Republic of Estonia
Labour Inspectorate

WORKING ENVIRONMENT 2022

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THE NEW NORMAL

2021 was the second year we spent with the coronavirus. Compared to 2020, the parties to the employment relationship had already become used to the virus and knew how to behave in the working environment and what preventive measures to take. During the inspections, we noticed disinfectants, protective masks and, where required, reorganisation of the work almost everywhere in order to ensure the safety of workers and customers.

One of the keywords of the past year was definitely vaccination. While at the beginning of the year only risk groups and front-line employees were vaccinated, in the second half of the year vaccines were already more widely available. Assessing the risks, many employers found that vaccination was necessary in their workplaces to keep both employees and customers healthy. This, in turn, raised many questions and also caused confrontations. Our advisers had to explain to the callers that the employer could indeed conclude in the risk assessment that vaccination may be absolutely necessary in certain workplaces. All this led to a demoralised spirit. This manifested in the tips we received, in which people worried about their health or noticed a dangerous situation, but malice and the desire for one-upmanship occurred as well.

The economy was already more open in 2021. Unfortunately, this was also reflected in the increase in the number of occupational accidents. There were more accidents of every severity, and more people lost their lives at work than a year earlier. In several years, the number of cases where occupational accidents are repeated in the same enterprise has started to decrease. We hope that employers will investigate and do everything possible to prevent a recurrence of similar accidents.

The keyword of the year for the Labour Inspectorate was undoubtedly risk assessment. By September 2021, employers had to submit the risk assessment of the working environment to us digitally. Of course, the requirement for risk assessment is not new in itself; the legislator has required employers to assess the risk factors of the working environment since 1999. To help employers, we created the TEIS risk assessment tool of the Labour Inspectorate information system, which made both the assessment and the preparation of the action plan much easier. Several of our employees were involved in the preparation and continuous improvement of the tool, and we also actively introduced new opportunities to employers. Our colleagues chose the risk assessment tool as the Labour Inspectorate's Achievement of the Year 2021. We were also more widely noticed. The risk assessment tool made it to the finale of the public digital services competition Su/g 2022 and was chosen as the service with the best user experience. The most important is that employers really did use it – of all the risk assessments submitted to us, 65% were created in the system, i.e. using the tool. Every risk assessment means that the employer has thought through the risks of their workplace and started to resolve them systematically in order to maintain the health and safety of their employees. A step towards a better tomorrow has been taken.

Maret Maripuu
Director General of the Labour Inspectorate

LABOUR INSPECTORATE

40% of the Estonian labour market and 89% of the employees are under our supervision. According to Statistics Estonia, there were **145,717** enterprises in Estonia at the end of 2021; of which **59,041 or 53%** are under the supervision of the Labour Inspectorate (enterprises with at least one employee working under an employment contract)

According to Statistics Estonia, the number of employed people in Estonia is **650,500** of which under the supervision of the Labour Inspectorate are **577,495 or 89% of those employed**

There is one supervisory official per 1895 enterprises and per 14,085 employees

As of 31 December 2021, 100 people were employed at the Labour Inspectorate. Seven public servants were on parental leave

The average length of service of employees is eight years; longest length of service 30 years

Distribution of the employees: supervision 45; counselling, consultation, information sharing 23; labour dispute committees 16; support 15

73 women, average age 45. 27 men, average age 52. The youngest employee is 23 years old, the oldest 77. The employees of the Labour Inspectorate (LI) have 87 children in total

Last year, we received 57,400 requests for advice – one lawyer advised around 3110 people

One labour dispute committee settled an average of 335 petitions;

In 2021, the budget of the Labour Inspectorate (LI) was 2.92 million euros (incl. personnel costs 2.53 million euros; management costs 0.39 million euros).

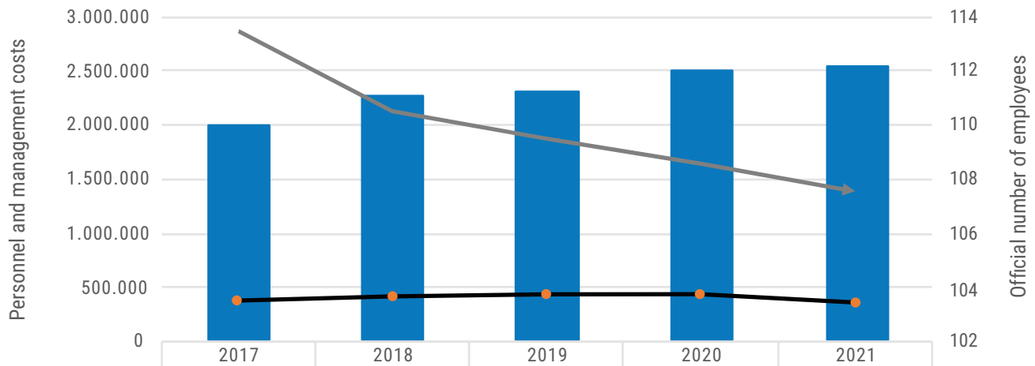
In 2021, in addition to the funds from the state budget, the Labour Inspectorate also used funds from the ESF TAT to the sum of 1.21 million euros for prevention and counselling operations, incl. for the development of the self-service of the Labour Inspectorate TEIS, with a total budget of 0.58 million euros.

Labour Inspectorate in 2021

2021 was the second year of the crisis. Checking on coronavirus measures in workplaces was part of every inspection. Distant communication, which had already become commonplace, continued via screens even in the case of counselling and settling labour disputes.

As an organisation, we engaged in two important processes. We approved the organisation's development plan until 2035 and made it to the finish line of the discussion on core values. In both cases, all employees of the organisation participated actively, and goals as well as values were finalised in joint discussions and agreements.

The goal of the Development Plan 2021-2035: Thanks to efficient legal protection and high-quality assistance, people's opportunities to cope independently, live in the community and participate in the workforce have improved. Working environment does not cause harm to their health, and there are equal and fair conditions of competition for entrepreneurs.



	2017	2018	2019	2020	2021
Personnel costs	1.914.292	2.251.000	2.296.000	2.481.000	2.529.629
Management costs	405.059	426.000	435.000	434.000	388.688
Official number of employees	113.5	110.5	109.6	108.6	107.5

Figure 1. LI budget and number of employees (2017-2021)

AN OVERVIEW OF THE ESTONIAN WORKING ENVIRONMENT – ENTERPRISES AND EMPLOYEES

- **The economy opened up, many new enterprises were established**
- **The trade sector has the highest number of operating enterprises**
- **The processing industry has the highest number of employees working under an employment contract**

According to Statistics Estonia, the labour participation rate in 2021 was 71.1%, the employment rate was 66.7%, and the unemployment rate was 6.2%. There were 43,100 unemployed people, which is 4800 fewer than the previous year.

According to Statistics Estonia, both the number of unemployed and the unemployment rate decreased last year. While the number of unemployed increased to 47,900 in 2020, last year it decreased to 43,100. However, there were 36,300 unemployed in the last quarter of last year, which is only 1300 more than at the beginning of the pandemic in the first quarter of 2020. The highest unemployment rate among the working-age population was in North-Eastern Estonia.

There were 650,500 employed, of whom 329,500 were men and 321,000 were women. The largest percentage increase compared to last year was in finance and insurance, water supply, sewerage, and waste management and remediation activities. At the same time, the proportion of the employed decreased the most in waterborne transport, crop and animal production, hunting and in the sectors servicing the aforementioned, as well as in the arts, entertainment and leisure-related sectors. By professions, the proportion of professionals, skilled and craft workers increased compared to last year, while the number of managers decreased.

The Labour Inspectorate has a supervisory role over enterprises with at least one employee working under an employment contract or with board members active as employees. The enterprises where the relationships between the employees and the employer are regulated by the Law of Obligations Act (LOA) are not under our direct supervision. However, we may contact them as well in order to verify a tip or complaint. Our lawyers may also decide that an LOA-based contract is an employment contract if it turns out that work is essentially performed on the basis of the latter.

	2017	2018	2019	2020	2021
The number of people employed (according to Statistics Estonia)	658 600	664 700	671 300	656 600	650 500
The number of employees with an employment contract (according to the Tax Board)	550 775	554 174	568 197	552 593	577 495
The percentage (under the supervision of the LI)	84%	83%	85%	84%	89%
The number of enterprises (according to Statistics Estonia)	127 622	131 650	133 784	137 980	145 717
Number of enterprises with at least one employee working under an employment contract (according to the Tax Board)	54 652	56 683	59 803	60 690	77 697
The percentage of enterprises under the supervision of the LI	43%	43%	45%	44%	53%

Table 1. The Estonian working environment in figures (2017-2021)

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

The number of enterprises[1] with at least one employee working under an employment contract is growing every year. The number of active enterprises has increased significantly after 2010, i.e. after the economic depression. By the end of 2021, the number of such enterprises was already 77,697. However, considering the number of enterprises and the scarcity of human resources of the Labour Inspectorate, our focus is not on 'one-man enterprises'. Thus, 59,041 enterprises can expect a visit from us in 2022.

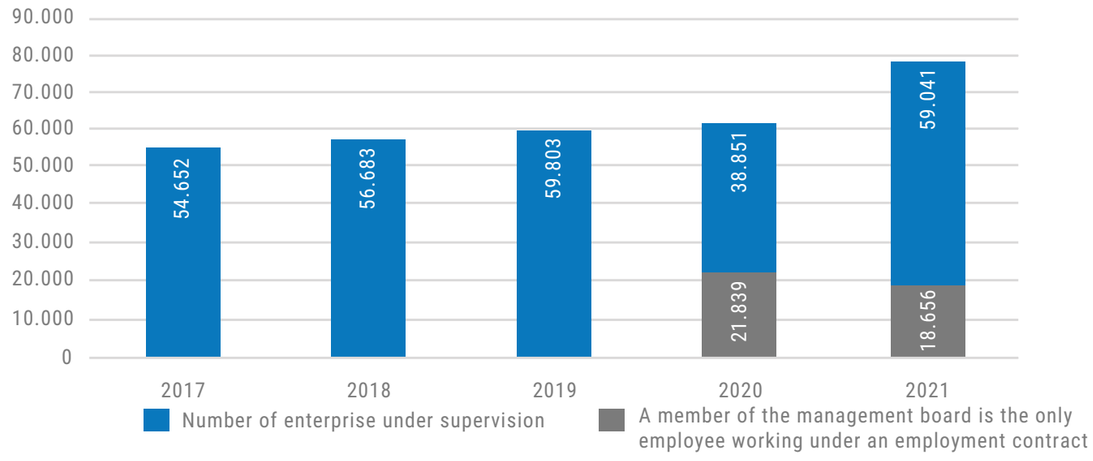


Figure 2. The number of enterprises under supervision in the database of the LI (2017-2021)

Based on the detailed data collected by the Tax and Customs Board, we gain significantly more in-depth knowledge of the Estonian business environment. Today we also receive information about enterprises where there is only one employee working under an employment contract, but everyone else is working under the Law of Obligations Act. In this way we can learn much more about how big the enterprise is and what positions there are.

Micro-enterprises with up to ten employees continue to give the greatest weight in the Estonian working environment, accounting for around 82% of the total business environment. The share of small-scale enterprises (with 10-49 employees) is around 14.6% and the share of medium-sized enterprises is 3%. The share of large enterprises in the Estonian working environment is only 0.4%.

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

However, the picture is a little different when we look at how many employees there are in the enterprises. Most employees work in medium-sized and large enterprises. However, more than half of the Estonian employees work in these 2129 enterprises.

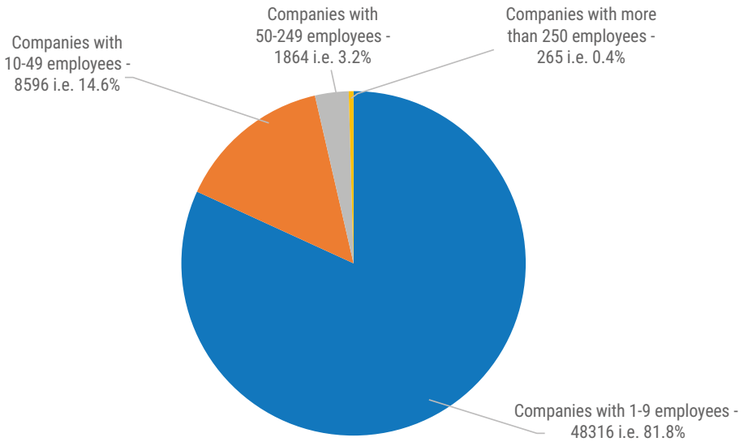


Figure 3. Distribution of enterprises by size (2021)

Based on the area of activity, the highest numbers of Estonian enterprises operate in the trade sector (around 10,100), construction (8000), and professional and research activities (around 6000). The fourth largest is the processing industry with around 5200 enterprises and in fifth place is the real estate sector (around 5100 enterprises)[1] .

The highest number of employees working under an employment contract is in the processing industry (around 105,000), the trade sector (around 91,000) and education (around 62,000).

