

Brussels, 17 July 2002

**OPINION**

of the

Economic and Social Committee

on the

**Communication from the Commission – Adapting to change in work and society:  
a new Community strategy on health and safety at work 2002-2006**

COM(2002) 118 final

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On 11 March 2002, the Commission decided to consult the Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the

*Communication from the Commission – Adapting to change in work and society: a new Community strategy on health and safety at work 2002-2006*  
(COM(2002) 118 final).

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 20 June 2002. The rapporteur was **Mr ETTY**.

At its 392nd plenary session (meeting of 17 July 2002), the Economic and Social Committee adopted the following opinion with 123 votes in favour and five abstentions:

## 1. Introduction

1.1 The Commission's Communication comes after a period of several years without much strategic thinking on health and safety at work. In that period, the world of work has changed considerably and new problems have come up in the EU which urgently need to be addressed.

1.2 In addition to that, the forthcoming enlargement of the EU poses a host of challenges in the area of health and safety at work which have to be addressed systematically and with vision.

1.3 The Commission has prepared this Communication in close consultation with all the parties concerned. The European Economic and Social Committee has played its part in this process by means of the Explanatory Opinion of July last year, which had been requested by **Commissioner Diamantopoulou** in December 2000<sup>1</sup>.

1.4 In the present Opinion, the Committee will not repeat elements from its July 2001 Opinion which have been taken on board by the Commission.

## 2. General remarks

2.1 The Communication is a highly interesting and promising document, which responds positively to many of the observations and suggestions made in the Committee's Exploratory Opinion. Generally speaking, the analytical part provides the proper basis for the 2002-2006 strategy proposals. The main problems in occupational health and safety are addressed. Though it is not clear how the Commission wants to tackle each and every issue it raises, the text gives sufficient indications on the sort of action to be taken.

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<sup>1</sup> Opinion on the Request by the European Commission for the Committee to draw up an exploratory opinion in anticipation of the Commission Communication on health and safety at work, OJ C260 of 17.09.2001

2.2 This said, it must be noted that what is clearly missing in this outline for a strategy is an action plan.

2.3 This omission is worrying. The Committee relates it directly to the concerns it has expressed repeatedly in several opinions delivered in the last few years about the lack of resources (both in terms of staff and of finances for the relevant Commission services). It notes with regret that, once again, these concerns have been completely ignored. It fears that the silence which the Commission maintains on this issue could undermine the credibility of the operational part of the Communication.

2.4 Ten years ago, the Directorate for Public Health and Health and Safety at Work had four units working on occupational health and safety and one on public health. In a "streamlining operation", carried out in 1993-94, the balance in this Directorate was shifted to three units for public health and only two for occupational health and safety. In 1998, a further reduction took place at the cost of occupational health and safety when activities concerning public health and occupational health and safety were officially separated: four units went to DG Health and Consumer Protection, only one unit for occupational health and safety was left in DG Employment and Social Affairs.

In 1992, 150 EC officials were working in the Directorate for Public Health and Health and Safety at Work. The overwhelming majority of them (130) were working on occupational health and safety. Today, the sectors for occupational health and safety in DG Employment and Social Affairs have only 24 staff: 12 A-officials, 3 B-officials and 6 secretaries, plus 3 national experts.

The Committee thinks that these facts and figures, which document its repeatedly expressed concern, do not require any comment. It urges the Commission seriously to consider this state of affairs, doing this in the light of their own strategy document as well as the Committee's Exploratory Opinion of July 2001, and to draw conclusions and outline policies which will do justice to their objectives for the period 2002-2006.

2.5 The Committee calls on the Commission to present as soon as possible an action plan on implementation of the strategy, which it should put before the Advisory Committee for Safety, Hygiene and Health (ACSHH). This action plan should contain precise financial allocations for each and every activity mentioned in the Communication. It urges the Parliament to pay special attention to this aspect.

### 3. **Specific remarks**

3.1 The Committee has taken note with great interest of the sections on gender and age in the analytical part of the Communication. However, with one or two small exceptions, these key points in the analysis have not been reflected in the action-oriented part of the document. The issues discussed may not all be easy to legislate for; but the Commission could take initiatives, for instance to raise awareness, or to identify (through the Bilbao Agency) good practices. The Commission could also examine ergonomics in relation to gender and take initiatives.

3.2 The figures underpinning the analysis on gender-related issues are not convincing. It appears that in some cases the problems identified are function-specific rather than gender-specific. That should have consequences for the measures to be taken.

3.3 Another critical remark as regards the analytical part should be made concerning the consequences of "non-quality" of work (as expressed in the introduction to the Commission text). The figures given by the Commission regarding consequences, in terms of loss of productive capacity and compensatory payments and benefits, appear to be far too low.

3.4 Important elements in the operational part of the Communication deal with the planned legislative action on ergonomic issues, in particular RSI, and with the involvement of workers and employers in addressing the issue of stress.

