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Secretariat of ISO/PC 283

Date: 10 October 2013

To the Members of
ISO/PC 283
Occupational health and safety management systems – Requirements

ISO & ILO Memorandum of Understanding (MoU), and reference papers from the ILO

Please find attached:

a) a letter from the ILO introducing the MoU
b) a copy of the MoU itself
c) a list of ILO OSH related Instruments

The ILO has also submitted their ILO-OSH Guidelines for consideration, which are being circulated separately as document PC 283/N32.

Yours sincerely

Charles Corrie
For the BSI Secretariat of
ISO/PC 283
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Attached is the MoU signed between ISO and ILO. We are sharing it with you since it may be referred to on occasion during the drafting of the ISO OHS-MS. It sets out how ISO and ILO have agreed to work together.

The ILO is the specialized agency of the United Nations responsible for issues related to the world of work, of which occupational safety and health is a very important part. ILO develops international labour standards, which come in the form of Conventions and Recommendations. Conventions are international legal instruments that ILO member States ratify, committing themselves to implement the provisions in national legislation. Even when States chose not to ratify particular Conventions, they often use them, and the guidance provided in Recommendations, to help shape their national laws and policies.

ILO is a tripartite organization, meaning that the 185 member States are represented not only by governments, but also by employers’ and workers’ organizations. This structure allows ILO to take into consideration many important issues: the views of workers; the needs of companies, in particular SMEs; the diversity of legal and administrative systems around the world; differences in levels of development between countries; and the diverse ways that issues such as safety and health are dealt with in various cultures and economic sectors.

The purpose of the MoU is to ensure that the ISO standards related to the world of work are harmonized with international labour standards. This benefits ISO, by ensuring for users that the standards do not conflict with international laws which influence the national laws under which the companies operate. And it benefits ILO, by helping to raise awareness of the principles expressed in international labour standards among users of the ISO standards and promote coherence between public standards and private standards.

ILO also has Guidelines on an OSH Management System, which were developed by a group of experts, with inputs from representatives of governments, employers and workers. We have a team of occupational safety and health experts with extensive knowledge of both technical issues and the broader political and legal framework in which companies operate. Our experts who will be participating in the technical discussions will be glad to share this experience, to help further enrich the ISO standard.

We look forward to working with you.
Agreement between the International Labour Organization (ILO) and the International Organization for Standardization (ISO)

1. The International Labour Organization (ILO), established in 1919, is a specialized agency of the United Nations that brings together representatives of governments, employers and workers to jointly develop international labour standards, policies and programmes to promote decent work for all, notably in areas relating to rights at work, employment, social dialogue, and social protection (including social security, occupational safety and health, and the working environment). The ILO adopts international labour standards in the form of international treaties referred to as Conventions and other international instruments including Recommendations (ILS) as a fundamental means of achieving its constitutional mandate. The ILO promotes their ratification and implementation in its member States through governments and employers’ and workers’ organizations and supervises their application, through a unique mechanism at the international level, in order to monitor the progress of member States in giving effect in law and practice, including policies and programmes.

2. ISO is an international, non-governmental organization that establishes voluntary International Standards on a multitude of subjects and developed consistent with World Trade Organization principles, decisions and recommendations on international standards. ISO's mission is to develop high quality voluntary International Standards which facilitate international exchange of goods and services, support sustainable and equitable economic growth, promote innovation and protect health, safety and the environment. In cases where ISO’s International Standards relate to public policy, ISO’s interest is to complement and not conflict with such policies, recognizing that the development of public policies, regulation, and international treaties are the role of governments or treaty organizations.

3. To date the ILO and ISO have cooperated on a case-by-case basis, such as through the Memorandum of Understanding (MoU) on social responsibility and liaison arrangements with ISO committees. This Agreement between the ILO and ISO provides the following framework for cooperation on any proposed new work in ILO or ISO that may be of mutual interest as specified below.

4. Given the broad mandate and action of the ILO to promote social justice and decent work, and ISO's broad mission, ISO standards that relate to issues within ILO’s mandate (ILO issues) should respect and support the provisions of ILS and related ILO action, including by using ILS as the source of reference with respect to ILO issues in case of conflict.

5. The ILO and ISO will consult when either organization identifies any proposed ISO International Standard or field of work within ISO relating to ILO issues in order to avoid that these conflict or contradict with ILS or other ILO action, and to enhance complementarity in the exercise of the ILO’s mandate and ISO’s mission.
6. The following steps will be undertaken by the ILO and ISO in the context of work within ISO relating to ILO issues:

\[(a)\] ISO Central Secretariat (ISO/CS) will share with the ILO any proposals for new work not within the scope of an existing committee\(^1\) that may address ILO issues before the relevant proposals are submitted to a vote within the ISO membership. ISO/CS will also include ILO in its monthly dispatch of the list of new work item proposals (NWIPs) introduced by ISO committees. ILO will notify ISO/CS of any proposals of concern that may address ILO issues; upon receipt, ISO/CS will share with ILO the particular NWIPs of concern.

\[(b)\] The ILO will have 10 working days to provide ISO/CS with comments on the proposals referenced in 6(a), which may include an analysis of how relevant ILS and related ILO actions relate to the proposed ISO work.

\[(c)\] For work not within the scope of an existing committee, ISO/CS will annex any ILO comments to the proposal when it is submitted to a vote within the ISO membership. For NWIPs within existing Technical Committees, the ISO Technical Committee Secretary will transmit the comments of ILO upon receipt to the voting P-members of the Technical Committee. The TMB may at its discretion invite the ILO to the meetings of the TMB in which such proposals are discussed.

\[(d)\] At the ILO’s request, a liaison status arrangement will be automatically afforded to the ILO under this Agreement to participate in both new and existing ISO Technical and Project Committees (including their working groups or like structures) related to ILO issues. In addition, upon ILO’s request and timely transmission to ISO/CS, ISO/CS will annex ILO comments to either the relevant Draft International Standard (DIS) or the Final Draft International Standard (FDIS) ballot materials of these committees, at ILO’s choice, for submission to the ISO membership. ILO comments will only address how the DIS or FDIS relate to relevant provisions of ILS and related ILO action.

