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# Health and Safety in Croatia Reducing working hours ?

CMKOS Conference

Reducing working hours and health and safety at workplace

Prague, 27.11.2017.

Boris Antunović

President of the HSE professionals Association  
CEA – Croatian employers' Association



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## CEA – Croatian Employers' Association

- Established 1993
- Voluntary, non-profit independent organization
- 1994 CEA representatives within the national Social-Economic Council, the highest tripartite social body for social dialogue in Croatia
- 1996 – Labour Act – CEA has legitimate right to negotiate in the process of collective bargaining and to sign Collective Agreements on behalf of employers
- Regional offices in Zagreb, Split, Rijeka and Osijek
- 29 branch associations of CEA advocate for specific economic interests of different sectors



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## Working regulation in Croatia?

- **Labour Act (2014) (Official Gazzete 94/14)**
- Introduced greater flexibility in working hours
- encouragement of atypical forms of employment
- Full-time work is limited to 40 working hours per week. 30 min break included in work day
- Overtime work: maximum 10 hours per week. Employer must have written notice for overtime work before it begins, Labour inspection focuses on overtime work
- Maximum 250 overtime hours per year.
- provisions for a 'working hours bank' - recording the accumulation of working hours - in a four-month period accumulated hours must not be higher than an average 45 hours a week
- Paid annual leave: minimum 4 weeks. Worker must use min 2 weeks in one part.



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## Working regulation in Croatia?

- Sick leave:
  - first 42 days - to the burden of Employer (70% salary).
  - after 42 days – to the burden of public Croatian Health Insurance Fund
- In the case of accident on work sick leave goes to the burden of public Croatian Health Insurance Fund, 100% salary. Accidents during coming and leaving work are recognized as accident on work.
- Maternity leave: up to age of one year of the child's life. First 6 months at full salary. Rest of the maternity leave Croatian Health Insurance Fund pays benefit 330 Euro.



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## HSE in Croatia - institutions

MINISTRY OF  
LABOUR

Labour inspection  
HSE inspection

Agency for Safety at  
Work

MINISTRY OF  
HEALTH

Croatian institute for  
Health protection and  
Safety at Work

Croatian Health  
Insurance Fund

Croatian Pension  
Insurance Institute



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# HSE in Croatia – Legal framework

## The Occupational Health and Safety Act

*(Official Gazette 71/2014, 118/2014, 154/2014)*

Ordinance on  
Occupational Safety  
Authorizations

Ordinance on Risk  
Assesment

Ordinance on jobs with  
special working conditions

Ordinance on Safety  
Signs

Ordinance on  
Occupational Health and  
Safety in the workplace

Ordinance on worker  
protection against  
exposure to carcinogens  
and / or mutagens

Ordinance on worker  
protection against the risk  
of exposure to hazardous  
chemichals at work

Ordinance on inspection  
and testing of work  
equipment

Ordinance on inspection  
and testing of work  
environmet

Ordinance on manual  
handling

Ordinance on working  
with Computer / VDU

Ordinance on the  
protection of workers from  
the risk of exposure to  
asbestos

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## HSE in Croatia – Employer's obligations:

- **Risk Assessment** The employer shall be obliged to produce a risk assessment in written or electronic form which corresponds to the existing risks at work and in relation to work available to the employee at the workplace
- **Employ health and safety specialist** (according to number of employees , risks at the workspace and technology)
- **Appoint and educate HSE supervisors** (person responsible for work of other workers and organization / manager / headmen)
- **Educate all workers to work in safety manner** (on the basis of risk that are workers exposed to - defined in Risk Assessment)
- **Allow employee to chose between themselves Employee representatives for safety at work**, (workers that represent all employees in Working committee). Employer must educate Employee representative at hiscost.
- **Occupational health and safety committee** (for Companies > 50 empl.).  
*Committee meeting at least once in 3 month.*



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## HSE in Croatia – Employer's obligations:

- **Occupational medicine** The employer shall contract Occupational medicine specialist for providing previous and periodical medical examinations for employees working in special conditions
- **Ensure first-aid assistance for employees** (employees must be trained to provide first aid, there must be first aid equipment)
- **Ensure fire prevention measures and rescue operations** (make evacuation and rescue plans, provide rescue equipment, educate & train employee to conduct evacuation and rescue operations)
- **Protect non-smokers from tobacco smoke** – ban smoking in the workplace
- **Prohibit the abuse of alcohol and addictive drug use** in the workplace
- **Ensure that all means of work is inspected and tested** (working machinery and equipment), once in three years.
- **Ensure that workplaces is inspected and tested** (temperature, humidity, air velocity, dust, noise, hazardous chemicals), once in three years.





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## HSE in Croatia – Employer's obligations:

- **Stress prevention** The employer shall implement stress prevention at work or in relation to work

*Employers' obligations in relation to the prevention of stress caused at work or in relation to work*

### Article 51

(1) The employer shall be obliged to implement stress prevention at work or in relation to work caused in particular by factors such as content of work, work organization, working environment, poor communication and interpersonal relationships, in order to minimize the employee's need to overcome difficulties of long-term exposure to intense pressure and to eliminate the possibility of impairing the employee's work efficiency and of the deterioration of his condition.



