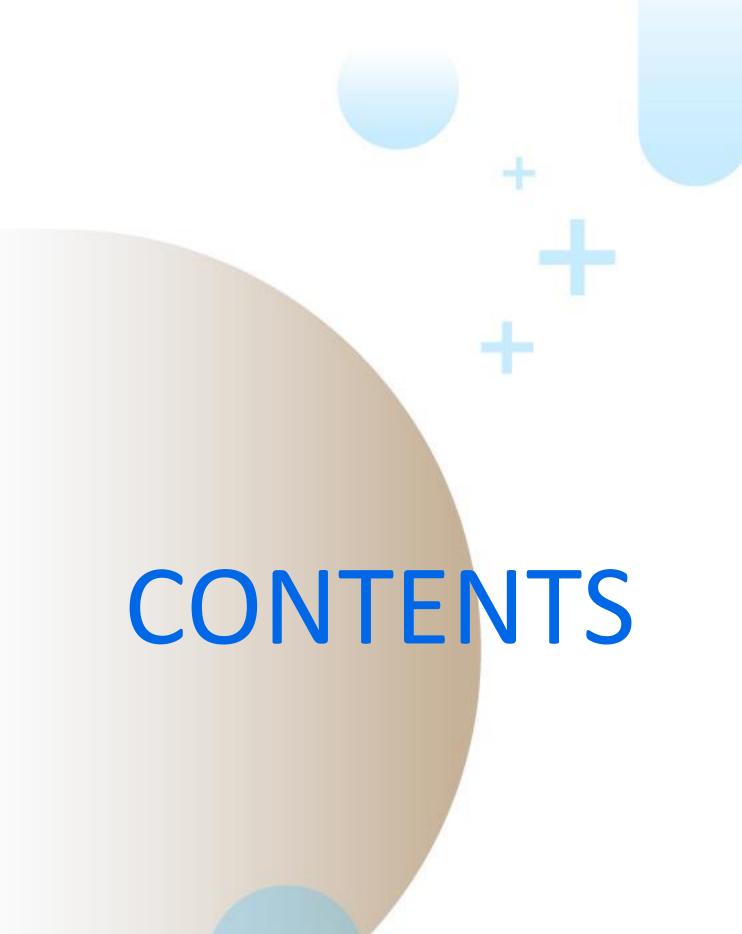
# Korea's Prevention Strategies and Challenges in Occupational Safety and Health

Korea Occupational Safety and Health Agency December 2, 2024





O1 Introduction

CHAPTER O

Korea's Prevention Strategies

- 1. The Serious Accident Punishment Act
- 2. Roadmap of Reduction in Serious Accidents
- 3. Reform of Occupational Disease Prevention

