

# Duties and responsibilities in the working environment

A guide for employers, supervisors and managers



**BEA**  
HANDEL





**A good working environment has a positive impact on the customer's experience, and it benefits the entire business"**

Thomas Hermann, Health and Safety Organisation Director, COOP

## Introduction

This leaflet provides employers and supervisors with an overview of the obligations and responsibilities that must be met for safe and healthy working conditions.

The leaflet also provides insight into collaboration within the working environment and highlights the importance of good communication on this topic.

The employer, overall, is responsible for the business's working environment, but can delegate responsibility and work.

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If management doesn't prioritise the working environment, employees won't either”

Regitze Gerlach, HR Partner, Synoptik

You're an **employer** if you're listed as the owner of the business and you have the decisive say in the way the business is structured and how it operates.

You're a **CEO** if your job is to caretake or participate in the overall management of the business. As a CEO, you have the same obligations as if you were an employer.

You're a **supervisor** if your job is exclusively or essentially about managing or supervising on behalf of the employer, or supervising business operations or some part of them.

# Case study

The retail industry is looking at how the working environment can create value for the customer.

Experience shows that customers react negatively if the working environment is not good, and that has consequences for the business's reputation and, in turn, the operation of the shop or store.

To initiate a good dialogue on the benefits of a good working environment, the business's Working Environment Supervisor might ask the shop or store managers about:

*What's a good working environment like in a shop or store? And, How does a good working environment create value for customers?*

In this way, the working environment is put on the agenda - not least because it becomes clear that the working environment and the operation of the shop or store go hand in hand.

# Reflection:

When do you talk about the working environment with your employees?

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How can you talk about the working environment?

- in a one-to-one dialogue
- in staff meetings
- in other meetings with supervisors/employees.

My personal notes:

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## The employer's duties and responsibilities

Since the employer is, overall, responsible for the working environment, it's also the employer's responsibility if the Danish Working Environment Act is violated – even if the perpetrator is a supervisor or an employee responsible for the area in which the violation occurred.

The employer is responsible for finding solutions if a supervisor or an employee notifies the employer of issues to do with the working environment. The employer is responsible for making sure the solution is in accordance with the Danish Working Environment Act.

The employer must ensure that working conditions are safe and healthy when it comes to both the physical and psychological working environment, and the following areas should be monitored closely:

- execution of the work
- workspace layout
- technical aids
- chemical products
- training requirements
- effective supervision
- completing Workplace Assessments (APV)
- making sure that collaborative work relating to the working environment is taking place.

The employer can delegate tasks to supervisors, amongst others, to secure a safe and healthy working environment. The following is aimed at the employer who carries the responsibility, but it's also aimed at supervisors if tasks have been delegated to them.

## Execution of the work

It's all about planning the work to ensure that working conditions are safe and healthy. This might happen through:

- setting rules for how employees should carry out their work
- making sure that employees have the necessary training and have good instruction
- raising awareness of potential hazards through good signage and labelling
- making sure personal protective equipment and instructions for its use are available
- making sure that the work is being carried according to plan.

## Workspace layout

The employer is responsible for making sure the workspace layout supports operations and that working conditions are safe and healthy. There might be greater regulation for what's passable today compared with just a few years ago.

The employer must also make sure that the working environment is kept front of mind if work facilities, work areas or workspace layouts are subject to change.



**You must keep the pot boiling and focus on the working environment all year around”**

Birgitte Oredson, Working Environment Consultant, Netto

**No issues or tasks are too great or too small, as otherwise the working environment won't thrive, and people won't be encouraged to call”**

Susanne Kristensen, Operations Manager and Head of Workplace Environment, SILVAN

## Technical aids

“Technical aids” is a wide-ranging term, which covers, for example, cardboard knives, ladders, pallet lifters, paper presses and other machines.

The employer is responsible for keeping up with the latest developments in technology and for using up-to-date technical aids to ensure healthy and safe working conditions.

The Danish Working Environment Act requires that all technical aids comply with regulations and are used responsibly. Therefore, you need to:

- consider the suitability of the technical aids for the work in question
- make sure regulations on shielding and on the use of protective equipment are respected
- make sure employees have proper training in using the technical aids available
- make sure user manuals for all machines are available to employees
- make sure employees get the necessary training for jobs that have specific extra training requirements, such as getting a truck certificate
- make sure legal inspections are carried out, such as on transportable ladders, lifting tools and pallet racks.

