



LATVIA

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RĪGA



Introduction

On 4 May 1993, the operation of the law from 1939 "On State Labour Inspection" has been resumed in Latvia. This law has become the legal foundation for the renewal of the activities of the State Labour Inspection (hereinafter in text referred to as the Labour Inspection), as well as for the creation of the unified system of state control and supervision in the area of labour relations and protection. The Law on the State Labour Inspection has been adopted on 13 December 2001 and has come into force on 1 January 2002. This law has defined the legal status, function and tasks of the Labour Inspection till 10 July 2008, when the Law on the State Labour Inspection, which has been adopted on 19 June 2008, has come into force. Presently, this law defines the legal status, function, tasks, as well as the operational procedure of the Labour Inspection.

The Labour Inspection is the direct management authority, which is subordinated to the Minister of Welfare. Employers, businessmen, their authorized persons and enterprises, construction objects, including the construction objects belonging to a private individual during the time of construction works, as well as working areas and work equipment - all this is subject to the supervision and control of the Labour Inspection.

The main aim of the activities of the Labour Inspection is to develop a legally organized, safe and health-friendly working environment at the enterprises, to reduce unregistered employment, the violations of normative acts in the sphere of labour law and labour protection, as well as the number of accidents at work.

The main function of the Labour Inspection is to maintain the effective implementation, supervision and control of the state policy in the area of labour relations and labour protection.

The main directions of the Labour Inspection activity include improvement of the legal labour relations, supervision, and control of the labour protection area, as well as improvement of availability and quality of the services provided by the Labour Inspection and inclusion in the circulation of electronic information of the Public Office. Activity directions of the Labour Inspection are set on the basis of the main policy planning documents in the sphere of labour law and labour protection drawn up and approved at the national level – “Activity Plan for Decrease of Unregistered Employment for 2010 -2013” and “Basic Development Guidelines of the Labour Protection Area for 2008 – 2013” (Basic Guidelines).

Planning of the Labour Inspection activity is based on the priority principle. The priorities are set by taking into account the analysis of the current situation in the labour law and labour protection area in Latvia, the goals determined in the Activity Plan for Decrease of Unregistered Employment for 2010 -2013, as well as Basic Guidelines for 2008 – 2013. The prior activity directions of the Labour Inspection in 2010 envisaged implementation of the decrease policy of unregistered employment and reduction of the number of fatal accidents at work, as well as those accidents at work as a result of which a victim has incurred severe health problems. The following activities were implemented in the framework of the prior activity directions:

1. Inspections carried out in the enterprises the economic activity of which has high risk of unregistered employment with a purpose to disclose unregistered employment;
2. Inspection campaigns of the Labour Inspection are organized:
 - 2.1. in the wood processing and furniture manufacturing industry;
 - 2.2. on observance of internal supervision requirements of the working environment in enterprises;
 - 2.3. in the construction industry;
 - 2.4. on conformity of the work equipment with the labour protection requirements;
 - 2.5. in the enterprises where the severe and fatal accidents at work recur;
3. inspection campaign of the Senior Labour Inspectors Committee (SLIC) “Chemical Substances Risk Assessment” in the vehicle maintenance industry is organized;

4. European Week information campaign “Healthy Workplaces Campaign on Safe Maintenance” is organized.

1. The implementation of priorities of the Labour Inspection in 2010

1.1 Upon implementing the **unregistered employment decrease policy** the Labour Inspection bases its activity on the policy topicality of the European Union (EU) on transforming undeclared work into regular employment (Council Resolution OV C 260, 29.10.2003), Activity Plan for Decrease of Unregistered Employment for 2010 -2013 and Activity Plan of the Labour Inspection for 2010.

In accordance with the Activity Plan of the Labour Inspection it was planned to perform 3 000 inspections in the enterprises having high risk of unregistered employment in their economic activity in 2010. In 2010, the Labour Inspection carried out 3 264 inspections on decrease of unregistered employment during which 1 823 persons involved in unregistered employment were established (see *Figure 1*).

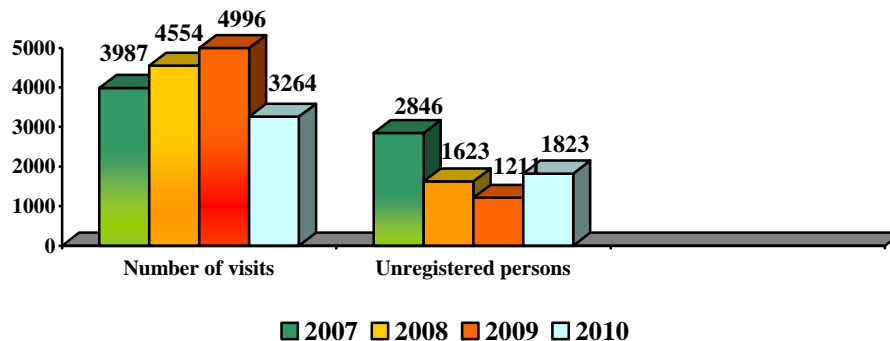


Figure 1: The dynamics of the number of inspections at the enterprises in relation to the reduction of unregistered employment and the number of established unregistered persons (2007 – 2010)

In comparison with 2009, the number of inspections on disclosure of unregistered employment in 2010 has decreased by 34.6%, while the number of the disclosed persons involved in unregistered employment has considerably increased by 51 % at the same time. Such development of the situation is largely related to both – general deterioration of the economic situation in the country, and efficient, as well as purposeful action of the Labour Inspection. An important role in successful disclosure of unregistered employment was played by the new information processing method developed by the Labour Inspection in 2010 which allows to plan and to coordinate the inspections of unregistered employment more precisely by selecting high risk information in relation to unregistered employment in enterprises. The purpose of the aforementioned method is to centralize circulation of the risk information about unregistered employment by providing the information to officials of the Labour Inspection useful for risk management about the particular medium and high risk objects.

However, it must be noted that the cases of unregistered employment are increasingly more difficult to prove. A tendency is still observed in practice that an employer concludes the so-called “first day” employment contracts with employees. It means that the employment contract has been concluded on the day of inspection of the Labour Inspection or some days before that and an employer has not informed the State Revenue Service (SRS) about his newly-established legal employment relations thereby avoiding from administrative responsibility for employment without an employment contract concluded in writing. In 2010, 1 220 “first day” employment contracts have been disclosed in 553 enterprises. In order to solve the described situation and thereby decrease the unregistered

employment, on 26 January 2010, amendments to the Regulations Regarding Registration of Persons Making Mandatory Payments of the State Social Insurance and Reports Regarding Mandatory Payments of the State Social Insurance and Personal Income Tax were adopted which prescribe that an employer shall have an obligation to register each employee in the SRS one day before the particular person starts work at the latest.

In 2010 31.7% of the inspections made by officials of the Labour Inspection on disclosure of the unregistered employment were fruitful - 481 persons involved in the unregistered employment were disclosed and 553 cases were related to the employees having concluded the “first day” employment contract (see *Figure 2*).

