a good working environment helps keep the employees healthy and the companies functional and viable.

Maret Maripuu
Director General of the Labour Inspectorate

TABLE OF CONTENTS >

LABOUR INSPECTORATE



44% of the Estonian labour market and 84% of the employees are under our supervision According to Statistics Estonia, there are **137,980** companies in Estonia of which **60,690 or 44%** are under the supervision of the Labour Inspectorate (companies with at least one employee working under an employment contract)*

According to Statistics Estonia, the number of employed people in Estonia is **656,600** of which under the supervision of the Labour Inspectorate are **552,593 or 84% of those employed**

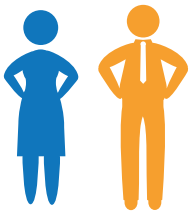
There is 1 supervisory official per 1,480 companies and per 13,477 employees;

As of 31 December 2020, 98 people were employed at the Labour Inspectorate. The number of servants on parental leave is 7. The number of supervisory officials is 41

The average length of service of employees is 9 years; longest length of service 29 years

Distribution of the employees: supervision 41; counselling, consultation, information sharing 21; labour dispute committees 15; support 16

Level of education: 71% higher education; 13% secondary specialised education; 14% secondary education



78 females, average age 43.
21 males, average age 54;
The youngest employee is 23 years old, the oldest 76;

The wages of the labour inspectors and labour inspector-lawyers range from 1,400 to 1,850 euros;

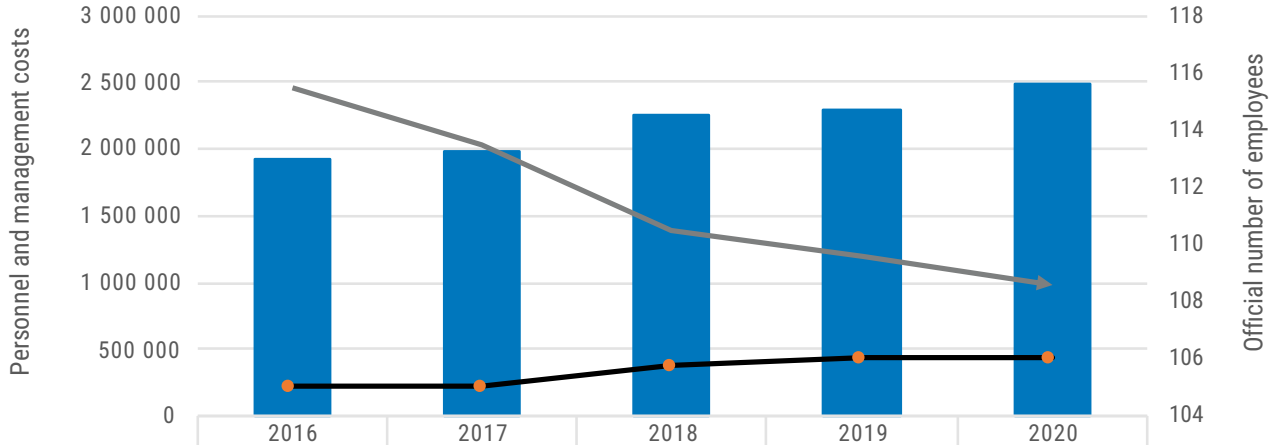
Last year, we received 73,646 requests for advice — 1 lawyer advised around 2,844 people

One labour dispute committee settled an average of 471 applications

The budget of the LI was 2.92 million euros (personnel costs 2.48 million euros; management costs 0.43 million euros)

In 2020, in addition to the funds from the state budget, the Labour Inspectorate also used funds from the ESF TAT to the sum of 1.74 million euros for prevention and counselling operations, incl. for the development of the working life information system TEIS, with a total budget of 1.14 million euros.

** All Statistics Estonia data from 31 December 2020*



	2016	2017	2018	2019	2020
Personnel costs	1 922 192	1 976 013	2 251 000	2 296 000	2 481 000
Management costs	215 090	215 090	370 000	435 000	434 000
Official number of employees	115,5	113,5	110,5	109,6	108,6

Figure 1. LI budget and number of employees (2016–2020)

Labour Inspectorate in 2020

For the Labour Inspectorate, 2020 was mostly dictated by COVID-19. While we began the year on an optimistic note and set ourselves high goals, we were set back by the increasingly worrying reports on the spread of the coronavirus and the establishment of the emergency situation in mid-March. We acted quickly and made structural changes to help strengthen our team of counselling lawyers, with the number of enquiries having multiplied by several times since the establishment of the emergency situation.

Home office became a part of everyday life at the Labour Inspectorate. Teleworking was already common for us, for our employees are situated all over Estonia. Thus, the reorganisation of work went relatively smoothly. Working in a home office, however, posed problems as well, especially in relation to distance learning and employees having to support children in their studies in addition to doing their own work. During the summer, we made agreements with all employees interested in teleworking, making sure that their workplace at home was ergonomically equal to the office workplace.

As an organisation, we also went through important stages of development last year. We undertook a thorough psychosocial risk factor assessment. The study was followed by focus groups, the results of which were thoroughly discussed by the departments, and an action plan was drawn up so that problematic situations could be resolved. Our goal is for the Labour Inspectorate to be a workplace where employees feel comfortable and are able to focus on their work.

Photo signature: Employees of the Labour Inspectorate discussing the development plan for 2021–2035

TABLE OF CONTENTS >

AN OVERVIEW OF THE ESTONIAN WORKING ENVIRONMENT — THE COMPANIES AND EMPLOYEES

- **The viral crisis affected the number of companies and their economic activity**
- **The number of companies and employees working under an employment contract is the highest in the trade sector**
- **During the year, the biggest changes took place in the accommodation and catering sector**

According to Statistics Estonia, the labour participation rate in 2020 was 71.6%, the employment rate was 66.7%, and the unemployment rate was 6.8%. There were 47,900 unemployed, which is 16,600 more than the previous year.

According to Statistics Estonia, most of the unemployed had been unemployed for less than half a year. The unemployment rate of Estonians was 5.8% and that of Russians 9.4%. There were 25,300 unemployed males and 22,600 females. The unemployment rate among the working age population was the highest in North-Eastern Estonia, most noticeably in Ida-Viru County. Compared to the previous year, the largest increase in the percentage of unemployed was in the occupations of civil servants, technicians, and mid-level specialists.

Last year, there were 656,600 employed persons, and the largest percentage increase compared to the previous year was in water supply, sewerage, waste management and remediation services, and postal and courier activities. At the same time, the share of the employed decreased the most in the repair and installation of machinery and equipment, and in forestry and logging.

568,200 of the employed worked full time and 88,300 part time. Compared to 2019, the employment rate decreased by 1.7 percentage points. The number of full-time employees decreased by 17,900 during the year, while the number of part-time employees increased by 3,200. Just over a third of part-time workers do so for personal or family reasons, and 28% do not wish to work full time at all.

The Labour Inspectorate has a supervisory role over the companies with at least one employee working under an employment contract or with board members active as employees. The companies where the relationships between the employees and the employer are regulated by the Law of Obligations Act are not under our direct supervision. However, we may still investigate a company based on a complaint or intimation; if it then turns out that the employees could actually be considered as employees with an employment contract, our lawyers can re-evaluate the original contracts based on the Law of Obligations Act, and give comments about the entire working environment.

TABLE OF CONTENTS >

	2016	2017	2018	2019	2020
The number of people employed (according to Statistics Estonia)	644 600	658 600	664 700	671 300	656 600
The number of employees with an employment contract (in the database of the LI)	546 623	550 775	554 174	568 197	552 593
The percentage (under the supervision of the LI)	85%	84%	83%	85%	84%
The number of companies (according to Statistics Estonia)	120 450	127 622	131 650	133 784	137 980
The number of companies (in the database of the LI)	54 177	54 652	56 683	59 803	60 690
The percentage of the companies (under the supervision of the LI)	45%	43%	43%	45%	44%

Table 1. The Estonian working environment in figures (2016–2020)

In the following, the entire overview will describe the working environment only from the view of companies under the supervision of the Labour Inspectorate.

The number of companies with at least one employee working under an employment contract is growing every year. The number of active companies[1] has increased significantly since 2010, i.e. after the economic depression, by 17,400 companies.

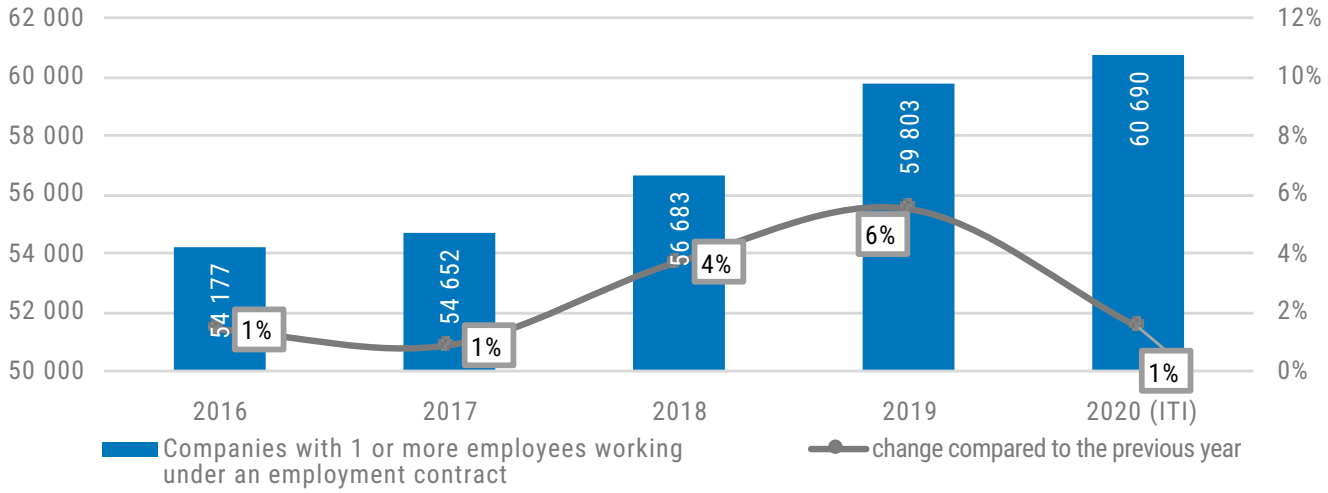


Figure 2. The number of companies under supervision in the database of the LI (2016–2020)

This year of crisis, however, has had a strange effect on business. In the spring, we were under the impression that entrepreneurship would decrease significantly and that by the end of the year we would see a significantly smaller number of operating companies, but the result was quite the opposite. Indeed, the increase in the number of companies slowed down, but changes have occurred in the size of the companies.

Micro enterprises, i.e. companies with up to ten employees, are most common in the Estonian working environment, making up around 87% of the total business environment, and the number of such small companies also increased during the year. 1,250 new micro enterprises have been added to the database. It is still too early to assess whether this is due to the support measures implemented in the spring (in order to qualify for any of the support measures, the company is required to have employees working under an employment contract), or whether the growth in the number of micro enterprises is the result of downgrading the bigger ones.

However, the number of small businesses decreased: The number of companies with 10–49 employees decreased by 300, with 6,200 employed. The number of medium-sized enterprises decreased by only 51, but this still led to 5,120 employed people losing their jobs. The number of large enterprises, i.e. enterprises with over 250 employees, decreased by 8, with 3,600 employed people losing their jobs. Thus, compared to 2019, the number of enterprises increased by 1%, but 15,604 employment contracts were lost and the number of employees decreased by 3%.

[1] *The number of companies in the database of the LI with at least one employee working under an employment contract based on the information of the Tax and Customs Board*

However, another view of the working environment is revealed by the number of employees working in a company. While we established that the micro enterprise is the most common form of business in Estonia, the majority of the employees are still employed by the few large companies we do have. There are 1,549 large enterprises in Estonia with a workforce of 56% of the people employed in Estonia.

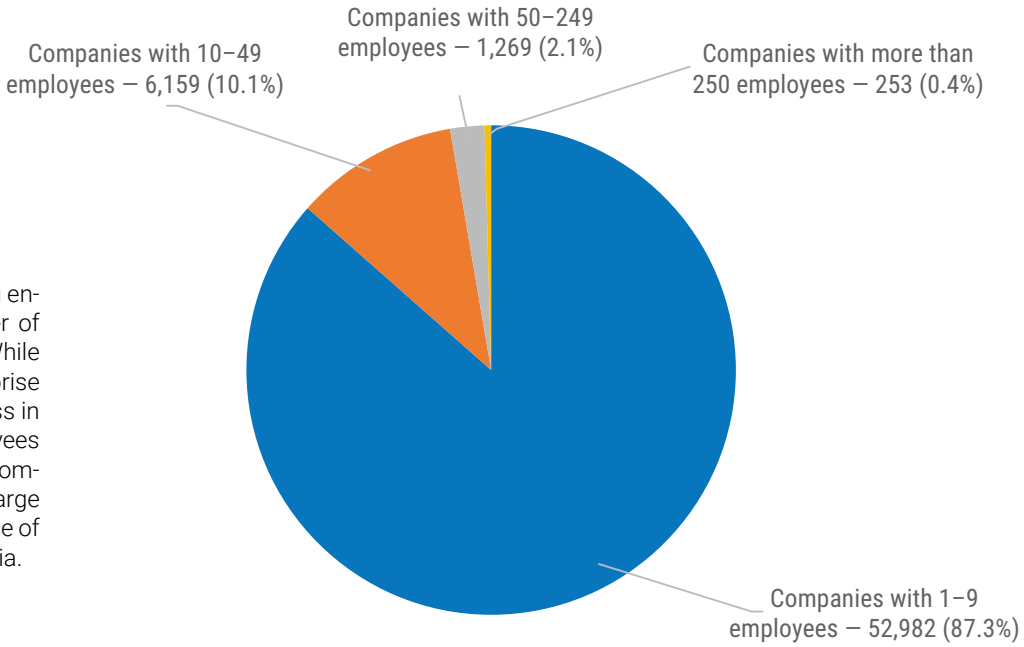


Figure 3. Distribution of enterprises by size (2020)

The number of employees and percentages in 2020

Based on the area of activity, the highest numbers of Estonian companies operate in the trade sector (approx. 10,100), construction (7,700), and professional and research activities (6,900). The fourth largest is the real estate sector (approx. 5,800)[1]. The number of companies in the processing industry ranks fifth with nearly 5,200 companies. The number of national defence agencies is only four, but they employ nearly 5,700 people. At the same time, 104 companies in fisheries have just 360 employees in total.

The number of employees working under an employment contract is the largest in trade, with 88,059, followed by public administration (58,480), and the healthcare sector (37,127). According to Statistics Estonia, 18% of those employed work in the processing industry, but the largest individual industry in Estonia is the manufacture of fabricated metal products, with 34,392 employees.

During the year, the biggest changes have taken place in the accommodation and catering sector, with as many as 4,100 jobs lost, followed by administration and support activities (3,600), and construction (2,500). However, the healthcare sector has gained approx. 900 jobs.

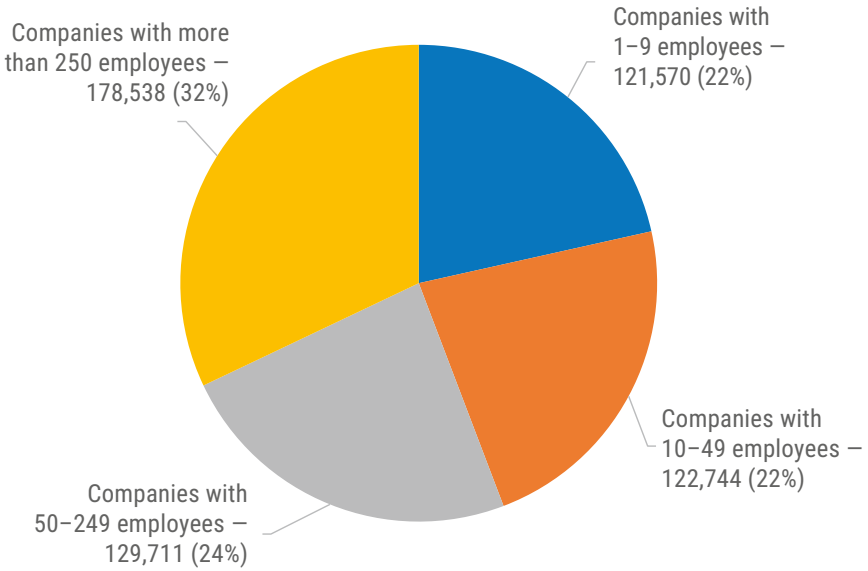


Figure 4. The number and share of employees working under an employment contract at companies (2020)

[1] *All apartment associations in Estonia are also included in the real estate sector*

OCCUPATIONAL ACCIDENTS

In 2020, the Labour Inspectorate received 4,274 reports of accidents at the place of work. This is approx. 1,000 accidents less than the year before, but the number remains high and each figure represents a person who has been injured in the course of doing their work. Investigations revealed that, for 233 of the reports, the incident could not be classified as an occupational accident, and on 384 occasions, employers notified us of accidents which did not result in injuries to the employee. As of 2019, it is not necessary to register small injuries as occupational accidents. Employers are still required to investigate all accidents in their working environment, but the Labour Inspectorate must only be notified of the cases in which the employee's personal injury has been significant enough for them to stay home with a certificate of incapacity for work. As a result, the total number of occupational accidents has also decreased.

