

EMPLOYMENT INJURIES FOCUSING ON MENTALMENTAL INJURIES*

*Bunyaporn Potisakulwong***

ABSTRACT

Mental-mental injuries are purely mental injuries resulting from emotional stimulus. In Thailand, the scope of work-related mental injuries can be determined in the first instance by considering relevant provisions of labor law, such as Section 5 of the Worker's Compensation Act, B.E. 2537 (1994). In it, words such as "injury" and related terms are defined broadly which may be sufficient to include work-related mental injuries, but its precise meanings and scope remain unclear.

There is no provision under Thai labor law for explaining which mental-mental injuries are legally recognized and therefore compensable. Thai worker compensation law lacks clear definition of "mental-mental injury", nor are exceptions provided or scope defined. No specific legal framework or consistent court precedent exists in Thai labor law for mental-mental injuries as compensable employment injuries. In practice, it is entirely up to authorities to offer definitions, causing uncertainty.

In search of a suitable solution for Thai law, relevant US, UK, and German laws were comparatively reviewed. These legal

* This article is summarized and arranged from the thesis "Employment Injuries focusing on Mental-Mental Injuries" Master of laws in Business law (English Program), Faculty of Law Thammasat University, 2015.

** Graduate student of Master of Laws Program in Business law (English Program), Faculty of Law Thammasat University.

from injury" or "work-related sickness". It should be clear to cover a wide range of mental-mental injuries. There is no single perfect solution. Accordingly, this thesis would like to suggest that a suitable solution should be a combination of a number of different legal tools. These include establishing the basic principles for authorities' evaluation and defining specific exceptions and presumptions about mental-mental injury matters and etc.

systems recognize mental-mental injuries principle, clearly defined in court decisions, written law, and prototype rules. This thesis suggests that Thailand should certify and define the boundaries of “suffering

Keywords; Employment injuries, Mental injuries, Workers’ compensation law, Work-related injuries.

บทคัดย่อ

การเจ็บป่วยทางจิตอันเนื่องมาจากการได้รับความกระทบกระเทือนทางจิตใจ คือความเจ็บป่วยทางจิต ซึ่งเกิดจากการได้รับผลกระทบทางอารมณ์หรือจิตใจ ภายใต้กฎหมายไทยนั้น การจะพิจารณาขอบเขตของความเจ็บป่วยทางจิตอันเนื่องมาจากการทำงานต้องพิจารณาจากบทบัญญัติในกฎหมายแรงงานที่เกี่ยวข้อง เช่น มาตรา 5 แห่ง พระราชบัญญัติเงินทดแทน พ.ศ. 2537 ซึ่งแม้ว่ากฎหมายไทยจะได้บัญญัติความหมายของความเจ็บป่วยและคำที่คล้ายกันไว้กว้างๆ พอที่จะตีความให้หมายรวมถึงความเจ็บป่วยทางจิตอันเนื่องมาจากการทำงานได้ แต่ความหมายและขอบเขตยังไม่มีความชัดเจน

กฎหมายแรงงานไทยไม่ได้อธิบายไว้อย่างชัดเจนว่าการเจ็บป่วยทางจิตอันเกิดจากการได้รับความกระทบกระเทือนทางจิตใจนั้น ได้รับการรับรองหรือคุ้มครองตามกฎหมายหรือไม่ กฎหมายไทยขาดหลักการหรือกฎเกณฑ์ที่แน่นอนในการพิจารณาความเจ็บป่วยประเภทนี้และไม่มีขอบเขตหรือช้อยกเว้น รวมทั้งไม่มีกรอบทางกฎหมายและแนวคำพิพากษาฎีกาที่สามารถนำมาพิจารณาเงินทดแทนในกรณีเกิดความเจ็บป่วยเช่นนี้ ในทางปฏิบัติการพิจารณาขึ้นอยู่กับดุลพินิจของพนักงานเจ้าหน้าที่ซึ่งอาจทำให้เกิดความไม่แน่นอน