## Substances and materials

“Substances and materials”, as a term, covers chemical products that are, for example, used for cleaning or in production.

The employer is responsible for keeping up with the latest developments in technology. This means that, when there are more products to choose from, the least dangerous product should always be chosen (the substitution principle).

The Danish Working Environment Act requires all substances and materials to be used safely. Therefore, you need to make sure that:

- employees have adequate training
- official Workplace Instructions (APB) are made available to all employees
- protective equipment (such as gloves or similar) is used whenever required.

## Training responsibilities

The employer is responsible for instructing employees in how the work should be carried out safely, i.e. if employees need instruction in correct lifting techniques, proper posture for working at the checkout line, how to handle difficult customers and when to use safety shoes if the job demands it, and so on.

The employer must make sure that employees and supervisors have understood the instructions.

Instruction and training should take place when:

- new employees are hired
- changes occur, for example, new working routines, new jobs, new technology or new technical aids.

Pay special attention to employees under the age of 18, as you have special training obligations towards them.

## Effective supervision

Once employees have been trained, the employer is responsible for supervising their work, i.e. you need to check that the work is being carried out in a safe and healthy manner, and that technical aids are being used according to the instructions. This applies to experienced employees and supervisors as well.

The employer is responsible for effective supervision, but you can delegate the task to supervisors, for example.

If employees act contrary to instruction and, in turn, the working conditions are not safe or healthy, the employer has the right to penalise employees, including with warnings, dismissals and expulsions.



I've given a written warning to an employee for not wearing safety shoes despite us having recently discussed this”

Susanne Kristensen, Operations Manager and Head of Workplace Environment, SILVAN

## Reflection

What are your business's biggest health and safety risks?  
How do you take preventive measures against these?

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## Exercise

Go round your shop or store and focus on the working environment – check, for example, that:

- the work is being carried out safely, and instructions and regulations are being followed
- the inventory and workspace layout are sufficient for carrying out the work safely
- the protective equipment is sufficient, it works as intended, it has been checked regularly and it is being used correctly
- there are Workplace Instructions (APB) for any chemical products being used.



# The written risk assessment (APV)

All businesses with employees must complete the health and safety risk assessment (APV) at least every three years or sooner if substantial changes take place.

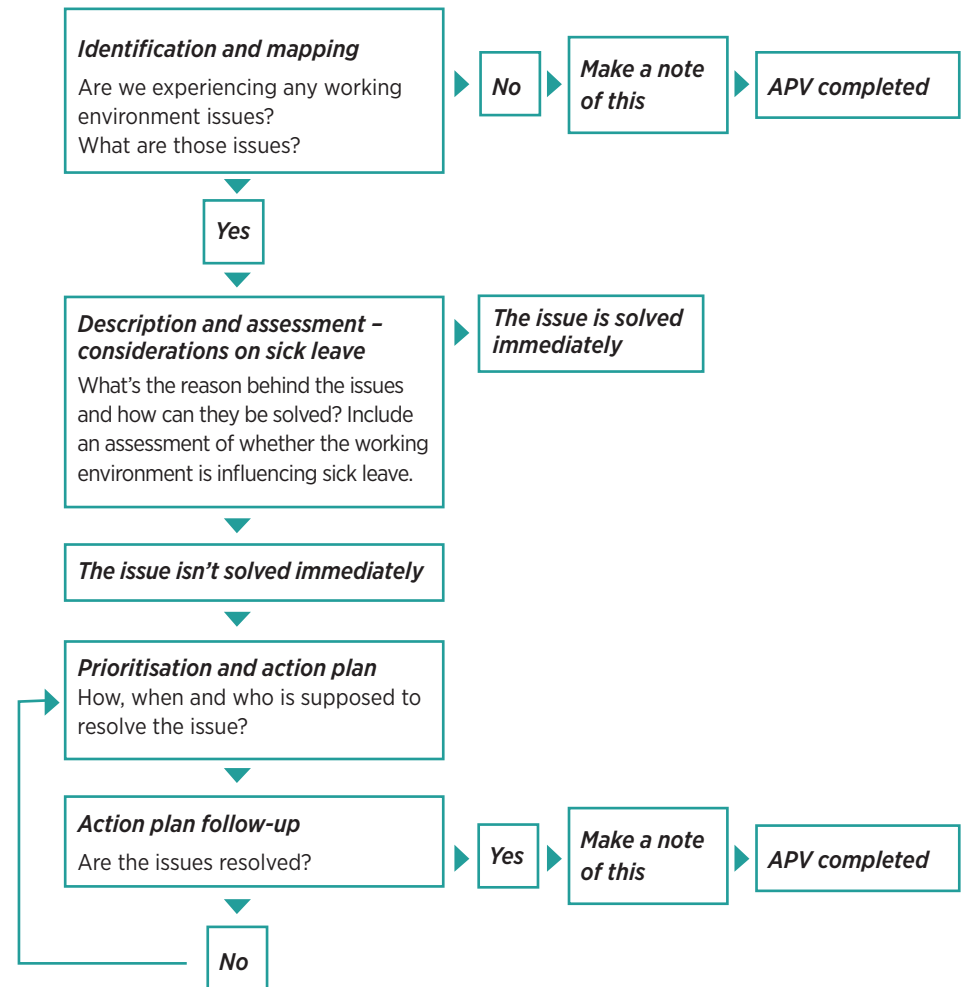
The APV can help you get an overview of the conditions in the working environment – what works, and where potential issues might arise – and how to solve them. In this way, the APV throws up possibilities for better planning and prioritisation of tasks within the working environment, in conjunction with the business’s other activities and operations.