The highest number of employees working under an LOA-based contract is in education, healthcare and administrative and support service activities. Thus, we have around 56,000 jobs under our supervision.

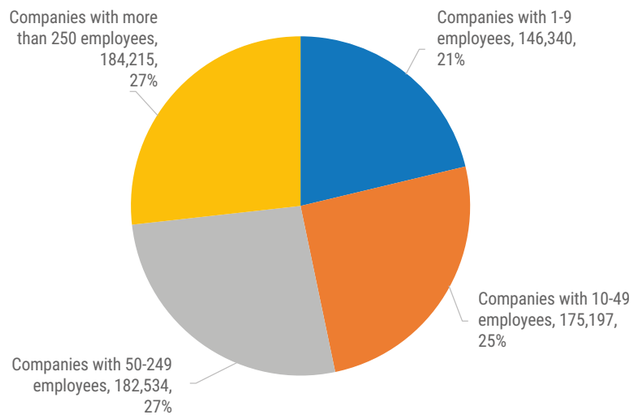


Figure 4. The number and share of employees in enterprises (2021)

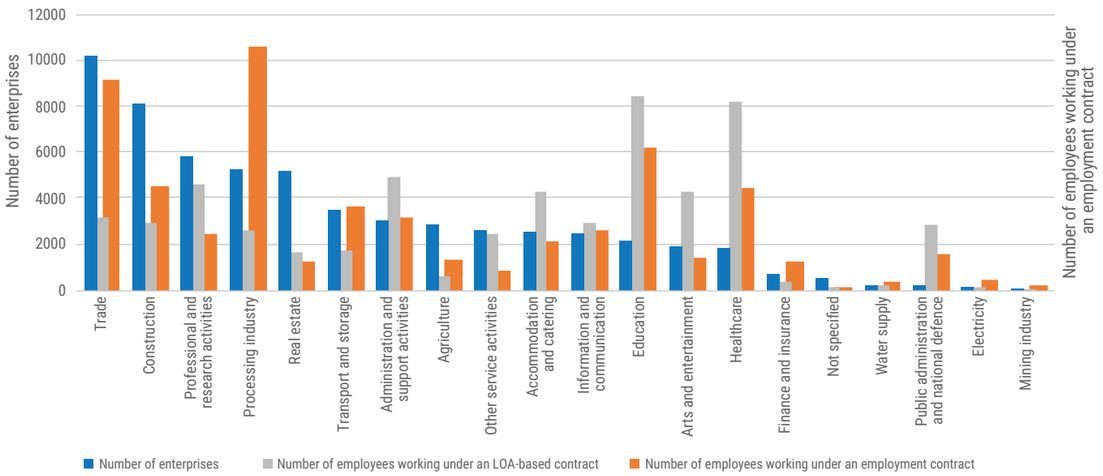


Figure 5. Employees under an employment vontract act or LOA-based contract, by sectors

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

OCCUPATIONAL ACCIDENTS

In 2021, the Labour Inspectorate received 4591 reports of accidents at the place of work. The number of reports has increased by 300 compared to last year.

However, in the course of proceedings, it turned out that 223 of these cases were not occupational accidents[1]. In 447 cases, employers notified us about an accident which did not require the employee to get a certificate of incapacity for work. As of 2019, it is not necessary to register small injuries as occupational accidents and will be investigated by the employer. The Labour Inspectorate should be notified only of such cases where the employee's health was damaged to the extent that they had to get a certificate for sick leave.

3873 occupational accidents, including 2827 minor, 1033 severe, 13 fatal occupational accidents

- **As the economy opened up, so did the number of occupational accidents**
- **The highest number of occupational accidents occurred in the trade sector**
- **Of men, drivers had the most occupational accidents and of women, sales clerks**

[1] An occupational accident is damage to the health of an employee or death of an employee which occurred in the performance of a duty assigned by an employer or in other work performed with the employer's permission, during a break included in the working time or during another activity in the interests of the employer. Damage to the health or death which occurred in the cases listed but which is not in a causal relation to the work of the employee or the working environment is not deemed to be an occupational accident.

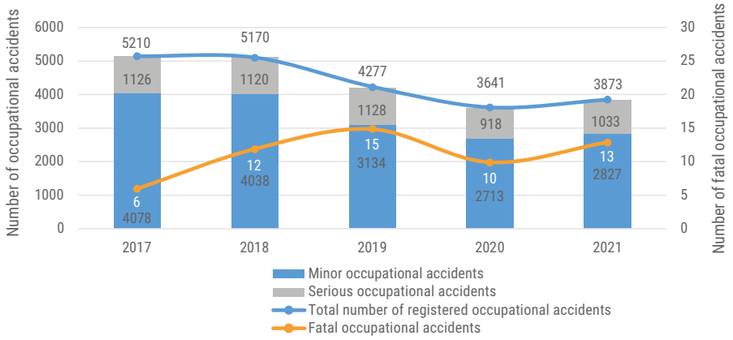


Figure 6. Statistical data on occupational accidents by the level of severity (2017-2021)

According to official statistics on occupational accidents, there were **3873** occupational accidents in 2021. In the remaining **2827** cases, the employee suffered a minor bodily injury, in **1033** cases a serious bodily injury and **13** employees lost their lives while working.

The statistical data is based on the data of occupational accidents reported by employers. However, it is estimated that fewer occupational accidents are officially reported in Estonia than actually occur. Thus, it is necessary to continue to explain to the employers as well as employees that occupational accidents must be reported, so that they can be investigated and similar accidents prevented in the future.

The number of registered occupational accidents has increased over the last 20 years. However, this does not mean that occupational safety is significantly worse in Estonia than in 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 around six occupational accidents per 1000 employees occur in Estonia.

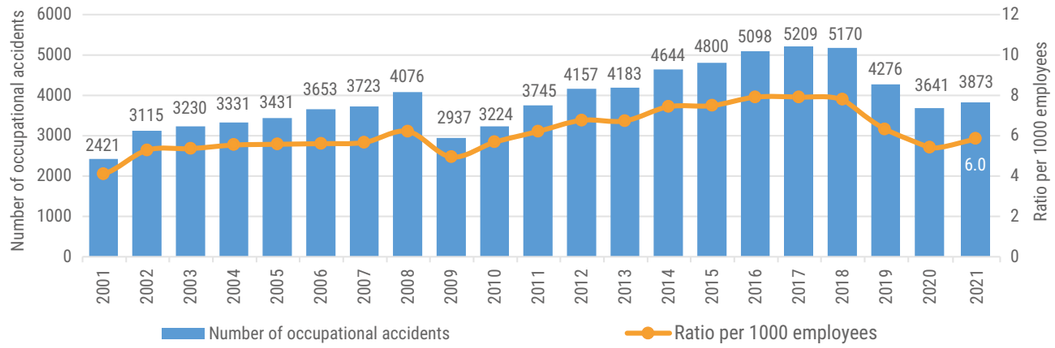


Figure 7. Registered occupational accidents and the percentage per 1000 employees (2001-2021)

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-scale enterprise are quite common. It is important to realise that only employment contracts ensure social protection in the event of occupational accidents.

In the last 20 years, 428 people have lost their lives at work. 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.

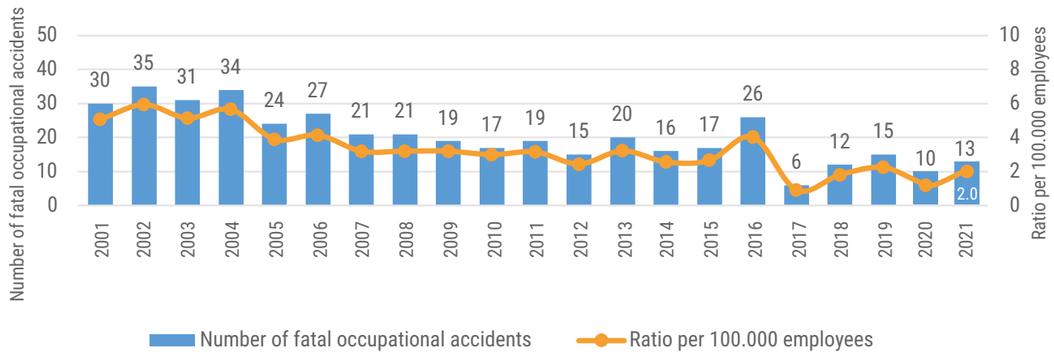


Figure 8. Fatal occupational accidents and the percentage per 100,000 employees (2001-2021)

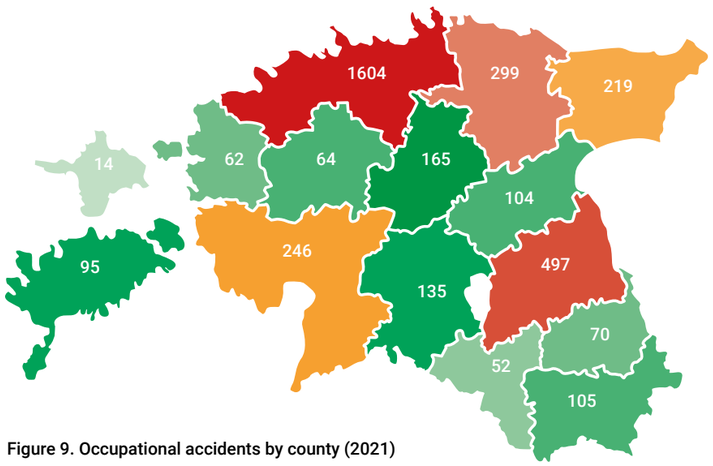


Figure 9. Occupational accidents by county (2021)

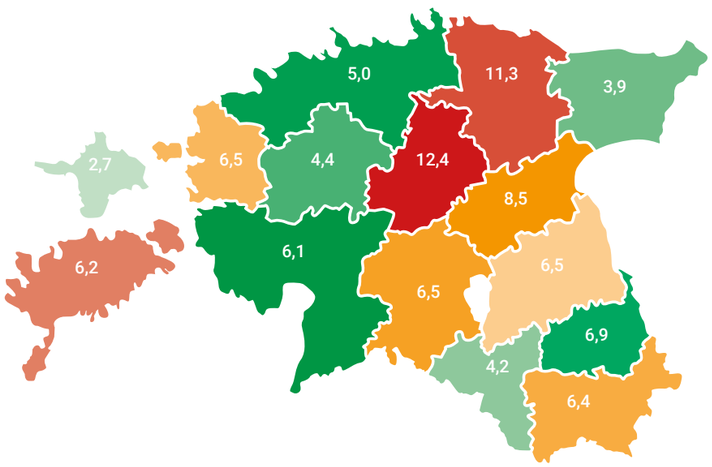


Figure 10. Occupational accidents per 1000 employees by county (2021)

Occupational accidents by county

The number of occupational accidents has found its way into the health profiles of counties. Greater attention at the local level helps prevent all kinds of accidents in the county.

The highest number of occupational accidents is still registered in Tallinn and Harju County, where the majority of enterprises and employees are situated.

Occupational accidents per 1000 employees

We get a slightly different picture when we look at the number of employees in the county. As a ratio, in 2021 there were an average of six occupational accidents per 1000 employees in Estonia. In this view, the county with the highest number of accidents is Järva County, where there were 12 occupational accidents per 1000 employees. Lääne-Viru County (11) and Jõgeva County (8) hold second place. The safest counties in terms of occupational accidents are Hiiu County, Ida-Viru County, Valga County and Rapla County. **However, Ida-Viru with its large and hazardous industries and 56,300 employees gives rise to suspicions that occupational accidents are concealed in this county.**

We record occupational accidents involving employees of Estonian enterprises outside Estonia. In 2021, 127 such cases occurred, which is 5 incidents fewer than the previous year. The highest numbers of these occupational accidents continue to involve our employees in Finland and Sweden – construction workers in Finland and truck drivers in Sweden.

The profile of the enterprises where occupational accidents occur

Last year, the highest numbers of occupational accidents occurred in large enterprises (34% of the occupational accidents), followed by medium-sized enterprises (32%), small-scale enterprises (22%), and micro-enterprises (11%). However, the fact that serious occupational accidents tend to occur at micro-enterprises and small-scale enterprises should be taken seriously. While large enterprises report almost all occupational accidents, it is clear that the percentage of reporting serious occupational accidents is higher in the case of smaller enterprises because such accidents cannot be concealed. Thus, smaller enterprises experience around 18% more serious occupational accidents in comparison with large enterprises.

This is the reason we never create a so-called pillory of enterprises based on the reporting of occupational accidents because the overall picture can be misleading – enterprises that care about their employees and handle each accident seriously could be at the top of the list.

One of our key objectives is to reduce the number of enterprises with repeated occupational accidents. While in 2018, at least two occupational accidents happened in 643 enterprises, this indicator is on a downward trend and this year more than two occupational accidents occurred in 545 enterprises.

