Questionnaire on “Registration of Occupational accidents / work related injuries in Baltic Sea region”

This questionnaire is intended to provide short summary information on real situation regarding the registration of occupational accidents / work related injuries in countries around the Baltic Sea with special emphasis on potential gaps and problems in their reporting and registration systems. We are also looking for further references and links to research articles or other data sources on this topic. The aim of this questionnaire is to collect background data and reference material for potential joint project aiming at improvements in registration of occupational accidents to be used as reliable indicator for prevention not only in Baltic Sea region but across the EU. So if this issue / questionnaire seem to be of importance to You and your country/institution is outside the Baltic Sea region we would appreciate if You could fill it in.

Please fill in the questionnaire providing concise answers to each of the questions – we expect that each country will have 2-4 page summary however we will appreciate if there will be more detailed information. Please feel free to express you doubts and potential suggestions for each of the questions. Please provide information on potential research articles for further reading and any other information that might be helpful (e.g. statistics from other sources, independent surveys and statistics etc.) in preparation of background documentation and justification of the potential project potential.

Thank you for your time and effort!

Country: LITHUANIA

Questions:

1. Please explain official surveillance system / systems (data gathering, analysis and reporting) at your country for fatal and non-fatal injuries caused by accidents and violence at work in brief.

Following the provisions of the LAW ON SAFETY AND HEALTH AT WORK [1], one of the duties of the employer in ensuring safe and healthy working conditions for workers is to report accidents at work to relevant State institutions in accordance with the REGULATION ON THE INVESTIGATION AND RECORD OF ACCIDENTS AT WORK [2] approved by the Government. In accordance with the procedure established by the REGULATION ON THE INVESTIGATION AND RECORD OF ACCIDENTS AT WORK the employer is obliged to organise the registration of accidents at work, draw up lists of occupational accidents resulting in a worker being unfit for work for more than three working days; also register the incidents.

Reports on accidents at work
Following the provisions of the LAW ON SAFETY AND HEALTH AT WORK, an employee who is injured in an accident at work or suffers from an incident is obliged to report this to the employer.

In the event of fatal and serious accidents at work the employer must notify the prosecutor’s office of the appropriate district and the State Labour Inspectorate. The procedure for reporting accidents related to work, also accidents at work and accidents on the way to/from work is defined by the REGULATION FOR INVESTIGATION AND REGISTRATION OF ACCIDENTS AT WORK.

Investigation of accidents at work

Minor accidents at work shall be investigated by a bilateral commission consisting of a representative/representatives of the employer and the employees' representative with specific responsibility for the safety and health of workers. The worker who is the victim of the accident may participate in the investigation of the accident at work.

Serious and fatal accidents at work shall be investigated by the State Labour Inspectorate with the employer's representative and the employees' representative with specific responsibility for the safety and health of workers participating. While investigating the accident at work, the State Labour Inspectorate shall ascertain the causes and circumstance of the accident at work, suggest measures for the elimination of causes of similar accidents. The labour inspector may enlist the necessary specialists or experts for the investigation of the accident at work. The employer shall provide conditions and the necessary information for the investigation of an accident at work. The report on investigation of the accident at work, recorded and signed by the inspector shall also be signed by all persons who participated in the investigation.

The report of the investigation of accident at work drawn up by the labour inspector together with the annexes shall be sent to the appropriate institutions, the victim or the victim’s family in accordance with the procedure established in the REGULATION FOR INVESTIGATION AND REGISTRATION OF ACCIDENTS AT WORK.

The investigation of an accident at work carried out by the state labour inspector or his decisions (conclusions) regarding the circumstances and/or reasons of the accident at work may be appealed against by the employer's or workers' representative with specific responsibility for the safety and health of workers by lodging an appeal in accordance with the procedure laid down in the REGULATION FOR INVESTIGATION AND REGISTRATION OF ACCIDENTS AT WORK with the Chief State Labour Inspector or the court. The procedure for considering appeals regarding accidents at work at the State Labour Inspectorate is established by the REGULATION FOR INVESTIGATION AND REGISTRATION OF ACCIDENTS AT WORK. The decision of the Chief State Labour Inspector of regarding complaints about the investigation of the accidents at work may be appealed against to court in accordance with the procedure established by law.

