

Working Conditions and Occupational Safety in the Mining Sector of Armenia

Policy Brief

Positioning of the problem

The health and safety issues of workers in the mining industry are not sufficiently regulated in the Republic of Armenia, and in practice, this leads to violation of the right of workers to healthy and safe working conditions. The Republic of Armenia has not yet developed and adopted a **national policy** aimed at the protection of the working environment, occupational safety and health. The activity of the **Inspection Body** has legislative and institutional problems. **Trade unions** do not have sufficient legislative mechanisms and established structures to draw employers' attention to working conditions and occupational safety issues, and to address them. There is no **compulsory health insurance** system for employees of mining companies in Armenia.

Main legislative and institutional issues and gaps

Studying the current legislative regulations and institutional features of the Republic of Armenia, as well as the research conducted so far, we want to identify those legislative and institutional issues and gaps that need a more urgent response today.

- i. The Republic of Armenia has not yet developed and adopted a **national policy** aimed at the protection of the working environment, occupational safety and health. There is no strategy for occupational safety and health. The legislative regulations of the Republic of Armenia restricts the obligations of the employer to manage the risks to the health and safety of the employee with monthly bonuses paid to employees and reduction of working hours, and **does not include the reduction and elimination of risk as part of the regulation of the policy and legislation.**
- ii. The activity of the **Inspection Body** has legislative and institutional problems. The control structure carried out by the Inspection Body, in particular, the inspection tool does not include interviews with employees, the implementation of target groups with them, checking their readiness and other necessary methods to identify real problems related to occupational safety.
- iii. **Trade unions** do not have sufficient legislative mechanisms and established structures to draw employers' attention to working conditions and occupational safety issues, and to address them.
- iv. There is no **compulsory health insurance** system for employees of mining companies in Armenia, while such a requirement can be fully justified, given that they are employers who receive large profits. Despite the fact that the legal basis for compulsory life and health insurance of employees is laid down in Article 20 of the RA Law "On State Regulation of Technical Security", the government has not yet approved the list of particularly hazardous production facilities required for the system to enter into force, which should also include mining companies.

Preliminary proposals for policy development

In order to improve the current situation, taking into account the international standards and best practice, we present the following urgent, short-term and long-term recommendations.

Urgent recommendations

- ✓ Carry out a large-scale study of working conditions and occupational safety in the mining industry, identifying all the issues and gaps at the legislative, institutional and practical level.
- ✓ Ratify C155 Convention on Occupational Safety and Health

- ✓ Carry out large-scale awareness-raising activities with employees about occupational safety issues.
- ✓ Identify material and potential corruption risks of the Inspection Body's activities and the best ways to prevent them.
- ✓ Approve the list of particularly hazardous production facilities subject to compulsory insurance, including all mining facilities in this list.

Short-term recommendations

- ✓ Adopt a national occupational health and safety policy, the central objective of which will be to reduce risks and prevent occupational hazards, and it will create an effective coordination mechanism in accordance with international standards.
- ✓ Expand the tools of the Inspection Body, including private conversations with employees, the implementation of target groups with them, checking their readiness, as well as improving the mechanisms and cases of holding economic entities accountable. Increase the number of employees of the Inspection Body.
- ✓ Introduce a system of compulsory health insurance for employees in the mining industry.

International best practice

Chilean legislation is considered one of the most advanced in terms of ensuring the safety of employees. It guarantees the right of employees to free medical care in the event of an accident or illness in the workplace. The Law also creates an insurance system to implement this provision. Moreover, it requires companies with 25 or more employees to establish hygiene and safety partnership committees. High standards are set for basic workplace health regulations many of which also correspond to the mining industry such as having an emergency response team in the mine area and having an on-site health clinic for projects with more than 50 employees.