



# ***Modernización de la legislación europea de salud y seguridad en el trabajo: situación actual y perspectivas***

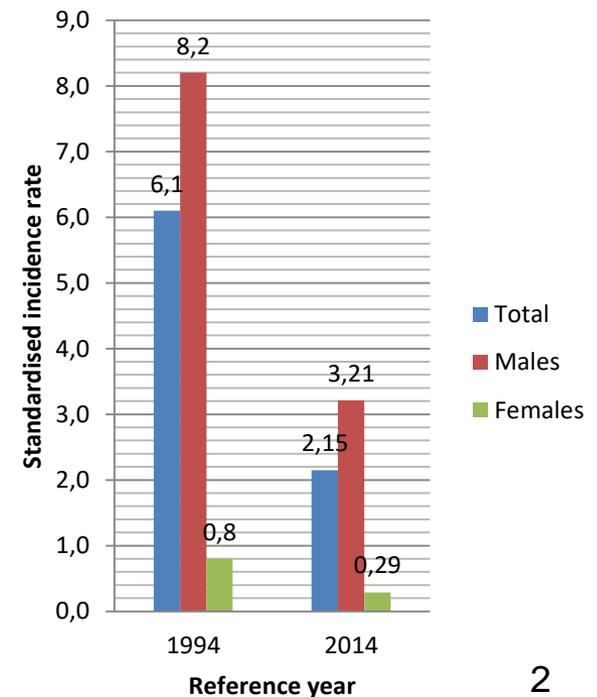
***Madrid, 10 de junio de 2017***

# Safer and Healthier Work for All - Modernisation of the EU OSH Legislation and Policy

## Background/Context

*"25 years of experience in OSH policy at EU level allow us to draw lessons for the future. Modern OSH policy must consist of clear, up-to-date rules at EU and national level which are effectively applied on the ground. The Commission wants to step up cooperation with Member States and stakeholders to create healthy and safe workplaces for all."*