7. Reciprocally, ISO will be invited to attend, with Special List observer status and in accordance with the ILO rules of procedure, relevant ILO meetings on matters of direct interest dealing with the corresponding subject, or with any new subject determined to be of mutual interest.

8. To facilitate cooperation, the ILO and ISO/CS will exchange information and documents concerning matters of common interest.

9. For any transmission or notification under this Agreement, the contact points are:

   a. For the ILO: Office of the Legal Adviser, jur@ilo.org

   b. For ISO: TMB Secretariat, tmb@iso.org

\(^1\) Proposals for new fields of activity (TS/P) to be developed under a new ISO Technical Committee, or a single new work item proposal (NWIP) to be normally developed under a new Project Committee.
10. Nothing in this Agreement shall be construed to grant or imply the endorsement by ILO of any ISO deliverable, or by ISO of any ILO deliverable.

11. The English version of this Agreement is the original and shall govern and prevail over any translated version.

12. The Parties shall make every effort to resolve amicably by direct informal consultations any disagreement or dispute which may arise from this Agreement.

13. This Agreement shall enter into force upon the date of the last signature by the Parties and may be amended by both Parties together in writing. Termination may occur at any time subject to 90 days' advance written notification of one Party to the other.

For ILO:

Sandra Polaski
Deputy Director-General for Policy

Date:
6 August 2013

For ISO:

Kevin McKinley
Deputy Secretary-General

Date:
6 August 2013
The Agreement between the International Labour Organization (ILO) and the International Organization for Standardization (ISO) (see ISO/PC 283/N___) provides that ISO standards that relate to issues within ILO’s mandate should respect and support the provisions of ILS and related ILO action, including by using ILS as the source of reference with respect to ILO issues in case of conflict. ILS is defined as Conventions and other international instruments adopted by the ILO.

The following ILS contain provisions relevant to the new work item proposal (see document N2) as well as N 21, N22 Annex, and N23. As the work of the Committee progresses, there may be further ILS to draw to the attention of the Committee.

ILS are in the public domain because ILO is a public international organization. The list contains the URL link to the ILO website database where the authenticated instrument can be found in English and French.

I. CONVENTIONS

1. General provisions

Occupational Safety and Health Convention, 1981 (No. 155)

Occupational Health Services Convention, 1985 (No. 161)

Protocol of 2002 to the Occupational Safety and Health Convention, 1981 (No. 155)

Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)
2. Protection against specific risks
Radiation Protection Convention, 1960 (No. 115)

Occupational Cancer Convention, 1974 (No. 139)

Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)

Asbestos Convention, 1986 (No. 162)

Chemicals Convention, 1990 (No. 170)

Prevention of Major Industrial Accidents Convention, 1993 (No. 174)

3. Protection in specific branches of activity
Hygiene (Commerce and Offices) Convention, 1964 (No. 120)

Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152)

Safety and Health in Construction Convention, 1988 (No. 167)

Safety and Health in Mines Convention, 1995 (No. 176)

Safety and Health in Agriculture Convention, 2001 (No. 184)
4. Others

Labour Inspection Convention, 1947 (No. 81)

Employment Injury Benefits Convention, 1964 (No. 121)

Labour Inspection (Agriculture) Convention, 1969 (No. 129)

Protocol of 1995 to the Labour Inspection Convention, 1947 (No. 81)

II. RECOMMENDATIONS

1. General provisions

Protection of Workers' Health Recommendation, 1953 (No. 97)

Occupational Safety and Health Recommendation, 1981 (No. 164)

Occupational Health Services Recommendation, 1985 (No. 171)

List of Occupational Diseases Recommendation, 2002 (No. 194)

Promotional Framework for Occupational Safety and Health Recommendation, 2006 (No. 197)

2. Protection against specific risks

Radiation Protection Recommendation, 1960 (No. 114)
Occupational Cancer Recommendation, 1974 (No. 147)

Working Environment (Air Pollution, Noise and Vibration) Recommendation, 1977 (No. 156)

Asbestos Recommendation, 1986 (No. 172)

Chemicals Recommendation, 1990 (No. 177)

Prevention of Major Industrial Accidents Recommendation, 1993 (No. 181)

3. Protection in specific branches of activity

Hygiene (Commerce and Offices) Recommendation, 1964 (No. 120)

Occupational Safety and Health (Dock Work) Recommendation, 1979 (No. 160)

Safety and Health in Construction Recommendation, 1988 (No. 175)

Safety and Health in Mines Recommendation, 1995 (No. 183)

Safety and Health in Agriculture Recommendation, 2001 (No. 192)

4. Others

Labour Inspection Recommendation, 1947 (No. 81)
IV. GUIDELINES

Guidelines on occupational safety and health management systems (ILO-OSH 2001)