The business can decide for itself what methods are used to complete the APV.

The APV must be available to the business’s supervisors, employees and the Danish Working Environment Authority.

The Health and Safety Organisation or the employees should be involved in the planning and completion of the APV. It should be displayed with signatures.

# APV from start to finish



# Making sure the working environment work is effective

All businesses share similar working environment issues. These need to be resolved by employers, employees and supervisors working together. All businesses with ten or more employees must have a Working Environment Organisation (AMO).

With regard to the composition of the AMO there are certain requirements to keep in mind when creating a new AMO or adapting an existing AMO. See the table on the following page.

The AMO has to be a certain size in order to fulfil its purpose. In other words, it must be possible to resolve ongoing practical tasks and more long-term tasks, and at the same time to do preventive work and maintain contact with employees, management and other members of the AMO.

In addition, employees should be able to easily get in touch with their Health and Safety Representative during work hours, either face to face, by email or by phone.

The size and the composition of the AMO are determined by a “proximity principle”.

The following should be considered in the composition of the AMO:

- the business’s management structure
- the business’s other structures, including geographic considerations, size, and location
- the business’s working conditions, including the kind of work, dangers, risks, and positive factors relating to the working environment
- work organisation
- other considerations that might affect tasks carried out in the working environment.

The Working Environment Organisation handles both the overall strategic work and the daily practical work within the working environment. It aims to uncover and resolve existing issues in the working environment and carry out preventive work.

	<b>1 - 9 employees</b>	<b>10 - 34 employees</b>	<b>35+ employees</b>
<b>Working Environment Organisation (AMO)</b>	No	Yes	Yes
<b>Local health and safety groups</b>	No	Yes <i>Number determined from the proximity principle</i>	Yes <i>Number determined from the proximity principle</i>
<b>Central work and safety committee</b>	No	No	Yes
<b>Annual health and safety discussion</b>	Yes	Yes	Yes
<b>Mandatory health and safety training</b>	No	Yes	Yes
<b>Option of supplemental health and safety training</b>	No	Yes	Yes

# Get started on activities relating to the working environment

## Be welcoming and honest

- Be positive so everyone feels comfortable asking questions.
- Be open about not being able to resolve every issue right now.

## Build on small, tangible successes

- First resolve the issues that do not align with the Danish Working Environment Act.
- Then focus on the issues that can be resolved swiftly, to show that work is underway.

## Focus on the underlying reason for any problems

- Assess the underlying cause of the problem to make solutions more sustainable.
- Remember that there can be multiple causes underlying an issue.

## Use common sense

- Use personal experiences from everyday work.
- Use previous solutions to working environment problems.

