

Occupational safety and health of employees in the catering industry in the Republic of Macedonia

Dr. Agim Shaqiri

South East European University Macedonia

Abstract

It is important for the wider population to understand that 90% of the injuries that happen each year can be prevented. According to the ILO statistic, annual cost of financing cash benefits, health care and rehabilitation for work-related disabilities is colossal: a sum equivalent to 4 % of global gross domestic product (GDP) for work injuries alone. And for some developing countries the cost equates 10 % of national GDP (ILO, 2008). This sector is composed mainly of small enterprises employing 10 people or less. EU workforce in the catering sector is young according to European statistics (EU-25, Eurostat 2005) some 48 % are under 35, and people of 55 years and older make up less than 10 % of the workforce, although numbers are rising as a result of demographic change. Female workers make 54 % of the workforce outnumbering men. The sector is considered a good place for young and relatively unskilled people to enter the workforce. The educational level of the workforce is low: 40 % of employees are relatively unskilled; only 1 employee in 10 has a high level of education. Despite the demanding working conditions, the sector does not have above-average rates of accidents and disease. Is Macedonia too rich or to turn blind to check this fact? Main objective of this paper will be a short overview on the Occupational Safety and Health situation in the catering industry with emphasis on legal framework, employer's obligations and statistical data provided by the State Labour Inspectorate.

Keywords: Occupational safety and health, employer, employees, injuries, inspections

Introduction

Occupational safety and Health is a multidisciplinary field (mechanics, medicine, psychology, management, andragogy, legal regulations, etc) including a large number of regulations that govern specific areas and processes of labor. Other aspects of this paper include the actual situation in the Occupational Safety and Healthcare in the catering services in Macedonia, legal requirements and possible further steps in fostering Occupational safety and health in this sector.

Occupational safety and health of the employees in the catering services

There has not been much effort to separate occupational safety and health in tourism, although it employs nearly 25 million employees worldwide and provides services to nearly 920 million clients worldwide (UNWTO, 2010). Many of them work in tourism sub-branches, such as:

- Business and professional (seminars, conventions, fairs, expositions),
- Construction (vacation property, recreational facilities),
- Culture (battlefields, festivals, gardens, monuments, museums, historic and cultural sites, shows, wineries) and religion (churches and shrines, pilgrimage),
- Environment (land-use planning, regional development, bicycle routes, greenways),
- Lodging (camping, bed-and-breakfast inns, hotels, retreats),

- Leisure-time attractions (casinos, theme parks, hiking),
- Restaurants (inns, bars, cafes, cafeterias, restaurants),
- Health (spas and cures, including sea therapy and hot springs; exercise; personal care),
- Sports (competitions, mountain sports, water sports, skiing, sports events, cycling),
- Transportation for tourists (air, road, urban) and as a form of tourism (canals, cruises, boating).

Many of this types of tourism branches can be found in Macedonia as well, and according to the data provided by the Macedonian Bureau of Statistics, tourism sector employs more than 20.000 people (Macedonian Bureau of Statistics, 2010) and provides services to more than 700.000 tourists annually.

