EMPLOYER PROTECTION AGAINST THE SAFETY RESPONSIBILITIES OF WORKERS WITH OVERSEAS ACTIVITIES—PART 2

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TOOLS FOR COMPANIES TO IMPLEMENT PREVENTIVE MEASURES, ENSURING COMPLIANCE WITH PROTECTION OBLIGATIONS AND RELATED RESPONSIBILITIES

The need for worker protection has as reference figures the Head of the Prevention and Protection Service, the occupational health company doctor (OHCD), and the corporate functions that manage the company's work activity abroad, also making use of qualified external support on the subject of risk assessment, personal safety, or medical emergencies with the need for medical repatriation to Italy.

The ”Travel Risk Management-Guide for Organizations” (ISO 31030:2021), is a key reference for companies operating globally. This standard provides a structured framework for identifying, assessing, and mitigating risks associated with business travel, enabling organizations to take proactive preventive measures and ensure timely action in the event of an incident or emergency.

ISO 31030 is the essential guide outlining the critical factors to be considered in both risk analysis and the planning and implementation of prevention and management strategies.

This configures in travel risk management (TRM), a process resulting from a clear and detailed understanding of the factors that can influence the dynamics of risk management, broadly divided into two categories: so-called “external” risks and “internal” risks.

“External” risks include: the political, socioeconomic, religious, and legal environment of the destination country; the level of crime; the quality and reliability of transportation and communications; environmental factors; potential health risks; and the quality of the healthcare and housing system. “Internal” risks include: types of business travel; technical and human resources available for risk management; internal processes; corporate governance; organizational structure, roles, and responsibilities.

The path indicated by TRM enables companies to have detailed policies to define corporate strategies for (i) TRM and adoption of procedures for risk prevention and mitigation; (ii) definition of roles and responsibilities, as well as staff training programs. In this way, a clear corporate system of reference is built, enabling the company to protect the health and safety of its employees during missions abroad.

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In these activities, the company profiles that manage safety and health protection, provided for by Legislative Decree 81/08—RSPP, OHCD, dedicated company functions—can avail themselves of consulting support from public or private facilities of proven competence and professionalism, which assist them in the assessment and management of risks related to working abroad.

A further application tool is represented by the September 2024 Guidelines of the Italian Society of Occupational Medicine (SIML), which focus on the articulated and specific aspects of health protection of Italian workers abroad and the mention of application tools that enable companies to fulfill their regulatory obligations punctually.

The “Professional Orientation Document for the Competent Physician: Practical-Management Aspects for Workers Abroad” represents a milestone in harmonizing scientific knowledge and experience and makes available indications on the health protocols to be adopted, consistent with international best practices and the company's protection needs.

The document provides the health contribution to the process of risk assessment for work activity in critical geographical areas, highlighting the relevance of factors that can determine damage to the health of the worker working in that context and absent in the national territory (climate, infection vectors, general hygienic conditions). This is the aspect that requires the employer to extend its position of guarantee even regarding the “specific” risks of working abroad and, ultimately, to integrate the prevention measures adopted in the national territory of Italy.

The perimeter outlined by ISO 31030 and the SIML Guidelines makes available to employers and safety professionals the compliance parameters to be followed to structure an effective TRM policy aimed at minimizing travel-related health and safety risks for workers. These parameters are now commonly recognized internationally and represent a solid reference for the company to assess liability in case of litigation.

FROM COUNTRY RISK ASSESSMENT TO WORKERS HEALTH SURVEILLANCE: IMPLEMENTATION OF THE TRM PLAN AND APPLICATION MODEL

The risk assessment for working abroad, supported by the methodological indications of the SIML guidelines and ISO 31030, considers the geographical area and the country of destination with all its variables (climate, infection vectors, level of health care, geopolitical stability) and thus defines the so-called “country risk.” It follows with a progressive pathway for the health surveillance of personnel i.e., periodic medical checks according to country- or destination-specific health protocols, based on the parameters identified by the risk assessment.

It is necessary to identify within the company, with the support of the OHCD, functions of reference for the management of expatriate workers, which allow to manage the organization of the “TRM prevention system”, as suggested by the International Labor Office back in 1985.

FOOTNOTES

- ISO 31030:2021 guidelines;
- Italian Society of Occupational Medicine Guideline: “Professional Orientation Document for the Competent Physician: Practical-Management Aspects for Workers Abroad” – 2024;

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- Proceedings of the 86th National Congress of Occupational Medicine – Pisa 2024, Italian Journal of Occupational Medicine and Ergonomics (GIMLE) 253–254.

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