## Keep up to date on information about the working environment

- Keep yourself up to date by using the Internet, books and journals.

## Hold constructive meetings

- Set the agenda prior to the meeting.
- Work out a plan of what is to be done, by whom and by when.
- Follow up to see if what was discussed at the last meeting has been carried out.

## Inform everyone about your role, work and results

- Make it known that that you're the business's Working Environment Representatives, not police officers.
- Show how your knowledge is useful to everyone in the store.
- Make it clear how an issue might be resolved, and by whom and by when.
- Draw attention to the tasks you have resolved.

## Pass on knowledge

- Pass on information, such as when completing the risk assessment (APV).
- Hand out written material on the working environment.

## Lead by example

- Through action, show you're taking the working environment seriously.

## Include employees and supervisors

- Keep in mind that the people who have a problem often know how it can be solved.



## The annual working environment discussion

Once a year, all business must hold a working environment discussion. The purpose of the discussion is to organise activities relating to the working environment and decide not only what the focus for the coming year should be when it comes to the working environment, but also to discuss whether the past year's goals have been reached.

In businesses with 10-34 employees, the Working Environment Organisation (AMO) facilitates the discussion, and in businesses with more than 35 employees, the Working Environment Committee facilitates the discussion.

It's the employer's responsibility to make sure the discussion takes place.

The business is free to choose how the discussion is carried out. It can be a single meeting, or perhaps an internet/video meeting, or it can be more informal, such as via email correspondence, an online chat or an intranet blog. The discussion can also form part of a different meeting or event where employer and employees are already gathered.

You're not required to take notes during the meeting, but the employer must be able to document to the Danish Working Environment Authority that the annual working environment discussion has taken place.

During the annual discussion, the business's health and safety risk assessment (APV) might be used as a starting point for the discussion. The APV already contains descriptions of issues relating to the working environment, as well as the business's assessment of what work is needed to resolve these.

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**We've had positive experiences when we meet at our annual working environment discussion. In truth, it's this meeting that has provided the most value. We've had a clear aim for what our working environment theme should be, for where we want to go with our working environment, what we need and how we're going to do it this year and next”**

Morten Jepsen, Safety Manager, H&M

## Example: if the annual working environment discussion is a physical meeting

Suggested items for the agenda:

1. Appoint a note taker
2. Approve minutes of the last meeting
3. The working environment over the past year
4. The working environment in the coming year
5. Collaborative activities relating to the working environment for the coming year
6. Assessing competencies
7. Training and instructing of new employees
8. Emergency procedures in case of accident, fire, robbery and theft
9. Potential new members of the Working Environment Organisation (AMO)
10. Any other business

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It's should be easy to assume responsibility for the working environment, as it *goes with the territory* for us as managers”

Claes Hougaard, Warehouse Manager, Føtex

## The supervisor's obligations and responsibilities

As supervisor you are in charge of activities in the working environment work in your own area of the business, on behalf of the employer.

As supervisor or mid-level supervisors with responsibility for staff, you'll often be the one who, on behalf of upper management, takes care of day-to-day activities in the working environment.

You're therefore responsible for your employees' health and safety during working hours.

You're responsible for preventing accidents and making sure that working conditions are safe and healthy, and for taking action if you notice anything that might compromise this.

If you're unable to correct the issue on site, you need to inform your employer.

You can be made personally liable if you notice a hazard in the working environment and you have the chance to do something about it, but you do nothing – even though the business has the overall responsibility.

” Don't be scared of it”

Claus Hougaard, Warehouse Manager, Føtex

## It's your obligation to:

- do what you can to make sure the working environment operates within the regulations, i.e., you should pay attention to the following areas (see page 6):
  - *execution of the work*
  - *workspace layout*
  - *technical aids*
  - *chemical products*
- cooperate with the Working Environment Representative in the Working Environment Organization
- cooperate with external contractors in the working environment, such as craftsmen, drivers, and cleaning people
- consider whether any working environment issues that occur are as a result of changing working routines and/or procedures or roster changes
- make sure breaks and days off are respected
- effectively supervise if you're responsible for instruction and training. See page 8 “The employer's duties and responsibilities”.

