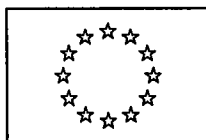


# **The Advisory Committee on Safety and Health at Work**

## **"Community Strategy Implementation and Advisory Committee Action Programme"**

**Opinion  
Doc 2033/11**

**Adopted on 01/12/2011**



**EUROPEAN COMMISSION**

Employment, Social Affairs and Inclusion DG

Employment and Social Legislation, Social Dialogue  
**Health, Safety and Hygiene at Work**

## **"Community Strategy Implementation and Advisory Committee Action Programme"**

### **Taking into account:**

- Its mandate adopted on 21 June 2007, as revised on 29 November 2007, 10 December 2009 and 2 December 2010, to set up a working party on Community Strategy Implementation and Advisory Committee Action Programme;
- Its opinions adopted on 27 November 2008 (Doc 2491/08), 10 December 2009 (Doc 2029/09) and 25 June 2010 (Doc 1221/10);
- The Communication from the Commission "Europe 2020 - A strategy for smart, sustainable and inclusive growth" COM(2010) 2020 final;
- The Communication from the Commission "An Agenda for new skills and jobs: A European contribution towards full employment", COM(2010) 682 final;
- The Commission Staff Working Paper "Mid-term review of the European strategy 2007-2012 on health and safety at work", SEC(2011) 547 final;
- The Communication from the Commission "Smart Regulation in the European Union", COM(2010) 543 final
- The Opinion of the European Economic and Social Committee on "Promoting sustainable productivity in the European workplace" (SOC/266)

### **ADOPTS THE FOLLOWING OPINION**

The Advisory Committee on Safety and Health at Work recommends the following structure and contents for a new EU strategy on safety and health at work for the period 2013-2020.

1. The introduction of the new strategy should describe the current OSH situation in the EU and refer to the results of the EU strategy 2007-2012. It should explain why objectives were achieved or missed, whether instruments, measures and indicators were appropriate and effective or not, and which ones should be continued. The strategy should provide a platform for future priorities, not just to identify important health and safety problems but also to handle the measures required to prevent and solve these health and safety problems.
2. The new EU strategy should set priorities for how to obtain a more competitive

economy over the next 10 years with smart, sustainable and inclusive growth, which can lead to job creation, a high participation rate, etc. High quality of jobs goes hand in hand with a high employment rate, because safety and health at work plays an important role in improving the potential of the workforce and in competitiveness. Safe and healthy working conditions are important for the survival of EU enterprises and their ability to innovate and deliver results quickly and efficiently.<sup>1</sup>

3. The Commission should develop a vision to achieve a sustainable working life in a competitive economy with respect for the diversity of the EU workforce. A sustainable working life is characterised by quality in the work, balance between working and family life, good employment conditions and healthy and more productive workplaces. All policy areas involved should contribute to this vision.

The **vision** for the EU strategy should express the positive contribution an investment in occupational safety and health can bring to the competitiveness of the European economy; in line with the objectives of the Europe 2020 strategy on growth and employment, bearing in mind that the improvement of workers' safety and health at work should not be subordinated to purely economic considerations. A risk-oriented approach is crucial for the establishment of a preventive culture. But in times of global competition and permanent economic change it is appropriate to go beyond the mere absence of disease or injury. We need to assess risks but also identify the positive, health-enhancing factors that complement the risk-oriented approach.

On the one hand, the initiatives launched on the basis of the EU strategy on safety and health at work must primarily reduce the incidence of accidents at work and work-related diseases. This will not only reduce the human and social consequences, but also the socio-economic costs associated with hospitalisation and rehabilitation, etc.

On the other hand, the EU strategy on safety and health at work and the national initiatives that originate from this strategy should also have numerous positive secondary effects on the economy and employment. It is well known that good safety and health at work can lead to higher productivity and less sickness absence, and therefore can help reduce the number of people who leave the labour market

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<sup>1</sup> Communication from the Commission to the European Parliament, the Council, The European Economic and Social Committee and the Committee of the Regions.  
An Agenda for new skills and jobs: A European contribution towards full Employment.  
COM (2010) 682 final.

prematurely.

A skilled and healthy workforce is one of the most important factors influencing the competitiveness of the EU in a globalised and competitive economy. Creating good safety and health at work, job satisfaction, skills development, education and career opportunities, etc. are vital and positive factors in an individual's working life. The very existence of positive factors in the work and well-being at the workplace can therefore also contribute to the competitiveness and expansion of European enterprises. At societal level, positive factors promote a dynamic and innovative labour market with worker mobility and worker participation rates.

