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20TH ANNUAL ACTIVITY REPORT

***ADVISORY COMMITTEE ON SAFETY, HYGIENE
AND HEALTH PROTECTION AT WORK***

– 1995 –

(Presented by the Commission)

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I. GENERAL REMARKS

A) Membership of the Committee

Since 1 January 1995 the composition of the Committee has changed, mainly because of the accession of new Member States. All the changes are reflected in the list of Committee members (Annex A).

B) Organisation

- Six ad hoc groups were active (see Annex B, organisation of AHGs in 1995).
- The "organisation" group held three meetings during the year.

C) Number of meetings

In 1995, there were three plenary meetings of the Committee and 12 meetings of the ad hoc groups.

D) 19'th Annual Activity Report of the Advisory Committee (Doc. 92/1/95)

The Committee approved the report on 31 May 1995, subject to the submission of written comments within one month of the meeting.

II. OPINIONS DELIVERED

The comments concerning the draft opinions cited below are extracts from the reports presented at the plenary.

1) Standardisation (Doc. No 6222/94)

The Committee adopted a draft opinion on a standardisation mandate for the European Committee for Standardisation (CEN) on specifications and testing conditions applicable to fire-resistant hydraulic fluids used for power transmission (hydrostatic and hydrokinetic).

The Committee acknowledged the need to give the CEN a standardisation mandate in this field, because hydraulic fluids formed part of the types of machinery covered by Directive 89/392/EEC (OJ No L 183 of 29 June 1989, p. 9). The mandate would need to refer to the "machinery" directive as well as to Directives 67/598/EEC (OJ No L 196 of 16 August 1967, p. 1, as last amended by Directive 94/69/EEC – OJ No L 381 of 31 December 1994, p. 1), 88/379/EEC (OJ No L 187 of 16 July 1988, as last amended by Directive 93/18/EEC – OJ No L 104 of 29 April 1993, p. 46) and 92/32/EEC (OJ No L 154 of 5 June 1992) concerning the classification, packaging and labelling of dangerous substances and preparations.

The Committee wanted a more specific draft mandate which indicated precisely what type of work was required of the CEN and which explained the meaning of the terms "specifications-exigencies" in section 6.

2) AHG "Research"

2.1 *Draft opinion on criteria for research projects under the fourth framework programme on research, technological development and demonstration (1994 to 1998) (Doc. No 93/1/95)*

The Committee attached great importance to the following points:

1. Calls for proposals relating to safety, hygiene and health should be published. These could be based on specific programmes in which the improvement of working conditions was taken into account, particularly specific programmes on the following subjects:
 - industrial and materials technology,
 - standardisation, measurement and testing,
 - biomedicine and health,
 - targeted socio-economic research.
2. Research proposals should make clear which positive improvements in safety, hygiene and health at work were expected from the research and how these improvements could be put into practice by employers and workers. This requirement was particularly relevant in the case of new technologies.
3. Research proposals under the fourth framework programme should be selected taking account of the anticipated improvement in safety and health at work.

With a view to preparing specific hygiene and safety programmes in conjunction with the preparation of the fifth RTD programme, the Committee urgently called on the Commission to provide the next meeting of the AHG with a list of the subjects of the specific programmes adopted under the fourth programme into which the priority research subjects indicated in section II.3 of the opinion approved at the plenary meeting of November 1994 could be incorporated.

The Committee gave its approval subject to changes requested by the Employers and Government groups:

- insertion, following point 3 on page 2, of a sub-heading entitled "III. Information needs";
- deletion of the footnote on page 2 and addition of the following text to the second paragraph of point 1 on the same page: "Any such programmes could only be drafted on the basis of clear information about the need for and nature of existing projects relevant to this subject."

2.2 Proposals for urgent research projects in support of Community policies (Doc No 470/95)

The Committee considered this an important area, to which great attention should be paid. However, there were other key elements in relation to skin absorption which should be covered by other aspects of the fourth framework programme.

