

EWC guide on health and safety

How to improve
INFORMATION and
CONSULTATION in EWCs in the
building, building materials,
cement and woodworking
industry.



European Federation
of Building
and Woodworkers



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EWC guide on health and safety

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Know the issues at stake

HEALTH AND SAFETY IS A PRIORITY for social partners in the building, building materials, cement and woodworking sectors. Construction and manufacturing are the sad European record holders for accidents at work. They account for over one fourth (29.94%) of all non-fatal accidents and over one third (34.6%) of all fatal accidents at work in the EU-28 in 2017¹. Workers in the sectors are exposed to many chemical substances (e.g. asbestos, creosotes, diesel engine exhaust emissions, nanomaterials and wood dust) that pose serious risks to their health².

Construction has the lowest score on the Physical environment index. There are all types of physical risks: posture-related or ergonomic, ambient (including vibrations, noise and high and low temperatures) and biological and chemical hazards³. In both construction and industry, mental health and wellbeing are seriously challenged by work intensity, mainly determined by tight deadlines, excessive demands and machines dictating the pace of work⁴. Psychosocial risks for construction workers lie in their scant control over their work and work methods, the impossibility of fully utilising their skills and/or being rewarded or appreciated for their efforts,

their exclusion from making decisions that affect them, repetitive and monotonous tasks and few opportunities for social interactions⁵. Psychosocial risks are exacerbated by the complex organisation of work with the engagement of multiple stakeholders and contractors, making coordination difficult. The decline of employment in the sector in the period 2008-2015 negatively affects job satisfaction and income security⁶.

Digitalisation is raising new opportunities and challenges. Workers in the wood/furniture sector may be removed from hazardous environments, and sensors facilitate machinery maintenance. On the other hand, increasing automation exposes workers to time pressure. Task complexity, long working hours, constant reachability, and cognitive interactions with digital devices and robots engender mental stress or the risk of working alone and feeling isolated⁷. Similar pressures to occupational mental health also affect the construction industry, following the trend towards digitalisation and the large-scale application of Building Information Modelling (BIM) for a cost-efficient planning, design, creation and management of buildings and infrastructure⁸.

1 Eurostat (hsw_n2_01) and (hsw_n2_02).

2 European Federation of Building and Woodworkers (2019), *EFBWW Policy on the protection of workers exposed to dangerous chemicals at workplaces*.

3 Eurofound (2017), *Sixth European Working Conditions Survey – Overview report (2017 update)*.

4 Ibidem.

5 European Federation of Building and Woodworkers (2019), *Psychosocial risks in construction*.

6 European Institute for Construction Labour Research (2019), *Mental health in construction*.

7 CENFIM (2019), *Digit-Fur: Impacts of the digital transformation in the wood furniture industry*.

8 European Institute for Construction Labour Research (2019), *Mental health in construction*.

Perform targeted practices

Health and safety is explicitly mentioned as a competences of European Works Councils (EWCs) in 32% of the EWC agreements⁹. Exchanges on work activities and conditions often reach a greater consensus and unite EWC members more than issues surrounding pay and employment. Addressing such issues transcends differences (e.g. site size, economic situation, local and national specificities, social dialogue culture) and helps identify common situations¹⁰.

For European Works Councils that want to initiate a dialogue with management in this field it may be useful to:

- include in the EWC agreements clauses that make health and safety a permanent issue on the agenda of regular meetings and clarify the content and time of the information on health and safety that central management has to provide.

► Information on health and safety in EWC agreements

THE 2016 BUZZI UNICEM EWC agreement lists health and safety initiatives in workplaces among the issues for information and consultation.

The 2011 Cementir Group EWC agreement refers to information regarding injuries, long-term absences and related statistical data for the group and country by country as well as initiatives regarding health and safety in the workplace. Further information concerns the number of deaths, injuries and near misses at each plant, reports on risk assessments and environmental hazards, findings of environmental audits and full details of health and safety programmes at each plant (including the number of safety representatives, the training they are offered and the resources made available for them to perform their safety tasks).

The 2014 Vinci EWC agreement includes a specific quarterly information procedure, involving only the Select Committee, on accidents at work, travel accidents and occupational illnesses.

The 2012 Recticel EWC agreement foresees reports by central management on the number, content and results of any training programme and improvement plan performed in the area of health, safety and the environment.

