



Brussels, 27 February 2015

6535/15

SOC 98
EMPL 46

NOTE

from: Permanent Representatives Committee (Part I)
to: Council (EPSCO)

No. prev. doc.: 6184/15 SOC 76 EMPL 37
No. Cion prop.: 10949/14 SOC 522 EMPL 89 - COM(2014) 332 final

Subject: EU Strategic Framework on Health and Safety at Work 2014-2020: Adapting to new challenges
- Adoption of draft Council conclusions

The Presidency has prepared the attached set of draft Council Conclusions "EU Strategic Framework on Health and Safety at Work 2014-2020: Adapting to new challenges", as the Council's response to the Commission's communication (doc. 10949/14).

The Permanent Representatives Committee approved the draft text and the Council (EPSCO on 9 March) is invited to adopt the draft Conclusions.

EU Strategic Framework on Health and Safety at Work 2014-2020:

Adapting to new challenges

Draft Council Conclusions

- (1) WELCOMING the Communication from the Commission on an EU Strategic Framework on Health and Safety at Work 2014-2020 (the Strategic Framework) and ACKNOWLEDGING that the following challenges require particular attention:
 - (a) the need to improve the implementation of occupational safety and health (OSH) legislation, in particular in micro and small-sized enterprises;
 - (b) the prevention of occupational and work-related diseases by tackling existing, new and emerging risks, in particular occupational cancers, psychosocial risks and musculoskeletal disorders (MSD), as well as risks linked to the use of new technologies and materials such as biotechnologies, green technologies, nanotechnologies and nanomaterials;
 - (c) the ageing workforce and lengthening of working lives of both women and men;
- (2) CONSIDERING that the following actions should be prioritised:
 - (a) the practical implementation of OSH legislation, particularly in micro and small-sized enterprises (for example through targeted guidance, practical tools, awareness-raising initiatives and support for enterprises, as well as new forms of control and new monitoring systems);
 - (b) tackling new and emerging risks, including psychosocial risks at work, risks linked to the use of new technologies and materials, and prevention of occupational and work-related diseases, in particular occupational cancers and other diseases associated with exposure to chemical substances, as well as musculoskeletal disorders. This can be done *inter alia* by means of preventive measures in the workplace and through health promotion in general;

- (c) addressing the challenges of an ageing workforce and the extension of working life. This includes adapting workplaces and work organisations to the needs of older workers and adopting appropriate preventive measures for younger workers, while paying attention to OSH throughout the working life cycle;
 - (d) mainstreaming of OSH issues in other relevant policy areas, in particular those related to the employment and social inclusion objectives of the Europe 2020 Strategy;
 - (e) identifying and removing any unnecessary administrative burden in OSH legislation without reducing the current level of protection for workers' health and safety;
- (3) **STRESSING THE IMPORTANCE** of creating new user-friendly tools and better targeting the dissemination of information on OSH, including good practices and guidance. In particular, it is important to adapt to technological progress in order to create more effective practical tools and to find new methods of communication and better ways of disseminating targeted information on OSH, especially with a view to promoting a culture of prevention;
- (4) **SHARES** the Commission's conclusion that investment in OSH is cost-effective and that the prevention of work-related injuries and ill health and the promotion of safer and healthier working conditions can at the same time improve job quality, competitiveness and productivity;
- (5) **WELCOMES**, in particular, the emphasis on health at work in the new Strategic Framework. Public health policy and other policy fields such as education, research, environment, industrial policy and agricultural policy can contribute to the creation of safer, healthier and better workplaces;

THE COUNCIL OF THE EUROPEAN UNION

CALLS on the Member States:

- (6) to review or develop and further consolidate their national strategies in the light of the new Strategic Framework and to implement those strategies in accordance with national practices and in cooperation and consultation with the social partners and other relevant stakeholders;
- (7) to address health at work and to take initiatives for tackling new and emerging risks in their national strategies, taking into account, among other issues, the gender perspective;
- (8) to continue the active implementation of occupational accident prevention policies and initiatives;
- (9) to provide support to enterprises, particularly micro and small-sized enterprises, using all appropriate means, such as awareness-raising campaigns and the exchange of good practice as well as different IT-based tools and social networks;
- (10) to provide information to businesses on the benefits of good OSH management, in particular to micro, small and medium-sized enterprises;
- (11) to ensure effective enforcement and monitoring of OSH legislation by providing appropriate resources and capacity for labour inspectorates¹ and using effective monitoring methods, offering advice and utilising new means of communication, as well as by using effective, proportionate and dissuasive sanctions. Effective enforcement can, *inter alia*, contribute to ensuring a level playing field for enterprises;
- (12) to promote ways of improving OSH for those categories of workers facing or affected by particular risks;

¹ Cf. European Parliament Resolution of 14 January 2014 on effective labour inspections.

