

COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

COUNCIL RESOLUTION

on a second programme of action of the European Communities on safety
and health at work

(submitted to the Council by the Commission)

COM(82) 690 final

EXPLANATORY MEMORANDUM FOR THE PROPOSAL FOR A COUNCIL RESOLUTION ON A
SECOND PROGRAMME OF ACTION OF THE EUROPEAN COMMUNITIES ON SAFETY AND
HEALTH AT WORK

1. On 29 June 1978 the Council of Minister approved a resolution on an action programme of the European Communities on safety and health at work ⁽¹⁾. This resolution noted the Commission's action programme which was annexed to the resolution, and approved the general objectives, which were to increase protection of workers against occupational risks of all kinds by improving the means and conditions of work, knowledge and human attitudes. The Council also expressed the political will to take, in keeping with the urgency of the matter and bearing in mind what is feasible at national and Community level, the measures required so that by the end of 1982 the following actions in particular can be undertaken :

ACCIDENT AND DISEASE AETIOLOGY CONNECTED WITH WORK - RESEARCH

- 1) Establish, in collaboration with the Statistical Office of the European Communities, a common statistical methodology in order to assess with sufficient accuracy the frequency, gravity and causes of accidents at work, and also the mortality, sickness and absenteeism rates in the case of diseases connected with work.
- 2) Promote the exchange of knowledge, establish the conditions for close co-operation between research institutes and identify the subjects for research to be worked on jointly.

PROTECTION AGAINST DANGEROUS SUBSTANCES

- 3) Standardize the terminology and concepts relating to exposure limits for toxic substances.
Harmonize the exposure limits for a certain number of substances, taking into account the exposure limits already in existence.
- 4) Develop a preventive and protective action for substances recognized as being carcinogenic, by fixing exposure limits, sampling requirements and measuring methods, and satisfactory conditions of hygiene at the work-place, and by specifying prohibitions where necessary.
- 5) Establish, for certain specific toxic substances such as asbestos, arsenic,

(1) OJ C165 of 11/7/78

cadmium, lead and chlorinated solvents, exposure limits, limit values for human biological indicators, sampling requirements and measuring methods, and satisfactory conditions of hygiene at the work place.

- 6) Establish a common methodology for the assessment of the health risks connected with the physical, chemical and biological agents present at the work place, in particular by research into criteria of harmfulness and by determining the reference values from which to obtain exposure limits.
- 7) Establish information notices on the risks relating to and handbooks on the handling of a certain number of dangerous substances such as pesticides, herbicides, carcinogenic substances, asbestos, arsenic, lead, mercury, cadmium and chlorinated solvents.

PREVENTION OF THE DANGERS AND HARMFUL EFFECTS OF MACHINES

- 8) Establish the limit levels for noise and vibrations at the work place and determine practical ways and means of protecting workers and reducing sound levels at places of work.

Establish the permissible sound levels of building-site equipment and other machines.

- 9) Undertake a joint study of the application of the principles of accident prevention and of ergonomics in the design, construction and utilization of the plant and machinery, and promote this application in certain pilot sectors, including agriculture.
- 10) Analyse the provisions and measures governing the monitoring of the effectiveness of safety and protection arrangements and organize an exchange of experience in this field.

MONITORING AND INSPECTION - IMPROVEMENT OF HUMAN ATTITUDES

- 11) Develop a common methodology for monitoring both pollutant concentrations and the measurements of environmental conditions at places of work; carry out intercomparison programmes and establish reference methods for the determination of the most important pollutants.

Promote new monitoring and measuring methods for the assessment of individual exposure, in particular through the application of sensitive biological indicators. Special attention will be given to the monitoring of exposure in the case of women, especially of expectant mothers, and adolescents.

Undertake a joint study of the principles and methods of application of industrial medicine with a view to promoting better protection of workers' health.

- 12) Establish the principles and criteria applicable to the special monitoring relating to assistance or rescue teams in the event of accident or disaster, maintenance and repair teams and the isolated worker.
 - 13) Exchange experience concerning the principles and methods of organization of inspection by public authorities in the fields of safety, hygiene at work and occupational medicine.
 - 14) Draw up outline schemes at a Community level for introducing and providing information on safety and hygiene matters at the work place to particular categories of workers such as migrant workers, newly recruited workers and workers who have changed jobs.
2. In spite of financial and manpower limitations, the Commission services have undertaken work on nearly all of these actions. Details of this work have been given in the reports which the Commission has prepared and sent to the Council, and the European Parliament, on the progress made in implementing the action programme.

Although much work will have been performed by end 1982, there will still remain much to be done beyond that date. None of the fourteen actions in the first programme has been fully completed, although certain of them, in particular those concerned with protection against dangerous substances, have been partially completed. There are certain other actions, in particular those relating to exchanges of experience, which by their very nature imply a continuous and on-going activity.