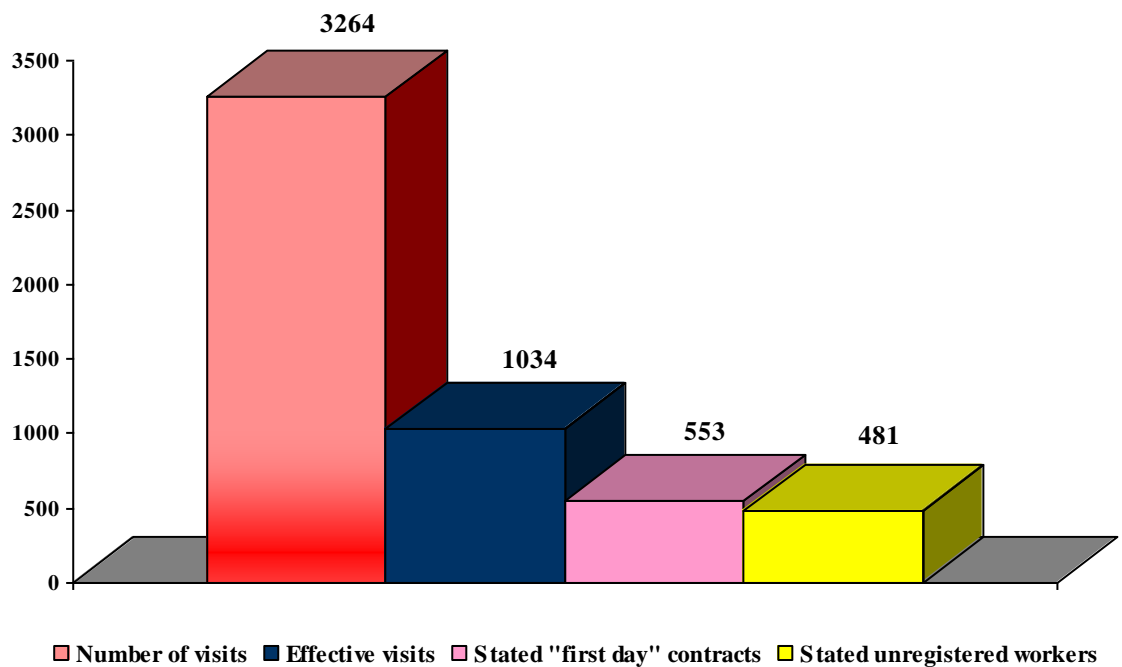


Figure 2: Effectiveness of the visits carried out by the SLI in connection with unregistered employment in 2010

In order to efficiently implement the unregistered employment decrease policy in accordance with “Activity Plan for Decrease of Unregistered Employment for 2010 -2013” it is planned to repeatedly inspect at least 5% of the enterprises having unregistered employment risk on an annual basis. In 2010, 7.6% enterprises were repeatedly inspected (247 inspections).

In 2010, officials of the Labour Inspection imposed penalties in the amount of LVL 400 290 for the disclosed violations in relation to unregistered employment in accordance with standards of the Latvian Administrative Violations Code (LAVC) which is twice as much than in 2009.

In relation to proportion of the unregistered employment in particular economic areas it must be specified that the highest number of the persons involved in unregistered employment is observed in the construction industry, manufacturing industry, organization of entertainment and recreation events and trade like in 2009 which indicates that the enterprises of the aforementioned industries shall be considered as high risk enterprises of unregistered employment.

In 2010, the Labour Inspection continued its successful cooperation with the SRS, State Employment Agency (SEA), regional divisions of the State Boarder Guard, State and Municipal Police, etc. institutions in the area of decrease of unregistered employment.

In 2010, a tendency was observed that the number of the established persons involved in the unregistered employment which have registered as unemployed persons at the same time continues to grow. If only 46 unemployed persons were established in 2008 which worked without registration (2.83% of all the established persons involved in unregistered employment), in 2009 the number of such persons constituted already 128 persons (10.6% of all the persons involved in unregistered employment) and in 2010 the Labour Inspection established 238 persons involved in unregistered employment (13.1% of all the persons involved in unregistered employment). However, it must be specified that the total number of unemployed persons should also be assessed for a completely objective analysis of the situation which have been considerably larger just in the last two years than in 2008.

It is possible to report to the Labour Inspection about unregistered employment or other violations of requirements of the of labour law or labour protection normative acts or report to the internet home page www.vdi.gov.lv by leaving anonymous message in a special online form or calling the anonymous hotline phone number 67312176, as well as in 2010 there are additional possibilities to deliver information to the Labour Inspection about the cases of unregistered employment by creating a new information possibility via the e-mail established by the Labour Inspection – nelegals@vdi.gov.lv.

The Labour Inspection continued to publish information about the enterprises where the persons involved in unregistered employment had been established also in 2010 in the internet home page www.vdi.gov.lv, because care of the reputation was one of the types how to motivate employers to support legal employment, while, job seekers are entitled to acquaint themselves with the enterprises where employees have been involved in unregistered employment. The aforementioned information is also used by public procurement institutions, when acquainting themselves with information about the enterprises which have applied their participation in public procurements.

1.2. In 2010, already for the fourth year in turn, the Labour Inspection organized national inspection campaigns in the field of labour protection in the enterprises of particular industries. The industries where organization of the inspection campaigns was planned were selected on the basis of the analysis of accidents at work in the respective industry (wood-processing and construction), assessment of the amount of harmful working environment risk factors, assessment of their potential influence on health involved in the industry assessment, as well as results of the research “Working Conditions and Risks in Latvia”. Before starting implementation of the campaigns at first, the Labour Inspection informed the society and employers thereof.

Goals of the inspection campaigns of the Labour Inspection:

- to perform preventive inspection of enterprises;
- to assess the actual activity of employers in establishment of a safe working environment;
- to focus employers’ attention on the labour protection issues;
- to reduce occupational disease and accident risks;
- to check enterprises of those industries where the inspection campaigns have not been organized.

Upon implementing the **inspection campaign in the wood-processing and furniture manufacturing enterprises** special attention was paid to the work equipment – availability of protection mechanisms and their usage, employee instruction and training, working environment risk assessment, issue and usage of the personal protection equipment (PPE) and employers were also informed about the most important requirements in the field of labour protection.

In 2010, the Labour Inspection organized the inspection campaign in the wood-processing and furniture manufacturing enterprises for the third time already. An analysis of the situation within three years testifies that the number of violations in the industry does not

change. During a period of three years since the Labour Inspection has been organized campaigns in the wood-processing and furniture manufacturing enterprises, 20% of the inspected enterprises do not have a trained labour protection specialist. It also explains the growth of the number of violations regarding employee instruction and training – in 2007, 2009 – 4%, in 2010 – 7%. A division of the number of accident at work taken place in 2009 according to the length of service in the industry shows that the length of service of the most number of victims (46) constitutes a period of time up to 1 year. The employers themselves recognize that the working environment is often not arranged due to the lack of experience and knowledge. The fact that the number of those enterprises has decreased where employees are not acquainted with the working environment risk assessment must be noted as a positive tendency.

