



# **Peer Review on “Legislation and practical management of psychosocial risks at work”**

**Peer Country Comments Paper - Estonia**

## **Psychosocial risks in the workplace: an increasing challenge for Estonia**

**Stockholm (Sweden), 3-4 October 2019**

**DG Employment, Social Affairs and Inclusion**



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## 1 Introduction

This paper has been prepared for the Peer Review on "Legislation and practical management of psychosocial risks at work". It provides a comparative assessment of the policy example of the Host Country (Sweden) and the situation in Estonia. For information on the host country policy example, please refer to the Host Country Discussion Paper<sup>1</sup>.

The paper is organised as follows: first, the introduction of the scale and nature of psychosocial risk at work in Estonia and background to national occupational safety and health (OSH) approaches are presented. The next section outlines the Estonian legislation and presents an analytical overview of the existing enforcement actions and national OSH programmes. The last sections present an assessment of success factors and transferability of the host country example in preventing psychosocial risks at work and Estonian context and several questions concerning particular aspects of the host country for further information.

## 2 Scale and nature of psychosocial risks at work

### 2.1 Background to Estonian national approaches on the psychosocial risks in the workplace: an increasing challenge for Estonia

Interactions between health, safety, work and working conditions have attracted considerable interest in the last decades in Estonia. Even though rapid improvement has been made in the field of OSH in Estonia in recent years, there are still many challenges ahead. In particular, work-related psychosocial risks are among the key emerging risks to health and safety. Mental health in the workplace concerns the individual, organisations and society at large and it can have impact on health, organisational performance, social wellbeing, motivation of members of organisation. Furthermore, it is associated to higher absenteeism, accident rates and rates of early retirement.

Estonian micro and small and medium-sized enterprises (SMEs) are searching for easy, low-cost, practical and simple guidelines and solutions for managing psychosocial risks in order to comply with OSH regulations. Often, employers in Estonian micro and SMEs do not have the right tools to deal with psychosocial issues<sup>2</sup>. This is aligned with the results from the Second European Survey of Enterprises on New and Emerging Risks (ESENER-2), an extensive survey that looks at how European workplaces manage safety and health risks in practice. According to the results from this survey, Estonia is located among those countries 'having insufficient information on how to include psychosocial risks in risk assessments' and second last among 36 countries which 'use [...] a psychologist, in-house or contracted externally'<sup>3</sup>.

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<sup>1</sup> Nilsson, B. (2019) How new legislation can change the approach to psychosocial risks at work, Host Country Discussion Paper – Sweden. Peer Review on "Legislation and practical management of psychosocial risks at work". Stockholm, Sweden, 3-4 October 2019. European Commission, DG Employment, Social Affairs and Inclusion.

<sup>2</sup> European Agency for Safety and Health at Work, 2018. The view from the workplace: Safety and Health in Micro and Small Enterprises in the EU European. Risk Observatory. National Report: Estonia

Available: <https://osha.europa.eu/en/tools-and-publications/publications/estonia-safety-and-health-micro-and-small-enterprises-eu-view> (accessed 31.08 2019)

<sup>3</sup> European Agency for Safety and Health at Work (EU-OSHA), 2016. Second European Survey of Enterprises on New and Emerging Risks (ESENER-2). Overview Report: Managing Safety and Health at Work. European Risk Observatory: 49-50 Luxembourg. [https://osha.europa.eu/sites/default/files/ESENER2-Overview\\_report.pdf](https://osha.europa.eu/sites/default/files/ESENER2-Overview_report.pdf) (accessed 01.09 2019)

A comprehensive analysis of the current situation in the field of mental health and psychosocial risks at work, conducted by the Ministry of Social Affairs<sup>4</sup> confirmed these results and highlighted the relevance of psychosocial risks at work. Based on the results from the analysis, the Ministry of Social Affairs decided to plan further activities for the following year (2020) together with stakeholders in order to help employers to manage psychosocial risks at work.

