

Greece

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PART 1 – NATIONAL FRAMEWORK

Overview

National social dialogue	Principal Level of Collective Bargaining	Industry, but crisis has given greater role to enterprise negotiations	
	Workplace Representation	Union (works council)	
	Board-level Representation	Yes for state-owned enterprises	
National worker representation	The local 'primary level' unions are the most important form of employee representation in Greece. They have clear legal rights covering information, consultation and negotiation. The law also provides for a works council structure. But in reality, works councils are only found in a few enterprises, and where they exist, they work closely with the local union.		
Principal legal documents on H&S	The national legislation on OSH consists of Laws, Presidential Decrees and Ministerial Decisions. All of them are of binding nature. OSH legislation applies to both private and public sector. The first law was issued in 1911. Recently, all general OSH legislation was collected and codified in one piece, the Law 3850 of 2 June 2010. Workers' health and safety is regulated by a Law of 1985 and a 1996 Presidential Decree. A 1988 Law also covers works councils.		
Public authorities on H&S	The OSH issues are under the responsibility of the Ministry of Labour and Social Security. It provides one authority for OSH policy, the General Directorate for Working Conditions and Health and one inspection authority, the Labour Inspectorate (SEPE). The mining sector is under the responsibility of the Ministry of Energy and Environment, which has inspection authorities separate from the labour inspectorate.		
Employers' obligations on H&S	Employers must take the necessary measures for workers' health and safety, on the basis of general principles of prevention		
Worker representative bodies on H&S	The national legislation provides for workers participation on OSH issues at all levels. At national level two councils are operating, in which workers representatives are participating: Council of Health and Safety at Work (SYAE); and Council for Social Monitoring of the Labour Inspectorate (SKEEE). At regional level thirteen Regional Committees for Social Monitoring of the Labour Inspectorate (PEKEEE) are operating since 1999. In each enterprise the employees have the right to be represented specifically for OSH issues through the Workers Committees for Health and Safety at Work (EYAE). Moreover, the OSH legislation has provided that in high-risk sectors (construction, ship-repairing) the inspection can be conducted by specific committees (Joint Inspection Committees) in which workers' representatives are participating.		
Organisation of the social dialogue on H&S issues within the country	Actors involved	Their role	Scope of influence
	General Directorate for Working Conditions and Health (Ministry of Labour and Social Security)	Develops activities mainly in the fields of national legislation, national strategy and information, training and raising of awareness. It consists of three Directorates: a. Directorate of Working Conditions and Health b. Directorate for OSH Information Management, Training and Monitoring of Policies on OSH Issues (it is also the national focal point of the European Agency for Safety and Health at Work) c. Centre for Occupational Health and Safety (it is also the national focal point of the European Network for Workplace Health Promotion)	national

	Labour Inspectorate (SEPE – Ministry of Labour and Social Security)	Is the competent authority for conducting inspections and imposing sanctions. It also develops activities in the raising awareness field. It consists of central services and of regional services covering all parts of Greece. The regional services include 7 Centers for the inspection of OSH issues and 16 Directorates for the inspection of all other labour issues (e.g. working time, wages, undeclared work etc. The qualifications of the OSH inspectors include technical or health educational background.	national and regional
	Mining Inspectorate of the Ministry of Energy and Environment	Mainly inspects for the implementation of the Regulation for Mining and Quarrying Activities (Ministerial Decision), which regulates, amongst other matters, the extraction and exploitation methods as well as the organizational system of a mining site in order to ensure the safety of the works and the health and safety of the workers.	mining site
	Council of Health and Safety at Work (SYAE).	It was provided by the Law 1568 “Workers’ health and safety” in 1985 (article 26 of the codifying Law 3850). It consists of 23 members from 18 organizations. It refers to the Minister of Labour and its opinion is prerequisite for the drafting of any piece of OSH legislation.	national
	Council for Social Monitoring of the Labour Inspectorate (SKEEE)	It was provided by the Law 2639 “Establishment of the labour inspection body” in 1998. It is a consultation tool for the proper function of the labour inspection services. Among its duties the drafting of the annual work programme and of the annual report of the labour inspectorate are included.	national
	Regional Committees for Social Monitoring of the Labour Inspectorate (PEKEEE)	thirteen Regional Committees for Social Monitoring of the Labour Inspectorate (PEKEEE) are operating since 1999 according to the Law 2639 “Establishment of the labour inspection body”. They have duties in the field of consultation and coordination as regards the function of the regional labour inspectorate.	regional
	Joint Inspection Committees for the specific sectors	The OSH legislation has provided that in high-risk activities the inspection can be conducted by specific committees in which workers’ representatives are participating. So, there were established Joint Inspection Committees for the construction sites, which operate at least twice per month, and Joint Inspection Committees for the ship repairing	sector

