

ICHCA International Limited

INTERNATIONAL SAFETY PANEL BRIEFING PAMPHLET NO 1

INTERNATIONAL LABOUR OFFICE (ILO) CONVENTION No 152 OCCUPATIONAL SAFETY AND HEALTH IN DOCK WORK



ICHCA INTERNATIONAL PREMIUM MEMBERS:



Hutchison Ports (UK)



ICHCA International Limited



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ICHCA International Limited
Suite 2, 85 Western Road,
Romford, Essex, RM1 3LS
United Kingdom

Tel: +44 (0) 1708 735295
Fax: +44 (0) 1708 735225
Email: info@ichcainternational.co.uk
Website: www.ichcainternational.co.uk

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- No. 1** International Labour Office (ILO) Convention No. 152 Occupational Safety and Health in Dockwork
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ICHCA International Limited - INTERNATIONAL SAFETY PANEL

The International Safety Panel is composed of safety and training officers and directors, transport consultants, representatives from leading safety and training organisations and institutions and leading authorities on the subject area from around the world.

Mike Compton (Chairman), *Circlechief AP*, UK
Bob Baron (Deputy Chairman), USA
John Alexander, UK
Paul Auston, *Checkmate UK Limited*, UK
David Avery, *Firefly Limited*, UK
Bob Barnes, *Global Marine Systems Limited*, UK
Ron D. Bird, *Waterfront Training Services*, NEW ZEALAND
Mike Bohlman, *Horizon Lines*, USA
Len Chapman, *Ports Customs and Free Zone Corporation*, UAE
Jim Chubb, *BMT Murray Fenton Limited*, UK
Richard Day, *Transport Canada*, CANADA
Hanneke de Leeuw, *FEEPORT*, BELGIUM
Capt. Kerry Dwyer, *K. Dwyer & Associates Pty Limited*, AUSTRALIA
Jamie Frater, *P&O Ports*, UK
Fabian Guerra, *Fabian Guerra Associates*, CANADA
Harri Halme, *Min. of Social Affairs & Health, Dept for Occupational Health & Safety*, FINLAND
Graeme Henderson, *Health & Safety Executive*, UK
Jeff Hurst, *Hutchison Ports (UK) Limited*, UK
Peter van der Kluit, *International Association of Ports & Harbors*, THE NETHERLANDS
Larry Liberatore, *National Safety Council*, USA
Shimon Lior, *Ports & Railways Authority*, ISRAEL
Kees Marges, *International Transport workers Federation*, UK
Joachim Meifort, *Hamburger Hafen-u Lagerhaus A-G*, GERMANY
John Miller, *Mersey Docks & Harbour Company*, UK
Pedro J. Roman Nunez, *Puertos del Estado*, SPAIN
John Nicholls, *TT Club*, UK
Nic Paines, *Confidence Shipmanagement Co. bv*, THE NETHERLANDS
Captain Peter Lundahl Rasmussen, *BIMCO*, DENMARK
Risto Repo, *Accident Investigation Bureau of Finland*, FINLAND
Otto Rosier, *National Ports Council*, THE NETHERLANDS
Ron Signorino, *The Blueoceana Company, Inc.*, USA
Armin Steinhoff, *Behörde für Arbeit, Hamburg*, GERMANY
Bala Subramaniam, *Maritime Industries Branch, ILO*, SWITZERLAND
Captain Beatrice Vormawah, *International Maritime Organization*, UK
Andrew Webster, *TT Club*, UK
Evert Wijdeveld, *Environmental & Safety Affairs, Deltalinqs*, THE NETHERLANDS
Jan Wubbeling, *Wubbeling & Partners*, THE NETHERLANDS

OBSERVERS:

Capt. Jim McNamara, *National Cargo Bureau, Inc.*, USA
Charles Visconti, *International Cargo Gear Bureau, Inc.*, USA

CORRESPONDING/ASSOCIATED MEMBERS:

Gerrit Laubscher, *Estivar pty*, RSA
Capt. Hans-Jürgen Roos, *Port of Bremen*, GERMANY
Paul Rossi, *OSHA*, USA
Hubert Vanleenhove, *Hessanatie*, BELGIUM

The above lists those persons who were members of the Panel when the pamphlet was published. However, membership does change and a list of current members can always be obtained from the ICHCA International Secretariat.