4. The **main objectives** of the new EU strategy should be few in number and prioritised.

They should be specific, measurable, ambitious and realistic. They should cover the following subjects:

- to achieve by 2020 the same level of protection as provided for by the EU Framework Directive on Health and Safety for all workers in all member states;
- to ensure the continuous improvement of EU workers' health
- to ensure that OSH activities take proper account of gender-specific differences so that men and women are equally protected in all workplaces;
- to improve the quality of work.

5. The **common goals** should be the overall reduction of work-related diseases, ill-health and accidents at work. The overall concept should be: prevention before rehabilitation, rehabilitation before leaving the labour market earlier. Quantitative targets for reducing work-related diseases, work-related accidents and dangerous exposures could be considered when appropriate at national level.

5.1. The mid-term review of the current European strategy 2007-2012 places emphasis on the negative impact of **accidents at work** in human and economic terms. Accident risks still rank among the three most critical health and safety problems in the EU (ESENER 2009 by EU-OSHA). Although there has been progress, as reported by some Member States, certain categories of workers and sectors are more affected by accident hazards. The need for improvements in safety and health at work does not necessarily mean that well-known OSH instruments are ineffective but it may be that their application still needs to be improved.

- Risk assessment is a precondition for systematic safety and health management as well as an important part of a much broader process which should focus on prevention. Based on the experience of SLIC and other stakeholders, the ACSH should discuss how to ensure a high-quality risk assessment.
- Further tools (e.g. online tools) should be developed to facilitate a proper risk assessment for SMEs and to implement risk assessment as a part of the general process of management at enterprise level. Also, simple and practical approaches could be promoted to help enterprises to manage risks.

5.2. In contrast to the current European strategy 2007-2012, the new one should focus more on the **reduction of work-related diseases**. More attention should be paid to the multifactorial origins and long latency of many work-related diseases, including occupational diseases arising from new exposures (e.g. in the waste and recycling industry). Due to different social insurance systems in the EU Member States existing occupational disease registers may not be complete and comparable in recording work-related ill health.

- EU-OSHA, EUROFOUND and Eurostat should cooperate and develop specific and periodic surveys of different dimensions of the state of safety and health at work in the EU, including self-reported health and exposures to risks.

5.2.1. **Musculoskeletal disorders (MSDs)** are one of the principal concerns of European enterprises and workers (ESENER 2009 by EU-OSHA and EWCS 2010 by EUROFOUND). MSDs can be serious health problems affecting employment opportunities and causing costs for companies and society. To prevent MSDs, it should be taken into account that they are often multifactorial. Measures to combat MSDs can also play a key role in developing a practical approach for retaining employees in the workforce.

- In cooperation with the ACSH, SLIC and EU-OSHA, the Commission should initiate an MSD programme of major extent, taking into consideration the specific needs of SMEs and ensuring that other policy areas are included. This programme should take into account the gender dimension.

5.2.2. **Work-related psychosocial risks** are a growing problem in the EU (Scoreboard, 2009 and EWCS 2010 by EUROFOUND). Work-related stress and the psychological working environment are concerns of the social partners and other actors. It would be

useful to develop tools to deal with these problems. Work-related psychosocial disorders are responsible for millions of lost working days every year (EWCS 2010 by EUROFOUND). They can result in long-term sickness absence and force workers to leave the labour market. The EU, with its ageing workforce, runs the risk that a poor psychological working environment could be an obstacle to a higher employment rate and economic growth. We need a holistic approach to convince workers and employers of the great advantages of a good psychological working environment.

- The Commission should finance programmes for the prevention of psychosocial risks. Member States and social partners should adjust them to their national circumstances and needs and promote their use in practice.
- The ACSH should further develop the exchange of good practice on well-being at work, good work organisation and leadership.
- SLIC should emphasise its efforts concerning stress, bullying, violence and threats at the workplace. Tools for labour inspectors should be discussed.
- The EU-OSHA will carry out its campaign 2014 and 2015 on psychosocial risks and provide specific tools for SMEs.

**5.2.3 Work-related cancers** represent a major cause of work-related fatality. The existing legislation in this area is currently under review. Any improvement should be considered in the light of the latest evidence, taking into account substances toxic for reproduction, exposure and the existing limit values. It should be based on sound scientific/health-based information and aim at more effective implementation.

