Original Article

The Role of Labour Inspectorates in Tackling the Psychosocial Risks at Work in Europe: Problems and Perspectives

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ABSTRACT

Significant changes in the past year have taken place in the world of work that are bringing new challenges with regard to employee safety and health. These changes have led to emerging psychosocial risks (PSRs) at work. The risks are primarily linked to how work is designed, organized, and managed, and to the economic and social frame of work. These factors have increased the level of work-related stress and can lead to serious deterioration in mental and physical health. In tackling PSRs, the European labor inspectorates can have an important role by enforcing preventive and/or corrective interventions in the content and context of work. However, to improve working conditions, unilateral interventions in the context and content of work are insufficient and require adopting a common strategy to tackle PSRs, based on a holistic approach. The implementation of a common strategy by the European Labor Inspectorate for tackling PSRs is restricted by the lack of a common legislative frame with regard to PSR evaluation and management, the different levels of labor inspectors' training, and the different levels of employees' and employers' health and safety culture.

1. Introduction

The past decades have been characterized by major influential events such as globalization, free movement of capital, the increased use of information and communication technologies, the growth of the service sector, the increase in the aging population, the development of multicultural societies, and economic crisis and recession. These events have directly influenced and created new workplace conditions that are primarily characterized by an increase in the working demands of employees. Such conditions include work flexibility, new types of labor contracts, irregular working schedules, temporary work, work intensification, and an imbalance between personal life and work [1—3]. These changes have consequently significantly increased psychosocial risks (PSRs) in the workplace with an immediate impact on the number of employees experiencing work-related stress.

Because of the aforementioned factors, a large number of international organizations and institutions associated with promoting health and safety at work have planned and developed a range of targeted action plans to deal with problems associated with PSRs in the workplace. In 2010, the European Agency of Health and Safety at Work [4] approved PSRs as a main focus of their activities for 2014.

In addition, in 2010 the Senior Labour Inspectors Committee (SLIC) of the European Union, agreed on implementing an Information and Inspection Campaign on PSRs for 2012. Twenty-seven labor inspectorates from various European countries participated. During the planning and development of the campaign, several problems emerged that created barriers for effectively managing occupational risks because the barriers rendered it difficult to apply strategies characterized by a holistic approach to tackle the PSRs [5—8]. These problems reflect many factors that influence the labor inspectorates' action frame and the effectiveness of their intervention in tackling the PSRs in Europe. This study will further elaborate on these problems and propose ways for their resolution.

2. Psychosocial risks at work

The term "psychosocial risks" (PSRs) at work has been extensively used in the literature in disciplines such as sociology,

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jurisprudence, and occupational medicine. In the field of safety and health at work, the PSRs refer to the occupational risks associated with "those aspects of work design and the organization and management of work, and their social and environmental contexts, which have the potential for causing psychological or physical harm" [9,10].

The main characteristic of PSRs is that they are associated with the experience of work-related stress. Psychosocial risks go hand-in-hand with work-related stress. They are also connected with situations such as violence, psychological harassment, mobbing, intimidation in the workplace, bullying, and burnout [11–13].

According to the literature data, PSRs are associated with negative psychological, physical, and social outcomes that arise from unfavorable organization and management in the workplace and arise from a poor social context at work, which include but is not limited to excessively demanding work and/or insufficient time to complete tasks, conflicting demands and lack of clarity over an employee's role, lack of involvement in making decisions that affect a worker's role, psychological or sexual harassment, ineffective communication, poorly managed organizational change and job insecurity, and difficulty in combining work commitments with personal life [8–10].

The European Agency of Health and Safety at Work (EU-OSHA) classifies psychosocial hazards into two categories with regard to their relation to the content and context of work [8,9]. The first category includes psychosocial risk factors associated with the type and the organization of applied work practices. These risks can be categorized into the following groups: (1) factors associated with the type of work, particularly with so-called aversive tasks (i.e., work of low social value); (2) factors associated with an employee's workload related to the amount of work and the difficulty of work; (3) factors associated with the pace at which work must be conducted and completed, (i.e., the speed at which work has to be completed); (4) factors related to work control (i.e. the way that the work pace is checked by an employee or by engine systems); and (5) factors related to the schedule and shift work.