เพื่อเสนอแนวทางในแก้ปัญหากฎหมายไทย จึงต้องมีการพิจารณาระบบกฎหมายในประเทศสหรัฐอเมริกา, สหราชอาณาจักร และเยอรมนี ระบบกฎหมายของประเทศเหล่านี้ล้วนแล้วแต่ยอมรับหลักการของการเจ็บป่วยทางจิตอันเนื่องมาจากการได้รับความกระทบกระเทือนทางจิตใจโดยนิยามผ่านคำตัดสินของศาล กฎหมายลายลักษณ์อักษร และ กฎเกณฑ์ซึ่งวางไว้เป็นต้นแบบ วิทยานิพนธ์ฉบับนี้จึงเสนอให้มีการรับรองและบัญญัติขอบเขตของคำว่า “ประสบอันตราย” และ “เจ็บป่วย” ขอบเขตดังกล่าวควรครอบคลุมและชัดเจนพอที่จะให้ความคุ้มครองในกรณีที่ลูกจ้างได้รับความเจ็บป่วยทางจิตอันเนื่องมาจากการได้รับความกระทบกระเทือนทางจิตใจอันเนื่องมาจากการทำงาน อย่างไรก็ตาม ไม่มีกฎเกณฑ์ใดกฎเกณฑ์หนึ่งที่สมบูรณ์แบบ ดังนั้นการจะพัฒนาแนวความคิดทางกฎหมายส่วนนี้จำเป็นต้องใช้เครื่องมือทางกฎหมายหลายๆ หลักเกณฑ์ประกอบกัน เช่น กำหนดหลักการพื้นฐานในการประเมินความเจ็บป่วยทางจิต, กำหนดช้อยกเว้นและบทสันนิษฐาน เป็นต้น

คำสำคัญ: ความบาดเจ็บอันเนื่องมาจากการทำงาน, ความเสียหายทางจิตใจ, กฎหมายเงินทดแทน, การเจ็บป่วยที่เกี่ยวข้องกับการทำงาน

1. INTRODUCTION

In recent years, mental illness has received increasing attention not only at the national but also at the international level. The reasons for this are both the long-term effects on the health and quality of life of the individual concerned and the aggregate impact on the national economy and business communities. Mental health disorders reduce employees' productivity and, in severe cases, are the cause of incapability for work (e.g. wasting of working days due to illness) and are now the most common reason for early retirement.¹

The scientific community and professional circles have agreed that psychological stress and its effect on workers is an increasingly pressing challenge of our modern working world.² It is worth noting that the protection of workers against possible health risks is not merely an ethical issue but also an economic and social one.³

In reality, it is difficult to draw a sharp and hard line between usual stress and work-related mental injuries. This is the reason why many countries have stipulated a set of basic rules to determine the scope of compensable mental injuries. Legislatures and courts often have difficulty in determining the compensation of mental-mental injuries because it is difficult to evaluate mental injuries due to their subjective nature.⁴ Moreover, individuals may respond to mental stimulus in a different way and it has no physical component. Therefore, it is easy to make a mistake in compensating an invisible injury claim.⁵

¹ Joint Declaration on Mental Health in The Workplace, Federal Ministry of Labour and Social Affairs, Confederation of German employers' Associations, German Trade Union Confederation, 3.

² *Id.*

³ *Id.*

⁴ Bailey, Ashley R., "*Stress Is [Not] Part of the Job: Finding the Appropriate Balance between Fairness and Efficiency to Compensate Posttraumatic Stress Disorder under Workers' Compensation Statutes [comments]*," **Wisconsin Law Review** no.3 (2015), 514.

⁵ *Id.*

2. MEANING OF MENTAL-MENTAL INJURIES

According to court precedents, mental-mental injuries mean mental injuries caused by mental stimulus⁶ or purely mental injuries resulting from emotional stimulus.⁷ Mental-mental workers' compensation cases are also defined by the literature as incidents "where a mental stimulus causes a mental or nervous injury, such as post-traumatic stress disorder".⁸ It involves "a mental or emotional stimulus resulting in a primarily 'nervous' injury."⁹

Although no definition can capture all aspects of all mental injuries, the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5) comes close by describing it in the following way:

"a syndrome characterized by clinically significant disturbance in an individual's cognition, emotion regulation, or behavior that reflects a dysfunction in the psychological, biological, or developmental processes underlying mental functioning. Mental disorders are usually associated with significant distress or disability in social, occupational, or other important activities. An expectable or culturally approved response to a common stressor or loss, such as the death of a loved one, is not a mental disorder. Socially deviant behavior (e.g., political, religious, or sexual) and conflicts that are primarily between the individual and society are not mental disorders unless the deviance or conflict results from a dysfunction in the individual, as described above."¹⁰

⁶ Atchison, Thomas W., "Workers' Compensation Law: Mind Games: Understanding Mental Injuries Following Recent Changes to The Minnesota Workers' Compensation Act." **William Mitchell Law Review** 41, (January 1, 2015), 1394

⁷ *Shealy v. Aiken Cnty.*, 535 S.E.2d 438, 442 (2000)

⁸ Inman, James M., "Where Are You Hurt - Kentucky Redefines Workers' Compensation Injury in a Post-Traumatic Stress Disorder World [notes]," **Kentucky Law Journal** no.3 (2007), 474.