The 2014 Marazzi Group (ceramic industry) EWC agreement addresses health and safety aspects by a Select Study Group (one representative per country plus a chairperson) which meets once a year.

9 European Trade Union Institute (2015), *European Works Councils and SE Works Councils in 2015*.

10 European Trade Union Confederation (2014), *European Works Councils: their role in health & safety and anticipation of change*.



*Improving safety is a never-ending task!
European social dialogue can help establish
the highest standards for a zero-accidents
policy throughout the company.*

A LIST OF QUESTIONS THAT EWCS CAN RAISE in meetings with central management is provided by EFFAT¹¹:

- Does the company carry out risk assessment procedures on stress-related hazards?
- If so, does this risk assessment evaluation lead to action plans or policies that identify, prevent and treat psychosocial risks? Are employees fully involved in the definition of these policies?
- What tools are used to assess risks related to stress in the workplace (e.g. alert indicators, survey on working conditions, collective and/or individual meetings with the employees, etc.)?
- Does the company consult with trade union and safety representatives to prevent stress in the workplace?

A HOMOGENEOUS CLASSIFICATION OF ACCIDENTS AT WORK (typologies, severity, causes, etc.) across the various establishments of Buzzi Unicem was discussed by the EWC of the multinational company. Information regarding injuries and near misses should be quickly reported to central management. EWC members contribute to transparent and timely flows of information from local to central level and use the information and consultation procedure at the European level.

► **enable European Works Council members to express an opinion on health and safety issues and receive feedback from central management.**

CONSULTATION must take place "at such time, in such fashion and with such content as enables employees' representatives to express an opinion on the basis of the information provided about the proposed measures to which the consultation is related" (Directive 2009/38/EC).

- Does the company provide training to help employees deal with stress and difficult situations?
- What is the working time in each country?
- How is overtime planned and decided?
- Has the company considered changes to the start and end times to help employees cope with pressures external to the organisation (e.g. childcare, poor commuting routes etc.)?
- Has the company developed a system to notify employees of unplanned tight deadlines and any exceptional need to work long hours?
- Are the national and European provisions for prevention and protection at work applied?
- How many employees have been affected by diseases linked to exposure to psychosocial hazards? How many employees went on sick leave for reasons related to psychosocial risks (i.e. stress, depression or burnout)?

Management should send a communication with the subject of the information and consultation at least 15 to 30 days before the meeting to all EWC members (including related materials), including the date, venue and timetable agreed with the Select Committee.

At LafargeHolcim, the information is translated into all EWC members' languages.

- Consultation relies on an information procedure;
- the consultation procedure should begin on time in order for workers' representatives to have sufficient time to construct proposals and influence the final decision;

► **Questions to ask central management on psychosocial risks**

► **Some hints to improve information on health and safety**

► **Consultation procedures in EWC agreements**

11 European Federation of Food, Agriculture and Tourism Trade Unions (2016), *Enhancing EFFAT's role in European Works Councils and transnational companies*.

- time for exchange and discussion between employees' representatives and management should be foreseen;
- and the consultation procedure should lead to an opinion of the EWC, which management should reply to¹².

Some EWC agreements distinguish between topics subject to the information and those subject to the consultation procedure.

The Engie EWC agreement of 2017 (energy sector) specifies that the EWC must be consulted on prevention and safety, working conditions, hygiene and health policy. Employee representatives can express their opinion and central management can respond.

The Vinci EWC agreement states that the opinion from the EWC should be formalised in writing.

EFFAT distinguishes prevention measures as primary (ergonomic solutions, work and environmental design, changes in career development opportunities and in the workload), secondary (education and training programmes) and tertiary (psychological support and assistance for staff affected by traumatic events)¹³.

A LIST OF POSSIBLE SOLUTIONS THAT EWC MEMBERS CAN PROPOSE once they have received figures and information about the impact of psychosocial risks within the multinational company is provided by EFFAT:

- A new training programme;
- designing prevention and assistance policies;
- a different work organisation spurring workforce participation and control in the decision-making process;
- designing job content;
- planning the workload;
- and improving the equipment and work environment.

► **Solutions that EWC members can suggest to central management against psychosocial risks**



¹² European Federation of Building and Woodworkers (2016), *Practical Guide for EWCs on Information and Consultation*.

