



**federación de  
servicios a la ciudadanía**  
salud laboral, medio ambiente y área pública

# **Job security and precarious work**

**Quality Employment and Quality Public Services  
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# Overview of the presentation



# Health

vs.

# Precarity

## Health:

- "It is the state of complete well-being, physical, mental, spiritual, emotional and social, and not only the absence of affections or diseases" (W.H.O.)
- "The ability to develop one's personal potential and respond positively to the challenges of the environment." (European Regional Office of the W.H.O.)



Precarity: it is the condition of precariousness

That which lacks resources is not stable or is not able to sustain itself over time.



# P R E c a r i e d a d

**A person with a job, but who lacks resources such as living wages, stability, autonomy, recognition of their work, training and personal fulfillment ..., can not experience well-being, physical, mental, spiritual, emotional and social.**

**Precariousness compromises preventive activity, exacerbates exposure to existing risks, increases the possibility of accidents or illnesses, generates more risks, and generates defenselessness. Psychic overload increases and with it stress, anxiety, depression ...**

**You work faster, in worse conditions, with lower salaries and ...**

**Demoralization wears out physically and emotionally.**

# Spain, heads the labor precariousness of Europe

- **The International Labor Organization (ILO), in its study on "Atypical employment in the world: challenges and prospects", maintains that Spain is the second country in Europe (behind Poland) in which there are more atypical forms Of employment: temporary, part-time or agency contracts. These contracts do not ensure the same rights as those of a fixed or indefinite job.**
- **There is a predominant business culture of using temporary contracts.**



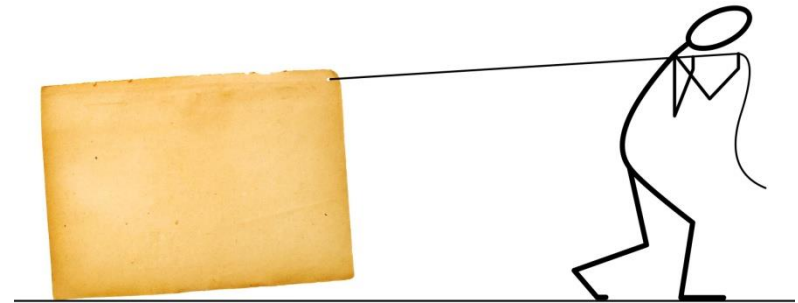
# ***Is health in precarious conditions possible?***





# PANORAMA NATIONAL SURVEY CONDITIONS OF WORK

- According to the VII National Survey of Working Conditions, 45% of workers prolong their working day. 18.2% without compensation.
- 22.6% reported difficulties in reconciling their working hours with their social and family commitments.
- 84% of workers say they are always or almost always exposed to some deficient aspect related to the physical demands of their job.
- 23.9% of workers say they have a lot of work and feel overwhelmed.
- 46% of the employed consider that they must work very fast.



# PANORAMA NATIONAL SURVEY CONDITIONS OF WORK



- 45% must attend to several tasks at the same time. 34.9% in very strict terms and very short.
- 8.9% of workers are at risk of robberies, physical assaults or violent acts.
- 72% of workers report that they have a specific health problem
- 86.4% of workers report that the health problem that has afflicted them has been aggravated or produced by work.
- 34.7% of workers consider that they will not be able to perform the same job after 60 years





# Reform increases precariousness

- Create an indefinite contract (economically motivated) with a trial period of one year and zero euros of compensation.
- All national and international studies show the relationship between precariousness (temporality) and occupational health.
- Temporary workers have more work-related injuries and illnesses than those workers who have an indefinite contract.

**More temporary contracts = More health problems**

# How does reform affect our health?

- The reform reduces the dismissal
- The threat of job loss seriously affects the mental and physical health of workers
  - Among the people who lose their job they appear quickly:  
Anxiety symptoms insomnia,  
Nerve disorders  
Problems in the device, circulatory and skin  
Increased addiction  
Irritability and even a demonstrated increase in suicides.
- People who stay in companies see their work rhythms intested and develop many of the aforementioned pathology.