Consequences of the economic crisis are especially felt in relation to performance of mandatory health examinations, namely, the number of enterprises where mandatory health examinations are not carried out has increased from 29% in 2007 to 37% in 2010. Analysis of the inspection results testifies that the number of enterprises where safety signs are not located at all or are not located in all the dangerous places increases. The work equipment is not often appropriately marked either and there are no warning inscriptions and warning signs on it which causes danger to the safety and health of the employees. Violations regarding non-existence of safety signs were established in 7% of enterprises in 2007, 14% in 2009 but in 2010 already in 28 % of enterprises.

The statistical data of accidents (see *Figure 3*) testify that in 2010 the number of accidents at work in the industry has increased by 11% (the number of severe accident at works – by 5%). The accidents at work taken place in 2010 are mostly related to falling of timber, performance of different manipulations without stopping the operating equipment, as well as victims have obtained injuries from the wooden logs thrown out by the equipment.

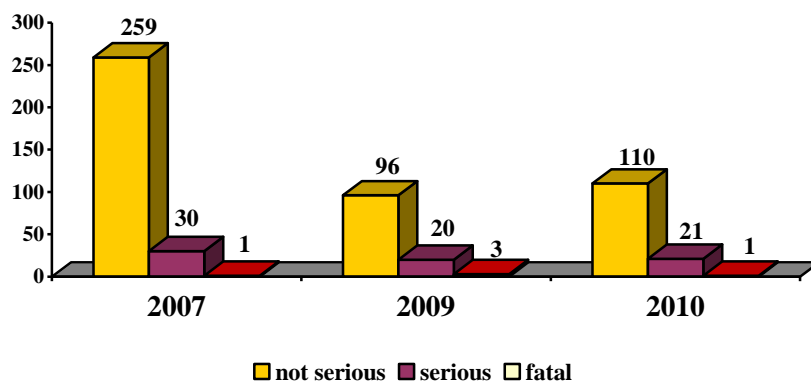


Figure 3: The dynamics of the number of accidents at work in the woodworking branch and furniture production (2007; 2009 – 2010)

The inspection campaign on meeting the working environment internal supervision requirements was organized because the abovementioned Regulations of the Cabinet of Ministers which also prescribe the risk assessment procedure are still among the most violated normative acts – the violations regarding the working environment internal supervision constituted 38% in 2009 and 40% in 2010 of the number of total violations established in the labour protection. Particular attention in the campaign was paid to the enterprises of dangerous industries¹ and beauty salons.

¹ The dangerous industries are identified pursuant to the Regulation regarding the Types of Commercial Activities in which an Employer shall involve a Competent Authority.

During the inspection campaign food production enterprises (19%) were inspected the most, transport enterprises (13%), metalworking production enterprises (9%), hairdressing saloons and beauty salons (19%).

The most established violations in all the inspected enterprises are non-development of the action plan for Labour protection, non-acquainting of employees with the risk assessment (46%), non-sending of employees to mandatory health examination (12%) before starting the legal employment relations, as well as non-making of repeated instructions (11%). During the campaign it was established that the risk assessment of chemical substances is not made in the enterprises dealing with chemical substances and employees are not sent to mandatory health examination in relation to the chemical substances (5%).

It was inspected during the **inspection campaign in construction industry** how the occupational safety requirements are met when working at height – on the roof, scaffoldings, stairs and how provision of appropriate PPE for builders is controlled, as well as their usage.

The construction industry in Latvia has high risk of unregistered employment which is confirmed by the fact that the Labour Inspection still establishes the most number of employees in this industry who work without concluding written employment contracts. Therefore, one of the additional goals of the campaign was also decrease of the unregistered employment and the conditions if written employment contracts were concluded with all employees, if they have employee certificates and if the lists of employees are made were also controlled in the construction site inspections.

Before starting the campaign more than 4 000 letters were electronically sent to employers containing information about the planned inspection of the Labour Inspection.

The Labour Inspection organizes inspection campaigns in construction for already four years (see *Figure 4*).

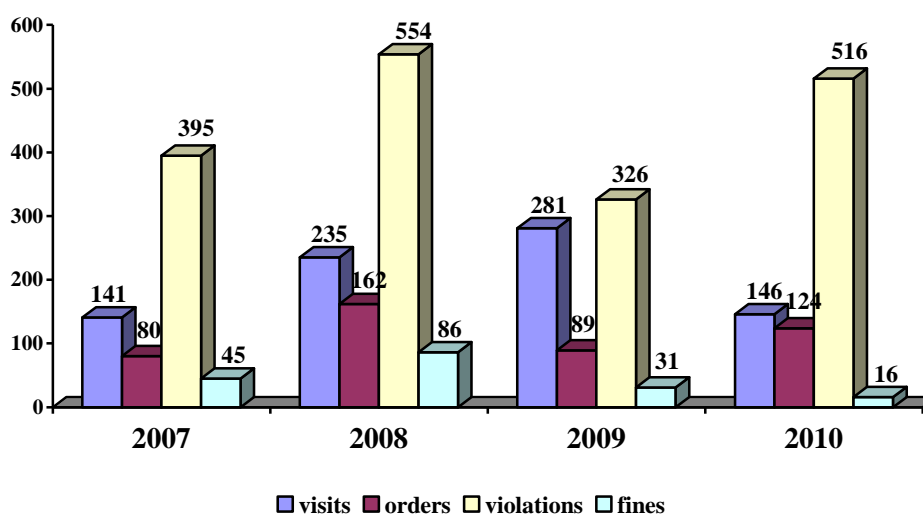


Figure 4: Outcomes of campaigns in construction branch (2007 – 2010)

When comparing results of the performed inspections within four years it may be concluded that in 2008 the most number of violations was established and the largest sums of penalties applied. It is connected with the fact that great activity was observed in construction at the aforementioned time and on 15 May 2008 amendments to the Latvian Administrative Violations Code came into force which envisaged larger sums of penalties.

It may be concluded on the basis of the analysis of the campaign results that the situation in the occupational protection area is better in the enterprises which operate in the construction industry for a longer period and their managers understand importance of the labour protection requirements. Employers of the small construction companies regard

requirements of the labour safety normative acts as a burden and allow employees to work in unsafe conditions. In several cases the superficial attitude is observed concerning scaffoldings assembly and mounting of protective fencings.

The fact that high unregistered employment risk exists in the construction industry is testified also by results of the campaign. Although the information about the campaign planned in the construction sites of the Labour Inspection was received by employers, and it was distributed also in the mass media, 59 persons involved in unregistered employment were established during the inspections.

The employers save funds and do not provide the mandatory health examinations for employees, nor place all the necessary safety signs.

The total number of accidents at work taken place in the construction sector within four years has decreased by 61%, the number of severe accidents has decreased by 65% and the number of fatal accidents – by 81% (see *Figure 5*).

