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# Threats to H&S organisation in UK and globally

## 2016 Hazards conference

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# Threats from trade deals

- Dependant on future arrangements with the EU
- Britain will have to negotiate its own trade deals or
- Trade deals can contain clauses with implications for health and safety and workers rights.
  - ISDS (Investor State Dispute Settlement) provisions
  - Privatisation of public services
  - Harmonisation or assessment of regulations.
  - Give greater status to international labour standards
- Trade deals can also lead to fall in workers safety abroad

# Investor State Dispute Settlements

- Allow foreign investors to challenge regulations in another country if they can be interpreted as breaching their right to 'fair and equitable treatment', in practice this means their 'right' to be able to make a profit
- Versions of ISDS are found in many trade agreements including proposed TTIP and CETA
- Have been used to challenge minimum wage and tobacco safety laws.
- Also mean collective agreements can be challenged.
- Safety regulations are equally at risk.
- At EU level, supported by European Commission and UK (and others such as Denmark, Sweden and Italy), but some in France and Germany have expressed concern.

# Privatisation of Public services

- Some trade agreements like TTIP and CETA state only specific listed services are exempted from market liberalisation commitments
- UK has not tried to list all the services associated with health care and other public services under TTIP so it potentially opens up sectors like the NHS to competition from countries like US
- State run public services are safer and more heavily unionised.
- Know in health, transport and education that safety standards are lower when services are privatised.

# Impact on regulations

- Some trade agreements allow another country to challenge any regulation that can be regarded as **discriminatory or a 'barrier' to foreign businesses**
- Some US companies already looking to get US to challenge REACH if TTIP is approved.
- Others require all countries to assess all new regulations to ensure that they are not a burden to foreign investors.
- Most countries outside the EU have lower safety standards yet can challenge ours.

# Standards

- Standards are not regulations but are agreed between international standards organisations through ISO.
- Mainly manufacturers or consultants - No or little trade union (or employer involvement)
- Covers a range of safety issues including machinery, PPE, but also organisation and management.
- Current proposal for one on health and safety.
- Trade agreements can embed standards in trade arrangements which could make it impossible for UK to implement stricter regulations.

# Impact on workers abroad

- Most trade deals state that ILO **core** conventions must be respected or ratified (as in CETA but not TTIP), but H&S and working time are not a core standards.
- No country has adopted all ILO standards on H&S and many only a handful,
- ILO H&S standards below those of EU.
- Even core standards (freedom of association, freedom from forced labour, child labour etc) not followed as no powers of enforcement or inspection
- Free trade agreements mean that it is not just work that gets moved overseas but risk.
- Countries join in a race to the bottom.

# Current trade deals – present and planned.

- TTIP- EU with US. May not be finalised before Brexit. Strong opposition from politicians, unions and civil society, particularly in Germany, France, Austria and Greece.
- CETA – EU with Canada. (worse than TTIP) Waiting for ratification by EU. May cover UK. Greece, Romania, Bulgaria and Germany may oppose.
- TiSA – EU with most industrial countries except China. Includes **requirements that all regulations are assessed for “burden”** and opening up of public services.
- Existing bilateral investment treaties – UK with other countries. Some, like Hong Kong, include ISDS (used by China).
- New Trade deals if we leave the single market. UK with any country or the EU. May or may not include ISDS and market liberalisation commitments which affect public services.
- Where no trade deals – WTO rules.
- Most trade deals say that ILO standards must be upheld but no mechanism for enforcement.

## Other issues – internal threats

- Trade agreements effect companies in the UK who reduce standards to compete, or when faced by dumping (Chinese steel)
- Other issues we face are:
  - Brexit.
  - Trade Union Act fall in safety reps, right to strike, facility time.
  - Reduction in Role of the HSE and the cuts.

# What should we be doing?

- Campaign against any proposals in trade agreements that undermine right to safety.
- Support TUC campaign on protecting workers rights
- Support TUC campaign against CETA being ratified when it comes to European Parliament in autumn
- Renew campaign for UK to ratify all ILO labour conventions, including on H&S
- Demand that protection for workers is included in any trade deals
- Continue H&S organising campaign