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**22nd ANNUAL ACTIVITY REPORT  
OF THE  
ADVISORY COMMITTEE ON  
SAFETY, HYGIENE AND HEALTH  
PROTECTION  
AT WORK**

(Report 1997)

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## 1. CHARACTERISTICS OF THE COMMITTEE

### 1.1 Origin, competence, remit

In view of the need to establish a standing body to assist the Commission in the preparation and implementation of activities in the field of safety, hygiene and health protection at work, and to facilitate cooperation between national administrations, trade unions and employers' organisations, the Council of the European Communities, by its Decision of 27 June 1974 (74/325/EEC), set up an Advisory Committee on Safety, Hygiene and Health Protection at Work.

The main tasks of the Committee (Article 2(2) of the Decision) are:

- a) to **conduct**, on the basis of information available to it, exchanges of views and experience regarding existing or planned rules and regulations;
- b) to **contribute** towards the development of a common approach to problems encountered in the fields of safety, hygiene and health protection at work, and towards the choice of Community priorities as well as the measures necessary for implementing them;
- c) to **draw the Commission's attention** to areas in which there is an apparent need for the acquisition of new knowledge and for the implementation of appropriate educational and research projects;
- d) to **define**, within the framework of Community action programmes, and in cooperation with the Mines Safety and Health Commission:
  - the criteria and aims underpinning action to combat the risk of accidents at work and health hazards within the working environment,
  - the methods whereby companies and their employees can evaluate and improve the level of protection;
- e) to **contribute** towards keeping national administrations, trade unions and employers' organisations informed of Community measures in order to facilitate their cooperation and to encourage initiatives promoted by them with a view to exchanging experience and laying down codes of practice.

### 1.2 Structure, procedure

The Committee is a tripartite body made up of full members comprising, for each Member State, two government representatives, two representatives of trade unions and two representatives of employers' organisations. An alternate member is appointed for each full member. The full members and alternate members of the Committee are appointed by the Council, which publishes the list of members in the Official Journal of the European Communities, for information purposes.

The Committee is chaired by a Member of the Commission or, where he or she is prevented from so doing, by a designated Commission official.

The Committee may set up working groups chaired by a Committee member, which present the results of their activities in the form of a report to a meeting of the Committee.

The Committee produces an annual report on its activities, which the Commission forwards to the European Parliament, the Council, the Economic and Social Committee and the Consultative Committee of the European Coal and Steel Community.

Opinions of the Committee are delivered by an absolute majority of the votes validly cast. An opinion delivered by the Committee is valid when two-thirds of its members are present.

The rules of procedure adopted by the Committee entered into force on 30 April 1976, following approval by the Council on the basis of a Commission opinion.

The representatives of the governments, trade unions and employers' organisations are organised in three separate interest groups, each of which appoints a spokesperson. The latter attend meetings of the interest group which appointed them and meetings of the Committee, at which they put forward the groups' views.

Contact between the members of the governmental interest group is maintained through a member of the Committee representing the Government whose country holds the Council Presidency. The employers' representatives on the Committee keep in touch through the Union of Industrial and Employers' Confederations of Europe (UNICE) and the workers' representatives through the trade-union organisation at Community level, the European Trade Union Confederation (ETUC).

The Commission provides secretarial services for the Committee and the working groups. The Secretariat comes under Directorate-General V (Unit V/F/4).

## **2. ACTIVITIES IN 1997**

On 7 July 1997, the Council, acting on a proposal from the Member States, appointed the full members and alternate members of the Committee for the period from 7 July 1997 to 6 July 2000, with the previous term of office having run from 4 March 1994 to 3 March 1997. The lists showing the members in 1997 are contained in Annex B.

With many of the members having been re-appointed, the activities of the Committee and its working groups were not interrupted.

In 1997, the Committee, chaired by the Director-General of the Directorate for Employment and Social Affairs (DG V), met on two occasions in Luxembourg, in April and October. On behalf of the Commission, the Chairman thanked the outgoing members for their commitment and their contribution to the various activities, with a special mention for a "founding" member of the Committee, and extended a welcome to the newly-formed Committee.

Meetings of the interest groups representing governments, employers and workers were held on the day before the Committee meetings. Two additional meetings were held in February and December.