		works, which operate every day in the biggest ship-repairing zone of Greece in the region of Piraeus.		
	Workers Committees for Health and Safety at Work (EYAE)	In each enterprise the employees have the right to be represented specifically for OSH issues. The Law 1568 "Workers' health and safety" of the year 1985 (articles 4 through 7 of the codifying Law 3850) provides for the function of Workers Committees for Health and Safety at Work (EYAE). The number of the representatives is depending upon the number of the employees. Their role and election procedure is prescribed by the above mentioned law. These committees have the right to give opinion about the risk assessment, to propose measures for the minimization of risks and to have access to OSH documents of the enterprise.	enterprise	
	GSEE	Trade Unions Confederation		
	> SEV, > ESEE, > GSEVEE, > SETE *	Employers association for big companies, commerce, SMEs and tourism respectively <i>(*added quite recently as social partner responsible to sign the national agreement)</i>		
Specialized H&S bodies on regional, sectorial or another level	<i>Name</i>	<i>Setup conditions</i>	<i>Composition</i>	<i>Role and functions</i>
	The Hellenic Institute for Occupational Health and Safety (ELINYAE)	bipartite (employers - employees) non-profit organization	The General Confederation of Greek Workers, the Federation of Greek Industries, the National Confederation of Hellenic Commerce and the Confederation of Small and Medium-sized Enterprises founded this Institute in 1992.	It consists of four centers: (a) Occupational Safety Center, (b) Occupational Health and Hygiene Center, (c) Documentation and Information Center and (d) Vocational Training Center

PART 2 – ENTERPRISE LEVEL: ORGANISATION OF SOCIAL DIALOGUE AND WORKERS' PARTICIPATION ON H&S AT WORK

General organisation and role on H&S issues	In each enterprise the employees have the right to be represented specifically for OSH issues. The Law 1568 "Workers' health and safety" of the year 1985 (articles 4 through 7 of the codifying Law 3850) provides for the function of Workers Committees for Health and Safety at Work (EYAE). The number of the representatives is depending upon the number of the employees. Their role and election procedure is prescribed by the above mentioned law.
Interaction of H&S representation with the general representation of workers	Like the health and safety representative in smaller enterprises, a workplace health and safety committee is elected only when no works council exists in the enterprise; otherwise, its functions are performed by the council members. Works councils are established in enterprises with at least 50 employees, or 20 employees in the case of enterprises which have no trade union
Worker representation bodies on H&S at work	
Implementation of worker representation in H&S on enterprise level	All workers
Thresholds of implementation	In enterprises with 20–50 employees, a health and safety representative performs the

	functions of the health and safety committee that is elected in larger enterprises. As such, for enterprises in both the private and public sectors with in principle more than 50 employees (for the present, interpreted as more than 150 employees), a Workplace health and safety committee is established.	
	Overview : <ul style="list-style-type: none">– <20 employees, right to elect 1 OSH rep.– 20 –100 employees, 2 members of OSH committee.– 101–300 employees, 3 members of OSH committee.– 301–600 employees, 4 members of OSH committee.– 601–1.000 employees, 5 members of OSH committee.– 1001 –2.000 employees, 6 members of OSH committee.– 2.000 employees, 7 members of OSH committee.	
Role of the trade unions	They monitor and ensure the election procedure, provide any help to the safety reps and support the decisions taken.	
Composition, mode of nomination or election of members	Their role and election procedure is prescribed by the Law 1568 "Workers' health and safety" (1985). They are composed exclusively of employees, elected by direct and secret ballot.	
Area of competencies	The workers' representatives are responsible to monitor the working conditions and all health and safety matters.	
Functions	Information, consultation, participation. The Workers Committees for Health and Safety at Work members have the right to give opinion about the risk assessment, to propose measures for the minimization of risks and to have access to OSH documents of the enterprise. It has the right in particular to be kept informed of health and safety matters (accidents, occupational illnesses), investigates them, monitors the observance of relevant measures and is kept informed of the intended introduction of new production processes. In addition, it draws attention to occupational hazards and proposes measures to prevent them and to improve health and safety conditions and avoid the recurrence of serious accidents at work.	
Rights of workers' representatives on H&S		
Right of withdrawal, of production stop in case of immediate danger	Yes	
	H&S representatives may stop any dangerous work that is being performed by the employees they represent .	
Right to conduct surveys	Yes	
	N/A	
Right to require external assessments	Yes	
	N/A	
Right to lodge an appeal	Yes	
	N/A	
Right to receive training	Yes	
	The OSH representative has the right to obtain training for the duties as a representative and to be released from other tasks in order to attend to those duties.	
	Amount of training	There is no specific length of training specified by the legislation. Actually there have been cases where workers, victims of accidents, have based their appeal on the insufficient OSH training they have received.
	Frequency of training	Neither the frequency is specified in the legislation
	Training providers	The obligation is set to the employer. Currently OSH training is carried out by GSEE training academy, ELINYAE (free of cost for OSH reps) and other Centres for Vocational Training (KEK). These are institutions authorized by the Organization for Accreditation of Qualifications and Vocational Guidance (EOPPEP). They provide vocational training when required by the