Several analyses and research have demonstrated that the psychosocial risks vary between sectors, group workers, jobs and occupations<sup>5</sup>. When looking at the prevalence of specific psychosocial risks, it turns out that the greatest concerns are in the healthcare, social work, education, commerce and office work sectors<sup>6</sup>. The main psychosocial risks in different sectors are time pressure, long or irregular working shifts and fear of losing job<sup>7</sup>. According to the data from the Ministry of Social Affairs, mental health disorders are the second most important cause of disability in Estonia. It means that the direct and indirect expenditure of the mental health expenditure in Estonia is estimated at 2.8 % of GDP.

According to data from the Estonian Health Insurance Fund, there were 6 871 cases of sick leave caused by mental and behavioural disorders in 2018. The estimated financial cost of treatment for mental illnesses and people who suffer from the psychics and behavioural disorders was about EUR 39 million in 2018. This represents about 4 % of the total treatment costs financed by the Estonian Health Insurance Fund. The sickness compensation paid to people who suffer from psychics and behavioural disorders by the Estonian Health Insurance Fund totalled at EUR 4 860 193<sup>8</sup> in 2018. Women received 65 % (EUR 3 177 736) of the total sickness compensation. However, based on the data available from the Estonian Health Insurance Fund, it is impossible to distinguish how many cases of diagnosed mental and behavioural disorders are work-related and caused by the psychosocial risks at work.

In the legislation of many European Member States, the system of occupational diseases is based on either an approved list of exposure and corresponding diseases or a general definition of occupational disease, or a combination of both. In Estonia, occupational diseases are only those listed and approved by the Ministry of Social Affairs. Psychosocial risks are not recognised as the possible cause for occupational diseases and are not included in the approved list by the Ministry of Social Affairs.

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<sup>4</sup> Ministry of Social Affairs, 2019. Töökeskkonna vaimse tervise analüüs (in Estonian). Sotsiaalministeeriumi töö- ja pensionipoliitika osakonna töökeskkonna üksus. Available at:

[https://www.sm.ee/sites/default/files/tookeskkonna\\_vaimse\\_tervise\\_analuus\\_2019.pdf?fbclid=IwAR2Z2z76a7lwRAvEHF5G8GuLMH70z8xA9ZwTPNff8SS3i\\_1J2jWraT0ATQE](https://www.sm.ee/sites/default/files/tookeskkonna_vaimse_tervise_analuus_2019.pdf?fbclid=IwAR2Z2z76a7lwRAvEHF5G8GuLMH70z8xA9ZwTPNff8SS3i_1J2jWraT0ATQE) (accessed 16.08.2019)

<sup>5</sup> Praxis, 2015. Vaimse tervise häirega inimesed tööturul (People with mental health problems in the labor market) (In Estonian). Available:

[https://www.sm.ee/sites/default/files/content-editors/Ministeerium\\_kontaktid/Uuringu\\_ja\\_analuusid/Toovaldkond/tp\\_f-too\\_loppraport\\_praxis\\_v\\_1505.pdf](https://www.sm.ee/sites/default/files/content-editors/Ministeerium_kontaktid/Uuringu_ja_analuusid/Toovaldkond/tp_f-too_loppraport_praxis_v_1505.pdf) (accessed 03.08.2019)

<sup>6</sup> Ibid.

<sup>7</sup> European commission, 2018. Management of psychosocial risks in European workplaces: evidence from the Second European Survey of Enterprises on New and Emerging Risks (ESENER-2). Available: <https://osha.europa.eu/en/tools-and-publications/publications/management-psychosocial-risks-european-workplaces-evidence/view> (accessed 10.08.2019)

<sup>8</sup> Estonian Health Insurance Fund, 2018. Haigekassa. Available: <https://www.haigekassa.ee/inimesele/haigekassa-huvitised/haigushuvitis> (accessed, 27.08.2019)

Therefore, no occupational and work-related diseases caused by psychosocial risk factors have been diagnosed in Estonia so far.