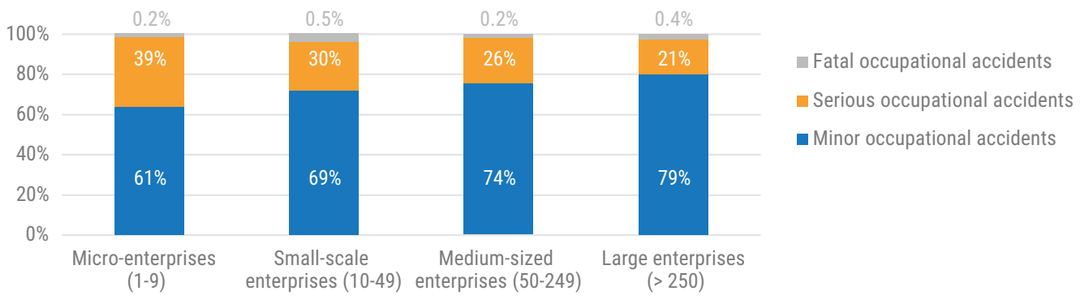


Figure 11. Reporting of occupational accidents by the size of enterprises (2021)

Working days lost due to occupational accidents

In Estonia, occupational accidents are classified by the severity of the resulting bodily 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.

The data from the Estonian Health Insurance Fund 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 Fund and the amounts of the compensation have increased year-by-year. The year 2020 differed from others because there were fewer occupational accidents, which resulted in fewer certificates for sick leave and sick days. At the same time, neither the amount of compensation per day nor the average length of certificates decreased. In 2021, all numbers increased again, and we lose around 1.1 million working hours and 5.3 million euros due to occupational accidents.

Compensation for occupational accidents	2017	2018	2019	2020	2021
Number of certificates	7464	7777	8341	7379	7425
Number of days compensated by the Health Insurance Fund	149,088	155,508	158,728	140,747	141,067
Amount of compensation	4,443,000	4,996,000	5,339,000	5,174,000	5,334,000
Average compensation per day (euros)	29.8	32.1	33.6	36.8	37.8
Average length of certificate	20	20	19	19.1	19

Table 2. The cost of compensation for occupational accidents based on the data of the Estonian Health Insurance Fund (2017-2021)

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, how old, what positions they hold – we also collect data about three indicators describing the circumstances: what the employee was doing at the moment of the accident; the discrepancy, i.e. what went wrong, and the type 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. 67% of occupational accidents, occur with men. Men aged 25-34 and women aged 55-64 are involved in occupational accidents more frequently than others. This means that the main risk group of occupational accidents is young men, just as with traffic accidents.

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.

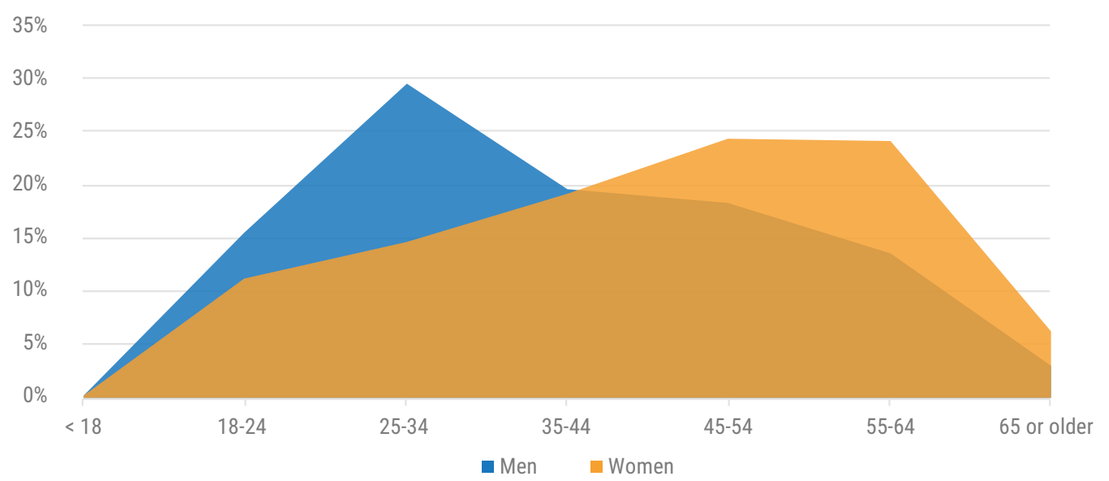


Figure 12. Occupational accidents by gender and age in 2021

MEN	WOMEN
Truck drivers	Sales clerks
Production workers	Production workers
General builders	Caretakers at healthcare institutions
Welders	Cleaners
Police officers	Packers
Wood processing workers	Livestock farmers
Rank members of the Defence Forces	Nurses
Transport workers and loaders	Food processors
Security guards	Customer attendants

Table 3. The occupations which are involved in occupational accidents most frequently at work, by gender (2021)

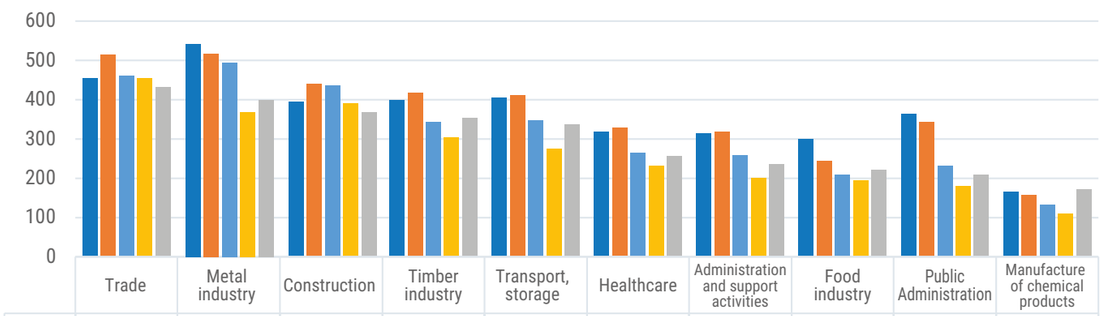
Occupational accidents and areas of activity

During the year, the highest number of occupational accidents was registered in trade, which for the second year in a row has primarily replaced both the construction and metal industry sectors. As the economy was more open than in 2020, the number of occupational accidents also increased in quite a number of sectors.

Comparing by years, the number of occupational accidents increased the most in the production of chemical products, the transport sector, and the timber industry. However, the number of occupational accidents decreased in agriculture, construction, and national defence. The number of occupational accidents in the construction sector declined for the third year in a row.

An alternative perspective of the frequency of occupational accidents in different sectors is based on the ratio per 1000 employees.

From this perspective, the highest probability of suffering an occupational accident was still in the timber and food industries. The probability also increased in the chemical industry and in the administrative and support activities. The safest fields of activity in Estonia continue to be information and communication, as well as finance and insurance.



	Trade	Metal industry	Construction	Timber industry	Transport, storage	Healthcare	Administration and support activities	Food industry	Public Administration	Manufacture of chemical products
2017	454	540	395	400	406	318	315	299	364	170
2018	512	514	440	418	409	328	318	242	338	166
2019	461	491	438	343	347	264	256	204	226	138
2020	453	370	394	302	279	231	200	193	181	114
2021	439	399	373	356	331	258	234	221	212	173

Figure 13. The sectors with the highest number of occupational accidents in Estonia (2017-2021)

AREA OF ACTIVITY	NUMBER OF OCCUPATIONAL ACCIDENTS (2021)	RATIO PER 1000 EMPLOYEES
Timber industry	356	19.3
Food industry	221	17.1
Manufacture of chemical products	173	12.3
Administration and support activities	234	11.3
Furniture industry	85	9.8
Manufacture of metal products	399	9.3
Healthcare	258	8.6
Public Administration	319	7.4
Water supply	35	7.1
Paper industry	29	7.1
Transport, storage	331	7.1
Construction	373	6.5
Agriculture	111	6.3
Textile industry	50	6.0
Arts and entertainment	94	6.0
National average	**3873**	**6.0**
Mining industry	20	5.6
Trade	439	5.3
Accommodation, catering	90	4.2
Real estate	45	4.1
Forestry	20	3.4
Fishing industry	3	3.3
Electricity	12	2.4
Education	110	1.7
Professional and research activities	29	0.9
Other service activities	15	0.7
Finance and insurance	8	0.5
Information and communication	13	0.4

Table 4. The ratio of occupational accidents per 1000 employees by sector (2021)

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 bodily injuries or days of incapacity for work. Less severe cases which did not result in incapacity for work were left out.

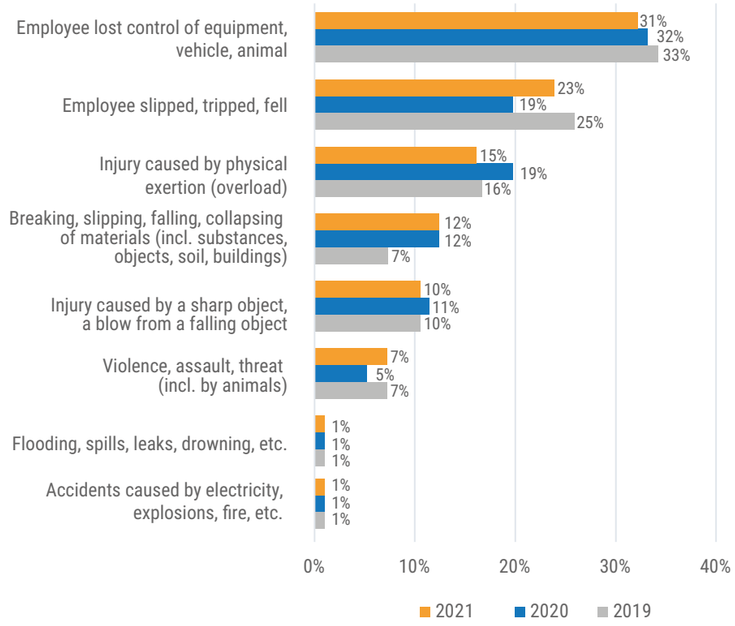


Figure 14. The deviation which caused an occupational accident (2019-2021)

Occupational accidents where **an employee lost control** of work equipment, a vehicle or an animal continue to hold first place, at around 31% of occupational accidents. The proportion of such cases has been in first place throughout the years. It is only the second year where we see the number of such accidents decreasing. The incidents primarily occur in the metalworking 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, tripping and falling, accounting for around 23%** of occupational accidents, or one in five minor occupational accidents, and almost a third 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 bodily injuries and are accompanied by lengthy periods of incapacity for work.

The type of accident in third place, i.e. **an injury caused by physical strain** essentially means incorrect lifting, moving, etc. of various objects, which primarily results in a sprained back, wrist or ankle.

Occupational accidents with serious consequences

In 2021, the number of occupational accidents resulting in a serious bodily injury was 1033 (918 in 2020), which is 115 more than the previous year. 151 of these incidents were investigated by the Labour Inspectorate. We primarily investigate cases that could have been prevented in time. In the cases under investigation, it is also very likely that they could have been prevented by observing occupational safety requirements.

Most serious occupational accidents occurred in construction, the metal industry and the transport sector. The largest increase in accidents was in the production of chemical products, the metalworking industry and administrative and support service activities. There were fewer accidents in the national defence sector and in agriculture.

The most frequent causes of serious occupational accidents:

- **Almost every third** serious occupational accident occurs because an employee slips, trips or falls. This means that the accidents occur because the pathways, stairs or outdoor territory of the enterprise or institution were not clean and tidy or free movement was prevented by cables, boxes, furniture, stored material, finished products, etc.
- **In second place** are accidents where an employee loses control of work equipment, objects or a vehicle. For example, a heavy object falls on an employee's foot and they lose control of a machine or the material they are processing.

Fatal occupational accidents

In 2021, 13 people lost their lives while performing their duties.

- The employee was hit by a log loader moving on the worksite
- In the interests of the employer, the employee got vaccinated during working hours and after a few days their health suddenly worsened
- The employee got stuck between slabs of concrete
- While mowing grass, the employee drove the mower into a pond and drowned
- Three employees died in a traffic accident
- The employee died at work due to overload
- The employee died as a result of an injury caused by a firearm
- While working in a trench, the employee got trapped under a cave-in
- The employee was hit by a loader
- The employee got trapped under a broken structure of a ship
- The employee got trapped in the material in the absorber and died

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

Before a serious occupational accident occurs, the enterprise 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.

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 enterprise. 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. Unfortunately, the analysis of the causes of occupational accidents indicates that employees are increasingly disregarding safety requirements, which leads to accidents.

In 2021, fatal or serious occupational accidents were dominated by occupational accidents in the timber industry or during temporary work at heights. Lack of protective covers on work equipment as well as using non-compliant equipment and techniques still continue to be an issue.

The risky behaviour of employees and situations where co-workers have failed to comply with occupational safety requirements can still be highlighted among the causes of occupational accidents.

WORK-RELATED ILLNESSES

16 new cases of occupational diseases and
38 cases of work-related illness were registered

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. The good health of employees also provides enterprises with confidence and continuity.