When substitution is not possible, exposure should be minimised. In that context, risk based concepts for the derivation of limit values for CMRs should be evaluated and adapted if needed. Any work in this area should take account of REACH and the globally harmonized system of classification, labelling and packaging of substances and mixtures.

**5.3. New or emerging risks** should be identified in order to develop knowledge on their impact on workers' occupational health and safety. This knowledge should form the basis for preventive measures including legislation where necessary and appropriate. There is still great uncertainty about the distribution and use of **nanomaterials**. Not all countries have a notification system, and there are no regulations or labelling systems specifically for nanomaterials. It is necessary to extend research and coordinate knowledge in this area to gain evidence-based knowledge about the risks and opportunities provided by this technology, in terms of workers' occupational health and safety.

- It would be useful to have common definitions of nanotechnology and the various materials and components of this technology.
- Good practices with respect to the mitigation of exposure to these materials including the development of user-friendly guidance material should be considered.

5.4. The new strategy should also have the inclusive labour market in mind. Achieving an inclusive labour market could be essential to foster economic development and social cohesion by taking steps to ensure that groups such as workers with disabilities and / or long-term health conditions are retained on the labour market. There is a wide variety of practices in the Member States. The identification and exchange of good practice in this area is important.

6. To achieve the objectives of a long-term OSH strategy, a wide range of policy tools, interventions and **instruments** should be used. Member States and the social partners should be consulted. The Commission should choose the appropriate instrument considering the principles of subsidiarity and proportionality.

6.1. Strategic planning has been one of the most important policy instruments in the field of occupational safety and health in the last decade. Currently 25 Member states have a **national OSH strategy** or plan. The new EU strategy should give an impetus for the continuous improvement of national strategies.

- The work conducted by the ACSH so far should be continued and upgraded to address the methodological implications of national strategies.
- Taking into account that some Member States may renew their national strategies in the near future, the Commission should - in cooperation with the ACSH and SLIC - develop projects concerning methodology, effectiveness and implementation and evaluation on a voluntary basis of national strategies under the PROGRESS programme

6.2. **Prevention of occupational accidents and ill health at enterprise level:** The quality of enterprises' own preventive health and safety activities is a crucial element. Legislation and effective enforcement are key elements. However, much of their effect depends on how organisations' internal health and safety activities are organised and carried out. Social dialogue at enterprise level should promote employee involvement in the enterprise's decisions regarding health and safety at

work in accordance with national systems and practice incorporate health and safety thinking into management decisions.

- It could be relevant: at national level to promote initiatives for upgrading the skills of employers, managers and employees and to support at national level enterprises and workers regarding the involvement of employees and their representatives.
- At European level, EU-OSHA will develop its campaign 2012 and 2013 on "working together for risk prevention".

6.3. There could be better links between public health and OSH policies at two levels:

- The EU Strategy should promote an exchange of information on **workplace health promotion** programmes;
- Member States should promote cooperation between public health actors and OSH activities in different fields (e.g., smoking, healthy food, alcohol addiction, etc).

6.4. **Enforcement** is not only carried out for the sake of workers but also for the sake of ensuring free and fair competition. Enforcement should be one of the most important priorities of the new EU strategy. The focus should remain on making inspection and advice more efficient.

- Member States should provide adequate and competent resources for labour inspectorates to help with adequate implementation.
- EU Member states should be at the forefront of implementing ILO general guidelines on labour inspection.
- The ongoing cooperation between ACSH and SLIC should be continued and the mutual exchange of information should be improved.
- The Commission should continue to promote EU-wide collaboration between labour inspectors. Efforts should be intensified in specific sectors or regarding specific risks.
- Other actors might play a role in enforcement at national level where appropriate and in accordance with national systems and practice.

6.5. According to the Commission Communication "*An Agenda for new skills and jobs*" a comprehensive review of **health and safety legislation** will be conducted in cooperation with the ACSH by 2014. Simplification of EU legislation should not



reduce the level of protection already in place. In preparation for this evaluation, the Commission should:

- prioritise, in cooperation with the ACSH, the OSH directives and arrange a timetable;
- provide sufficient human and finance resources to carry out this project according to a science-based methodology over a three-year period and
- guarantee the effective involvement of the social partners in the evaluation process. All results and possible impacts of these evaluations should be reviewed by the ACSH.

6.5.1. Based on the results of the review of the health and safety legislation, the Commission should consider possible improvements to the existing regulatory framework in line with the principles of **better regulation**. In this framework, the Commission should examine in co-operation with the ACSH opportunities to improve the legislation with particular regard to the specific needs of SMEs. This must not lead to lower standards of protection. The costs to employers, employees and the rest of society of failing to take action on OSH risks should also be considered.