Moreover, there is lack of data about psychosocial risks at work with a specific focus on gender aspects and the self-employed workers<sup>9</sup>. There is no special issues in the national policy and legislation which are explicitly related to women's OSH, only for working conditions for pregnant and breastfeeding women. However, the Estonian Health and safety (H&S) Act (1999) stipulates employers to identify work environment hazards during the risk analysis and assess their potential impact on the employee's health, taking into account age and gender characteristics. According to data from the Labour Inspectorate, the quality of risk assessment varies greatly and decreases with the size of establishment, especially with regard to assessment and management of psychosocial risks with gender impact assessments.<sup>10</sup> Estonian H&S Act does not make it possible to impose OSH system requirements on self-employed, because self-employed workers are responsible for their own safety and the Labour Inspectorate lacks an overview about work-related accidents and ill-health in this target group.

### **3 Legislation and practical management of psychosocial risks at work**

#### **3.1 Estonian legal context on psychosocial risks at work**

The Estonian H&S Act (1999) based on the Framework Directive 89/391/EEC obligates employers to implement preventive measures to encourage improvement in the field of OSH and to ensure the safety and health of workers in all work-related aspects, including psychosocial risks. The H&S Act has been amended several times and the latest version came into force on the 1<sup>st</sup> of January 2019. Similar to the host country, the process of the development of a new regulation was based on consultation and discussions with social partners and a large number of stakeholders, representing different sectors and associations. Psychosocial risks that are specifically included in H&S Act are "violence, unequal treatment, bullying and harassment at work, monotonous work or work not suitable to the abilities of a worker, poor work organisation, working alone for an extended period of time, and other factors related to management, work organisation and work environment that may affect mental or physical health of a worker, including work-related stress". However, there is no such detailed specification, definitions and description of the organisational and social work environment factors like it is presented in the Swedish regulations and, even though, some terms are missing, for instance 'victimisation'.

#### **3.2 Enforcement actions and collaboration with social partners and stakeholders**

The Labour Inspectorate monitors compliance with OSH requirements. Activities focusing on psychosocial risks in the healthcare sector and social work have already started in 2012 with information campaign and targeted inspections. The Estonian National Focal Point for EU-OSHA operates within the Labour Inspectorate and coordinates EU-OSHA activities in Estonia. The Focal Point provides comprehensive information about OSH at the national and EU level, particularly about good practices

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<sup>9</sup> Centar 2010. Psühhosotsiaalsete riskide levik Eestis (In Estonia). Available: [http://www.centar.ee/uus/wp-content/uploads/2010/03/CENTAR\\_l6pparuanne.pdf](http://www.centar.ee/uus/wp-content/uploads/2010/03/CENTAR_l6pparuanne.pdf) (accessed 27.08.2019)

<sup>10</sup> European Agency for Safety and Health at Work, 2018. The view from the workplace: Safety and Health in Micro and Small Enterprises in the EU European. Risk Observatory. National Report: Estonia Available at: <https://osha.europa.eu/en/tools-and-publications/publications/estonia-safety-and-health-micro-and-small-enterprises-eu-view> (accessed 31.08 2019).



and Healthy Workplace Campaigns through workshops and seminars, factsheets and guidelines on managing stress and psychosocial risks at work, and the web-portal Working Life 'Tööelu'<sup>11</sup>. Large-scale awareness raising campaigns, particularly among microenterprises and SMEs, were organised by the Labour Inspectorate, together with the EU-OSHA National Focal Point, in line with the European campaign "Healthy Workplaces Manage Stress" in 2014-2015. Estonia is currently working on a few guidelines for employers as well for labour inspectors how to evaluate the quality of risk assessment and risk management measures with regard to prevention of psychosocial risks.

Specific targeted inspection on psychosocial risks was carried out in spring 2018 with a special focus on the transport sector and particularly, on drivers. At present, the next targeted inspection regarding psychosocial risks will start at the end of the September 2019 and will continue until end of the year. This inspection will cover healthcare facilities and nursing homes. The Labour Inspectorate developed guidelines for labour inspectors based on SLIC guides and recommendations for assessing the quality of risk assessment and risk management measures with regard to prevention of psychosocial risks<sup>12</sup>.

Further legislative developments focusing on psychosocial risks would not address current OSH issues that challenge Estonian micro- and SMEs. In order to achieve more positive results in OSH management, one possible new avenue of action might be to strengthen the national OSH system in Estonia as well as public awareness, through tripartite collaboration. Currently, the trade unions that are key players in OSH in other European Member States are quite passive in the field of OSH in Estonia.

