



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 10 May 2007

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SOC 194

NOTE

from : The Working Party on Social Questions
to : Permanent Representatives Committee (Part 1) / Council EPSCO

Subject : **"Good Work"**
**Draft Council Resolution on a new Community strategy 2007-2012 on health
and safety at work¹**
- Adoption and policy debate

Delegations will find attached a draft Council Resolution as agreed at the level of the Working Party on Social Questions on 18 April 2007.

¹ The text of the Community Strategy appears in doc. 6775/07.

**Draft Council Resolution
of 2007
on a new Community strategy 2007-2012 on health and safety at work**

THE COUNCIL OF THE EUROPEAN UNION,

1. Having regard to the Commission Communication of 21 February 2007 on improving quality and productivity at work: a new Community strategy on health and safety at work (2007-2012)², which is one of the points included in the European Social Agenda;
2. Whereas Article 137 of the Treaty establishing the European Community has led to the adoption of a substantial corpus of Community legislation on health and safety at work;
3. Whereas quality at work has a considerable human, but also an economic dimension, and the Member States have acknowledged under the Lisbon strategy that health and safety policy makes an important contribution to economic growth and employment;
4. Whereas the European social model is based on a smoothly operating economy, on a high level of social protection and education, and on social dialogue, and thus involves improving the quality of employment, particularly health and safety at work;
5. Whereas the EU has to strengthen the competitiveness of businesses in the light of ongoing demographic change, taking into account the Conclusions of the Stockholm European Council in 2001, the Barcelona European Council in 2002 and the Brussels European Council in March 2007;

² COM(2007) 62 final.

6. Whereas the new Community Strategy should promote further progress by building on the momentum created by the previous Community Strategy on safety and health at work (2002-2006), which was based on an overall approach to well-being at work, and led to relaunched prevention policies and significant improvements;
7. Whereas the implementation of existing legislation remains one of the most important obligations for all Member States to stimulate the creation of a healthy and safe work environment;
8. Whereas the figures for accidents at work and the incidence of occupational illnesses, which differ from Member State to Member State, are still too high in absolute terms in certain sectors and for some categories of workers, and it is therefore important that the new strategy should remedy this situation;

HAS ADOPTED THE FOLLOWING RESOLUTION:

I.

1. The Council notes the Commission's opinion that, in order to achieve an ongoing, sustainable and consistent reduction in accidents at work and occupational illnesses, the parties involved must pursue a number of objectives, including:
 - a) placing more emphasis on the implementation of Community legislation;
 - b) supporting compliance with community legislation, in particular in sectors and undertakings considered to be at risk and for categories of workers who are most vulnerable;

- c) adapting the legal framework to changes in the workplace and simplifying it;
- d) promoting the development and implementation of national strategies;
- e) creating a general culture that values health and risk prevention by encouraging changes in the behaviour of workers, and at the same time encouraging employers to adopt health-focused approaches;
- f) finalising the methods to identify and evaluate new potential risks;
- g) assessing the implementation of this strategy;
- h) promoting health and safety at international level.

2. The Council notes the Commission's opinion that in order to achieve these objectives, an overall approach has to be further developed, taking into account the following areas of action:

- a) National strategies should give priority to implementing a package of instruments which guarantee a high level of compliance with the legislation, in particular in SMEs and high-risk sectors:
 - dissemination of good practice at local level;
 - training and education;
 - development of simple tools and guidelines;
 - better access to high-quality preventive services;
 - adequate financial and staff resources for labour inspectorates;
 - use of economic incentives at national and Community level.

These strategies should, where appropriate, and in accordance with national priorities and circumstances, especially address demographic change, the preventive effectiveness of health surveillance, the rehabilitation and reintegration of workers, better and more effective enforcement, and the strengthening of policy coherence.

- b) These strategies should seek to establish measurable targets for reducing the incidence of occupational accidents and illnesses for relevant categories of workers, types of companies and/or sectors.
- c) The improvement of the administrative and institutional regulatory framework will remain a key priority at national and Community level, and evaluation has an important role to play in this.
- d) The coherence of the relevant policies such as public health and employment policy with policies for health and safety at work has to be strengthened.
- e) New and existing risks at the workplace need more research in areas such as
 - psychosocial issues and musculoskeletal disorders;
 - dangerous substances, reproductive risks and risks caused by new technologies, e.g. nanotechnologies;
 - risks due to new forms of work organisation; and
 - occupational health and safety management,taking appropriate account of gender aspects.
- f) Workplaces must be designed in such a way that the employability of workers is ensured throughout their working lives. At the same time, workplaces should be tailored to the individual needs of older and disabled workers.
- g) Changes in behavioural patterns with regard to safety and health at work need to be promoted at all levels of education and in all fields.

- h) New instruments to measure progress achieved and the efforts made by all players at both national and European level need to be further developed, in particular, by using score boarding.
- i) It is necessary to step up international cooperation and to continue to cooperate actively with the International Labour Organisation (ILO), World Health Organisation (WHO) and other international organisations.

II.