The Member of the Commission with responsibility for employment and social affairs, Mr Padraig Flynn, addressed the Committee at its meeting in April 1997. The text of his speech is contained in Annex E.

The proposed activities and priorities were put to the Committee by the *Planning* Group, which met on three occasions and set up a sub-group to prepare for the revision of the Committee's rules of procedure.

Progress made by the Committee in its activities during 1997 mirrored the work undertaken by the Commission in accordance with the Community programme covering the period from 1996 to 2000.

Twenty meetings were organised to accommodate the activities of eleven working groups set up to investigate specialised areas in which the Committee wished to give an opinion.

To keep track of the Commission's work, the Committee set up three new working groups, for which it adopted terms of reference covering *Violence at work*, *Machinery and Health and safety management systems*; three groups whose work had come to an end, dealing with *Pregnant women at work*, *Carcinogens* and *Biological agents*, were disbanded.

The work of the groups is summarised in section 3 of this report.

The Committee's activities resulted in adoption of its annual report for 1996, preparation of the draft "guidelines on the assessment of agents and processes considered hazardous for the safety or health of pregnant workers, those who have recently given birth or who are breastfeeding" (see section 2.2), consideration of a draft Commission document entitled "Safety and health at work: Priorities 1998-2000" (section 2.3) and adoption of thirteen opinions, which are reviewed in section 2.4 of this report.

The Committee revised its rules of procedure and adopted its work programmes for 1997 and 1998 (section 2.5). It heard reports by the Director of the European Foundation for the Improvement of Living and Working Conditions and by its representatives on the Safety and Health Commission for the Mining and Other Extractive Industries.

## **2.1 21st activity report of the Advisory Committee**

*document 0725/2/97*

The Committee adopted its 21st report, covering activities in 1996, at its 55th meeting held on 29 October 1997.

## **2.2 Draft guidelines on the assessment of the chemical, physical and biological agents and industrial processes considered hazardous for the safety or health of pregnant workers, those who have recently given birth or who are breastfeeding.**

### *document 5033/98/EN*

Pursuant to Article 3(1) of Council Directive 92/85/EEC of 19 October 1992, the Commission, assisted by the Advisory Committee and in consultation with the Member States, is required to draw up guidelines on the assessment of chemical, physical and biological agents and industrial processes deemed hazardous for workers during pregnancy, after giving birth or while breastfeeding. The guidelines are designed to serve as a basis for the risk assessment referred to in Article 4 of the Directive, and the Member States must bring them to the notice of employers and workers.

To provide the necessary assistance, the Committee set up a working group in May 1996; this group studied the working document supplied by the Commission - drawn up at its request by the Athens Institute of Preventive Medicine - along with other recent documents covering this problem in various Member States. An editorial sub-group was set up in May 1997 within the working group.

The resultant "draft guidelines" were presented to the Committee in October 1997 and studied by each interest group, whose views were made known to the Commission.

The document thus amended will be presented by the Commission to the Member States in the first quarter of 1998, for the purpose of the consultation provided for by the Directive.

## **2.3 Safety and health at work: Priorities 1998-2000**

### *(working document 0872/97)*

As announced by Mr Flynn and Mr Larsson at the plenary meeting on 23 April 1997, the Commission presented, at the meeting on 29 October 1997, a document setting out the priorities from 1998 to 2000 in the field of safety and health at work.

Seven priority areas are identified: expansion of the knowledge base in respect of health and safety; conversion of knowledge into concrete action; provision of appropriate information to small and medium-sized businesses; proper application of European health and safety legislation; incorporation of health and safety into other Community policies; preparation for European Union enlargement; and development of international cooperation.

The governmental group emphasised that, in setting the 1998-2000 priorities, particular attention should be paid to the radical changes taking place in the world of work, the impact of the new technologies and the fresh perspectives shaping the principles for protection of health and safety at work.



These objectives, with the target date of 2000 in mind, should reflect the new requirements in the field of health and safety which are certain to prevail at that time.

In its written opinion submitted to the Commission after the meeting, the employers' group, stressing that the protection of health and safety is above all an obligation from the human point of view, declared that employers were ready to assume the responsibility implied by their managerial powers for promoting health and safety at company level. The group also pointed out that the social partners would always be willing to play a responsible role in the consultations aimed at determining the priorities for improving health and safety at the workplace.