Cooperation with social partners (the Estonian Employers' Association, the Estonian Trade Union Confederation, the Estonian Employees' Unions' Confederation) has been intensive regarding the development process of the new H&S Act and several agreements on OSH. Notably, the latest social partner agreement on telework, includes a number of OSH issues<sup>13</sup>. However, there is no social partner agreement on the management of psychosocial risks at work. In addition, the cooperation with social partners has been quite passive in implementing the legislation, particularly in combating labour law violations, providing information as well as ensuring the implementation and enforcement of existing policies. This consists an essential difference between the host country, Sweden, and Estonia.

Currently, in Estonia, there is little motivation and initiative of social partners to pay more attention to the OSH issues and to disseminate information.

The increasing incidence of psychosocial problems in Estonia is a great concern also for *occupational health services* (OHS). In comparison to the host country Sweden, there is no network of OHS providers and centres exists in Estonia. According to the Estonian H&S Act, only private companies or private medical companies may provide OHS services. The tasks of occupational health professionals are also listed in the Act. Relatively little information on the process of acquisition and customers of OHS services, and particularly about psychosocial risks and health examination among micro and SMEs, is available. Only one private medical company (OHS provider) declared that they

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<sup>11</sup> Web-portal Working life "Tööelu". Available at: <http://toelu.ee> (assessed 03.08.2019)

<sup>12</sup> The Senior Labour Inspectors' Committee (SLIC), 2018. Guide for assessing the quality of risk assessments and risk management measures with regards to prevention of psychosocial risks. Employment, Social Affairs & Inclusion

<sup>13</sup> Agreement on telework between the Estonian Employers' Association, the Estonian Trade Union Confederation. Kaugtöö kokkulepe, 2017. (*in Estonian*). Available at: [https://www.employers.ee/wp-content/uploads/Kaugtoo\\_raam-final.pdf](https://www.employers.ee/wp-content/uploads/Kaugtoo_raam-final.pdf) (assessed 25.09.2019)

are planning to develop web-based tool for assessment of psychosocial risks based on the Copenhagen Psychosocial Questionnaire (COPSOQ).

The effectiveness of the present OSH system in Estonia is undermined by the insufficient coverage of OHS (around 63 % of employees are covered by the OHS), relatively weak social dialogue, a lack of relevant statistical data and research activities in the field of OSH and poor quality of risk assessment regarding psychosocial risks.<sup>14</sup> In addition, there is a lack of knowledge and employer awareness about the psychosocial risks, resources (especially in micro and SMEs) neither is there little motivation to deal with OSH issues in Estonia stemming from legislative requirements.<sup>15</sup>

### **3.3 National health and safety programmes focusing on psychosocial risks at work**

Special action programmes have been launched by Ministry of Social Affairs in order to support OSH management in Estonian establishments. In addition, there have been different types of approaches aimed at enforcing legal requirements with the focus on psychosocial risks at work. For instance, a *Web-based tool for assessment of psychosocial risks* was developed in 2010 by the Labour Inspectorate ([www.stressivastu.ee](http://www.stressivastu.ee)). Nonetheless, there is no systematic follow-up system of programme evaluation. According to data from the Labour Inspectorate, there were only 2 109 visitors and 12 918 page views in 2018. The current web-based tool was criticised for its limited capabilities in functionality, such as inability to compare the data and to analyse the trends as well as a lack of recommendations how to manage psychosocial risks. Based on the data from the Labour Inspectorate, the web-based tool will be updated next year (2020) and will be integrated into the new, web-based interactive, advanced and innovative Labour Inspectorate Information System (*Tööinspektsiooni Tööelu Infosüsteem, TEIS*). These innovative measures above are important in assessing what can or might be done in the area of OSH interventions.

Another national programme - *Collection of 'Best Workplace Practices'* Award provide solutions to specific problems. Since 2009, the Labour Inspectorate has been collecting best workplace practices in OSH implemented by the employers from different sectors (private and public) in order to solve specific problems in the field of OSH. This includes topics such as ergonomics, good practices in OSH management systems, management of psychosocial risks, innovative solutions to safety and health risks in different sectors (construction, health care, manufacturing etc.) to improve working conditions and/or measures to reduce health and safety risks<sup>16</sup>.