⁹ Larson, A. **The law of workmen's compensation.** n.p.: Albany, M. Bender, 1960., 618.

¹⁰ Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5), American Psychiatric Association, 20.

An example of such an injury can be found in the United Kingdom case of *Hale v. London Underground*.¹¹ Mr. Hale was a fireman who was rescuing the victims of the King Cross underground fire and witnessed the death of victims which caused him to experience depression. In this case, the claimant did not suffer physically but the incident which occurred while he was working was an emotional stimulus and caused mental injury (nervous shock) to him. This is an example of a work-related, mental-mental injury where a court held that it should be compensated.

3. COMPARATIVE STUDY: EMPLOYEES' RIGHTS TO COMPENSATION BENEFITS FROM MENTAL-MENATAL INJURIES IN FOREIGN COUNTRIES

For the purpose of thoroughly analyzing mental-mental injuries and seeking solutions to the legal problems in Thailand, it is necessary to comparatively study the laws of other countries. US law, UK law and German law have been chosen to be reviewed. US law, UK law and German law all accept the existence of work-related mental-mental injuries as well as work-related physical injuries.

The work-related mental-mental injuries principle was also analysed through many jurisdictions and legislations. Some states in the US offer a definition, boundary and exceptions to work-related mental injuries in their statutes such as Arizona's Workers' Compensation Act.

Even though the United Kingdom and some states of the United States have no written principles in their statutes, they have prototype court jurisdictions according to a common law system and academic textbooks which describe and clarify work-related mental-mental injuries. Although the approaches of mental-mental injuries are recognized in different concepts across different states, each approach is clearly defined. For example, the United States describes and divides it into four approaches as (a) mental-mental injury is compensable if caused by gradual stress even if the stress is not unusual; (b),(c) mental-mental injury is compensable if the stimulus

¹¹ *Hale v. London Underground*, (1992) 11 BMLR 81

is unusual and/or sudden; and (d) mental-mental injuries are never compensable.¹²

German law does not codify employment law in a singular “Employment Act”. Instead, employment matters are addressed in several different legislative acts.¹³ However, mental injuries are recognized as an employment injury through the Federal Social Court’s decision and various laws such as EFZG, Statutory accident insurance and the ArbSchG.

The comparative work that has been done in this work allows for the following summary to be made. Workers’ compensation law of the United States (with slight differences in some states) has a general framework that clarifies the important aspects of the concept of mental-mental injury; for instance, the question as to whether any compensable mental-mental injury must only occur “suddenly” or “unexpectedly”, and provides some exceptions to the compensation claims (e.g. any psychological injury occurred as a consequence of employer’s action in good faith or based on the exercise of his lawful right are not compensable and cannot be the subject of a claim.)

In the case of the law of the United Kingdom, the key aspects of mental-mental injury are well described and ruled on through the court precedents¹⁴, especially the problem about whether or not an employer is able to foresee or anticipate an accident which is a mental stimulus. These examples are of significant importance and play a crucial role in explaining the relation between the emergence of mental (and mental-mental) injuries and the work patterns as well as the environment in the workplace, and for our attempt to refine and develop the existing workers’ compensation law of Thailand in order to serve better its philosophy and spirit, which initially and primarily aim to protect the employee who has suffered from a work-related injury.

¹² Bailey, Ashley R., *supra* note 4, 514-518.

¹³ Elert, Nicole, and Christopher T. Brooks.: 618 Questions Frequently Asked by Foreigners. Berlin: De Gruyter, 2014. German Employment Law eBook Collection (EBSCOhost), EBSCOhost (accessed April 28, 2016),.6.