# Flexibilizes and deregulates working conditions

- The employer is granted total availability to change working conditions, salary, working hours and functional and geographical mobility.
- Unilateral availability of the employer to impose the organization of work.
- All studies show that exposures to fish-related risks are significantly aggravated when people lack control over their working conditions.
- Lack of control over our working lives severely affects self-esteem and the very meaning of work and becomes a source of physical (cardiovascular and musculoskeletal) and psychic (anxiety, depression)

**No flexibility strategy at the expense of health of workers**

# Absence from work due to sickness causes dismissal

- The amendment of article 52 of the Workers' Statute implies a brutal violation of the right to health.
- The reform allows objective dismissal (20 days per year worked with a maximum of one year) to people who in two consecutive months are missing 20% of working hours provided that the total absence of assistance in the previous twelve months reaches 5% or 25% of the days in four discontinuous months in a period of twelve months.



# Labour Reform

## In the Public Administrations

- It affects the quality of public services and facilitates the dismissal of public sector workers:
- Jobs occupied with labor contracts may be occupied by unemployed persons receiving the unemployment benefit.
- The same causes of dismissal as those established for private companies are contemplated for employees with public works contracts.



# The decline in wages

- Wages in Spain continue to decline.
- The cost per hour worked accumulates its worse streak of all the historical series.
- UN report: Crises make us more unhappy: Spain, the sixth country that has lost more happiness.
- Spain is ranked 38th in the happiness ranking of 150 countries.
- The crisis triggers the number of mental disorders.



# PUBLIC EMPLOYMENT



- It is at the service of citizenship.
- It has highly qualified personnel
- It remains constant before the different governments, and must respond to changing policies.

# Administración Pública.

- Los trabajadores empleados públicos, responden a varias clasificaciones:

TRABAJADORES

Personal  
funcionario

Personal  
laboral

Personal  
temporal

# In recent years....

HE HAS LIVED A GRAVE DETERIORATION OF HIS PUBLIC IMAGE BEFORE SOCIETY.

THE FREEZING HAS BEEN SUFFERED AND SALARY.

IT HAS SEEN INCREASED ITS JOB DAY.

HAS BEEN BOUND THE INCREASE OF SOCIAL PRESSURE.

HAS LOST THE LOSS OF LABOR RIGHTS.

IT HAS BEEN CONVERTED IN THE CHANGE OF CHANGE OF THE CRISIS.