Employees in MKD total vs. tourism

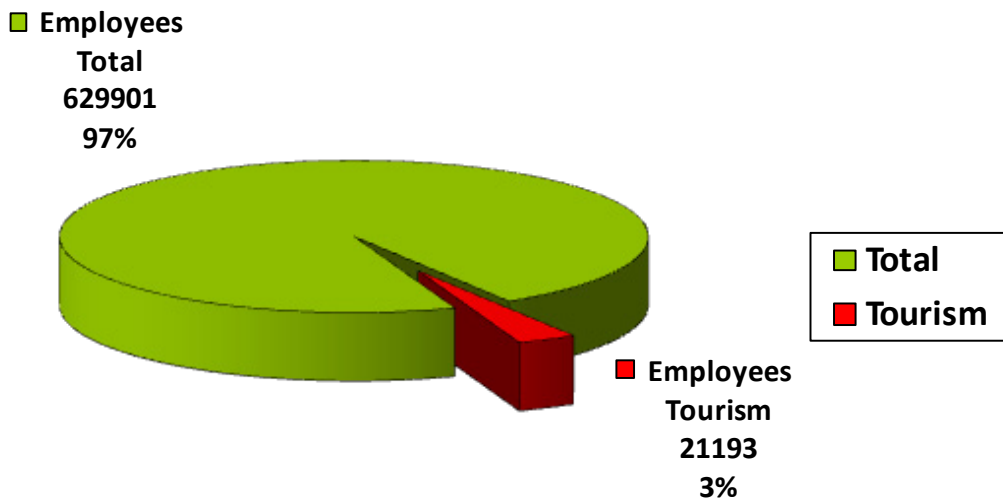


Figure 1 Employees total vs. tourism in Macedonia

According to the national legislation, there are no specific laws or legal norms covering occupational safety and health of the employees in the tourism industry. Their rights and obligations are regulated through the National Occupational safety and health Law and several sub-law regulations. In order to provide better perspective about the Occupational Safety and Health legislation covering this area we provide the following retrospective:

Legal requirements

Neither the Occupational safety and Health legal framework in the catering services, nor tourism is regulated by separate legislation, not only in the Republic of Macedonia, but also in the European Union, as well. According to the concept of the Macedonian Occupational Safety and Health Act, the employer is responsible to organize and provide safety and health to the employees and try everything to mitigate all work related risks. Specifically in this regulation, not only occupational safety and health measures which have to be taken by the employer are prescribed, but also the rights and responsibilities of the employees. The Macedonian law on occupational safety and health is applicable to all sectors and industries both from the public and private sector, covering all employees insured from injury at work or occupational illness, according to the regulations from the

pension, disabled and health insurance fund, and all other persons included in the work processes, as well as catering services among others. However, this law is not applicable to the services which are regulated by other specific safety and health regulations such as armed forces, police and some special activities of the rescue services, as well as household assistants (Article 2 of Macedonian law on Occupational Safety and Health).

The employer is obliged by law to convey occupational safety and health measures following the principles of:

1. Avoiding risks;
2. Assessment of the risks which cannot be avoided;
3. Risk management from the beginning;
4. Adjusting the work toward the individual with emphasis on the characteristic of the working place and working environment;
5. Choosing the personal protective equipment;
6. Selection of the chemical agents and materials;
7. Choosing working and production methods;
8. Conducting measures for maintaining and fostering occupational health;
9. Adjusting to the technological progress;
10. Replacement of the hazardous with less hazardous;
11. Development of safety strategy which covers technology, organization of the work process, working conditions, interpersonal relations and factors that influence working environment;
12. Giving priority to the collective safety measures vs. individual;
13. Providing comprehensive guidance, instructions and information to employees.

The employer must provide all necessary information and data, such as the size of the company, risks that jeopardize safety and health of the employees, undertaken safety and health activities to mitigate risks of the each working post and environment, to the engaged certified legal or physical safety entities.

The employer has full freedom to organize occupational safety and health in his premises according to the technological process, using up-to-date scientific methods and methodologies. Works related to the Occupational safety and health will be conveyed by the employee who has a university diploma in occupational safety and health, or diploma related to the technological process of the Employer. As previously mentioned, the Employer has an option to choose external Certified Occupational Safety and Health legal or physical entities regarding occupational safety and health in the company (Article 12 of Macedonian law on Occupational Safety and Health). By this definition from the law, it is easy to understand that the State does not recognize any working place in the country that is risk free. It means that, no matter how easy or difficult work process is in place, there is always some degree of risk involved, which can result in an incident or accident. The same definition of the risk is:

$$\text{Risk} = \text{Frequency} * \text{Consequences}$$

This means that the Risk will always be greater if the product of Frequency or probability of such an unwanted event to happen is multiplied by the degree of the Consequences of the work process (employees, work tolls/machines, environment etc). As an example we can observe “simple” work process that many consider as risk free in the tourism industry, such as receptionist. The Employee of this post can be exposed to direct biological agents from guests who carry N1H1 virus (known as the “swine” flu), or can be constantly under

pressure from unsatisfied customers. In the same time consists of multitasking such as, answering ringing phone (rings with intensity of around 70dB – 80dB), talking to and accommodating the arriving guests, preparing bills for the leaving guest, etc. Therefore the total risk, R , of an event, is the sum of the n potential hazards that would result in that event:

Equation 1 Total Risk of Hazards

$$R_e = \sum_{i=0}^n H_i$$

And the Consequences can be defined as:

- Catastrophic - Multiple Deaths
- Critical - One Death or Multiple Severe Injuries
- Marginal - One Severe Injury or Multiple Minor Injuries
- Negligible - One Minor Injury

The Probability is identified as ‘Certain’, ‘Likely’, ‘Possible’, ‘Unlikely’ and ‘Rare’. However it must be considered that very low probabilities may not be very reliable.