3622 occupational accidents, including 2698 light, 915 heavy, 9 fatal accidents

- There was a decrease in the number of serious and fatal occupational accidents
- The number of occupational accidents decreased during the pandemic
- The highest number of occupational accidents occurred in the trade sector

TABLE OF CONTENTS >

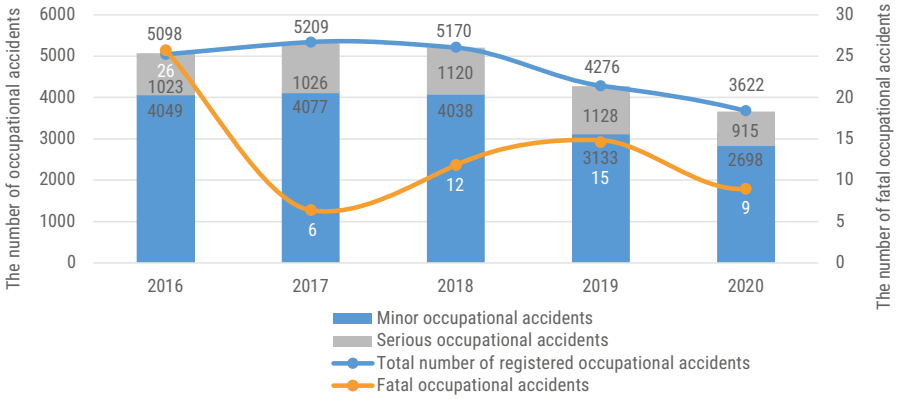


Figure 5. Statistical data on occupational accidents by the level of severity (2016–2020)

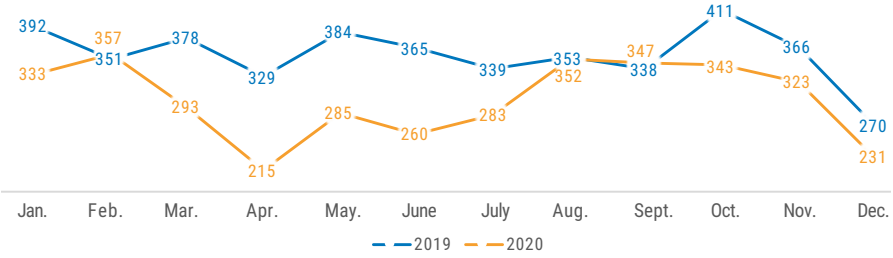


Figure 6. Impact of COVID-19 on occupational accidents by months

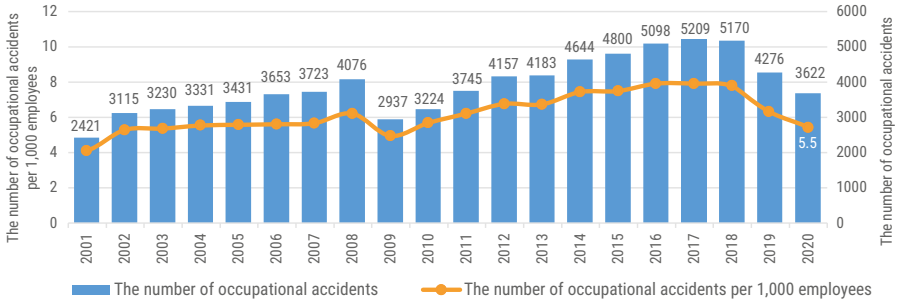


Figure 7. Registered occupational accidents and the percentage per 1,000 employees (2001–2020)

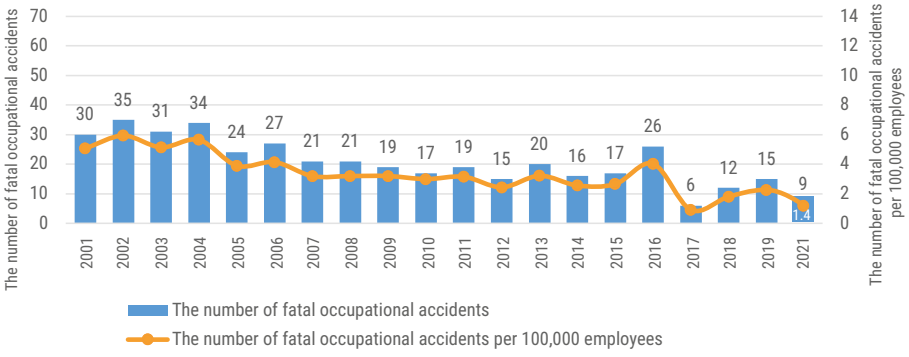


Figure 8. Fatal occupational accidents and the percentage per 100,000 employees (2001–2020)

Occupational accidents were affected by the establishment of the emergency situation in the spring of 2020 and the following restrictions on economic activity, as well as perhaps a greater focus on safety and health in the working environment, as shown in the figure below.

The statistical data is based on the data of occupational accidents officially reported by employers. Based on estimations, however, as in other EU member states, the number of occupational accidents officially registered in Estonia is lower than the number of actual accidents. Thus, it is necessary to continue to explain to the employers and employees that occupational accidents must be reported, as the aim is to prevent similar accidents in the future.

The number of registered occupational accidents has continuously increased in the last twenty years, but it does not automatically mean that the situation for occupational safety in Estonia has significantly deteriorated since 2001. It indicates that employers and employees are more aware and the accidents which occur at work are no longer concealed or reported as everyday traumas. Based on the registered data, we can state that approx. 5.5 occupational accidents per 1,000 employees occur in Estonia.

Pursuant to law, only the accidents that occur to a person working under an employment contract are deemed occupational accidents. The situation of Estonian employment relationships is, however, much more diverse. Contracts for services, authorisation agreements, working as a self-employed person or through one's own small company are quite common. It is important to realise that only employment contracts ensure social protection in the event of occupational accidents.

Fatal accidents

Let us take a closer look at the fatal occupational accidents over the last two decades. Compared to that of 20 years ago, the situation has improved significantly, but no one should lose their life in the course of performing their occupational duties. However, with today's knowledge and prevention, our working environment could be even better.

The statistical data shows that roughly a third of all occupational accidents involve employees who have been employed less than a year. This includes young people just starting their professional lives as well as those who have switched jobs and have not yet mastered the work techniques in their new position. This means that the training and instruction of new employees should be especially prioritised.

TABLE OF CONTENTS >

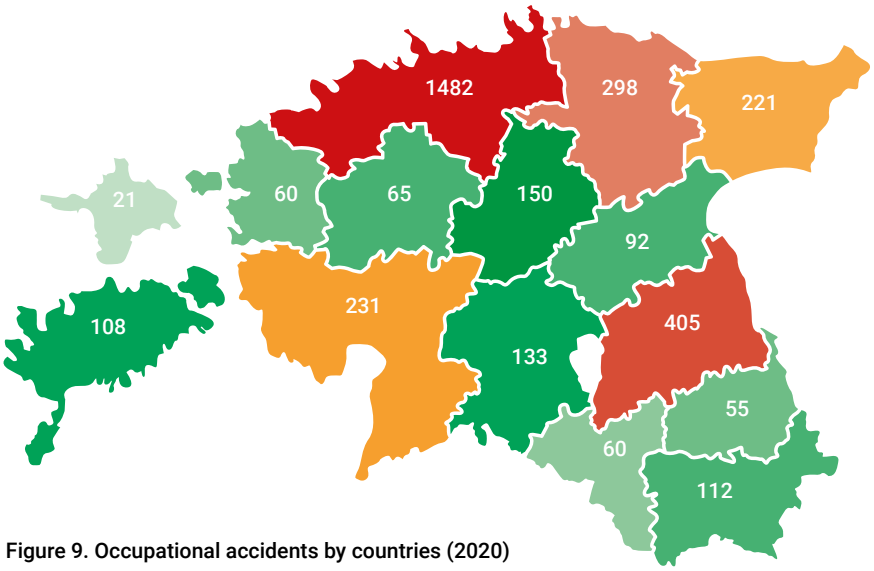


Figure 9. Occupational accidents by countries (2020)

Occupational accidents by counties

It is gratifying to note that most local governments have also started showing an interest in occupational accidents and are compiling health profiles for their rural municipality or county as a means of accident prevention.

The highest number of occupational accidents is still registered in Tallinn and Harju County, where the majority of companies and employees are situated. At the same time, it is gratifying to see that the number of accidents has decreased in most counties over the year. The number of occupational accidents increased only in Lääne-Viru County, Valga County, Hiiu County, and Võru County.

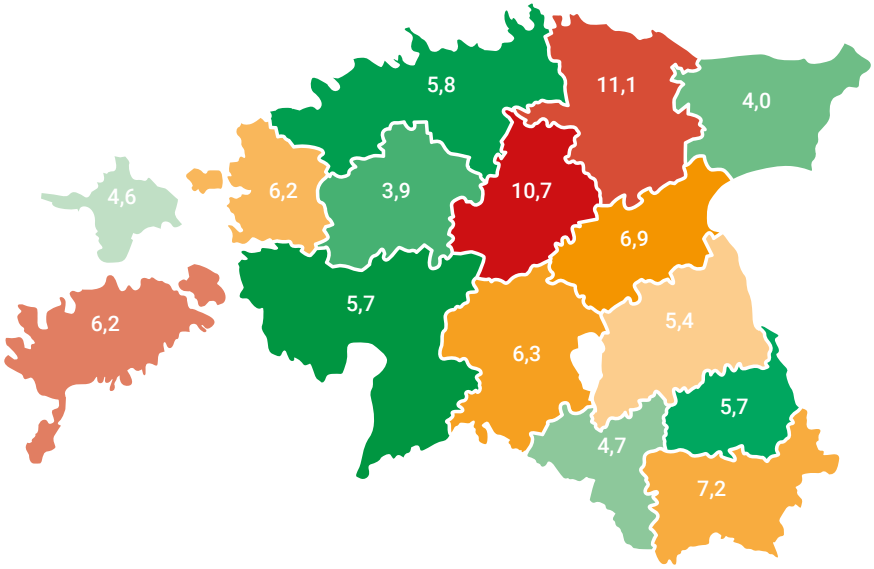


Figure 10. Occupational accidents per 1,000 employees by counties (2020)

Occupational accidents per 1,000 employees

Another aspect to consider is the number of employed people in the county. While the average number of occupational accidents per 1,000 employees is approx. 5.5 in the whole of Estonia, the corresponding figure by counties is the highest in Lääne-Viru County with 11, followed by Järva County (10.7), and Võru County (7.2). The safest, in turn, are Rapla County (3.9), Ida-Viru County (4), and Harju County (4.6). However, Ida-Viru with its large and hazardous industries and 55,500 employees gives rise to suspicions that occupational accidents are concealed in this county.

We also register occupational accidents involving the employees of Estonian companies which occur outside of Estonia. In 2020, 129 such cases occurred, which is 49 incidents less than the previous year. The highest numbers of these occupational accidents involve our employees in Finland and Sweden — construction workers in Finland and truck drivers in Sweden.

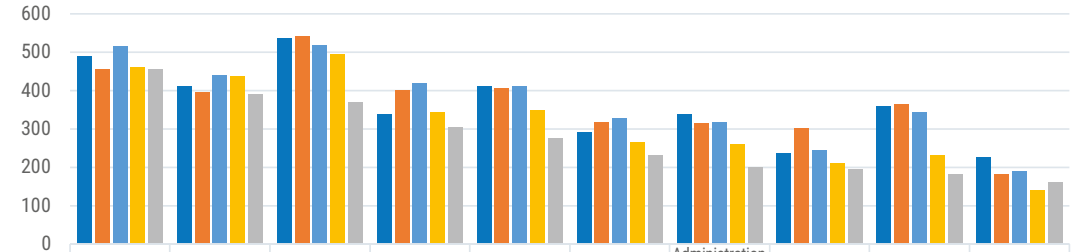
TABLE OF CONTENTS >

Occupational accidents and areas of activity

During the year, the highest number of occupational accidents was registered in trade, which has primarily replaced both the construction and metal industry sectors.

The number of occupational accidents decreased in more or less all of the sectors, excluding agriculture. Agriculture and work done within the sector seem to have been less affected by the pandemic. While other sectors were having to restrict their activities, trade was still intense in this field and the number of accidents decreased by only nine.

However, the largest declines were in the metal industry, transport, storage, accommodation, catering, and administrative and support service activities.



	Trade	Construction	Metal industry	Timber industry	Transport, storage	Healthcare	Administration and support activities	Food industry	Public Administration	Agriculture
2016	486	409	533	337	407	291	336	231	358	224
2017	454	395	540	400	406	318	315	299	364	180
2018	512	440	514	418	409	328	318	242	338	187
2019	461	438	491	343	347	264	256	204	226	138
2020	453	391	369	301	274	231	199	193	179	159

Figure 11. The sectors with the highest number of occupational accidents in Estonia (2016–2020)

An alternative perspective of the frequency of occupational accidents in different sectors is based on the ratio per 1,000 employees.

In 2020, those employed in the timber, food, or metalworking industries were still most likely to be involved in an occupational accident, despite the fact that the sectors with the highest number of accidents were trade and construction.

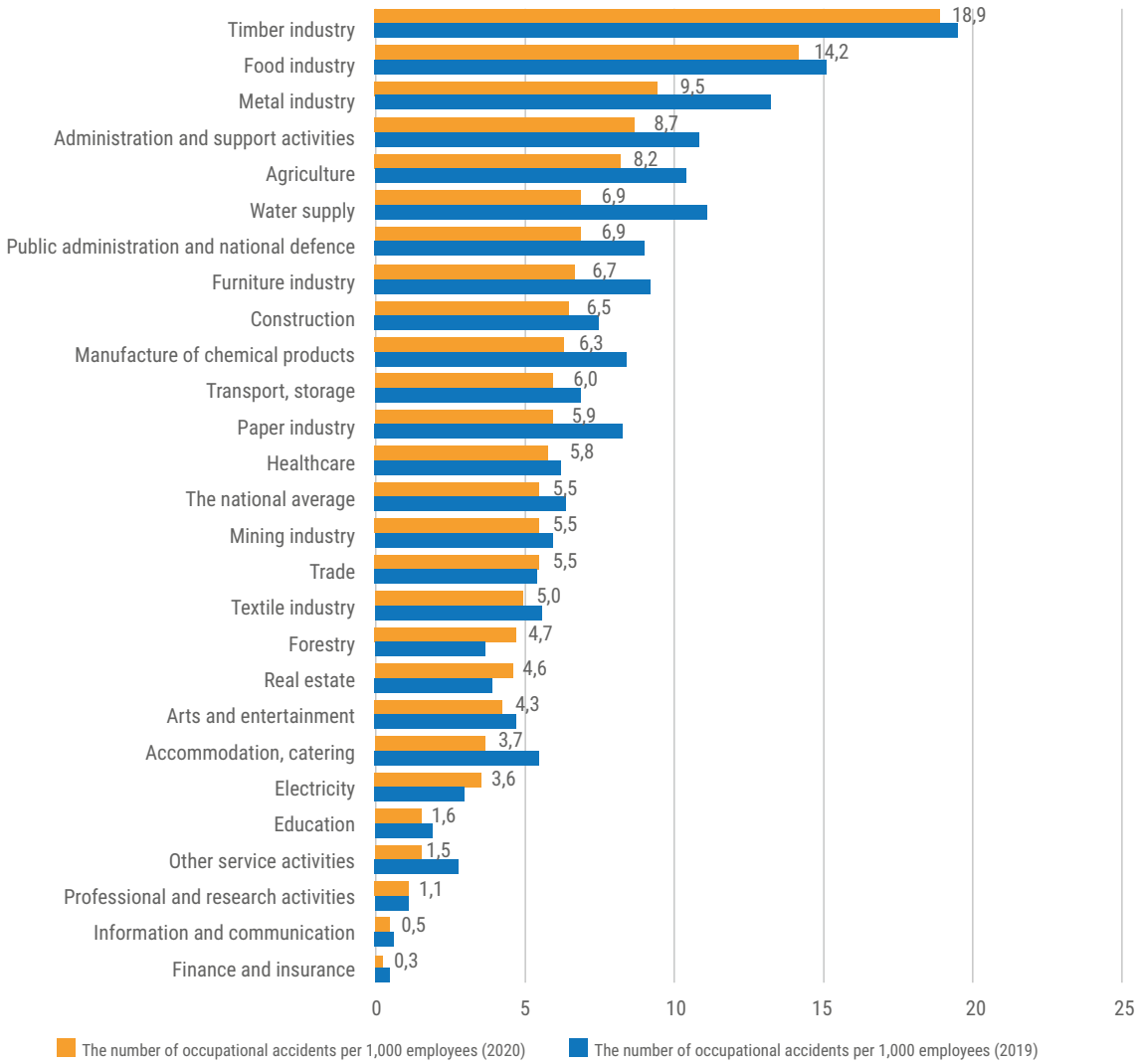


Figure 12. The ratio of occupational accidents per 1,000 employees by sectors (2019–2020)

Who are involved in occupational accidents and why?