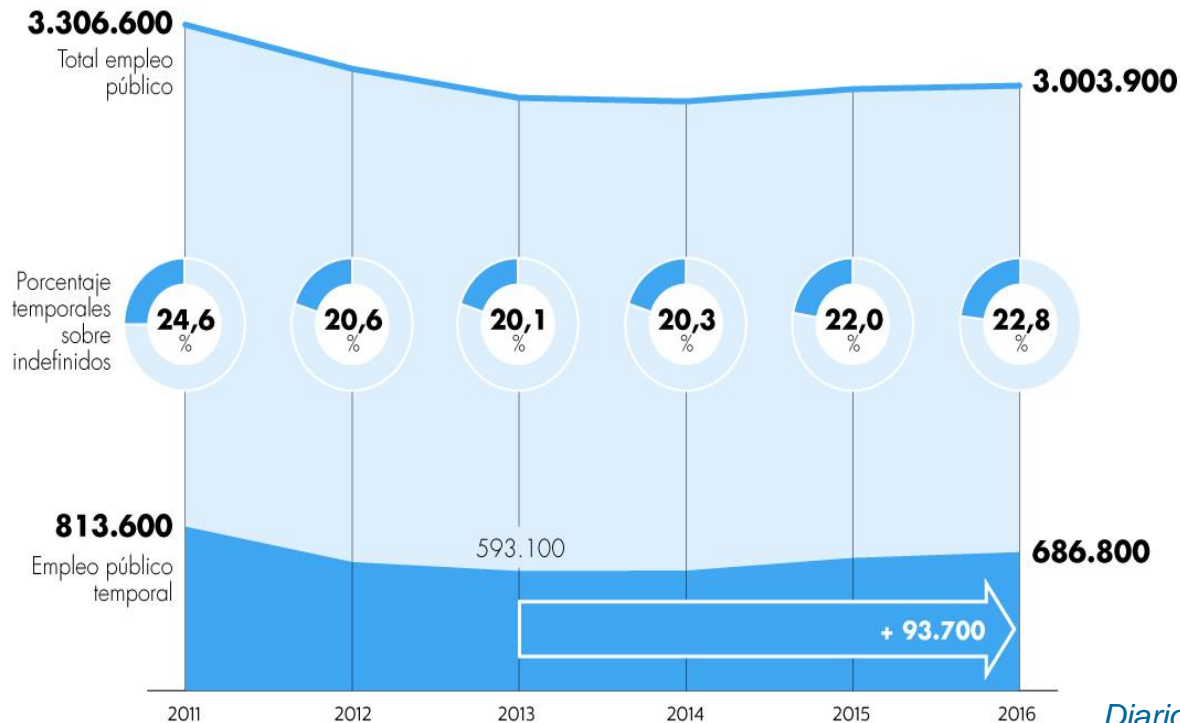


**94,000 temporary posts have been generated.**  
**Administration destroys 33,000 permanent jobs in three years**

## El empleo público en España

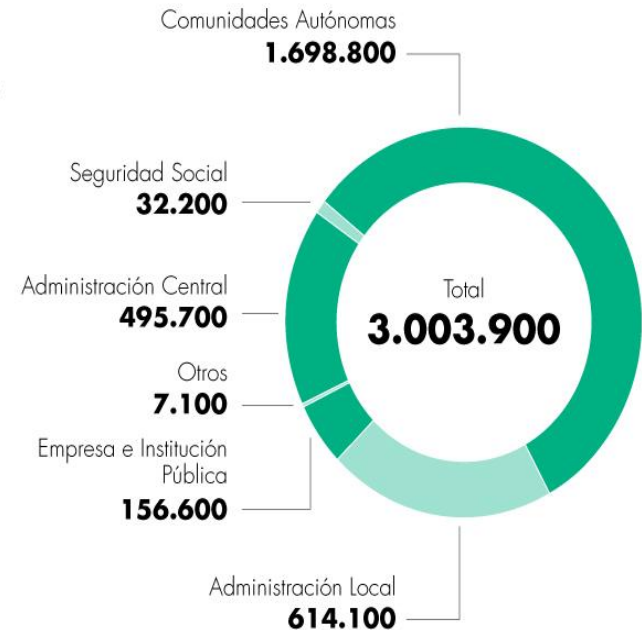
### Total asalariados públicos

(III trimestre de cada año)



### Por tipo de Administración

(III trimestre de 2016)



# Loss of jobs and quality



- The Administration has lost nearly 300,000 public jobs in four years.
- According to the Statistical Bulletin of Personnel Serving Public Administrations, 60% of Spanish civil servants are already more than 50 years old.
- There is a serious imbalance caused by the lack of renovation of places.
- Work is not adapted to the physical demands of the age. Most workers continue to do the same job as when they accessed the job.
- The cuts in both wages and entitlements have meant the aggravation of widespread demotivation.



# Crisis and News

[WWW.FSC.CCOO.ES](http://WWW.FSC.CCOO.ES). Lunes 12 de agosto de 2013.

*"The aging of the Public Administration in Spain. "*

- "The templates are very old because almost 10% of the active staff is more than 60 years old and will retire imminently. The current forecast to lustrro view supposes that the State Administration can be reduced by something more than 15%, about 35,000 jobs, which added to those already lost, yields a figure of 60,000 lost jobs By the crisis in eight years, almost 30% of the templates of the AGE "*





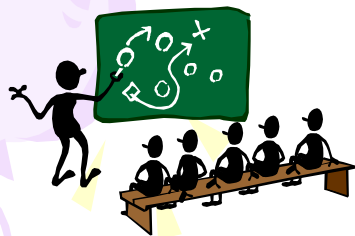
# The Court of Justice of the European Union before the Spanish public sector.