The ILO Convention 152
(Occupational Safety and Health in Dock Work)

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1 INTRODUCTION

- 1.1 The International Labour Office (ILO) is a specialised agency of the United Nations which was created in 1919 by the League of Nations. The ILO is presently the official international body dealing with all employment matters. Among international organisations the ILO is unique in that the representation of each member state is tripartite; that is to say it includes representatives of government, unions and employers. Its headquarters are in Geneva.
- 1.2 One of the ILO's main activities is the development of international treaties, known as Conventions, for use by governments as the basis for their national laws. The first convention to protect dock workers against accidents was adopted by the ILO in 1929. This was quickly revised and replaced by Convention 32 in April 1932. Convention 32 remained the world-wide standard for safety in connection with marine cargo-handling operations for almost 50 years. It was ratified by 38 countries. The Convention included the first international standards for the examination, testing and certification of ships' cargo gear (see ICHCA Safety Briefing Pamphlet No. 2).
- 1.3 In June of 1979, the ILO replaced Convention 32 by adopting Convention 152. This newer Convention updated the safety measures contained in Convention 32 and expanded its scope to include activities on the shore as well as on ships. It also included requirements relating to roll-on roll-off ships and container operations as well as occupational health matters.

2 IMPLEMENTATION

- 2.1 By itself Convention 152 has no legal force. To have legal authority it must be incorporated, in whole or part, into the laws of individual countries. Many countries have notified ILO that they have ratified the Convention and have enacted legislation to give legal force to its provisions. The countries that had ratified the Convention by 31st December 1992 are listed in the Appendix. Many other countries are expected to ratify the Convention in the future. In addition, a number of other countries also use the Convention as the basis for federal or local legislation but are unable to ratify the Convention owing to their federal structures.
- 2.2 Arraignments for enforcing the legislation giving effect to the provisions of the Convention vary from country to country. In many cases, more than one enforcement agency is involved. In such circumstances there is a need for close liaison and co-operation between the enforcing agencies and the various operators in the ports.

3 THE CONVENTION AND COMPANION DOCUMENTS

- 3.1 The basic document is Convention 152 itself. Its provisions are set out in 51 articles. These are mainly written in general terms. The topics covered include: definitions, objectives of the scope of the Convention; responsibilities of appropriate persons; basic technical measures for health and safety; dangerous cargo; personal protective equipment; training; first aid and sanitary and washing conditions.
- 3.2 The Convention is supplemented by a further document, ILO Recommendation 160. This document contains additional, more specific technical requirements. Importantly, paragraph 4 requires governments to consider the technical suggestions in the latest editions of the ILO's Code of

Practice on Safety and Health in Dock Work when developing their national legislation to implement the Convention.

- 3.3 The ILO's Code of Practice on Safety and Health in Dock Work was originally published in 1958. Revised in 1977 and again in 1979, it contains concise requirements on many aspects of marine cargo-handling and a number of appendices relating to the examination and testing of lifting appliances and other matters.
- 3.4 A further relevant booklet is the ILO Guide to Safety and Health in Dock Work, which was published in 1976. This publication complements the Code of Practice and contains supplementary explanatory material, including numerous examples and illustrations, on many of the matters referred to in the Code of Practice.