3.4.1 The VDU Directive (90/270/EEC) is not an adequate vehicle for additional measures regarding RSI, as there are many more RSI risk factors which are not linked to visual display screen work. The Committee thinks that the main problem with the VDU-Directive is in its implementation in practice, especially as regards Article 3 on "analysis of work stations" and Article 7 on the interruption and/or reduction of the workload at the display screen. The Committee would recommend, however, the need to amend the Manual Handling Directive (90/269/EEC), especially as regards repetitive handling of small loads. In a general sense, the Committee reiterates what it has stated earlier in its July 2001 Opinion on the procedure to be followed before decisions are taken on amendments to existing legislation (national reports, including the views of employers' organisations and trade unions; a synthesis report to be drawn up by the Commission on the basis of these reports; and consultation of the ACSHH on this report).

3.5 The proposal regarding stress is useful. A clear deadline must be set for the conclusions of the consultations with the social partners, to be started later this year. The Committee refers furthermore to its observations on psychosocial risk factors in its July 2001 Opinion.

3.6 The Committee notes with interest the way the Commission envisages to promote well-being at work. It is indeed a matter of mainstreaming. The same can be said for harassment and bullying at work, where actions should not be restricted to the area of health and safety, but expanded into employment and discrimination policy. Different forms of violence increasingly experienced by employees at work (both in the public and private sector, inflicted, inter alia, by patients, clients and customers) should also be addressed.

3.7 The Commission should make a bigger effort with respect to measures to adjust the working environment to (re)integrate (physically and mentally) disabled people in the labour market. Companies should be stimulated and helped to make "reasonable adjustments" in work places and equipment in keeping with the Directive on Equal Opportunities of 2000. In this connection, persons with learning difficulties must not be overlooked. Bearing in mind that the year 2003 is the Year of the Disabled, the EU could contribute by training specialists from NGOs representing the interests of the disabled who could, jointly with employers and trade unions, make an important contribution to the exchange of good practices within the EU.

3.8 A major element in the Committee's Exploratory Opinion were suggestions for open coordination as a means of developing a new approach for the improvement of health and safety at work in practice<sup>2</sup>. It welcomes the Commission's acknowledgement of the importance of the proposed innovative approach. It would have liked to see firmer support for it. Member States should be expected, rather than simply be encouraged, to achieve joint precise targets in order to reduce work-related accidents and work-related illnesses. In addition to the Committee's earlier suggestions, the Commission might wish to look into efforts to set sectoral targets (which have been made for example in the Netherlands and the UK) and regional targets (e.g. as in Italy and Spain). The latter might be an interesting issue to seek the views of the Committee of the Regions on.

3.9 The Committee is somewhat disappointed about the relative lack of attention paid to the small and medium-sized enterprises. In this connection, it reiterates its suggestions made under the heading of soft law and other non-legislative measures in its Exploratory Opinion<sup>3</sup>. In this context, the Commission should also look again at the issue of implementation of workers' responsibilities for health and safety conditions in SMEs and at the example given of a roving and or regional health and safety representative (Sweden, Finland).

3.10 There is nothing in the Communication on the recognition of work-related diseases. There is a great need for improvement here. The Committee draws the attention to the discussion at the International Labour Conference of June 2002 on *Recording and notification of occupational accidents and diseases* and hopes that the cooperation with the ILO will inspire the Commission to take new initiatives as regards the declaration and recognition of work-related diseases in the EU.

3.11 In addition to what the Committee has said on Eurostat on its July 2001 Opinion, it underscores the importance of harmonising statistics on work-related accidents and illnesses. Present disparities make for a completely distorted picture of reality in the different Member States.

3.12 As regards the Bilbao Agency, the Committee would like to support the Commission's idea to set up a "risk observatory". However, it is important to pay special attention in the work of this new function in the Agency to the assessment of **new** risks. The Commission will have to clarify what it means exactly by the term "risk observatory". The Committee thinks that serious work on new risks and a validation of new risks might be a task which cannot be taken on by the Agency without extra funding.

3.13 It is a pity that the Communication has very little to say about the Dublin Foundation. In connection with what has been said about the importance of paying attention to new risks (for example with a view to the stimulation of a prevention culture), the Committee wishes to stress the importance of the Foundation's survey on working conditions (since 1990). The Committee expects

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<sup>2</sup> OJ C260 of 17.09.2001, op. cit, point 3.3.2

<sup>3</sup> Ibid, point 3.2

that the Memorandum of Understanding and the regular contacts between the Bilbao Agency and the Dublin Foundation will help to avoid duplication and stimulate cross-fertilisation .

3.14 One final element, not addressed in the Committee's Exploratory Opinion, but certainly important, is public procurement. The Committee strongly recommends that the Commission ensures that its own public procurement policy contain a health and safety paragraph. This should be done without excessive bureaucratic burdens on SMEs, taking into account as a point of departure that there is no reason to exempt SMEs from health and safety legislation, but that every possible effort must be made to help them to comply with it and to promote it at their workplaces<sup>4</sup>. Contracts should only be granted to contractors who have proper safety and health policies and practices.

Brussels, 17 July 2002.

The President  
of the  
Economic and Social Committee

The Secretary-General  
of the  
Economic and Social Committee

**Göke Frerichs**

**Patrick Venturini**

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Ibid, point 3.2.2