## **2.4 Opinions adopted**

### *2.4.1 Adaptation to technical progress of Directive 90/679/EEC (risks related to exposure to **biological agents**)*

- 2.4.1.1 Committee opinion (document 201/97) on the "draft Commission directive adapting to technical progress Council Directive 90/679/EEC on the protection of workers from risks related to exposure to **biological agents** at work

#### *working document 1895*

On 23 April, the Committee approved the draft Directive amending Annex III, making provision for newly identified biological agents to be added to the Community classification and classified in accordance with the requirements of the Directive. Certain biological agents already included in the classification are reclassified to take account of newly acquired experience and knowledge, while the nomenclature for certain biological agents is adapted in the light of the most recent international agreements. The footnote (i) to Annex III is amended to the effect that, for laboratory work which may entail a risk of exposure to the agents responsible for bovine spongiform encephalopathy, the containment measures laid down for biological agents classified in group 3(\*\*) in accordance with the Directive be recommended instead of those provided for previously in respect of the agents classified in group 2.

- 2.4.1.2 Committee opinion on the draft Commission directive adapting to technical progress for the third time Council Directive 90/679/EEC on the protection of workers from risks related to exposure to **biological agents** at work.

#### *working document 10116*

At its meeting on 29 October, the Committee approved the proposed amendment to the Directive, concerned chiefly with inclusion of the agent responsible for bovine spongiform encephalopathy (BSE) and agents responsible for other transmissible spongiform encephalopathies (TSE) as agents not covered by the Community classification and group 3(\*\*).

2.4.2 *Committee opinion on a proposal for a Commission Directive establishing a third list of indicative limit values pursuant to Council Directive 80/1107/EEC on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work.*

**working document 162/1/97**

The Committee examined the proposed Directive and, on 29 October, gave its opinion on the third list of 28 indicative limit values envisaged.

It called on the Commission to exclude six products (phosgene, nitric acid, acetone<sup>1</sup> (STEL), 2-aminoethanol, hexane and 4-methylpentan-2-one), in respect of which it had not been possible to reach agreement among the three interest groups.

2.4.3 *Committee opinion (document 723/3/97) on the proposed amendment of Council Directive 90/394/EEC on the protection of workers from the risk related to exposure to carcinogens*

**working document 97/1/97**

In line with the Common Position 3/97 on the first amendment of Directive 90/394/EEC, the Committee looked at mutagenic substances, vinyl chloride monomer (VCM), asbestos, a possible list of all carcinogens defined as such in the Directive and wood dust.

In its opinion delivered on 29 October, the Committee approved the text of the proposed Directive, while suggesting that, in Article 1(1), the last two words "mutagenic substances" be replaced by "germ mutagenic substances".

The Committee went along with the Commission's proposal to include the (VCM) Directive 78/610/EEC in Directive 90/394/EEC, subject to the Commission undertaking a review of limit values which are outdated in the light of technical progress, although this should not delay the inclusion of the VCM Directive in Directive 90/394/EEC.

Moreover, sharing the Commission's view, the Committee did not recommend the inclusion of the Asbestos Directive 83/477/EEC in Directive 90/394/EEC, since the Asbestos Directive entails prohibitions and contains specific detailed provisions which supplement Directive 90/394/EEC.

The Committee supported the idea of a single, easily accessible source listing all the carcinogenic substances defined as such in the Directives, as suggested by the Council (IV.1.p.20, OJ C No 6 of 6 January 1997), with such a list being linked to Directive 90/394/EEC but in a form other than an annex because of the need for continuous updating.

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<sup>1</sup> With regard to acetone, there was failure to reach agreement only in respect of the STEL value

On the other hand, with regard to the inclusion of work involving exposure to wood dust, point 5 to Annex I of the Directive, a majority favoured the Commission's approach whereby only beech and oak dust should be taken into consideration. The employers' group, while not disputing the carcinogenicity of the two types of dust, was concerned that this decision could have implications preventing the correct implementation of the Directive.