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## Accident on work - Consequences





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# Accident on work - Consequences

- **Penalties** According to Occupational and Health and Safety Act

## Article 98

(1) A fine in the amount of **HRK 30 000** shall be imposed on the employer as a legal person:

1) where no risk assessment is made in written or electronic form or where the risk assessment fails to reflect the risks in the workplace and those at work, or where it fails to reflect the existing risks in the workplace or in relation to work, or where it is not made available to the employee in the workplace (Article 18 (2))

2) where occupational health and safety tasks are not carried out in accordance with the provisions of Article 20 of this Act.

(3) where it fails to ensure that only employees provided with written instructions on safe working practices and personal protective equipment have access to workplaces where tasks with special working conditions are carried out (Article 32 (4))

4) where immediately after the occurrence of an injury it fails to notify the body competent for inspection of fatal or grave injury (Article 65 (1) and (2))

5) where the employee bears the costs of carrying out occupational health and safety tasks (Article 17 (6))





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## Accident on work - Consequences

- **Imprisonment** for responsible person according Criminal Code

### *Damage of Safety Equipment at Work*

#### **Article 265**

(1) Whoever **destroys, damages, removes, disconnects** or otherwise renders unusable or inefficient **safety equipment** in a mine, factory, workshop or another place where work is performed, and thereby endangers the life and limb of people or property of considerable value, shall be **punished by imprisonment for one to five years.**

(2) A responsible person in a mine, factory, workshop, or another place where work is performed who does not install safety equipment, or does not maintain it in working condition, or fails to put it into operation in case of need, or fails to act in accordance with the regulations on measures of safety at work, endangering thereby the life and limb of people or property of considerable value, shall be punished by a fine or by imprisonment not exceeding three years.

(3) Whoever commits the criminal offense referred to in paragraphs 1 and 2 of this Article by negligence shall be punished by a fine or by imprisonment not exceeding one year.



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## Accident on work - Consequences

- **Imprisonment** for responsible person according Criminal Code

### *Serious Criminal Offenses Against Public Safety*

#### **Article 271**

(1) If by the criminal offense referred to in Article 263, paragraphs 1, 2 and 3, Article 264, paragraph 1, Article 265, paragraphs 1 and 2 and Article 266, paragraph 1 of this Code the serious bodily injury of another or extensive material damage is caused, the perpetrator shall be punished by imprisonment for one to ten years.

(2) If by the criminal offense referred to in Article 263, paragraphs 1, 2 and 3, Article 264, paragraph 1, Article 265, paragraphs 1 and 2 and Article 266, paragraph 1 of this Code the death of one or more persons is caused, the perpetrator shall be punished by imprisonment for three to twelve years.

(3) If by the criminal offense referred to in Article 263, paragraph 4, Article 264, paragraph 2, Article 265, paragraph 3, Article 266, paragraph 2 of this Code the serious bodily injury of another or extensive material damage is caused, the perpetrator shall be punished by imprisonment for six months to five years.

(4) If by the criminal offense referred to in Article 263, paragraph 4, Article 264, paragraph 2, Article 265, paragraph 3 and Article 266, paragraph 2 of this Code the death of one or more persons is caused, the perpetrator shall be punished by imprisonment for one to eight years.



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## Accident on work - Consequences

- **Regress** of all expenses (sick leave & hospital bills) to Croatian Health Insurance Fund (this expenses can sum up to 500.000 Euro) – Article 139 Law on Health Insurance
- **Regress** of disability pension expenses to Croatian Pension Insurance Institute

### Članak 139.

(1) Zavod je obvezan zahtijevati naknadu prouzročene štete od pravne ili fizičke osobe ako su bolest, povreda ili smrt osigurane osobe nastale zbog toga što nisu provedene mjere zaštite na radu ili druge mjere za zaštitu građana.

(2) Zavod je obvezan zahtijevati naknadu prouzročene štete od pravne ili fizičke osobe i kada je šteta nastala jer je radnik stupio na rad bez propisanoga prethodnoga zdravstvenog pregleda, a poslije se zdravstvenim pregledom utvrdi da ta osoba prema zdravstvenom stanju nije bila sposobna za rad na određenim poslovima.

*Croatian Pension Insurance Institute is obliged to claim compensation for the damage caused by the company if the disease is caused by non-performance of the work safety*





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## Accident on work - Consequences

