

# The reality of assessing accident levels in ports

**International Transport Workers' Federation (ITF), dockers' section**

## Introduction

It is notoriously difficult to establish accurately the number of accidents that take place in ports around the world. Trade unions, which by definition prioritize the health and safety of workers above port profit, often find it difficult to pin down the exact extent of accidents. This is because in some instances there is a disparity between employer health and safety records and the first-hand accounts of workers on the ground. In a recent case, an employer was given an award for high health and safety standards, while reports from a group of workers accused the company of allowing them to work without appropriate safety equipment. Vastly differing health and safety requirements in different countries also add to this difficulty for a global union federation like the ITF.

While accident numbers may be hard to pin point, what is clear is that the single most impacting factor on health and safety in ports is the employment of workers through contractors. Though employers may stick to stringent accident prevention measures when it comes to their own employees, in many cases the contractors who they farm work out to, are not held to the same standards. This type of casualization is becoming more and more commonplace in ports as employers strive to maximize profit margins by doing away with unionized workforces in a position to negotiate over pay and conditions. Unions worldwide are dealing with a 'race to the bottom' mentality, which can see health and safety standards slip below the acceptable.

## The importance of safe systems

The ITF strongly believes that good safety representatives on the ground and safe systems of work are the way to minimize the risk of workplace accidents in ports. Large scale contracting out

of work is not conducive to this. Port accidents range in severity from cut fingers to the loss of limbs. In some countries fatalities are relatively rare, but even in developed countries where health and safety legislation standards are high, deaths in ports can still occur. Worryingly, for example, there were seven work related deaths in UK ports in 2011, a much greater number than the usual annual average. Meanwhile, in other parts of the world where the health and safety regulations of the state are less strict, the numbers are significantly higher and difficult to accurately establish.

## Raising concerns

It is with this in mind that the ITF, along with Unite, the union which represents dockers in a number of UK ports, has voiced opposition to the recent move by the UK government to downgrade the status of dock work to low risk, despite the fact that ports are still widely regarded as one of the most dangerous job environments in the marketplace. Six jobs regularly carried out in ports were named amongst the most dangerous occupations in a list from the US Bureau of Labor statistics.

It is not clear whether this downgrade was a monetary decision. A less dangerous classification for dock work means that regulation need not be as stringent, thus HSC Public Health Agency could legitimately downsize in terms of its port inspection teams. If it is a decision made based on a misguided impression that docks are in fact getting safer, it is a dangerous move in itself, which can only go to further deepen the health and safety risk of having untrained, unskilled workers in the docks.

Non-unionized agency staff present a higher injury risk to themselves and those around them because of their lack of familiarity with the port. Permanent employees have in depth knowledge of their working environment and its hazards, including issues around restricted areas and the operation of machinery. There is also the issue of training. Those who work



A docker at work: the relevant training's vital to staying safe on the job



Handling containers: Dock work is widely considered one of the most dangerous industries in the world

permanently for an employer will be required to undergo training but agency staff may well not have undertaken some or any specifically port related training.

## Example case

The case of Simon Jones demonstrates the dangers associated with agency staff taking on the skilled job of dock work in an unfamiliar and dangerous environment. Simon – aged 24, was a casual worker at Euromin's Shoreham dock. He was killed when his head was crushed by the grab of a crane on his first day on the job. He had been encouraged to take the job at Shoreham by an employment agency despite having no training or experience of dock work.

Following Simon's death, his friends and family set up the Simon Jones Memorial Campaign to challenge what they call the 'profits-before-people' attitude which led to his death.

The decision by the crown prosecution service not to prosecute Euromin or the manager at Shoreham over Simon's death was overturned in a judgment. This marked the first successful judicial review of a decision not to prosecute for manslaughter over a workplace death in British legal history. Both the company and the general manager of the site were cleared of manslaughter but Euromin was found guilty of two health and safety crimes relating to Simon's death for which it was fined £50,000.

Being part of a non-unionized, casual workforce, can also make it more challenging to gain recourse should an employee be involved in an accident on the docks. UK unions representing dock workers will generally be able to provide access to a solicitor to help facilitate compensation claims, whereas individuals without union protection are left to make their own arrangements and support themselves through the process financially.

Away from the issue of casualization, some employers could argue that accident numbers have decreased with the rise of technology in ports. However, with the increased use of automation there has been a reduction in the number of workers on the ground which could easily explain any fall in accident numbers. In addition, the lack of clarity around the reality of accident numbers in ports in developing countries makes it difficult to say with any certainty whether the introduction of new technology in ports has had any real impact on the number of fatal or serious incidents amongst workers.

## Global survey

So how do we begin to build a clearer picture of health and safety in ports on a global scale? The priority for the ITF is to

make sure that systems are in place for the maximum protection of workers. With that in mind, the ITF commissioned an independent health and safety survey earlier this year in a bid to establish what occupational health and safety systems are currently in place in ports. A number of case studies, covering the global range of ports have been secured as we seek to identify what templates for managing safety exist and if they conform to best practice. With the cooperation of employers, managers and workers at selected ports are being interviewed anonymously about the health and safety situation on the ground too.

The survey fits in directly with the work of the ITF around bringing health and safety up to an acceptable standard in all ports, regardless of where they are based. The current priority program centers around ensuring fair and safe working conditions for all dock workers. Encompassed in this program is the Global Network Terminal Operators (GNT) campaign, targeting the world's four largest port operators in a bid to establish a worldwide health and safety precedent. The four major GNTs operate at more than a third of the world's ports. As international operators, these companies employ people to do the same job in a range of different countries where different national standards on health and safety exist. This could lead to disparity in the level of protection workers can expect depending on where they are in the world, despite ultimately having the same employer. It is this potential disparity which motivates the ITF to work with the GNTs to find out how global health and safety policy is implemented locally. The GNT campaign is aimed at setting minimum standards by way of minimum standards agreements. To find out more about the GNT campaign visit [www.gntdockers.org](http://www.gntdockers.org)

### ABOUT THE ORGANISATION

The International Transport Workers' Federation (ITF) is an international trade union federation of transport workers' unions.



708 unions representing over 4.5 million transport workers in 154 countries are members of the ITF. It is one of several Global Federation Unions allied with the International Trade Union Confederation (ITUC).

The ITF's headquarters is located in London and it has offices in Nairobi, Ouagadougou, Tokyo, New Delhi, Rio de Janeiro, Amman, Moscow and Brussels.

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