¹⁴ *Barber v Somerset CC*, [2004] UKHL 13

4. MENTAL-MENTAL INJURIES PRINCIPLES UNDER THAI LAW

Workmen's Compensation Act B.E. 2537 (1994) has no specific provision for mental-mental injuries. Therefore, we shall interpret the meaning of "suffering from injury" and "work-related sickness" in Section 5 of this Act to determine the compensating mental-mental injuries. Workmen's Compensation Act B.E. 2537 defines "suffering from injury" as "physical or mental injury or death suffered by an employee as the result of work employment or in the course of protecting the interest of the employer or according to the commands of the employer".

Obviously, this is broadly phrased and is open to interpretation. However, it is also too ambiguous. There are no clear boundaries for interpretation as to whether or not Thailand affirms the existence of mental-mental injuries which are purely mental in nature.

"Work-related sickness" is defined as "illness suffered or the death of an employee as a result of work caused by diseases incidental to the nature or condition of work". This definition is also broadly stated and not obvious. In practice, the boundaries of these definitions depend upon the discretion of the authorities which causes uncertainties.

Moreover, the categories of "compensation" according to the Workmen's Compensation Act are divided into indemnity, medical expenses, rehabilitation expenses and funeral expenses which are described above; in these, no reference or mention is made about pure mental injuries.

Section 13 to Section 18 of this Act states that the calculation and method of compensation are further detailed in Ministerial Rules. Therefore, for the sake of interpretation, we shall consider the relevant Ministerial Rules to understand the mental-mental injuries under Thai law.

The Ministry of Labour's announcement, Period of compensation rules and method for monthly salary calculation, refers to loss of organs or suffering from physical injuries but there is no mention of mental injuries. Moreover, Table No. 2 of this

announcement prescribed that “the employee who suffered from injury of a brain system which causes conscious disorder and/or mental disability may be compensable”.

It may be interpreted that the compensable mental injuries need to be caused by physical injuries. According to this announcement, there are no rules concerning mental-mental injuries which are purely mental and not related to the physical aspect.

According to the Ministry’s rules, Medical Expenses Rates B.E. 2551 prescribe medical expenses rates for injuries or sickness. Mental-mental injuries were not mentioned in this Ministry’s Rules. Even number (7) of this rule broadly stated “Other severe injury or chronic sickness” although the announcement of the Labour Minister entitled Suffering from other severe injury or chronic sickness B.E. 2553, which was enacted to describe the meaning of “Other severe injury or chronic sickness” also did not mention or refer to mental-mental injuries.

Mental-mental injuries were not stated in the prescribed work-related diseases schemes, the announcement of Labour Ministry, either. However, for the purpose of flexible interpretation, number (8) of this announcement inclusively stipulates and does not specifically legislate the categories of work-related diseases as “Other proven work-related diseases”.

Diagnosis and evaluation of capability loss or work-related injuries, which is an announcement of Labour and Social Welfare Ministry, legislates in article 4 that “Evaluation of capability loss will rely upon ‘Evaluation of physical and mental capability loss manual’ of Workmen’s Compensation Committee.” This manual describes mental-mental or pure mental injuries. However, it is a manual for medical affairs and does not relate to legal causation or legal principles.

One could argue, on the other hand, that the Thai judiciary had already accepted mental injuries as work-related illness in many cases, for instance, the Supreme Court’s *Judgment Red Case No. 3866/2529, No. 5121/2537, No. 1683/2539, and No. 2258/2543*. However, our observation has revealed that all mental injuries in those Supreme Court judgments are not “mental-mental injury”

which is the main topic of this topic. The reason some physical elements involved in those injuries.

A good example of a court decision which shows that Thai court does not recognize pure mental injury as compensable injury is the Supreme Court's *Judgment Red Case No. 1447/2523* which decided that the mental injury caused by a fright or a mental impact cannot be compensated since Thai law has hitherto no legislative law that certifies this kind of claim as a compensable one.

It is clear that Thai courts determine the mental stimulus that causes physical injury (mental-physical injury) as employment injury. However, there is no clue as to whether mental-mental injury is certified or determined as employment injury under Thai laws. It can be said that the main parliamentary acts and related provisions in the realm of Thai labour or social security law do not give us a lucid answer as to whether and which work-related mental-mental injuries are legally recognized and thus compensable. Thai labour law has no guiding principles or clear stipulated rules which could be used to determine the meaning and scope of the work-related mental (and mental-mental) injury.