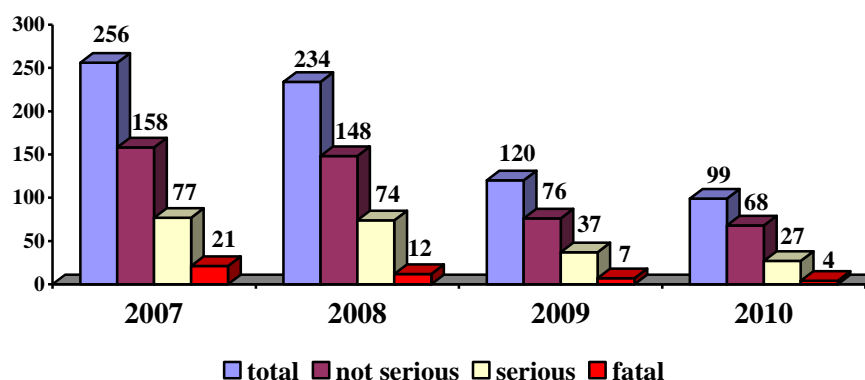


Figure 5: The dynamics of the number of accidents at work in the construction companies (2007 – 2010)

Upon analyzing the reasons for decrease of the number of accidents at work in the construction sector within the last four years, it must be concluded that the aforementioned tendency was caused by both – decrease of the operational activity taken place due to the economic recession in the industry, and the intensive preventive work performed by the Labour Inspection (four campaigns) by facilitating arrangement of the working environment and observance of requirements of the normative acts in enterprises of the industry.

The **inspection campaign on conformity of the work equipment with the labour protection requirements** was organized because the work equipment (facilities and instruments) is an integral part in the work process. Therefore, it is very important to prevent the risk to safety and health of employees due to the use of work equipment.

During the campaign 178 enterprises were inspected, 38% (68) of them in the food and beverage production industry, 28% (49) of them – in the wood-processing and furniture manufacturing industry and 17% (30) in the textiles and clothing production industry, 16% (29) in the metal goods and metal products manufacturing industry and 1% (2) in enterprises of other industries.

It was concluded that in 89% of the inspected enterprises a trained labour protection specialist is appointed or a competent institution involved; in 94% an instruction has been carried out and in 85% the working environment risks have been assessed. The most part of the inspected enterprises (63%) provide mandatory health examination for their employees. Employees of 91% enterprises are provided with auxiliary devices for moving loads.

The fact that 98% of work equipment of the inspected enterprises is a safe stoppage device for complete stoppage of the work equipment, as well as stoppage device for dangerous parts must be emphasized as a positive fact. Almost in all the inspected enterprises

(98%) the employees are ensured safe access to the work equipment, as well as safe staying in all production, assembly and technical service (maintenance) areas.

An employer does not provide a regular technical maintenance of vehicles, devices and equipment in 24% of the inspected enterprises, and in 14% of the inspected enterprises – an employer does not ensure periodical inspections and special inspections of the work equipment which is subjected to the circumstances causing its deterioration. In a lot of enterprises the work equipment is modernized, devices and equipment are equipped with safety systems which does not allow the device to start operation while a protective guard or shield is not put on, as well as the devices are constructed in such a way that it is not possible to put a hand or palm in them. A more dangerous situation is observed in the wood-processing companies where during carrying out of the technical inspections the equipment is often removed shields which are not placed back after inspection of the equipment.

The **inspection campaign in the enterprises where the serious and fatal accidents at work take place** was organized so that to decrease the accident risk as far as possible. During the campaign the enterprises were inspected where fatal accidents or 2 serious accidents or 3 accidents as a result of which the health disorders incurred by a victim are not serious had taken place from 1 January 2009 to 1 August 2010.

Tasks of the campaign:

- to make sure if causes of the accidents are prevented and respective occupational safety measures are carried out;
- to check if the accident at works taken place are respectively registered;
- to pay attention to the fact if the risk assessment of the working environment after an accident has been made;
- to clarify if a victim has returned to work or an employer has acquainted a victim with the investigation materials of an accident at work.

94% of the accidents at work taken place in the inspected enterprises were registered in the registration journal of accident at work; in 8% of them took place because the employers had not performed the measures to prevent the causes and risk factors of an accident. In the most part of the inspected enterprises (85 %) the working environment risk assessment was made after the accident at work. 82% of employees of the enterprises were given an unplanned instruction after an accident. Upon inspecting enterprises it was established that in 21% of the cases a victim had not returned to work after an accident. It has various reasons – a victim has died, dismissed, sickness of a victim continues. In 15 % of the inspected enterprises an employer had not acquainted an employee (victim) with the investigation materials of an accident.

The analysis of the inspection results obtained in the framework of the campaign and observations of the Labour Inspection makes us conclude that particular attention is paid for arrangement of the working environment in the company already after an accident at work.

In 2010, one of priorities of the Labour Inspection activity was organization of the **European Week (EW) information campaign “Healthy Workplaces Campaign on Safe Maintenance”** the purpose of which was to facilitate understanding:

- about importance of safe maintenance at the work place;
- about the risk caused by inappropriate maintaining safety.

A slogan of the campaign was “Healthy Workplaces - Good for you. Good for business”. It must be noted that maintenance of a safe work place affects all work places in the enterprises of all industries and refer to employees of all levels by increasing work efficiency.

In the framework of the EW the Labour Inspection also organized the annual good practice awards competition “Golden Helmet 2010” where 8 enterprises took place with 16 examples. The winner of the competition and obtainer of the “Golden Helmet 2010” was SIA “Latvija Statoil” Ltd.. “Latvija Statoil” and Joint Stock Company “Severstal” were selected for the competition of the European level.

During the EW in September and October 2010, 3 free regional seminars were organized for safe maintenance in work places: in Ventspils, Rezekne and Valmiera in cooperation with the Investment and Development Agency of Latvia. 157 participants took part in the regional seminars. The enterprises which took part in the good practice awards competition "Golden Helmet 2010" presented their examples in the aforementioned seminars. On the other hand, in October, a final conference (104 participants) of the EW took place in Riga where representatives of the management of the Free Trade Union Confederation of Latvia and Employer's Confederation of Latvia participated.

2. Laws and decisions, which relate to the activities of the Labour Inspection.

2.1. Laws regulating the Labour Inspection's activity that has become effective in 2010
- No changes in the Labour Inspection Law in 2010.