In developing this second programme, the Commission has taken into account the work that has already been performed, and has consulted the Advisory Committee on Safety, Hygiene and Health Protection at work. ⁽¹⁾

As concerns the overall layout of the programme some changes are necessary to reflect the priority accorded to those actions concerned with the provision of information to workers, and to those concerned with organisational aspects of safety and health at work.

(1) OJ L185 of 9/7/74

As regards the individual actions in the second programme, the Commission has reviewed each of the actions in the first programme, and is proposing to:

- leave a few actions unchanged, so that the work that is currently under-way can be continued and completed and/or new work begun;
- change the majority of the actions by updating them on the basis of the work that has already been completed.

This second programme also contains a few additional actions, which themselves reflect the changed needs and concerns of today's society.

3. CONSULTATION OF THE EUROPEAN PARLIAMENT AND THE ECONOMIC AND SOCIAL COMMITTEE

Under the terms of Articles 100 and 198 of the Treaty establishing the European Economic Community, the opinion of these two institutions must be sought.

PROPOSAL

FOR A COUNCIL RESOLUTION

ON

A SECOND PROGRAMME OF ACTION OF THE EUROPEAN COMMUNITIES

ON SAFETY AND HEALTH AT WORK

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OF THE EUROPEAN COMMUNITIES ON SAFETY AND HEALTH AT WORK

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the Treaties establishing the European Communities,

Having regard to the draft resolution submitted by the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas the Council resolution of 21 January 1974 concerning a social action programme ⁽³⁾ provides for the establishment of an action programme on safety and health at work;

Whereas, under Article 2 of the EEC

Treaty the Community shall have among its tasks, by establishing a common market and progressively approximating the economic policies of Member States, that of promoting throughout the Community a harmonious development of economic activities, a continuous and balanced expansion and an accelerated raising of the standard of living;

Whereas at the Conference held in Paris in October 1972 the Heads of State or of Government affirmed that the first aim of economic expansion, which is not an end in itself, should be to enable disparities in living conditions to be reduced and that it should result in an improvement in the quality of life as well as in standards of living,

Whereas moreover, in Article 117 of the EEC Treaty, the Member States agree upon the need to promote improved working conditions and an improved standard of living for workers, so as to make possible their harmonization while the improvement is being maintained;

⁽¹⁾ OJ No

⁽²⁾ OJ No

⁽³⁾ OJ No 13, 12.2.1974, p.1

Whereas prevention of occupational accidents and diseases and also occupational hygiene fall within the fields and objectives referred to in Article 118 of the EEC Treaty; whereas in this context collaboration should be strengthened between the Member States and the Commission and between the Member States themselves;

Whereas suitable health protection for the public and effective prevention of accidents and effects on health from work would meet these general objectives;

Whereas in spite of sustained efforts the continuing high level of accidents and effects on health from work remains a serious problem;

Whereas efforts made in the field of accident prevention and health protection at the work place have beneficial effects which are reflected in the economic sphere and in industrial relations;

whereas a considerable effort is needed at Community level to search for and implement suitable means for maintaining or creating a working environment tailored to the needs of man and his legitimate aspirations;

Whereas both the effectiveness of the measures and their cost should be taken into account in the choice of action at Community level to be undertaken and of the measures to be taken to implement it;

Whereas the improvement of working conditions and the working environment must be envisaged in overall terms and must concern all sectors of the economy;

Whereas the actions should be implemented in accordance with the provisions of the Treaties, including those of Article 235 of the EEC Treaty;

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Whereas it is essential also to encourage the increasing participation of management and labour in the decisions and initiatives in the field of safety, hygiene and health protection at work at all levels, particularly at the level of the undertaking;

Whereas the Advisory Committee on Safety, Hygiene and Health Protection at Work, set up by Council Decision 74/325/EEC ⁽¹⁾, must be closely associated with this work;

Whereas the European Foundation for the Improvement of Living and Working Conditions and The European Centre for the Development of Vocational Training may have a role to play in the implementation of certain aspects of the programme;

Whereas, in implementing the actions, account must be taken of work undertaken in other fields, notably in the context of the Council resolution of 17 December 1973 on industrial policy ⁽²⁾ and of the Declaration ⁽³⁾ and Resolution ⁽⁴⁾ of the Council of the European Communities and of the representatives of the Governments of the Member States meeting in Council relating to the programmes of action of the European Communities on the environment in order to ensure the closest possible coordination of actions and proposals;

Whereas, in order to carry out the actions, it is important to ensure that concepts, terminology and also methods of identification, measurement and assessment relating to safety and health risks are harmonized; whereas such a task is of major importance in the context of these actions;