An example of Risk Matrix would be as follows:

Table 1 Risk Matrix Intensity

	Negligible	Marginal	Critical	Catastrophic
Certain	High	High	Extreme	Extreme
Likely	Moderate	High	High	Extreme
Possible	Low	Moderate	High	Extreme
Unlikely	Low	Low	Moderate	Extreme
Rare	Low	Low	Moderate	High

Based upon this matrix, the employer then would calculate what levels of Risk they can take with different events. This would be done by weighing up the risk of an event occurring against the cost to implement safety and the benefit gained from it.

All of these tasks performed in an “ordinary” day, can lead to continuous stress and very fast pace of “burnout” effects that are characteristic for the job posts with a lot of stress. This condition can lead to a situation which will result in a decreased level of hospitality from the employee towards the guest, bigger absenteeism from work, chronic headache and cardio-vascular problems, etc.

Current situation

The recently published Annual (2013) Performance Report from the Macedonian State Labor Inspectorate shows that the Inspectorate during last year has commenced 1.516 occupational safety and health inspections in the catering services. During these inspections 9.808 employees were found at their working posts. Also inspections revealed 2.212 irregularities upon which 613 decisions were issued to correct confirmed irregularities and faults. Within the provided deadlines, Employers corrected 1636 irregularities/faults. The majority of the found irregularities (total: 574) were associated with the health of the employees, i.e. measures prescribed by the Occupational safety and health act which oblige the Employer to perform periodical medical exams in order to see how the working environment impacts the health of the employees and based on this to see where corrective

measures must be taken.

During 2013 in the Macedonian catering business, a total of 14 serious injuries occurred. In order to regulate this situation, the Republic of Macedonia has implemented all EU directives into the national legislation concerning the safety and health at work, ranging from the Framework Directive no. 89/391 / EEC of 12 June 1989 for establishing support measures for improving the safety and health of workers at work and 19 individual directives which define the minimum measures for safety and health at work. In the area of tourism, the most important is the implementation of relevant legislation, such as:

- Rules on minimum safety requirements and healthy work place deriving from the first transposed Directive No. 89/654 / EEC, in which, traffic routes to emergency exits, technical maintenance of the workplace, floors, walls, ceilings and roofs of rooms etc.; are regulated.
- Rules on minimum safety requirements and healthy personal protective equipment which is the third implemented Directive No. 89/656 / EEC that regulates appropriate measures for the risks involved, where those can't be avoided by other means. Personal protective equipment should be comfortable and well maintained and can't lead to any increase in other risks.
- Regulation on safety signs and signaling and safe and healthy workplace defined in the ninth transposed Directive No. 92/58 / EEC on safety signs regulates types of signs (water, land and air), their meaning, signalization, instructions, etc.

Conclusion

In the Republic of Macedonia, there is no separate Occupational Safety and Health legislation for the Catering business, here including tourism. The majority of the work posts in this industry are considered as "not so hazardous" jobs. However, the majority of those claims are based upon "common" opinion and there are no relevant studies that can show the level of risks that thousands of employees in this business are facing each day. The Ohrid lake disaster is still a fresh memory, where in 2009, 15 tourists from Bulgaria lost their life in a bizarre accident

In the years to come, many of those people who are working in this sector will be faced with numerous health related problems such as skin problems, musculoskeletal disorders, cardiovascular and psychosomatic diseases. In this sense the strict implementation of legal rules will greatly assist in the reduction of accidents at work in this sector, but also decrease the professional diseases and improve the work environment of employees working in these jobs.

According the Macedonian State Labor Inspectorate Report of 2013, it is clear that in almost all cases, the General rules apply to the Law on Safety and Health at Work, and very little or no specific rules are provided for in the Bylaws in the above mentioned sector. Main objective of the Inspectorate is a greater security to workers in the sector, by being more vigilant in their inspections.

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