The proposal for a dedicated call for research on dermal exposure at the workplace should be coordinated with similar topics being dealt with by other Commission services or institutions. The final draft of the proposal should focus more clearly on the evaluation of measurement techniques which could lead, subsequently, to the development of standard methods.

In the first instance, attention should be paid to dermal exposure to solvents, which were of major concern at the workplace.

The Committee gave its approval subject to clarification of the problems into which the research was to be conducted (reservation by the Employers group).

III. ACTIVITIES OF THE AD HOC GROUPS

Work in progress

1) AHG "Research"

The group's tasks are:

- a. to draw up a list of programmes supported by the Commission;
- b. to draw the attention of the Commission to areas in which new information and appropriate research appear to be required;
- c. to establish research priorities under the fourth action programme.

The group's remit was confirmed at the plenary meeting in February. At the suggestion of the Employers group, point c was clarified as follows:

- c. to establish research priorities in the context of:
 - * the Advisory Committee's recommendations concerning the health and safety programmes;
 - * the fourth safety and health action programme;
 - * the fifth research and development programme.

2) AHG "Work-related stress"

This group's terms of reference are:

- a. to examine all authoritative work on stress;
- b. to examine all measures already taken at national or Community level;
- c. to examine all problems which may cause stress at work;
- d. to report back to the Advisory Committee on the findings of its research with a view to future action.

The topics dealt with at the May meeting were reported at the plenary meeting in the same month:

- a definition of work-related stress, based exclusively on those aspects of the working environment which employers and workers could influence;
- an inventory of national practices.

3) *AHG "Alcohol and drugs at work"*

The group's remit is:

- to examine the draft report of a study carried out jointly by the ILO and the Commission in the Member States of the European Community, in close cooperation with the social partners, analysing in particular the impact of this problem on workplace safety and health in general;
- to submit to the plenary meeting a draft opinion on this report, together with recommendations for any action which it feels the Commission should take in this field;
- to submit to the plenary meeting proposals concerning the representation of the social partners (four per Member State) at a conference to be organised by the Commission, at which the results of the report and the various national reports will be presented.

4) *AHG "Standardisation"*

A change has been proposed in the remit of this group. It is formulated as follows in Annex II to the minutes of the plenary meeting held in February 1995:

In its opinion of 4 July 1994 on the Memorandum on Standardization in the field of Article 118a of the EEC Treaty, the Advisory Committee said that decisions on exposure levels to harmful agents should be taken at the political level. The Advisory Committee reaffirms this opinion. Any mandated standards should be limited to technical measurement issues, and any mandate should preclude the possibility that standards committees might have any role in setting human exposure levels.

The meeting on 7 April 1995 dealt with two topics:

- the Vienna agreements between the CEN and the ISO (possibility of influencing standardisation)
- European standard 50166 (exposure limit values relating to electromagnetic fields).

5) *AHG "Occupational exposure levels"*

The function of this group is:

- to be consulted on the fixing of priorities in respect of the substances for which occupational exposure levels should be established;
- to deliver an opinion on the procedures for the collection of data needed for the establishing of occupational exposure levels;
- to be regularly and fully informed on the work undertaken by the Commission on the preparation of proposals for the establishing of occupational exposure levels, in particular the work done by the scientific expert group;
- to prepare a draft opinion on the Commission's proposals for the establishing of occupational exposure levels;
- to report regularly on the progress of work to the plenary meetings of the Advisory Committee.

6) *AHG "Audio-visual aids"*

The aim of this group is to determine and propose to the Advisory Committee any Community action which could be organised by the Commission pertaining to the creation and implementation of the means needed to achieve the objectives adopted by the Commission on the basis of the report approved by the Advisory Committee on 19 November 1993.

The aims pursued in the second film festival were as follows:

- to encourage the use of the audio-visual media to promote health and safety;
- to achieve a better understanding of how best to design and improve the products for users and viewers;
- to seek synergies facilitating exchanges, adaptations or coproductions involving several countries.