¹³ Ibidem

► **include in the European Works Council agreements clauses concerning the financial, technical and material resources for EWC members to better deal with health and safety topics.**

The LafargeHolcim Group EWC agreement introduces a two-day training session for both EWC members and management representatives, prior to the first meeting after the signature of the agreement. One or two-day training sessions are organised every time new EWC members are elected. On a regular basis, one-day training sessions per year and two-day training sessions every four years are foreseen to keep EWC members' skills up to date.

TRAINING SESSIONS SHOULD BE ORGANISED ON THE TOPICS IN THE INFORMATION AND CONSULTATION PROCEDURE, SUCH AS HEALTH AND SAFETY. The Vinci EWC agreement guarantees twelve days of training in legal, economic and social issues during the term of office as EWC members. This includes European legislation and standardisation on health and safety as well as the national implementation.

TELECOMMUNICATION DEVICES (e.g. laptops, printers, intranet, etc.) are allocated to EWC members to allow them to carry out their duties and responsibilities.

The Buzzi Unicem EWC agreement provides for a section within the company magazine Portland specifically dedicated to articles about the work of the EWC.

THE VINCI EWC AGREEMENT PROVIDES FOR AN ELECTRONIC PLATFORM FOR EWC MEMBERS for storing all the relevant documents and minutes and disseminating them among workers.

The Elia Group EWC agreement allows employee representatives to take reasonable time off during the normal working time to perform their functions. This time is considered as work time and paid accordingly. EWC meetings

FOR AN EFFICIENT EWC MEMBERS' TRAINING:

- Decide on a yearly basis the topics for training and which EWC members and substitutes require training;
- decide on the number of training days needed (allow for travel time and training time), when the training needs to be held and how often;
- avoid holding the training course after an EWC meeting, with the training taking a back seat. It is better for the training to be run as a stand-alone event;
- ask the EWC coordinator which training bodies have expertise in the relevant area;
- set time aside at the end of the training course to take stock of the course, put into perspective the skills acquired, their usefulness and how they can be applied to the work within the EWC¹⁴.

are held in English, German, French and/or Dutch, with interpretation services provided by the company. The agenda, minutes and any additional information are produced in all the above languages.

EMPLOYEE REPRESENTATIVES CAN ASK FOR THE PARTICIPATION OF AN EFBWW COORDINATOR in the EWC meetings. The EFBWW monitors the EWCs in its sectors thanks to its network of coordinators.

THE EWC CAN MAKE USE OF ASSISTANCE FROM INTERNAL AND EXTERNAL EXPERTS. The EFBWW EWC Coordinator should approve these experts. The EFBWW recommends the presence of an external expert as a right in the agreement. The EWC agreements should clarify the method of designation and financing, how the expert can be used and the conditions under which she/he conducts her tasks¹⁵.

► **Training activities for EWC members**

► **Further resources for EWCs**

¹⁴ European Federation of Building and Woodworkers (2016), *Practical Guide for EWCs on Information and Consultation*.

¹⁵ Ibidem

ALL COSTS AND EXPENSES RELATED TO THE EWC SHOULD BE MET BY MANAGEMENT.

This should be established by the EWC agreement and include the Select Committee and EWC meetings, preparatory and plenary meetings, working group meetings and training activities of the EWC, including travel, meals, accommodation, language facilities, external advisors and reasonable communication activities.

PREPARATORY AND FOLLOW-UP MEETINGS LIMITED TO EWC MEMBERS

before and after the plenary meetings with central management are foreseen by 44% of the EWC agreements¹⁶. Preparatory meetings allow EWC members to discuss the topics on the agenda. In follow-up meetings they can agree on common actions and responses.

For European Works Councils that want to take the dialogue with management to the next level it may be useful to

- **build permanent working groups within the European Works Council or networks of local workers' representatives responsible for health and safety.**

► **Working groups on health and safety**

AD HOC AND TEMPORARY WORKING GROUPS AND FOUR PERMANENT WORKING GROUPS

are foreseen by the ENGIE EWC agreement. One permanent working group deals with health and safety, prevention of occupational risks and quality of life at work. A working group is composed of members of the EWC and management. They meet twice a year for two days, plus possible additional meetings. Additional stakeholders (e.g. local employee representatives, competent professionals, employees, ETUF experts, etc.) can be invited to participate. Working group reports feed into the agenda of the EWC.