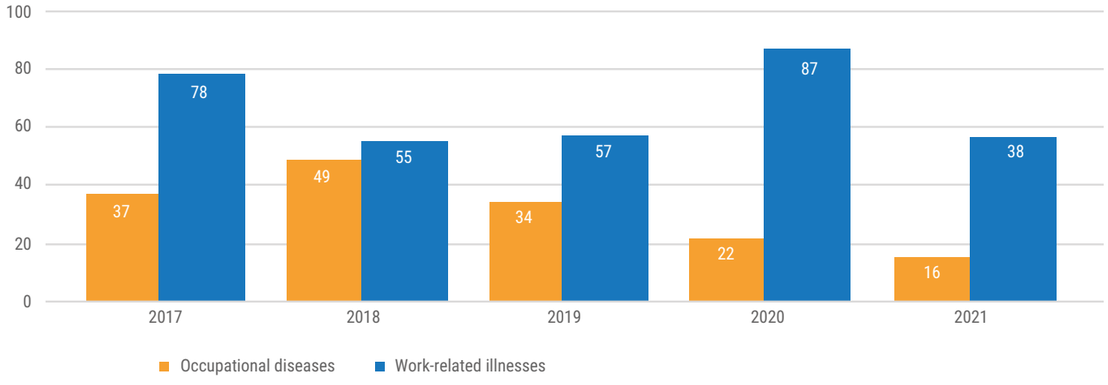


Figure 15. Registered work-related illnesses (2017-2021

Regular medical examinations at the occupational health doctor play a very important role in preventing health problems. If an illness caused by work is discovered in time, its progression can be slowed down by changing the nature or organisation of the work. 16 new cases of occupational diseases [1] (OD) and 38 cases of work-related illness (WRI) were registered last year.

Most work-related illnesses are still caused by physiological risk factors, i.e. heavy physical work, repeating similar movements, forced positions and movements which cause fatigue, and other similar factors which may result in health damage over time. These risk factors cause around 94% of work-related illnesses.

The youngest person developing an occupational disease was 44 years old, the oldest 80. The youngest persons developing an occupational disease were 38 years old, who were diagnosed with occupational disease due to forced position and movements. 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 assessments. 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 overload, how to remain in ergonomically suitable working positions or how to use proper techniques. The instructions may exist, but the employee may have forgotten the requirements.

For years, we have also observed that occupational health doctors often permit employees with health damage to return to work. Rather, the employee is allowed to continue working under the same conditions, and applying restrictions is a rare exception. Employees, who are afraid to complain to their doctor in fear of losing their job probably play a role in this as well. On the other hand, they do not realise that health issues will worsen without the necessary changes and they could fully lose their capacity for work. We want our cooperation with occupational health doctors to be more comprehensive than before so that the health of employees would be better taken care of.

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

During the pandemic, no cases of COVID-19 have been diagnosed as occupational diseases by occupational health doctors.

[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.*

PUBLIC SUPERVISION

We conducted 3424 supervision proceedings;
incl. targeted inspections based on seven fields of activities/problems

The working and rest time of 1464 vehicle drivers was inspected to the extent of 85,605 working days

Employment of 1511 posted workers was registered in Estonia;

3840 children under 15 years of age were employed at enterprises in 2021

13,053 violations were detected;

59 misdemeanour procedures, incl. 57 penalty payments in the total amount of 14,320 euros

- **Construction, trade, and transport and storage were the main focus**
- **The risk assessment tool makes the assessment of risks in the working environment more convenient**
- **The number of tips on the working environment is on the rise**

The aim of occupational safety supervision is to help create a safe working environment in Estonia. Reducing the number of serious or fatal occupational accidents is a priority. In order to inspect the working environments, we select enterprises 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 enterprise. The risk assessment is also based on the level of risk assigned to the sector, the time of the last visit to the enterprise, and any deficiencies observed. Every enterprise gets their own risk rating, on the basis of which we choose which enterprises and organisations to inspect. Inspected separately are enterprises with repeated occupational accidents, or enterprises where the employer has failed to pay sufficient attention to determining the causes of occupational accidents and prevention of similar cases.

The largest employers in Estonia are small-scale enterprises with fewer than ten employees. We rarely do routine inspections in micro-enterprises and small-scale enterprises, and use other means of inspections instead. For example, our consultants focus on new enterprises so that the employer would know what a good working environment is right from the outset. We conduct targeted inspections which involve inspecting a few risk factors at around 10% of the enterprises of a certain sector and draw up summaries of the deficiencies observed, which are communicated to all enterprises and professional organisations of the sector. In doing so, the enterprises who did not make it into the sample of targeted inspections benefit from our observations and advice as well.

In 2021, the main focus was on construction, trade, and transport and storage.

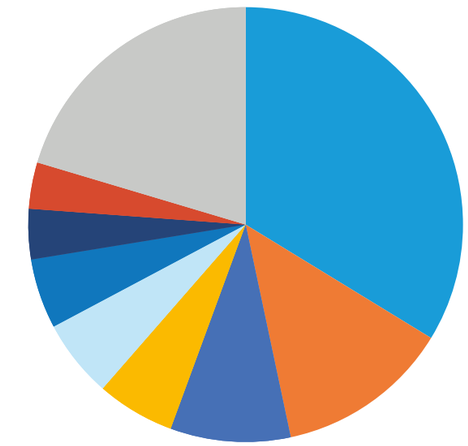
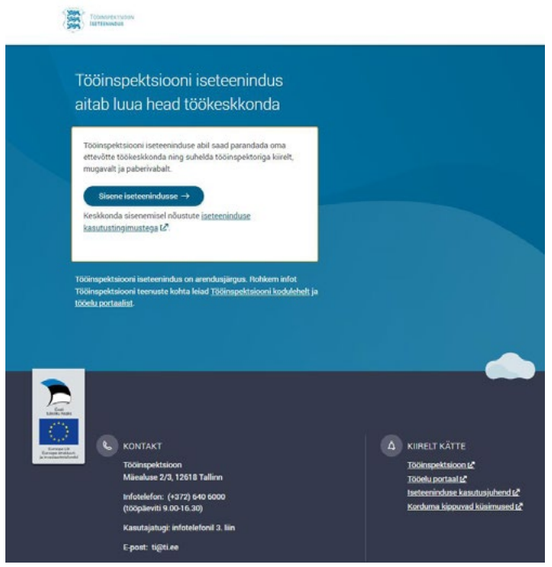


Figure 16. Supervision over sectors (2021)

2021 was again largely dictated by the coronavirus. When visiting employers, we always inspected the measures of preventing the spread of coronavirus and worked closely with other authorities. During the second corona year, we encountered high levels of exhaustion and boredom among employers. This is understandable, as many have had to make an enormous effort for the survival of their enterprise. Although we have tried to be a good partner to employers, we have always emphasised that there can be no compromises on the health and safety of employees.

Labour Inspectorate information system TEIS

The introduction of the Labour Inspectorate Information System (TEIS) continued for the second year. Information exchange during the inspection is digital – the inspector enters the information into a tablet and immediately forwards it to the employer. Such a process is significantly quicker and smoother. TEIS has greatly simplified the inspectors' work. Reports and other documents related to supervision can be prepared and registered much faster. Some employers have complained that the system is complicated, but others, especially the younger employers, are completely satisfied, because the problems can be solved quickly.



The risk assessment tool

The keyword of the self-service of the Labour Inspectorate information system (TEIS) in 2021 was the risk assessment tool, its development and implementation. We launched the tool in March when a legal requirement, which obligates employers to digitally submit their working environment risk assessment to the Labour Inspectorate, entered into force. Employers can upload their existing risk assessment into TEIS. Others can prepare a risk assessment using the risk assessment tool in TEIS.

Highlight from the rest of the text: In order to carry out a risk assessment in TEIS, the employer logs into the self-service (iseteenindus.teis.ee). The risk assessment tool consists of various risk factors with measures set out to prevent or reduce a specific risk. If a certain measure has not yet been used, it will be moved into the action plan, and the employer can make a plan to eliminate the shortcoming. The tool is designed in such a way that there are mandatory risks, i.e. risk factors that need to be assessed for each activity (e.g. working with a monitor, 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.

Why is it good to carry out the risk assessment in the TEIS risk assessment module? The module is not a table where the employer enters information which they already know, as is the case with a regular risk assessment. The module provides questions for the mitigation of risk or safe use of work equipment. For example, there are nine questions to answer about slipping and tripping. When providing answers, one has to think whether pathways are sufficiently illuminated, whether using the stairs is safe (incl. whether they have handrails), whether pathways are even and without holes, etc.

Of the submitted risk assessments, 65% were created using the tool, which indicates that the tool was well received and is easy to use.

As of the end of the year, 28,135 enterprises had fulfilled their obligation, and we received 31,462 working environment risk assessments via TEIS. Most of the submissions (around 86%) came from micro-enterprises and small-scale enterprises.

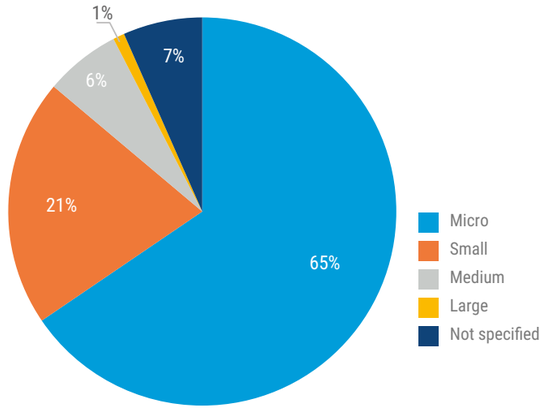


Figure 17. Proportion of risk assessments by size of enterprise

However, if we take a closer look, we see that large enterprises and enterprises with more than 50 employees were the most law-abiding. Of the 253 large enterprises in Estonia, 246 (97%) submitted their risk assessment correctly and of medium-sized enterprises, 93%.

Estonia primarily has micro-enterprises (around 53,000), but, according to the Tax and Customs Board, in 21,839 of them the only employee of the enterprise is a member of the management board, and we do not expect them to submit a risk assessment. If we exclude these enterprises, 31,143 micro-enterprises should have submitted a risk assessment. However, only 17,622, i.e. 57% submitted an assessment.

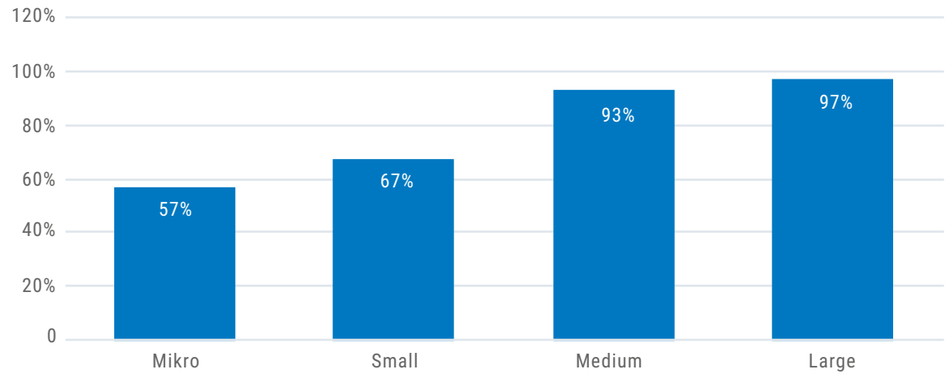
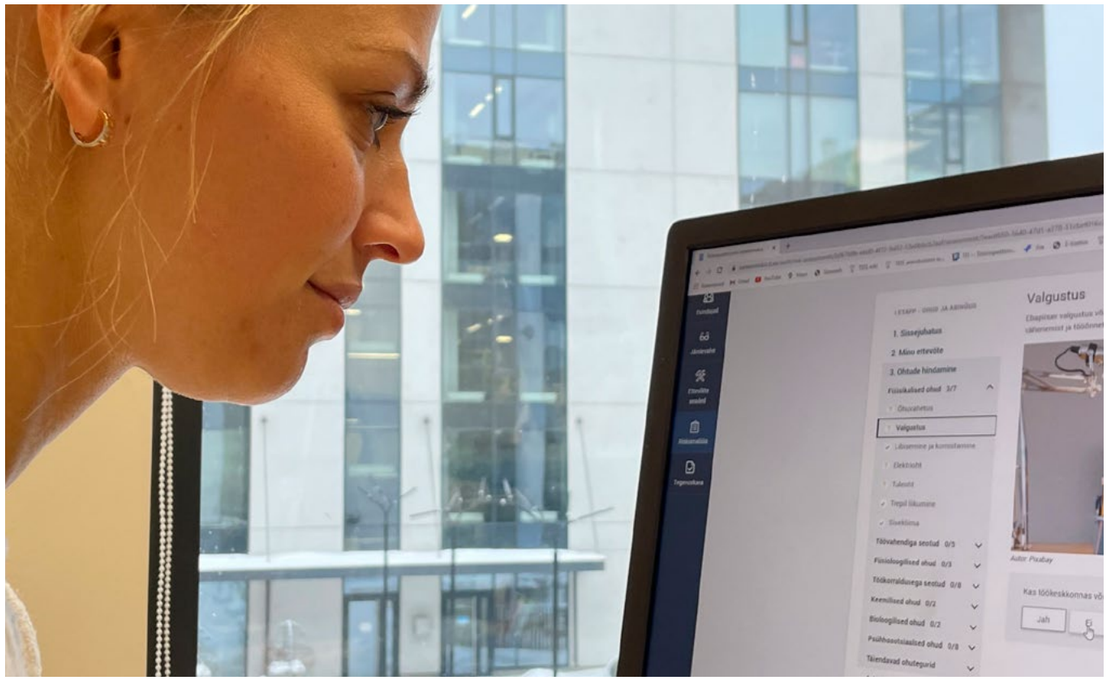


Figure 18. Proportion of enterprises which submitted a risk assessment by size of enterprise

The third view shows how many enterprises used the risk assessment tool in TEIS and how many have uploaded their existing risk assessment.