Further activities are envisaged as part of the Action Programme. In particular, a third festival will be organised under Action 2 "Information, education and training on non-legislative matters".

7) *AHG "Advisory Committee Operating Procedures"*

In the context of the duties and responsibilities entrusted to the Advisory Committee on Safety, Hygiene and Health Protection at Work by the Council in its Decision of 27 June 1974, and taking into consideration the Commission's duty to consult the social partners, the AHG is requested to identify all the obstacles, in particular administrative, financial and procedural, which stand in the way of the effective and efficient operation of the Advisory Committee and to recommend appropriate solutions.

The first meeting took place on 20 December 1995.

New ad hoc groups established

- 1) AHG "Advisory committee operating procedures"
- 2) AHG "4th action programme"
- 3) AHG "Senior labour inspectors"

Ad hoc groups disbanded

- 1) AHG "Biological agents"
- 2) AHG "Information for undertakings and workers"

General discussion topics

1) BIOMED 2 work programme

Observations on this programme by the interest groups had been placed on the agenda for the September 1995 plenary meeting but were not dealt with that day.

2) Transposal of directives

In response to the wishes of the social partners, the July 1994 plenary had requested that a summary document be drawn up outlining each Member State's arrangements for transposing the Framework Directive (Directive 89/391 of 12.6.1989 on "health and safety at work") into national law.

At its plenary meeting on 16 and 17 February 1995, the Committee therefore decided to set up an ad hoc group consisting of government representatives to prepare a joint reply for presentation to the plenary meeting of 30/31 May 1995. The ad hoc group met on 8 March and 3 May 1995.

The social partners expressed dissatisfaction with the document submitted by the Government group, which was to draw up a new report relating solely to Directive 89/391.

This paper was to describe the arrangements for transposing this Directive in the various Member States.

The social partners were not satisfied with this document. Their main concerns related to non-transposal by certain Member States and to the process of checking that transposal was properly carried out. The Commission's representatives pointed out that it was for the Commission to check the correctness of transposal and that it could not provide details until this work had been completed.

It was decided to prepare the opinions of the three groups for the Organisation Group meeting in July 1995.

At the plenary meeting in September 1995, the Government group said it wished Doc. No 469/2/95 to stand, since it reflected a joint position of the Member States. The Chairman pointed out that transposal had not yet been carried out by one Member State; the Commission was scrutinising the texts for all the others to establish whether they in fact complied. The process was not yet completed.

3) *Second European video film festival on health and safety at work*

It was decided to hold the festival in Strasbourg from 26 to 28 June 1995.

4) *Progress of draft directives*

4.1 Directive 89/655 "Work equipment": this was regarded as a priority by the French presidency.

4.2 Other health and safety directives: no initiatives by the Presidency.

5) *European Agency for Safety and Health at Work*

An amended regulation establishing the Agency was proposed to the Council, modifying the arrangements under discussion in 1994 to take account of the accession of the new Member States. It affected the membership and operation of the Administrative Board: (originally the composition of the Administrative Board had been: 12 government, 6 employers' and 6 workers' representatives)

- 48 members, 15 representing the Member States, 15 representing the employers' organisations, 15 representing the employees' organisations and three representing the Commission.
- Abolition of the system of rotation within the Administrative Board.
- Terms of office to be renewable for all members.
- Administrative board to meet twice yearly and at the request of half its members.
- Members representing the Member States' governments to have two votes each.

The European Parliament delivered an opinion on the changes and proposed three amendments, which were opposed by the Commission:

- * Strong opposition to the principle of double voting.
The Commission was against this amendment and would not propose it to the Council.
- * Restriction on confidentiality, which should be limited to individual cases.
The Commission felt that this amendment was not relevant and that it was the Bureau that should concern itself with this problem.
- * The social partners to have the option of being represented by another country's social partners.
The Commission also rejected this amendment.