**CHAPTER** 

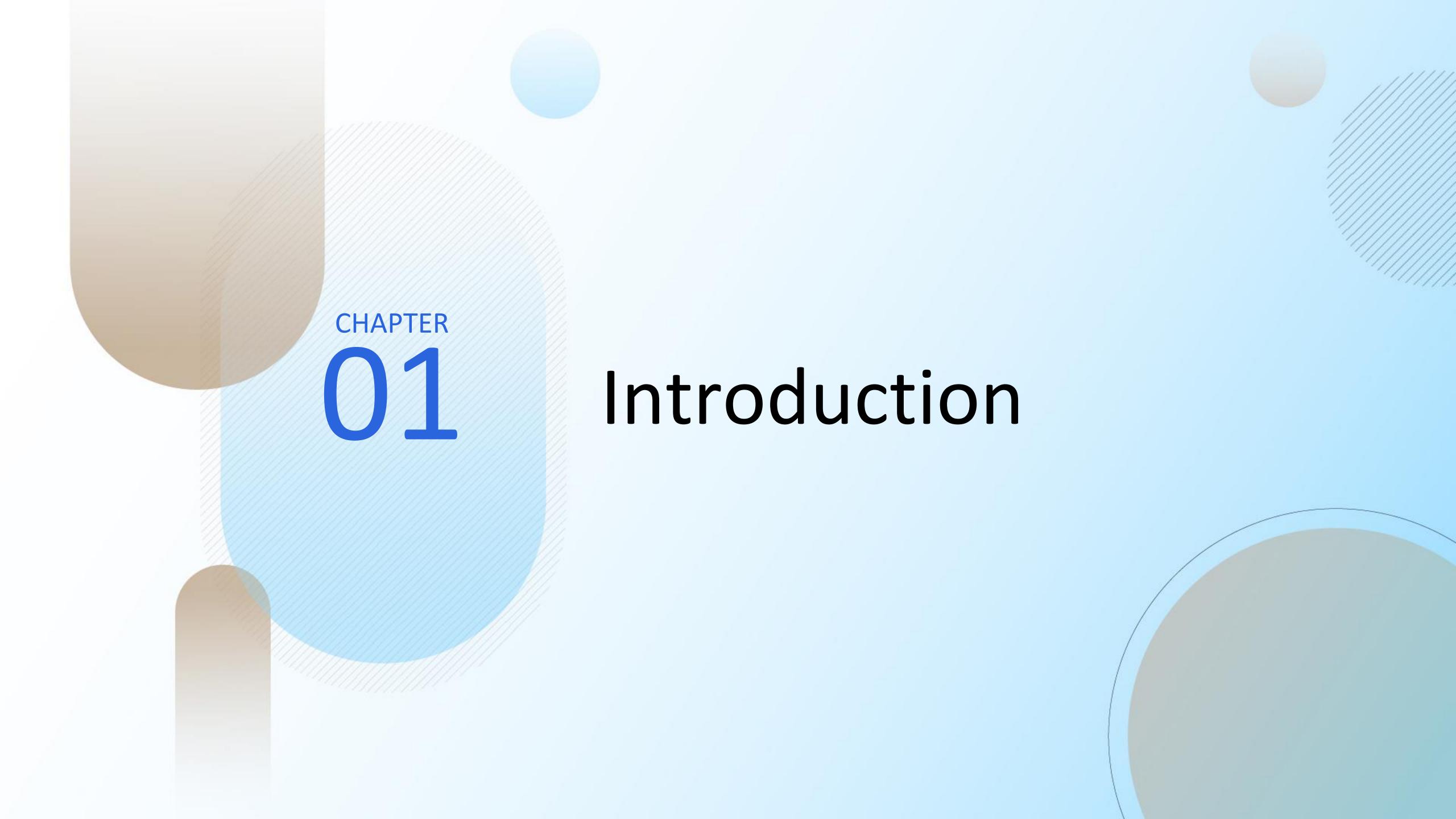
03

KOSHA's OSH Programs

CHAPTER

04

Lessons Learned



# Introduction

#### Government

# Ministry of Employment and Labor

(Headquarters, 636 officer)

- OSH Law & Policy
- Legal Enforcement
- OSH Regulatory inspection

Prevention Fund (8% of Insurance premium)

Occupational Safety and Health Office ('24.4., 146 officer)

- 46 Area Offices
- 821 OSH Inspectors

#### **Public Sector**

#### Korea Occupational Safety & Health Agency

(KOSHA, 31 Area Offices, 2,223 Staff)



- Technical Service on OSH
- OSH Training & R&D
- OSH Inspection, Certification

Accidents and diseases data

#### Korea Workers' Compensation & Welfare Service

- Accident compensation insurances
- Compensation, rehabilitation, and welfare for Workers

#### **Private Sector**

Registered OSH Related Organizations

- Occupational safety and health institutions(924)
- Industry Associations
- Trade Unions

OSH Programs



# 1. The Legislation of the Serious Accident Punishment Act

# The Necessity of New Safety and Health Management Systems

The legislation of the Serious Accident Punishment Act (SAPA)a paradigm shift for OSH in Korea.

**Purpose** 

To encourage business owners and top management to expand investments in workplace health and safety, systemically ensuring that safety and health measures are effective in preventing serious accidents.

Punishment

Violation of the Act: Any responsible managing officers shall be accused and punished by imprisonment with labor for at least one year.

# 1. The Legislation of the Serious Accident Punishment Act



#### **Serious Accident Punishment Act**

Establish a safety and health management system for responsible managing officers\* to oversee the field.

- The establishment and implementation of safety and health systems
- The duties of management under safety and health
   -related statutes and regulations.
- \* Emphasize roles and duties for responsible managing officers.

Serious Accident Punishment Act for duties to secure safety and health

**Industrial Safety and Health Act** 

Describe direct and concrete safety and health measures in the workplace.

- Safety measures for machines, facilities, and hazardous materials
  - e.g., protection measures when producing explosive materials,
     etc.
- Health measures for raw materials, gases, and risky tasks
  - e.g., notices for heavy materials over 5kg, attachment of straps,
     etc.