6.6. Many different policy areas can have a strong influence on safety and health at work (e.g. chemicals, technical standardisation). However, OSH policy cannot tackle effectively some challenges without the support of other policies (e.g. OSH research, public health, agriculture, road safety, mainstreaming OSH into education). For this reason there is not only a need to strengthen **policy coherence** but also to set up adequate cooperation mechanisms.

- The Commission should develop a method to coordinate all initiatives related to health and safety at the workplace (e.g. reactivation of the "interdepartmental working party on health and safety at work"). Adequate internal resources should be provided for health and safety activities.
- The Commission should create in the new EU strategy a strong synergy with the progressive implementation of REACH. It should be consistent with REACH priorities on substances of very high concern, and in particular with those that have a work-related exposure.
- Member States and the social partners should strive to coordinate initiatives on OSH policies in a systematic process where relevant and possible (e.g. in the framework of a national strategy). In cooperation with EU-OSHA, the ACSH could

exchange best practices on policy coherence and mainstreaming.

6.7. It is of vital importance that the design of the new EU strategy 2013-2020, its implementation and regular follow up are carried up in **collaboration with social partners** at all levels. This should be done on the basis of tripartite consultations at EU level. National implementation of the EU strategy should take place in collaboration with parties in the individual Member States and through a systematic participation of social partners at different levels.

6.8. **Social dialogue**, including agreements between the social partners in the area of occupational safety and health, should play a role in the future EU strategy. It is important that agreements of the social partners, also at sectoral level, provide added value in protecting the safety and health of workers in the EU.

The Commission should promote the exchange of information and experience between the social partners and the ACSH. All parties involved should avoid duplicating work.

6.9. **Research** should be a continuous activity to improve safety and health at work. Research priorities should include new technologies such as recycling, emerging energy technologies (particularly those with an environmental impact), ambient intelligence, nanotechnology, biotechnology or the multifactorial work-related diseases (e.g. musculoskeletal and cardiovascular diseases). Changes in the world of work, in employment patterns and new combinations of risk factors (e.g. demographic change, new and flexible working patterns, mental health and wellbeing, the effects of and interactions between physical agents, work capacity and employability etc.) should be investigated.

Attention should be paid to new approaches and technical solutions to actual problems identified in workplaces. Actions should be taken to disseminate the results and to apply the research findings.

- Member States and OSH research institutes should be encouraged to set common priorities and participate in transnational or EU-wide OSH projects. They should make use of the results of NEW OSH ERA<sup>2</sup>. Special attention should be paid to the Commission's initiative "Joint Programming".<sup>3</sup>

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<sup>2</sup> [http://www.newoshera.eu/en/index\\_html](http://www.newoshera.eu/en/index_html)

<sup>3</sup> [http://ec.europa.eu/research/press/2008/pdf/com\\_2008\\_468\\_en.pdf](http://ec.europa.eu/research/press/2008/pdf/com_2008_468_en.pdf)

- Additional research could be useful in different areas like the quality of workplaces, the links between sustainable working life and productivity.
- EU-OSHA and EUROFOUND should disseminate new research findings in appropriate ways for enterprise management and workers. Summaries in the different EU languages should be provided.

6.10 Promotion of a **culture of preventing occupational accidents and ill health**: The EU strategy should consider actions aimed at improving:

- the integration of occupational safety and health management into the whole management of enterprises;
- the proactive management of occupational health and safety in enterprises;
- active leadership at all levels of the organisation in the management of occupational health and safety in enterprises;
- the involvement of workers in the management of occupational health and safety in the enterprise;
- the sharing of occupational health and safety information with workers; and
- workers' occupational health and safety skills.

The Commission should:

- develop and spread good practices on how to improve the management of health and safety at work, especially for SMEs;
- address the problem of the quality of external preventive services. It should provide guidance to member states on the application of Article 7 of the Framework Directive; and
- promote the development of user guides as well as databases on good practice. The European Agency for Safety and Health at Work should compile and disseminate this information and help to make other European OSH networks generally known.

6.11. **OSH Education and training** should continue as a line of action in the new strategy, including the following tasks:

- Standardisation of programmes, oriented to facilitate the free circulation of workers across the EU;
- Integration of OSH into educational programmes at all levels (e.g. schools and universities).