A PERMANENT HEALTH AND SAFETY WORKING GROUP

is introduced by the LafargeHolcim Group EWC agreement to support the goal of zero harm and fatalities (prevention, preservation of health and wellbeing). The working group provides recommendations, analyses, good practices and is a point of contact for the health and safety employee representatives of the Group. The working group meets quarterly. Internal group experts and/or members of the union federations can support the preparatory meetings. Extraordinary meetings are possible. The working group can access all necessary data, including incidents and accidents investigated by management, visit local plants and operations, invite LafargeHolcim experts as well as members of trade union federations and receive specialised training in health and safety matters.

*Stress makes you sick.
A culture of prevention throughout the group
is a case for the European Works Council.*

¹⁶ European Trade Union Institute (2015), *European Works Councils and SE Works Councils in 2015*.



- **extend the competences of European Works Council members to the signature of agreements on transnational issues and the contribution to transnational projects.**

► EWC bargaining competences on health and safety

4% of the EWCs have the authority to activate projects and 3% have bargaining competences on transnational issues¹⁷.

DRAFTING AND SIGNING OF CHARTERS ON HEALTH AND SAFETY are foreseen by some EWC agreements. The “Personnel Health and Safety Charter – Solvay Group Practices” commits management of each facility in the Group to:

- Ensuring that working conditions are such as to safeguard the health and wellbeing of workers;
- complying with applicable local, national and international regulations;
- monitoring developments in them and conforming to the standards laid down at the Group level;
- adopting a consistent policy for monitoring workers’ health;
- providing each worker with personal protection equipment suitable to her/his position and the tasks she/he performs;
- offering information and training on health and safety in the adequate language;
- and monitoring that subcontractors working on the Group’s sites comply with the requirements on health and safety, that must be equivalent to those applied to the Group’s personnel.

The 2017 Vinci joint declaration on the zero accidents objective of the EWC and management provides a reference framework for the essential and fundamental actions for health and safety in the Group’s companies. Important points:

- Information and training measures for employees;
- their active involvement in the topic;
- risk assessments to be conducted in due time;
- the use of personal protective equipment;
- and assistance to subcontractors to be provided by Group companies as regards health and safety issues.

The 2017 Barilla Group “European Convention on Health and Safety” signed by management, the EWC and EFFAT provides guidelines for all Group companies and sites on health and safety issues. The parties commit themselves to:

- Making employee health and safety a permanent item on the agenda;
- organising courses and opportunities for training, information and raising awareness, including the involvement and support of experts and specialists in the subject;
- scheduling opportunities for providing detailed information and discussion about the situation in the various countries and sites;
- finding a common approach between the parties, by sharing the best solutions, experiences and practices experienced in the various countries and sites, as well as in other corporate environments;
- identifying the sites and operating situations for priority intervention in order to improve health and safety indicators;
- proposing transversal prevention plans linked to quantitative and qualitative targets;
- introducing follow-up policies on a national and local level;
- monitoring, analysing and discussing the various actions taken or planned in each country during the plenary session of the EWC;
- providing up-to-date information and data on health and safety in the Group’s various European sites.

¹⁷ European Trade Union Institute (2015), *European Works Councils and SE Works Councils in 2015*.

- **improve vertical and horizontal coordination in the field of health and safety, by engaging national and local workers’ representatives as well as subcontractors and other enterprises operating in the same sector or value chain.**

THE STRENGTH OF TRADE UNIONS AND WORKS COUNCILS on all levels depends on their coordination.

EWC work can be facilitated by:

- Inviting one or more representatives of national/local bodies to EWC meetings;
- allowing EWC members to visit local sites;
- designating a representative from each site or company to be in charge of liaising with the EWC;
- supporting local actions in line with the EWC’s field of work (e.g. through the presence of some EWC members on the ground when local sites experience difficulties or crises);
- and deploying online translation software to easily translate emails.

ONLINE PLATFORMS can facilitate the exchange of information between the EWC and other bodies, as is the case at Vinci.

TRAINING COURSES or preparatory meetings focused on the role of the EWC are crucial to make local employee representatives understand the work of the EWC, thus fostering interaction and cooperation¹⁸.

ALL SUBCONTRACTORS operating on the sites of multinational should be covered by agreements on health and safety issues. The agreements at Solvay and Vinci include the duty to monitor subcontractors.

RISK ASSESSMENTS, STUDIES AND WORKERS’ CONSULTATION at local level help identifying priority areas of intervention, designing transversal programmes and disseminate good practices.