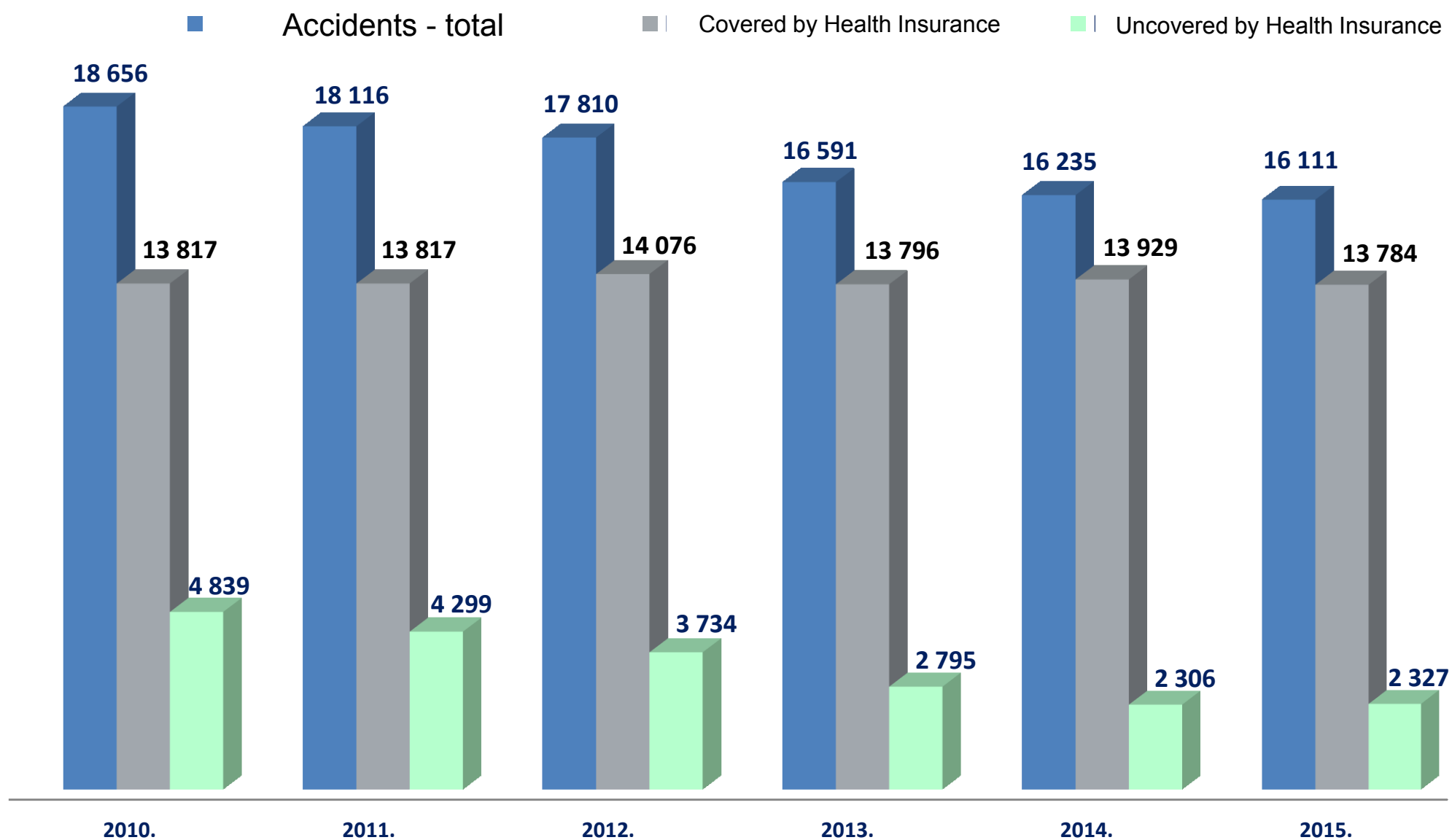
- **Private lawsuit** for compensation for damage caused by work injury or professional illness due to non-compliance with the rules on occupational safety by Employer



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# Accident on work - Statistics