Industrial Safety and Health Act for duties to implement safety and health measures

#### To prevent industrial accidents







	Serious Accident Punishment Act (Serious Accidents)	Occupational Safety and Health Act
Responsibility	Individual business owners or responsible managing officers - Dual liability for corporate bodies.	Business owners (individual, corporate body) subject to duties - However, safety and health managing officers in a unit such as site managers and factory managers are subject to punishment as responsible agents.
Subject to protect	Employees: workers, labor providers, contractors, contractors' workers, and labor providers.	Workers, workers of contractors, special workers (14 occupations including insurance planners, Decree No. 67).
Applicable scope	Exclude businesses or places of business with five or fewer workers  (enacted in businesses or places of business with 50 or fewer workers, with 5 billion or less in size of construction from 3 years later).	Include entire businesses and places of business (excludes some depending on the type and size of business).
Definition of accident	A serious accident among industrial accidents under the Industrial Safety and Health Act with:  ① 1 or more deaths ② 2 or more casualties requiring at least 6 months of treatment in the same accident. ③ At least 3 workers with occupational health diseases in the acute addition accident caused by the same harmful factors.	A serious accident among industrial accidents with:  ① 1 or more deaths ② 2 or more casualties requiring 3 months of treatment or more at the same time ③ 10 or more casualties or workers with occupational health diseases at the same time.
Duties	Responsible managing officers' duties to secure safety and health for employees.  ① Establish and implement safety and health management systems. ② Establish and implement prevention measures in the recurrence of accidents. ③ Implement corrective measures by central administrative authorities. ④ Implement management measures requiring the conduct of safety and health duties.	Safety measures by business owners:  ① When using dangerous materials such as dangerous machines or explosive materials. ② When excavation, blasting, and other hazardous work. ③ When working in dangerous places with a risk of falling or collapsing.  Health measures by business owners: ① Dangerous substances, including harmful gases and pathogens. ② Dangerous work with a risk to the body. ③ Comply with appropriate standards for air circulation and cleanliness.
Punishment	Individual	Individual
	(Death accident) Imprisonment with labor for at least one year or a fine up to 10 billion won. (Casualties and diseases) Imprisonment with labor for up to 7 years or a fine of 100 million won or less.	(Death accident) Imprisonment with labor for up to 7 years or a fine of 100 million won or less. (Violation of safety and health measures) Imprisonment with labor for up to 5 years or a fine of up to 50 million won.
	Corporation body (Death) Fine up to 5 billion won. (Casualties and diseases) Fine up to 1 billion won.	Corporation body (Death) Fine up to 1 billion won. (Violation of safety and health measures) Fine up to 50 million won.

# 1. The Legislation of the Serious Accident Punishment Act





- 1 Establish goals and management policies
- Establish a responsible organization
- Find and correct hazardous risks
- 4) Earmark and execute budget for OSH
- Take measures to perform OSH tasks

- 6 Designate an OSH expert
- Refer to the opinions of employees
- Take preventative measures against serious accidents
- Take preventative measures against serious accidents. Set OSH standards and procedures when contracting, servicing, and consigning.

# 1. The Legislation of the Serious Accident Punishment Act



The core value of OSH management is communication and empathy.

Importance of willingness

Opinions from on-site employees about fatal risk

Effective means to control and remove risks

Reward a good case but punish a bad one.



The Serious Accident Punishment Act is an assessment of the establishment of safety and health management systems for the status of companies.



Prevention of serious accidents

### KOSHA KOREA OCCUPAZIONAL SAFETY A HEALTH AGENCY

# 2. The Roadmap of Reduction in Serious Accidents

### The Diagnosis of Korea's Serious Accident Prevention Systems

- Inadequate preventive systems to identify and remove risk factors by themselves.
- The administration focusing on regulations and punishment under legislation, does not have enough systems and capabilities to correct risk factors independently.
- Companies tend to avoid punishment by consulting law firms rather than investing in capacity building for safety and health.
- Degislation and monitoring not leading to change in the field.
- The Industrial Safety and Health Act and Decree are too extensive to be accepted in the field, reducing motivation to build voluntary preventive capacity.
- Korea introduced risk assessments in 2013, but these were in a self-regulatory manner, not functioning under inadequate legislation and institutional systems.