In addition, similar to the Swedish example, an extensive effort was made by the Ministry of Social Affairs and the Labour Inspectorate in order to ensure a successful introduction and implementation of the new H&S Act. For example, all inspectors and

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<sup>14</sup> Ministry of Social Affairs, 2015. Eesti tööelu-uuring. (in Estonian).

Sotsiaalministeeriumi Analüüsi ja statistika osakond. Available at: [https://www.sm.ee/sites/default/files/content-editors/Ministeerium\\_kontaktid/Uuringu\\_ja\\_analuusid/eesti\\_tooelu\\_uuring\\_2015.pdf](https://www.sm.ee/sites/default/files/content-editors/Ministeerium_kontaktid/Uuringu_ja_analuusid/eesti_tooelu_uuring_2015.pdf) (accessed 31.08 2019).

<sup>15</sup> European Agency for Safety and Health at Work, 2018. The view from the workplace: Safety and Health in Micro and Small Enterprises in the EU European. Risk Observatory. National Report: Estonia Available at: <https://osha.europa.eu/en/tools-and-publications/publications/estonia-safety-and-health-micro-and-small-enterprises-eu-view> (accessed 31.08.2019)

<sup>16</sup> European Agency for Safety and Health at Work, 2017. Safety and health in micro and small enterprises in the EU: from policy to practice. Description of good examples. (Good example 8, pp 58-64) Available: <https://osha.europa.eu/en/tools-and-publications/publications/safety-and-health-micro-and-small-enterprises-eu-policy-practice/view> (accessed 31.08.2019)

counsellors at the Labour Inspectorate received comprehensive training on the new regulations and practical management of psychosocial risks at work. In addition, public and private organisations were organised basic and supplementary training, multiple seminars, workshops, conference and discussions regarding the new legislation and management of psychosocial risks for employers and employees. These issues attracted high attention also in the media.

Since 2014, the Labour Inspectorate in addition to the state supervision provides the support for individual workplace and consultancy services in OSH in order to support OSH management in micro and SMEs.<sup>17</sup> The consultancy service in OSH and face-to-face consultancy on site is provided by the four counsellors with higher education and extensive work experience in the field of OSH. During the face-to-face consultancy, consultants can be invited on-site by employer, in what is called "Face-to-face consultancy" or "Corporate working environment counselling service".

During the provision of a face-to-face consulting service on site, in accordance with the needs of the employers, the working environment counselling may cover all issues relevant to the whole working environment or just a specific area, for instance: management of psychosocial risks.

Additional information and guidelines were developed in order to help employers to manage psychosocial risks by the Labour Inspectorate, the Ministry of Social Affairs and national Institute for Health Development. Relevant information was disseminated during the popular Opinion Festival 2019 in Estonia, in the Ministry of Social Affairs blog<sup>18</sup>, the guidelines about psychosocial risks were published on the web-portal Working life 'Tööelu'<sup>19</sup> and on the website of the Labour Inspectorate<sup>20</sup>. Although a number of approaches and national programmes (both regulatory and voluntary) now exist, it is too early to evaluate their effectiveness.

Compliance with relevant legislation is more challenging for micro and SMEs than for large organisations because of the lack expertise, knowledge, motivation and resources available to deal with such delicate issue like psychosocial risks. Finally, strong incentives for employers are needed in Estonia in order to become interested in OSH issues, willing to deal with and invest more. There is also a need for practical guidelines and good examples of appropriate 'return to work (RTW) strategies' for people with mental health difficulties in order to improve security, health and wellbeing for employees and to reduce the cost of absence for employers.