The Council:

1. welcomes the Commission Communication on a new Community strategy on health and safety at work (2007-2012);
2. considers that the communication in question provides a valuable framework for further effective implementation of Article 137 at Community level;
3. shares the Commission's opinion that occupational health and safety not only safeguards workers' life and health, and also enhances their motivation, but at the same time plays a vital role in increasing the competitiveness and productivity of enterprises and in contributing to the sustainability of social protection systems by reducing the social and economic costs of occupational accidents, incidents and diseases;
4. emphasises that collective protective measures and combating risks at source are fundamental principles of prevention;
5. considers that Community policy on health and safety at work based on an overall approach to well-being at work should have as its purpose an ongoing, sustainable and consistent reduction in accidents at work and occupational illnesses;

6. supports the Commission in seeking to reduce the incidence rate of accidents at work by 25% at EU level, taking into account the Member States' experiences, circumstances and opportunities;
7. stresses the need to:
 - a) recognise the importance of Good Work and its underlying principles, i.e. workers' rights and participation, equal opportunities, safety and health protection and a family-friendly organisation of work;
 - b) take into account new challenges such as demographic change and ageing of the workforce, new employment trends, and new and increasing flows of migrants towards and within Europe;
 - c) ensure a modern and effective legislative framework for health and safety at work, to guarantee a proper implementation of EU legislation, to simplify it without reducing the level of protection already in place, and to adapt it to changes in the workplace;
 - d) enhance awareness among those concerned of the need for rehabilitation and reintegration of workers excluded from the workplace for a long period of time because of an accident at work, an occupational illness or a disability;
 - e) deploy additional efforts including economic incentives to trigger changes in attitudes with a view to a more participatory, integrated management of health and safety in undertakings;
 - f) invite the European Agency for Safety and Health at Work to foster the exchange of information and good practice and to draw up, through its risk observatory, high-quality information on the specific challenges. More consideration should be given to the wider socio-economic trends and influences.

8. calls on the Member States to:
- a) develop and implement coherent national safety and health strategies geared to national conditions, in cooperation with the social partners, and, where appropriate, with measurable targets set in this context for further reducing accidents at work and the incidence of occupational illnesses, especially in those sectors of activity in which rates are above average.
 - b) give the national social protection and health care systems, as appropriate, a more active role in improving prevention, and in the rehabilitation and reintegration of workers;
 - c) consider the possibilities offered by the Community Programme for Employment and Social Solidarity (PROGRESS), the European Social Fund and other Community funds for the promotion of the Community Strategy 2007-2012;
 - d) encourage national research centres to exchange information and collaborate on their programmes at national and European level, focusing on problem-solving and on the prompt transfer of results to enterprises, in particular SMEs;
 - e) raise awareness by improving the information, training and participation of workers, by providing simple guidance, particularly for small enterprises, and by analysing and disseminating examples of good practice, in particular by means of networking of the parties involved at the local level;
 - f) promote a systematic approach to well-being at work through initiatives for quality of work by integrating, in particular, health and safety, lifelong learning and gender into business management and all levels of education;
 - g) ensure better and more effective enforcement in all Member States and to take appropriate steps to provide adequate resources for labour inspectorates;

- h) further implement the ILO Global Strategy on Occupational Safety and Health, adopted in 2003, by all appropriate means;
- i) give particular attention to new employment trends, such as the increase in self-employment, outsourcing, subcontracting, migrant workers and posted workers.

9. calls on the Commission to:

- a) promote occupational safety and health by taking appropriate measures with regard to changes in the world of work;
- b) ensure better cooperation with and between different organisations and committees, such as the Advisory Committee on Safety and Health at Work (ACSH), the Senior Labour Inspectors' Committee, the European Agency for Health and Safety at Work, and the European Foundation for Improving of Living and Working Conditions, and to take account of the information provided by those organisations and of the views of the committees in developing new policies and legislation in this area;
- c) continue to monitor and support the implementation of legislation in all Member States;
- d) draw up, in conjunction with the ACSH and the social partners, guides on how to apply Directives, especially for SMEs;
- e) improve coordination with other Community policies, in particular on the manufacture and marketing of work equipment and chemicals, and on public health, education and anti-discrimination policy;
- f) encourage the exchange of views and experiences in the ACSH regarding national strategies;

- g) by support of the ACSH, improve the implementation of Article 7 of the framework Directive 89/391 EEC with regard to the quality, coverage and accessibility of prevention services;
- h) establish a common methodology for evaluating the directives on health and safety at work in close cooperation with the ACSH and to intensify efforts to further improve and simplify the administrative and regulatory framework, taking into account the target expressed by the European Council in March 2007 and the Commission's activities on reducing administrative burdens, without lowering the level of protection already in place, and giving appropriate attention to the needs of micro-firms in relation to the implementation of this legislation;
- i) ensure that any new legislation brought forward under this Strategy respects the principles of better regulation underlined by the European Council and is thus accompanied by an effective Impact Assessment, where appropriate;
- j) work with the ACSH to examine ways in which employers can work together when several levels of sub-contracting coexist at the same workplace;
- k) cooperate with the legislative authorities in establishing an appropriate European statistical system in the area of occupational safety and health, which takes account of the different national systems, and which avoids imposing additional administrative burdens.

10. calls on the social partners to:

- a) draw up initiatives in the context of the sectoral social dialogue and ensure that workers' representatives are given more opportunities to participate in the systematic management of occupational risks;

- b) play an active part in disseminating the basic principles of this new strategy at European, national, regional and individual business level;
- c) cooperate actively with their countries' authorities on developing and implementing national health and safety strategies;
- d) promote and publicise in the workplace the proper application of occupational risk-prevention principles;
- e) continue negotiations on preventing violence and harassment at the workplace and to take account of the assessment of the implementation of the European framework agreement on work-related stress;
- f) enhance, both at national and EU level, technical assistance and training to worker representatives with health and safety responsibilities and to employers, particularly SMEs.