**Standardised incidence rate for fatal accidents at work, 1994 compared with 2014, EU-15.**

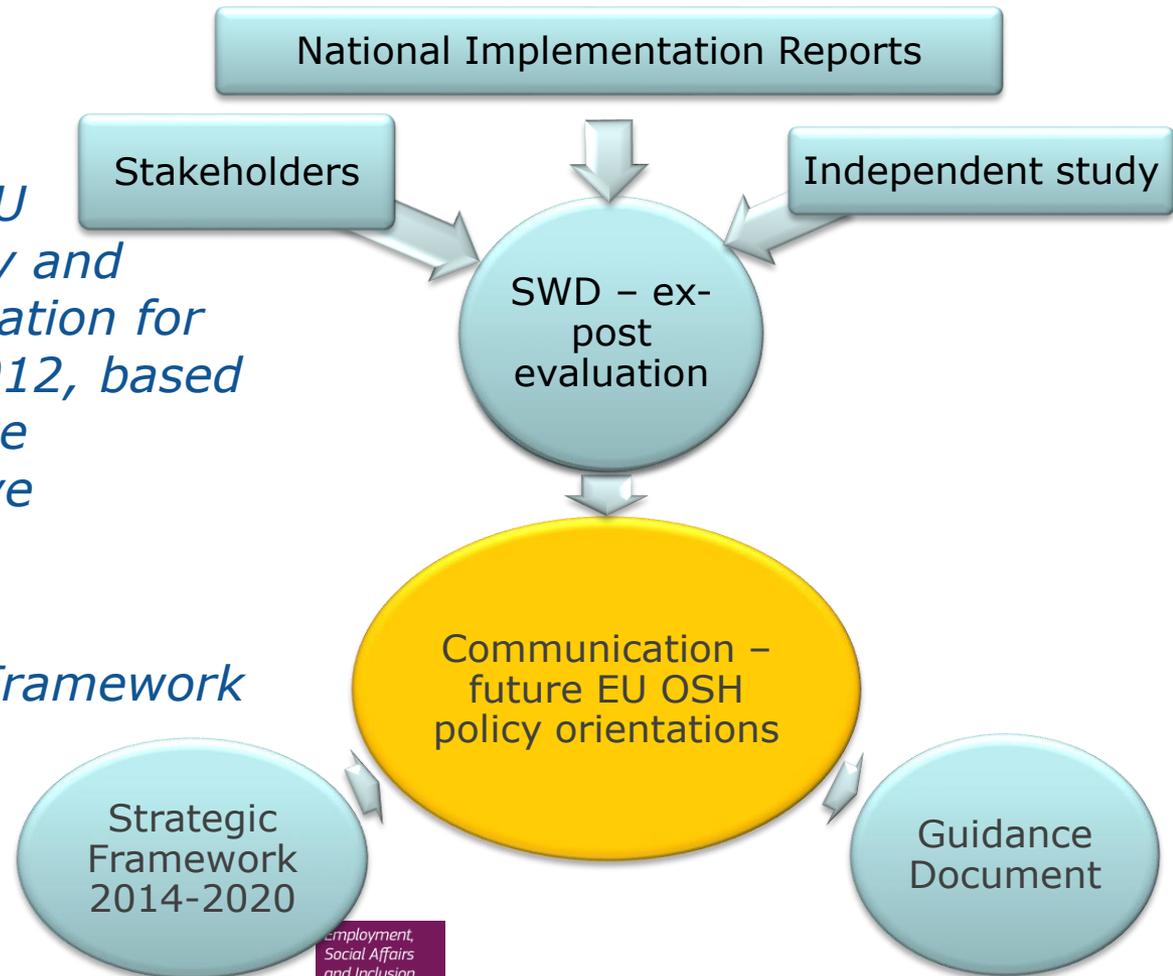


Source: Eurostat, ESAW, Data for the NACE common branches

# Safer and Healthier Work for All - Modernisation of the EU OSH Legislation and Policy

## Background/ Context

- Evaluation of the EU Occupational Safety and Health (OSH) legislation for the period 2007-2012, based on Article 17a of the Framework Directive 89/391/EEC;
- EU OSH Strategic Framework 2014-2020



# Ex-post evaluation of the EU OSH Directives – main findings:

*Comprehensive ex-post and REFIT evaluation of the EU Occupational Safety and Health (OSH) legislation (24 directives)*

*OSH acquis is relevant but some challenges persist, e.g.:*

- *While a decrease in incidence of accidents could be observed over the evaluation period, work-related ill-health, in particular **the burden of occupational cancer** remains high;*
- *A need to **better tackle issues of growing concern**, such as work-related **MSDs** and **psychosocial** risks or work-force **ageing**, by exploiting the full potential of the OSH framework;*
- *Coverage of some **groups of workers** could be improved*
- *A need to **update outdated provisions, providing for simplification** whenever possible;*
- *A need to **improve the compliance of SMEs**, in particular of **microenterprises**, by inter alia allowing for solutions aiming at **reducing administrative burden**;*
- *Need to strengthen **inspection and monitoring***
- *A need to improve **monitoring tools**.*

## Communication: focus on three priority areas

- *Stepping up the fight against occupational cancer and exposure to chemicals;*
- *Helping businesses, in particular microenterprises and SMEs, comply with OSH rules;*
- *Cooperating with Member States and social partners to remove or update outdated rules and to refocus efforts on ensuring better and broader protection, compliance and enforcement on the ground.*

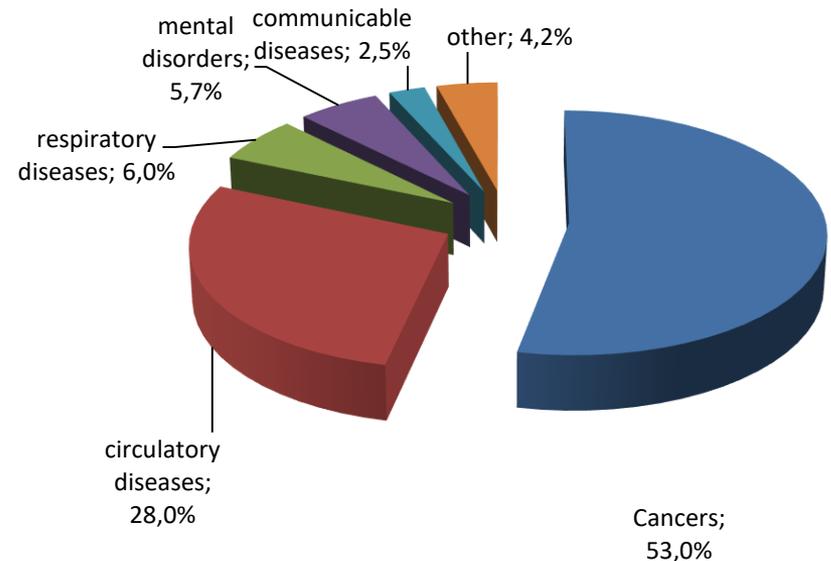
# Commission Communication 'Safer and Healthier Work for All – Modernisation of the EU OSH Legislation and Policy'

Top three OSH actions:



# 1. Fight against occupational cancer

- *Cancer is the first cause of work-related deaths in the EU. 53% of annual occupational deaths are attributed to cancer*
- *Every year some 102,500 people die in the EU as a consequence of occupational cancer*
- *Carcinogens and Mutagens directive (CMD) is the main EU OSH legislation to ensure workers' protection from the risks related to exposure to carcinogens (and mutagens) at work*



# 1. Fight against occupational cancer

*Stepping up the fight against occupational cancer and reducing exposure to chemicals through legislative proposals accompanied by increased guidance and awareness-raising:*