If it is established in the course of investigation that the accident at work may not be classified as an accident at work the investigation shall be discontinued and its material shall be submitted to relevant
institutions in accordance with the procedure established in the REGULATION FOR INVESTIGATION AND REGISTRATION OF ACCIDENTS AT WORK.

An accident at work which caused the death of three or more workers shall be investigated by a Commission whose chairman shall be the Chief State Labour Inspector and members - Deputy Chief State Labour Inspector, head of the territorial division of the State Labour Inspectorate and two labour inspectors from the said division. Employer’s representatives and persons appointed by workers’ representative (representatives) shall also take part in the investigation.

In the course of the investigation of accidents at work, the State Labour Inspectorate may order expert examinations.

The injured person or his representative (person representing the interests of the worker), may take part in the investigation of the accident at work, shall have the right to get access to the material regarding the investigation of the accident at work or occupational disease, must get the report of the investigation of the accident at work, may appeal against the investigation results and conclusions to the Chief State Labour Inspector or the court.

**Registration of reports of investigation of accidents at work**

Following the provisions of the LAW ON SAFETY AND HEALTH AT WORK, reports of the investigation of accidents at work shall be submitted to the worker injured in the accident or his representative, to the employer’s representative and the State Labour Inspectorate, insurance company where the victim was insured against accidents at work. In case of a serious or fatal accident at work, the State Labour Inspectorate shall refer the investigation documents to the Prosecutor’s Office.

All investigation reports of all accidents at work shall be registered and entered into the records of the State Labour Inspectorate in accordance with the procedure laid down accordingly by the REGULATION ON INVESTIGATION AND REGISTRATION OF ACCIDENTS AT WORK.

Reports of the investigation of accidents at work and investigation material shall be kept at the undertaking where the accident at work occurred.

All accidents at work shall be registered in accordance with the procedure established in the REGULATION FOR INVESTIGATION AND REGISTRATION OF ACCIDENTS AT WORK.

Currently data on accidents and injuries at work are being collected by several institutions, the main of them are the State Labour Inspectorate (SLI), Statistical Department (SD), National Health Insurance Fund under the Ministry of Health (NHIF), and the other.
As we can see, one of the main actors in accidents at work registration is the State Labour Inspectorate, which uses the surveillance system that complies with the requirements of the REGULATION ON INVESTIGATION AND REGISTRATION OF ACCIDENTS AT WORK. The Regulation determines the order of investigation and examination procedures, record keeping, complaints and statements related to light accident, serious accidents at work, accidents at work that caused the death of a worker, and accidents on the way to or from work.

The REGULATION ON INVESTIGATION AND REGISTRATION OF ACCIDENTS AT WORK defines that the State Labour Inspectorate registers the serious and fatal accidents at work.

The key indicators of accidents at work and occupational diseases are collected by the Statistical Department and the State Labour Inspectorate. State Labour Inspectorate is responsible for compiling statistics on accidents at work by economic activity, occupations of the victims, traumatic factors and sources.

The multiple number of the agencies and institutions monitoring data on accidents and injuries leads to the conclusion that currently data on injuries and accidents are collected, but only to the needs of these institutions. Despite the fact that data on accidents and injuries and their consequences are collected, recorded and analysed in a variety of institutions and their databases, but the data are incomplete, and collected only in the way the information is needed for the specific institution, moreover there is no exchange of the collected information with the other Institutions and agencies. Some of the relevant information is not recorded at all. In such a situation, it is difficult to summarise the collected data, structure it for the decision-making and policy priorities.

2. Are workers in all sectors included in the reporting system? Are self-employed persons included?

Following the provisions of the LAW ON SAFETY AND HEALTH AT WORK, all undertakings shall apply an obligatory procedure for the investigation of accidents related to work, out of them accidents at work and accidents on the way to/from work in accordance with the REGULATION FOR INVESTIGATION AND REGISTRATION OF ACCIDENTS AT WORK. Incidents shall be investigated and registered in accordance with the internal rules of the undertaking.

All accidents at work must be investigated, the investigation results must be recorded in the reports of prescribed form and registered according to the procedure established by the REGULATION FOR INVESTIGATION AND REGISTRATION OF ACCIDENTS AT WORK. But we suggest that self-employed persons not always report ACCIDENTS AT WORK, and the control system is complicated.
Self-employed persons, following the provisions of the LAW ON SAFETY AND HEALTH AT WORK, are obliged to report the related to work accidents; however there is a doubt if they really do that.