The purpose of the system as a whole is to first help micro-enterprises and small-scale enterprises with the assessment of working environment risks. Of all the micro-enterprises which submitted a risk assessment, 79% prepared it using the tool. Large enterprises usually already have risk assessments and 89% of them uploaded them. However, some large enterprises preferred to prepare their risk assessment using the tool as well.



Task Forces

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.

For our largest, the **general supervision task force** (11 officials), 2021 was a difficult year full of surprises.

The coronavirus crisis, going on for the second year, had already left its mark on enterprises. Employers became accustomed to the new situation as the requirements became familiar to them. The coronavirus forced employers to be creative in order to keep their enterprises afloat. We commend everyone who were able to do it in a manner that protects the health and safety of their employees. At the same time, we noticed cases where the coronavirus was used as a sort of a shield to avoid the labour inspector's visit. Therefore, we often had to give thorough explanations because we cannot make compromises on occupational safety even during COVID-19.

The hot summer of 2021 brought along a wave of complaints from employees about difficult working conditions. However, we saw during inspections that employers had introduced various mitigation measures. All of us, including employers, most likely have to accept that hot summers are not rare anymore and it makes sense to prepare for them in winter because both fans and air conditioners sell out very quickly in summer.

In terms of targeted inspections, the most important and difficult challenge was carrying out targeted inspections of nursing homes. These inspections were important because the spread of COVID-19 in nursing homes was fierce in 2021 and the emergence of hotspots had to be avoided at all costs. However, they were difficult because nursing homes were very wary of involving third parties. When carrying out inspections, we wore the correct protective clothing and followed all requirements. Nevertheless, we managed to complete the task and gave the necessary advice to nursing homes on how to protect their employees. It was very interesting for us to experience what it is like to work in these conditions while constantly wearing protective clothing.

When inspecting coronavirus measures, we worked closely with the Health Board and the Police and Border Guard Board, often carrying out inspections together. We learned what they pay attention to during inspections and now our colleagues know to ask about the working environment risk assessment.

The focus of **the task group supervising construction and infrastructure enterprises** (nine officials) in 2021 was working at heights and road construction. They primarily focused on the use and condition of scaffolding and ladders. The injuries caused by falling from heights are extremely severe, which makes it all the more worrying that so many mistakes are made in the erection of scaffolding and ladders. Failure to use personal protective equipment continues to be an issue as well. On several sites, employees only put on a helmet when they noticed the labour inspector. Safety shoes are worn on construction sites because employees understand their benefit – no one wants to step on a nail. Favoured footwear in road construction, however, is still sandals or trainers. Needless to say, employees are very hot when laying asphalt in summer heat, but the risk of foot injury is extremely high. We can applaud Estonian builders for wanting and knowing how to make themselves visible, as they wear high-visibility vests.

We saw on construction sites that if employees manage to avoid falling from heights, they will not be safe from falling on pathways, as wires, cables, hoses and other irrelevant objects have been left laying around.

Tips

Every year more and more tips are sent to the Labour Inspectorate. On the one hand, it is positive because people notice dangerous situations, which often include employees working on roofs who are not properly secured. We also receive tips that not everything is good in one or another working environment because the employer does not respect occupational safety. We also receive tips about incorrect employment relations – lack of contracts, employees have to work overtime, they are not being paid. Thanks to tips, we have been able to resolve several problematic situations.

Tips from employees complaining about not being able to concentrate on their work because posts were being rammed into the ground on a nearby construction site became more frequent during the coronavirus outbreak. Due to the soil, ramming posts are inevitable in several areas of Tallinn, especially in Kalamaja, for example. This is where the effect of home offices became evident – people were at home during work and noticed things they otherwise would not have.

On the other hand, we also see that tips are sometimes made to prevent a competitor from working or to take revenge on the employer. For each tip, we consider whether it is a dangerous situation, whether there have been tips about the enterprise before, whether the enterprise has been inspected before, etc. We will then decide whether the labour inspector will check the tip on site or we can resolve the problem over the phone.

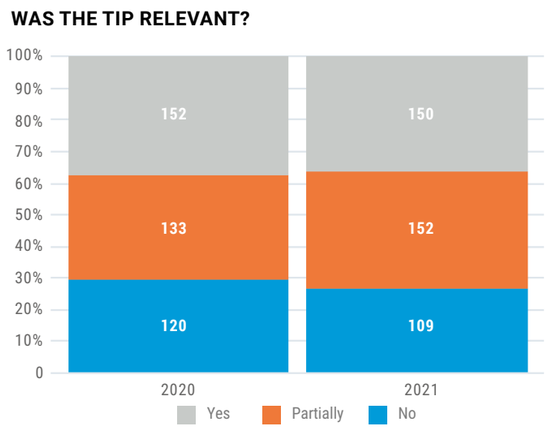


Figure 19: Relevance of the tip

When making a tip, you need to be as specific as possible, even if a photo is attached to the tip. A tip saying 'workers are climbing on a roof on Pikk Street' may need prompt intervention, but if we do not know which town's Pikk Street they mean, we cannot intervene.

Unfortunately, we do not have the same capacity as the police or the rescue service and we are unable to react rapidly, especially outside of working hours. In the event of a life-threatening situation (e.g. an employee is on the roof without a harness, icicles are removed without marking the danger zone), the police should immediately be contacted.

Targeted inspections based on sectors & issues

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

- **Petrol station chains**
- **Car repair shops**
- **The organisation of occupational health and safety in higher education institutions**
- **Working at heights and risk of falling**
- **Road workers and machinery operators – safety and working and rest time**
- **The organisation of occupational health and safety in SEVESO enterprises**
- **Investigation of occupational accidents by employers, planning and implementation of measures**

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

In 2021, we did not carry out separate targeted inspections to check on the measures of containing the spread of COVID-19. However, we checked during each inspection whether measures preventing the spread of COVID-19 were taken in the working environment. Employers were quite familiar with the requirements and every workplace had generally thought about masks, hand cleaning, dispersion, etc. Rather, there were issues with the assessment of the biological risk factor from COVID-19 in the risk assessment and the development of the action plan.

Supervision of maritime labour

Maritime supervision was also affected by the spread of the coronavirus, often making it more difficult to visit the enterprises.

Ship crews are often small and contacts outside of the ship are kept to a minimum. This is understandable because one crew member falling ill may mean stopping the ship.

We have advised and assisted both operators and crew members in maritime issues.

In collaboration with the Transport Administration, we carried out the certification of several ships which take account the prior inspection of the Labour Inspectorate.

Several discussions about the domain of seafarers' employment took place last year, where the issue of bringing ships under the Estonian flag and proposals to amend the Seafarers Employment Act were discussed.

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.

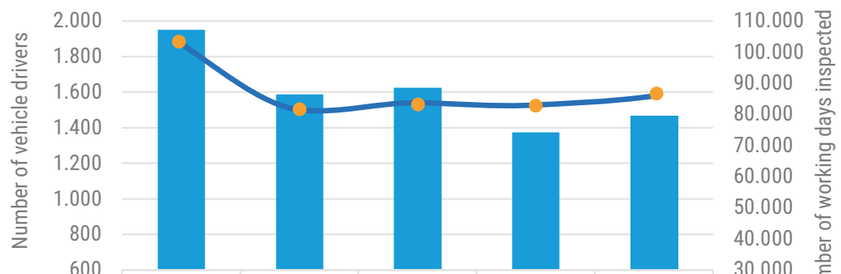
Last year, we directed our attention towards enterprises engaged in the carriage of goods which were not affected by the coronavirus as much, and there was plenty of work for small-scale enterprises as well. However, the newly emerging issue is the lack of drivers.

Chartered passenger transport stopped largely due to the dormancy of tourism last year as well. During the summer period tourism recovered slightly, but since buses were not used most of the time, there was no point in inspecting these enterprises.

Supervision was easier last year because enterprises had already adapted to the coronavirus. When the virus was quite widespread in Estonia, we carried out contactless supervision. Employers forwarded us recording files digitally that we could then process. The range of experiences was wide – larger enterprises were ready to provide them immediately, but many smaller enterprises had difficulties with submitting the data. Despite the setbacks, the first attempt proved successful, and we now provide employers the opportunity to submit data without contact.

The main violations:

- **Copying and preservation of the working and rest time data of vehicle drivers.**
  Pursuant to the Traffic Act, digital driving, working and rest time data must be copied from the driver card at least once every 28 days and from the vehicle at least once every 90 days and the digital as well as recording sheets must be preserved at least 365 days.
- Medical examination is often poorly organised, as enterprises believe that the medical examinations required by the Traffic Act are sufficient for the drivers. In fact, there are a number of risk factors involved in the driver's work, which is why a medical examination with an occupational health doctor is required.



	2017	2018	2019	2020	2021
Number of drivers inspected	1.951	1.587	1.607	1.362	1.464
Number of working days inspected	102.976	80.701	82.783	81.615	85.605

Figure 20. The numbers of inspected vehicle drivers and their working days (2017-2021)

Supervision of employment relationships

Employment relationships and economic activities are supervised by a task force of eight officials. The aim of the task force is to check that employment relationships comply with the requirements of the law, and that equal treatment of employees and fair competition among enterprises 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 enterprise in the employment register.

For the second year in a row, foreign labour was affected by the coronavirus.

Official statistics show that the number of posted employees has decreased – only 552 posting notifications were registered in the Labour Inspectorate system during the year. Based on these data, 1511 posted workers arrived in Estonia, which is 23% less than a year earlier. The foreign labour was simply even less visible, and several schemes were devised.

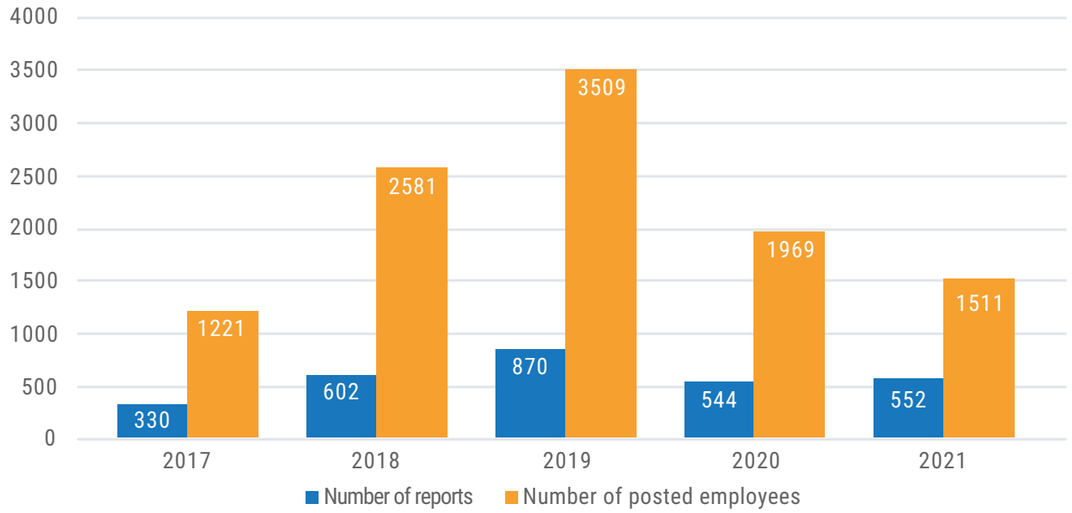


Figure 21. The number of notifications received and the number of posted employees (2017-2021)

Close co-operation with other countries is crucial on issues related to foreign labour. Due to the coronavirus, normal cooperation was disrupted, and the main focus was given to data exchange. Thanks to the coronavirus, we have first and foremost offered comprehensive assistance and information about Estonian enterprises which operate on foreign markets and do not comply with national rules there. The European Labour Agency (ELA) is increasingly taking up its activities and work. The agency started their work at the same time as COVID-19 reached Europe and this slowed down the working groups and joint inspections. To date, these start-up difficulties have been largely overcome by the active coordination and conduct of joint inspections between countries. Estonia also actively participates in the ELA work and is ready to carry out joint inspections and co-operate with other EU member states to ensure the legal treatment of employees in the labour market.

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. Thereby, the employer must take into consideration that 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- to 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.