# 2. The Roadmap of Reduction in Serious Accidents



# 3

#### Avoidance of safety and health responsibility

- People consider only safety and health managers and certain employees responsible for safety and health.
- The management culture and practice still regard safety costs as additional factors to production.
- Unclear roles in safety management between employers and contractors create gray zones for prevention in serious accidents involving contractors' workers.

# 4

#### Still immature safety awareness and culture

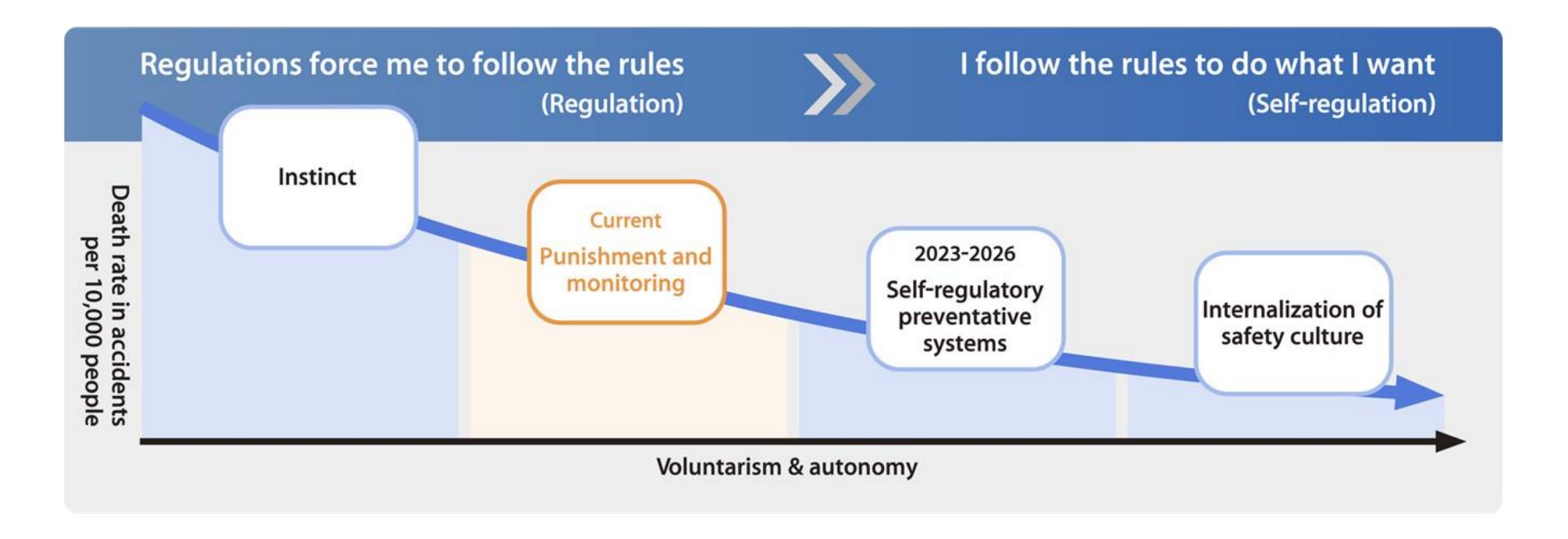
- Weak safety awareness persists.
- Activities on safety awareness and culture focus on one-shot campaigns.
- Educational content and methods are uniform under regulations by checking only documents for monitoring, limiting the creation of safety awareness and culture.

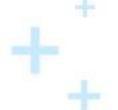






- Basic principles: Responsibility, Field-oriented approach, Innovation
- **Direction:** Transitioning to the stage of 'self-regulation,' moving towards the internalization of safety culture