The principle of giving the government representatives two votes met with vigorous criticism from the social partners, who regarded this as a way of confining them to a purely consultative role and leaving the government members with the final power of decision. However, they did indicate that they were satisfied with the way in which the social partners were represented, viz. one employer and one employee for each of the 15 Member States.

The amended regulation was adopted by the Council on 29 June 1995 (OJ No L 156 of 7 July 1995, p. 1).

The Administrative Board met for the first time in Bilbao on 25 and 26 October 1995.

6) *Commission programme in the field of safety, hygiene and health at work (1996 - 2000)*

An initial version of the draft programme was presented by the Commission at the plenary meeting in May 1995.

The final document COM (95)282 was presented at the September plenary. The comments made may be consulted in the minutes of that meeting.

The main topics of discussion were: the Advisory Committee's consultative role in the light of the establishment of new committees such as that for budgetary supervision of the fourth action programme and with regard to the preparation of legislative and non-legislative measures; the need to clarify relations between the Agency, the Foundation and the Advisory Committee; the feasibility of having this document scrutinised by the AHG "4th action programme" within the time available; the funding of other committees as compared with the Advisory Committee.

7) *General discussion topics*

Miss Jenny Bacon, Deputy Director General, Health and Safety Executive, gave a presentation on a report entitled "Review of Regulation" at the Plenary meeting on 17 February 1995. This comprehensive review by the Health and Safety Commission of workplace health and safety legislation in Great Britain was published in May 1994.

IV. ANNEXES

- A) List of Advisory Committee members
- B) List of members of the various ad hoc groups
- C) Legal basis

ANNEX A

LIST OF MEMBERS OF THE ADVISORY COMMITTEE ON SAFETY, HYGIENE AND HEALTH PROTECTION AT WORK

GOVERNMENTS

<u>Country</u>	<u>Full members</u>	<u>Alternate members</u>
Austria	Dr SZYMANSKI Dr BREINDL	Dr FINDING Dr JENNER
Belgium	Mr HESELMANS Mr HUBLET	Mr RZONZEF Mr STEEN
Germany	Mrs STREFFER Mr OPFERMANN	Mr RIESE Mr GIESEN
Denmark	Mr J. ANDERSEN Mr N.O. ANDERSEN	Mrs SKJOLDAGER Mrs STEFFENSEN
Spain	Mr CHOZAS PEDRERO Mr GOMEZ-HORTIGUELA	Mrs G. DEL CASTILLO Mr CASTELLA
France	Mrs GUIGUEN Mr BOISNEL	Mr ROBERT Mr PASQUIER
Greece	Mr KOUMERTAS Mrs KAFETZOPOULOU	Mr TANGAS Mrs PISSIMISSI
Ireland	Mr HENRY Mr WALSH	Mr FUREY Mr DONNELLAN
Italy	Dr FAVENTI Dr ROCCA	Mr ALVINO Dr GUERRIERI
Luxembourg	Mr WEBER Mr RUME	Mr FEYEREISEN Mr DEMUTH
Netherlands	Dr VOS Dr DEN HELD	Dr WAGEMAKER Mr MEPELDER
Portugal	Dr DURÃO Mr COSTA MARINHO	Mr CASTELO BRANCO Mrs PINTO MARVAO
Sweden	Mr MAHL Mr BYLUND	Prof. KILBOM Mr BARREFELT
Finland	Mr HURMALAINEN Mr LAMBERG	Mr KALLIO Mr RANTANEN
United Kingdom	Mr TANSLEY Mr McQUAID	Ms DEAKINS Ms SOAVE

