

Supply chain safety: Where do employers' obligations begin and end?

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Question 1

In your country, what are the main obligations companies face when managing health and safety across the supply chain?

Mexico - H&S legal obligations

- Health and Safety Joint Commission.
- Online platforms and resources for compliance.
- Training on the minimum health and safety measures.
- Internal Work Regulations (IWR) and occupational health and safety policies.
- Contractor's employees or independent contractors may be subject to occupational health and safety policies.
- Mandatory standards known as Mexican Official Norms (Normas Oficiales Mexicanas, NOMs) establish occupational health and safety requirements.

Spain - H&S legal obligations

Risk Coordination obligation

Employers must cooperate properly to apply preventative measures.

Main company must ensure all subcontractors comply with prevention rules.

Risk assessment and planning

A preventative plan with measures is mandatory. This must include information about specific risks with the measures to avoid them.

Information and training

Documentation and monitoring

Risk assessments, safety plans, coordination reports and training must be kept.

Brazil - H&S legal obligations

Traditionally, courts consider that companies outsourcing and subcontracting services are responsible for OHS.

2017: (a.) duty to secure OHS conditions if contracting company designates the venue; (b.) possibility to extend medical services to outsourced workers.

As courts still consider the contracting company to be liable for the service provider's non-compliance with its employment obligations, it is advisable to include a clause in the services agreement determining that the contracting company shall have the right to audit the supplier's compliance with OHS standards and terminate the services agreement with good cause in case of non-compliance.

Belgium - H&S legal obligations

Risk Communication and Training

Risk Information Sharing

Employers must communicate specific facility risks and safety measures to contractors and subcontractors.

Emergency Procedures

Training includes first aid, fire safety, and evacuation protocols to prepare workers for emergencies.

Training External Workers

External workers must receive relevant training and instructions tailored to the facility's operations.



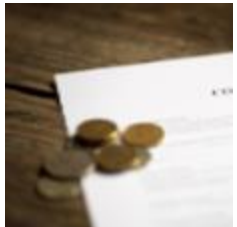
Belgium - H&S legal obligations

Reception, Coordination and Contractual Safeguards



Tailored Reception for Workers

Employers must organise customised receptions to integrate external workers safely and foster collaboration.



Contractual Well-being Clauses

Contracts must include clauses ensuring contractors comply with health and safety obligations under employer oversight.



Exclusion of Non-compliant Contractors

Employers must exclude contractors with poor safety records, lack of certifications, or failure to meet contract terms.

Belgium - H&S legal obligations



Risk Management and Compliance

Contractor Risk Responsibility

Contractors and subcontractors must manage risks related to their activities and maintain accountability for worker safety.

Risk Communication

Contractors must inform the facility employer about potential risks they introduce to ensure proper mitigation.

Compliance with Safety Measures

Ensuring workers comply with facility-specific safety protocols is essential for a safe working environment.

Question 2

How do companies in your country typically handle coordination and risk prevention among different contractors? Could you share any concrete examples – whether good practices or pitfalls – that illustrate how these issues are managed in practice?

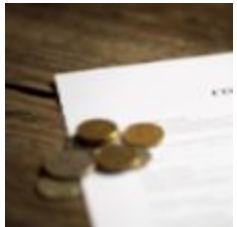
Spain - Pitfalls and Good Practices

Common practices and mechanisms



Documentation exchange before start working.

Risk assessment, proof of training, proof of organisation prevention, insurance, etc.



Clear assignment of responsibilities

Appointment of CAE Coordinator to ensure coordination, share relevant risk info and preventative measures are compatible.

Joint risk assessments in some cases where multiple entities work.

Integrate prevention plans of the different companies.



Communication channels, monitoring and supervision

Constant meetings among contractors, subcontractors and main company. Audits, visits and checks over subcontractors preventative measures.

Brazil - Pitfalls and Good Practices

Services agreement providing for the right to audit the supplier's compliance with OHS standards in compliance with data privacy.

If the services are provided onsite: contracting company has complete control of OHS standards.

If they are provided on the vendor's site: (a.) services agreement in good shape; (b.) if risks are low: OHS may be managed in the reactive mode; (c.) if risks are high: proactively audit OHS documentation and activity of safety committee.