- Public administrations are in breach of Directive 1999/70 / EC, the framework agreement of the European Trade Union Confederation, the European employers UNICE and CEEP on fixed-term work, clauses 5 and 8, as interpreted by the law The Luxembourg-based body.
- The Administration "abuses the precariousness of public employment with an excessive concatenation of long-term contract contracts in the public sector".
- This situation has been recognized in three judgments of the Court of Justice of the European Union on the public sector and will entail revising the Spanish legislation that establishes the system of temporary hiring of caretakers in the public sector.



# Coordination of business activities

The large number of subcontracting in the private sector, outsourcing of services in the public sector, without coordination of activities in the field of occupational risk prevention, is an excellent breeding ground for the increase in number and severity of the casualties.



# Officials abroad

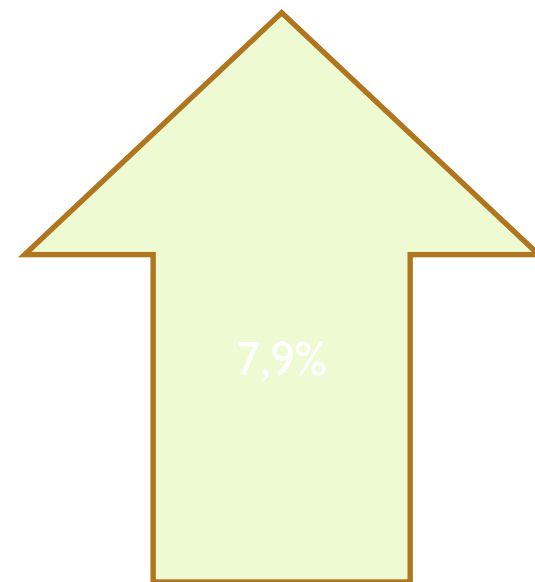
- About 10,000 workers from embassies, schools, cultural and economic institutions ... complain about their working conditions.





# Work accidents\*

In the year 2015 there has been an increase in the number of accidents at work.



Source: Ministry of Employment and Social Security.  
Subdirectorate General of Statistics. "Accidents of Work.2015"

# Work accidents

- Of the 458,023 work accidents with casualties produced in 2015

***62,971 are salaried employees of the public sector.***

- Accidents of work without job drop 714.930.
- It should be added the data of work accidents suffered by employees receiving Mutualities such as MUFACE, MUGEJU or ISFAS, but are not published

13,7%  
accidentes  
son del  
asalariados  
sector  
público



MUFACE

ISFAS

MUGEJU

# ACCIDENTES DE TRABAJO

TRABAJADORES ACOGIDOS A MUFACE  
ORDEN APU/3554/2005 de 7 de noviembre,

MINISTERIO DE HACIENDA Y ADMINISTRACIONES PÚBLICAS.  
ANEXO 9.

ORGANISMO	PLANTILLA		AT SIN BAJA		AT CON BAJA		AT MORTAL	
	H	M	H	M	H	M	H	M
M. AGRICULTURA	1.725	1.803	43	36	34	38	0	0
M. ASUNTOS EXT Y COOOP.	629	762	0	1	1	6	0	0
M. DEFENSA	12.758	10.284	435	198	603	154	2	0
M. ECONOMÍA Y COMPETITIVIDAD	849	1.477	6	28	2	12	0	0
M. EDUCACIÓN CULTURA Y DEPORTE	1.340	2.312	29	33	16	32	0	0
M. EMPLEO Y S. SOCIAL.	1.899	2.842	0	0	9	18	0	0
M. FOMENTO	2.028	1.282	34	27	24	20	0	0
M. HACIENDA Y AD. PP.	3.865	5.852	20	56	33	92	1	0
M. INDUSTRIA	741	906	5	5	2	3	0	0
M. INTERIOR	608	599	2	13	3	11	0	0
M. JUSTICIA	522	785	7	21	7	12	0	0
M. PRESIDENCIA	595	686	15	38	8	24	0	0
M. SANIDAD	515	1.163	4	30	3	28	0	0
TOTAL	108.608	115.006	1863	1399	1961	1888	9	3