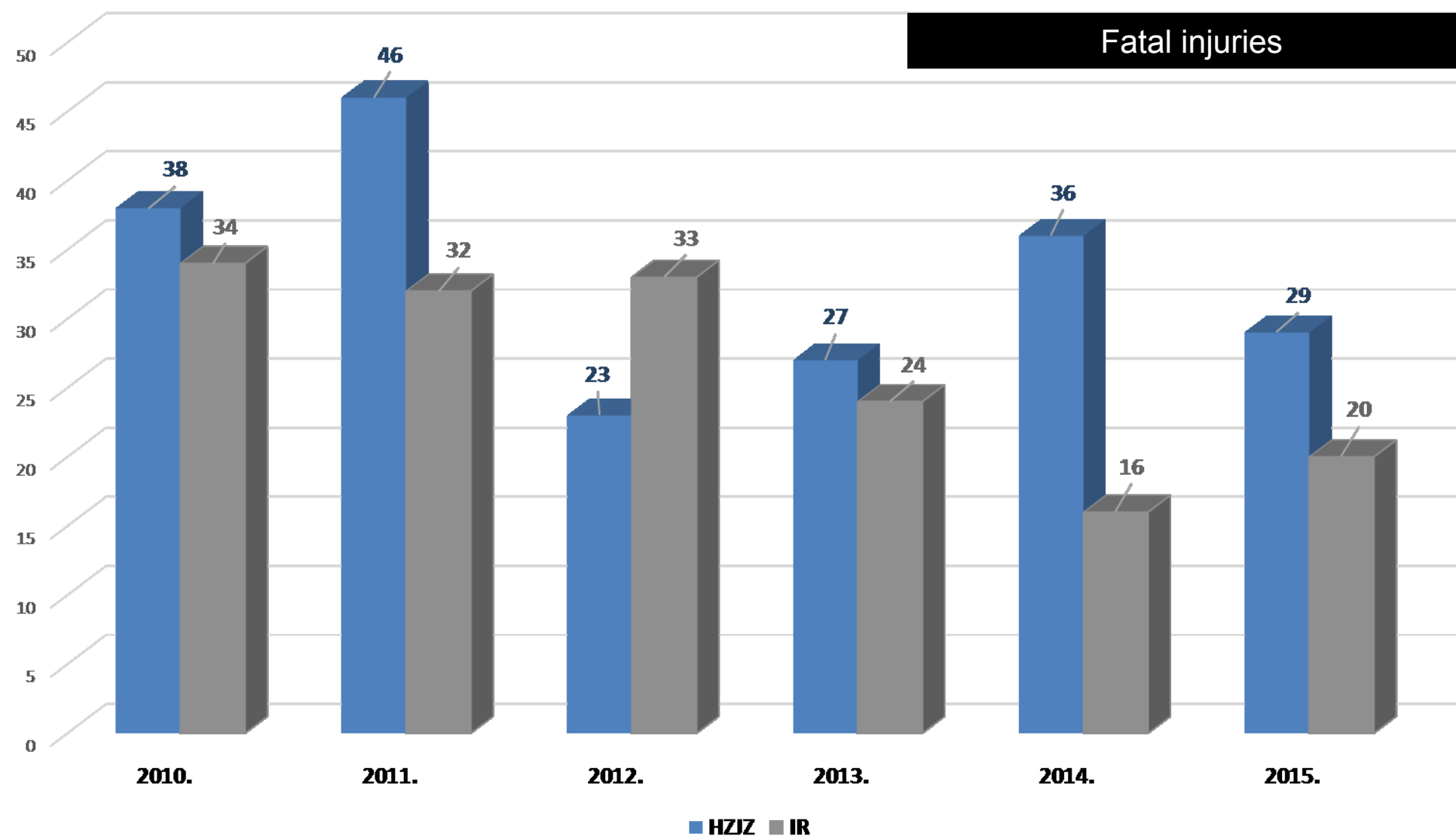




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## Accident on work - Statistics