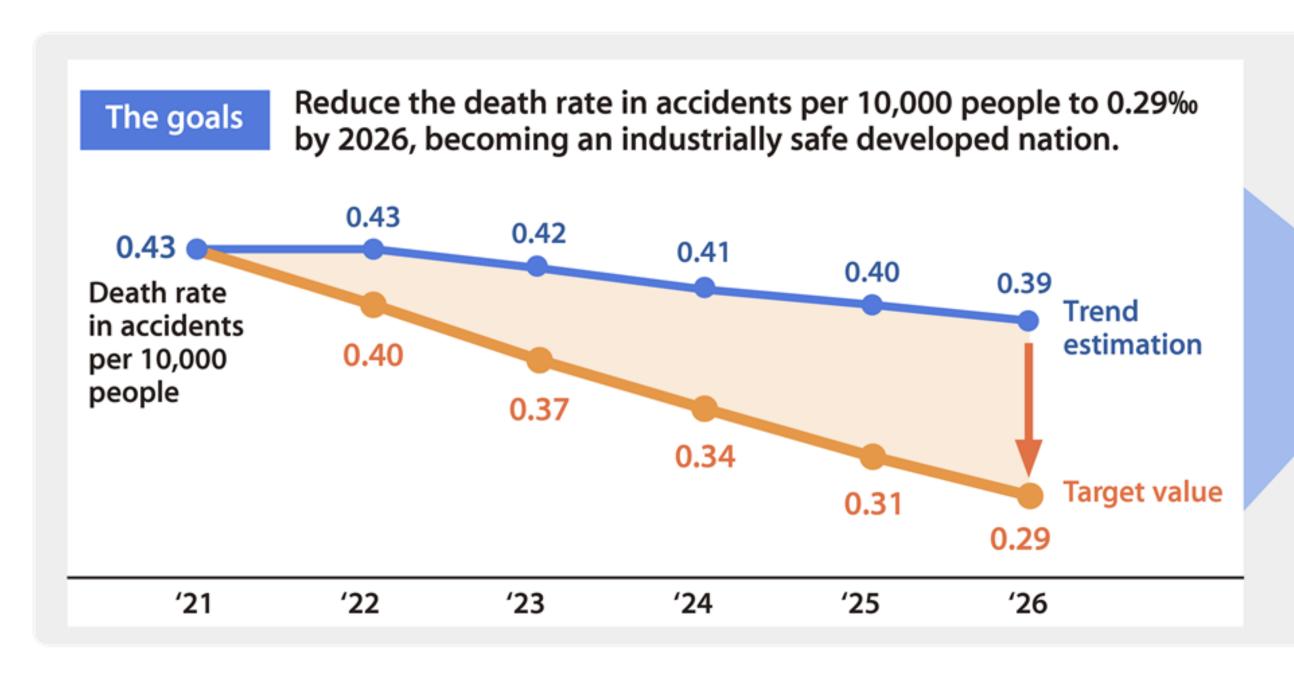




# >>> Basic principles: Responsibility, Field-oriented approach, Innovation

#### Goals:

To reduce the death rate in accidents per 10,000 people to 0.29% by 2026, becoming an industrially safe developed nation.



Safe and healthy workplaces of Korea

from going to work to returning home, from starting a job to retiring.



# 2. The Roadmap of Reduction in Serious Accidents



# The establishment of self-regulatory preventative systems focusing on risk assessment.

- Reform risk assessment as a means of prevention and recurrence.
- Realignment of monitoring administration, legislation, and standards backed by self-regulatory preventative systems.



# Concentrated support in vulnerable sectors of serious accidents for SMEs.

- (80.9% SMEs with 50 people or fewer) Concentrated support for SMEs
- (72.6% of construction and manufacturing) Focused support on smart tech and equipment
- (62.6% for falls, crushes, and collisions) Special on-site management for 8 factors
- (40% of subcontractors) Strengthened mutual cooperation between contractors and subcontractors
- (New risks) Prepare against industrial transformation and climate change



# Safety awareness raising and the spread of safety culture via participation and cooperation

- Reinforce the responsibility and participation of employees for safety and health.
- Spread safety culture campaigns (central-regional-industry)
- Strengthen on-site safety and health education.

# 4

# The rearrangement of industrial safety governance

- Cooperation between professional institutions
- Responsive systems for medical emergency conditions.
- Central-regional cooperative governance