4 GENERAL PROVISIONS

- 4.1 Article 4 of the Convention is most important. It sets out the objectives to be achieved by national legislation to implement the Convention.
- 4.2 The objectives of the legislation should be:
- a) providing and maintaining workplaces, equipment and methods of work that are safe and without risk of injury to health;
 - b) providing and maintaining safe means of access to any workplace;
 - c) providing the information, training and supervision necessary to ensure the protection of workers against risks of accidents or injury to health arising out of or in the course of their employment;
 - d) providing workers with personal protective equipment and protective clothing and any life-saving appliances reasonably required where adequate protection against risk of accidents to injury to health cannot be provided by any other means;
 - e) providing and maintaining suitable and adequate first aid and rescue facilities; and
 - f) developing and establishing proper procedures to deal with any emergency situations which may arise.
- 4.3 The matters to be covered by the legislation are:
- a) general requirements relating to the construction, equipping and maintenance of dock structures and other places at which dock work is carried out;
 - b) fire and explosion prevention and protection;
 - c) safe means of access to ships, holds, staging, equipment and lifting appliances;
 - d) transport of workers;
 - e) opening and closing of hatches, protection of hatchways and work in holds;
 - f) construction, maintenance and use of lifting and other cargo handling appliances;
 - g) construction, maintenance and use of staging;

- h) rigging and use of ship's derricks;
 - i) testing, examination, inspection and certification as appropriate, of lifting appliances or loose gear, including chains and ropes, and of slings and other lifting devices which form an integral part of the load;
 - j) handling of different types of cargo;
 - k) stacking and storage of goods;
 - l) dangerous substances and other hazards in the working environment;
 - m) personal protective equipment and protective clothing;
 - n) sanitary and washing facilities and welfare amenities;
 - o) medical supervision;
 - p) first aid and rescue facilities;
 - q) safety and health organization;
 - r) training of workers;
 - s) notification and investigation of occupational accidents and diseases.
- 4.4 The legislation is required to be accompanied by further documents containing technical guidance which is approved by the appropriate national authority. In preparing these documents the contents of the ILO Code of Practice and Guide to Safety and Health in Dock Work should be taken into account.
- 4.5 Articles 5 and 7 deal with general matters associated with safety and health in dock work. The legislation is required to make appropriate persons responsible for achieving the objectives set out in paragraph 4.2 (above) and, importantly, to require employers to collaborate to ensure the safety and health of their employees.
- 4.6 Workers should be required to take reasonable care for the safety of themselves and others who may be affected by their actions and not to interfere with or misuse safety devices or equipment provided for their protection. They should also have the right to be involved with safety matters relating to methods of use of equipment and safe systems and procedures of work. Where appropriate, this should be achieved through safety and health committees which are required by Article 37 to be set up at all ports where there are significant numbers of workers.
- 4.7 When implementing the Convention, governments are required to consult with employers and worker organisations. They are also required to make provisions for close collaboration between employers and workers and their representatives when achieving the objectives set out in paragraph 4.2 (above).

5 TECHNICAL MATTERS

- 5.1 The Convention contains 33 articles dealing with technical measures which are supplemented by a further 21 paragraphs of the complementary ILO Recommendation 160. As would be expected, particular attention is paid to the safety of lifting plant.

5.2 It is not practical to describe in detail all the technical requirements in this short briefing pamphlet. The relationship between the various documents can, however, be illustrated by considering an example, for instance, lighting.

5.3 Article 9.1 of the Convention requires that “all places where dock work is being carried out and any approaches thereto shall be suitably and adequately lighted”. There are no supplementary provisions relating to lighting in Recommendation 160 and therefore reference should be made to the Code of Practice for further guidance.

5.4 Lighting

5.4.1 Section 1.9 of the Code of Practice on Safety and Health in Dock Work deals with lighting. Paragraph 1.9.1 states that “all places on shore or on board where dock work is being carried on, all approaches and means of access to such places and all places to which dock workers may be required to proceed in the course of their work, should be efficiently lighted, so long as any dock workers are present, whenever natural lighting is inadequate”.

5.4.2 A further 9 paragraphs of the Code of Practice deal with minimum lighting levels; the measuring of light levels; the need for higher levels of lighting at particularly dangerous places such as shore gangways, accommodation ladders and breaks in quays; the reduction of glare and dazzle and the avoidance of sharp contrasts of lighting levels and shadows that might conceal a danger.