The summer of 2021 was already a little better for young people than a year earlier.

The Labour Inspectorate received information on **3840** children and young people under the age of 15, which was around 500 more children than in 2020. A total of 633 employers were ready to provide work for children and youths (in 2020, there were 585 employers).

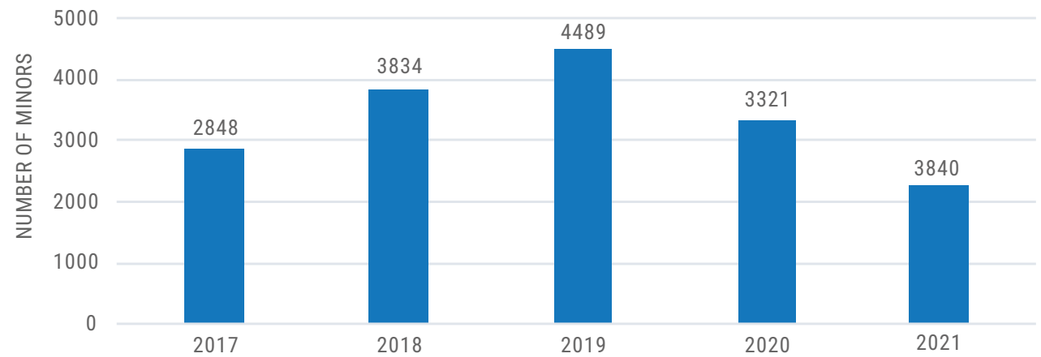
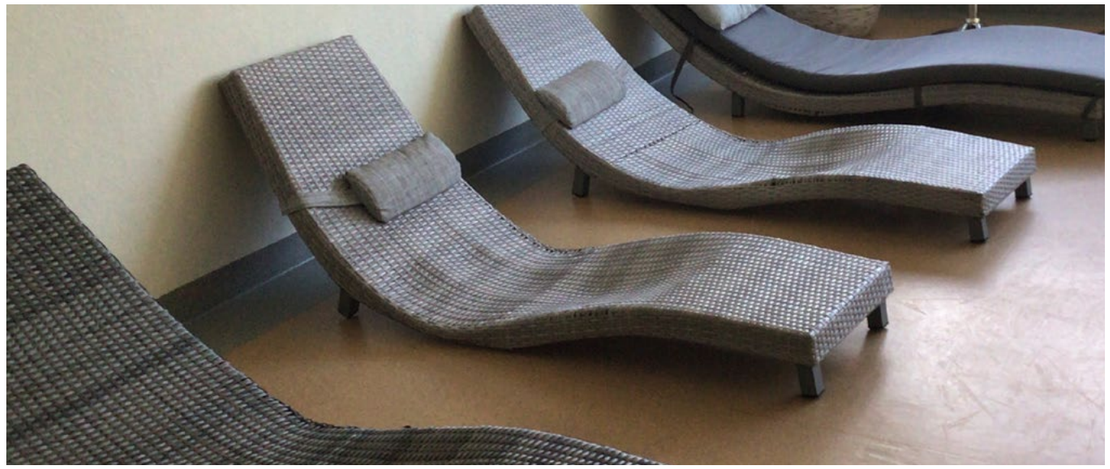


Figure 22. Registration of employment of up to 15-year-old children with the LI (2017-2021)

By sector, the highest numbers of children were employed in education and arts and entertainment activities, 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 (80% of contracts). At the same time, contracts under the Law of Obligations Act have not disappeared, with around 18% of children employed on the basis of this type of contract.

In terms of fields of activity, the share of Law of Obligations Act contracts was the largest in the field of information and communication, administration and support activities, and professional and scientific activities. The children working under employment contracts are mostly employed in public administration and education.



Main issues of the Estonian working environment

In 2021, labour inspectors identified 13,053 violations related to occupational health, occupational safety, employment relationships, maritime work or working and rest time of vehicle drivers. A year earlier, there were 11,530 violations. Thus, the number of deficiencies has somewhat increased.

Labour inspectors rarely record minor non-compliances in writing and rather provide employers with oral observations. It may therefore seem that there are few violations, but this is how more attention is paid to the violations which have a clear effect on the occupational health and safety system of the enterprise.

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

- **Existence or need to update the risk assessment of the working environment;**
- **Biological hazard assessment (COVID-19);**
- **Chemical hazards:**
- **Organisation of medical examination;**
- **Lack of providers of first aid;**
- **Absence or failure to use personal protective equipment;**
- **Instruction and training;**
- **Absence or failure to use safety devices;**

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 working environment exist, then the likeliness of the occurrence of occupational accidents and work-related illnesses is rather high.

The following employment relationships issues remain the biggest:

- **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;**

Looking at the list, it must be stated that, in solving the problems of the working environment, Estonian enterprises 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 clear issue with medical examination – not all employers want to send their employees for medical examination, but it also happens that the employee simply does not go for a medical examination at the agreed time.

In general, the number of violations at any one enterprise is not very high but there tend to be a few violations at every enterprise inspected. The enterprises with branches all across Estonia usually have some issues. For example, inspectors detect a large number of violations at different sites of the same enterprise. For example, one construction enterprise accounted for more than 70 occupational safety violations during the year, clearly indicating that there are no targeted occupational safety activities in the enterprise, no unified occupational safety management system, and all activities aimed at the working environment are somewhat random.

In 2020, the labour inspectors halted work on 77 occasions to eliminate violations, and the use of work equipment was prohibited on 77 occasions (in 2020, the respective figures were 112 and 71). 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.

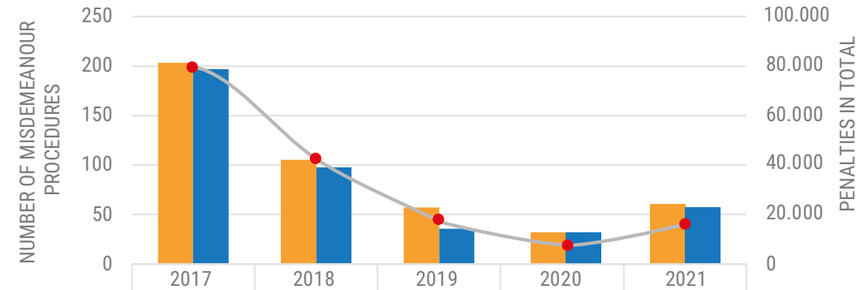
Misdemeanour proceedings, penalties

The number of proceedings of the Labour Inspectorate as an extra-judicial body has drastically decreased since 2018. The court found that the act was not applicable in substance because it contained the special identity of 'employer'. 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 the misdemeanours of special laws and to specify the definition of employer. The Riigikogu passed the amendments. From 30 July 2020, the Labour Inspectorate has been able to conduct misdemeanour procedures under specific laws again.

Punishment in misdemeanour procedure 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. In short, if it is really not possible to make the employer pay attention to the violations in the working environment. For years, we have been proceeding from the principle that if an issue in the working environment can be eliminated by applying other measures, no penalties are imposed.

In 2021, misdemeanour matters were processed on 59 occasions as a result of supervision, with the majority of these proceedings ending with a penalty payment. The total amount of penalty payments was 14,320 euros and the average amount was 250 euros.

57 misdemeanour procedures were conducted under the expedited procedure. The majority of these were related to violations of the Traffic Act, i.e. the storage and submission of data on both passenger and transport of goods. Seven proceedings were conducted on the basis of the Employment Contracts Act, one on the basis of the Working Conditions of Employees Posted to Estonia Act and one on the basis of the Occupational Health and Safety Act.



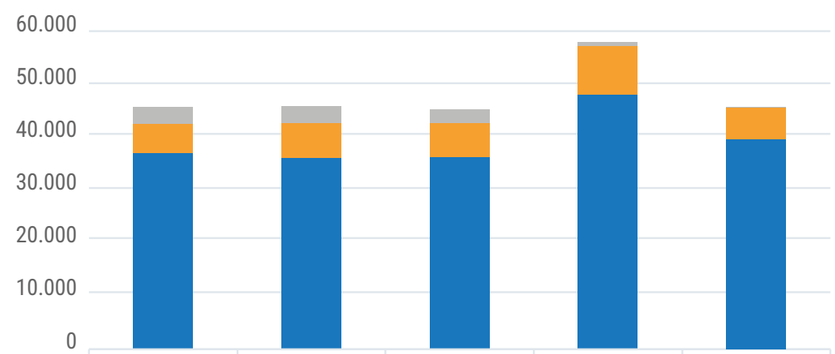
	2017	2018	2019	2020	2021
Misdemeanours processed	203	105	57	32	59
Number of penalties imposed	197	98	36	32	57
Amount of penalties imposed (euros)	78.680	43.754	18.250	7.520	14.320

Figure 23. The number of misdemeanour procedures and the amount of penalty payments (2017-2021)

The employers' assessment of the supervision

If the enterprise 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 started asking for feedback in 2019, and we set the goal of at least 70% of the employers being satisfied with our competence. In 2021, 96% of the respondents were satisfied with our supervision service.

We sent a total of 2031 e-mails and received 1036 responses, i.e. 51%, even though we had initially expected a significantly lower percentage of participation. Out of all the responses, as many as 96% recommended and only 4% did not recommend us. Thus, we may conclude that people are satisfied with the supervisory service of the Labour Inspectorate and find that the visit of the inspector has been beneficial for them. Naturally, there were also those who were not satisfied, but thanks to their feedback, we can improve the quality of our supervisory activity.



	2017	2018	2019	2020	2021
Office receptions	2.925	2.864	1.757	307	37
E-mails, Facebook, Skype	5.900	6.314	6.810	9.623	7.164
Number of helpline calls answered	36.990	36.692	36.864	47.758	39.451

Figure 24. Number of counselling contacts 2017–2021

PREVENTION

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 violations of legislation, health damage, 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.

- **the new call centre helps us to answer calls faster**
- **the renewed Working Life portal is concise and user-friendly**
- **we started publishing the Working Life magazine again**

From 1 October 2021, counselling, consultation and information are a uniform Prevention and Information Department. We can now take a more holistic approach to prevention.

We advise people who call our information line (640 6000), respond to the enquiries e-mailed to jurist|at|ti.ee and provide consultations to enterprises. The advisers are counselling lawyers and working environment consultants. At the beginning of 2021, we introduced a new call centre. The caller can choose at the outset whether their question needs an answer from a lawyer, working environment consultant or secretary. The certain strangeness of the first months was soon replaced by success, as the call queue shortened significantly.

46,615 contacts for counselling

72 enterprises consulted

What were we most asked about?

There were significantly fewer coronavirus-related questions in 2021. A new emerging topic was vaccination. As a continuation of 2020, we received a lot of questions about teleworking. The questions concerned work equipment, costs. Many positions allowed people to return to the offices, but some employees were already so used to the home office that they no longer wanted to return to the office.

In general, however, the usual employment relationship issues related to leave, cancellation of employment, wages, etc. were in the forefront.

To sum up the year, our consulting service is popular and very necessary, and our customers appreciate it. The satisfaction survey confirms that 84% of clients are very satisfied with our consulting service.

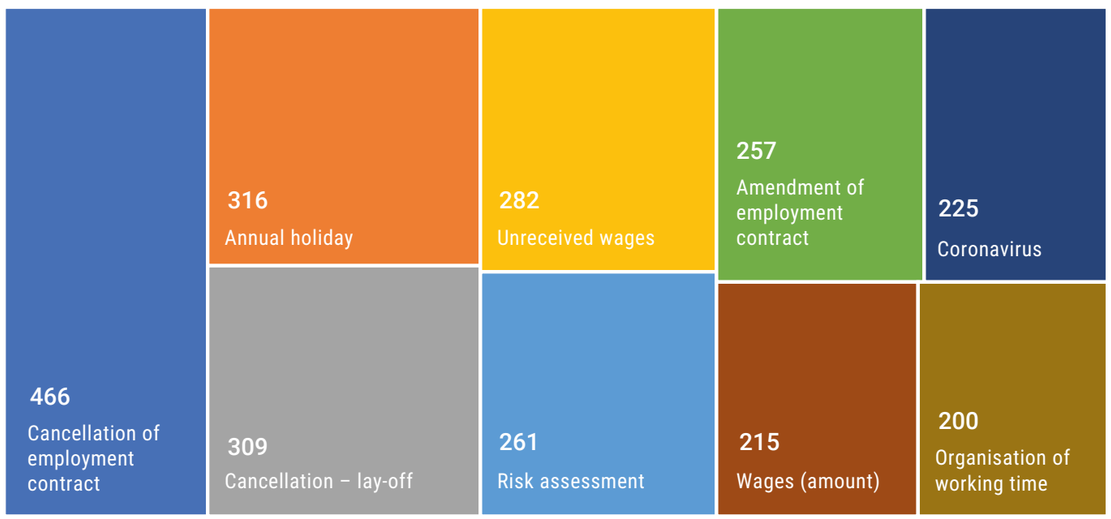


Figure 25. The main issues in 2021

The Estonian working environment through the eyes of working environment consultants

For consultants, 2021 was primarily marked by the development and enhancement of the risk assessment tool of the Labour Inspectorate information system TEIS. Setting up such a large system was very time-consuming. We also had to introduce the completed tool to users. As employers had to upload a risk assessment to TEIS or create one using the tool by 1 September, August and September were the most intensive for our consultants – they attended several seminars and answered numerous calls and e-mails.