- *Further amendment of the Carcinogens Directive (COM (2017)11);*
- *Work on subsequent amendments of the Carcinogens Directive, with a next proposal envisaged for adoption early 2018;*
- *Fourth list of indicative limit values in the Chemical Agents directive by early 2017; → already adopted on 31.01.2017*
- *Healthy Workplaces EU-OSHA Campaign on dangerous substances 2018-2019.*

## 2. Helping businesses comply with OSH rules

- *Focus on micro and small enterprises*
- *Only 69% of microenterprises declare that they perform regular OSH risk assessments (against 96% for larger enterprises).*
- *Lack of awareness and expertise, limited resources*
- *Need for practical support*

## Tools for businesses

- *Practical guidance document published with the Communication*
- *Boosting the availability and use of free e-tools such as the **Online interactive Risk Assessment (OiRA)***
- *Good practices, guides and tools to address issues of growing concern (psychosocial risks, MSDs, ageing) to be developed together with the EU-OSHA and the Senior Labour Inspectors Committee*

### By 2018:

- 150 OiRA tools
- 100,000 risk assessments

## Supporting business cover rapidly increasing occupational health and safety risks and of growing concern

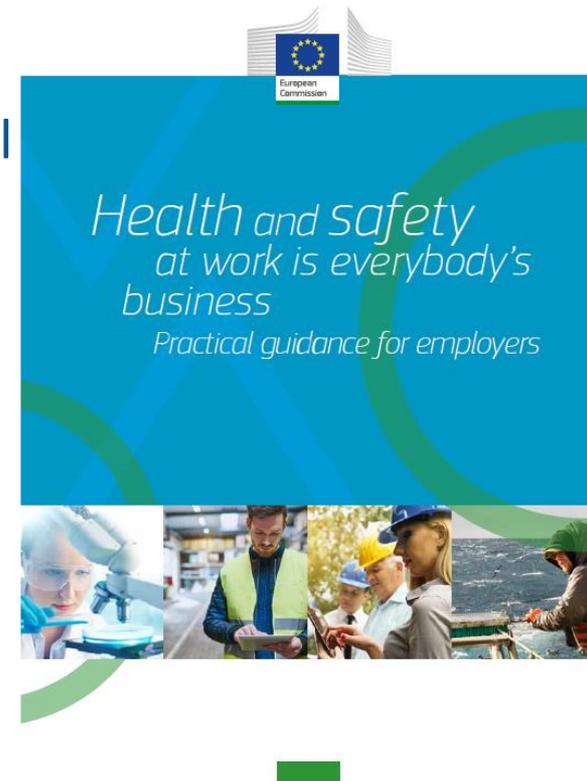
- *Psychosocial risks,*
- *MSDs,*
- *Diversity-sensitive risk assessment (ageing, gender)*

*The Guidance attached to the Communication contributes to addressing those issues. Working closely with EU-OSHA and SLIC, with a view to raise awareness of the concerned actors (employers, enforcement authorities) and provide them with good practices and further guides and tools, as well as develop relevant principles for labour inspectors. Examples of actions to come:*

- *Early 2018 – publication on best practices in managing psychosocial risks and ergonomic risks (EU-OSHA)*
- *2020-2021 – Healthy Workplaces Campaign devoted to MSDs prevention (EU-OSHA)*

## Practical guidance for employers published with the Communication

- Provides an overview of the **main obligations** with concrete examples, illustrations and useful links.
- Advice on how to deal with rapidly **increasing OSH risks** such as psychosocial, ergonomic or ageing related-risks
- Aim to increase the availability of free online **tools** that help small and microenterprises in conducting risk assessments
- Provides concrete **examples, illustrations** and useful **links**



### 3) Making OSH framework future-proof...

- *A program for removing or updating outdated provisions in several Directives, in close cooperation with social partners:*
  - **Display screen equipment**
  - **OSH signs**
  - **Biological agents**
  - **Medical assistance on board**
  - **Workplaces**
  - **Personal protective equipment**
  
- *Encouraging MS to ensure a broad coverage of OSH policies:*
  - **Self-employed**
  - **Domestic workers**

## ... improving compliance and enforcement

- *Perception of OSH rules as complex varies from 14% to 67% across the Member States – need to work together to **reduce administrative burdens related to transposition of EU law** into national legislation.*
- ***Peer-review process** to facilitate learning from good practices in other Member States*
- *Inspections going beyond mere sanctioning - Improving **enforcement on the ground** (better standards and guidance, raising awareness, SLIC).*

## **Better OSH = Better protection of workers and improved productivity for business**

- *Clear, up-to-date rules at EU and national level*
- *Businesses helped to draw maximum benefits from OSH*
- *Permanent awareness raising and exchange of best practice*
- *Importance of social dialogue*

# Muchas gracias por su atención!

Más información:

<http://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:52017DC0012&qid=1496423283398&from=ES>

<http://ec.europa.eu/social/main.jsp?langId=es&catId=148>

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