

## Report on the National Labour Inspectorate's activity in agriculture in 2016

### 1. Legal provisions concerning the labour inspectorate's activity in agriculture

- *Regulation of the Minister of Agriculture and Food Economy of 27 June 1997 concerning work safety and hygiene during **storage, processing of cereals and production of feedstuffs of plant origin.***
- *Regulation of the Minister of Agriculture and Food Economy of 12 January 1998 concerning work safety and hygiene during **operation of tractors, machines, tools and technical equipment used in agriculture.***
- *Regulation of the Minister of Agriculture and Rural Development of 28 September 2001 concerning work safety and hygiene during **handling of livestock.***
- *Regulation of the Minister of Agriculture and Rural Development of 24 June 2002 concerning work safety and hygiene during **use and storage of plant protection products and mineral and bio-mineral fertilizers.***
- *Regulation of the Minister of Agriculture and Rural Development of 10 February 2003 concerning work safety and health in **enterprises processing fruit and vegetables.***
- *Regulation of the Minister of Agriculture and Rural Development of 12 May 2003 concerning work safety and health **during operation of ammonia cooling installations in agricultural and food processing enterprises.***
- *Regulation of the Minister of Health of 22 April 2005 on biological agents harmful to health **in the working environment and health protection for workers exposed to such agents at work.***

### 2. Labour inspectorate's staff in agriculture

87 labour inspectors are competent to carry out comprehensive inspections of farming companies. 105 persons are prepared to conduct preventative and promotional activities in agriculture (including 84 labour inspectors and 21 other specialists who are not inspectors).

### 3. Statistical data concerning farming companies subject to inspection and the number of persons employed therein (data obtained by the NLI from the Social Insurance Institution)

	<b>2016</b>
Number of farming companies	8.2 thousand
Number of persons working in the a/m companies	67.8 thousand

#### 4. Data on the NLI's inspections of farming companies in 2016

In 2016, the NLI's labour inspectors conducted 693 inspections in farming companies and issued – in connection with the revealed irregularities – 3 153 decisions, 2 036 recommendations in improvement notices and 118 instructions. Those guilty of offences against the rights of persons performing paid work were fined with 129 penalty tickets; the inspectors lodged requests with courts to penalize 22 persons, and with regard to 85 persons disciplinary measures were used (admonition, warning, rebuke). Additionally, in 3 cases the prosecutor's office was notified of the suspicion of a crime.

Detailed data on the results of inspections is provided in the tables.

*Statistical data on the NLI's inspections of farming companies in 2016  
and applied legal measures (by number of workers)*

Specifi- cation	NUMBER OF:							
	inspec- tions	Decisions					recom- men- dations in improve- ment notices	instruc- tions
		total	including:					
			orders to stop work	orders to stop machinery operation	orders to transfer workers to other tasks	orders to pay financial benefits		
1	2	3	4	5	6	7	8	9
<b>TOTAL, including enter- prises with:</b>	<b>693</b>	<b>3 153</b>	<b>51</b>	<b>143</b>	<b>31</b>	<b>68</b>	<b>2 036</b>	<b>118</b>
<b>1-9 workers</b>	423	1 592	10	59	10	10	1 151	51
<b>10-49 workers</b>	214	1 231	36	76	16	58	689	49
<b>50-249 workers</b>	51	324	5	8	5	0	185	6
<b>250 and more workers</b>	5	6	0	0	0	0	11	12

*Statistical data on the NLI's inspections of farming companies in 2016*  
*- applied sanctions (by the number of workers)*

Specification	NUMBER OF:			
	imposed penalty tickets	requests to courts to punish the offenders	applied disciplinary measures	notifications to prosecutor's office of the suspicion of a crime
1	2	3	4	5
<b>TOTAL, including enterprises with:</b>	<b>129</b>	<b>22</b>	<b>85</b>	<b>3</b>
<b>1-9 workers</b>	62	12	52	2
<b>10-49 workers</b>	48	9	24	1
<b>50-249 workers</b>	16	1	9	0
<b>250 and more workers</b>	3	0	0	0

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Inspections aimed at comprehensive assessment of work safety level on farms were carried out mainly in the territory of the **District Labour Inspectorate in Olsztyn**. 21 farms, engaging 396 workers, were inspected.

Inspections revealed that the observance of OSH provisions on farms was still unsatisfactory. Identification of irregularities was reflected by issuance of 172 decisions, which concerned, among others, workstations and warehousing facilities (40), machines and technical devices (37), work organisation and safety (27).