There were slightly fewer consultations in 2021. The coronavirus also set its limits here, as enterprises were still wary of inviting strangers. So, we consulted 74 enterprises and included the workplaces of 5132 employees.

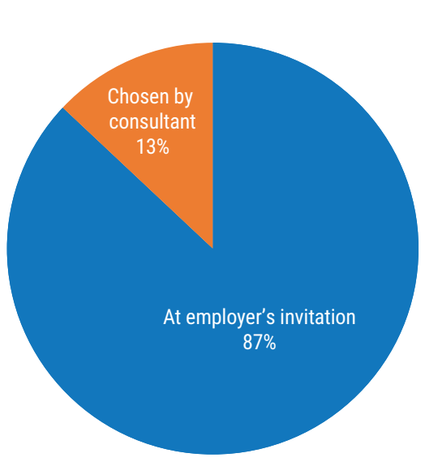


Figure 26. Distribution of provided consultations (2021)

Information sharing

Good and up-to-date information helps to create a good working environment. We try to reach people through various channels. To that end, we manage our website, the Working Life portal and social media channels.

The keyword in 2021 was the transformation of the Working Life portal. The portal was redesigned and its contents were updated. The new portal is significantly more user-friendly. We also constantly updated topics related to the coronavirus and the working environment.

In the middle of the year, everything related to risk assessment of the working environment became very important. We carried out a campaign in order to introduce the risk assessment tool in the self-service environment of the Labour Inspectorate.

We started publishing the Working Life magazine again.

The prevention and information sharing campaigns

Gateway to a safe working environment

In October and November of 2021, we carried out a campaign to introduce TEIS, the self-service of the Labour Inspectorate information system. We introduced the opportunities opened up by the self-service portal to create a good working environment, including submitting or preparing a risk assessment using the digital risk assessment tool and increasing the number of self-service users. We also talked about the possibility to communicate with the Labour Inspectorate digitally during supervision proceedings, which makes the proceedings quicker and smoother. Additionally, we introduced the renewed Working Life portal as a gateway to creating a good working environment.

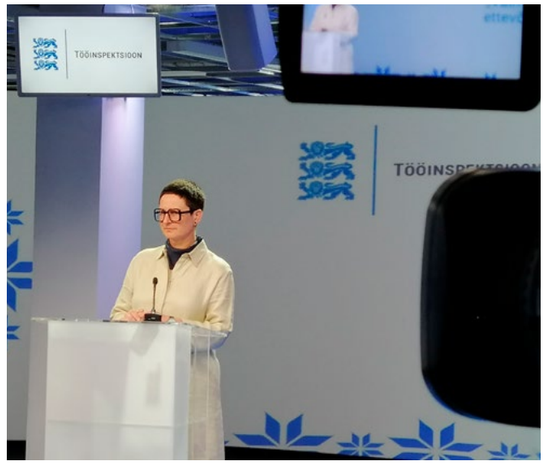
The campaign focused on direct communication with target groups and we used several web channels. A follow-up survey among the target group confirmed that the campaign was noticed and that it encouraged employers to act – to think more about working environment issues, to pay more attention to the sources of risk and to prepare or update their risk assessment.

EU-OSHA campaign Healthy Workplaces Lighten the Load

The Europe-wide campaign of the European Agency for Safety and Health at Work 'Healthy Workplaces Lighten the Load', which focuses on work-related musculoskeletal disorders, continued in 2021. Musculoskeletal disorders are one of the most common work-related health problems in Europe, affecting millions of workers and costing employers billions of euros a year. The campaign draws attention in Europe to the prevention of musculoskeletal disorders – things that employees themselves can do and what employers can do to reduce these disorders and keep people working healthily until old age.

As part of the campaign, we organised three seminars in Estonia, which focused on forced positions and repetitive movements.

In November, the traditional conference of the occupational health day took place for the 13th time, which was also dedicated to musculoskeletal issues and ergonomic working. Due to



the risk of COVID-19, the occupational health day was held online again. The ergonomics of smart devices, hybrid work, home offices and taking care of one's eyes give a new importance to risk assessments in light of the implementation of new technologies. Workplace mental health action plan.

Mental health conference

In collaboration with PARE, we organised a virtual conference 'Mental health at work – Experiences of Estonian enterprises in supporting employees' on 26 May. At the conference, occupational psychologists and representatives of enterprises, employees and employers discussed how Estonian enterprises have coped during the crisis and shared existing experiences to learn from. The presentations and recording of the conference are available on the website of the Labour Inspectorate.

Information-sharing mornings and round tables

In 2021, we continued with morning meetings about employment relationships and occupational health and safety. According to the current situation, they were primarily held online (seven) and only two were face-to-face. Our lawyers and consultants talked about changes in the Occupational Health and Safety Act, starting and cancelling an employment relationship, the experiences in the time of the crisis, reduction of working hours, instructing and training. The morning meetings were recorded and are available to watch on the website of the Labour Inspectorate.

There was also a round table for social partners. At the round table, we talked about the working environment of Estonia in 2020 and the action plans of the Labour Inspectorate.

Training

We trained working environment specialists for two days. We talked about working environment management, instructing and training employees, first aid, medical examinations and carrying out risk assessments. In addition, we briefly touched on physical, chemical, physiological, biological and psychosocial risk factors, the selection of personal protective equipment as well as the organisation of working and rest time, and the investigation of occupational accidents and occupational diseases.

Trade fairs

We attended three fairs: the opening of the business season of the Estonian Chamber of Commerce and Industry, the industrial and technology fair Instrutec 2021 and a virtual work and career fair. At the fairs, our consultants and counselling lawyers provided advice on employment relationships and the working environment. We participated in the virtual work and career fair of the Unemployment Insurance Fund with a virtual stand, where we shared videos, information materials and the Working Life magazine. The counselling lawyer answered questions via Skype and Messenger.

The Good Working Environment 2021 award

The Labour Inspectorate gave out the Good Working Environment award for the seventh time. Each year, applications become more substantial and making a choice is becoming increasingly difficult. At the same time, it is, of course, gratifying, because it proves that working environment is increasingly important for Estonian enterprises. 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.

We awarded the prize in two categories: a small-scale enterprise with up to 50 employees and a large enterprise with more than 50 employees. The competition was intense, but the 'Good Working Environment' prize 2021 was awarded to AS Elcogen in the small-scale enterprises category and to ABB AS in the large enterprises category..

The Working Life magazine

In 2021, we started publishing the Working Life magazine again, which various stakeholders were sorely missing. In the magazine, we address what is happening in the working environment, explain cases, share experiences, published instructional materials, useful recommendations concerning work, etc.

The magazine was published electronically and on paper. The electronic version is available on the Labour Inspectorate website. The articles in the magazine were also covered in the mainstream media. In 2021, a total of three issues of the Working Life magazine were published.

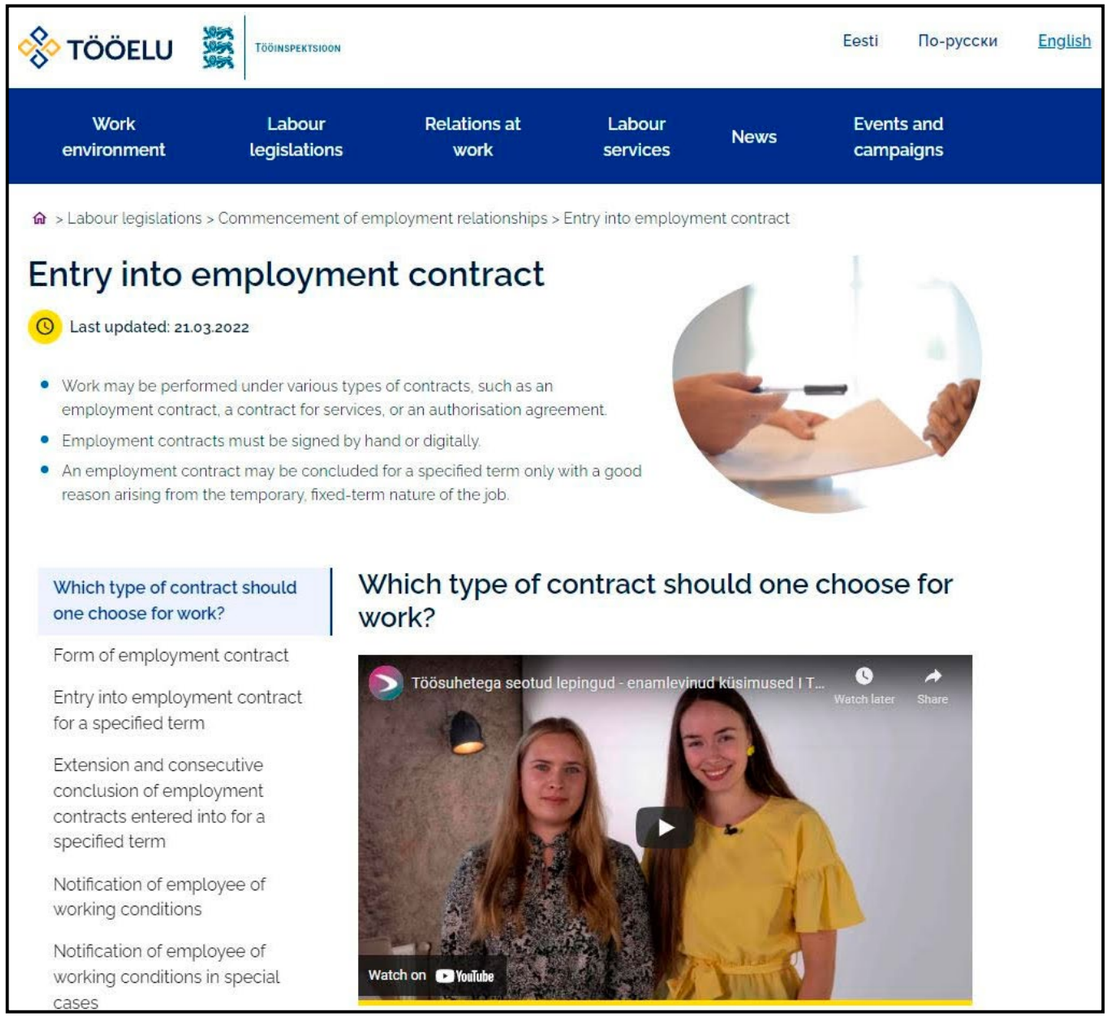
Publications

We updated and improved the brochure 'Instruction and training of employees', which was published both in paper form and electronically in Estonian and Russian. The brochure addresses how to organise instruction and training, but also what to focus on when preparing safety instructions. In addition, the brochure touches on what you should pay attention to when informing service providers. The brochure also includes a questionnaire to assess the efficiency of instruction and training in the enterprise.

One of our traditions is a calendar, in which we use amusing illustrations to draw people's attention to the issues of the working environment and employment relationships. On our Facebook page, we introduce the pictures of the calendar every month in more detail.

Videos

Over the year, we collaborated with Karjääristuudio and made several longer videos, in which we talked about the probationary period, employees returning from parental leave, instruction and training, the extraordinary cancellation of employment contracts, shortened working days and public holidays. On the website of the Labour Inspectorate is an instructional video, available in three languages, on how to submit a petition to the labour dispute committee. In addition, several of the seminars which have taken place over the year are available to watch. See www.ti.ee and www.tooelu.ee.



Information letter for beginning enterprises

At the end of the first quarter of 2021, 5080 enterprises were sent an electronic newsletter which provides new enterprises with guidelines on how to comply with the requirements of the Occupational Health and Safety Act and the Employment Contracts Act. The text of the newsletter was updated and revised on the basis of feedback or amended legislation. The newsletter was sent in three languages (Estonian, Russian, and English). In the second quarter, the newsletter was sent to 5491 addressees, in the third quarter to 5765 addressees and in the fourth quarter to 6356 addressees.

The Working Life portal

In 2021, we updated the Working Life portal, which had received smaller visual and structural updates during its lifetime, but which had by and large remained the same since 2012, meaning it was outdated visually, but primarily technically. Therefore, it was cumbersome to use, manage and reference, and there was no technical support available for its base system. As a solution, we found a standard management system in the colours of government institutions, but with our unique design.

When updating the Working Life portal, our aim was for it to be user-oriented and have a logical structure. A user survey helped us develop a reasonable structure and implement necessary functionalities.

We reviewed the content pages with the help of lawyers and consultants so their content, language and style would be understandable for the average reader, but still have sufficiently formal wording for it to be legally competent. Another aim was to make the structure and layout of the content pages as logical as possible.

The portal is definitely not finished yet. Although it may seem to users that everything functions perfectly, it still needs several modules and solutions. The contents are also constantly amended, as both legislation and the world change. If you have suggestions about the Working Life portal or would like to contribute, do not hesitate to write to toimetaja@tooelu.ee.