## Tips and trick for the new supervisor

- Always have a ‘backup’, and ask an experienced supervisor to train you.
- Be honest about not knowing everything and about the need to still learn.
- Find out what activities happen within the working environment.
- Seek information about the work of the Working Environment Organisation.
- Make a template for meeting agendas for the Working Environment Organisation and the Working Environment Committee.
- Obtain contact information for relevant people, both internal and external.

## Advice on how supervisors can contribute to collaborative work within the working environment

- Be familiar with internal procedures and technical aids.
- Follow up on risk assessments (APV) and job satisfaction surveys.
- Consider the working environment when planning the business's operations.
- Be open and trusting with everyone, and make sure the necessary information about the working environment is available.
- Follow up on concrete actions.

Although obligations and responsibilities lie with the employer, tasks can be delegated to the Working Environment Team/Working Environment Organisation. The Working Environment Organisation is also a valuable sparring partner when you need to find solutions to problems, to rebuild, to buy new inventory and technical aids, to prevent problems and to take different initiatives to ensure a good working environment.

For example, employers can make use of the Working Environment Team/Working Environment Organisation when completing health and safety risk assessments, and also when developing action plans in relation to job satisfaction surveys and follow-ups.

Similarly, employers should make use of the Working Environment Team/Working Environment Organisation in relation to accidents at work and workplace accident investigations.



## The employee's obligations

Employees have obligations as well. Amongst other things, they need to:

- contribute to safe and healthy working conditions within their area, including making sure that any measures put in place are working as intended. It means employees are responsible for following the protocols established within the business, so they don't expose themselves or others to danger.
- notify the employer, the Working Environment Group or the supervisor if there are any errors or omissions that might affect health or safety.
- cooperate in creating a safe and healthy working environment.

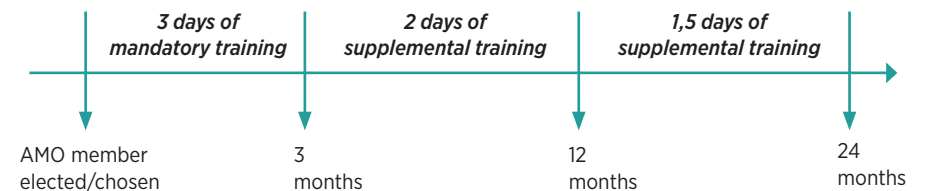


**We talk about what would be helpful, such as new machines or technical aids, and we talk about what they could do for us in order to make daily operations easier**

Palle Christensen, Butcher, Frimann Butcher

## Mandatory working environment training and supplemental training

Members of the Working Environment Organisation are required to complete working environment training.



## Mandatory working environment training

New members of the AMO must complete the mandatory working environment training, which takes three days, unless they have already completed the mandatory working environment training (after the 1st of April 1991).

Employers and CEOs are not required to complete any working environment training, even though they form part of the Working Environment Organisation or a Working Environment Group.

## Don't forget

- **The mandatory working environment training must be completed within three months, at the latest, of electing the Working Environment Representative.**
- **The employer is responsible for making sure that the Working Environment Representative and supervisors in the AMO are enrolled in training courses.**
- **The employer pays the expenses associated with participating in the training, including transportation and any loss of income.**

## Supplemental working environment training

In addition to the mandatory working environment training, the employer must offer supplemental working environment training to members of the Working Environment Organisation.

The Working Environment Representatives and supervisors in the Working Environment Organisation, who have already completed the three-day long mandatory working environment training, are entitled to, and therefore must be offered, two days' supplemental training during their first year in post (the first year after being elected/chosen) and 1½ days training the following year.

In cooperation with the members of the Working Environment Organisation, the employer must decide what courses are beneficial for their work and record this in the skills development plan. The Working Environment Organisation should provide input for the skills development plan.

During the annual working environment discussion, the AMO needs to contribute to the business's plan for skills development with regard to supplemental training. This means that the AMO should be able to discuss and provide input into the business's skills development plan with regard to supplemental training for members of the Working Environment Organisation.

If disagreement occurs, the employer has the final say in deciding what training is offered.