2.2. The laws, rules, regulations, which have come into force in 2010, and the implementation of which is supervised by the Labour Inspection:

- Amendments to the Labour Protection Law (came into force on 28 April 2010) – the most substantial amendments - the Law is supplemented with a definition "special risk"; a definite procedure how a trustee participates in the internal supervision of the working environment, etc.;
- Amendments to the Labour Law (came into force on 25 March 2010) – the most substantial amendments - a definite procedure for posting of employees; definite procedure for additional payment for the work related to special risk; a definite procedure for aggregated working time;
- Procedure for Training regarding Labour Protection Issues, Cabinet Regulation No. 749, came into force on 1 October 2010;
- Procedures for Providing Training in First Aid and Minimum of Medicaments in First Aid Kits, Cabinet Regulation No. 713, came into force on 7 August 2010;
- Procedure for Investigation and Registration of Accidents at Work, Cabinet Regulations No. 950, came into force on 1 January 2010;
- Labour Protection Requirements for the Protection of Workers from the Risk Arising from Artificial Optical Radiation in the Working Environment, Cabinet Regulation No. 731, came into force on 27 April 2010;
- Labour Protection Requirements in Workplaces, Cabinet Regulation No. 359, came into force on 1 January 2010;
- Regulations of the Cabinet of Ministers No.53 Amendments to the Regulations of the Cabinet of Ministers No.908 of 6 November 2006 "Procedures for Investigation and Registration of Occupational Diseases" (came into force on 23 January 2010) - the most substantial amendments - upon request of health and occupational disease physician the Labour Inspection makes inspection in the work place of the person who suffers or possibly suffers an occupational disease, etc.;
- Regulations of the Cabinet of Ministers No.1077 Amendments to the Regulations of the Cabinet of Ministers No.99 of 8 February 2005 "Regulation Regarding the Types of Commercial Activities in which an Employer shall Involve a Competent Authority" (came into force on 23 January 2010) - the most substantial amendments - specified

types of commercial activities in which an employer shall involve a competent authority regarding establishment and maintenance of the labour protection system.

3. The personnel of the Labour Inspection

3.1. In 2010, there were 163 official positions in the Labour Inspection (112 positions of inspectors) which is by 23% less than on 1 January 2009.

3.2. Total number of inspectors in 2010. – 112, including:

- chief inspectors – 10;
- senior inspectors – 67;
- inspectors – 35.

3.3. Number of women inspectors in 2010 – 71 (80% of total number of inspectors), of whom:

- chief inspectors – 8 (80% of total number of chief inspectors);
- senior inspectors – 44 (66% of total number of senior inspectors);
- inspectors – 19 (53% of total number of inspectors).

3.4. The data on the geographical location of the structural subdivisions of the Labour Inspection (see Figure 6)

During the reporting period changes and implementation of the structure of the Labour Inspection were continued.

Administration of the Labour Inspection and five regional Labour Inspections constitute the structure of the Labour Inspection. In 2010, reorganization was performed in Riga RLI – two sectors were established instead of six supervision sectors – Central and Pardaugava Sector.

There are **5 RLI**, which operate within the country: **Kurzeme RLI - 16 inspectors** (the center - in Liepaja, a sector in Ventspils, consultation points - in Saldus, Kuldiga and Talsi); **Latgale RLI - 15 inspectors** (the center - in Daugavpils, a sector in Rezekne, consultation points - in Jēkabpils, Preiļi, Krāslava and Balvi); **Riga RLI - 51 inspectors** (the center - in Riga, 3 sectors - Sector for Reduction of Illegal Employment, Central and Pardaugava Sectors); **Vidzeme RLI - 13 inspectors** (the center - in Valmiera, a sector in Cesis, consultation point in Gulbene and Aluksne); **Zemgale RLI - 17 inspectors** (the center - in Jelgava, a sector in Ogre, consultation points - in Tukums, Dobele, Bauska and Aizkraukle).



Figure 6. Geographical location of the structural subdivisions of the Labour Inspection

4. Data on companies under the control of Labour Inspection and number of employees working in these companies

Number of companies under the control of the Labour Inspection – **92 347** (data of the Central Statistical Bureau for the 2009).

Number of employees in the companies under the Labour Inspection's supervision – **833 200**, of whom:

women – 392 900;

5. Statistics of inspection visits

Number of companies inspected by the Labour Inspection in 2009 – **8 299**, of which more than once a year – **1 298**;

The Labour Inspection in 2010 has carried out **10 477** inspections in companies.

6. The statistical data on the established violations and imposed sanctions

6.1. In 2010, inspectors of the Labour Inspection applied **6 932** penalties to employers for violations of the legal employment relations and requirements of the labour protection normative acts, including **5 355 orders** were issued which where in total **25 455 violations**

were established, 5 144 of them in the field of the legal employment relations and 20 311 of them in the field of labour protection, as well as **1 577 administrative penalties** applied.

6.2. The violations established by the Labour Inspection **in the field of legal employment relations constitute 20.2%** of all the violations established in the reporting period. On the other hand, 37.9% of all violations of the legal employment relations are related to employment contracts, i.e., drawing up of an incomplete employment contract, non-observance of a written employment contract and employing without concluding an employment contract. 35.7% of violations of the legal employment relations are connected with the work remuneration, mainly, for non-payment or payment of the work remuneration and holiday compensations only partially; for calculation of the salary and its payment which is less than the minimum wage set in the country, for payment of the salary which does not correspond to the salary prescribed in the employment contract, etc. It must be noted that in comparison with 2009, the violations related to the work remuneration issues have increased by 74.9% which may be connected with both – the complicated financial situation, insolvency of termination of activity of enterprises at all, and the arrogant employers' attitude towards their employees and nihilistic attitude towards observance of the normative requirements, as a result of which employees are often not paid all the deserved salary and/or compensations prescribed in the Labour Law. 16% of violations of the legal employment relations regard working hours and rest time and the most frequently it is established that the hours worked by an employee at night and on holidays are not precisely registered, (work) shift schedules are not prepared and employees are not acquainted with them one month before their coming into force at the latest, the beginning, end and length of the break of the working time are not specified in the employment contract or labour procedure regulations, the annual paid holidays are not allocated, etc.

79.8% of all the violations established by the Labour Inspection officials in 2010 consist of the **violations of the normative acts regulating labour protection**. In the labour protection field the most amount – 39.5% of violations have been established in relation to procedure of the internal supervision of the working environment. A part of employers do not consider risk assessment of the labour employment in an enterprise as a basis for establishment of a really functioning labour protection system and safe working environment, but consider that it is enough with formally assessed working environment risks which are not followed by any real activity for their reduction or prevention, after the risk assessment employees sometimes are even not acquainted with the risks to which they are subjected during the working hours. In 16.5% of the cases the regulations on training in the issues of labour protection have been violated – introductory instruction or repeated instruction have not be given to employees, instructions in the case of accident at work have not been given to a victim after recovery, the fact of instruction is not registered in accordance with requirements of the normative acts, the working environment risk factors are not included in the occupational safety instructions, nor their assessment and decrease measures, instructions for a particular type of work lack or they are incomplete and a labour protection specialist of an enterprise has not obtained the necessary basic level (training for 160 hours) knowledge in labour protection and 7.8% violations are mainly related to non-sending of employees to mandatory health examination.

In the area of labour protection in 2010, violations of organizational character constituted 87.4% while violations of technical character – 12.6%. During the period of the last three years a little but stable tendency may be observed – decrease of technical violations (in 2008 – 18.5% and 2009 – 15.2%). It may be concluded that work equipment is undoubtedly important for employers in the operational process of their enterprises and they try to find resources for technical maintenance and modernization also in the conditions of financial economy. On the other hand, the importance of establishment and maintenance of a qualitative labour protection system in the activity and development of enterprises is not assessed adequately, and, therefore proper attention is not paid to it.

