

Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012)

Safety and Health in Construction Convention, 1988 (No. 167) - Italy (Ratification: 2003)

Other comments on C167

Direct Request

Article 3 of the Convention. Consultation with the social partners. With reference to its previous comments, the Committee notes that consultations are held in the Standing Advisory Commission on Occupational Safety and Health. ***The Committee requests the Government to provide more detailed information on the consultation machinery and the consultations held during the period covered by the next report, with an indication of the matters submitted for consultation and the outcome of such consultations.***

Article 9. Obligations of those responsible for design in the field of occupational safety and health. Articles 15 to 20, 22, 23 and 26. Protection and prevention measures.

Article 28(4). Disposal of waste on the construction site in a manner which is safe and environmentally friendly. The Committee notes with **interest** the detailed information provided by the

Government, including on the specific provisions of Legislative Decree No. 81 of 9 April 2008, the single text on the protection of health and safety at work (TULS), giving effect to the above Articles.

Article 15(2). Lifting appliances. Raising, lowering or carrying persons in appliances constructed, installed and used for that purpose. The Committee notes that the TULS sets forth the

principle that “no persons shall be raised, lowered or carried by a lifting appliance unless it is constructed, installed and used for that purpose” and that, subject to certain precautions, under the terms of paragraph 3.1.4 of Annex VI of the

TULS, it is permitted not to apply that principle “in exceptional cases”. ***Noting that Article 15(2) allows an***

exception only in “an emergency situation in which serious personal injury or fatality may occur”, the

Committee requests the Government to provide information on the concept of “exceptional cases” used in the above paragraph of the TULS.

Part VI of the report form. Application of the Convention in practice. The Committee notes

that, under the terms of section 18(f) of the TULS, employers are required to notify by electronic means, within 48 hours of the receipt of the medical certificate, accidents which result in absence from work of at least one day. This notification is essentially made to the National Employment Accident Insurance Institute (INAIL) and the Maritime Welfare Institute (IPSEMA). The respective information is included in the national information system. Supervision of implementation in relation to occupational safety and health is carried out through Health Offices (ASL), and more particularly the Working Environment Prevention and Safety Services (PSAL), as envisaged in section 13 of the TULS. The Government indicates that subsection 2 of section 13 makes the Ministry of Labour responsible for the inspection of sectors considered to be “at

high risk”, which include certain construction activities, in coordination with other bodies indicated in sections 5 and 7 of the TULS. Moreover, within the context of the Workplace Safety Pact of 2007, other action is envisaged, such as the improvement of electronic information systems. The Government adds that Legislative Decree No. 758/94 introduced a procedure known as “prescription”, which envisages the classification of penal procedures and the reduction of fines, in the case of certain OSH violations, if the remedial measures are implemented within the time limits established by the authority, which are limited to the time that is technically necessary to make such changes. The Committee notes with **interest** that, according to the statistics provided in the report (INAIL: *Il bilancio infortunistico* 2009), the number of accidents in the construction sector fell from 93,546 in 2008 to 78,436 in 2009, which indicates a decrease of 16.2 per cent. ***The Committee requests the Government to continue providing information on the application of the Convention in practice, including on trends concerning accidents in the sector, with a view to ascertaining whether this decrease continues, and to provide indications of the measures which resulted in this decrease. The Committee also requests the Government to indicate whether data on occupational accidents and diseases in construction are currently centralized at the national level, and to provide information on the principle causes of accidents in the sector, and on the measures adopted or proposed in that respect.***