



Proceso Selectivo Escala de Titulados Superiores INSHT

**Convocatoria por
*Resolución de 16 de febrero de 2022,
de la Subsecretaría
(BOE 23/02/2022)***

Cuarto ejercicio: IDIOMAS – INGLÉS

23 de noviembre de 2022

Tiempo disponible: 1 hora



OCCUPATIONAL RISKS ASSESSMENT: BASIC CONCEPTS

The Law on the Prevention of Occupational Risks defines “occupational risks” as the possibility that a worker could sustain a certain work-related injury. Additionally, it is stated in this Law that diseases, pathologies, or injuries sustained because of work or while working are considered work-related injuries. Therefore, it is understood that the “occupational risk” concept is closely linked, on the one hand, to the set of working conditions to which workers are exposed when remaining in a certain place or carrying out a task in the exercise of their labour activity, and, on the other hand, to the characteristics of such persons.

Furthermore, “occupational risks assessment” is defined in the Prevention Services Regulation as the process designed to estimate the magnitude of risks that could not be avoided, thereby obtaining the necessary information so that an employer is able to make the appropriate decision about the need to adopt preventive measures and, in such a case, about the type of measures that must be adopted.

Three fundamental aspects of assessment should be highlighted from this definition:

- It is a process: an activity which passes through various stages.
- It is a means—not an end—to estimate the magnitude of risk and, consequently, for decision making: an assessment’s fundamental aspect is the search for sufficient information on the existence and characteristics of the risks in the workplace, to serve as basis for this decision making. This information will enable the employer to identify the need to adopt preventive measures and, if necessary, to determine which are the most appropriate, and how and when they should be implemented. The set of results and conclusions obtained from the information gathered through this process constitutes per se the estimate of the magnitude of the risk.
- It is applicable to the risks that could not have been avoided: in this sense, it is essential to bear in mind the importance of the proper conception and design of workplaces to eliminate occupational hazards from their origin.



WHEN MUST A RISK ASSESSMENT BE DONE?

It is established by the Law on the Prevention that the employer must conduct an initial assessment of occupational risks, considering, in general, the nature of the activity, the characteristics of the existing jobs and of the workers who perform them.

Furthermore, it is stated by the Regulation that, based on this initial assessment, the jobs that may be affected by the following arrangements must be re-evaluated:

- a) The choice of work equipment, chemical substances or preparations, the introduction of new technologies or the modification in the conditioning of workplaces.
- b) Change in working conditions.
- c) The incorporation of a worker who, due their personal characteristics or a known biological condition, is especially susceptible to the conditions of the position.

Regarding to the information above, “working conditions” are defined as any characteristics of the work that may significantly impact the generation of risks to safety and health of the worker.

Bearing in mind the definition and considerations that the regulations establish regarding the concept of “working conditions”, when evaluating a risk linked to a position, not only the organisational aspects, material elements or physical, chemical or biological agents that, due to their characteristics, are susceptible to causing harm to the worker should be considered—which is understood as a dangerous element, hazard or risk factor—, but also any other circumstance or factor which, due to its presence or absence and individually or in combination with others, may trigger, aggravate or mitigate such harm.

CONSULTATION AND PARTICIPATION OF THE WORKERS

The employer has the duty to consult and involve workers in all aspects related to their occupational health and safety. This consultation and participation play a strategic role in the assessment process. In particular, the employer must consult workers or their representatives on the assessment procedure to be followed.

Complementing the obtained information from their representatives, during the evaluation information will be gathered directly from the workers who occupy the jobs to be evaluated. Knowing their opinion and considering their experience and knowledge is important to improve the identification and assessment of risks, to select the most effective preventive measures and to apply them properly, since the implementation of many of them will require concrete actions on their part.



DETERMINATION OF THE WORK POSITION

The risk assessment must be extended to each of the company's workstations, where these risks are present. It is then understood that the work position constitutes the basic unit of the evaluation.

In the field of occupational risk prevention, it is understood that the "job position" is the set of the working conditions and the workers who occupy it. Considering this, in order to identify these jobs, the necessary information will be gathered on the structure and organisation of the company, obtaining data such as: the number and location of the work centres, operations, tasks and processes—including non-usual or sporadic ones, for instance those related to maintenance, repair, cleaning and actions in emergency situations—, number and location of the workers, common areas, facilities and existing work equipment, etc.

Although the basic unit of the evaluation is the job position, it may sometimes be more useful and operational to define broader units that group jobs with similar characteristics and that share communal elements from the working conditions' point of view. These may be groupings by job, task, profession or other. It may also be useful to analyse working conditions which affect more than one job, such as common areas, facilities or equipment present in the workplace.

Without limiting the foregoing, it should be considered that some jobs depend on variable working conditions, mainly when locations change or when these conditions are modified because of situations of business activities' concurrence.

The final results of the process will serve as a basis for defining or adapting work procedures to suit each specific situation. The appropriate preventive measures for each case will be then included in these procedures.