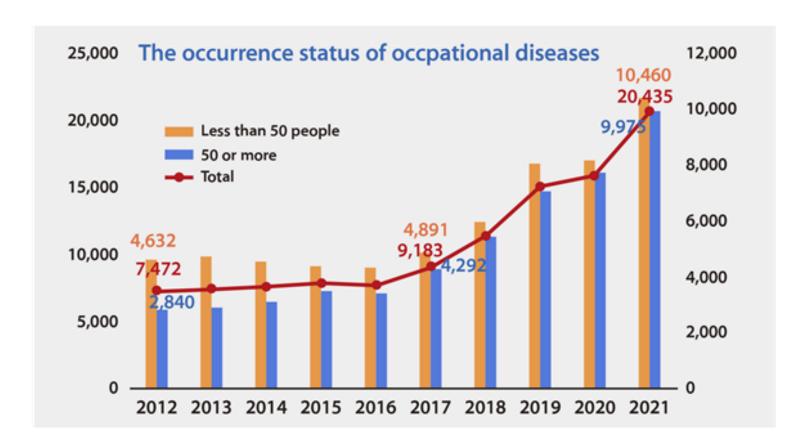


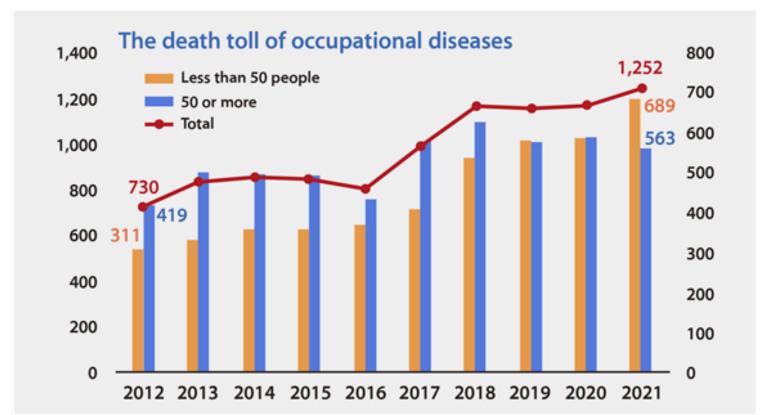




### **Background: Occupational Diseases Prevention Reform Committee**

- The continued increase in occupational diseases and changes in their occurrence status in the past decade:
  - Recently, occupational diseases have dramatically increased\*
  - \*  $(2012)7,472 \rightarrow (2017)9,183 \rightarrow (2021)20,435$  people
  - The death toll from diseases has risen in small workplaces\* without adequate prevention and occupational health policies.
  - \* (Businesses with less than 50 workers) 311  $\rightarrow$  689 people (  $\uparrow$  122%) (Businesses with 50 workers or more) 419  $\rightarrow$  563 people (  $\uparrow$  34%)
- Existing systems have limitations in responding to the changing future health environment.
  - Preventative measures are required to respond to new industrial areas such as the digital economy, no-contact industry, and newly emerging health risks (death from overwork, infectious diseases, harassment in workplaces).





# 3. The Reform of Occupational Disease Prevention



### **Future Occupational Health Programs**

Any workers identifying individual health risks

Figures presenting the occupational risk level in workplaces

Change in work environment assessment systems of the workplace

Support for capacity building in occupational health for experts

Change in health management support methods in small workplaces

Support installation of part exhaust systems to prevent acute exposure

Health management models for the coexistence of large companies and SMEs

New infectious disease management measures in the workplace

Future
Occupational
Health
Programs

# CHAPTER 03 KOSHA's OSH Programs

# KOSHA's OSH Programs



# The Establishment of Self-regulation Prevention Systems Focusing on Risk Assessments

# **©** Goals

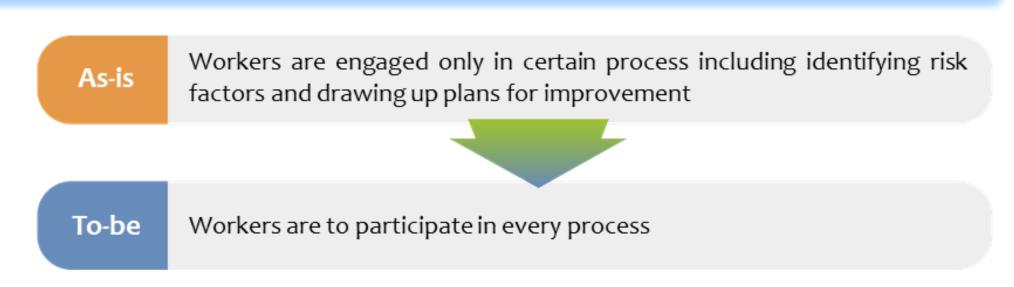
- The aim is to support 「Self-regulation Prevention System」 in which businesses identify and modify risk factors, and to hold the businesses accountable for serious accidents
- >>> The laws and inspection system for occupational safety and health underwent a major reform aimed at supporting | Self-regulation Prevention System |

# Implementing Plans

**Risk Assessment** 

The focus is on identifying and modifying major risk factors and on prevention of recurrence. A phased approach will take place to make the system mandatory by 2025.