Due to the lack of a general and legal framework, the practices depend primarily upon the discretion of responsible authorities on a case-by-case-basis, especially the courts. This situation has resulted in uncertainty for both employers and employees and may, eventually and inevitably, cause a major problem for the whole economic sector, let alone the violation of the principle of certainty of law which is one of the main elements of the principle of rule of law.

5. PROPOSED SOLUTIONS

The current situation, as already discussed, causes many difficulties not only in the theoretical study of law but also – and most importantly – in the application of the law and the functioning of the legal system as a whole. To summarize, it can be said that both the legislature and the courts are generally confronted with the complicated problem of evaluating and determining the

compensation for mental-mental injuries due to various reasons.¹⁵ Therefore, it is suggested that Thailand should improve the law on this matter by clarifying its definition and thus establishing a model law confirming the mental-mental injuries principle. However, there is neither a perfect solution nor principle for the development of mental-mental injury system. Therefore, this work would like to suggest that it should be a combination of a number of different legal tools. These are given below.

(a) A clear definition and boundary of “mental-mental” injuries should be written down.

As Thailand is a civil law country and has no exact rules or precise meaning of pure mental in the definition of employment injury, the specific meaning and boundary of “mental-mental” injuries should be written down. This problem is the most significant point of this topic because Workers’ Compensation Act, B.E. 2537 is the main statute to determine employment injuries. The purpose of secondary law such as Ministry declarations and regulations and the scope of authorities’ power discretion rely on this statute as it is primary law. If the main statute is unclear, problems of interpretation cannot be eliminated. Therefore, in order to officially introduce mental-mental injuries into Thai laws, it should be clarified in the meaning of “suffering injury” and “work-related sickness” that mental-mental injuries are included.

(b) Clarify or define long-term mental injuries (stress/strain) in the definition of “sickness” in Section 5 of Thai Workers’ Compensation Act.

Mental-mental injuries or behaviour disorders which are caused by “stress or strain” are mental injuries caused by long-term mental stimulus and cannot specify the precise time or place of mental stimulus. They are a result of exposure to risk factors arising from work activity. Due to the features of stress, the international terms and the definition under Thai law, the mental injury caused by stress or strain (not unusual and not sudden stimulus) should be recognized under the term “occupational disease” according to international standards or determined as “sickness” under the term

¹⁵ Bailey, Ashley R., *supra* note 4, at 514.

“sickness” according to Section 5 of the Workmen’s Compensation Act B.E. 2537.

(c) Mental injury caused by an unusual or sudden incident should be determined.

A mental-mental injury caused by an unusual or sudden incident is not mentioned in the definition of “sickness” in previous recommendation clauses due to it being a mental injury caused by the incident or mental stimulus which could indicate the precise place and time. Suffering an injury is different from the features of a sickness which occurred due to a work environment (long-term mental stimulus and not unusual or sudden). Therefore, it should be described separately.

This work suggests that Thai law should specify legal requirements such as “unusual or/and sudden” to clarify the causation between injury and employment. This may be better and make it easier for authorities to determine the relation between employment and mental injury as it could be a basic principle for deciding whether mental injuries are compensable employment injuries.

(d) Adopt workers’ compensation law by providing the exceptions for employers’ good faith actions.

Clearly written exceptions could draw a sharper line and offer a better balance between the employers’ business management discretion and employees’ mental injury. Therefore, Thailand should adopt workers’ compensation law by providing the exceptions for employers’ good faith actions.

(e) The need for basic factors or principles and required fundamental factors.

Clarity of legislation is necessary but flexibility of interpretation is also needed. It is necessary for authorities to use discretion in some cases in order to apply a suitable compensation approach. However, unlimited discretion can cause many problems as described above. Therefore, the basic factors or principles and required fundamental factors are useful for authorities’ evaluation.

(f) For the purpose of relieving an employee’s burden of proof, there is an assumption of the inclusion of some occupations.

Workers in some occupations are exposed to high risks at work such as firefighters, police officers and paramedics. The exact presumption of work-related injury is useful to determine the cause of employment injury. Therefore, written presumption is advantageous.

(g) Draft an accountable legal term for assessment of mental injury as an employment injury.