The France Telecom/Orange EWC conducted a study on psychosocial risks among all workers (in 16 European countries). This work is expected to lead to national negotiations on specific prevention and protection plans¹⁹. National/local management and workers’ representatives report the results back to the EWC, to guarantee a virtuous circle of information²⁰.

The 2016 Recticel agreement on health, safety and the environment between the EWC and management includes risk assessments and the consultation of union delegates at local level. Local managers must inform union delegates about innovation projects and new technologies, which potentially affect health and safety. Workers can report possible hazards and provide suggestions for improvements. The Select Committee can carry out comparative analyses of health and safety measures across different sites.

THE EXCHANGE OF VIEWS AND PRACTICES between EWC members of different companies can further improve EWC action on health and safety standards. International meetings (co-) organised by the EFBWW and EWC coordinators help with liaising between EWC members and other stakeholders.

► Relationships between EWCs and local level

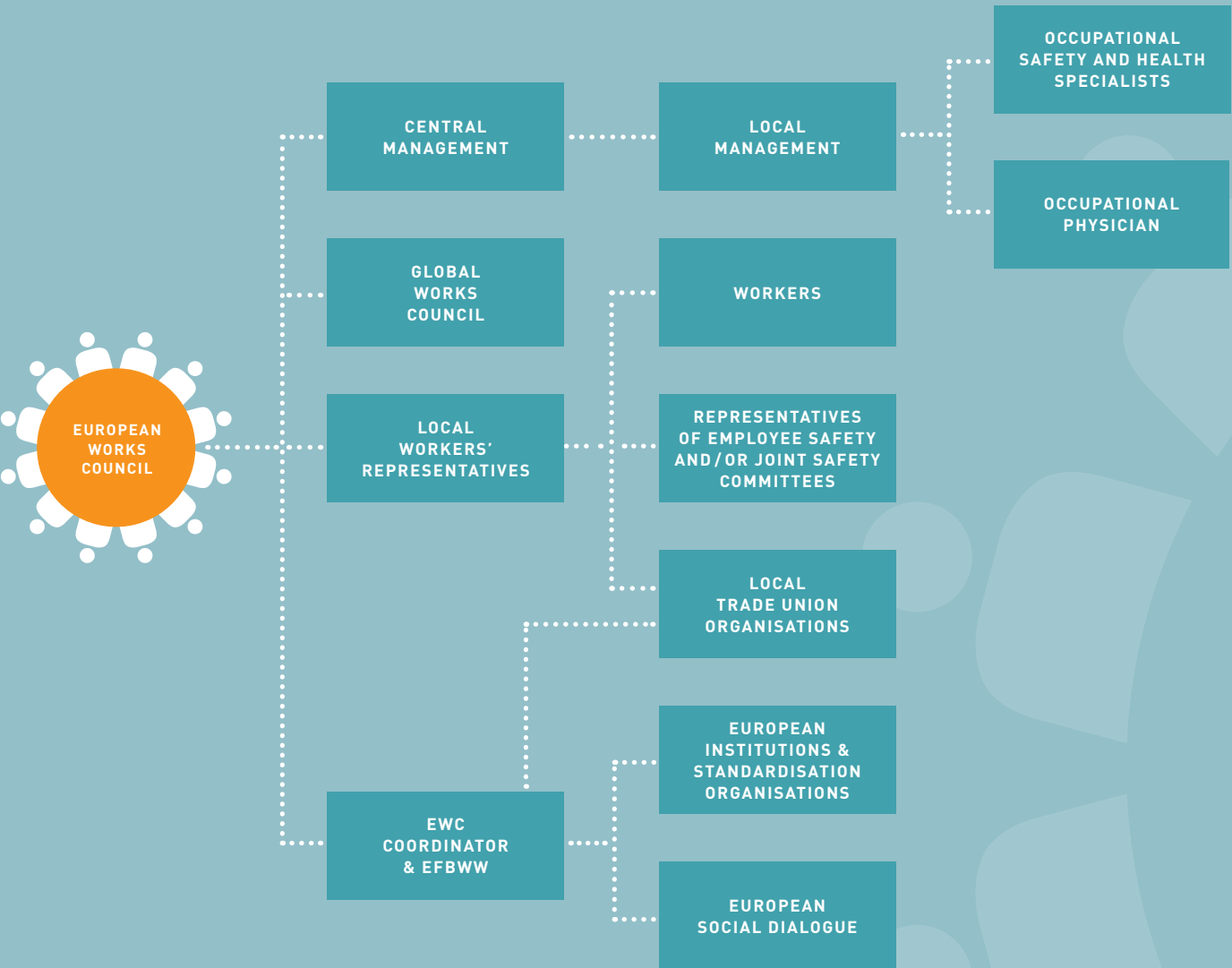
► Health and safety along the whole supply chain

¹⁸ European Federation of Building and Woodworkers (2016), *Practical Guide for EWCs on Information and Consultation*.