## Don't forget

- Training must be offered to employees so they can enrol within the first nine months of completing the mandatory working environment training.
- Each year after that, members of the AMO should be offered 1½ days of supplemental training. The training must be offered to employees so they can start it in the same working year, unless the employer and the employees have agreed to add together the 1½ days of supplemental training. You cannot add together more than three days' worth of supplemental training, and this applies only to the 1½-day training courses.
- The employer's offer of supplemental training to AMO members must be documented for the Danish Working Environment Authority to see. Documentation might be a summary of a meeting the AMO members have participated in with proof that this supplemental training was offered to them by their employer, or it might be an email invitation from the employer to participate in supplemental training that was sent to members of the AMO.

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Our annual working environment course has really improved our working environment. Before, too many Working Environment Representatives didn't contribute much. Now we meet each other on the courses and talk about what's been going on, and the representatives can see the impact they make”

Ditte Gullach, Working Environment and Training Coordinator, Matas

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There's no doubt that when the employer prioritises the working environment, it has a positive impact on the rest of the warehouse”

Heidi Hjortshøj, HR Consultant, Dansk Supermarked

## Reporting industrial injuries

“Industrial injuries” is an umbrella term that includes **workplace accidents** and **occupational diseases** that come about as a result of the work or the working conditions.

A workplace accident is, for example, when during working hours an employee slips or falls or sprains an ankle or is subjected to a robbery or gets post-traumatic stress disorder. The accident must be related to an incident or exposure to something – either a sudden one or one where the consequences occur within five days.

An occupational disease can be allergies or a shoulder injury where there's cause and effect, and the disease has to be a known medical disease. The disease comes about because of work-related exposure for more than five days – and usually over a longer period.

### Reporting an industrial injury

The employer must report industrial injuries. If the employer does not report the injury, the employee can do it.

Doctors and dentists should document occupational diseases. The employer can be involved when a case is reported.

### How to report an industrial injury

Report an industrial injury at [www.easy.ask.dk](http://www.easy.ask.dk). The website automatically sends the report to the right recipient – the insurance company, The National Board of Industrial Injuries and/or the Danish Working Environment Authority.

You must sign up and get a pin code to use easy.dk – sign up through the website.

Industrial injuries that have caused one or more days of absence from work in addition to the day of the injury must be reported within nine days. If in doubt, report the accident to the insurance company for them to assess whether the injury should be acknowledged as work-related.

The deadline for reporting an industrial injury is a year after the injury occurred. Failing to report an industrial injury can result in an injunction or a fine for the employer.

### **Industrial injury insurance**

Every employer must join the Labour Market Insurance (AES) and sign up for the industrial injury insurance of their choice.

Include the business's Health and Safety Organisation.

All reported accidents are investigated in order to identify potential preventive measures. The Working Environment Organisation should be included in the investigation and in the follow-up.

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It's important that someone focuses on the working environment, as it's about becoming more aware of it and making other people aware of it”

Charlotte Jensen, former HR Manager, IKEA

# Finding information about the working environment

**The Sector Working Environment Committee for Retailing (BFA handel)** and its sister committees are charged with helping companies in individual industries with information and guidance about the working environment.

The various parties in the labour market work together, and so all information and guidance aligns with both employer and employees, reflecting both parties' joint opinion of what constitutes a good working environment in their industry.

Find more on [www.bfahandel.dk](http://www.bfahandel.dk).

On the websites, you'll find guidance on how to meet regulatory requirements in your industry, a variety of tools you can use to improve your working environment, instruction and training, a guide to completing the APV, as well as practical actions to take.

**The Danish Working Environment Authority (Arbejdstilsynet)** is the authority on the working environment. On their website you will find the Danish Working Environment Act, executive orders and other guides and information.

Find more on [www.at.dk](http://www.at.dk) - parts of it in English.

Also visit [www.workplacedenmark.dk](http://www.workplacedenmark.dk) with information in English, German and Polish.

# Luk op!

Find more inspiration for your Health and Safety work at [www.lukop.nu](http://www.lukop.nu), where BFA Handel has pulled together good experiences from different shops, stores and chains.

On the site you will also find examples of tools and other useful things that shops, stores and chains use in their Health and Safety work (in Danish only).

This leaflet is produced by

**Branchefællesskabet for Arbejdsmiljø (BFA) Handel /  
The Sector Working Environment Committee for  
Retailing**

In this committee employers and employees work together to provide guides, pamphlets, training materials etc. to support the co-operation for a better work environment in the retail industry in Denmark.

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