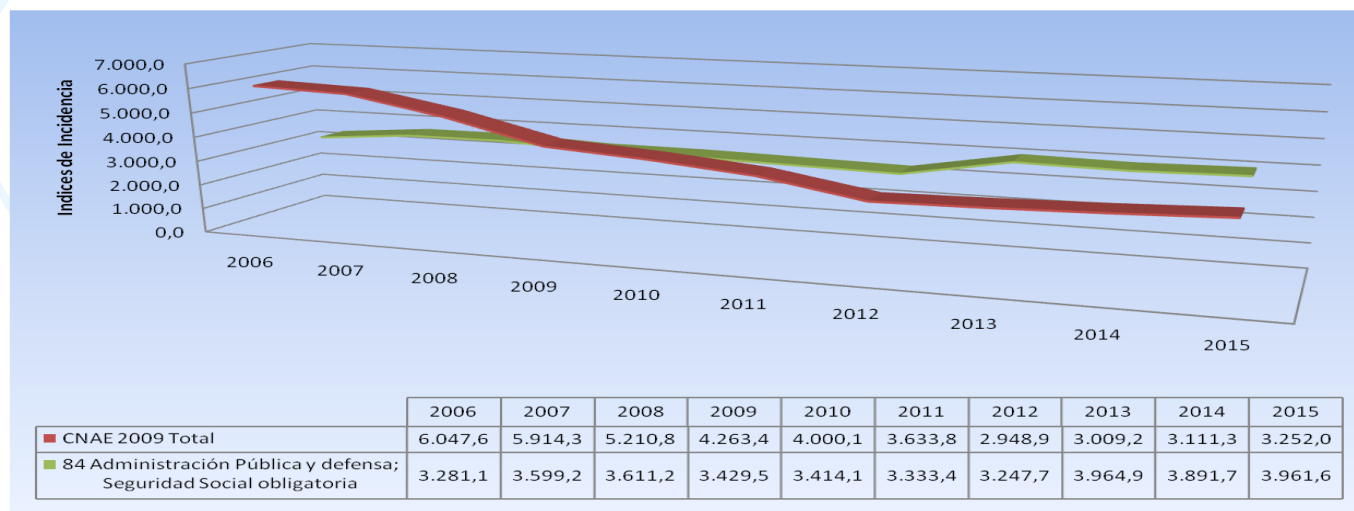


# ACCIDENTES DE TRABAJO 2014-2015

Accidentes de trabajo con baja	En jornada		In itinere* (al ir o volver del trabajo)		Total AT
	Total En jornada	Graves + Mortales	Total In Itinere	Graves + Mortales	Total
Asalariados del Sector Público 2015	62.971	498	13.700	261	76.671
Asalariados del Sector Público 2014	61.423	544	13.488	252	74.911
<b>Enfermedades profesionales</b>		Número de partes cerrados PANOTTRATSS-4			
CNAE 84		Con baja			
Administración Pública y Defensa; Seguridad Social Obligatoria. 2015		256	Estos datos no recogen íntegramente la totalidad de asalariados del sector público. Faltarían otros CNAE, como médicos, profesores...		
Administración Pública y Defensa; Seguridad Social Obligatoria. 2014		270			

Trabajadores acogidos al Régimen General de la Seguridad Social.