In 2016, in total 78 agricultural machines and equipment were inspected during field works. Irregularities were detected in the case of 16 of them, which constitutes 20.5 % (in 2015 – 6.4%). The defects were chiefly related to incorrect coupling of agricultural machines with tractors and incorrect protection with a guard of power transmission shafts in the operated machines and tractors. After analysis of identified irregularities during field works in years 2004-2016, one has to mention an increase in the number of irregularities related to coupling of machines and incorrect protection with guards of power transmission shafts in agricultural machines used for works in fields. Among the positive trends on inspected farms one should mention the fact that they are increasingly better equipped with modern tractors with air-conditioned cabins, modern agricultural equipment and machines (complete technological sets for land farming).

Despite many irregularities revealed during inspections, positive tendencies in the observance of OSH provisions during harvesting work are noticeable. Comparing lists of shortcomings identified during harvesting work performed in years 2014-2016, we noticed a systematic fall in the number of companies where defects related to technical condition of machines occurred. We also notice a falling number of defects related to operation of grain combine harvesters and presses for straw collection. On the other hand, there is a similar number of irregularities and accident hazards during work related to operation of equipment and machines for transporting cereal grains in buildings designed for storage, and the lack of safeguards preventing access to technological pits located in grain warehouses. The above is caused by excessive wear and tear of such pieces of equipment and negligence in maintenance and repair of warehousing equipment and buildings.

Having analysed irregularities revealed in animal production in years 2014-2016, we should mention an increasing number of companies where inspectors revealed lack of safeguarding of openings in floors and attics of buildings (employers less frequently occupy attics as useable areas), unguarded pits and containers, ineffective protection against electric shock, inappropriate condition of lighting installation and inappropriate technical condition of equipment for preparing feeds for animals and feeding them. There are still many defects related to inappropriate equipment and technical condition of hygienic and sanitary facilities, and lack of periodic reviews and effectiveness measurements of anti-shock protection in electrical devices. The causes of the above-mentioned situation should be linked to excessive wear and tear of buildings for farm animals and of technical equipment.

As regards workers' preparation for work, the NLI revealed more companies where workers were allowed to perform work without having initial medical examinations and where occupational risk assessment for workstations was missing. Occupational risk assessment was not conducted for 20 workstations out of 96 those inspected, or there were errors in the risk assessments.

Summing up, it can be concluded that actions of labour inspectors resulted in reduction or eradication of the majority of irregularities on the inspected farms. First and foremost, accidents risks were eliminated from work processes, created by use of malfunctioning machines and equipment in workstations. Inspections of working conditions on farms will be continued in the following years.

## **5. NLI's activities in the sector of private farming**

The National Labour Inspectorate, like in previous years, carried out various preventive actions to limit the risk of accidents and diseases in private farming.

The basic type of actions were visitations to farms and places where field works were conducted. Inspectors pointed out to farmers the hazards noticed, among others, in farm and livestock buildings, they paid attention to the condition of surface on farm yards and safeguarding of sewage pits. They also visited places of field works. One-to-one meetings gave them an opportunity to describe irregularities and verify them in terms of safety, ergonomics and the methods of performing individual types of work. Special attention was paid to technical condition of working tractors, machines and equipment, including the issue of complete safeguards on working and driving components.

Labour inspectors conducted over 4.5 thousand visitations, during which they assessed work safety of 5.9 thousand persons. In the course of such actions, they revealed a lot of irregularities, which had direct impact on safety of working persons. On many visited farms, the production part is not separated from the residential one, and almost on half of the farms no safe places were separated for children to rest and play. Almost 40% of assessed farm and livestock buildings had thresholds in entrances, which was the most frequent cause of trips and falls. There was a mess in almost every third visited building, and in 4 out of 10 the doors were not secured against accidental hitting caused by wind gusts. There was also concern about ladders used on farms – 38 % of them did not meet technical safety requirements. The largest number of identified shortcomings were related to safety during use of electric tools in work activities in workshops. In 44 % of farms inspectors revealed irregularities which were most often connected with use of self-made devices that were in poor technical condition, without any guards to protect users from injuries due to coming into contact with moveable working parts, and posing a high risk of electric shock.

NLI's employees reviewed the technical condition of farming machines and equipment, including 3.3 thousand tractors, almost 1 thousand combine harvesters and over 2.3 thousand other types of agricultural machines and equipment, e.g. circular and chain saws, presses, manure spreaders, mowing machines, spraying machines, sowers.