EMPLOYERS

<u>Country</u>	<u>Full members</u>	<u>Alternate members</u>
Austria	Mrs SCHWENG Mr BRAUNER	Mr DUNGL Mr STRIMITZER
Belgium	Mr DE LANGE Mr LEONARD	Mr PELEGRIN Mr DILLEN
Germany	Mr KUHLMANN Mr JANISZEWSKI	Mr BEEKHUIZEN Dr KREIZBERG
Denmark	Mr JEPSEN Mr NIELSEN	Mrs KØLVING Mr SØRENSEN
Spain	Mr MANZANO SANZ Mr SANCHIS AHUYO	Mr BELTRAN APARICIO Mr MUNOZ MUGICA
France	Mr TASSIN Mr PEYRICAL	Dr AUBRUN Mrs CORMAN
Greece	Mr TSAMOUSSOPOULOS Mr ZIMALIS	Mr KALDIS Mr VGONTAS
Ireland	Mr BRISCOE Mr TUMULTY	Mr LAWLOR Mr CASSIDY
Italy	Mr GIUSTI Dr FREGOSO	Mr ROVIGLIONI Mr SPANO
Luxembourg	Mr SAUBER Dr METZLER	Dr BOLLENDORF Mr LANG
Netherlands	Mr VAN OSTAIJEN Mrs DE MEESTER	Mrs HOPMANS Mr VERHOEF
Portugal	Mr LIMA AMORIM Mr COSTA TAVARES	Mr BARROSO Mr TEVES COSTA
Sweden	Mr FROSTLING Mr LIND	Mr HOLMGREN Mr HAGMAN
Finland	Mr KUIKKO Mr LINDAHL	Mr AHTELA Ms LUOMALA
United Kingdom	Mr CASTLE Dr ASHERSON	Mr CLARE Mr HUGHES