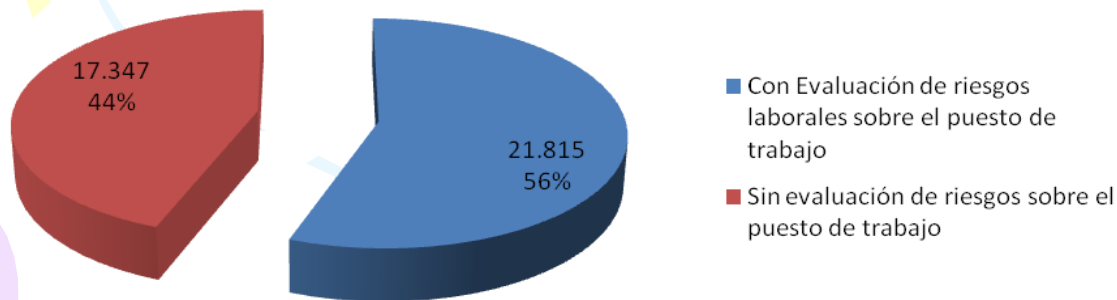
# EVOLUCIÓN DE LOS ÍNDICES DE INCIDENCIA PARA CNAE 84 EN COMPARACIÓN CON LA MEDIA TOTAL



Fuente.: Ministerio de Empleo y Seguridad Social . Estadística de accidentes de trabajo.

# Public Administration CNAE 84 Accidents of Work with low labor. Year 2015.

44% Public Administration and defense:  
They had not performed the risk assessment of  
their job.



# Health monitoring...

Health surveillance has gone from being an element of analysis and prevention to



Becoming a tool that makes improper dismissals possible due to ineptitude



# The absenteeism

- Según la OIT:

*La no asistencia al trabajo por parte de un/a trabajador/a que se pensaba que asistiría.*

Por lo tanto (en sentido estricto)

*ausencia injustificada e incapacidad temporal*

***The exercise of rights is not absenteeism***

# El "*presentismo*"

In an alleged fight against absenteeism have caused people to attend their jobs despite not being in good health.



Generating unnecessary labor risks, greater possibility of contagion, inefficiency and reduction of productivity despite being more hours at work.

# Los riesgos psicosociales

El estrés, la ansiedad, la depresión, ... han dejado de ser enfermedades raras o de determinados sectores para pasar a ser cotidianas.

Sin embargo son las grandes olvidadas de la prevención de riesgos laborales, a pesar que la organización del trabajo, la inestabilidad del empleo, la atención al público/cliente, etc. tienen un gran peso en su aparición y desarrollo.





# **Ley 31/95, de 8 de noviembre, de Prevención de Riesgos Laborales**

- Convenio 155 OIT, sobre seguridad y salud de los trabajadores y medio ambiente de trabajo
- Directiva Marco 89/391/CEE, aplicación medidas para promover mejoras de la seguridad y la salud de los trabajadores



# Plan de Prevención

- Diseñar proceso de trabajo que no dañe la salud de la gente trabajadora. Gestión coherente. Responsabilidad empresarial.
- Evaluación de riesgos.
- Planificación.
- Herramienta.
- Participación.



# Delegad@s de Prevención.


- Representantes de l@s trabajadores.
- Han de ser consultad@s.
- Acceso a la documentación
- Formulan alegaciones
- Derecho a recibir formación adecuada

# Competencias de l@s delegad@s

- Colaborar con la empresa en mejoras preventivas.
- Promover fomentar cooperación de la plantilla en las mejoras.
- Ser consultados por empresario (art. 33) en todo aquello que afecte a la salud y seguridad.
- Vigilar y controlar cumplimiento normativa.

# Facultades de l@s delegad@s de prevención.

- Tener acceso a documentación e información
- Acompañar a técnic@s e Inspectores/as.
- Exigencia medidas para mejora.
- Visitar lugares de trabajo.
- Propuesta paralización por riesgo grave.

- 
- Mismas garantías que delegad@s d personal (art. 68 ET)
  - Prioridad continuidad en la empresa.
  - No despido, sanción ni discriminación profesional por ejercicio de funciones.
  - Expresar libremente opiniones distribuir publicaciones.
  - Crédito horario.
  - Medios y formación.
  - Deber de sigilo.