Although the number of new tractors, machines and equipment for agricultural production increases noticeably, worn-out machines are still in use and they create risk to life and health of their operators. The most frequently revealed irregularities resulted from excessive wear and tear, makeshift repairs, lack of shields and safeguards or use of inappropriate ones, use of "home-made" machines with structural defects, inappropriate technical and ergonomic solutions. During visitations in fields, the most commonly revealed shortcomings were related to combine harvesters, because as many as 40 % of the inspected machines did not have guards on driving parts of the harvesting unit, or the existing guards were damaged or incomplete. Other mistakes included incomplete ladders and railings on route to the operator's platform, and failure to use protective props to prevent a person being crushed when working under a hydraulically lifted header during its repair.

Mechanical saws used on farms for woodworking are still very hazardous; over 35 % of the assessed machines did not meet work safety requirements related to installation of protective elements, such as saw-blade guards, guards on drive transmission. Most of identified defects were related to “home-made” saws, which did not meet any OSH requirements, but were still in operation on many farms.

Since 2004 (owing to availability of the EU funds), replacement of farming tractors with new ones has been taking place. According to estimated data, in that period farmers purchased about 180 thousand new tractors (which is about 13% of all those registered in Poland), which undoubtedly translates into improvement of safety conditions during their operation. 37% from among 3.3 thousand assessed tractors gave grounds for reservations. Inspectors revealed numerous cases of tractors not equipped with fire extinguishers and first-aid kits, use of vehicles with worn-out tyres on wheels or without proper lighting. Use of newer vehicles does not automatically mean appropriate working methods. There are still cases of incorrect coupling of a tractor with a trailer or an agricultural machine (irregularities were revealed in 32% of the assessed couplings). In the case of other agricultural machines and equipment assessed during visitations, as many as 46 % of them did not have guards on articulated shafts.

A frequently noticed practice is carrying people on trailers, especially the ones loaded with bulk materials, on latches, platforms, on stairs and mudguards of machines, or in maladjusted cabins of farming vehicles, which poses risk to safety and health of such persons. In 2016, 314 such cases of transporting persons were revealed.

Like each year, during visitations close attention was paid to safety of children and youth. Unfortunately, there are still cases where children are engaged in activities which they should not perform due to risks to their health and safety. Inspectors noticed 211 cases of work performed by children, including 82 cases related to performance of work tasks forbidden to juveniles, whereas 101 children stayed in danger zones – close to working machines and farming equipment.

Educational activity carried out by the National Labour Inspectorate for years has enabled us to disseminate knowledge indispensable to persons working and living in rural areas. In the reporting year, NLI's employees gave lectures on OSH during: 264 training events for 7 thousand farmers; 84 meetings for almost 2.7 thousand pupils of agricultural schools, and 494 talks for almost 19.6 thousand children from kindergartens, primary schools and gymnasias in villages.

NLI's employees also initiated and organised promotional events and popularisation, owing to which farmers had the opportunity to broaden their knowledge of accident hazards related to performed work. To this end, acting independently or together with partners, the NLI arranged 93 competitions of OSH knowledge, in which 2.3 thousand persons working on farms took part. 220 contests and competitions of knowledge about safe living in

villages were prepared for children and youth from rural areas; they attracted 20.2 thousand participants. One should emphasise a country-wide art competition for children from rural primary schools titled "Safe on farms", organised jointly by the Farmers' Social Insurance Fund and the National Labour Inspectorate. Over 32.5 thousand pictures and paintings were assessed during VI edition of the contest, held under the slogan "Safe on farms – hazardous attractions during summer holidays". It is an important preventive activity, which helps develop positive behaviour of the youngest generation connected with working and living on a farm.

An interesting form of promoting safe farms was an away session of the Commission for OSH in Farming in Kujawsko-Pomorskie Province. The Commission's Members, invited guests and students met on a farm which won the first place in 14<sup>th</sup> all-Poland competition "Safe Farm". Thanks to the farmers' kindness, a group of students from the School Complex of Agricultural Education Centre in Stary Brześć, could familiarize themselves with examples of good practices applied on the safest farm in Poland. During the training part, held in the local school, the participants were informed about hazards during agricultural works, legal requirements, as well as rules of work safety and health. The major objective of the session was to promote good practices used on exemplary farms among prospective farmers and to raise their awareness of occupational and accident risks.