Croatian Health Insurance Fund data

Labour Inspectorate data

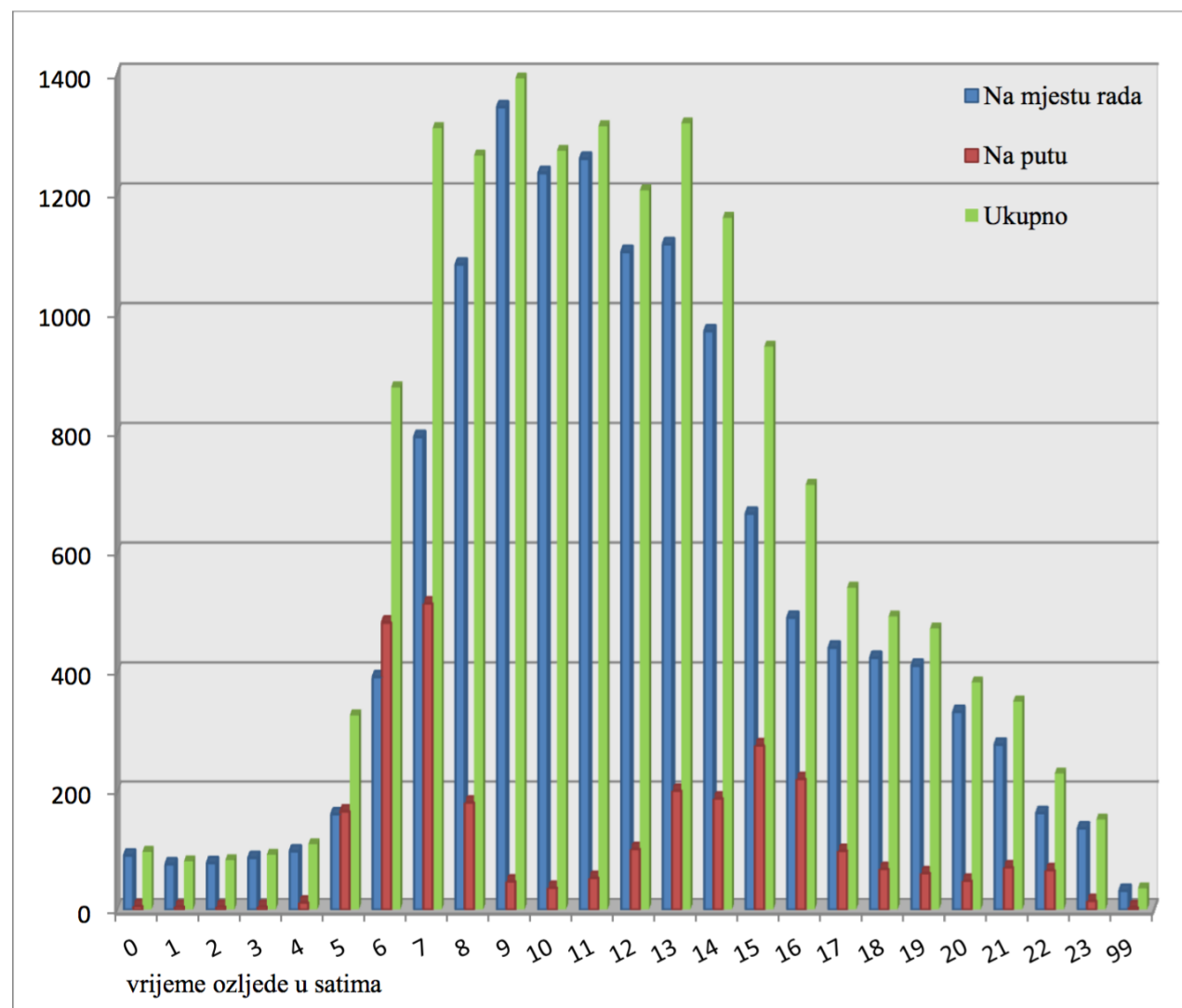


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## Time of Accident

Vrijeme ozljede	Na mjestu rada	Na putu	Ukupno	Ukupno %
00 – 00:00 do 00:59	92	6	98	0,60
01 – 01:00 do 01:59	77	5	82	0,51
02 – 02:00 do 02:59	79	5	84	0,52
03 – 03:00 do 03:59	88	5	93	0,57
04 – 04:00 do 04:59	99	12	111	0,68
05 – 05:00 do 05:59	162	167	329	2,03
06 – 06:00 do 06:59	393	484	877	5,40
07 – 07:00 do 07:59	794	516	1 310	8,07
08 – 08:00 do 08:59	1 082	182	1 264	7,79
09 – 09:00 do 09:59	1 345	48	1 393	8,58
10 – 10:00 do 10:59	1 235	37	1 272	7,83
11 – 11:00 do 11:59	1 259	54	1 313	8,09
12 – 12:00 do 12:59	1 103	103	1 206	7,43
13 – 13:00 do 13:59	1 116	202	1 318	8,12
14 – 14:00 do 14:59	971	189	1 160	7,15
15 – 15:00 do 15:59	666	279	945	5,82
16 – 16:00 do 16:59	492	222	714	4,40
17 – 17:00 do 17:59	442	100	542	3,34
18 – 18:00 do 18:59	425	69	494	3,04
19 – 19:00 do 19:59	412	62	474	2,92
20 – 20:00 do 20:59	335	49	384	2,37
21 – 21:00 do 21:59	280	72	352	2,17
22 – 22:00 do 22:59	164	67	231	1,42
23 – 23:00 do 23:59	138	15	153	0,94
99 – nepoznato	32	4	36	0,22
<b>Ukupno</b>	<b>13 281</b>	<b>2954</b>	<b>16 235</b>	<b>100,00</b>





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## Reducing working hours



- **Natural working hours ?**
- Hunter-gatherer societies working week 15 hours long
- enjoyed more leisure time than agrarian and industrial societies

“In all, the adults of the Dobe camp worked about two and a half days a week. Since the average working day was about six hours long, the fact emerges that !Kung Bushmen of Dobe, despite their harsh environment, devote from twelve to nineteen hours a week to getting food. Even the hardest-working individual in the camp, a man named ~~z~~oma who went out hunting on sixteen of the twenty-eight days, spent a maximum of thirty-two hours a week in the food quest.” (Lee, 1968).



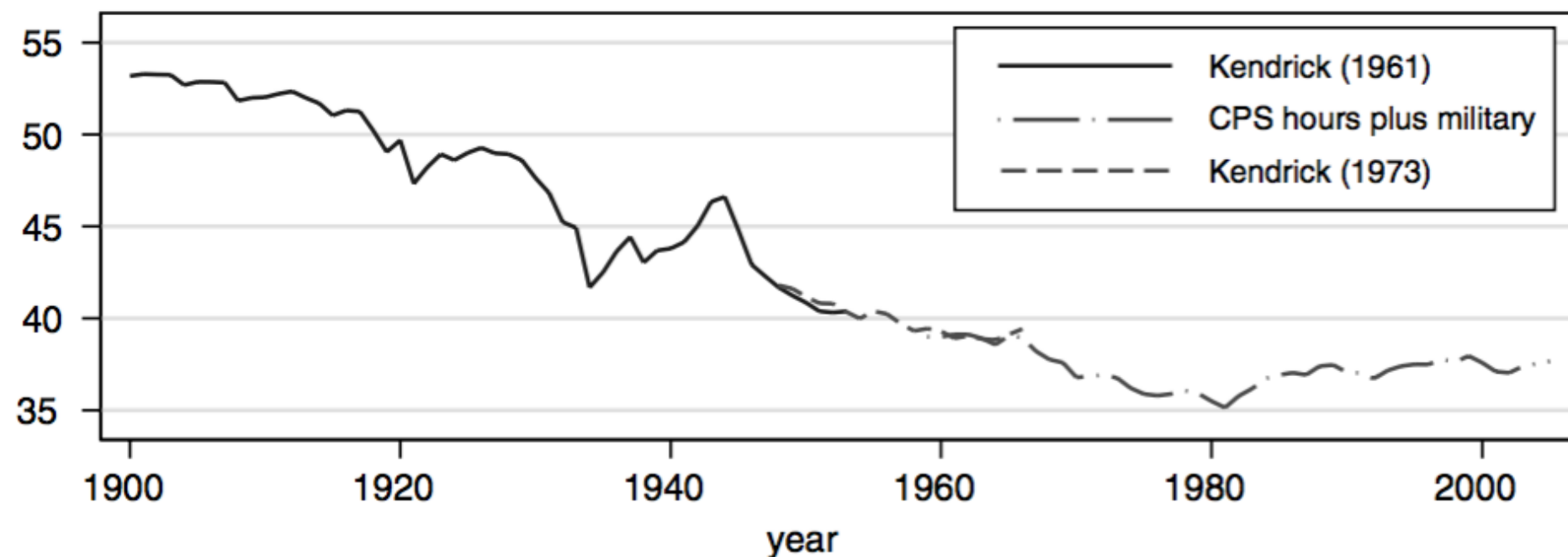
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## Reducing working hours