# ¿Cómo se eligen?

## **Numero de trabajadores**

## **Numero de Delegados de Personal o Comité Empresa**

## **Numero de Delegados de Prevención**

6 a 30

1 Delegado Personal

1 Delegado Prevención

31 a 49

3 Delegados Personal

1 Delegado Prevención

50 a 100

5 Delegados Personal

2 Delegados Prevención \*

101 a 500

9 a 13 (Comité de Empresa)

3 Delegados Prevención

501 a 1000

17 ó 21 (Comité de Empresa)

4 Delegados Prevención

1.001 a 2.000

23 (Comité de Empresa)

5 Delegados Prevención

2.001 a 3.000

25 (Comité de Empresa)

6 Delegados Prevención

3.001 a 4.000

27 (Comité de Empresa)

7 Delegados Prevención

Más de 4.000

29 hasta 75 (Comité de Empresa)

8 Delegados Prevención

*\* A partir de 50 trabajadores/as se constituye Comité de Seguridad y Salud*





# Comité de Seguridad y Salud.

- Órgano paritario y colegiado.
- Empresas con varios centros de trabajo dotados con Comités, podrá acordar creación de Comité Intercentros.

# Competencias

- Participar en elaboración de planes y programas de prevención.
- Puesta en marcha de :
  - Planificación.
  - Organización trabajo y nuevas tecnologías.
  - Organizar y desarrollar actividades.
  - Organizar formación en materia preventiva.
  - Promover iniciativas, corregir deficiencias.

# Servicios de Prevención

- Conjunto de medios humanos y materiales.
- Empresario asume para empresas <10 trabajadores no anexo 1 o <25 con un centro de trabajo. NO vigilancia de la salud.
- Trabajadores designados. NUNCA delegados de prevención.
- Propio: >500 trabajadores y/o >250 Anexo 1
- Mancomunado (propio): mismo centro área geográfica. Empresas mismo sector o grupo empresarial.
- Ajeno: sin obligación lo eligen. A requerimiento autoridad.

## Muy importante

### Los Servicios de Prevención:

- X No pueden actuar en representación de la empresa.
- X Están al servicio de los delegados/as de prevención y del empresario.
- X No son sólo los anteriores servicios médicos de empresa.

# Pincelada

- More than eight months has been delayed in meeting the technical committee for the prevention of occupational risks.
- In the AGE there are more than 600 SL committees and 2,845 prevention delegates.
- 87 complaints of harassment of 20 units. Only in 3 was the advisory committee formalized.

# Conclusions

- The staff of the Public Administration is a larger group (more than 50 years). Aging in the workplace is an important factor to analyze, from preventive aspects such as those associated with the organization of work.
- It is qualified, but it is not recognized neither by the society nor by its agents. They have difficulty developing their potential in the work environment.
- He has suffered the loss of labor rights under the excuse of the crisis: cuts in wages, increased working hours, sickness penalties.
- He is becoming more and more unmotivated.



# Conclusions

- It suffers more and more aggression and violence. It is facing an increasingly demoralized citizenship resulting from the crisis.
- Collective that increases the work-related accidents year after year and that is above the average of the rest of sectors.
- We do not know the data for the officials of the three mutual societies MUFACE, MUGEJU and ISFAS.



# Conclusions

- The European social model is in crisis and this weakens the correlation of forces between European unions and institutions.



# Proposals

Public intervention in the management and promotion of economic activity and services of general interest.

- Preparation of a letter of rights and public services of the citizens.
- Taxation and financial sufficiency.
- Establishment of social clauses in public procurement

# Proposals

- Strengthen the public sector as an engine of economic and social development.
- Fair tax system to support the Social State, egalitarian and democratic.
- Recovery of privatized / outsourced services for the direct management of administrations.
- Strengthening European trade union action.
- Claim - Mobilization- Proposal



***Thank you !***

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