We collect information about occupational accidents based on the Eurostat methodology. We analyse occupational accidents based on the description of the circumstances of the incident in the occupational accident report — the more accurately the circumstances of an occupational accident are described, the better the understanding of the reasons why and how employees are injured. In addition to the main data — who are involved in the incidents, whether they are male or female, how old, what positions they hold — we also collect data about three indicators describing the circumstances: the specific physical activity, i.e. what the employee was doing at the moment of the accident; the discrepancy, i.e. what went wrong, and the type of the injury, i.e. the contact with the cause of the injury. This information helps us analyse the causes of occupational accidents and plan prevention, information sharing, and supervision activities.

The majority, i.e. 65% of occupational accidents, occur with men. Men aged 25–34 and women aged 55–64 are involved in accidents more frequently than other groups. This means that the main risk group of occupational accidents is young men, just as with traffic accidents.

MEN:	WOMEN:
Builders	Sales clerks
Truck drivers	Livestock farmers
Welders	Caretakers at healthcare institutions
Production workers	Customer attendants
Rank members of the Defence Forces	Production workers
Police officers	Cleaners
Locksmiths	Packers
Warehouse workers	Top specialists in nursing
Wood processing workers	Cooks
Security guards	Wood processing workers

Table 2. The occupations which are involved in occupational accidents most frequently at work, by gender (2020)

The deviation

Under the deviation, we examine what went wrong in the course of performing the work which led to an occupational accident. The figure presents information of the occupational accidents which resulted in actual personal injuries or days of incapacity for work. Less severe cases which did not result in incapacity for work were left out.

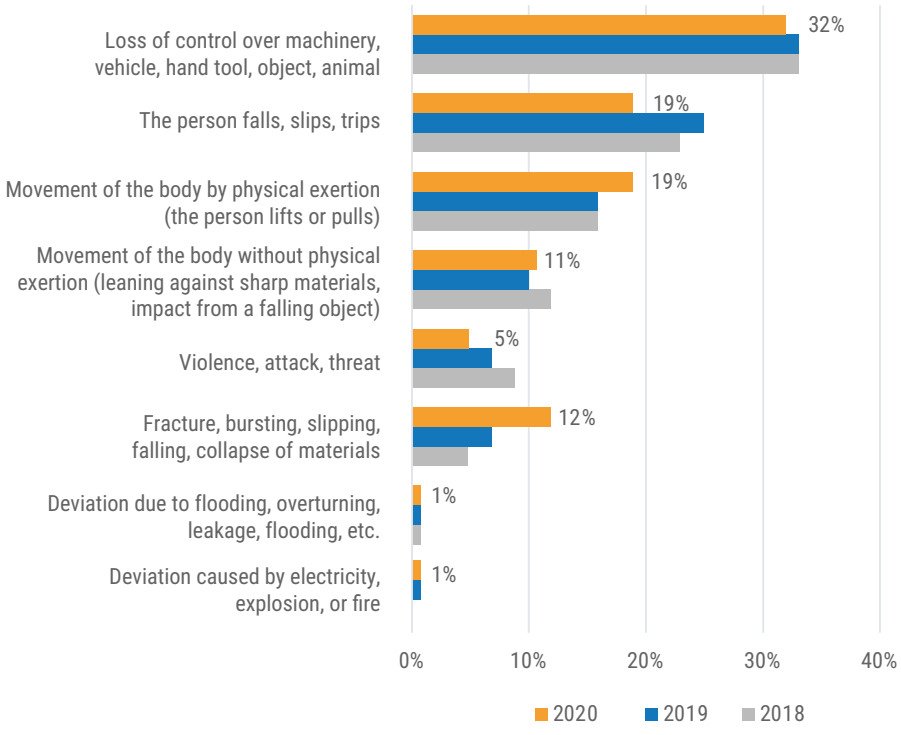


Figure 13. The deviation which caused an occupational accident (2018–2020)

The occupational accidents arising from **loss of control** over machinery, tools, means of transport, or animals remain in the first place. In recent years, the proportion of such cases has steadily increased. Last year, however, was the first to show a slight decrease. The incidents primarily occur in the metal and timber industries, which use various types of machinery and sharp tools.

The second place is again held by easily preventable accidents, such as **slipping, stumbling, and falling**. These constitute nearly a quarter of serious occupational accidents. Pathways must be clear of unnecessary objects. Employees may fall with serious consequences on slippery and wet floors; such falls may result in fractured bones, which are serious personal injuries and are accompanied by lengthy periods of incapacity for work.

The type of accidents in the third place, **moving during physical exertion**, basically means lifting, handling, etc. of various objects. Almost every fifth minor occupational accident occurs because the employee does not know how to lift or handle objects properly. This mainly results in the dislocation or stretching of the back, wrist, or ankle joint.

TABLE OF CONTENTS >

Occupational accidents with serious consequences

In 2020, the number of occupational accidents resulting in a serious injury was 915, which is 20% less than the previous year (1128 in 2019). 208 of these incidents were investigated by the Labour Inspectorate. Our investigators mainly concentrate on the cases which could have been prevented. Concerning the 208 incidents investigated, it is also very likely that they could have been prevented by observing occupational safety requirements.

The most serious occupational accidents occurred in construction, trade, and in the metal industry. The number of serious accidents increased the most in agriculture and decreased in the timber industry, transport, and metal production sectors.

The most frequent causes of serious occupational accidents:

- Almost a third of all serious occupational accidents occur when the employee drops a heavy object which they have been carrying on their foot, or when the employee loses control over a machine or over the material processed.

- 24% of serious occupational accidents occur because an employee slips, trips, or falls. This means that the accidents occur because the pathways, stairs, or outdoor territory of the company or institution were not clean and tidy or free movement was prevented by cables, boxes, furniture, stored material, finished products, etc.

These two main types of accidents alone indicate that people must pay more attention to the working environment and their activity when performing their duties to prevent accidents resulting in serious personal injuries.

As a rule, occupational accidents announce their arrival in advance!

Before a serious occupational accident occurs, the company may experience five minor accidents or similar hazardous situations where, fortunately, no one is injured, but a failure appears in the work process. If these situations go unnoticed, the occupational accident seems to come as a surprise, but it is actually not the case.

Protective covers, protective devices, and blockings still remain a huge problem in the case of fatal and serious occupational accidents. These are increasingly frequently removed from machinery and equipment and this appears to be on the employees' own initiative, not on the employer's orders.

In the transport sector, truck drivers falling out of the rear box or off a ladder in the course of loading is a massive problem. We often observe thoughtless and careless actions by employees which put their own lives and health to risk, as well as those of their co-workers.

Interestingly, our investigators have noticed that the number of serious occupational accidents in the construction sector (or the number of accidents requiring investigation) has decreased. It appears that this is extensively related to the use of foreign labour. Should anything happen to these employees, we will not be notified and this concealment has gained new momentum.

In 2020, 9 people lost their lives while performing their duties. The cases can be divided into six categories:

- **Being hit by falling objects** — three employees died
- **Falling from a height** — one employee died
- **Traffic accidents** — one employee died
- **Drowning** — one employee died
- One employee who died was **operating a forklift**
- Two employees died in a **fire**

In general, the causes of occupational accidents, incl. fatal accidents, can be divided into two. In half of the cases, the employer fails to sufficiently inspect the compliance of the place of work or the tool with the safety requirements and there is no systematic organisation of internal auditing of the working environment, i.e. occupational health and safety management at the company. On the other hand, the employees are also responsible for the prevention of occupational accidents, as they must observe safety requirements or refuse to perform tasks which may be hazardous to their health. A careless attitude towards one's own health and safety and that of their colleagues will sooner or later result in an occupational accident.

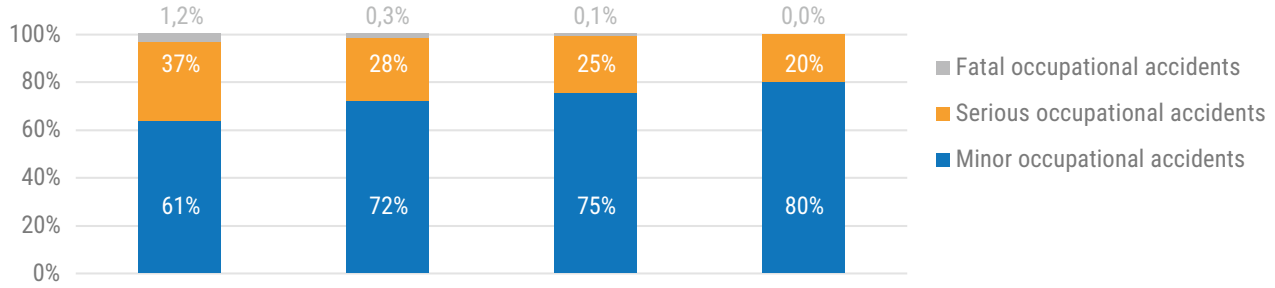


Figure 14. Reporting of occupational accidents by the size of the company (2020)

In which companies do occupational accidents occur?

In larger companies that employ working environment specialists, the working environment is properly dealt with and occupational accidents are not concealed but reported as required. However, smaller companies remain hidden in the shadows and we may not even learn about the incidents taking place there. Hence, we never attempt to shame the companies based on reporting occupational accidents, as this may be misleading. We hope that every incident teaches the employer to organise their working environment in order to avoid and prevent further hazardous situations.

Last year, the highest numbers of occupational accidents occurred in large companies (33% of the occupational accidents), followed by medium-sized companies (31%), small companies (24%), and micro enterprises (11%). However, the fact that fatal and serious occupational accidents tend to occur at micro enterprises and small companies should be taken seriously. While large companies report almost all occupational accidents properly, it is clear that the percentage of reporting serious occupational accidents is higher in the case of smaller companies because such accidents cannot be concealed. Thus, smaller companies experience approx. 17% more serious occupational accidents in comparison with large companies.

One of our most important goals is to reduce the number of companies with repeated occupational accidents. In 2018, 643 companies reported at least two occupational accidents, in 2019 this figure was 582.

Working days lost due to occupational accidents

In Estonia, occupational accidents are classified by the severity of the resulting injury as minor, serious, and fatal, based on the diagnoses determined by physicians. However, this definition does not indicate the severity of the occupational accident itself.

Another option for determining the severity of an occupational accident is based on the number of days of incapacity for work. Some less serious injuries do not result in incapacity for work, or the duration of incapacity for work is very short. Incidents where the employee remains at home due to incapacity for work for more than 30 days may be deemed serious occupational accidents or accidents with serious consequences. Most EU countries use this definition.

One of the important sources for us is certainly physicians who notify the Labour Inspectorate of potential occupational accidents, thus significantly reducing the concealing of occupational accidents. We closely monitor long-term certificates of incapacity for work, i.e. those exceeding 30 days, as these are usually the result of more serious occupational accidents.

The data from the Estonian Health Insurance Board enables the possibility to assess the direct financial losses and lost time due to occupational accidents for the entire country, as well as for individual employers and employees. The table below shows that both the number of days of incapacity for work compensated by the Health Insurance Board and the amounts of the compensation have increased year-by-year. The year 2020, however, differed in that there were significantly fewer cases of occupational accidents, and, in turn, the number of certificates and the number of days of incapacity for work are also smaller. At the same time, neither the amount of benefits per day nor the average length of certificates decreased.

Unfortunately, the data also shows that while cases with incapacity for work exceeding 30 days are decreasing, the average length of the certificate of incapacity for work is actually increasing.

Compensation for occupational accidents	2016	2017	2018	2019	2020
Number of certificates	7 037	7464	7777	8341	7371
Number of days compensated by the Health Insurance Board	139 848	149 088	155 508	158 728	140 622
The amount of compensation (thousand euros)	4 010	4 443	4 996	5 339	5174
Average compensation per day (euros)	28,7	29,8	32,1	33,6	36,8
Average length of the certificate	19,9	20,0	20	19	19,1

Table 3. The cost of compensation for occupational accidents based on the data of the Estonian Health Insurance Board (2016–2020)

TABLE OF CONTENTS >

WORK-RELATED ILLNESSES

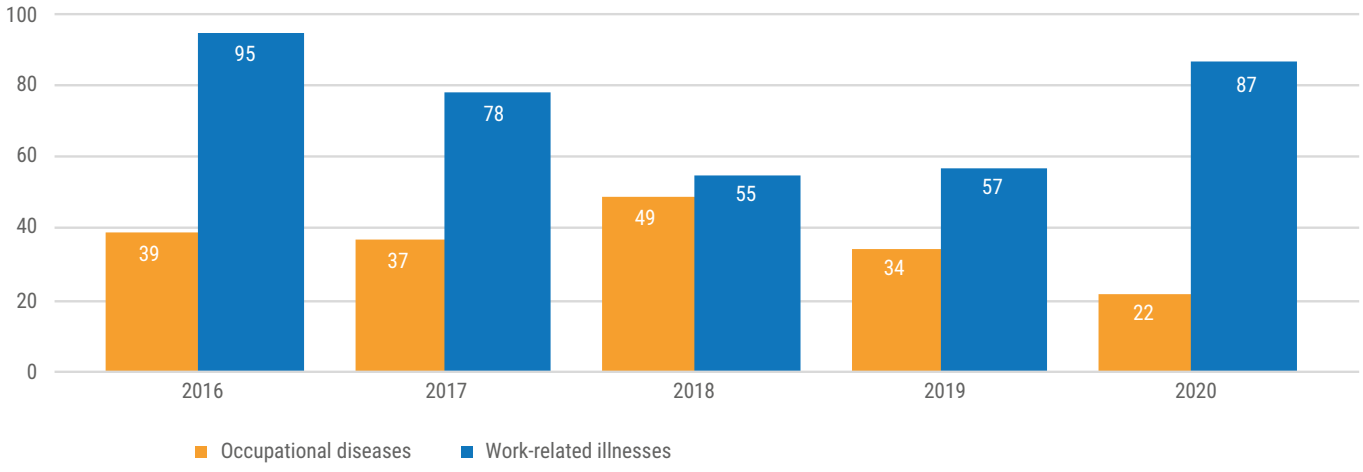


Figure 15. Registered work-related illnesses (2016–2020)

TABLE OF CONTENTS >

Labour inspectors ensure that everything necessary has been done in the workplace to maintain the health of employees, thereby preventing illnesses and maintaining the ability to work in old age. If necessary, inspectors also investigate illnesses.

22 new cases of occupational diseases[1] (OD) and 87 cases of work-related illness (WRI) were registered last year.

The majority of work-related illnesses are still caused by physical risk factors, such as heavy physical burdens, forced positions, and repeated similar movements. These risk factors cause approx. 84% of work-related illnesses.

The youngest person developing an occupational disease was 42 years old, the oldest 70. The youngest person diagnosed with a work-related illness was a 26-year-old seamstress who experienced health issues as a result of work-related mental and physical stress caused by poor work organisation. Relatively short-term contacts with various hazardous risk factors may be sufficient for developing a work-related illness, but can also result in life-long damage to the person's health.

The risk of falling ill at work

There is a tendency to underestimate risks in working environment risk analyses. Medical examinations are often insufficiently organised. We come across situations in which employees are sent to an occupational health doctor only after they have been employed for ten years, or the deadlines for follow-up examinations prescribed by the occupational health doctor have been disregarded.

Summaries of the studies on occupational diseases indicate that employers are not able to correctly assess the impact of physiological risk factors on the person's health, or the combined effect of risk factors. For example, when the temperature is too low in the workplace, the adverse effects of physical activity are far greater. Tense muscles attempt to preserve the overall body temperature by increasing the muscle tone, which in turn further increases the muscular tensions. Instruction of the employees is also insufficient. Employees are often not told how to prevent the health issues which may arise from an excessive physical burden, how to remain in ergonomically suitable work positions, or how to use proper techniques. The instructions may exist, but the employee may have forgotten the requirements.