- **20th Century ?**
- Decreasing in weekly hours per employed person
- Almost 70 years have passed since the adoption of the international labor standard on working hours (principle of the 40-hour week as the standard)



A. Average weekly hours per employed person

Source: Century of Work and Leisure, Ramey&Francis,

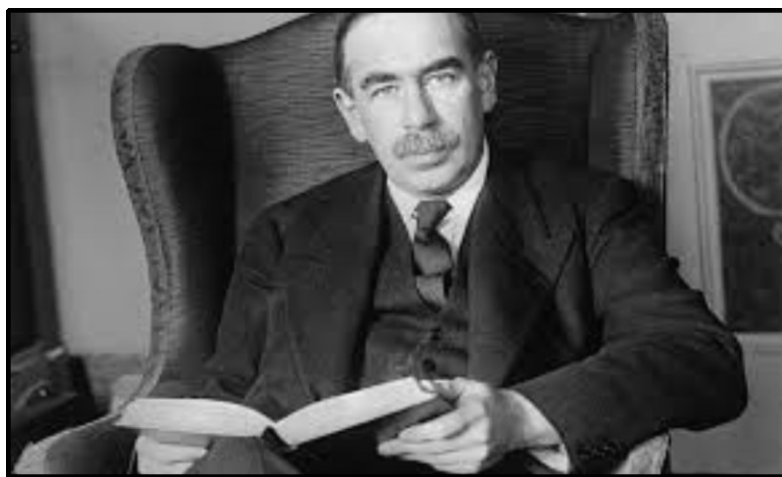




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## Reducing working hours



- Economist John Maynard Keynes, 1930:
- *“technological change and productivity improvements would eventually lead to a 15-hour workweek”*