- To disseminate risk assessment and bolster implementation,
- easy-to-use and convenient checklist methods and OPS(One Point Sheet) will bedeveloped and disseminated;
- 2) statement for accident investigation\* will be disclosed;
- 3) workers are to be engaged widely in the process; and
- 4) Tool Box Meeting or TBM before starting work will be promoted.



# KOSHA's OSH Programs

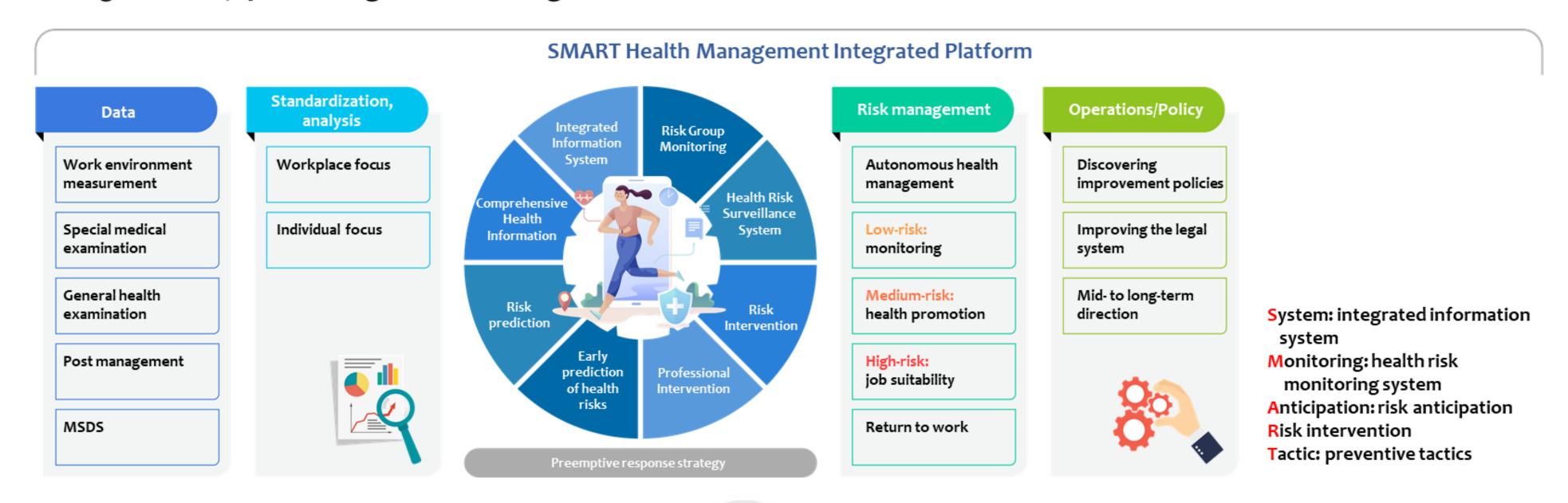


# Worker's Health Management to Prevent Occupational Diseases

#### The establishment of digital integrated platforms

#### >> Innovative directions

• The establishment of SMART health management integrated platforms will lay a foundation for autonomous health management by predicting and lowering health risks.



# KOSHA's OSH Programs

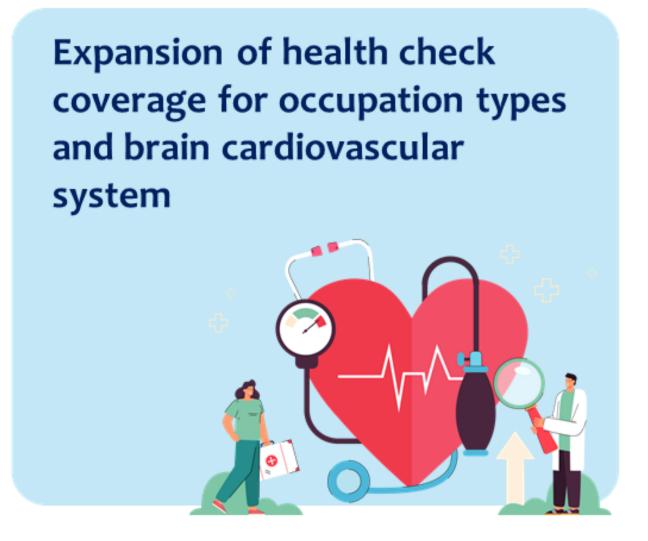


# Worker's Health Management to Prevent Occupational Diseases

#### The expansion of health check support programs

- >> Innovative directions
  - Implement health check for no one left behind.
  - Health management service for healthy people with trivial symptoms not to develop diseases.