*2.4.4 Committee opinion (document 727/97) on a draft proposal for a Council recommendation concerning the application of legislation on health and safety at work to self-employed workers*

*working document 522/96*

Following on from the European Parliament's resolution on the general framework for action by the Commission in the field of safety, hygiene and health protection at work, proposing that the fourth action programme contain measures aimed at extending the framework Directive to self-employed persons, the Commission submitted to the Committee a draft proposal for a Council recommendation addressed to the Member States.

In its opinion delivered on 29 October, the Committee acknowledged that a Community initiative was required in this field, and noted that opinions differed as to the type of measures to be taken and their legal basis. Among other things, it considered that certain points of the recommendation should be reformulated, taking into account the prevailing situation in different Member States.

*2.4.5 Study of mandates to CEN/CENELEC*

*2.4.5.1 Committee opinion (document 732/1/97) on the draft standardisation mandates 13/97, 14/97 and 15/97 to CEN*

The Committee examined the three draft standardisation mandates to CEN concerning, respectively, standard measuring methods for sulphur dioxide (SO<sup>2</sup>), nitrogen dioxide (NO<sup>2</sup>), carbon monoxide (CO) and ozone (O<sup>3</sup>) in ambient air (mandate 13/97), standard measuring methods for benzene in ambient air (mandate 14/97) and standard measuring methods for lead (Pb), cadmium (Cd), arsenic (As) and nickel (Ni) in ambient air (mandate 15/97), within the framework of Council Directive 96/62/EEC on ambient air quality assessment and management.

The Committee approved the three draft mandates on 29 October, but suggested that they should include a reference to safety and health aspects of workers involved in the measuring methods (sampling, calibration, analyses) and that, when a working method conforming to the EN standard had been selected, the competent CEN group should examine the applicability of the method for purposes of monitoring limit values at the workplace and other important factors (e.g. scope, recommendations for use).

*2.4.5.2 Committee opinion (document 867/97) on the draft mandate 29/96/2 to CEN*

On 29 October, the Committee approved the draft mandate to CEN for the elaboration and adoption of standards in respect of minimum technical specifications and test methods

for fatty acid methylester (BIODIESEL) used as fuel for diesel engines and for space heating (mandate 29/96/rev2), and recommended that forestry be specifically mentioned under section 3.

*2.4.6 Committee opinion (document 734/2/97) on the organisation of a European Week on Safety and Health at Work in 1998*

In its opinion delivered on 29 October, the Committee gave its full backing to the organisation of a third European Week on Safety and Health at Work, and was in favour of holding it in October 1998 on the broad theme of work organisation.

It felt that the Commission needed to evaluate the contribution made by this type of information campaign and the benefits of repeating the European Week on a regular basis after 1998, and wished to be consulted both on the principle and on the periodicity.

*2.4.7 Committee opinion (document 205/97) on a research proposal on analytical methods and sampling strategies*

The Committee, in its opinion adopted on 23 April, proposed to the Commission that a dedicated research project be introduced into the fourth research and development (R&D) programme, on the subject of health and safety measurements, geared to:

- identifying, among the indicative limit values covered by the first three directives, those which have validated analytical methods and those which do not;
- subjecting to a validation programme, in conformity with the CEN standards, methods identified but which have not been validated;
- giving priority to the development of methods for substances which do not have any, through a collaborative programme involving competent EU laboratories.

*2.4.8 Committee opinion on a draft Commission Directive adapting to technical progress Council Directive 92/29/EEC on the minimum safety and health requirements for improved medical treatment on board vessels*

***working document 851/97***

On 29 October, the Committee approved the draft Directive aimed at amending the text of the note contained in Section III of Annex II and in Annex III, with the reference to the "1990 Consolidated Edition" of the IMO International Maritime Dangerous Goods Code being replaced by a reference to the "1994 Consolidated Edition".

*2.4.9 Committee opinion on a draft Commission Directive adapting to technical progress Council Directive 90/270/EEC on the minimum safety and health requirements for work with display screen equipment*

***working document 805/97***

On 29 October, the Committee approved the draft Directive aimed at excluding telephone devices with display screens from the requirement whereby the screen and keyboard must be separate.