⁽¹⁾ OJ No L 185, 9.7.1974, p. 15

⁽²⁾ OJ No C 117, 31.12.1973, p.1

⁽³⁾ OJ No C 112, 20.12.1973, p.1

⁽⁴⁾ OJ No C 139, 13.6.1977, p.1

Whereas the actions in the Council resolution of 29 June 1978 on an action programme of the European Communities on safety and health at work ⁽¹⁾ can be undertaken until the end of 1982;

Notes that this second action programme takes into account the action programme for the Commission annexed to the aforesaid resolution;

Expresses the political will to take, in keeping with the urgency of the matter and bearing in mind what is feasible at national and Community level, the measures required so that between now and the end of 1988 the following priority actions can be undertaken

I. PROTECTION AGAINST DANGEROUS AGENTS

1. Propose directives based on Council Directive 80/1107/EEC of 27 November 1980 on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work⁽²⁾.
2. Establish a methodology for the assessment of the health risks connected with the physical, chemical and biological agents present at the workplace, in particular by research into criteria of harmfulness, by determining the reference values from which to obtain exposure limits, and taking into account new agents to which workers are exposed.
3. Develop a standard approach to establishing exposure limits for toxic agents. Make recommendations for the harmonisation of exposure limits for a certain number of agents, taking into account existing exposure limits.

(1) OJ No C 165, 11.7.1978 p.1

(2) OJ No L 327, 3.12.1980 p.8

4. Develop standard methods for use at Community level, including indicators of individual exposure to agents, and establish the measures necessary to limit individual exposure.
5. Develop preventive and protective actions for agents recognized as being carcinogenic, by fixing exposure limits, by defining measuring methods, by determining satisfactory conditions of hygiene at work, and by prohibiting use when necessary.

Apply the principles for dealing with carcinogens to other dangerous agents and processes which may produce serious health effects, e.g. pathogens, mutagens, teratogens, and new biological techniques.
6. Develop proposals for limiting exposure to noise, vibrations and other non-ionising radiations.

II. PROTECTION AGAINST ACCIDENTS AND DANGEROUS OCCURRENCES

7. Develop proposals for safety legislation aimed at ensuring comprehensive and coherent provisions throughout the Community, in particular for certain high risk occupational groups e.g. metal workers, construction and demolition workers, and waste disposal workers.
8. Develop proposals on specific measures for accident prevention relating to falls, to manual lifting and handling, and to plant, tools and equipment, taking into account Council Directive 82/501/EEC of 24 June 1982 on the major-accident hazards of certain industrial activities ⁽¹⁾.
9. Ensure by the application of ergonomics that the stress imposed on groups of the working population by design of equipment, by the task required and by the work environment is not prejudicial to their health and safety.

(1) OJ No L 230, 5.8.1982, p.1

10. Monitor and improve the effectiveness of safety and health arrangements by the organisation of exchanges of experience, in particular as regards the Inspectorates of the Member States, with a view to establishing more clearly the principles, methods of organisation, and training carried out for and by the Inspectorates in the fields of safety, health and hygiene at work.

III. ORGANISATIONAL ASPECTS - MONITORING

11. Develop recommendations on the organisational and advisory structures of health and safety responsibilities within small and medium sized industries, including the roles and responsibilities of specialists in occupational health, hygiene, and safety.
12. Establish the principles and criteria for monitoring groups of workers likely to be at high risk to their health and safety, in particular maintenance and repair teams, workers undertaking sub-contract or temporary work, laboratory workers and those involved with biotechnology and other new technologies.

IV. TRAINING AND INFORMATION

13. Encourage the collection and dissemination of information at national and community level on safety and health at work. Draw up recommendations concerning information notices and manuals on the handling of certain dangerous substances, in particular for those which are the subject of Community Directives.
14. Establish the availability and suitability of information to employers and workers who are liable to be exposed to chemicals and other agents at work, including the relevance of available information on marketed substances, and develop proposals for the identification of dangerous agents in the workplace.

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15. Draw up schemes relating to the safety training of young workers and develop outline training schemes for particular categories of workers such as migrants, new recruits and those who have changed jobs.

V. STATISTICS

16. Develop comparable data on mortality connected with work and collate data from other existing sources to describe the frequency, gravity and causes of accidents at work and absenteeism from work attributable to sickness.
17. Compile an inventory of the cancer registers existing at local, regional and national level, with a view to assessing the comparability of the data contained in these registers, and assess the need for better coordination at Community level.

VI. RESEARCH

18. Identify topics for applied research in the field of safety and health at work, which are directed towards future Community actions.

VII. COLLABORATION

19. Continue collaboration with other international organisations such as the World Health Organisation and the International Labour Office, as well as with national bodies and institutes from outside the Community.
20. Continue to develop beneficial co-operation with other Community actions.