Expansion of Health Steppingstone Programs





# KOSHA's OSH Programs: Supporting SMEs



#### Goals

- To induce drastic reduction of serious accidents, intensive support and supervision will be put into place for serious
  - accident-prone areas: 1 Small and medium-sized enterprises, 2 Construction/manufacturing industry,

    - 3 Falling/Crushing/Collision accidents, and 4 Subcontracting worker accidents

#### Implementing Plans

80.9% of fatal accidents : SMEs Full support for improving safety management capabilities

62.6%: Falling • Crushing • Collision

On-site special supervision will be taken place focusing on 8 major causes\*

- Falling: ① Scaffold, ② Roof, ③ Ladder, ④ Elevated Work Platform
- Struck-by: (5) Protective Equipment, (6) LOTO(Lock-Out, Tag-Out)
- Collision: 7 Mixed Work among different subcontractors, 8 Anti-collision Equipment

40%: Subcontract Workers

Government support to enhance subcontractor safety management capabilities through winwin cooperation between large and small businesses



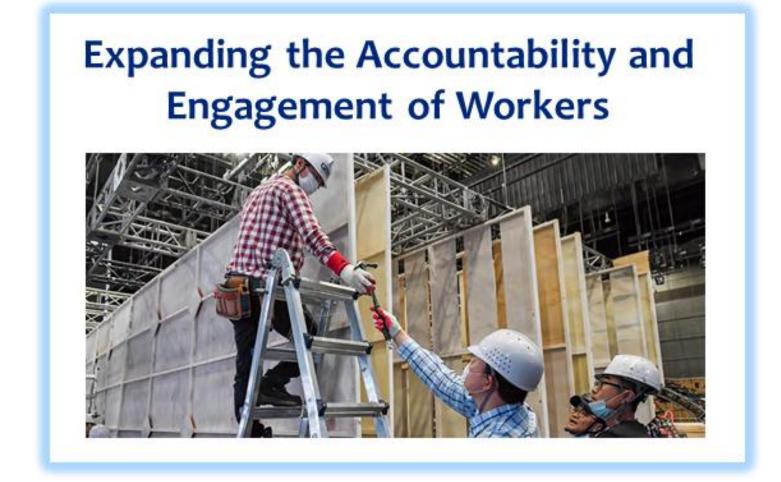
# KOSHA's OSH Programs: Safety Culture



#### @ Goals

- >>> To make \(^{\text{Self-regulation Prevention System}\) effective, the role and responsibility of workers as a main agent of safety and health should be clearly defined and active worker engagement is required
- The foundation for continued mitigation of serious accidents should be laid through labor-management participation, and development of safety culture and practices based on national consensus

# Implementing Plans









# Lessons Learned: Korea's OSH Transition



# Paving the Way to Self-regulated Prevention System

#### **Inspection-based OSH system**

Businesses: to follow externally-directed regulations
without developing autonomous systems
and capacities to reduce risk factors.

- SMEs have demonstrated insufficient preventative capabilities for risks.
- Businesses tended to avoid punishment by consulting law firms instead of investing in safety and health capacity
- → The number of **fatal accidents has increased** in workplaces (particularly in the construction field) **with 50 or more workers** (5 billion won), **subject to the SAPA**
- \* As of the end of October 2022, 17 more death tolls compared to the same period last year.

# The same or similar accidents have reoccurred as in previous incidents.

\* Workplaces with previous accidents show a 6.7 times higher rate of reoccurrence (according to serious accident analysis statistics from 2001 to 2020).

#### **Self-regulated Prevention System**

Acknowledging the limitations of regulations and punishment, the aim is to establish 'self-regulatory preventative systems' to dramatically reduce the death toll rate in accidents of 10,000 people.

- Companies and labor organizations create tailor-made self-regulations based on government regulations and directives.
- Risk assessments and other core measures will help identify and mitigate risk factors in workplaces. → Efforts to prevent accidents by companies will be monitored, and companies will be held responsible for the consequences in case of an accident.