WORKERS

Country

Full members

Alternate members

Austria

Mrs SARRESCHTEDHARI-
LEODOLTER

Mrs CZESKLEBA

Mr HEIDER

Mr SCHRAMHAUSER

Belgium

Mr FONCK

Mr PHILIPS

Mrs CYPRES

Mr VAN DER HAEGEN

Germany

Mr KONSTANTY

Mr GROWITSCH

Mr ANGERMAIER

Mr SWINGMANN

Denmark

Mr POULSEN

Mr NØRSKOV

Mr MALTESEN

Mr HEEGAARD

Spain

Mr CARCOBA

Mrs FERNANDEZ

Mr DIAZ

Mr ARROYO

France

Mr PICHENOT

Mr SEDES

Mr MARTIN

Mr LEMÎTRES

Greece

Mr POLITIS

Mr PAPANAYOTOU

Mr DRIVAS

Dr CHATZIS

Ireland

Mr WALL

Mr O'HALLORAN

Mr CRONIN

Mr O'NEILL

Italy

Mrs BRIGHI

Dr TASCINI

Mrs BENEDETTINI

Dr GALLI

Luxembourg

Mr MILLER

Mr ABATTI

Mr GIARDIN

Mr MERSCH

Netherlands

Mr CREMERS

Mr MULLER

Mr WILDERS

Mr SPRENGER

Portugal

Mr SARAMAGO

Mr SANTOS NEVES

Mr GOMES TAVARES

Mr ALMEIDA TEIXEIRA

Sweden

Mr TENGBERG

Mrs THULESTEDT

Mrs BREIDENSJÖ

Mr LAVENIUS

Finland

Mr METSÄMÄKI

Ms HEIKURA

Ms TYÖLÄJÄRVI

Mr SAARIKANGAS

United Kingdom

Mr BIBBINGS

Mr MELLISH

Ms GIBSON

Mr PICKERING

ANNEX B - LIST OF AD HOC GROUPS IN 1995

	STRESS	ALCOHOL AND DRUGS	STANDARDISATION	RESEARCH
Chairman : Vice-chairman : Rapporteur :	Mr POULSEN Mr VAN DER POEL Mr DE LANGE	Mr GIUSTI Mr MELLISH / UK Mr DONNELLY / IRL	Mr ANGERMAIER Mr GAMBELLI	Mrs CORMAN Mr SHEYE Mrs BRIGHI
GOVERNMENTS	VAN DER POEL / NE ANDERSEN / DA DAVIES / UK WALSH / IRL HUBLET / BE KUHN / DE GREIF / DE	HUBLET / BE MÜSCH / DE RUME / LUX DONNELLY / IRL	TOMKINS / UK OVERGAARD / DA WAMPACH / BE BARZ / DE REMAEUS / S	DEN HELD / NE LOWE / UK SHEYE / DA BIENECK / DE HUBLET / BE HURMALAINEN/SU
EMPLOYERS	DE LANGE / BE DE MEESTER / NE JEPSEN / DA AUBRUN / FR DE LIEDEKERKE / UNICE	GIUSTI / IT DE LA BATIE / FR SCHULTHEISS / DE McDONALD / UK BORMANS / UNICE	GAMBELLI / FR GIUSTI / IT JANISZEWSKI / DE BORMANS / UNICE LIND / S	THORLEY / UK CASANO / IT CORMAN / FR BORMANS / UNICE
WORKERS	GUEANT / TUTB POULSEN / DA GADEA / ES TIVEY / UK WILDERS / NE LENERT / AUT BREIDENSJÖ / S	GALLI / IT DIAZ / ES MELLISH / UK DRIJFHOUT / NE BUSCHAK / ETUC HASSELBACH / DA	ANGERMAIER / DE GALLI / IT SAPIR / TUTB MELLISH / UK	MALTESEN / DA MARTIN / FR BRIGHI / IT SARAMAGO / PO SAPIR / TUTB
TERMS OF REFERENCE	See "Terms of reference" document	See "Terms of reference" document	Scrutiny of proposed requests by the CEC to CEN/CENELEC for standards	See "Terms of reference" document
Official responsible	Dr ALVAREZ V/F/5 Tel. 34547	Mr BERLIN V/F/ Tel. 32724	Mr LOMMEL V/F/4 Tel. 33871	Mr BERLIN V/F Tel. 32724

	EXPOSURE LEVELS	ADVISORY COMMITTEE OPERATING PROCEDURES		
Chairman : Vice-chairman : Rapporteur :	Mr HUBLET Mr BEEKHUIZEN Mr HEEGAARD	BYLUND / S		
GOVERNMENTS	WARNER / UK GUERRIERI / IT KLEIN / DE HUBLET / BE HURMALAINEN / SU	SOAVE / UK BYLUND / S SHEYE / DA PISSIMISSI / GR BOISNEL / FR		
EMPLOYERS	BEEKHUIZEN / DE AUBRUN / FR JEPSEN / DA VERHOEF / NE LEWIS / UK GRAMPELLA / IT BORMANS / UNICE	CORMAN / FR FROSTLING / S GIUSTI / IT ASHERSON / UK KUHLMAN / DE DE LIEDEKERKE / UNICE		
WORKERS	MALASPINA / IT SUCH / ES KONSTANTY / DE HEEGAARD / DA VAN DAMME / TUTB MARTIN / FR	KONSTANTY / DE POULSEN / DA CARCOBA / ES SEDES / FR FONCK / BE CARLSLUND / ETUC		
TERMS OF REFERENCE	See "Terms of reference" document	See "Terms of reference" document		
Official responsible		Mr ROTHER / 32268 Ms LAFFUT / 32739 V/F/4		

ANNEX C

LEGAL BASIS

Council Decision of 27 June 1974 on the setting up of an Advisory Committee on Safety, Hygiene and Health Protection at Work (extracts):

The Council of the European Communities (...) Whereas a standing body should be envisaged to assist the Commission in the preparation and implementation of activities in the fields of safety, hygiene and health protection at work and to facilitate cooperation between national administrations, trades unions and employers' organisations ...

HAS DECIDED AS FOLLOWS:

Article 1

An Advisory Committee on Safety, Hygiene and Health Protection at Work is hereby established.

Article 2

The Committee shall have the task of assisting the Commission in the preparation and implementation of activities in the fields of safety, hygiene and health protection at work.
(...)

Article 3

1. The Committee shall produce an annual report on its activities.
2. The Commission shall forward that report to the European Parliament, the Council, the Economic and Social Committee and the Consultative Committee of the European Coal and Steel Community.

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