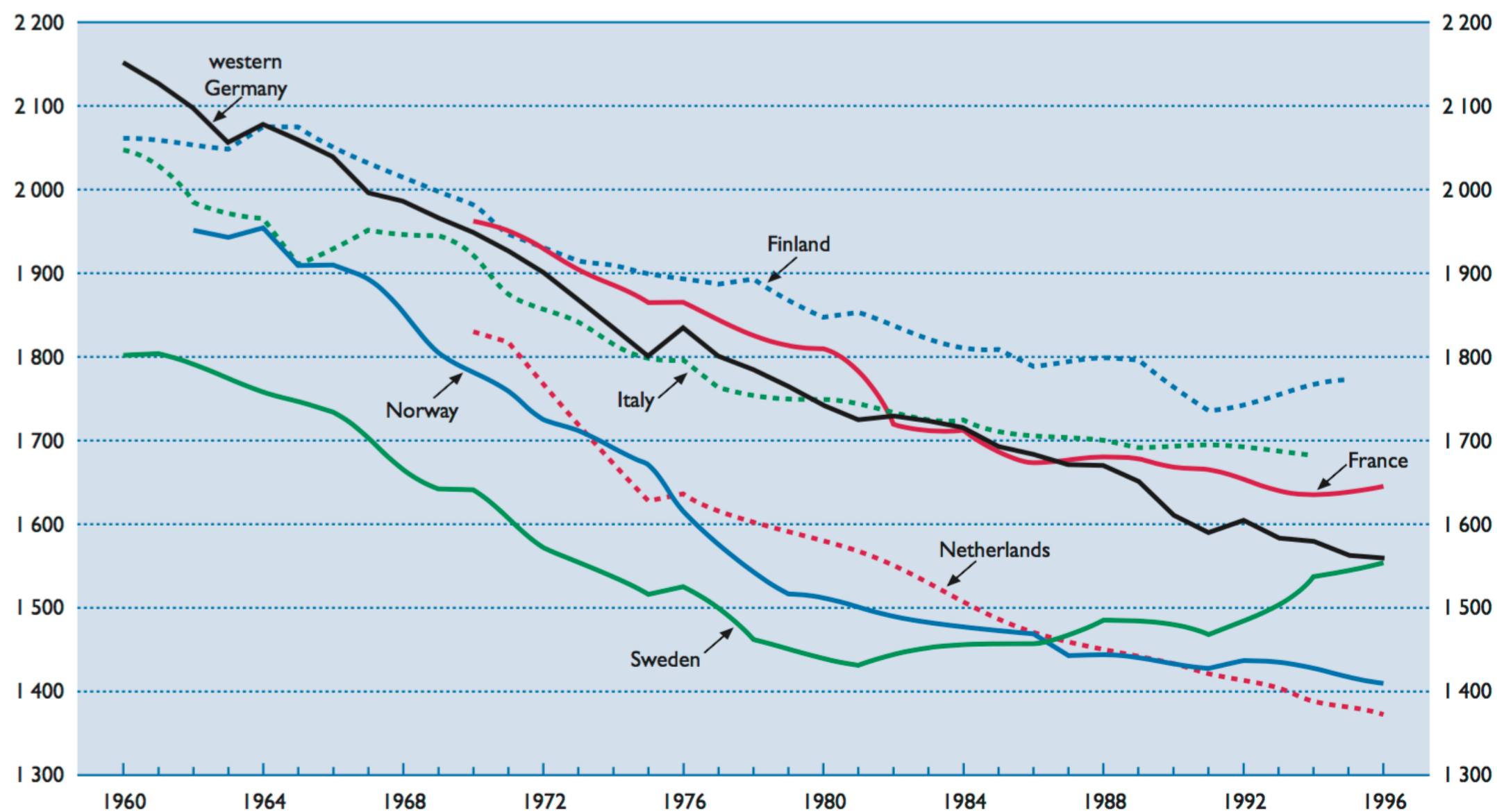


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# Reducing working hours

## Average annual hours actually worked per person in employment



Source: OECD Annual Hours Database (see Table F of the Statistical Annex).



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# Reducing working hours

## Average usual weekly hours worked on the main job

→ Time	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
→ Country																
Australia	..	36.6	36.4	36.4	36.5	36.5	36.3	36.5	36.5	36.1	36.1	36.2	36.3	36.1	35.9	35.9
Austria	37.1	36.8	36.6	36.6	37.9	37.7	37.5	37.5	37.2	36.9	36.7	36.5	36.4	36.1	35.8	35.7
Belgium	35.2	35.6	35.6	35.3	35.3	35.2	35.2	35.4	35.2	35.2	35.2	35.1	35.1	35.2	35.3	35.1
Canada	..	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Chile	47.1	47.1	47.0	46.9	46.9	45.0	45.0	44.7	44.6	44.5	43.9	44.4	44.5	44.3	44.0	43.7
Czech Republic	..	..	40.4	40.5	40.4	40.5	40.4	40.4	40.4	40.2	40.0	39.9	39.8	39.7	39.5	39.5
Denmark	35.0	35.2	34.9	34.8	34.6	34.7	34.5	33.4	33.1	32.7	32.7	32.6	32.6	32.6	32.5	32.5
Estonia	39.9	39.8	39.6	39.4	39.5	39.4	39.5	39.4	39.4	38.7	38.7	38.7	38.7	38.8	38.9	38.7
Finland	..	37.3	36.9	36.8	36.8	37.1	37.0	36.7	36.7	36.5	36.5	36.5	36.3	36.3	36.2	36.2
France	36.1	35.7	35.2	36.2	36.2	36.3	36.3	36.4	36.6	36.5	36.5	36.6	36.5	36.2	36.1	36.0
Germany	35.7	35.4	35.2	34.8	34.8	34.5	34.5	34.4	34.5	34.6	34.6	34.6	34.6	34.4	34.5	34.4
Greece	40.2	40.5	40.3	40.2	40.0	40.1	39.7	39.6	39.8	39.6	39.3	39.1	38.9	38.9	38.8	38.8
Hungary	40.7	40.5	40.4	40.2	40.1	40.0	40.1	40.0	39.9	39.6	39.6	39.3	39.3	39.4	39.6	39.6
Iceland	40.7	40.2	39.8	40.5	40.4	40.6	40.7	40.9	40.5	38.9	38.6	39.0	39.0	38.9	39.2	39.1
Ireland	36.3	36.1	35.9	35.7	35.6	35.5	35.4	35.2	34.9	34.1	34.0	33.8	34.1	34.3	34.5	34.6
Israel	41.3	41.0	40.7	40.7	40.8	40.7	40.7	41.0	40.7	40.3	40.5	40.6	40.9	40.5	40.4	40.5
Italy	37.4	37.3	37.3	37.3	37.0	37.0	37.0	36.8	36.7	36.4	36.3	36.0	35.7	35.5	35.4	35.5
Korea	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Latvia	41.7	42.2	42.3	42.0	41.2	41.2	41.3	40.7	40.1	39.5	38.9	38.8	38.8	39.0	39.2	39.2
Luxembourg	37.5	37.2	37.3	37.1	37.0	36.8	36.9	36.7	36.7	36.9	36.8	36.6	36.8	36.9	36.9	37.2
Mexico	45.4	45.0	44.8	44.8	45.0	45.3	45.2	44.9	45.1	44.9	44.9	44.8	44.7	44.9	44.9	45.1
Netherlands	30.6	30.5	30.1	29.9	29.8	29.7	29.7	29.6	29.6	29.4	29.3	29.3	29.2	28.9	29.0	29.0