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<sup>17</sup> European Agency for Safety and Health at Work, 2017. Safety and health in micro and small enterprises in the EU: from policy to practice. Description of good examples. (Good example 15, pp 101-107) Available at: <https://osha.europa.eu/en/tools-and-publications/publications/safety-and-health-micro-and-small-enterprises-eu-policy-practice/view> (accessed 31.08.2019)

<sup>18</sup> Ministry of Social Affairs blog. Available at: <https://somblogi.wordpress.com/blogist> (assessed 03.08.2019)

<sup>19</sup> Web-portal Working life "Tööelu". Available at: <http://toelu.ee> (assessed 03.08.2019)

<sup>20</sup> Labour Inspectorate, 2014. Tööstressist vabaks! (in Estonian) Available: [https://www.ti.ee/fileadmin/user\\_upload/failid/dokumendid/Meedia\\_ja\\_statistika/Truekised/Toostress.pdf](https://www.ti.ee/fileadmin/user_upload/failid/dokumendid/Meedia_ja_statistika/Truekised/Toostress.pdf). (assessed 03.08.2019)

## **4 Assessment of success factors and transferability of the host country example**

### **4.1 Success factors and transferability of Swedish experience in preventing psychosocial risks at work and Estonian context**

Swedish success factors that contribute to preventing stress and mental illness at work, by implementing a complex and holistic approach. The Swedish approach including the new and detailed regulations on organisational and social work environment, a broad and comprehensive information initiative and effective supervision in collaboration with the social partners and other stakeholders, could be suitable also for Estonia. However, these need to be adapted to the national context.

In comparison to the host country Sweden, the psychosocial risks are not treated in the same way as other work environment risks in Estonia. The main reason is a lack of expertise, knowledge and resources available in micro and SMEs to deal with such delicate issue like psychosocial risks. In addition, there is still little public opinion and awareness of the problems.

However, several activities, similar to Swedish success factors, have already been implemented in Estonia in order to help employers to manage psychosocial risks at work. One example can be relevant legislation, what is a good start for elaborating the importance of the topic and raising the public discussion about the issues. The new Act initiates a large number of discussion meetings, seminars, conferences and trainings organised for employers and employees by the Ministry of Social Affairs, the Labour Inspectorate, public and private educational organisations. However, the stakeholders and social partners are quite passive in supporting and disseminating the relevant information to workplaces and developing practical sector-based management tools to concrete work.

Estonia can learn from the Swedish approach how to develop measures to implement the new regulations, to support micro and SMEs (e.g. guidelines, good practices, the films) and to implement enforcement actions. Several good practices, like a network for lawyers and inspectors in order to share experiences of the practical implementation, continuous training of inspectors as well as an evaluation by external evaluators, could be useful for Estonia in order to examine how the inspectors act and to ensure quality and consistence of inspection.

It is also essential to emphasise that there is a lack of relevant statistical data and research activities in the field of psychosocial risks at work. This makes it difficult to develop measures that are connected to current research.

In addition, informative campaign with involvement of sectoral social partners and stakeholder could be transferred to Estonia. It would be a very valuable exchange of knowledge and experience, in order to stipulate social dialogue in Estonia and to develop a holistic and very practical approach and tools for managing psychosocial risks in the micro and SMEs.

## **5 Questions**

- What is the enforcement mechanism, approaches and supervision? What works and why? (Examples of measures, interventions, guidelines on mental health prevention and promotion as well as good practices to prevent psychosocial risks at work would be interesting)
- How micro and SMEs deal with psychosocial risk at work?"
- What was the main challenge for the last four years and what was learned from weaknesses of the implementation of new legislation into the practice?
- Is there is any good and effective example/ practices in 'return to work (RTW) strategies' for people with mental health difficulties?

## **Annex 1 Summary table**

The main points covered by the paper are summarised below.

### **Scale and nature of psychosocial risks at work**

- Psychosocial risks in the workplace is an increasing challenge for Estonia. However, psychosocial risks are not recognised as a possible cause for occupational and work-related diseases in Estonia.
- The compliance with relevant legislation is more challenging for micro and SMEs than for large organisations, because of the lack expertise, knowledge, motivation and resources available to deal with such delicate issue like psychosocial risks.
- The quality of risk assessment varies greatly and decreases with the size of establishment.
- There is a need for practical guidelines and good practices of management of psychosocial risks at work as well as appropriate 'return to work (RTW) strategies' for people with mental health difficulties in order to improve health and safety and wellbeing for employees and to reduce the cost of absence for employers.

