**Course: Professional Ethics Raghurama Varma Gonela Assignment 3 2018A7PS1120P**

**Occupational Health and Safety**

Occupational health and safety are major issues in the world of business and come under the domain of business ethics. In this paper, we will be covering the following topics:

* Health and safety in the workplace
* Distinction between health and safety dangers/hazards
  + What are health hazards?
  + What are safety hazards?
* Health and safety issues
* The Concept of a Direct Cause
* The Voluntary Assumption of Risk
* Right to Know about and refuse Unsafe Work
* Moral justification of the Right to know and Conclusion

**Health and safety in the workplace**

Professional workers have a right to be protected against workplace dangers that can cause illness, injury, and even death. Even though some accidents and exposures are unavoidable however, others can be prevented at a considerable cost.

At first glance, the right of employees to a safe and healthy workplace might seem to be too obvious to need any justification. This right—and the corresponding obligation of employers to provide working conditions free of recognized hazards—appears to follow from a more fundamental right, namely, the right of survival.

*“When the demands of doing business conflict with the morality or well-being of society, it is business that must yield, and this, perhaps, is the ultimate point of business ethics.”*

*- Robert C Solomon*

Hence, it is unethical to not take basic measures to maintain the health and safety of employees, just because it might hinder profits.

It is not clear however, what specific protection workers are entitled to or what specific obligations employers have with respect to occupational health and safety. One position, recognized in common law, is that workers have a right to be protected against harm resulting directly from the actions of employers where the employer is at fault in some way.

**Distinction between health and safety hazards/dangers**

Often mistaken to be the same, health hazards and safety hazards are fundamentally different. Many safety specialists believe they can protect health the same as they protect safety in the workplace, and do not see the need for knowing the difference between a health or safety hazard. They are miles off from the truth.

* **What are health hazards?**

Health hazards are factors in the workplace that cause illnesses and other conditions that develop over a lifetime of exposure. Many diseases associated with specific occupations have long been known. In fact, little publicized factors cause the greatest toll on the workforce. Hearing loss from constant noise or nerve damage from repetitive motions are examples of health problems that may occur in a workplace. Some of the leading causes of death, such as heart disease, cancer, and respiratory conditions, are thought to be job related, although causal connections are often difficult to make. Even stress on the job is now being recognized as a workplace danger that is responsible for headaches, back and chest pains, stomach ailments, and a variety of emotional disorders.

* **What are safety hazards?**

Safety hazards generally involve loss of limbs, burns, broken bones, electrical shocks, cuts, sprains, and impairment of sight or seeing. These injuries are usually the result of sudden and often violent events involving industrial equipment or the physical environment of the workplace. Examples include coming into contact with moving parts of machinery or electrical lines, getting hit by falling objects or chemical spills and explosions, fires, and falls from great heights.

**Health and safety issues**

In most workplace accidents, employers can defend themselves against the charge of violating the rights of workers with two arguments.

* One is that their actions were not the *direct cause* of the death or injury. This is called using ‘*the concept of a direct cause’.*
* The other is that the worker voluntarily assumed the risk. This is called using *‘the voluntary assumption of risk’*
* **The Concept of a Direct Cause**

When a workplace accident occurs due to the lack of care on the part of the employee or the negligence of co-workers and as long as employers are not negligent in meeting minimal obligations, employers are not generally held liable for deaths or injuries resulting from industrial accidents. Practically, this does not reduce the probability of harm any further.

*“Whether the use of or exposure to some substance should be prohibited should depend on the degree to which it poses the risk of cancer. . . If the risks are very slight . . . and if no substitutes are available, then use of it may be permitted, subject to stringent safeguards.”*

*- Alan Gewirth*

Practical solutions for these kinds of issues are still being sought after, to safeguard the health and safety of employees.

* **The Voluntary Assumption of Risk**

This common-law defense states that employees voluntarily assume the risk inherent in work. Some jobs, such as coal mining, construction, longshoring, and meatpacking, are well known for their high accident rates, and yet some individuals freely choose these lines of work even when safer employment is available. The risk itself is sometimes part of the allure, but more often the fact that hazardous jobs offer a wage premium in order to compensate for the greater risk leads workers to prefer them to less hazardous, less-well-paying jobs.

Most people say that occupational health and safety ought not to be regulated because it interferes with the freedom of individuals to choose the kind of work that they want to perform. Workers who prefer the higher wages of hazardous work ought to be free to accept such employment, and those with a greater aversion to risk ought to be free to choose other kinds of employment or to bargain for more safety, presumably with lower pay. To deny workers this freedom of choice is to treat them as persons incapable of looking after their own welfare

For this, kind of system to be implemented, it is necessary that, first, employees have adequate information at the time they make a choice, and employees’ choices must be truly free. For example, things like “Do this or be fired (stay unemployed)!”, should not be said by employers.

**Right to Know about and refuse Unsafe Work**

The right to refuse hazardous work is different from a right to a safe and healthy workplace. A right to refuse hazardous work, is only one of several alternatives that workers have for securing the right to a safe and healthy workplace. The right to know is actually an aggregation of several rights. The correlative duties imposed on employers by these rights are:

* The duty to reveal information already possessed
* The duty to communicate information about danger through labeling, written communication, and training programs
* The duty to seek out existing information from the scientific literature and other sources
* The duty to produce new information relevant to employee health

**Moral justification of the Right to know and Conclusion**

* **Argument from Autonomy:** This argument concludes thatthere should be a balance between autonomy of workers and cost to employers to safeguard the health and safety of employees while protecting the interests of the employer.
* **Utilitarian Argument:** This argument concludes that workers who are aware of dangers in the workplace will be better equipped to protect themselves and that they can bargain over risk information for less pay which is a trade-off between risk and wages. In this way a balance can be found between the interests of both the worker and the employer.

The commonly accepted standard for making trade-offs between risk and wages is cost–benefit analysis, in which the benefits of increased workplace protection are balanced against the costs. In general, employees, employers, and society at large are best served when cost-effective decisions are made.

Finally, the right to a healthy and safe workplace cannot be justified merely by appealing to a right not to be injured or killed. It must be understood in the broad sense of overall wellbeing of people in the workplace.

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