		legislation or asked by the enterprises. There is a special training account LAEK from social security contributions of employers and employees (still active the moment of the questionnaire completion) that covers training for employees, including OSH issues, reimbursed to the companies.
<i>Allocated time during working hours to conduct their role</i>	Yes	As it is provided in the framework directive. H&S representative has the right to be released from other tasks in order to attend to those duties. They have time off for the needs of their duties on OHS.
<i>Protection against sanctions, dismissals in the frame of their mandate</i>	Yes	The members of the OH&S Committees are protected by the law against dismissal or any other reprisal during their mandate. They also have protection against degrading the position of the trade unionist. Cfr. Article 14 of general Law 1264/1982 for Trade Unions protection is applicable to H&S committees and reps (provided in article 7 in OSH Law 3850/2010 that codifies basic OSH laws)
Link and the nature of the relations between the employee representatives and the trade unions	In most cases, H&S representatives are trade union members. Work councils designate the members of the H&S Committee from their members. If no trade union reps or work council exist, workers elect H&S Committees in general meeting every 2 years in secret vote.	

PART 3 – ASSESSMENT OF THE SOCIAL DIALOGUE AND WORKERS' PARTICIPATION IN THE COUNTRY

Evolution

Significant changes within the various instruments on H&S issues during the last 5 years	Yes	o
	<i>Objectives of these changes</i>	N/A
	<i>Management of these changes</i>	N/A
	<i>Effects on the improvement or deterioration of the handling of these issues</i>	<ul style="list-style-type: none"> – Positive change : Extension of the national schedule of occupational diseases (about 200 from 52). Of course its application in practice remains to be seen. – Positive but non active : National OSH strategy presented at the parliament but ineffective since no specific budget has been allocated to the ministry – Negative : <ul style="list-style-type: none"> o Change in the heavy and unhealthy list of professions that are entitled of early retirement (exclusion of several professions). o Weakening of research institutes and Labour Inspection by minimising the funding and budget allocation. o “Deconstruction” of labour legislation and “aquis” in general that can have “de facto” effect on health and safety issues.
Assessment of the achievements	N/A	

on H&S issues through social dialogue	Some important milestones	N/A
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Perspectives to achieve a good social dialogue and workers' participation on H&S issues

Missing factors	<p>The current situation that the country is in will affect the answer of this question. During recession period, social dialogue is in general difficult or impossible not to mention dialogue on OSH issues. Workers participation on OSH issues is also difficult, in practice, considering the sharp increase of atypical work (not covered by Trade Unions) and imminent threat of unemployment (26% official data with a prediction of 29% in 2013 by the Labour Institute of GSEE). In theory OSH participation should have been strengthen during this period.</p> <p>Furthermore, a continuous demand by the Trade Unions is the establishment of a Body of Insurance against Occupational Risks under the umbrella of the social security system.</p> <p>Moreover, the threshold of 50 workers in setting up Health and safety committees leads to a low level of worker representation. This is linked to the fact that such enterprises only represent 2% of the total number of enterprises. In any event health committees have been established in only 30% of the eligible enterprises.</p>
Existing key success factors	<p>The OSH legislation is very comprehensive and covers a wide range of issues such as:</p> <ul style="list-style-type: none"> • Workers' OSH representatives • Protective and Preventive Services • Safety Officer • Occupational physician • Classification of enterprises • Health monitoring • National Council for Health and Safety at Work • Administrative and penal sanctions

PART 4 – APPENDICES

Glossary

EYAE	Workers Committees for Health and Safety at Work
SKEEE	Council for Social Monitoring of the Labour Inspectorate
SYAE	Council of Health and Safety at Work
SEPE	Labour Inspectorate

Interesting links

– Ministry of Labour and Social Security: www.yeka.gr
– Hellenic Institute for Occupational Health and Safety (ELINYAE): www.elinyae.gr

Sources

Trade union contacts	General Confederation of Greek Workers (G.S.E.E.)	Konstantinidis Ioannis
Other	<ul style="list-style-type: none"> – http://www.worker-participation.eu – "Greece, National System for Occupational Safety and Health" by Ioannis Konstantinidis (Sup.member of the ACHSW) – http://www.eurofound.europa.eu/emire – questionnaire reply (fulfilled in collaboration with Ms Theoni Koukoulaki, special researcher of the Hellenic Institute for Health and Safety at Work (EL.IN.Y.A.E.)) 	