### **Legislation and practical management of psychosocial risks at work**

- Estonian H&S Act is the main legislative basis for prevention and protection workers from psychosocial risks. The Labour Inspectorate monitors compliance with OSH requirements
- There is a lack of data about psychosocial risks at work with a specific focus on gender aspects and the self-employed workers
- Cooperation with social partners has been intensive regarding the development process of the new H&S Act and quite passive in supporting and disseminating the relevant information to workplaces and developing practical sector-based management tools to concrete work.
- Additional information and guidelines were developed in order to help employers to manage psychosocial risks by the Labour Inspectorate, the Ministry of Social Affairs and national Institute for Health Development.

### **Assessment of success factors and transferability of the host country example**

- The Swedish holistic approach including the new and detailed regulations on organisational and social work environment, a broad and comprehensive information initiative and effective supervision in collaboration with the social partners and other stakeholders, could be suitable also for Estonia.
- Estonia can learn from the Swedish approach how to develop measures to implement the new regulations, to support micro and SMEs and to implement enforcement actions.
- Several good practices, like a network for lawyers and inspectors in order to share experiences of the practical implementation, continuous training of inspectors as well as an evaluation by external evaluators, could be useful for Estonia in order to examine how the inspectors act and to ensure quality and consistence of inspection
- A broad and comprehensive information with involvement of sectoral social partners and stakeholder could be transferred to Estonia.

- An exchange of knowledge and experience would be valuable, in order to stipulate social dialogue in Estonia and to develop a holistic and practical approach as well as tools for managing psychosocial risks in the micro and SMEs.

### Questions

- What is the enforcement mechanism, approaches and supervision? What works and why? (Examples of measures, interventions, guidelines on mental health prevention and promotion as well as good practices to prevent psychosocial risks at work would be interesting)
- How micro and SMEs deal with psychosocial risk at work?
- What was the main challenge for the last four years and what was learned from weaknesses of the implementation of new legislation into the practice?
- Is there any good and effective example/ practices in 'return to work (RTW) strategies' for people with mental health difficulties?

## Annex 2 Example of relevant practice

Name of the practice:	Consultancy service in OSH and face-to-face consultancy on site
Year of implementation:	Face-to-face consultancy on site was established in 2015
Coordinating authority:	Labour Inspectorate
Objectives:	To help employers to fulfil legal requirements, to improve safety culture in Estonian establishments, to increase employers' OSH knowledge, also focusing on psychosocial risks at work.
Main activities:	The national programme is comprised of two parts: (1) consultancy service in OSH and (2) face-to-face consultancy on site, provided by counsellors who have extensive work experience in the field. It was launched in 2014 by the Labour Inspectorate in order to support OSH management in micro and SMEs. However, every Estonian enterprises and organisations can participate in the programme.
Results so far:	<p>The Labour Inspectorate has 16 offices and 9 consultancy agencies in different locations in Estonia, including small towns and communities that are far from the area of the capital. The consulting service is open for free OSH advice once a week in 25 different Estonian towns. In addition, the consulting service is provided via telephone and email from Monday until Friday, from 09:00 until 16:30. Four lawyers and one OSH counsellor provide advice over the telephone. There is also some evidence of the impact of the consulting service available from the Labour Inspectorate: there are 45 870 persons (employers and employees) in 2018. The majority of persons received consulting services via telephone.</p> <p>There are four counsellors with higher education and extensive work experience in the field of OSH. All counsellors have work experience in the field of OSH of 6-25 years. According to the data from the Labour Inspectorate, the consulting services were provided in 206 companies, which have received face-to-face consulting services in 2018. In total, around 11 000 workplaces were covered by the consulting services on site. At present, around 69 % of consulting services have been provided based on the employer's invitation and request. In other cases (31 %), counsellors or labour inspectors suggested to employer to make contact and ask for counselling service within the programme. More than 2000 suggestions for improvement of working conditions and recommendations were given to the employers.</p> <p>The evaluation of the efficacy of the programme is not yet finished by the Ministry of Social Affairs. The evaluation of the other part of the programme Face-to-face consultancy is based on feedback from employers about counsellors' work. Employers have reported that they gained new and valuable OSH knowledge, and relevant and practical advice on how to improve working conditions or on how to compile documents required by OSH regulations.</p>



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