*2.4.10 Committee opinion (document 879/197) on a draft proposal for a Council Directive concerning minimum safety and health requirements for the use by workers of work equipment provided for temporary work at a height - "Scaffolding" Directive*

***working document 202/3/97***

The opinion, proposing amendments to the text of the Directive, was accepted by the three "interest groups", each of which forwarded their comments to the Commission under the special consultation procedure adopted in the time available.

In particular, the workers' group wanted it to be made clear that workers should receive adequate training in preventing any risk associated with the use of such equipment, while the governmental group sought to extend the definition of "fall from a height" in line with the definition given in the Directive on "temporary or mobile construction sites"; the latter group also wanted the text to make provision generally for collective means of protection and, exceptionally, for individual means of protection.

*2.4.11 Committee opinion on the 1998 work programme of the Bilbao European Agency*

***Draft programme of 15 September 1997***

Article 10 of Council Regulation (EC) No 2062/94 of 18 July 1994 establishing the European Agency for Safety and Health at Work provides that "the Administrative Board shall adopt the Agency's annual work programme on the basis of a draft drawn up by the Director referred to in Article 11, after consultation of the Commission and of the Advisory Committee on Safety, Hygiene and Health Protection at Work".

At its plenary meeting held on 15 September 1997, the Administrative Board of the Agency adopted the draft annual programme of work and forwarded it, for consultation purposes, to the Commission and to the Advisory Committee.

The programme for 1998 is based on the four-year rolling programme covering the period 1998-2000.

Priority is given to creation of the Agency's information network and to active participation of all its components, with special emphasis on organisation, planning and management of the network, creation of Internet-based network technology and a common plan for developing the content of the information.

A further priority entails the dissemination of information on matters relating to health and safety on the basis of supplementary services: response to queries, production of four to six newsletters and two or three reviews on safety and health, press service, organisation of conferences, seminars and exhibitions.

The Agency also plans to carry out large-scale information projects.

*The Committee endorsed the programme at its meeting on 29 October 1997.*

## **2.5 Operational procedures**

### *2.5.1 Revision of the Committee's rules of procedure*

#### **document 199/97**

At its meeting on 23 April 1997, the Committee adopted the draft modification of its rules of procedures, prepared by the *Planning* Group, which it presented to the Commission.

The revised version accurately reflects the current situation, with particular reference to the working methods of each interest group.

### *2.5.2 1997 work programme*

#### **document 203/97**

At its meeting on 23 April 1997, the Committee adopted its work programme for 1997 and revised the terms of reference of the working groups *Multidisciplinary protective and preventive services*, *Health surveillance at work* and *Economic and social appraisal of health and safety legislation*.

### *2.5.3 1998 work programme*

#### **document 728/1/97**

At its meeting on 29 October 1997, the Committee adopted its work programme for 1998 and asked the *Planning* Group to suggest priorities in the light of the available resources.

## **3. ACTIVITIES OF THE GROUPS / END-OF-YEAR STRUCTURE**

### **3.1 Working groups active in 1997 and continuing their activities in 1998**

#### *3.1.1 Standardisation*

The activities of this group are of an ongoing nature, since the Committee instructs the group to study standardisation mandates as and when they are submitted by the Commission. The group also deals with general problems relating to health and safety at work in the context of standardisation.

The group met once in 1997 and prepared two draft opinions on mandates to CEN/CENELEC (section 2.4.5).

#### *3.1.2 Occupational exposure levels*

This group is consulted on the fixing of priorities in respect of substances for which occupational exposure levels should be established and prepares opinions on the procedures to be followed for collecting the data needed to establish occupational exposure levels.

The group monitors the work of the Scientific Committee for Occupational Exposure Limits (section 4.3), prepares opinions on Commission proposals for establishing

occupational exposure levels and gives reports on progress made with its activities at meetings of the Committee.

The group met once in 1997 and prepared one opinion for the Committee (section 2.4.2).

### *3.1.3 Training*

The group was set up in November 1996 to advise the Committee on the implementation of the "Training" chapter of the programme, with particular emphasis on the possible preparation of a reference document which could provide a basis for recommendations on occupational safety and health training, and focusing also on the needs of young people as future workers; a further task of the group is to advise the Committee in connection with the implementation of any back-up activities at Community level.

The group met once in 1997.