¹⁹ European Trade Union Confederation (2014), *European Works Councils: their role in health & safety and anticipation of change*.

²⁰ European Federation of Food, Agriculture and Tourism Trade Unions (2016), *Enhancing EFFAT’s role in European Works Councils and transnational companies*.

The players



THE EUROPEAN WORKS COUNCIL (EWC) is a body bringing together employee representatives from the different European countries in which a multinational company or group of companies operates. Its aim is to ensure information and consultation for employees on the progress of the business and any significant decision at European level that could affect employment levels or working conditions. The right to establish an EWC applies to companies or groups of companies with at least 1000 employees in the EU and the other countries

of the European Economic Area (Norway, Iceland and Liechtenstein), and at the same time employing at least 150 workers in each of at least two Member States. A request by 100 employees from two countries or an initiative by the employer triggers the process of creating a new EWC, whose composition and functioning is adapted to the company's specific situation by an agreement signed by the management and workers' representatives of the different countries involved.

An important role is attributed to the **EWC COORDINATOR**. In the building, building materials, cement and woodworking sectors, the EWC coordinator is selected by the EFBWW Secretariat in consultation with the EFBWW affiliated organisations with members in the transnational company concerned; the EWC coordinator is usually an officer from an EFBWW trade union based in the country where central management operates. The EWC coordinator acts as a trade union expert for EWC representatives, by encouraging teamwork and positive internal communication, monitoring central management's actions in compliance with the EWC agreement and the law, providing consultancy to EWC representatives and participating in all EWC and Select Committee meetings. The EWC coordinator liaises between the EWC and the EFBWW Secretariat and affiliated organisations involved in the transnational company.

THE EUROPEAN FEDERATION OF BUILDING AND WOODWORKERS (EFBWW) is the European Workers' Industry Federation covering building, woodworking, forestry and allied industries and trades. It is a member of the European Trade Union Confederation (ETUC). European trade union organisations represent workers at the European level. There are both cross-industry and sectoral European trade union organisations. The ETUC is the major trade union organisation at the European level, representing workers from different sectors.

EUROPEAN SOCIAL DIALOGUE is a forum for discussions, consultations, negotiations and joint actions involving organisations representing the two sides of industry (employers and workers) at EU level. It is either a tripartite dialogue involving the public authorities, or a bipartite dialogue between the European employers and trade union organisations. It takes place at cross-industry level and within sectoral social dialogue committees. For the construction sector, the organisations involved in European social dialogue are the European Federation of Building and Woodworkers (EFBWW), the European Construction Industry Federation (FIEC) and the European Builders Confederation (EBC). For the woodworking sector, the EFBWW's counterpart

is the European Confederation of woodworking industries (CEI-bois), the European Furniture Industries Federation (EFIC) and the European Panel Federation (EPF).

At the cross-industry level, the organisations involved in European social dialogue are the ETUC, the Confederation of European Business (BusinessEurope), the European Centre of Employers and Enterprises providing Public services (CEEP), the SMEunited, the Council of European Professional and Managerial Staff (Eurocadres) and the European Confederation of Executives and Managerial Staff (CEC).

CENTRAL MANAGEMENT is the management of the Community-scale undertaking or, in the case of a Community-scale group of undertakings, of the controlling undertaking. Its location can be either inside or outside the European Union.

THE GLOBAL WORKS COUNCIL is a group of employee representatives established in a transnational company on a voluntary basis, either through a transnational agreement or as a result of a decision by the employer. It may be created either as a separate body from the EWC, or as an enlargement of an existing supranational body, such as the EWC. There are no (international or European) legal standards governing the creation of Global Works Councils.

LOCAL WORKERS' REPRESENTATIVES encompass workers' representatives, works councils or union delegates from the different European establishments and/or undertakings of a multinational company or group of companies.