We have also observed that occupational health doctors tend to easily permit employees with health damage to return to work. Allowing the employee to carry on working in the same conditions tends to be the norm and applying restrictions an exception.

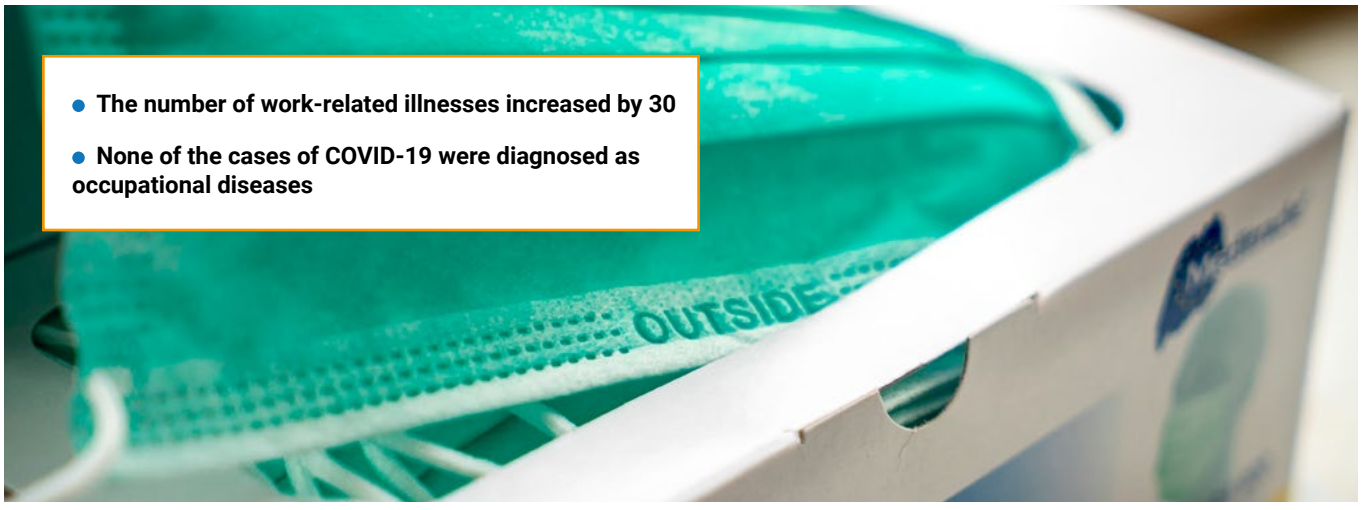
We wish that people would also understand the impacts of physiological risk factors. Physiological risk factors include heavy physical work, repeating similar movements, forced posture and movements which cause fatigue, and other similar factors which may result in health damage over time.

Employers have realised that the labour inspectors wish to and are able to improve the working environment by issuing recommendations, and therefore our suggestions are taken into account. It is increasingly less frequently needed to issue penalty payment warnings or implement control action; instead, employees look for good and efficient solutions to their problems themselves without having to be forced.

Last year, the focus was on psychosocial risk factors and their major role in increasing the impact of all working environment risk factors. Due to the emergency situation, a large proportion of workers moved to home offices, often without considering whether the necessary working conditions were actually available. Thus, we emphasised the need to conclude a teleworking agreement, in which one of the important factors to consider is how to create working conditions that are not harmful to the employee's health.

The emergency situation also prevented regular access to occupational health examinations, but this was only temporary. It is still a common problem that employees do not mention all of their health issues to the occupational health doctor, as they do not believe that a slight pain in the neck could be associated with the working environment. In the worst case, people conceal the details of their health condition intentionally because they are afraid of the consequences (e.g. losing their job).

Although Estonia suffered heavily from the effects of COVID-19, occupational health doctors have not diagnosed any of the cases as an occupational disease.



- **The number of work-related illnesses increased by 30**
- **None of the cases of COVID-19 were diagnosed as occupational diseases**

[1] An occupational disease is a disease caused by a working environment risk factor or the nature of the work included in the list of occupational diseases. The list of occupational diseases was established by Regulation No. 66 of the Minister of Social Affairs of 9 May 2005. A work-related illness is an illness caused by a working environment risk factor, but is not considered an occupational disease.

TABLE OF CONTENTS >

PUBLIC SUPERVISION

We conducted 3,397 supervisory procedures;

incl. targeted controls based on 10 fields of activities/problems

The working and rest time of 1,362 vehicle drivers was inspected to the extent of 81,615 working days

Employment of 1,969 posted workers was registered in Estonia;

3,321 children under 15 years of age were employed at our companies in 2020

Registered occupational accidents — 3,622:
incl. slight — 2,698
incl. serious — 915
incl. fatal accidents — 9

Occupational accidents per 100,000 employees — 551

22 new cases of occupational diseases and 87 cases of work-related illness were registered

11,530 violations were detected

32 misdemeanour procedures, incl. 32 penalty payments to the total amount of 7,520 euros

TABLE OF CONTENTS >

- **The supervision of the working environment was significantly affected by the situation caused by the pandemic**
- **The new working life information system TEIS makes supervision smoother**
- **Much attention has been focused on curbing the spread of the coronavirus in the workplace, but the so-called normal problems of the working environment would also need to be taken more seriously.**

With supervision of occupational safety, our aim is to reduce the number of serious and fatal occupational accidents. We inspect the working environments of companies on the basis of risk ratings, which are based on the number and nature of the occupational accidents, occupational diseases, and work-related illnesses in the sector and at the specific company. The risk assessment is also based on the level of risk assigned to the sector, the time of the last visit to the company and any deficiencies observed, as well as the number of employees. Risk ratings are calculated for each specific company and the companies and organisations with the highest risk ratings are selected for inspection. Inspected separately are companies with repeated occupational accidents, or companies where the employer has failed to pay sufficient attention to determining the causes of occupational accidents and prevention of similar cases.

Based on the EU strategic framework of occupational health and safety 2014–2020, the majority of the supervision activities will be focused on small- and medium-sized companies. Unfortunately, we are unable to reach all small companies, i.e. those with less than four employees. However, we are implementing other options. Our consultants have focused on new companies so that the employer knows the requirements of a good working environment right from the start. In targeted inspections, we check a couple of risk factors in approx. 10% of companies in a certain field of activity, summarise the results, and report to all companies and professional associations in the sector.

By areas of activity, the focus of supervision in 2020 was on construction, trade, and transport and storage. The share of supervision increased in construction, administration and support activities, the manufacturing industry in the metal industry, and the production of chemical products.

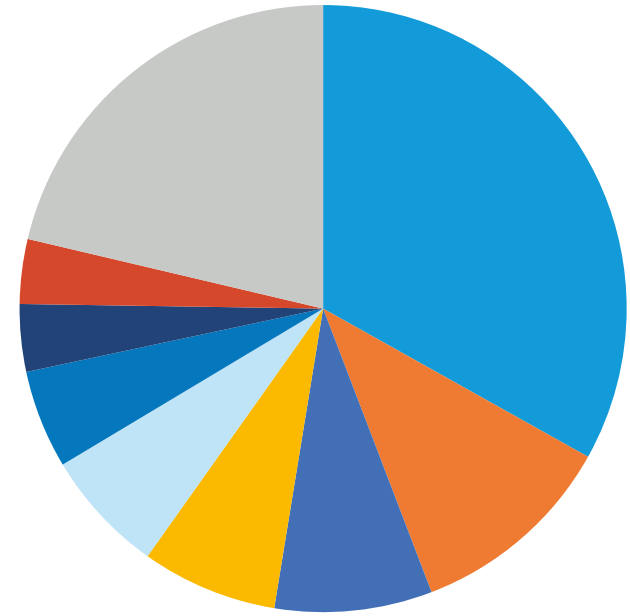


Figure 16. Supervision over sectors (2020)

In 2020, monitoring of the working environment was significantly affected by the situation caused by COVID-19. During the emergency situation in the spring, supervision was very limited — companies found themselves in a very difficult economic situation and were essentially just trying to survive. We decided not to compromise when people's lives are in danger, to respond to clues, and to focus on monitoring instead of routine checks. Several labour inspectors, chief lawyers and lawyers also went to the aid of counselling lawyers, who were flooded with phone calls and e-mails.

Another major change in supervision was the introduction of the Labour Inspectorate's official application in the working environment self-service system (TEIS). From now on, all information exchange with the employer will take place digitally during the supervision; the inspector enters all the information into the tablet and forwards the observations to the employer. Consequently, the work process is now faster and smoother.

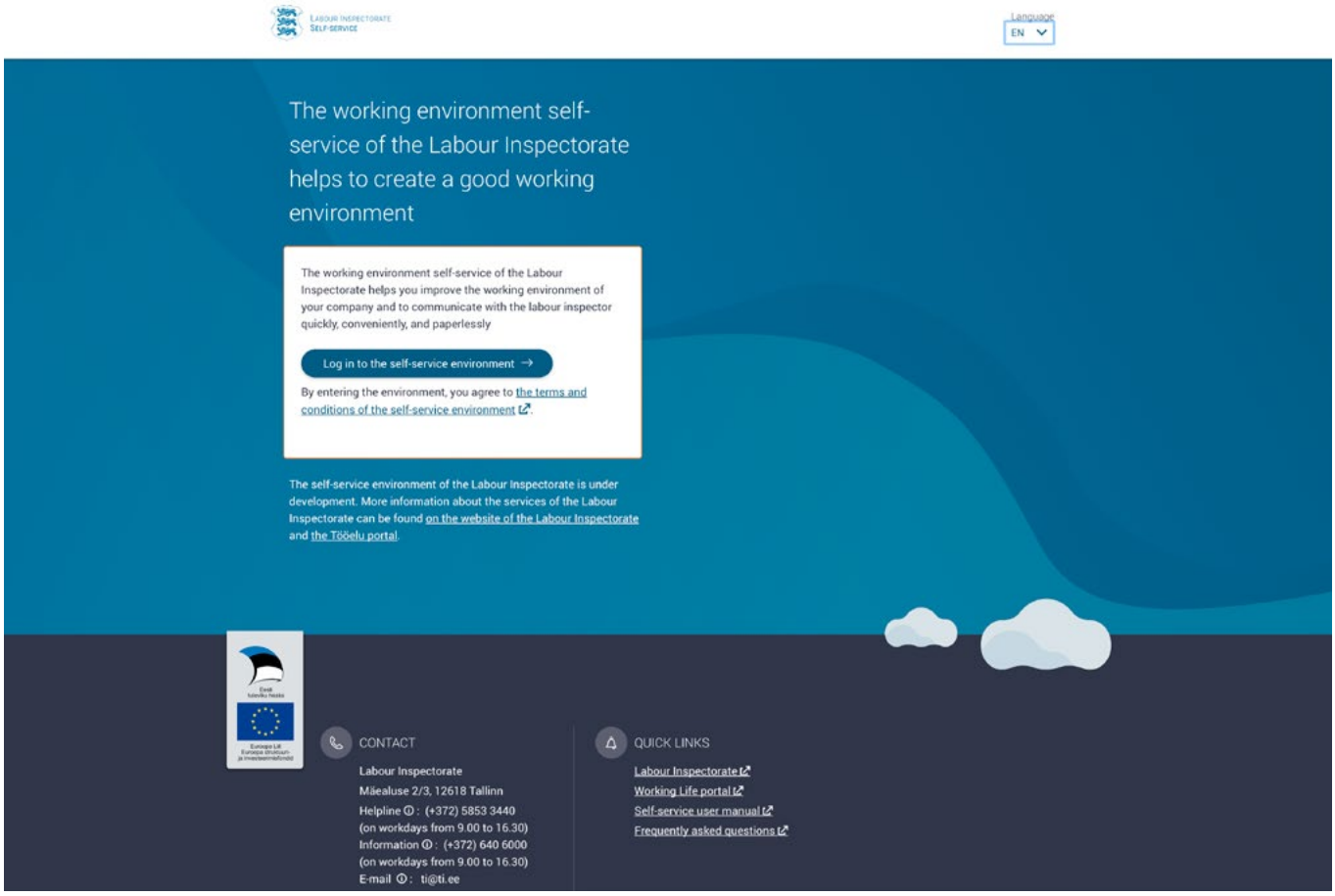


Figure 17. The self-service environment of the Labour Inspectorate helps the employer to create a good working environment

In order to move to the new system, we conducted thorough retraining so that officials could take full advantage of the new opportunities. Inspectors are now quite satisfied, as the self-service system TEIS makes it much more convenient to carry out supervision.

In this aspect, the coronavirus has an unexpectedly positive effect — supervision to the usual extent was not possible, thus leaving much more time to get acquainted with the new system. The freed-up resources at the expense of supervision were also used to transfer data already provided by employers into the new system.

The supervisory team of the Labour Inspectorate is divided into four task forces to cover various sectors throughout Estonia with inspections. The fifth task force deals with the investigation of occupational accidents and occupational diseases.

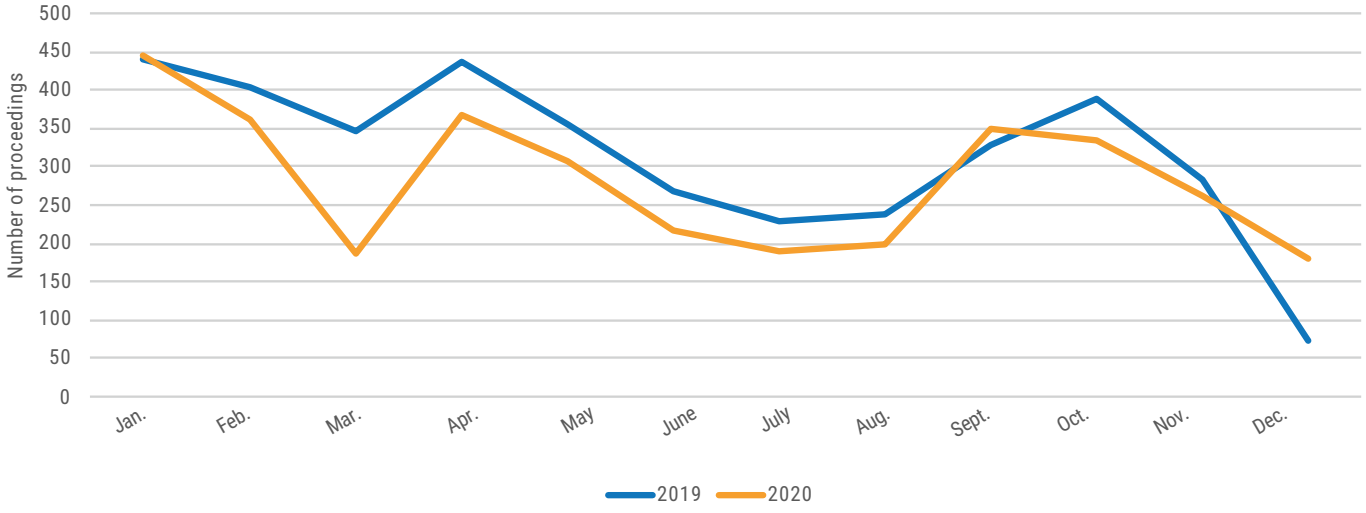


Figure 17. Impact of COVID-19 on supervision

General Supervision

The General Supervision task force is the largest (11 officials) and was formed in early 2020, when the previously separate task forces on Production, Public Service and Occupational Health were joined. The process of joining the team had hardly begun when the emergency situation was established, so the plan of work also needed to be changed. From March onwards we responded to **hints** that were checked on the spot. At the same time, so-called **COVID-19 monitoring** was started, where information on curbing the spread of coronavirus was collected during both special and routine inspections. While conducting the supervisory activities, the inspectors had all the necessary personal protective equipment at their disposal. Inspections resumed in the summer and early autumn, but the end of the year was again mostly dictated by the restrictions.

Summarising the year 2020, it can be said that the **biological risk factor** and the mitigation of its risks became the focus of attention in the working environment. During the year, there was a significant increase in the employers' awareness and ability to notice and elaborate on hygiene issues, develop guidelines, as well as introduce and implement them. The spring was the time to ask for advice on what to do, and by autumn significant changes had been made in the working environments.

At the same time, significantly more details about **psychosocial risk factors** were received last year than before. The nervousness caused by the pandemic affected the mental working environment, resulting in tension and impatience. We are also trying to pay more attention to this issue in supervision and to ask employees how they are coping.