### *3.1.4 Self-employed workers*

Set up in November 1996, this group met on one occasion and an editorial sub-group prepared an initial Committee opinion (section 2.4.4) on the need for a proposal for a Council recommendation concerning the safety and health at work of self-employed workers; the group is required also to examine the range of possible actions at Community level for meeting the needs arising and tackling the problems liable to result from the extension of Community health and safety measures to self-employed workers (action 8 of the programme).

The group is expected to continue its work in 1998.

### *3.1.5 Economic and social appraisal of health and safety legislation*

Set up in November 1996, this group is required to prepare a Committee opinion on the Commission's proposals for a methodology in respect of the economic and social appraisal of existing legislation in the field of health and safety, and a procedure for the appraisal of European directives concerned with health and safety, using this methodology and methods already employed in the Member States.

The group will draw upon a report compiled for the Commission on "the economic appraisal of European health and safety at work legislation", which analyses the current procedures and available methods for assessing the economic impact (both costs and benefits) of health and safety legislation at European, national and company level, and puts forward proposals for practical impact assessment models at European and national levels, including a procedure specifically designed for European directives.

The group met once in 1997.

### *3.1.6 Multidisciplinary protective and preventive services Health surveillance at work*

Amalgamation of two groups previously in existence; the terms of reference were confirmed in November 1996.

The aim of this group is to investigate the problems encountered and the experience acquired in setting up multidisciplinary protective and preventive services for employees in all sectors, industries and undertakings, public or private.

A further task of the group is to analyse how health monitoring of workers is carried out in the different Member States.

The group met once in 1997.

### *3.1.7 Scaffolding*

Set up in May 1996, the group's remit is to prepare a Committee opinion on a draft proposal for a Council Directive on scaffolding (section 2.4.10). The group met once in 1996 and three times in 1997, and is expected to be formally disbanded at the next meeting of the Committee.

The group studied an initial version of the draft Directive (document 5408/96) and, in 1996, drew up an interim draft opinion (document 5825/96). The Commission put forward a new proposal (document 202/3/97), being the subject of the opinion adopted under the written procedure following discussion within the interest groups. The opinion is accompanied by the comments of the interest groups.

## **3.2 Working groups set up in 1997**

On the basis of information supplied by the Commission regarding progress made with the Community programme concerning safety, hygiene and health at work (COM(95) 282 final) and activities in related areas, the Committee decided to set up three working groups.

### *3.2.1 Prevention of violence at work*

One of the measures provided for under Action 3 of the Community programme is "analysis of the action necessary at Community level on prevention of violence at work and follow-up".

The group will be required to prepare a Committee opinion on proposals put forward by the Commission and on any other steps which may be necessary at European level.

### *3.2.2 Machinery*

The task of this group is to prepare a Committee opinion on a draft proposal for a Council Directive on the approximation of the laws of the Member States relating to machinery.

Directive 89/392/EEC on the approximation of laws relating to machinery has major implications for safety and health at work. Besides the direct effects attributable to new machinery, there may be an indirect impact under Directive 89/655/EEC concerning the minimum safety and health requirements for the use of work equipment by workers.

To facilitate the preparation of the opinion, the social partners, with one representative for each group, will participate in the work initiated by the competent Directorate-General.



### 3.2.3 *Health and safety management systems*

The purpose of this group is to advise and assist the Commission in the development of guidelines for health and safety management systems, and to make recommendations for applying them.

## 3.3 **Disbandment of working groups**

The Committee decided to disband three groups whose work had been completed.

### 3.3.1 *Pregnant women*

Set up in May 1996, this group met on one occasion in 1996 and twice in 1997. The editorial sub-group also met twice and the document which it helped to draw up was presented to the 55th meeting of the Committee (section 2.2). The group was disbanded on 29 October 1997.

### 3.3.2 *Biological agents*

Having been inactive since November 1994, when its draft opinion was adopted by the Committee, this group was reactivated in 1996 and given the new task of preparing a Committee opinion on the proposed amendment of the Council Directive of 12 October 1993 amending Directive 90/679/EEC<sup>2</sup> on the protection of workers from the risks related to exposure to biological agents at work (93/88/EEC<sup>3</sup>) so as to adapt to technical and scientific progress the annexes to the Directive in the light of the most recent knowledge. The group met on one occasion in 1997 and prepared an opinion for the Committee (section 2.4.1.1). The group was disbanded on 23 April 1997.