5.4.3 Within the Code of Practice, the minimum lighting levels to be provided are specified:

- in areas where dock workers have to pass – 5 lux (0.5 foot-candles)
- at places where loading and unloading operations are in progress, either on shore or on board ships – 20 lux (2 foot-candles);
- at any other place on board a ship where dock workers have to pass – 8 lux (0.8 foot-candles).

5.5 Further information that can be found in the Guide to Safety and Health in Dock Work.

5.5.1 Section 1.4 of the Guide gives general instruction and begins by pointing out that since port operations are conducted both day and night, lighting is essential to safety in dock work.

5.5.2 A paragraph headed “Intensity” distinguishes between the two lighting systems that are necessary in dock areas. One functioning permanently like urban lighting, to ensure traffic safety and one functioning only during working hours, to enable personnel to carry out the operations in safety. The Guide points out that lighting of dock operations should enable such operations to be carried out in visibility comparable to that of daylight.

5.5.3 Two paragraphs headed “Uniformity” outline the importance of uniform levels of lighting and of avoiding abrupt contrasts between bright and dark areas. Also stressed, is the need for lighting installations to be planned individually and the effects of height and direction of light sources. Such effects include the possible nuisance to tugs and other ships operating near the dock area.

- 5.5.4 Two further paragraphs headed "Nature of the Light" draw attention to the effects on colours of light emitted by different types of light sources. They point out that while monochromatic light, such as that from sodium vapour lights, gives a good light in foggy weather, it distorts colours and may lead to confusion in their identification. It is recommended that such light should, therefore, be confined to permanent lighting system for roadways etc. and, that in operational areas, preference should be given to fluorescent lights or other types which are more like natural light.
- 5.5.5 The Guide's final paragraph on this topic is headed "Showing up danger spots" and draws attention to the lighting of areas that may be particularly hazardous, such as the means of access to ships. It also recommends the use of reflecting devices to make barriers and other hazards stand out clearly, even in less well lit areas.

6 OCCUPATIONAL HEALTH

- 6.1 Although many of the Convention's technical measures relate mainly to safety matters, they also deal with the need to protect the health of all dockworkers.
- 6.2 The matters to be considered include the hazards of dangerous goods; fumes from vehicles; confined spaces; noise and the provision and maintenance of adequate sanitary accommodation and washing facilities. The precautions to be taken include the provision of appropriate ventilation and, where adequate protection of the health of dockworkers cannot be ensured by other means, personal protective equipment.
- 6.3 In case of accidents, adequate facilities should be available for the provision of first aid and the rescue of injured persons. Trained personnel should be readily available for these purposes.
- 6.4 In preparing their legislation to give effect to the Convention, governments are also required to consider what operations are such that initial or periodic medical examinations (or both) should be required and appropriate measures for occupational health services to such dockworkers.

7 TRAINING

- 7.1 A particularly important requirement of the technical measures is that no worker should be employed in dock work unless that worker has been given adequate instruction or training on the potential risks in the work to be carried out and the main precautions that should be taken.
- 7.2 The same article prohibits any lifting appliance or other cargo handling appliance being operated by a person of less than 18 years of age.

**Countries signatory to ILO Convention 152
(as of 31 December 2004)**

Brazil
Congo
Cuba
Cyprus
Denmark
Ecuador
Egypt
Finland
France
Germany
Guinea
Iraq
Mexico
Norway
Peru
Spain
Sweden
Tanzania

APPENDIX 2

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1979

ILO Recommendation 160 – concerning Occupational Safety and Health in Dock
Work, 1979

Code of Practice – Safety and Health in Dock Work, 1979
(ISBN 92-2-101593-9)

Guide to Safety and Health in Dock Work, 1976
(ISBN 92-2-101081-3)

*Obtainable from: International Labour Office, 4 Route des Morillons, CH-1211
Geneva 22, Switzerland*

And ILO offices in

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Bangladesh
Belgium
Brazil
Cameroon
Canada
Chile
China
Costa Rica
Cote d'Ivoire
Egypt
Ethiopia
Fiji
France
Germany
India
Indonesia
Italy
Japan
Kenya

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