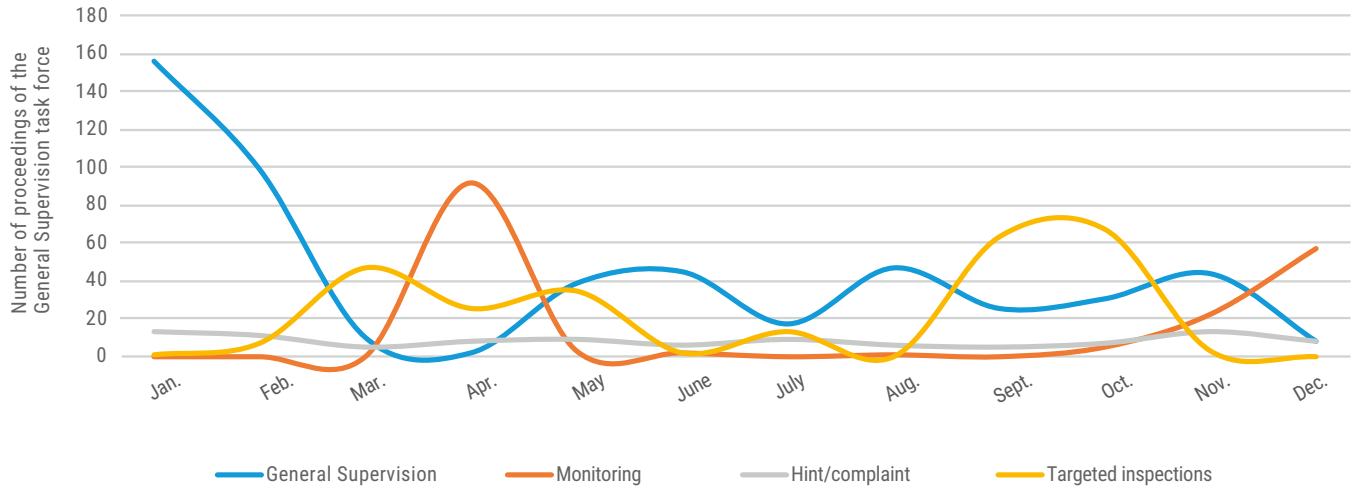


Figure 18. General Supervision (2020)

Remember one startling moment from an inspection in August. I was in the warehouse talking to the manager when we both suddenly realised something strange. A large forklift, parked behind me, started rolling towards us. We moved away quickly, but it was a frightening experience regardless. It was strange that a large vehicle that hadn't been ridden, suddenly started creeping towards people, threateningly pointing its forks towards us. This was caused by a coincidence in circumstances — the ground was uneven and the vehicle's parking brake was inoperative.'

TABLE OF CONTENTS >

Construction and infrastructure

The task force supervising construction and infrastructure companies (7 officials) started monitoring construction sites from cars in the second week of the emergency situation. We observed whether personal protective equipment was used, then transmitted our observations by telephone. The biggest problem continues to be the use of fall protection devices (harnesses).

When the necessary personal protective equipment reached the Labour Inspectorate, we started visiting the sites again. The new construction safety helmets and protective clothing also aroused interest among construction workers, who were inquiring where to get safety equipment that met all the requirements.

Construction sites were given special attention on the measures used to prevent the spread of the coronavirus. While being in the fresh air during field work helps prevent the spread of the virus, many of the tasks are also performed indoors. The most likely place of infection on a construction site is a portable cabin, where too many people are present at one time. Recognition should be given to those employers who have reorganised their work in a way that people do not come into too much contact with each other in order to prevent the virus from spreading.

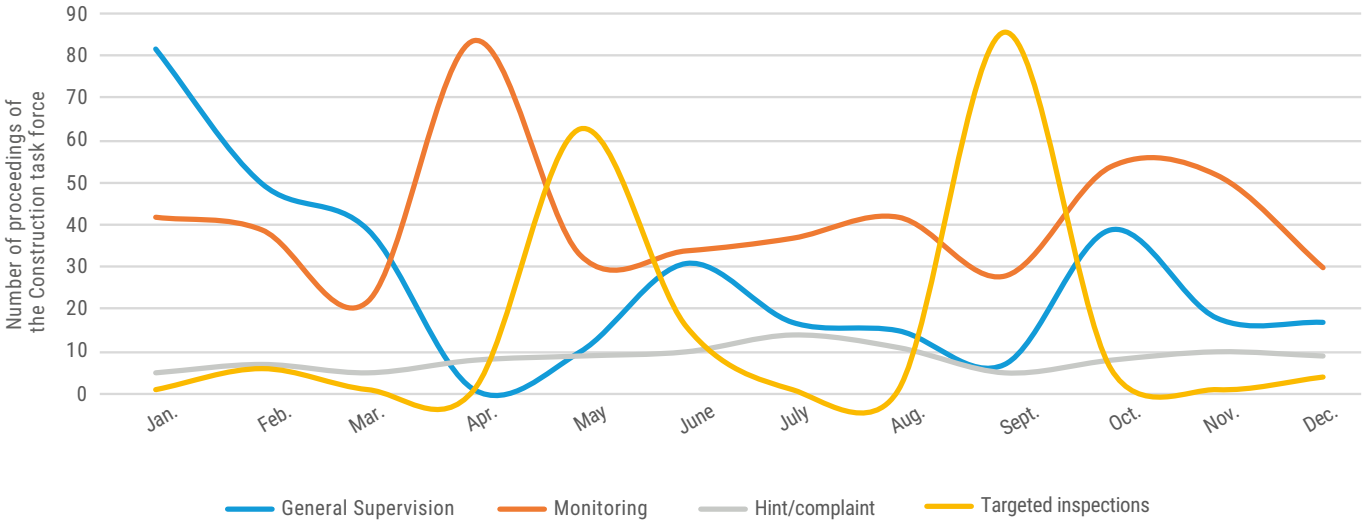


Figure 19. Construction supervision (2020)

Targeted controls based on sectors and issues

During the year, we conducted 10 targeted inspections focusing on the following topics and areas:

- **Manufacture of metal products**
- **Wholesale trade**
- **Working at heights**
- **Manufacture of chemical products**
- **Shooting ranges**
- **Musculoskeletal system**
- **Catering**
- **Joint raids** with the Police and Border Guard Board, the Tax and Customs Board
- **Economic activities** for which compliance with the requirements of the Labour Market Services and Benefits Act and protection of the rights of temporary agency workers were investigated
- **Cooperation project with the Health Board,** the focus of which was the occupational health service, i.e. providing employees with medical examinations.

Overviews of the targeted controls have been published in the form of press releases and can also be found on our website.

In the second half of the year, we began to summarise the inspection of COVID-19 prevention measures in the working environment. In the spring, there was a great deal of confusion and employers often asked for advice, but by autumn awareness had grown significantly. Disinfectants were available in the workplace, and work was often reorganised to reduce people-to-people contacts. However, even in December were we able to visit workplaces that seemed to have no knowledge of the spread of the coronavirus; in other cases, prevention measures were very poorly implemented, just to please the inspector (e.g. one disinfectant at the back of the workshop).

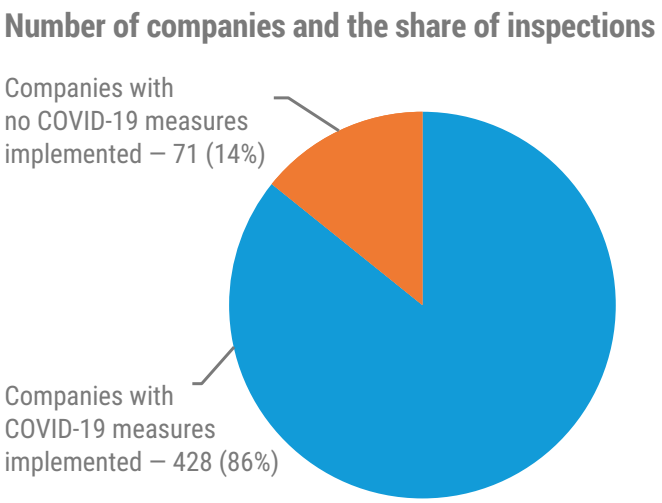


Figure 20. Implementation of Covid-19 measures in companies

The working and rest time of vehicle drivers

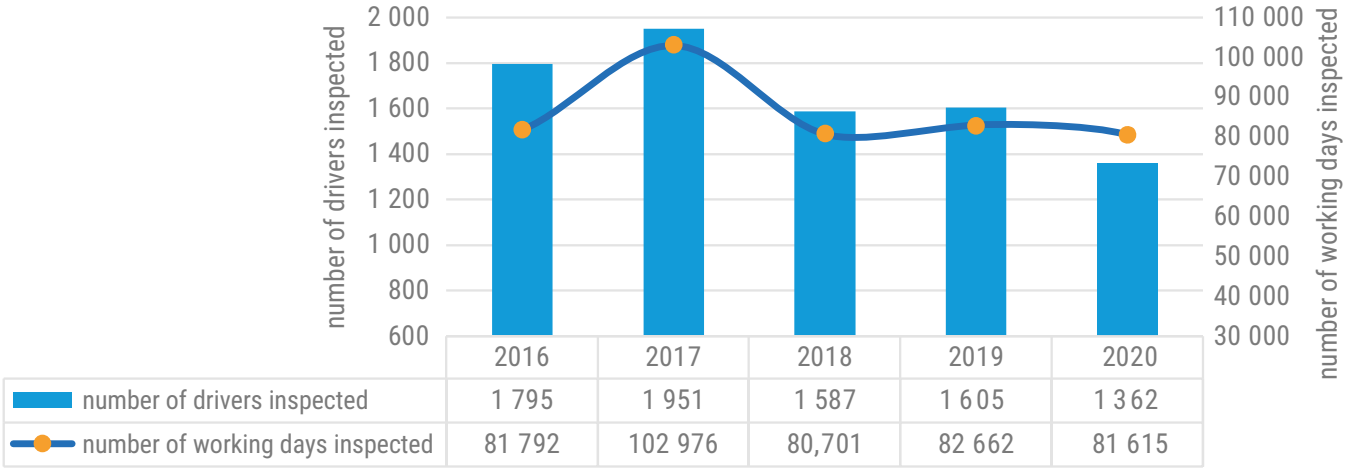
State supervision over compliance with the requirements for working, driving and rest time of a power-driven vehicle driver and the requirements of use of a tachograph and preservation of data specified in the Traffic Act is exercised on the premises of the undertaking by the Labour Inspectorate and on the road by the Police and Border Guard Board. The Labour Inspectorate includes a supervisory **task force of the transport sector and drivers** with three inspectors.

The emergency situation in the spring caused chaos **in the transport sector** as borders were closed. At the same time, transport of goods was vital and, due to obstacles, countries introduced temporary exceptions to drivers' rest periods (Estonia did not change the current regime). International associations managing the carriage of goods also called upon countries to be more lenient, flexible, and understand the special requirements of transporting goods, so that deliveries can arrive on time even during the emergency situation.

At the same time, **passenger transport** was mostly stopped, mainly due to the halt in tourism. Tourism did not recover even as the year progressed, the buses were not being used and there was no need to conduct supervision in these companies.

We turned our attention to **dump trucks**, where work was plentiful even in the most difficult times, especially for small companies. Among our colleagues, we noticed a tendency for some employers to use the coronavirus as an excuse to try and avoid the inspector's visit.

We also experimented with contactless monitoring. Employers forwarded us files digitally that we could then process. Reactions varied widely — some companies were immediately ready to submit the data, while others were not cooperative at all, for they simply did not have the requested information. Despite the setbacks, the first attempt proved successful, and we now provide employers the opportunity to submit data without contact.



	2016	2017	2018	2019	2020
number of drivers inspected	1 795	1 951	1 587	1 605	1 362
number of working days inspected	81 792	102 976	80,701	82 662	81 615

Figure 21. The numbers of inspected vehicle drivers and their working days (2016–2020)

Supervision of maritime labour

Maritime supervision was also affected by the spread of the coronavirus, often making it more difficult to visit the companies. Last year, several ships were certified which required a preceding inspection by the Labour Inspectorate. Due to the coronavirus, a large number of ship certifications had to be carried out in a short period of time (old certificates had expired but inspections were difficult to carry out), thus making the work very intense and fast-paced.

Last year, several discussions took place in the field of maritime work, where the plan to bring ships under the Estonian flag was discussed. We also advised and assisted shipowners in orienting themselves in maritime legislation.

In the field of maritime work, as well as logistics and forwarding, the Labour Inspectorate is concerned that situations often arise (especially in companies with few employees) where the employer's knowledge of the requirements of the law is incomplete or incorrect. For example, some small business owners tend to think that because they have less than five employees, there is no need to follow the OHSA and ECA requirements.

Supervision of employment relationships

Employment relationships and economic activities are supervised by a task force of eight officials. The task force checks that employment relationships comply with the requirements of the law, and that equal treatment of employees and fair competition among companies are ensured. The task force conducts supervision of employment relationships, posted workers, minors, the provision of labour market services, and temporary employment agencies.

Foreign labour

We inspected undeclared and illegally working persons in cooperation with the Police and Border Guard Board and the Tax and Customs Board. Citizens of third countries must be registered with the police, in the case of working as a posted employee with the Labour Inspectorate, or as an employee of an Estonian company in the employment register.

The use of foreign labour was greatly affected by the pandemic. As the borders were closed, it became difficult for workers to reach Estonia, as well as for Estonian workers to work in other countries.

> **The biggest problems last year were related to foreigners who worked on construction sites, but also, for example, in the construction of solar panel parks that were completed at the end of the year. A lot of confusion was also caused by the foreign labour left here during the emergency situation and the foreigners invited to work in agriculture in the summer. In most cases, employees complained that they did not receive the promised wages. There were cases where employees turned to the Social Insurance Board, the PBGB and us with concerns that the employer paid only a small amount and sent the employees away. But with this money, people seemed to be trapped — the sum was too small to cover living expenses or travel back home.'**

Estonians also mediate labour themselves (to Finland, for example) and this does not include only local workers, but also those from third countries as well. The person is given a contract, the conditions are written down, and there is no room to negotiate. It is often the case that people do not even understand what they are signing up for.

Statistics show that the number of **posted workers** has decreased — only 544 posting notifications were registered in the LI system during the year, according to which 1,969 workers arrived in Estonia (44% less than in 2019). It became apparent, however, that this does not reflect the reality, as border checks during the spring emergency situation brought us a month's worth of data that we would not have received otherwise. The police forwarded all applications for special permits concerning posted workers. Thus, it turned out that, in 99% of cases, the Labour Inspectorate was not notified, although the obligation to do so lies with the employer.

Close co-operation with other countries is important on issues related to foreign labour. Due to the coronavirus, normal cooperation was disrupted and the main focus was given to data exchange. We also carried out simultaneous inspections of Estonian service providers, where we inspected companies located in Estonia and at the same time the foreign partner inspected the working conditions of the employees in their country.

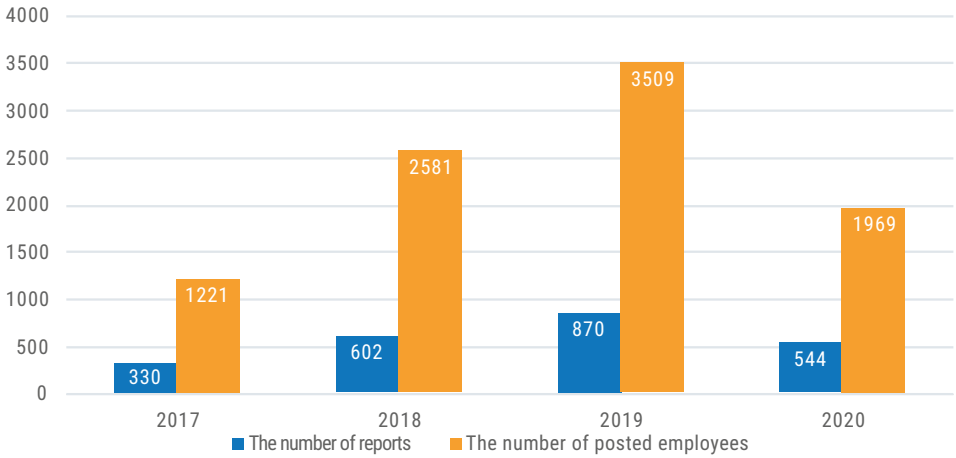


Figure 22. The number of notifications received and the number of posted employees (2017–2020)

Children and youths in the labour market

The Employment Contracts Act permits entry into employment contracts with a minor of 13 years of age for agricultural work, light work performed in trade or service establishments, light work performed in catering or accommodation establishments, or other light work. The work provided to a child may not entail contact with working environment risk factors that are prohibited for children. Employers are not required to apply for the Labour Inspectorate's permission for employing a young person under 15 years of age; however, they must ask for the permission of the parent for hiring a child aged 7–14.