The second category of PSRs refers to the context of work and includes factors associated with integrating employees into the wider work environment (i.e., macro level). In particular, the context of work includes factors related to the following: (1) the organizational structure and the health and safety culture of the enterprise (e.g., a system of evolution−reward, career development, system of briefing-training); (2) an employee's role in the enterprise such as role ambiguity and role conflict; the employee's responsibility for other people; exploitation of workers, depending on the faculties and dexterities that allocate responsibilities against third parties or the enterprise; (3) social relations such as factors that influence interpersonal work relations; (4) work uncertainty which includes factors related to job insecurity and low wages; and (5) the home−work interface comprising factors related to an employee's personal life, which can consequently influence a worker's professional life (i.e. conflict of requirements between family and job demands).

The systemic exposure of employees in the aforementioned factors may adversely affect their health at the physical, behavioral, and psychological/cognitive level. These psychosocial factors have a possible detrimental impact on employees' physical, mental, and social health [14,15]. In addition, a growing body of evidence indicates a direct role and an indirect role of the psychosocial working environment on organizational health indices (e.g., absenteeism, sickness absence, productivity, job satisfaction, and intention to quit) [16,17]. Longitudinal studies and systematic reviews have indicated that stress at work is associated with heart disease, depression, and musculoskeletal disorders, and there is consistent evidence that high job demands, low control, and an effort−reward imbalance are risk factors for mental and physical

health problems; these factors lead to further strains on public spending for increased costs on health care [10,11,15].

Taking into account the aforementioned factors, the efficient risk management of psychosocial risks should be a priority for any enterprise. This requires targeted interventions in the work context and content and the European labor inspectorates could have an important role, which will be discussed later.

3. The legislative framework for psychosocial risks at work in the European Union

In most European countries, there is no specific legislation on PSRs such as legislation for chemical factors, noise levels, or work equipment. However, this does not necessarily mean that there is a legal gap because, for PSRs, many preventive and protective measures regarding the health and safety at work are applied by using appropriate legislation that is applicable to general risks in the workplace.

In general, the European Union Directives 89/391/EC and 91/383/EEC on the promotion of improvement of employees' safety and health at work, and the Framework Agreements between the social partners on work-related stress [18] and on violence and harassment at work [19] constitute the common legal base for PSRs.

The reason specialized legislation in Europe for PSRs does not exist can be attributed to the difficulty of legislating specific provisions for working conditions for which the diversity and the casuistry cannot be covered, except by applying general principles and legal notions. Such general principles even characterize countries (e.g., Belgium, The Netherlands, Denmark, Norway, and Finland) that do have more specific legislative provisions on PSRs.

In addition, "non-legislative provisions" such as the European Framework Agreement on Work-related Stress and the European Framework Agreement on Harassment and Violence at Work, are characterized by generalities and ambiguities that can be interpreted variously. Articles 5 of the Framework Agreement on Work-related Stress states that employers are obligated to protect their employees from work-related problems by adhering to appropriate collective and individual health and safety measures. However, there is no reference on specific techniques and methods that an employer should adopt for the evaluation and resolution of problems associated with work-related stress.

The European Framework Agreement on harassment and violence in the workplace is even more unclear. For instance, Article 4 states that increasing awareness and appropriately training managers and workers can reduce the likelihood of harassment and violence in the workplace. Enterprises also need to have a clear statement that outlines that harassment and violence at work will not be tolerated. This statement will specify procedures to be followed when applicable cases arise. However, there is no mention of the criteria and the means that could be used to implement these recommendations. The European Framework Agreement is consequently attempting to establish a general framework of preventive actions that can guide changes in an enterprise's policy on the organization of work (i.e., ergonomy) and the management of human resources (i.e., training, behavioral code, and conflict management). They will not however, refer to techniques and procedures that should be adopted. It is evident that there is a lack of a legislative framework that clearly defines how PSRs are assessed and managed and this is reflected in the way the European labor inspectorates act on this issue.

4. Inspection framework of the psychosocial work environment in Europe and affecting factors

Labor inspections conducted in various European countries to undertake problems connected with PSRs are not uniform and