7. The ACSH supports the Commission's point of view that in an increasingly globalised

world the EU should contribute to strengthening the social dimension of globalisation. Considering the high degree of bilateral cooperation in the field of OSH and from the perspective of further enlargement of the EU, **international activities** should be considered. Adequate internal resources should be provided.

8. The EU strategy which will be planned for a period of eight years needs **monitoring** tools to analyse the situation regularly, to detect problems and to adapt policies to new situations. Indicators for a later **evaluation** should be developed before the new strategy starts.

- It might be necessary to assess the progress of the new strategy on the basis of other sources than existing quantitative sources about the reduction of risks and injuries. Common European **indicators** could also measure the development and improvement of infrastructural conditions e.g. the scope and organisation of safety and health in the individual Member States. Such indicators should be devised, and achievement against them measured, using funds from PROGRESS.
- The programmes of Eurostat and relevant agencies like EU-OSHA and EUROFOUND should take into account the priorities of the new strategy.
- Reporting from the Member States and inputs from the social partners could also be important sources of information. The **scoreboard** as a measurement system should remain part of the new EU strategy. It will be necessary to be able to prioritise and measure the national activities and carry out annual follow up. In the future the work should be carried out in a tripartite collaboration and not only in the Government Interest Group.

9. For a long-term strategy it is necessary to have **action plans**.

- The Commission should prioritise, in cooperation with the ACSH, the tasks of the new EU strategy and devise three action plans (2013-2015, 2016-18, 2019-2020).
- The Commission should report in 2015 and 2018 to the Council and the European Parliament on progress with delivery of the plans.
- In order to implement the new strategy the Commission should suggest roles for Member States, social partners, ACSH, SLIC, EU-OSHA, EUROFOUND and further co-operation partners where appropriate.

## **Employer group annex to opinion prepared by ACSH WP Strategy**

The employers group would like to highlight its commitment to health and safety at work and the importance of cooperation between employers, workers and governments at both national and EU level in this field.

Although we value the work done by strategy working party of the Advisory Committee, from an employers point of view the opinion does not sufficiently take into account the current economic and financial context, whereas this is essential in any future development of EU policy. Employers therefore call for a strategic approach, based on a limited number of priorities with a clear focus on the core aspects of health and safety at work. This is necessary in the current economic and budgetary context, where the use of resources needs to be optimised and OSH priorities should be focused on aligning with or assisting rather than hampering economic recovery. This approach should also be a basis for the future in terms of ensuring growth and jobs in line with the EU 2020 strategy.

The employers' group supports the prioritisation regarding future EU OSH policy as set out in the European Commission's work programme for 2012, likely to serve as the basis for the future communication on OSH. The work programme highlights three pillars of work. The employers' group urges the European Commission to build on the current strategy, based on these three pillars. This will also allow for those elements of the current strategy which have not yet been completed to be successfully implemented.

This includes in particular further work to simplify the legislative framework and further promotion of a preventative culture to OSH. From the employers' point of view, much more should be done in these areas.

Priorities outlined in EC work programme 2012 – Employers' position:

a) enhancing occupational health and safety (OSH) governance at EU level, in particular as regards the establishment of national OSH strategies and the coordination of Member States' policies

The employers group urges the Commission to give further impetus for the development and continuous improvement of national OSH strategies. In order for them to be successful it is necessary that they are supported by the national social partners, which means in practice that social partners should be involved in the drafting, implementation and follow-up process of the national strategy.

b) improving implementation of the EU legal framework

The priority for the EU in the area of OSH should be the promotion of smart regulation and simplification of existing legislation. This is crucial to ensure that employers are able to identify their obligations and how to comply with them in the most effective and cost efficient way. It is necessary to evaluate existing health and safety legislation and any new activities in this field in terms of economic effects, avoiding actions that will increase costs and administrative burdens on business. This is important in the current economic climate but also in general. All these factors play a crucial role in ensuring that OSH policy contributes to rather than hampers the improvement of competitiveness.

It is also important to identify measures and tools that will help companies in understanding and complying with legislation, therefore improving implementation. This means focusing on development of practical guidelines and exchanges of best practice, and further development and dissemination of information and practical tools to assist employers and workers (e.g. OiRA).

c) promoting health and safety at the workplace, by supporting the Member States' efforts through European campaigns and awareness raising initiatives

The employers group calls for more promotion at EU level of a preventative culture, as the basis for improvements in health and safety at work. As part of this, more work should be done to ensure better integration of OSH into education systems. We also call for support and promotion of a partnership approach in the EU Health and Safety Agency forthcoming campaign on prevention.