### 3.3.3 *Carcinogens*

Set up in November 1996, this group prepared a Committee opinion on a proposal for amending Council Directive 90/394/EEC on the protection of workers from the risks related to exposure to carcinogens at work (section 2.4.3).

The group met three times in 1997 and was disbanded on 29 October 1997.

## 4. **COOPERATION WITH OTHER BODIES**

The Committee collaborates or is in contact with other organisations at European and international level.

### 4.1 **Safety and Health Commission**

The main tasks of the Safety and Health Commission for the Mining and Other Extractive Industries (SHCMOEI) are: to monitor developments in the field of safety and health in the extractive industries, to submit to the governments of the Member States practical

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<sup>2</sup> OJ No L 374, 31.12.1990, p. 1

<sup>3</sup> OJ No L 268, 29.10.1993, p. 71

proposals for improving safety and health protection at the workplace, and to foster exchanges of useful information.

Since 1994, representatives of the SHCMOEI attend meetings of the Committee as observers. Similarly, representatives of the Committee are invited to the plenary meetings of the SHCMOEI, with each interest group sending two observers. This process ensures more effective dissemination of information between the two bodies. Although they clearly share areas of common interest, the two bodies are largely perceived as separate entities. The SHCMOEI is essentially a technically-oriented body which deals with safety problems inherent in the extractive industries. Technical aspects constitute a key element of its work, whereas the Committee is also qualified to discuss fundamental issues of safety and health protection at work.

*At its meeting on 29 April 1997, the Committee approved the report prepared by its SHCMOEI observers.*

#### **4.2 Senior Labour Inspectors Committee**

Created by Commission Decision 95/319/EC of 12 July 1995, the Senior Labour Inspectors Committee is composed of two representatives of the labour inspection services from each Member State, and is chaired by a representative of the Commission.

The Committee submits an annual report on its activities to the Commission, with particular reference to any problem relating to the enforcement or monitoring of secondary Community legislation in the field of health and safety at work. The Commission forwards the report to the Council, the European Parliament, the Economic and Social Committee and the Advisory Committee on Safety, Hygiene and Health Protection at Work.

#### **4.3 Scientific Committee for Occupational Exposure Limits to Chemical Agents**

Set up in response to a request from the Council, by Commission Decision 95/320/EC of 12 July 1995, this scientific committee is required to examine the health effects of chemical agents on workers at work. Its activities are monitored by the Advisory Committee and, more particularly, by the *Occupational Exposure Levels* Group in connection with the preparation of its opinions on proposals for a Directive implementing Council Directive 80/1107/EEC as amended by Directive 88/642/EEC.

#### **4.4 Social partners**

A representative of the European Trade Union Confederation (ETUC) and a member of the Union of Industrial and Employers' Confederations of Europe (UNICE) are invited to attend meetings of the Committee as observers.

#### **4.5 Trade Union Technical Bureau**

The European Trade Union Technical Bureau for Health and Safety (TUTB) was set up in 1989 by the ETUC as a vehicle for keeping close track of the technical work carried out by the standardisation organisations. Backed by the European Parliament, which allocated a budget heading in 1989, the TUTB signed a multiannual agreement with the Commission in the same year. It conducts studies and supplies information tying in closely

with the European harmonisation and standardisation work in the field of safety and health at the workplace and with the Committee's *Standardisation* Group. A representative of the TUTB attends the Committee's meetings as an observer.

#### **4.6 International Labour Office**

A representative of the ILO is invited to meetings of the Committee as an observer.

#### **4.7 European Foundation**

A representative of the European Foundation for the Improvement of Living and Working Conditions is invited to meetings of the Committee as an observer and presents, among other things, the Foundation's work programme. Cooperation with the Foundation became more clearly defined in the wake of the 1996 report on work-related stress.

The Director of the Foundation presented to the Committee, at its meeting on 23 April, a report on the Foundation's work.

#### **4.8 Bilbao European Agency**

Under the decision establishing the Agency, the Committee is consulted on its annual work programme and receives a copy of its annual report (section 2.4.11).