The employer must add a respective entry in the employment register ten working days before the 7–14-year-old starts working. This requirement is significantly different from the requirements applicable to adults or at least 15-year-old employees, who may be registered on the day of commencement of work.

2020 was difficult in terms of hiring children and youths. Companies focused on securing jobs for their existing employees, and hiring summer support staff was not a priority. While the catering and accommodation sector has been the main provider of employment for the youth, it suffered greatly due to the pandemic, with tourism becoming almost non-existent. In 2020, we received employment information on only **3,321** children and youths under the age of 15 (a quarter less than in 2019); 585 different employers offered jobs to children and youths (compared to 839 employers in 2019).

By sector, the highest numbers of children were employed in public administration and education, which includes youth centres and student groups working during the summer holiday. In most cases, children and young people were involved in light landscaping, maintenance, support work, etc.

According to the type of legal relationship, more and more children work under the Employment Contracts Act (81% of contracts). At the same time, contracts under the law of obligations have not disappeared, with approx. 17% of children employed on the basis of this type of contract. By areas of activity, the share of contracts under the law of obligations was the largest in the sectors of arts and entertainment, agriculture, and information and communication. The children working under employment contracts are mostly employed in public administration and education.

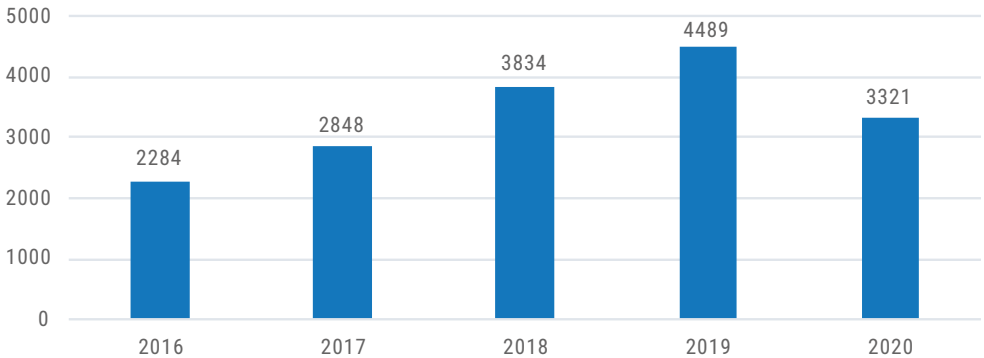
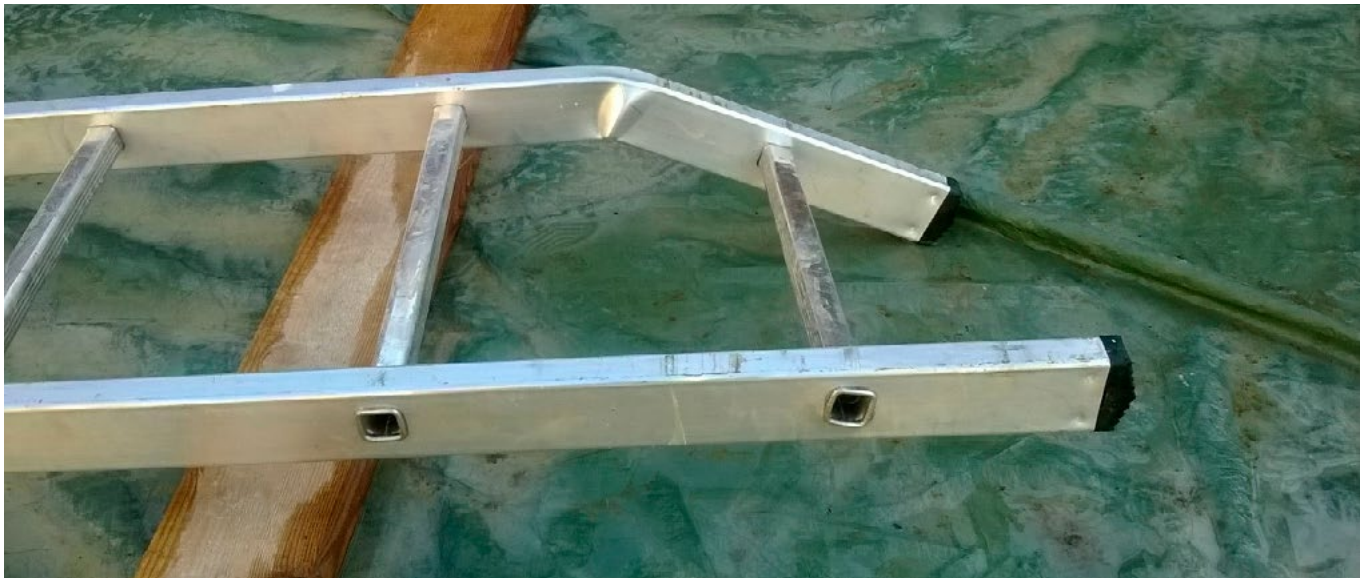


Figure 23. Registration of employment of up to 15-year-old children with the LI (2016–2020)

TABLE OF CONTENTS >



Main issues of the Estonian working environment

Last year, labour inspectors identified **11,530** violations related to occupational health, occupational safety, employment relationships, maritime work, or working and rest time of vehicle drivers. The number of detected violations has decreased over the year, but the number of proceedings has also decreased. Violations were detected in approx. 83% of the inspected companies.

Labour inspectors report small nonconformities in writing somewhat less frequently now and tend to notify the employer verbally instead. On the other hand, more attention is paid to the violations which have a clear effect on the occupational health and safety system of the company.

The biggest problems in the Estonian work environment according to the Labour Inspectorate

- **No risk analysis of the working environment prepared or the existing analysis does not correspond to reality;**
- **Employees are unsupervised or supervision is unregistered;**
- **Devices ensuring the safety of work equipment are not compliant;**
- **Medical examination has not been organised within four months of the employee commencing work;**
- **Safety instructions have not been prepared for the work to be carried out and the tools to be used;**
- **Personal protective equipment issued to employees is unrecorded;**
- **Routes, work space, danger areas, doors or gates do not meet the requirements;**
- **Safety for working at height is not guaranteed;**
- **There is no internal or external work environment specialist, and the employer does not perform the duties of a work environment specialist;**
- **Hazardous places and routes are not marked as required.**

As can be seen, the vast majority of these main deficiencies also involve a direct threat to the employee's health; if such deficiencies in the work environment are not managed, then the likeliness of the occurrence of occupational acc

The most significant issues related to the employment relationship are still:

- **failure to report working time;**
- **failure to notify employees of the terms and conditions of payment of wages;**
- **failure to notify of work organisation rules;**
- **failure to notify of any special agreements;**
- **wages are below the minimum wage;**
- **violation of the requirements for daily rest time;**
- **failure to notify employees of the working conditions;**
- **failure to report the terms of advance notice of the cancellation of employment contracts;**
- **less than 36 hours of consecutive rest time;**
- **failure to notify employees of the description of duties.**

Looking at the list, it must be stated that, in solving the problems of the working environment, Estonian companies do not start from the beginning, i.e. from the assessment of the risks of the working environment and the preparation of the analysis, renewal of the analysis, training of employees and proper supervision. There is also a distinct problem with medical examinations — not all employers are willing to organise the examination, and in some cases it is the employee that refuses to show up for the examination.

In general, the number of violations at any one company is not very high but there tend to be a few violations at every company inspected. The companies with branches all across Estonia usually have some issues. For example, one construction company accounted for more than 50 occupational safety violations during the year, clearly indicating that there are no targeted occupational safety activities in the company, no unified occupational safety management system, and all activities aimed at the working environment are rather random.

In 2020, the labour inspectors halted the work on 112 occasions to eliminate violations, and the use of work equipment was prohibited on 71 occasions (in 2019, the respective figures were 198 and 116). The use of work equipment was mostly prohibited when the safety devices related to it, lifting equipment, or the equipment designed for temporary work at heights were not compliant, or if broken power tools were used. Most of the cases of halting the work involved construction works because safety was not ensured for working at heights or personal protective equipment was not used.

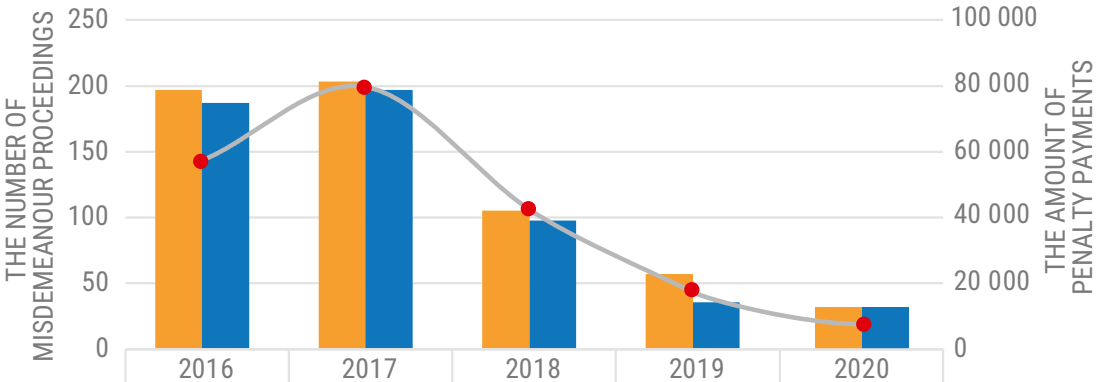
Misdemeanour proceedings, penalties

The number of proceedings conducted by the Labour Inspectorate as a body conducting extra-judicial proceedings has decreased drastically since 2018 because, based on the court proceedings and judgements arising from earlier proceedings, the law in its current form was basically not enforceable according to the courts due to the special identity description 'employer' included in the composition. In co-operation with the Ministry of Social Affairs, the Ministry of Justice and the Social Affairs Committee of the Riigikogu, a draft was prepared to amend the wording of special law misdemeanours and clarify the definition of employer, and the Riigikogu adopted the amendments on 17 June 2020. As of 30 July 2020, the possibility to conduct misdemeanour proceedings on the basis of special laws under the supervision of the Labour Inspectorate was restored.

Punishment in misdemeanour proceedings has never been the goal of the Labour Inspectorate. Penalty proceedings are applied only in cases where the violation has taken place for a long time, affects many workers, endangers human life or health, and can no longer be remedied. We are proceeding from the principle that if an issue in the working environment can be eliminated by applying other measures, no penalties are imposed.

In 2020, misdemeanour matters were processed on 32 occasions as a result of supervision, with all of these proceedings ending with a penalty payment. The total amount of penalty payments imposed in the year was 7,520 euros.

31 misdemeanour proceedings were conducted under the expedited procedure. These were related to traffic law violations, i.e. the storage and submission of data on both passenger and transport of goods. One proceeding was conducted under the Employment Contracts Act.



	2016	2017	2018	2019	2020
Misdemeanours processed	197	203	105	57	32
Number of penalties imposed	187	197	98	36	32
Amount of penalties imposed (euros)	57 542	78 680	43 754	18 250	7 520

Figure 24. The number of misdemeanour proceedings and the amount of penalty payments (2016–2020)

The employers' assessment of the supervision

If the company has been visited by a labour inspector, we ask employers for feedback on whether the supervision was competent for them, understandable enough, and how satisfied they are with our service. We measure their satisfaction continuously and obtain the data on a monthly basis. We sent a total of 1,557 e-mails and received 849 responses, i.e. 55%, even though we had initially expected a significantly lower percentage of participation. Out of all the responses, as many as 79.7% recommended and only 3% did not recommend. Thus, in total, as many as 80% of the respondents are satisfied with the supervisory service of the LI and find that the work of the inspector has been beneficial for them. Naturally, there were also those who were not satisfied, but thanks to their feedback, we know better now what we should do to improve the quality of our supervisory activity.

TABLE OF CONTENTS >

PREVENTION

57 688 contacts for counselling

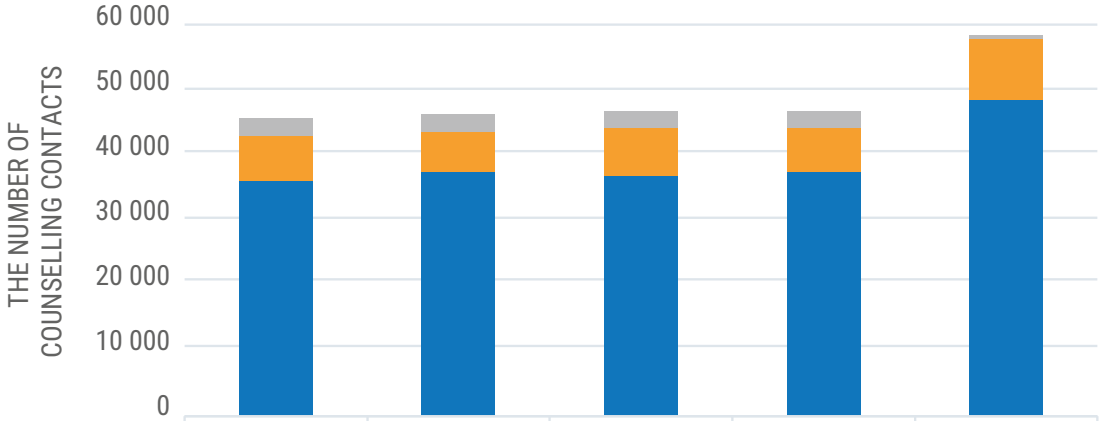
104 companies consulted

Visits to the **Working Life portal** increased by **47%**

- **In the year of the viral crisis, the number of enquiries received by our counselling lawyers increased by nearly a half.**
- **Outreach events went online; recordings of meetings and video counselling can be viewed on the Working Life portal**
- **Great emphasis was placed on publishing information on COVID-19 and the working environment on the Working Life portal**

Counselling

The counselling service plays an important role in increasing occupational safety and improving the quality of working life. The counselling service is intended for the parties to the employment relationship — the employee and the employer. The counselling service helps to act knowledgeably in compliance with the legislation regulating employment relationships and occupational health and safety and with the principles of good faith in the employment relationship, to promote lawful behaviour in the employment relationship, and thereby prevent violation of legislation, damages to health, and employment-related disputes. The counselling service also helps to preserve and improve the work ability of employees, to support the employer in developing the working environment, to increase the participation of the people with reduced capacity for work in the labour market, to prevent early retirement, and to ensure the sustainability of the scheme for supporting capacity for work.



	2016	2017	2018	2019	2020
office receptions	3 348	2 925	2 864	1 757	307
emails, FB, Skype	6 284	5 900	6 314	6 810	9 623
the number of information line calls answered	36 128	36 990	36 692	36 864	47 758

Figure 25. Number of answered counselling contacts (2016–2020)

We advise people who call our information line (640 6000), respond to the enquiries e-mailed to juristlät|ti.ee and provide consultations to companies. The advisers are counselling lawyers and work environment consultants.

2020, as the year of the pandemic, led to a multiplication of e-mail enquiries and calls to the information line. For the first time, section 37 of the Employment Contracts Act, which deals with the reduction of wages in the event of failure to provide work, was introduced widely. The first calls on this subject came as early as 13 March, as soon as the emergency situation was established. Many employers tried to find the best solutions to survive as a company while also retaining their employees. The employees were worried about their fate and wanted to know their rights. Many questions were asked about creating a safe working environment, about the use of personal protective equipment, etc. This was a completely new situation and adjusting to it took some time. In addition, various compensatory measures were launched, such as the support package from the Unemployment Insurance Fund and the state. All this raised questions, and our counselling lawyers were in high demand for quite some time; in some days the number of enquiries increased by as much as seven times.

In 2020, we advised employees and employers on employment relationships on 57,688 occasions (almost a third more than in 2019). The number of calls to the information line increased by 43%, the number of e-mails increased by 41%. We had to cancel office consultations in order to avoid direct contact.

In order to cope with the greatly expanded workload, our counselling lawyers received help from labour inspectors, chief lawyers and lawyers. With quick structural changes, we were able to hire five additional lawyers to stay on top of the enquiries.