Internationally, they have the DSM and the ICD to assist in the diagnosis of mental injury in medical terms but they also have the legal terms for a decision in mental injury claims (whether it is an employment injury). For its part, Thailand has the manual for medical evaluation but it not related to legal causation. It merely describes the characteristics of mental syndromes which are medical terms but has no written rules that can be used to consider the relation between injury and employment. Therefore, it is necessary to put in place an accountable legal term for the assessment of mental injuries as employment injuries.

(h) Enlarge and improve on the principles of mental-mental injuries by using the interpretation of the courts

The Labour Court is a specialist court established for resolving labour and employment disputes. The judges have specialist knowledge of employment laws. This should be taken advantage of with a view to combining court interpretations and legislative methods. The principle of mental-mental injuries as employment injuries can be established by a court decision or at the discretion of a court. However, this method takes a long time and as Thailand is civil law country court decisions are not accepted as law. Therefore, the author would like to suggest that it should be used as guidelines and combined with other recommended methods.

(i) The need for a preventive method to address mental-mental injury claims.

As well as defensive methods which regulate the methods or principles to handle the diagnosis and evaluation of mental-mental injuries, a preventive method is also necessary to prevent the mental-mental injury claims. For example, in Germany, for the purpose of employees' security; specifies rules and guidance standards to support workplace practices under performance-based standards are

required¹⁶, specification of the type and number of safety and health advisors required within companies.¹⁷

6. CONCLUSION

Under Thai law, the scope of work-related mental injuries can be determined in the first instance by considering relevant provisions of labour law such as Section 5 of the Worker's Compensation Act, B.E. 2537. Even though the meanings of "injury" and relevant terms are defined by Thailand's workers' compensation law to be broad enough so that they also include work-related mental injuries, their precise meaning and scope are nevertheless not completely clear.

The main parliamentary acts and related provisions under Thai labour law do not provide a lucid answer as to whether and which work-related mental-mental injuries are legally recognized and thus compensable. Thai workers' compensation law lacks clear principles or rules to define the term "mental-mental injury" and neither does it give it as an exception nor provide scope for it. There is neither a specific legal framework nor consistent court precedents concerning mental-mental injuries as compensable employment injuries under Thai labour law. In practice, it is entirely up to authorities to determine its meaning which causes uncertainty.

Therefore, this work would like to suggest that Thailand should certify and define the boundary and definition of "suffering from injury" or "work-related sickness" to be broad but clear enough to cover a wide range of mental-mental injuries. The improvement should come from legislation and court interpretations, both in terms of defensive and preventive methods. As there is no single perfect method to solve this problem, the legal tools or methods of other countries and international law may offer good models for Thailand to establish principles for mental-mental injuries.

¹⁶ Description of the organization of the occupational health and safety system and the delivery of prevention services, Report to the Expert Advisory Panel Occupational Health and Safety Prevention and Enforcement System, Institute for Work & Health, April 15, 2010, 3.

¹⁷ *Id.*, at 2.

REFERENCES

Books and Book Articles

Larson, A. **The law of workmen's compensation**. n.p.: Albany, M. Bender, 1960.

Articles

Atchison, Thomas W. " *Workers' Compensation Law: Mind Games: Understanding Mental Injuries Following Recent Changes to The Minnesota Workers' Compensation Act.*" **William Mitchell Law Review** 41, (January 1, 2015): 1394-1407.

Bailey, Ashley R. " *Stress Is [Not] Part of the Job: Finding the Appropriate Balance between Fairness and Efficiency to Compensate Posttraumatic Stress Disorder under Workers' Compensation Statutes [comments],*" **Wisconsin Law Review** no.3 (2015):507-536.

Inman, James M. " *Where Are You Hurt - Kentucky Redefines Workers' Compensation Injury in a Post-Traumatic Stress Disorder World [notes],*" **Kentucky Law Journal** no.3 (2007):465-486.

Other Materials

Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5), American Psychiatric Association.

Elert, Nicole, and Christopher T. Brooks. "German Employment Law : 618 Questions Frequently Asked by Foreigners". Berlin: De Gruyter, 2014. eBook Collection (EBSCOhost), EBSCOhost (accessed April 28, 2016).

Institute for Work & Health. "Description of the organization of the occupational health and safety system and the delivery of prevention services, Report to the Expert Advisory Panel

Occupational Health and Safety Prevention and Enforcement System”. April 15, 2010.

Joint Declaration on Mental Health in The Workplace, Federal Ministry of Labour and Social Affairs, Confederation of German employers’ Associations, German Trade Union Confederation.