6.3. The applied penalties and their type

In 2010, **1 577 administrative penalties** were applied for violations of the legal employment relations and labour protection:

- **1 033 fines** – in the total amount of LVL 528 455, of them:
- **887** – for violations of the normative acts of the legal employment relations – LVL 483 975;
- **146** - for violations of the normative acts of labour protection – LVL 44 480;
- **544 warnings**.

During the reporting period the structure of administrative penalties has again considerably changed, namely, the number of the applied warnings has decreased by 33.7% in 2010 (see *Figure 7*).

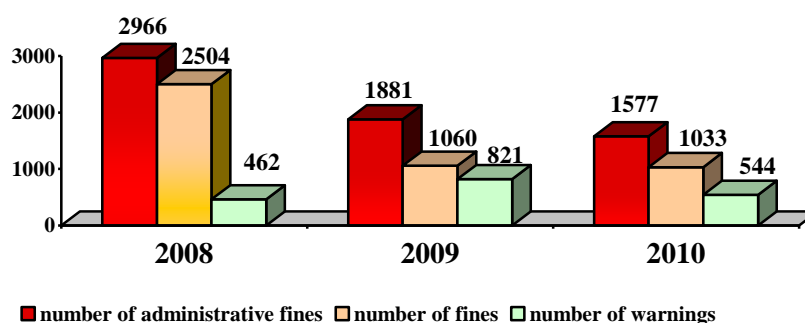


Figure 7: The dynamics of the structure and number of the imposed administrative penalties (2008 – 2010)

It testifies the fact that, unfortunately, the practice implemented by the Labour Inspection at the end of 2008 and in 2009 upon establishing violations and taking into account the rapid recession of the economic activity in Latvia and the objectively deteriorated financial situation of enterprises, and, in order to ensure arrangement of the legal employment relations and labour protection system in an enterprise not to immediately apply a fine the employers but apply a warning as an administrative penalty at first has not created the expected positive result. The violations established in 2010 were already so severe and substantial that a warning was not an adequate penalty for the established violations anymore.

7. The statistical data on accidents at work

In 2010, the total number of accidents at work decreased by 1.3% in comparison with 2009. It must be particularly emphasized that the number of fatal accidents at work has considerably decreased - by 28%. On the other hand, the total number of accidents at work taken place within the period of five years has decreased by 33% (see *Figure 8*).

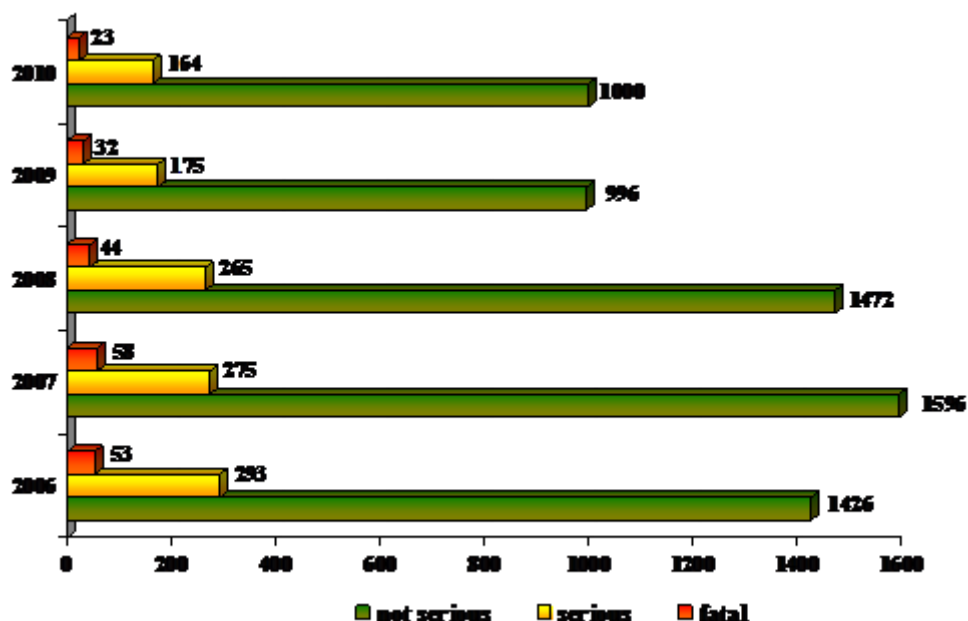


Figure 8. The dynamics of the accidents at work (2006 - 2010)

Upon analyzing the fatal accidents at work which have not been directly related to influence of the working environment risk factors, it may be concluded that increasingly younger people die at the work places in natural death whose are at able-bodied age. In 2009 the largest number of casualties having died in natural death at work places was observed in the age group of from 55 - 64 years (11 people), while in 2010 - (11 people) in the age group from 45 - 54 years. This could testify the presence of potential psycho-emotional risks at the work places of casualties – continuous stress, non-settled conflicts, regular overtime hours, anxiety about the future or other factors deteriorating health.

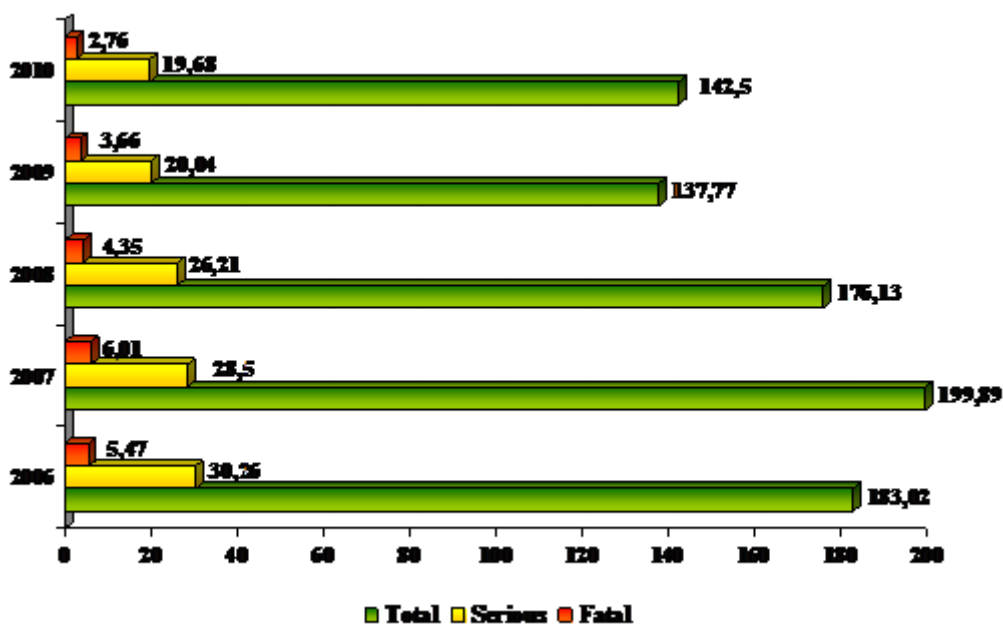


Figure 9. The accidents rates per 100 000 employees (2006 – 2010)

The analysis of statistical data of accident at works in the breakdown by types of economic activity of enterprises (see *Table 1*) testifies that in 2010 the most number of accidents has been registered in manufacturing industry (289), where in comparison with 2009, the number of accidents has increased by 4.7% in the transport industry (202), where the number of accidents has decreased by 11.4% as compared to 2009. On the other hand, in 2010, the number of accidents in the public administration (112) has increased by 55.5%, as compared to 2009. That may be explained by the fact that the persons employed in the places of practice established by local authorities have suffered the most in accidents, i.e. “hundred-lats-people”².