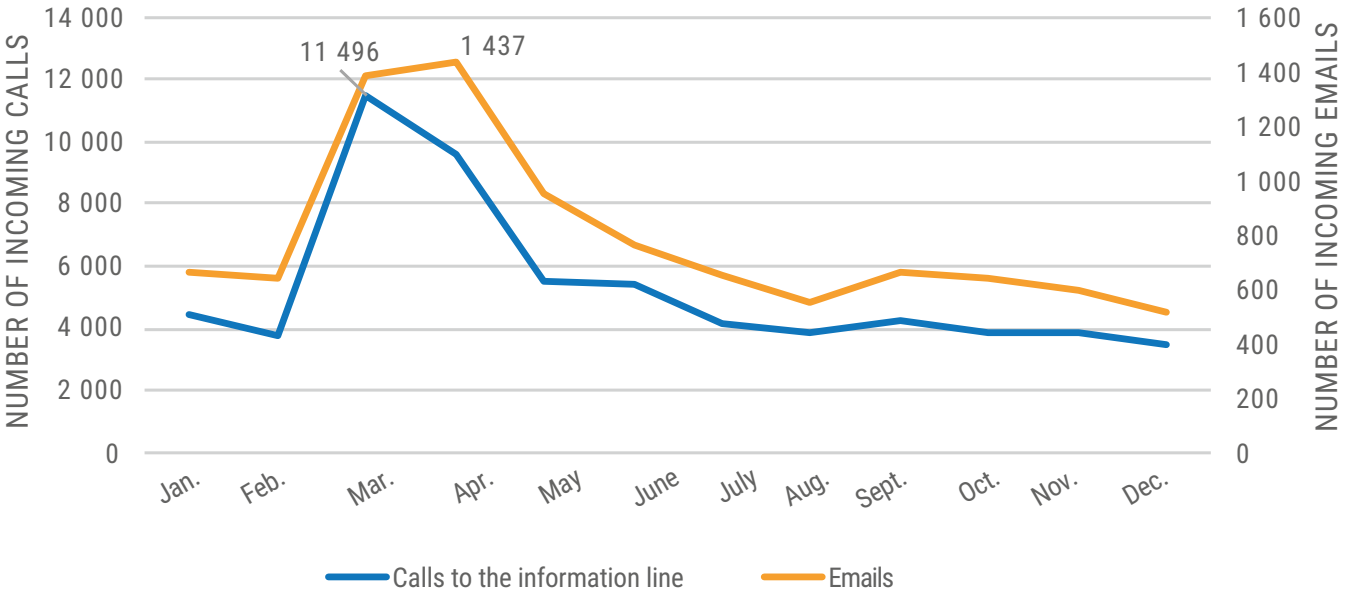


Figure 26. Number of incoming calls and emails (2020)

What were we most asked about?

In the first half of the year, the most popular topic was the coronavirus, with more than 1,100 questions. Initially, employers wished to maintain the employment relationships for as long as possible to help their companies survive, thus bringing along questions about wages and workload reduction (section 37 of the Employment Contracts Act). Employees were interested in their rights in the event of reduction to their wages and workload. As the Employment Contracts Act was not amended in the crisis situation, employers had to use the help of counselling lawyers to find legal clarity — whether an employer can send employees to (unpaid) leave or ask them to stay at home until there is work to provide.

It soon became apparent that the restrictions imposed made life a little more difficult for employers, leading to an increase in the number of questions about the expiry of the employment contract (mainly lay-offs). In second place were questions concerning lay-offs (more than 600), problems with reduction of wages, cancellation of employment contracts, and unpaid wages.

Through the Unemployment Insurance Fund, many employers received a wage subsidy that covered a certain amount of workers' wages. As wages are an important part of the employment relationship, counselling lawyers received many enquiries regarding the support measure. Employees received lower wages and employers did not take the wage subsidy into account when calculating other benefits.

Work environment consultants gave advice on the use and necessity of personal protective equipment. Most frequently asked were questions about wearing a mask.

The counselling service of the Labour Inspectorate continues to be popular and necessary, and is highly valued by the clients. The satisfaction survey confirms that 92% of clients are very satisfied with our consulting service.

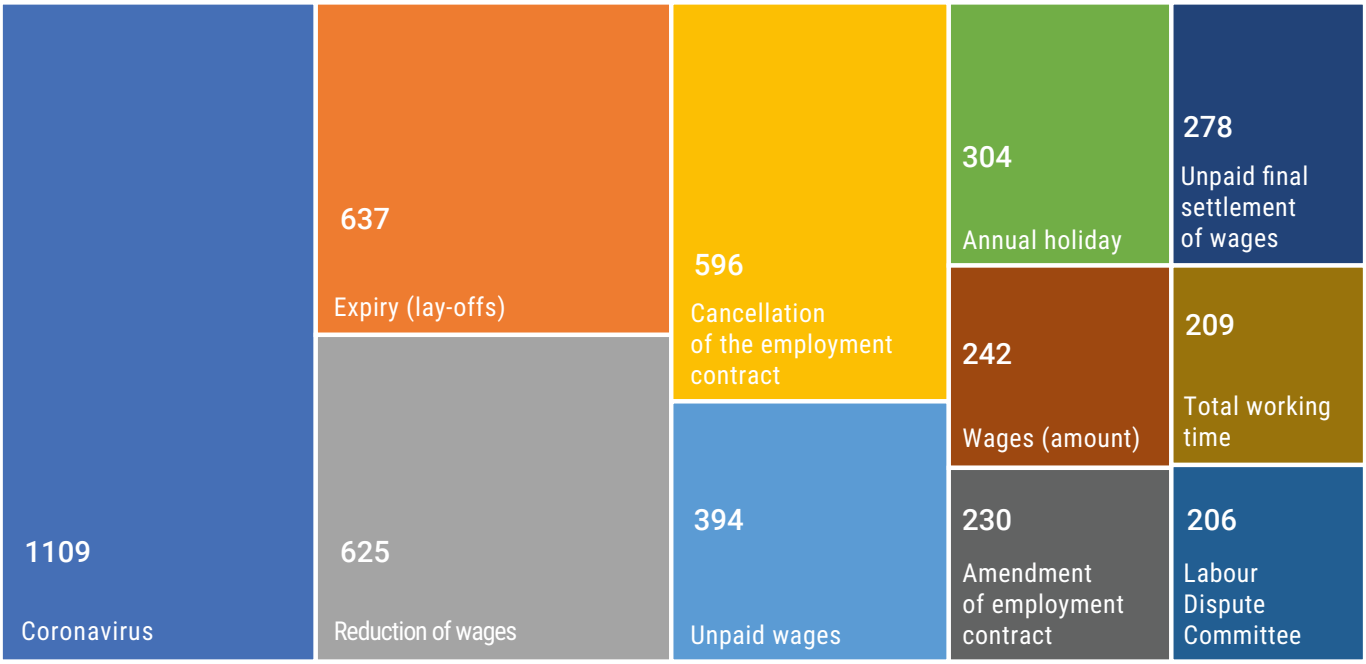


Figure 27. The main problematic issues in the year of the crisis

Work environment consultations

In 2020, the work environment consultation activities were the result of two things: firstly, the spread of COVID-19, and, secondly, the development of a risk analysis module for the Working Life self-service system.

The spread of the coronavirus has put working environment issues in greater focus than ever before. The new situation brought with it an extraordinary number of questions from the employees as well as employers. Many of the questions concerned masks — is it necessary to wear them, what kind of masks should be worn, how to act in the case of unwillingness to wear a mask, etc. It became clear that in companies where the employer was responsible and had taken the issues of the working environment seriously before, it was much easier to establish and follow the new rules.

The usual consultation in companies was disrupted due to the spread of the virus, and the team of consultants was reduced in the spring. Last year, we conducted 109 consultations in 104 companies. The employer invited a consultant to the company in 68 cases, in the remaining 41 cases we offered the consultation ourselves. At first, we offered this to beginning companies, but also to those who had appointed a new working environment specialist to help them get acquainted with the field. The consultations covered the jobs of approx. 6,200 employees. We made suggestions and gave advice for improvement of the working environment on more than 1,400 occasions.

As normal activities were disrupted, the consultants also took an active part in **prevention and information sharing activities,** such as online information days, the development of COVID-19 guidelines and instructions, and the training of work environment specialists. **A major task was to develop a risk analysis module in the** Working Life self-service system (TEIS) which will start operating in the spring of 2021. The employer enters a self-service environment (iseteenindus.teis.ee) where he or she can perform a risk analysis of the work environment. The risk analysis module consists of various risk factors with measures set out to prevent or reduce a specific risk. The module is designed in such a way that there are general risk factors that need to be assessed for any activity (e.g. display operation, driving, lighting, electrical hazard). In addition, there are industry-specific risk factors, such as the use of a square planer, the use of a forklift, the use of a mixer, etc. The risk assessor can also select any existing hazard or add an appropriate risk factor. The module will continuously improve, because new areas of activity will arise or risk factors will change, and we will correspondingly make changes to the assessment.

> **'A wood processing company furnished a new production room, in which the technological line included, among other things, a band saw frame, multi-disc circular saws and conveyors. The company wanted to meet with the consultant during the final stages of equipment installation before the equipment manufacturer's representatives left the company.**
> **As the line was assembled from different devices, the positioning and location of the devices in the room developed several danger areas, to which the employee's access must be prevented. Together with the company's representatives, possible work situations were discussed and solutions were sought that would ensure both safety and comfort when working with the equipment. Before the installation work is completed, these solutions are easier to implement than with the equipment that is finally installed and already working.**

TABLE OF CONTENTS >

Information sharing

In addition to supervision and counselling, our other main duty is prevention and information sharing to make sure that the parties to the employment relationship know what kind of an employment relationship is a good one, and how to work in a safe and healthy manner.

In 2020, information sharing became extremely important. People's need for current information grew exponentially. In addition to the counselling telephone, there was a growing active interest in the Working Life portal which soon became a central place for sharing information.

Due to the spread of the coronavirus and the restrictions imposed, our meetings and events were also held over the Internet.

The prevention and information sharing campaigns

EU-OSHA campaign Healthy Workplaces Lighten the Load

In October 2020, the European Agency for Safety and Health at Work (EU-OSHA) launched a three-year campaign Healthy Workplaces Lighten the Load, focusing on work-related musculoskeletal disorders. These ailments are one of the most common work-related health problems in Europe, affecting millions of workers and costing employers billions of euros a year.

In Estonia, the seminars focused on the manual handling of loads, introduced the results of the Europe-wide ESENER 3 survey on new and emerging risks in the work environment, and discussed changes in the work environment during the coronavirus crisis. Due to the COVID-19 threat, the traditional Occupational Health Day conference on MSDs was held online for the first time.

Cooperation projects

#EU4FairWork

In March, the European Platform against Undeclared Work #EU4FairWork was launched, focusing on prioritising declared work and discussing workers' rights, the negative effects of undeclared work, the obligations of companies, and the risk of sanctions for undeclared work. Campaign materials can be found here https://www.ti.ee

Norway

Under the auspices of the Norwegian Labour Inspectorate and in co-operation with the Lithuanian, Latvian, Bulgarian, Polish and Romanian Labour Inspectorates, the Know Your Rights information campaign was completed, explaining that workers from other countries have the same rights as their Norwegian colleagues. The campaign won two gold prizes in an international content marketing competition. Introduction of the campaign on our website https://www.ti.ee

Information sharing mornings and round table

Due to the coronavirus, several events by the Labour Inspectorate were held over the Internet. At first, it took some time to get used to the new requirements, but it also significantly increased the opportunities for people to attend the meetings.

In 2020, the Labour Inspectorate continued to organise information sharing mornings for the representatives and employees of micro enterprises and small- and medium-sized companies from all over Estonia, the topics covering employment relationships and occupational health and safety. There were 12 information sharing mornings attended by a total of 385 people. Topics discussed included minor workers, aggregated working time and wages, personal protective equipment, recourse to the labour dispute committee, termination of employment, work environment in warehousing, occupational safety and employment relationships in trade, chemicals in the work environment, and the ABC of risk analysis. Half of the information sharing mornings took place virtually.

Last year, a round table dedicated to the topic of the minor employee was held, giving an overview of the employment of minors and related problems in 2019.

Training sessions for working environment specialists

In 2020, one two-day training session for work environment specialists was held in Tallinn. The training was intended for work environment specialists in order to improve their skills and knowledge. It covered everything related to the organisation of the work environment — general management of the work environment, supervision and training of employees, first aid, medical examination, risk analysis, work environment risk factors, personal protective equipment, working and rest time, investigation of accidents at work and occupational diseases. Due to the spread of the coronavirus, the number of participants was limited to 19. According to the trainers, the training of a small group was significantly more effective because there was time to discuss the topics in depth.

Trade fairs

In 2020, the Labour Inspectorate participated in two trade fairs. At the occupational health and safety trade fair Treff held in Tallinn, our counselling lawyer talked about work bullying. The trade fair visitor was able to ask advice from a work environment consultant. In August, we participated in the opening of the business season of the Chamber of Commerce and Industry in Tapa, where the advice was shared by our counselling lawyer and work environment consultant.

The Good Working Environment 2020 award

The Labour Inspectorate gave out the Good Working Environment award for the sixth time. This time the award was given out in just one category — the company with more than 50 employees. There were many strong applications and the selection process was very difficult. This year, we added an additional task to describe at least one good practice in the working environment that has been implemented to prevent the spread of the coronavirus.

As a result of an intense competition, the Good Working Environment 2020 award went to Ericsson Eesti AS. Information about how to apply for the award and the winners so far can be found on the website of the Labour Inspectorate.

Information materials

Publications

An electronic brochure 'Dangerous Chemicals in the Work Environment' was published in 2020, discussing dangerous chemicals, their effects on the human body, and safe handling in the work environment. The publication can be downloaded from the website of the Labour Inspectorate in both Estonian and Russian.

At the end of the year, a wall calendar for the year 2021 was published, with 12 humorous pictures giving advice on how to maintain health while working. The calendar was sent out to small businesses with the highest number of registered occupational accidents.

In 2020, the Labour Inspectorate issued two posters — 'Manual Handling of Loads' in Estonian and Russian, and a poster on 'Smart Neck'. The first poster serves as a reminder of the basic truths to follow in order to remain healthy while handling loads. The 'Smart Neck' poster illustrates how our posture can change due to the excessive use of smartphones.

Videos

The Labour Inspectorate produced a video showing the proper technique on manual handling of loads, thus helping prevent occupational accidents. The video is available in Estonian and Russian.

In close cooperation with the Career Center, videos were made where our specialists share advice on employment relationships and the working environment. The videos are available on the Working Life portal.

Information letter for beginning companies

We send information letters for beginning companies to help those who have just founded a new company understand the importance of working environment management, to help them create safe and healthy work conditions, and to form proper employment relationships. The information letter is e-mailed to newly registered companies on a quarterly basis in Estonian, Russian, and English. In 2020, the information letter was sent to 19,207 addresses.

The Working Life portal

The Working Life portal includes important information about working for the employee as well as the employer. Information is available in Estonian, Russian, and English.

In 2020, the Working Life portal was used a total of 1,044,703 times, of which 607,481 were new visitors with a total of 1,881,064 page views. Compared to 2019, the number of visitors increased by 47%. The number of visitors to the Working Life portal was most affected by the spread of the coronavirus and the emergency situation established in Estonia, which meant major changes in the working environment and employment relationships. Throughout the crisis, the Working Life portal was the main source of information on the working environment and employment relationships, also acknowledged and praised by other institutions. We quickly created a page focusing on COVID-19, the working environment and employment relationships, where you could quickly find answers to your questions. The information was readily published in three languages.

The portal was most visited in the first half of the year, mainly as a source of articles on COVID-19. The greatest interest was shown in the cancellation of an employment contract at the initiative of the employer (85% more searches compared to 2019). There was also great interest in the COVID-19 FAQ.

In 2020, we prepared a thorough update of the Working Life portal. The significantly renewed portal will open in the early summer of 2021.

TABLE OF CONTENTS >

LABOUR DISPUTES

- **The number of labour disputes increased by 14%**
- **Significantly more applications were received from the hotel and catering sector**
- **Labour dispute committees introduced the use of a video bridge**

COVID-19 affected the economic activities of many companies. Unfortunately, many employment relationships suffered due to these new circumstances, and the help of labour dispute committees (LDC)[1] of the Labour Inspectorate was needed. Compared to the previous year, the number of applications submitted to LDCs increased by 14% or 423 applications. One of the purposes of the committees is to alleviate the burden of courts. Statistics confirm that LDCs fulfill this goal — while the committees received approx. 3,000 applications, the courts of first and second instance receive approx. 300 applications related to labour law per year.

3,378 labour disputes
incl. 2,987 applications from employees
incl. 391 applications from employers

The total sum of the applications received was 11.9 million euros

21% of the applications were closed by reaching a compromise at the labour dispute committee

[1] A labour dispute committee (LDC) is an extra-judicial body for settling disputes. Extra-judicial settling of labour disputes was previously regulated by the Individual Labour Dispute Resolution Act, which entered into force in September 1996 and has been regulated by the Labour Dispute Resolution Act since 2018. The LDCs only settle disputes arising from the employment relationship, i.e. labour disputes between an employer and an employee. The LDCs do not settle disputes concerning occupational accidents or occupational diseases, or compensation for the damages caused by the health damage, personal injuries or death arising from them.