LOCAL MANAGEMENT is the management of the different European establishments and/or undertakings of a multinational company or group of companies.

WORKERS are the whole European workforce employed by a multinational company or group of companies.

REPRESENTATIVES OF EMPLOYEE SAFETY AND/OR JOINT SAFETY COMMITTEES

are the main structures providing employee representation in the area of health and safety across European Member States. The information and consultation of workers' representatives with specific responsibility for the safety and health of workers are set forth in Directive 89/391/EEC. Differences exist across Member States, according to their specific legislation. Overall, employee health and safety representatives can be elected by the workforce or chosen by either workers or the union, whereas joint committees are typically composed of employee representatives on the one hand, and the employer (or a representative) on the other hand. Health and safety professionals in the company may take part in the committees as well. In some countries, health and safety issues are primarily dealt with through existing representational structures, such as works councils.

LOCAL TRADE UNION ORGANISATIONS represent workers in the different European countries and territories where a multinational company or group of companies operates

EUROPEAN INSTITUTIONS AND STANDARDISATION ORGANISATIONS are the main bodies setting the legal, political and technical framework for occupational health and safety in the European Union. Social partners are involved in a consultation procedure with the European Commission, prior to the submission of policy proposals on social topics. The Commission draws up standardisation requests through a process of consultation with a wide group of interested parties, including social partners. Social partners in the construction industry ask for their better involvement in the processes of definition, implementation and evaluation of norms and standards²¹.

OCCUPATIONAL SAFETY AND HEALTH SPECIALISTS are appointed by the employer to carry out activities related to the protection and prevention of occupational risks for the undertaking and/or establishment.

OCCUPATIONAL PHYSICIANS are concerned with the maintenance of health in the workplace and focus on the prevention, diagnosis and treatment of work-related injuries and illnesses.

The rules of the game

EU SOCIAL DIALOGUE

The EFBWW and FIEC adopted several joint declarations on health and safety:

- [Joint statement of the European Construction Industry's Social Partners on the European Week for Safety and Health at Work 2004 "Building in Safety"](#) (2004)
- [Joint declaration of the European Construction Industry's Social Partners on the occasion of the European Health & Safety Summit 2004 in Bilbao](#) (2004)
- [Joint recommendation on the prevention of occupational stress in the construction sector](#) (2006)
- [Joint opinion of EFBWW and FIEC on the New community strategy on health and safety for 2013-2020](#) (2012)
- [Memorandum of Understanding "Working safer with construction machines"](#) (2017)
- [Joint statement on the European Social Partners from the building sector on the Communication "Safer and Healthier Work for All – Modernisation of the EU Occupational Safety and Health Legislation and Policy"](#) (2018)

The EFBWW and CEI-bois adopted several joint declarations on health and safety:

- [Joint declaration of the Social Partners in the European Woodworking Industries](#) (2010)
- [EFBWW – CEI-Bois Joint position on the new OSH strategy](#) (2013)
- [Joint statement of the European Social Partners from the woodworking sector and the furniture sector \(on Occupational Safety and Health\)](#) (2018)

At the cross-industry level, the social partners reached the following autonomous agreements that have been transposed in Member States:

- [Framework agreement on work-related stress](#) (2004)
- [Framework agreement on harassment and violence at work](#) (2007)

EU DIRECTIVES AND REGULATIONS

The [Treaty on the Functioning of the European Union](#) (TFEU) recognises the role of the European Union in helping Member States to ensure a safe and healthy work environment and in creating a level playing-field. Articles 151 and 153 give the EU the authority to adopt directives setting minimum requirements in the field of health and safety at work.

[Directive 89/391/EEC](#) – the OSH "Framework Directive" – contains basic obligations for employers and workers on health and safety. It obliges employers to take appropriate preventive measures, introduces the principle of risk assessment and defines its main elements (e.g. hazard identification, worker participation, introduction of adequate measures with the priority of eliminating the risks at source, documentation and periodical reassessment of workplace hazards). It also includes requirements for employers to assess and manage psychosocial risks.

The framework directive applies unless individual directives contain more stringent and specific provisions.