Source: OECD.Stat Labour Force Statistics

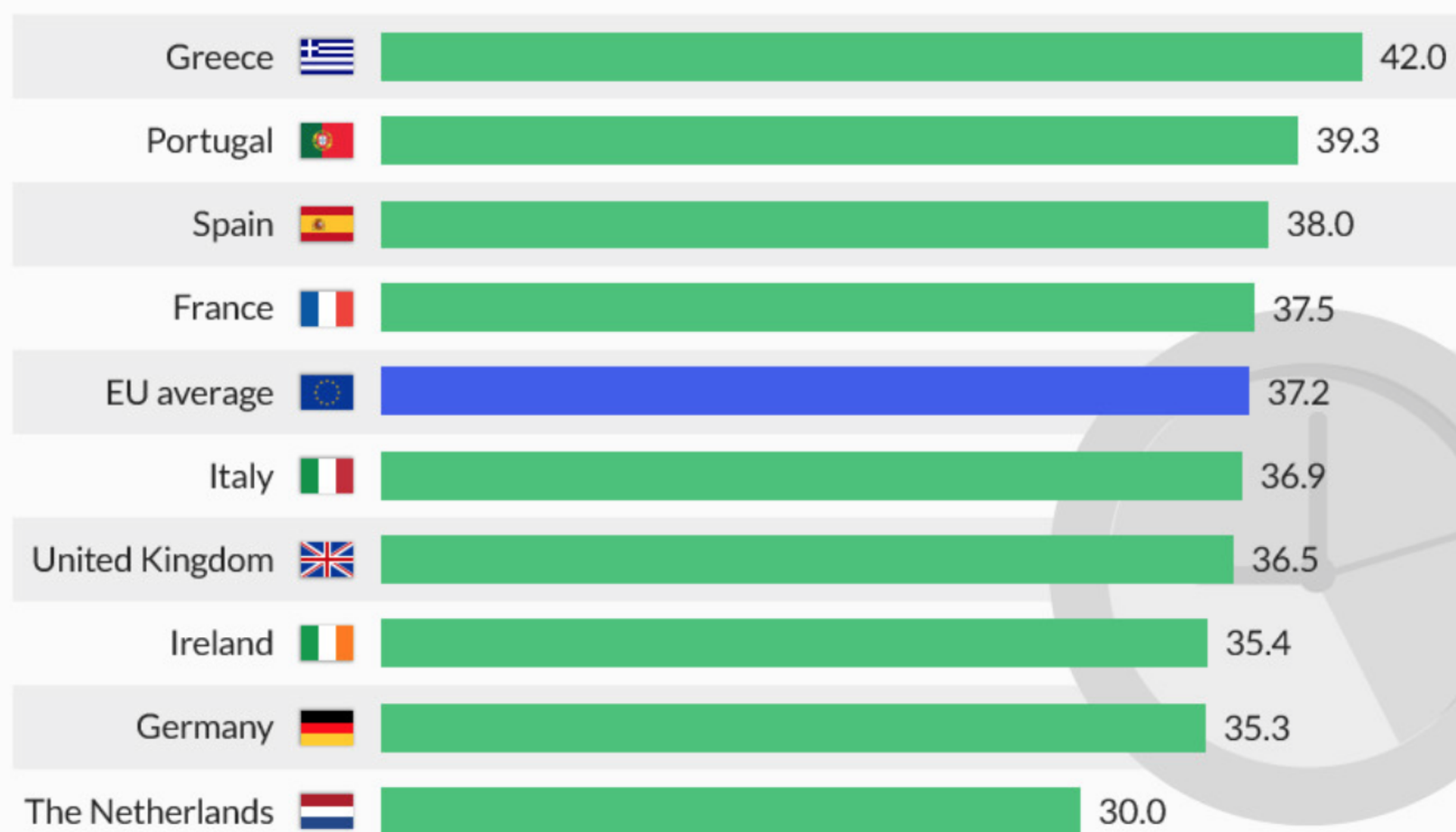


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# Reducing working hours

## Working hours vs. productivity ?



Source: World Economic Forum, OECD StatistaChats,  
Which European countries work the longest hours?



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# Reducing working hours

**Which countries work the shortest hours ?**



*Source: World Economic Forum, OECD StatistaChats,  
Which countries work the shortest hours?*



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# Does long working hours affect health?

*HSE UK – Working Long Hours Study*

- **Long hours** weekly hours of at least 48 hours or more
- **1 in 20** workers in Europe work extended hours (Harrington (2001))
- **FATIGUE** (*subjective tiredness and a slowing of normal cognitive function*). Main reasons that people become fatigued is insufficient rest. Studies show link between long hours and fatigue.
- **PSYCHOLOGICAL HEALTH AND STRESS** (*the adverse reaction people have to excessive pressure or other types of demand placed on them*). Evidence points to an association between working long hours and stress and other negative psychological health outcomes





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# Does long working hours affect health?

*HSE UK – Working Long Hours Study*

- **PHYSICAL HEALTH** Link between working long hours and cardiovascular disorder, chronic headaches, negative effects on an individual's immunity
- **SAFETY AND ACCIDENTS** Link between working long hours and the likelihood of work-related accidents, especially for certain occupations (particularly for medical and driving occupations)
- **WORK-LIFE BALANCE** Working long hours impacts negatively on home and family life.



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## **Working time – New ideas?**

- **Sweden has been experimenting with six-hour workdays**
- **Svartedalen's elderly care home in Gothenburg (public sector)**
  - PRO** Employee less tired, Less sick leave, Better productivity,  
Creating extra jobs
  - CON** Expensive, costs outweighed the benefits
- **Toyota service center Gothenburg (private sector)**
  - PRO** Less stress, Stuff feels better, Better work-life balance,  
Profits have risen by 25%,



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## Conclusions ?