In 2010, the most number of fatal accidents at work – 9 – have taken place in the agricultural, hunting and forestry enterprises, 6 accidents of them took place when carrying out timber cutting works. 4 fatal accidents at work have taken place in manufacturing industry and 4 fatal accidents at work also in construction, as well as 2 in transport and storage industry.

Table 1

Breakdown of accidents at work by sectors (according to NACE Classification)

	Sector	Including					
		Total		Serious		Fatal	
		2009	2010	2009	2010	2009	2010
A	AGRICULTURE, HUNTING AND FORESTRY	35	60	8	12	3	9
B	MINING AND QUARRYING	9	7	5	1	1	0
C	PROCESSING INDUSTRY	276	289	43	47	7	4
D	ELECTRIC ENERGY, GAS AND HEAT SUPPLY, AND AIR CONDITIONING	28	31	8	5	3	1
E	WATER SUPPLY; WASTE WATER, WASTE TREATMENT AND REHABILITATION	17	13	2	3	0	0
F	CONSTRUCTION	120	99	37	27	7	4
G	WHOLESALE TRADE AND RETAIL TRADE; REPAIR OF CARS, MOTOR-CYCLES	117	115	9	9	3	1
H	TRANSPORT AND STORAGE	228	202	26	27	6	2
I	LODGING AND CATERING SERVICES	17	23	0	1	0	0
J	INFORMATION AND COMMUNICATION SERVICES	12	5	2	0	0	0
K	FINANCIAL AND INSURANCE ACTIVITY	5	4	1	1	0	0
L	REAL ESTATE TRANSACTIONS	11	15	3	2	0	0
M	PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES	6	2	1	0	0	0
N	ACTIVITY OF ADMINISTRATIVE AND SERVICE COMPANIES	38	38	3	2	0	0
O	STATE ADMINISTRATION AND DEFENCE; COMPULSORY SOCIAL INSURANCE	72	112	7	13	1	0
P	EDUCATION	49	44	10	5	0	1
Q	HEALTH AND SOCIAL CARE	137	92	8	6	0	0
R	ARTS, ENTERTAINMENT AND RECREATION	15	13	1	1	1	0

² Upon carrying out low-qualified work registered unemployed persons are involved in the practising of work whose do not receive (or do not receive anymore) unemployment benefits. An unemployed person receives a grant for the work carried out within a month in the practising of work in the amount of LVL 100 (EURO 140). The practising of work shall be implemented from September 2009 and will continue until 31December 2011. The active employment activity is co-financed in the framework of the European Social Fund support project "[Ensuring Work Practising Activities in Local Authorities for Obtaining and Maintenance of the Work Skills](#)".

S	OTHER SERVICES	11	23	1	2	0	1
	Total	1203	1187	175	164	32	23

In 2010, the main cause of 68.7% of accidents (see *Table 2*) is determined as non-observance of labour safety requirements by employees (non-observance of the labour safety instructions, insufficient attention when performing the work, selection of incorrect work methods), in 10.5% - drawbacks in the work organization, insufficient control of observance of the instructions of labour safety requirements and execution of works, unsatisfactory employee training regarding the issues of occupational safety and health, as well as unsatisfactory establishment and equipment of the work place), in 7.3% - a reason of the accidents was violence (attacks) at the work place or while executing the job responsibilities, in 6.7% - the reason was unsatisfactory conditions at the work place (the lack of safety equipment and PPE, disorder at the work place, damaged equipment and tools).

Table 2

Breakdown of accidents by accident causes

	Causes of accidents at work	Including					
		Total		Serious		Fatal	
		2009	2010	2009	2010	2009	2010
1	Unsatisfactory conditions at workplace	89	94	28	31	5	4
2	Unsure human action (action/person)	985	960	148	137	19	14
3	Labour organization and related shortcomings	132	146	57	61	13	16
4	Violation of road traffic rules	65	71	18	9	4	3
5	Violence (attacks)	82	102	2	0	2	1
6	Others	54	24	5	2	4	2
	Total	1407	1397	258	240	47	40

Table 3

Breakdown of accident victims by occupations classification

	Occupation	Including					
		Total		Serious		Fatal	
		2009	2010	2009	2010	2009	2010
1	LAWMAKERS, STATE OFFICIALS, PUBLIC SERVANTS IN MANAGERS POSITION AND MANAGERS	28	15	4	3	1	0
2	SENIOR SPECIALISTS	85	36	4	3	0	0
3	SPECIALISTS	128	44	10	6	1	0
4	OFFICE WORKERS	79	41	5	6	0	0
5	SERVICE AND TRADE EMPLOYEES	164	63	8	5	3	0
6	QUALIFIED WORKERS AND CRAFTSMEN	21	16	4	5	3	3
7	EQUIPMENT AND MACHINE OPERATORS AND ARTICLE ASSEMBLERS	243	81	55	11	14	1
8	ORDINARY PROFESSIONS	246	92	45	14	8	3
9	LAWMAKERS, STATE OFFICIALS, PUBLIC SERVANTS IN MANAGERS POSITION AND MANAGERS	208	80	40	10	2	0

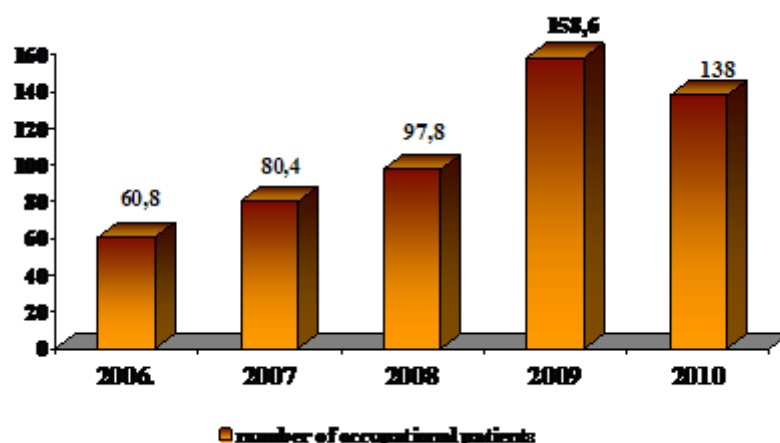


Figure 11. The dynamics of the first-time confirmed occupational patients per 100 000 employees (2006 – 2010)

The main spheres of business activity where the most number of the victims of an occupational disease was confirmed in 2010 have remained unchanged like in the previous year (see Table 4): processing industry – 31.9% (367 victims of an occupational disease); health and social care – 15.8% (182 victims of an occupational disease); transport and storage – 15.7% (181 victim of an occupational disease).