Cooperation with institutional partners enables the NLI to reach recipients from rural milieu in a broader and more effective way. Like in previous years, during implementation of tasks aimed to improve work safety of Polish farmers, the National Labour Inspectorate could count on support of: the Ministry of Agriculture and Rural Development, Farmers' Social Insurance Fund, Agency for Restructuring and Modernisation of Agriculture, farming advisory centres, agricultural chambers, education inspectorates, schools and universities, heads of villages and local self-government authorities. Representatives of the Inspectorate cooperated with partners on many levels, among others during meetings of county and province Commissions for Work Safety and Health in Farming. Such commissions develop strategies of actions for the improvement of work safety in farming, adapted to local needs and possibilities. The Commission affiliated to the Chief Labour Inspector initiates changes to create safe working conditions in farming. Its members include representatives of institutions and organisations operating for the benefit of farming.

NLI's cooperation with the mass media facilitates informing the society about the Inspectorate's actions which serve to improve safety of working and living in rural areas. In 2016, OSH in farming was the subject of 42 press articles, 26 programmes on TV and 48 radio programmes.

NLI's employees promoted safe and healthy work practices during harvest-ending festivity, picnics, fairs and agricultural exhibitions. At mass events with the participation of farmers,

the NLI arranged 132 information and promotional stands, which were visited, according to estimates, by over 25 thousand persons. All preventive actions involving farmers give a perfect opportunity to distribute the National Labour Inspectorate's publications. About 71.2 thousand preventive checklists, leaflets and brochures were handed out. The most popular of them is the series of OSH cards, which constitute simple instructions on safe performance of specific tasks connected with running a farm. 7 publications were reissued as there was still demand for them.

## 6. Statistical data on work accidents in agriculture, including their causes

Victims of work accidents in agriculture according to data of KRUS*, GUS** and NLI			2016	Causes
<b>K R U S</b>	Data on accidents during farming work, reported to KRUS by private farmers (or members of their families) entitled to benefits from farmers' social insurance system	Total number of victims, including fatal ones	<b>19 110</b> 83	<ul style="list-style-type: none"> <li>• improper organisation of workstations;</li> <li>• improper handling, living conditions and reactions of animals towards unknown stimuli and surrounding, viciousness and aggression of animals;</li> <li>• farmer's failure to use guards;</li> <li>• improper use of tools and movable parts of machines and equipment;</li> <li>• improper behaviour of farmers – improper action of limbs in the danger zone, performance of activities without prior elimination of hazard;</li> <li>• design flaws or improper technical and ergonomic solutions in machines, tools and equipment</li> </ul>
<b>G U S<sup>1</sup></b>	Data on work accidents reported to GUS by agricultural undertakings	Total number of victims, including fatal ones	<b>795</b> 4	<ul style="list-style-type: none"> <li>• improper behaviour of workers;</li> <li>• improper condition of material objects;</li> <li>• lack of, or improper use of material objects;</li> </ul>

<sup>1</sup> Agriculture (Polish Classification of Activity, i.e. PKD groups: 01.1-01.6), preliminary data (available only in GUS)



				<ul style="list-style-type: none"> <li>• improper, wilful behaviour of workers</li> </ul>
<b>N L I<sup>2</sup></b>	Data on accidents reported to NLI and examined in terms of correctness of applied preventive measures	Total number of victims, including fatal ones	<b>39</b>  7	<ul style="list-style-type: none"> <li>• connivance, on the part of supervisors, for deviations from regulations and rules of work safety;</li> <li>• lack of, or poor management of accident risk in workstations;</li> <li>• incorrect training in OSH and ergonomics (or no training at all)</li> <li>• incorrect instructions from superiors;</li> <li>• lack of supervision of workers;</li> <li>• inappropriate division of work, poor coordination of team work;</li> <li>• lack of instructions on safe use of machines, equipment and tools;</li> <li>• insufficient preparation for work;</li> <li>• lack of, incorrect selection (or poor technical condition) of technical devices, guards preventing access to danger zones;</li> <li>• incorrect use of machines and equipment (among others, lack of adequate stability);</li> <li>• incorrect signalling about hazards, lack of marking of danger zones;</li> <li>• tiredness or nervousness;</li> <li>• wilful, risky behaviour.</li> </ul>

\* KRUS – Agricultural Social Insurance Fund

\*\* GUS – Central Statistical Office

<sup>2</sup> NLI's data refer to Agriculture (PKD groups: 01.1-01.6)