Individual directives tailor the principles of the Framework Directive to:

- Specific tasks, such as manual handling of loads ([Directive 90/270/EEC](#));
- Specific hazards at work, such as exposure to dangerous substances (e.g. [Directive 2004/37/EC](#) on carcinogens or mutagens at work; [Directive 2009/148/EC](#) on exposure to asbestos at work) or physical agents (e.g. [Directive 2002/44/EC](#) on vibration; [Directive 2003/10/EC](#) on noise);
- Specific workplaces and sectors, such as temporary or mobile construction sites ([Directive 92/57/EEC](#));

²¹ European Federation of Building and Woodworkers, European Construction Industry Federation, Committee for European Construction Equipment (2017), *Working safer with construction machines*.

- Specific groups of workers, such as young workers ([Directive 94/33/EC](#)), pregnant workers ([Directive 92/85/EEC](#)) and workers with a fixed-duration or temporary employment relationship ([Directive 91/383/EEC](#));
- Specific health and safety requirements, such as for the use of work equipment ([Directive 2009/104/EC](#)) and personal protective equipment ([Directive 89/656/EEC](#) and [Regulation \(EU\) 2016/425](#)) for the design and construction of machinery ([Directive 2006/42/EC](#)).

EU directives are binding in their entirety and oblige Member States to transpose them into national law within a certain deadline. Member states are free to adopt stricter rules for the protection of workers. Therefore, legislative requirements on health and safety at work can vary across different states²².

EU POLICY DOCUMENTS

The European Commission has adopted a number of policy strategic documents:

- **The EU Strategic Framework on Health and Safety at Work 2014-2020** acknowledges that risk prevention and the promotion of safer and healthier conditions in the workplace not only contribute to workers' well-being but have also a positive impact on firms' productivity and the sustainability of the social security system. It identifies three major health and safety challenges:
 - o improving the implementation of health and safety rules across Member States, in particular by enhancing the capacity of micro and small enterprises to put in place effective and efficient risk prevention strategies;
 - o improving the prevention of work-related diseases by tackling existing, new and emerging risks;
 - o tackling the ageing of the EU's workforce.

- **The EC Communication on "Safer and Healthier Work for All – Modernisation of the EU Occupational Safety and Health Legislation and Policy"** of 2017 identifies three areas of intervention to give new impetus to the EU Strategic Framework:
 - o fight occupational cancer through legislative proposals accompanied by increased guidance and awareness-raising;
 - o helping businesses, in particular micro-enterprises and SMEs, comply with occupational safety and health rules;
 - o cooperating with Member States and social partners to remove or update outdated rules and better and broader protection, compliance, and enforcement on the ground.
- **The European Pillar of Social Rights** of 2017 stipulates 20 key principles and is structured around three headlines (equal opportunities and access to the labour market; fair working conditions; social protection and inclusion). Principle 10 provides that workers have the right to a high level of protection of their health and safety at work and to a working environment adapted to their professional needs, which enables them to prolong their participation in the labour market.

EU STANDARDS

"Harmonised standards" are adopted by European standardisation organisations – European Committee for Standardisation (CEN), European Committee for Electrotechnical Standardisation (CENELEC) and European Telecommunications Standards Institute (ETSI). They guide businesses to meet the requirements set out in European legislation.

The EU adopts legislation on health and safety. The Commission then issues standardisation requests (or "Mandates") to the European Standardisation Organisations, which prepare technical standards and specifications that facilitate compliance with the requirements. Products manufactured (or services provided) in accordance with harmonised standards are presumed to meet the corresponding requirements. The use of standards is voluntary. Any producer (or service provider) not following a standard is obliged to prove that their products (or services) conform to the essential requirements.

Around 25% of European Standards published by CEN have been developed in response to standardisation requests issued by the Commission. Main areas of standardisation in health and safety are:

- **Personal Protective Equipment (PPE):** Ergonomics, safety and comfort are the three main considerations when designing new PPE;
- **Occupational Health and Safety** is relevant to any CEN Technical Committee (TC) that develops standards for a product or service used in the work environment. For example: [CEN/TC 114](#) on safety of machinery; [CEN/TC 122](#) on ergonomics; [CEN/TC 126](#) on acoustic properties of building elements and of buildings; [CEN/TC 137](#) on assessment of workplace exposure to chemical and biological agents; [CEN/TC 211](#) on acoustics; [CEN/TC 231](#) on mechanical vibration and shock; [CEN/TC 352](#) on nanotechnologies.

²² Further information is available at www.osha.europa.eu. For a complete overview on health and safety legislation in EU Member States: https://oshwiki.eu/wiki/Category:OSH_systems_at_national_level



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