Belgium - Pitfalls and Good Practices

Risk Coordination Challenges

Lack of effective coordination can lead to severe workplace accidents and safety hazards in contractor environments.

Joint Risk Assessments

Conducting joint risk assessments before high-risk tasks ensures all contractors identify hazards and agree on safety measures.

Mandatory Safety Certification

Requiring certifications like VCA verifies subcontractors' competence and compliance with health and safety standards.

Continuous Safety Oversight

Daily monitoring and coordination briefings help maintain safety compliance and address emerging risks promptly.



Mexico - Pitfalls and Good Practices

- Hiring company share joint responsibility with the contracted party for occupational risks that occur during outsourced activities.
- Contracts often require contractors to:
 - Train their employees on occupational health and safety regulations.
 - Communicate safety rules to follow while working at the hiring company's premises.
 - If the contractor's employees violate safety standards or pose risks, this can justify contract termination and corrective measures.
- If the workplace lacks proper safety conditions, the hiring company may be held liable, unless it proves the employee was at fault.
- Mismanagement of accidents can lead to labour, social security, civil and criminal liability, depending on the severity of the case.

Question 3

How do you see health and safety obligations being integrated into this broader agenda, and what role should companies play in driving higher safety standards throughout their supply chain?

Brazil - OHS & ESG

Pay attention to internal policies that will become binding.

Brazil is in cooperation with OECD to promote supply chain responsibility.

Belgium - OHS & ESG



ESG and Health & Safety Integration

Health and safety are essential elements of the social aspect in ESG, especially in Belgium's evolving regulatory environment.

Corporate Sustainability Due Diligence Directive

CSDDD mandates companies to assess and mitigate health and safety risks within their value chains.

Risk Assessment and Prevention

Companies must perform thorough risk assessments, implement preventative measures, and monitor subcontractors for safety compliance.

Reporting and Legal Framework

Safety performance indicators are reported in sustainability disclosures, reinforcing existing Belgian health and safety laws.

Belgium - OHS & ESG



Integrating Safety in Governance

Embed health and safety into ESG governance to align safety with board-level strategy and decisions.

Supporting SMEs in Safety

Provide SMEs with training, templates, and tools to improve safety compliance and strengthen supplier ties.

Technology for Safety Oversight

Use digital platforms and AI to monitor incidents, ensure compliance, and extend safety standard in supply chains.

Mexico - OHS & ESG

- In Mexico, health and safety regulations are mandatory for all workplaces and vary according to the nature of the activities.
- These rules aim to ensure both safety and a healthy work environment.
- Both employers and contractors may be jointly liable for accidents or safety breaches, so companies must document training, inspections, and preventative actions to demonstrate compliance.
- Global health and safety policies, particularly from European companies, can be adapted to the Mexican framework, as international organisations increasingly align their practices across jurisdictions.

Spain - OHS & ESG



ESG and Health & Safety Integration

Growing awareness of companies to include H&S as essential element for social responsibility.

Corporate Sustainability Due Diligence Directive

CSDDD and Non-financial Reporting and transparency mandate companies to disclose not only environmental but also social and governance risks.

Occupational H&S risks included in human rights scope.

How to do it?

Embedding H&S in ESG strategies.

Risk-based supply chain management.

Training programs for suppliers and contractors.

Collaboration and multi-stakeholder engagement.

Technology and innovation.

Challenges and Opportunities

Q&A



North America: Canada - Mexico - United States

Central & South America: Argentina - Brazil - Chile - Colombia - Panama - Venezuela

Western Europe: Austria - Belgium - Cyprus - Denmark - Finland - France - Germany - Greece - Ireland - Italy - Luxembourg - Malta - Netherlands - Norway - Portugal - Spain - Sweden - Switzerland - United Kingdom

Eastern Europe: Bulgaria - Croatia - Czech Republic - Estonia - Hungary - Latvia - Lithuania - Poland - Romania - Serbia - Slovakia - Slovenia - Turkey - Ukraine

Middle East & Asia Pacific: Australia - Bahrain - China - Hong Kong - India - Israel - Japan - Kazakhstan - New Zealand - Papua New Guinea - Saudi Arabia - Singapore - South Korea - Thailand - United Arab Emirates

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