3. Is there underreporting of fatal and non-fatal injuries? Are there any research studies, evaluations that have addressed this issue?

The ratio between fatal occupational accidents and accidents causing 3 or more days' absence from work varies with a wide range between countries. A low ratio indicates underreporting of minor accidents, which is very common. [4. Takala J. Global Estimates of Fatal Occupational Accidents. Access via the Internet: http://www.who.int/quantifying_ehimpacts/methods/en/takala.pdf].

The underreporting in Lithuania may be suspected also by analyzing the ratio of fatal to non fatal injuries, as presented in the tables below. The lower the ration is the more severe underreporting may be suspected.
The ratio of fatal to non-fatal injuries in Lithuania is much lower than in the Western countries. (See Tables No 1, No 2 and No 3 below).

<table>
<thead>
<tr>
<th>Reporting systems in the BSN countries</th>
<th>Rate of fatal injuries (all industries) per 100,000</th>
<th>Rate of non-fatal injuries (&gt;3d off work) (all industries) per 100,000</th>
<th>Ratio of fatal to non-fatal injuries</th>
<th>Notes</th>
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</thead>
<tbody>
<tr>
<td>Insurance-based reporting system</td>
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<tr>
<td>Finland</td>
<td>2.2</td>
<td>2892</td>
<td>1:1315</td>
<td></td>
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<tr>
<td>Germany</td>
<td>2.4</td>
<td>2835</td>
<td>1:1191</td>
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<tr>
<td>National health systems (reporting system)</td>
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<tr>
<td>Denmark</td>
<td>2.0</td>
<td>1574</td>
<td>1:787</td>
<td></td>
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<tr>
<td>Norway</td>
<td>1.6</td>
<td>781</td>
<td>1:488</td>
<td></td>
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<tr>
<td>Sweden</td>
<td>1.6</td>
<td>751</td>
<td>1:469</td>
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<td>Former socialist countries</td>
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<td></td>
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</tr>
<tr>
<td>Estonia</td>
<td>3.2</td>
<td>757</td>
<td>1:237</td>
<td></td>
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<tr>
<td>Latvia</td>
<td>6.9</td>
<td>151</td>
<td>1:22</td>
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<tr>
<td>Lithuania</td>
<td>9.6</td>
<td>295</td>
<td>1:31</td>
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<td>Poland</td>
<td>4.3</td>
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<td>1:190 b</td>
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<td>Russian Federation</td>
<td>12.4</td>
<td>262</td>
<td>1:21</td>
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</tbody>
</table>

Table No 1. Fatal and non-fatal injuries statistics in the BSN countries.

<table>
<thead>
<tr>
<th>&quot;Western Europe&quot;</th>
<th>Rate of fatal injuries (all industries) per 100,000</th>
<th>Rate of non-fatal injuries with &gt;3 lost work days (all industries) per 100,000</th>
<th>Ratio of fatal to non-fatal injuries (all industries)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insurance-based system, reporting level nearly 100%:</td>
<td></td>
<td></td>
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<tr>
<td>Austria</td>
<td>3.9</td>
<td>3925</td>
<td>1:1006</td>
<td>In the countries with insurance-based reporting system the rate of non-fatal work injuries (&gt;3 days’ absence from work) in all industries typically is about 2,000 - 3,000 per 100,000 employed.</td>
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<tr>
<td>Belgium</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
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<tr>
<td>Finland</td>
<td>2.2</td>
<td>2892</td>
<td>1:1315</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>3.0</td>
<td>3940</td>
<td>1:1313</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>2.4</td>
<td>2835</td>
<td>1:1181</td>
<td></td>
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<tr>
<td>Greece (39%)</td>
<td>5.4</td>
<td>772</td>
<td>1:143</td>
<td>In the countries with insurance-based system the ratio of fatal to non-fatal injury in all industries was about 1 to 1,200-1,300</td>
</tr>
<tr>
<td>Italy</td>
<td>5</td>
<td>2693</td>
<td>1:539</td>
<td></td>
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<tr>
<td>Portugal</td>
<td>11.7</td>
<td>5354</td>
<td>1:458</td>
<td></td>
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<tr>
<td>Spain</td>
<td>3.8</td>
<td>5815</td>
<td>1:1530</td>
<td></td>
</tr>
<tr>
<td>Switzerland</td>
<td>1.4</td>
<td>2349</td>
<td>1:1678</td>
<td></td>
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<tr>
<td>Universal social security based system, reporting level (%) low:</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Denmark (46%)</td>
<td>2.0</td>
<td>1574</td>
<td>1:787</td>
<td>In the countries with non-insurance-based reporting system the rate of non-fatal work injuries in all industries is about 800 per 100,000 employed.</td>
</tr>
<tr>
<td>Ireland (30%)</td>
<td>3.5</td>
<td>-</td>
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<tr>
<td>Netherlands (-)</td>
<td>1.7</td>
<td>-</td>
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<td></td>
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<tr>
<td>Norway (25-100%)</td>
<td>1.6</td>
<td>781</td>
<td>1:488</td>
<td></td>
</tr>
<tr>
<td>Sweden (52%)</td>
<td>1.6</td>
<td>751</td>
<td>1:469</td>
<td></td>
</tr>
<tr>
<td>U.K. (43%)</td>
<td>0.6</td>
<td>562</td>
<td>1:937</td>
<td></td>
</tr>
</tbody>
</table>