Table 4

Breakdown of occupational patients by sectors (according to NACE Classification)

	Sector	2009	2010
A	AGRICULTURE, HUNTING AND FORESTRY	87	60
B	MINING AND QUARRYING	10	3
C	PROCESSING INDUSTRY	447	367
D	ELECTRIC ENERGY, GAS AND HEAT SUPPLY, AND AIR CONDITIONING	25	15
E	WATER SUPPLY; WASTE WATER, WASTE TREATMENT AND REHABILITATION	12	11
F	CONSTRUCTION	100	87
G	WHOLESALE TRADE AND RETAIL TRADE; REPAIR OF CARS, MOTOR-CYCLES	47	63
H	TRANSPORT AND STORAGE	268	181
I	LODGING AND CATERING SERVICES	14	32
J	INFORMATION AND COMMUNICATION SERVICES	3	4
K	FINANCIAL AND INSURANCE ACTIVITY	0	2
L	REAL ESTATE TRANSACTIONS	17	16
M	PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES	3	3
N	ACTIVITY OF ADMINISTRATIVE AND SERVICE COMPANIES	4	3
O	STATE ADMINISTRATION AND DEFENCE; COMPULSORY SOCIAL INSURANCE	43	55
P	EDUCATION	52	49
Q	HEALTH AND SOCIAL CARE	225	182
R	ARTS, ENTERTAINMENT AND RECREATION	4	1
S	OTHER SERVICES	23	10
T	ACTIVITIES OF HOUSEHOLDS AS EMPLOYERS; UNDIFFERENTIATED GOODS- AND SERVICES-PRODUCING ACTIVITIES OF HOUSEHOLDS FOR OWN USE	0	1

U	ACTIVITY OF NON TERRITORIAL ORGANIZATIONS AND INSTITUTIONS	1	0
	Total	1385	1150

Initially, nervous system diseases have been diagnosed for the confirmed victims of an occupational disease – in 33.9% of cases, injuries, intoxication and other consequences of external influence – in 25.5% of cases, skeletal – muscular – connective tissue system diseases – in 23.8%, (see *Figure 12 and Table 5*).

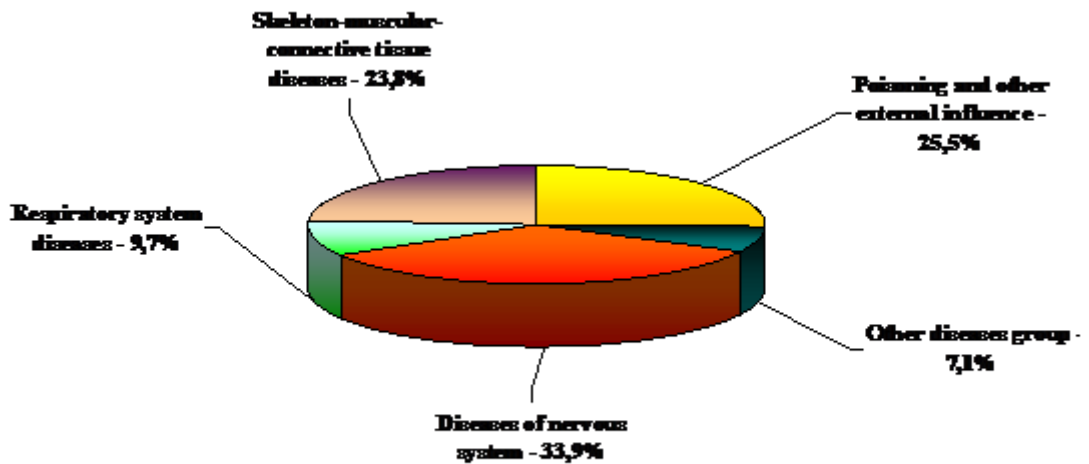


Figure 12. The first-time confirmed persons by groups of occupational diseases in 2010 according to the 10th International Classification of Diseases

Table 5

Groups of occupational diseases according to the 10th International Classification of Diseases

Code	Group of occupational diseases	2009	2010
A00-B99	Infectious and parasite diseases	11	10
C00-D48	Tumours (malignant and pre-cancer diseases)	3	4
F00-F99	Mental and behaviour disorders	2	4
G00-G99	Diseases of nervous system	325	390
H60-H95	Ear and ear knoll diseases	15	51
I00-I99	Blood circulation diseases	4	5
J00-J99	Respiratory system diseases	132	112
L00-L99	Skin and subcutaneous diseases	13	6
M00-M99	Skeleton – muscular – connective tissue diseases	543	274
R00-R99	Symptoms and anomalous clinical and laboratory findings not classified anywhere	4	1
S00-T98	After-effects of injuries, poisoning and other external influence	333	293
	Total	1385	1150

Breakdown of occupational patients by occupations classification

	Occupation	2009	2010
1	LAWMAKERS, STATE OFFICIALS, PUBLIC SERVANTS IN MANAGERS POSITION AND MANAGERS	31	24
2	SENIOR SPECIALISTS	122	80
3	SPECIALISTS	156	120
4	OFFICE WORKERS	43	22
5	SERVICE AND TRADE EMPLOYEES	112	91
6	QUALIFIED AGRICULTURE AND FISHERY WORKERS	52	28
7	QUALIFIED WORKERS AND CRAFTSMEN	302	229
8	EQUIPMENT AND MACHINE OPERATORS AND ARTICLE ASSEMBLERS	475	311
9	ORDINARY PROFESSIONS	92	80
	Total	1385	1150

New tendencies are observed in occupational medicine³ – the number of diagnosed classical occupational diseases decreases (for example, respiratory occupational diseases) and new occupational diseases appear which had not been identified until now (for example, new allergens, new pathologies caused by chemical substances), as well as the sickness rate with musculoskeletal disorders increases. An important and increasingly more actual cause of diseases is the so-called, burnout syndrome. A situation is characteristic for Latvia which considerably affects occupational health, there are a lot of small enterprises where labour protection activities and risk assessment are not carried out. Old equipment has remained in particular work places which do not ensure sufficient protection level of employees. A lot of employers save funds at the expense of the health of employees (do not send to the regular mandatory health examination, do not provide with appropriate PPE). Employees are often engaged without the initial mandatory health examination, without evaluating their health and the possible conditions restricting the work. Employees themselves not always take care of their health (incl. harmful habits), do not consult a physician in time, conceal complaints during the mandatory health examination, do not use the PPE provided by an employer, work by “making all efforts” and consult a physician only after dismissal. The aforementioned testifies the low information level of employees in the field of labour protection and their rights.

Renars Lūsis
Acting Director

³ The presentation materials of Physician Jelena Reste /Jelena Reste/ of the Occupational and Radiation Medical Center of P. Stradins Clinical University Hospital have been used in the situation analysis about the occupational health tendencies in 2010.