- (13) to pay specific attention to the effective rehabilitation of persons with health disorders due to accidents at work or work-related diseases, helping them to integrate into working life;
- (14) to promote a prevention culture, in close cooperation with the social partners;
- (15) to raise awareness among children and young people by including OSH issues in training and education programmes where appropriate, as well as by promoting IT based tools (for example, games, quizzes, and mobile applications);
- (16) to use the European Social Fund and other European Structural and Investment Funds, as appropriate, to promote OSH issues, including by means of innovative digital tools;

CALLS on the Commission:

- (17) to continue to promote OSH by taking any measures necessary to address the challenges identified taking due account of the changes in the world of work;
- (18) in line with the objectives of the Regulatory Fitness and Performance Programme (REFIT) and taking into account the results of the ongoing ex-post evaluation of existing OSH directives and changes in the workplace resulting from technological development, to simplify OSH legislation in order to increase its efficacy and intelligibility, including by updating or where necessary repealing outdated provisions, with due regard to the objective of improving the working environment² and without reducing the current level of OSH protection. In this context, due attention should be paid to the respective merits of using outcome-oriented and/or means-oriented goals, as appropriate;

² Article 153 TFEU

- (19) to review the EU Strategic Framework in the light of the ex-post evaluation of existing OSH directives, taking into account the opinions given by ACSH and SLIC³ on the new EU OSH Strategy;
- (20) to improve the legislation on carcinogens, reviewing existing and adding new binding occupational limit values;
- (21) to ensure that the necessary steps are taken to achieve consistency between the diverse pieces of legislation on OSH and legislation on chemicals such as the REACH Regulation ;
- (22) to ensure that new initiatives in the field of OSH are based on the best available evidence, including that received from the Member States, social partners and stakeholders, taking into account relevant scientific and technical knowledge, uncertainties in the data used and a rigorous impact assessment;
- (23) where appropriate, to collect further data on new and emerging OSH risks, for example in the areas of MSD and psychosocial risks;
- (24) to facilitate and monitor the implementation of the EU Strategic Framework, with the assistance of ACSH;
- (25) in cooperation with the competent national authorities and ACSH, to examine ways to improve the availability and comparability of data on occupational accidents and work-related diseases, including trends in incidence, occupational exposure and other OSH indicators at EU level and to develop a relevant information base;

³ The Advisory Committee on Safety and Health at Work (ACSH); the Senior Labour Inspectors' Committee (SLIC)

- (26) to strengthen cooperation in the field of OSH with other EU institutions, bodies and agencies (in particular, EU-OSHA, ACSH, SLIC, Eurofound⁴), and with international organisations and fora (for example ILO, WHO, OECD, G20⁵), as well as with the social partners and national authorities;
- (27) to continue disseminating information on ways and means of implementing OSH legislation, giving examples of good practice and guidelines;

CALLS on the social partners:

- (28) to engage actively in the development and implementation of national OSH strategies and to support and encourage the promotion of a prevention culture;
- (29) to produce, promote and disseminate, at European, national, regional, sectorial and company level, information on the basic principles of the EU Strategic Framework, as well as guidance and good practices on the effective management of OSH risks, including on the importance of employers involving their workers as well as workers' OSH representatives in decisions about workplace health and safety;
- (30) to provide support, and where possible training, to employers and workers, including workers' OSH representatives, in order to promote the necessary knowledge and skills to identify, evaluate and control OSH risks.

⁴ The European Agency for Safety and Health at Work (EU-OSHA); the European Foundation for the Improvement of Living and Working Conditions (EUROFOUND)

⁵ The International Labour Organisation (ILO); the World Health Organisation (WHO); the Organisation for Economic Co-operation and Development (OECD); Group of 20 (G20) is a forum on international economic cooperation