LABOUR DISPUTES

- **The number of labour disputes decreased by 37%**
- **Most of the petitions came from the construction, trade, accommodation and catering sectors**
- **A large proportion of the sessions are held via video conferencing**

The spread of COVID-19 significantly affected economic activity, which often led to labour disputes and affected the work of labour dispute committees[1]. Most of the petitions last year came from the sectors of construction, trade, and accommodation and catering. By county, most petitions were received from Tallinn and Harju County, Tartu County, and Ida-Viru County.

One of the purposes of the committees is to alleviate the burden of courts. Based on statistical data, the labour dispute committees fulfil this purpose. The labour dispute committees settle 3000 disputes per year, on average. While in 2020, the number of labour disputes increased by 14% compared to the previous year, 2021 was much calmer. We received 2116 petitions, which is 37% less than the year before.

2116 labour disputes
incl. 1826 petitions from employees
incl. 290 petitions from employers

The total amount of the petitions received was 10 million euros

19% of the petitions were closed by reaching a compromise at the labour dispute committee

[1] The labour dispute committee is an extrajudicial dispute resolution body consisting of a representative of employers, a representative of employees and the chairman of the committee. Since 2018, resolution of extrajudicial labour disputes has been regulated by the Labour Dispute Resolution Act. The labour dispute committees only settle disputes arising from the employment relationship, i.e. labour disputes between an employer and an employee. The labour dispute committees do not settle disputes concerning occupational accidents or occupational diseases or compensation for the damages caused by the health damage, bodily injuries or death arising from them.

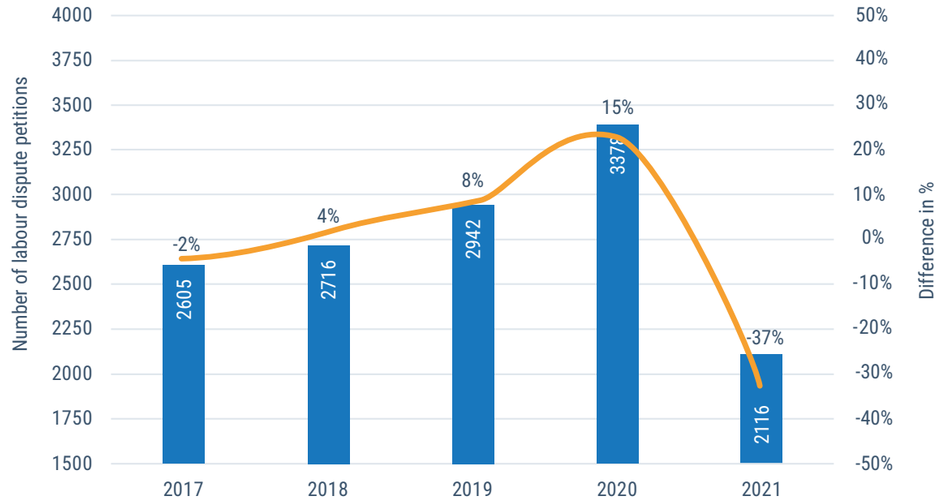


Figure 27. The number of petitions received by the labour dispute committees (2017-2021)

However, there was a sharp decline in the middle of the second year of the coronavirus crisis. Similar upward and downward trends have occurred in previous years as well, but this time the trend has persisted for longer.

During the coronavirus era, many labour disputes were moved online. In 2021, the need for sessions to be held via video conferencing only solidified. In many of the sessions, at least some of the parties attend virtually. The situation becomes difficult when we have to use an interpreter or when the parties come to an agreement, but one of them lacks the possibility of digital signing. At the same time, virtual sessions help resolve the somewhat chronic issue of lay assessors because, for example, a representative of employers from Tallinn and a representative of employees from Valga are able to participate in a session held on Saaremaa.

Compared to previous years, there have been more applications to postpone the session. On the one hand, it is understandable because there have been many cases of people falling ill. At the same time, it seems that the coronavirus is again being used as a shield to avoid an uncomfortable situation – it is easy to escape it by saying you feel poorly and you have no access to a computer and the Internet. But the dispute will not resolve itself and the session must simply be attended at another time.

However, such postponement disrupts the session plan of the labour dispute committee, and at the expense of the postponed sessions, fewer new labour disputes can be resolved.

Filing strategic actions has become more frequent as well. The employee submits a claim for payment of wages etc. However, in the course of proceedings, representatives of employers come up with a claim for damages against employees, which often do not seem plausible. It is a strategic move to make the employee feel guilty and to reduce the potential ordered amount.

> **“There were few disputes related to the coronavirus last year. There were some cancellations of the employment contract, refusals to wear a mask.**
>
> **An employee wanted to receive unreceived wages because they had to go and get tested before going to work on Monday.**
>
> **An employee refused to wear a mask. For the same reason, they requested a virtual session, but did not log in at the time of the session. The dispute remained essentially unresolved. The proceedings were terminated because the petitioner failed to attend the session.’**

Labour disputes related to foreign employees

In 2021, we received 241 petitions related to foreign employees, which is 57 petitions fewer than the previous year. This is probably affected by the fact that there were fewer foreign employees in the Estonian labour market last year. 157 employers were involved in labour disputes.

By county, the most problematic were Harju County and Ida-Viru County.

By fields of activity, the most problematic continued to be construction, transport, and accommodation and catering. In terms of occupations, builders, drivers, chefs, and welders submitted the most petitions.

Across countries/nationalities, most of the labour disputes last year involved employees from Ukraine, Uzbekistan, Belarus, and Turkmenistan.

These disputes are primarily about unreceived wages and other monetary claims. 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.

The claims:

The most common **claims filed by the employees** are still financial claims – unpaid wages, holiday pay or compensation. Basically, every second or third petition includes a financial claim.

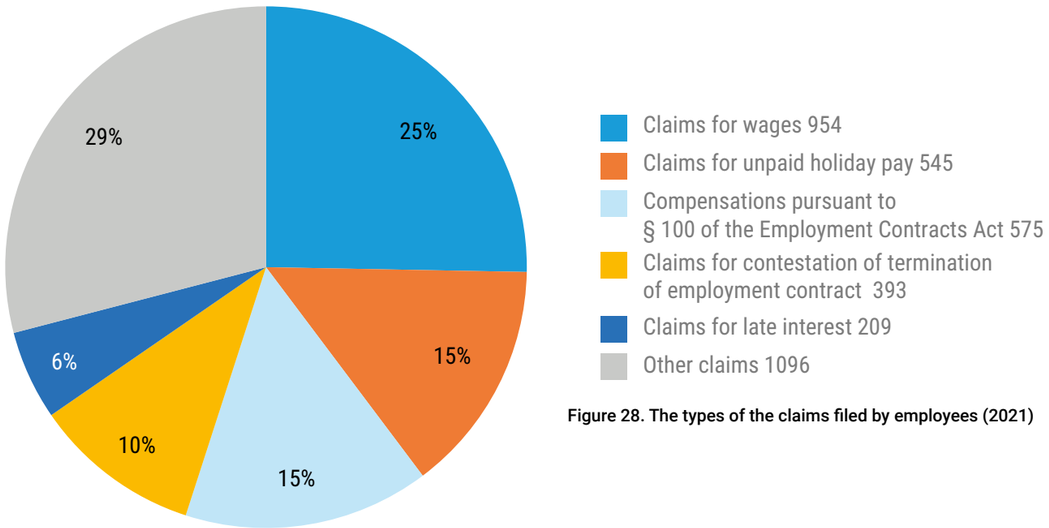
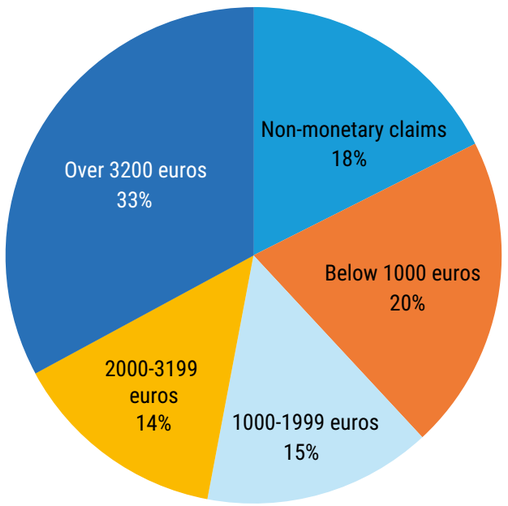


Figure 28. The types of the claims filed by employees (2021)

Claims filed by the employers

Employers mostly contact the labour dispute committees in connection with disputes over the cancellation of employment contracts or claims for the compensation for proprietary damages caused by employees. Almost every third petition included such claims.



The amounts of the claims

The total amount of claims in 2021 was around 10 million. While it has been observed in previous years that employees turn to the labour dispute committee due to issues and claim smaller compensations, the amounts are significantly higher today and exceed 3200 euros in around a third of the cases. On the one hand, the wages have also increased, but another important factor is that the labour dispute committees are competent to settle claims in the amounts exceeding 10,000 euros as of 2018. A total of 136 of such claims were filed in 2021 (204 in 2020).

Figure 29. The amounts of the claims 2021

Last year, claims were fully satisfied in the amount of 1.1 million euros and compromises were made in the amount of 1.6 million euros.

Rulings

Labour disputes are settled by written procedures, ordinary procedures, or conciliation procedures. Most of the cases are settled by ordinary procedures, around 13% of the petitions were settled by written procedures, and just one case by a conciliation procedure. Of the received petitions, 16% were not accepted for various reasons; primarily due to the failure to eliminate omissions in the petition.

The difference between the numbers of labour dispute committee 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 almost 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 dispute was concluded by a decision. In the case of substantive resolution, 20% of the petitions were fully satisfied, 21% partially, and 13% of the petitions were denied by the labour dispute committees.

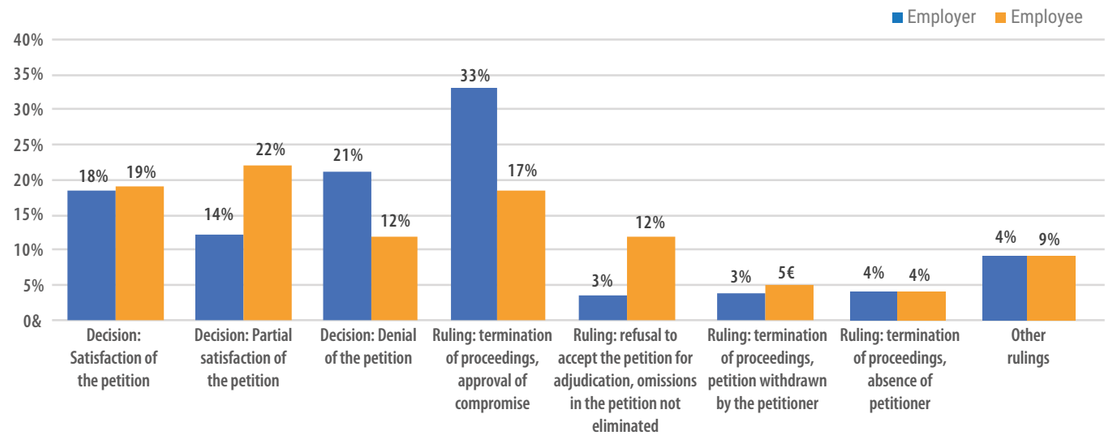


Figure 30. Labour dispute resolutions by petitioner 2021

CORE VALUES

In 2021, the Labour Inspectorate continued to develop its core values. All employees of the Labour Inspectorate were involved in the process. At the beginning of the new year, we formulated the values we consider important and which we base our work on.

Professional – we are professional, competent, correct, objective and we work with dedication.

Reliable – we keep our promises, support and feel our responsibility; we are precise, clear and transparent; we treat everyone equally, we value all opinions, we are committed to creating a good working environment in Estonia.

Solution-oriented – we look for solutions and prevent problems; we achieve our goals through flexible cooperation, a professional and innovative approach, understanding our responsibility to society.

> **Hanna Jõgi and Triin Paavo, PersonaliDisain OÜ: 'It was very pleasant to experience the internal motivation of the leaders of the Labour Inspectorate to deal with the values of the organisation and to find words that characterise the current state of the organisation on the one hand and the desired future on the other.**
>
> **Many employees were involved in the various stages of the process, which supports the fact that the values formulated do reflect the nature and expectations of their people.**
>
> **It was inspiring to see all the members of the organisation think at the joint event on how each value reflects in their work and what each of us can do to amplify one value or another.'**

We also made a significant structural change. One of our main activities is consulting, where our lawyers and consultants answer questions received by information line and e-mail. At our morning and regular meetings, lawyers and consultants give advice on specific topics or to a specific sector. The Information and Foreign Relations Department dealt with the organisational side, the management of information channels and content creation. We joined these two departments so that information could move without obstacles, to increase common interests and the necessary information and messages would reach target groups as quickly as possible.

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 2022