Table No 2. Fatal and non-fatal injuries statistics in the Western European countries.
The USA researchers found that the states that report low numbers of nonfatal injuries among construction workers tend to have high rates of fatal injuries, while those with low fatality rates tend to report higher numbers of nonfatal injuries. Also researchers found that the states with the low nonfatal injury rates and high fatality rates tended to be in the South, have lower workers’ compensation benefits, be less unionized and pay lower wages. In contrast, states with high nonfatal injury rates and lower fatality rates tended to be in the West, pay higher benefits and wages, be more strongly unionized and carry out more workplace inspections. One key factor influencing injury trends seems to be the scope of benefits offered by a state's workers' compensation program. Researchers found that more-extensive workers' compensation benefits are associated with higher reports of nonfatal injuries, largely because such benefits provide more incentive for workers to report injuries, i.e. “Better Benefits = More Injury Reports”. At the same time, it is plausible that the costlier premiums that result from higher benefits provide a stronger incentive for employers to prevent injuries. [6. Smith S. States With Low Nonfatal Injury Rates in the Construction Industry Have High Fatality Rates. Access via the Internet: http://ehstoday.com/construction/states-low-nonfatal-injury-rates-construction-industry-have-high-fatality-rates]

Unfortunately, we have not found any relevant research studies made in Lithuania.
4. What may be the causes of underreporting and the reason for such low numbers of injuries?

Underreporting may be caused by the low occupational health and safety culture in the enterprises of Lithuania. The results of the project “Evaluation of Preventive Efficacy of Occupational Safety and Health Services”, carried on by the Occupational health centre in 2011-2012, showed that there is the remarkable lack of occupational health (OH) specialists, working in the enterprises. According to the legal requirements in the enterprises that have taken part in the research, there should have been working 285 occupational health professionals, but worked only 83 (29.1 percent). Occupational health specialists were found only in 18.8 percent of the surveyed enterprises, among them there were mainly nurses (83.1 percent), medical doctors amounted to 7.2 percent, the occupational health physicians and public health specialists amounted 3.6 percent each group. [7. Kirilovas G., Jankauskas R., Eičinaitė-Lingienė R., Gorobecienė D. Lietuvos įmonių darbuotojų saugos ir sveikatos žmogiškieji ištekliai ir vykdoma profesinės sveikatos priežiūros veikla. Visuomenės sveikata, 2014/1(64). Kirilovas G., Jankauskas R., Eičinaitė-Lingienė R., Gorobecienė D. Review of occupational health care activities provided by OHS services in Lithuanian enterprises. Visuomenės sveikata / Public Health 2014/1(64)].

However, according to the information by the Social Insurance Fund of Lithuania (SODRA) [8], the number of accidents at work is decreasing. The decrease of reported accidents is determined by the employers' liability for accidents perception, improvement of working conditions, reallocation of funds for prevention measures, as well as decreasing the number of employed persons.