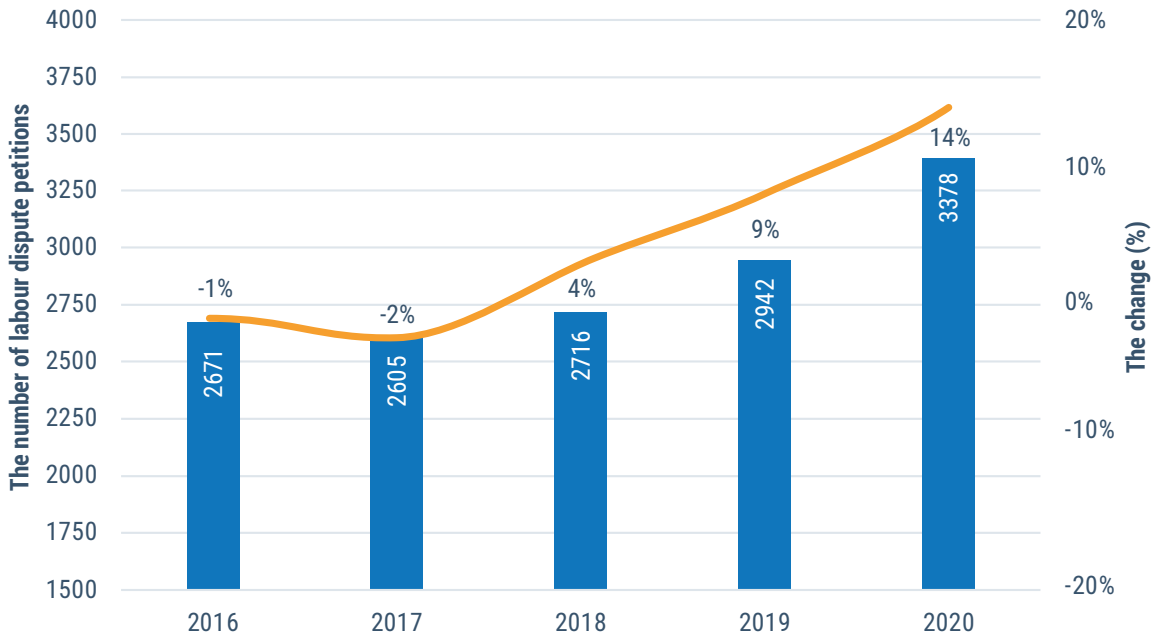


Figure 28. The number of applications received by the labour dispute committees (2016–2020)

By sectors of activity, the most problematic were construction, accommodation, catering, and trade. A noticeably higher number of applications was received from the accommodation and catering sector, which had suffered the most due to COVID-19. By counties, most applications were received from Tallinn and Harju County, Tartu County, and Pärnu County.

The number of applications for financial claims against a company that had already gone bankrupt also increased. However, LDCs do not process such applications, for companies in bankruptcy are dealt by enforcement agents.

The number of disputes involving foreign workers increased; the disputes mainly concerning unpaid wages. It is often the case that Estonian employers try to pay lower wages even to foreigners who have a work permit and therefore have to be paid according to the statistical average wage. Employers try to optimise costs at the expense of their employees by paying less or not paying at all.

Usually, there were several disputes each day over the cancellation of the employment contract, incl. during the probationary period.

Most labour disputes were received in May, July and November, i.e. immediately after the establishment of emergency situation and after the beginning of the second wave. While the average number of applications was around 50–60 per week before the emergency situation, in the busiest times the number rose to a hundred.

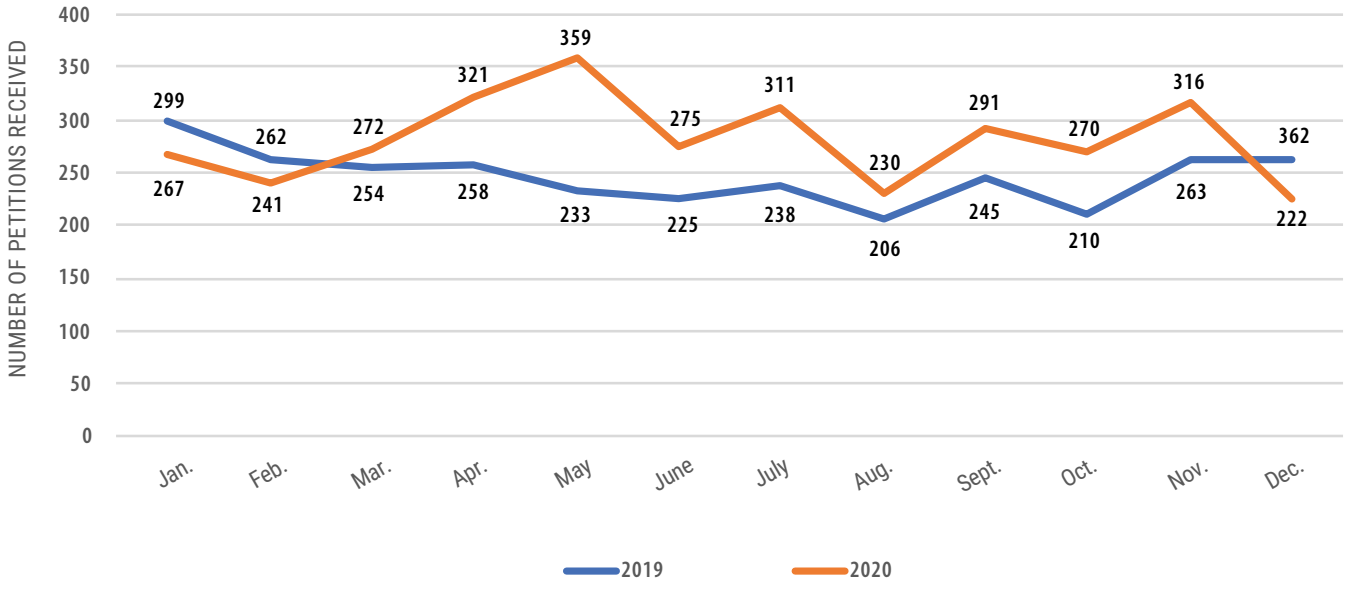


Figure 29. Number of labour dispute applications received by months (2019 vs 2020)

The spring emergency situation also marked the first time that the LDCs held a session via a video bridge. There are several preconditions for using a video bridge — the disputing party must agree to this, and technical support and a good internet connection must be provided.

The video bridge is here to stay. Of course, some things still need clarification (e.g. submission of additional evidence), but surely it is only a matter of time.

'Undoubtedly, there are many pros to using the video bridge — even a person in self-isolation can participate, and there is no need to use resources on transport. At the same time, having the meetings in person does have its own advantages — it is easier to explain the circumstances to the parties and encourage them to reach a compromise. So far, none of the cases held via a video bridge have reached a compromise. Also, sitting on your own sofa at home will inevitably make you feel more comfortable and it is easier to start talking.'

Claims

The most common **claims filed by the employees** are still financial claims — unpaid wages, holiday pay, or compensation. Basically, every second or third application includes a financial claim. However, claims for the contestation of cancellation of employment contract and claims for compensation have increased the most during the year.

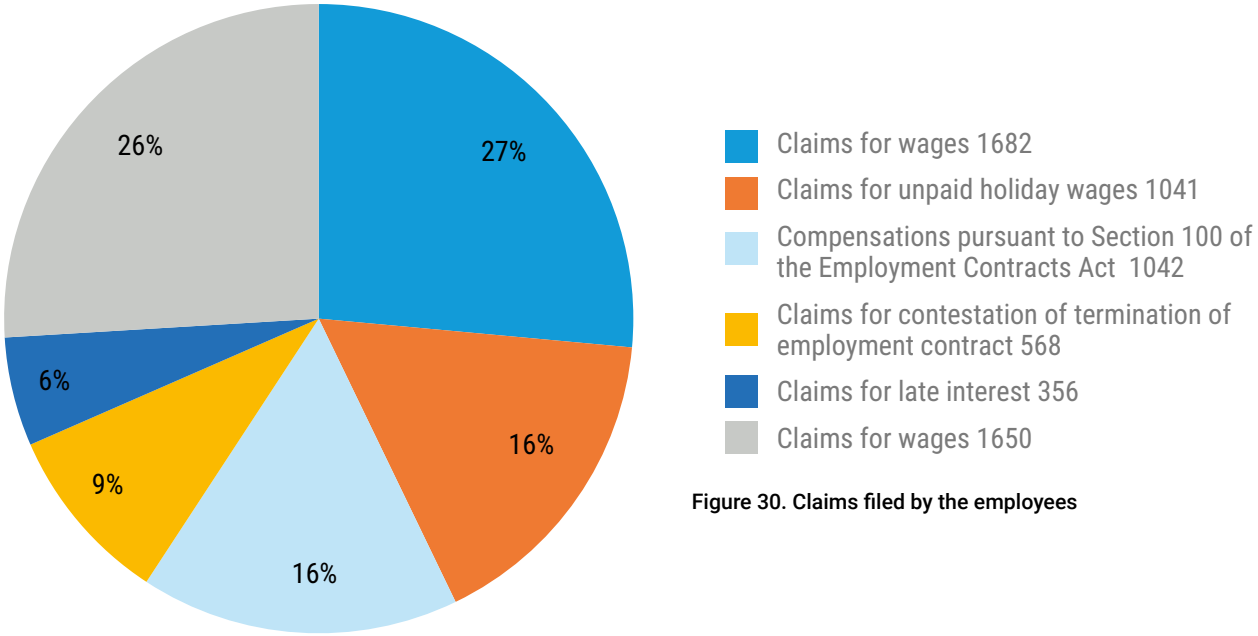


Figure 30. Claims filed by the employees

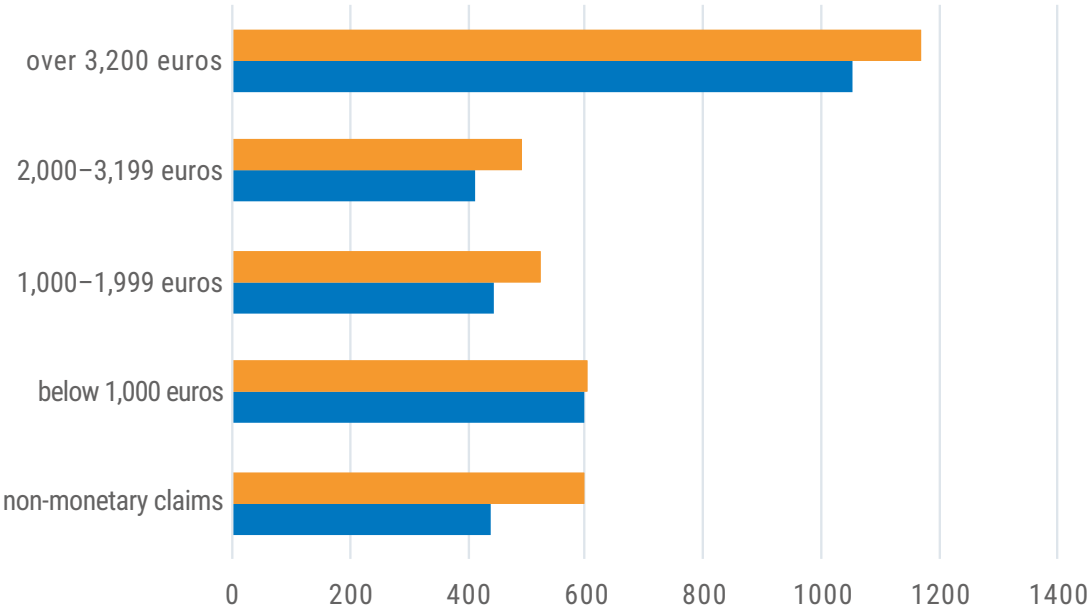
Claims filed by the employers

Employers mostly contact the LDCs in connection with disputes concerning contestation of extraordinary cancellation of employment contracts by the employee, or claims for the compensation for proprietary damages caused by the employee. Almost every third application included such claims. Every fifth application included a claim related to the employee leaving employment.

The amounts of the claims

In 2019, the total amount of claims was already 16.1 million euros, but the amount somewhat decreased in 2020 with 11.9 million euros. In previous years, it was noticeable that employees turned to the LDC immediately when problems arose and the amounts were smaller; now the amounts are significantly larger, exceeding 3,200 euros for more than a third of applications. On the one hand, the wages have also increased, but another important factor is that the LDCs are competent to settle claims in the amounts exceeding 10,000 euros as of 2018. Last year, the number of such claims was 204.

Claims in the amount of 2.1 million euros were fully satisfied, compromises were made in the amount of 3.3 million euros.



	non-monetary claims	below 1,000 euros	1,000–1,999 euros	2,000–3,199 euros	over 3,200 euros
2020	595	602	524	489	1168
2019	436	598	444	413	1051

Figure 31. The percentages of the claims submitted to the LDCs (2019 vs 2020)

About the resolutions:

Labour disputes are settled by written proceedings, ordinary proceedings, or conciliation proceedings. Most of the cases are settled by ordinary proceedings, approx. 18% of the applications were settled by written proceedings, and only one case by a conciliation proceeding. However, 17% of the applications received were not processed for various reasons, mainly because the deficiencies in the application were not eliminated. To help you formalise the application correctly, we made a video which can be found on our website www.ti.ee.

The difference between the numbers of LDC rulings and applications arises from compromises and other counterclaims, in the case of which the procedures were combined and the case was settled by one ruling.

The share of rulings has increased by such an extent that as many as half of the disputes were concluded by a ruling of the chairman of the LDC (approval of a compromise, rejection of the application, closing the dispute due to the applicant's failure to show up or withdrawal). Every second application was concluded by a decision. In the case of substantive resolution, 19% of the applications were fully satisfied, 11% partially, and 11% of the applications were denied by the LDCs.

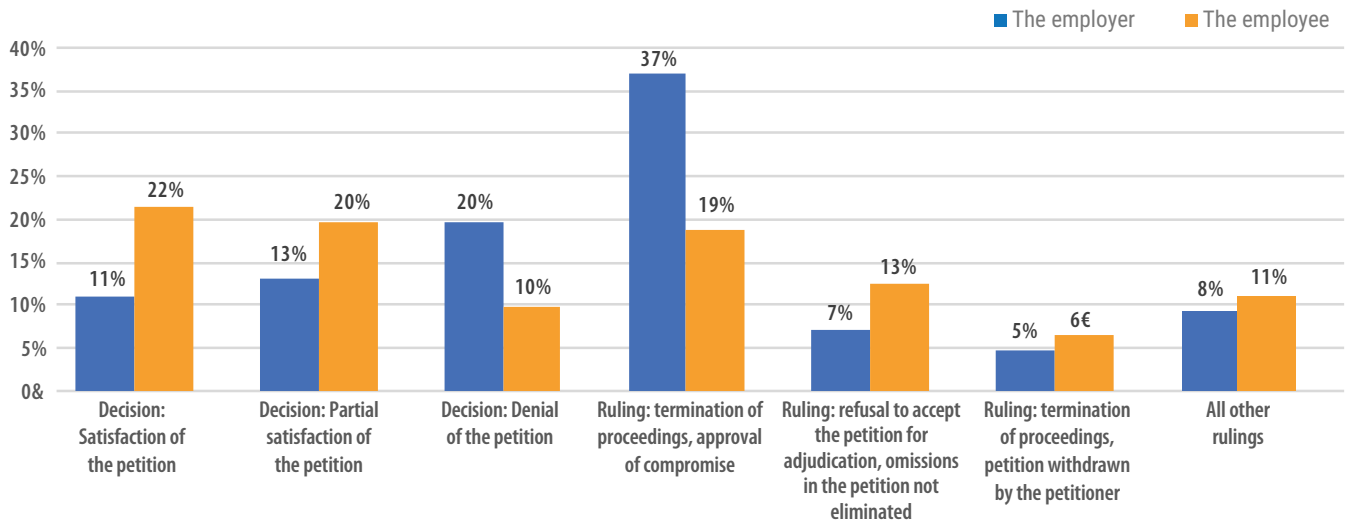


Figure 32. Labour dispute resolutions by petitioner (2020)

Questions about Working Life?

The Labour Inspectorate knows the answers!

LOOK

at the website of the Labour Inspectorate of Estonia at **www.ti.ee** and the Work Life portal **www.tooelu.ee**

CALL

the lawyer's hotline at **640 6000**
Mo-Fri 9:00–16:30

USE

the self-service portal **iseteenindus.ti.ee**

WRITE

jurist@ti.ee

INVITE

a working environment consultant to your company **ti@ti.ee**

European Union
European Social Fund

Investing
in your future

MARCH 2021

TABLE OF CONTENTS >