Identified causes of underreporting in U.S.A. (Leigh et al 2004):

“Small firms are likely to underreport – the paperwork could be a burden”
“A recorded high injury rate could trigger an inspection by labour authorities.”
“Firms that report an increasing number of injuries could experience increases in their premiums.”
“Firms seek to minimize the reported injuries so as to maintain an image as safe places to work.”
“The more generous the indemnity payment, the more likely workers will report.”
“Workers could receive a yearly bonus if none in their work group report a workmen’s compensation claim for a year.”
“Employees could be fearful that their employers will label them accident-prone”
“The litigious nature of workmen’s compensation is the reason why many physicians prefer not to be involved in workmen’s compensation cases.”


5. How could you improve the reporting of injuries? Are any other sources of data that could be useful for better surveillance?

The current accidents and injuries surveillance systems are not fully efficient, as the data are collected by different institutions for different purposes, therefore in September 2014 the Minister of health issues an order by which the Institute of Hygiene was committed to develop / create a new injuries and accidents
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monitoring information system and start its operation, i.e. to conduct monitoring of injuries and accidents from September 2015.

The new injuries and accidents monitoring information system’s database shall include all necessary and important data for management, education, public health, and so on. Based on injuries and accidents monitoring information system’s collected data appropriate measures to prevent injuries and accidents can be planned and implemented that could hopefully influence / reduce the losses caused by injuries to workers, employers and the state.

Other suggestions on how the reporting and surveillance system of injuries and accidents at work can be improved:

- As it has been said, in accordance with the procedure established by the REGULATION ON THE INVESTIGATION AND RECORD OF ACCIDENTS AT WORK the employer is obliged to organise the registration of accidents at work, draw up lists of occupational accidents resulting in a worker being unfit for work for more than three working days; also register the incidents. However, it is not evident that all the employers have the said journals and register all the accidents, as there is no control mechanism on this by the state institutions. The suggestion would be to organise the visits of the responsible state institutions officials to the enterprises with the purpose of control, to use incentives (or penalties) for the employers with better (or worse) attitude to the matter.
- In accordance with the requirements of the LAW ON SAFETY AND HEALTH AT WORK, in order to ensure safety and health at work, the employer should appoint one or more specialists in health and safety at work or establish an occupational safety and health service (OSHS). The suggestion would be to strengthen the occupational safety and health services at enterprises, so that the sufficient number of the required specialist would work in them and be able to fulfil the obligations in a more efficient way.
- To ensure sufficient qualification of the OSHS specialists at the enterprises.
- To initiate and keep the dialog between the state officials and the OSHS specialists at the enterprises.
- Data on incidents should not only be registered in the internal journals of the enterprises, but also sent to a central database of the country, managed by the responsible institution.

Glossary/Abbreviations:

Following the provisions of the LAW ON SAFETY AND HEALTH AT WORK, there is the following terminology on the subject:

**Incident** means an event related to work during which no workers are injured or if the injury received during the event requires only first aid.

**Accident at work** means an event at work, including traffic accidents during working time, which is investigated in accordance with the established procedure and deemed an accident at work, entailing a trauma (minor, serious or fatal injury). An event at work when a worker dies from illness not related to his employment, shall not be considered as an accident at work.
Accident on the way to/from work means an event, including a traffic accident during working time on the way to or from work, which takes place on the direct way between a worker’s workplace and: 1) his residence, 2) the place outside the area of the undertaking where the worker may be during his rest period or has his meals, 3) the place outside the area of the undertaking where the wages are paid to the worker.

According to their consequences, accidents at work and accidents on the way to/from work are classified according to their consequences into:
1) **minor accident at work**: an event during which a worker suffers a trauma and loses functional capacity for at least one day and which is not classified as a serious accident at work;
2) **serious accident at work**: an event during which a worker suffers a trauma which poses risk to his health and/or life. Specific features which classify a trauma as serious is approved by the Minister of Health;
3) **fatal accident at work**: an event during which a worker suffers a trauma which poses a risk to his health and/or life and in consequence of which the worker dies immediately or some time later.

**References:**

1. **LAW ON SAFETY AND HEALTH AT WORK**, 1 July 2003 No IX-1672.
2. **REGULATION ON THE INVESTIGATION AND RECORD OF ACCIDENTS AT WORK**, 3 September 2014, No 913.
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Gorobecienė D. Review of occupational health care activities provided by OHS services in Lithuanian enterprises. Visuomenės sveikata / Public Health 2014/1(64).


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