**ANNEX A**  
**COUNCIL DECISION**  
**LEGAL BASIS**

**(Extract)**

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, trade unions and employers' organisations ...

HAS DECIDED AS FOLLOWS

Article 1

An Advisory Committee on Safety, Hygiene and Health Protection at Work (hereinafter called the “Committee”) 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.

Article 4

1. The Committee shall consist of (.) full members, there being for each Member State two representatives of the Government, two representatives of trade unions and two representatives of employers' organisations.
2. An alternate member shall be appointed for each full member. (...)
3. Full members and alternate members of the Committee shall be appointed by the Council which, in respect of representatives of trade unions and employers' associations, shall endeavour to achieve a fair balance in the composition of the Committee between the various economic sectors concerned.

4. The list of the full members and alternate members shall be published by the Council in the *Official Journal of the European Communities* for information purposes.

#### Article 5

1. The term of office of full members and alternate members shall be three years. Their appointments shall be renewable.

#### Article 6

1. The Committee shall be chaired by a member of the Commission or, where such member is prevented from so doing and as an exception, by a Commission official to be nominated by him. The Chairman shall not vote.
2. The Committee shall meet when convened by the Chairman, either at the latter's initiative or at the request of at least one-third of its members.
4. The Committee may establish working parties under the chairmanship of a Committee member. They shall submit the results of their proceedings in the form of a report at a meeting of the Committee.
5. Representatives of the Commission's departments concerned shall participate in meetings of the Committee and of working parties. Secretarial services shall be provided for the Committee and for working parties by the Commission.

#### Article 7

1. An opinion delivered by the Committee shall not be valid unless two-thirds of its members are present.

#### Article 8

The Committee shall adopt its rules of procedure, which shall enter into force after the Council, having received an opinion from the Commission, has given its approval."

## ANNEX B

### B1 - COMPOSITION OF THE COMMITTEE in 1997

Period 1994-97

#### I. GOVERNMENT REPRESENTATIVES

##### *a) Full members*

Belgium	Mr HESELMANS	Mr WAMPACH
Denmark	Mr O. ANDERSEN	Mr J. ANDERSEN
Germany	Mr OPFERMANN	Mrs STREFFER
Greece	Mrs KAFETZOPOULOU	Mr KOUMERTAS
Spain	Mr CHOZAS PEDRERO	Mr G. HORTIGUELA
France	Mrs GUIGUEN	Mr BOISNEL
Ireland	Mr WALSH	Mr HENRY
Italy	Dr FAVENTI	Dr ROCCA
Luxembourg	Dr RUME	Mr WEBER
Netherlands	Dr DEN HELD	Mr VOS
Austria	Dr SZYSMANDKI	Dr BREINDL
Portugal	Dr COSTA MARINHO	Dr DURAO
Finland	Mr HURMALAINEN	Mr LAMBERG
Sweden	Mr BYLUND	Mr CLOAREC
United Kingdom	Mr CLIFTON	Miss DEAKINS

*b) Alternate members*

Belgium	Mr RZONZEF	Mr STEEN
Denmark	Mrs SKJOLDAGER	Mrs STEFFENSEN
Germany	Mr GIESEN	Mr RIESE
Greece	Mr TANGAS	Mrs PISSIMISSI
Spain	Mrs G. DEL CASTILLO	Mr CASTELLA
France	Mr PASQUIER	Mr ROBERT
Ireland	Mr FUREY	Mr DONNELLAN
Italy	Dr GUERRIERI	Mr ALVINO
Luxembourg	Mr FEYREISEN	Mr DEMUTH
Netherlands	Dr MIDDELPLAATS	Mr MEPPELDER
Austria	Dr FINDING	Dr JENNER
Portugal	Mr CASTELO BRANCO	Mrs PINTO MARVAO
Finland	Mr KALLIO	Mr RANTANEN
Sweden	Prof. KILBOM	Mr BARREFELT
United Kingdom	Mrs SOAVE	Mr HIGHAM

## II. WORKERS' REPRESENTATIVES

### *a) Full members*

Belgium	Mr FONCK	Mrs CYPRES
Denmark	Mr MALTESEN	Mr POULSEN
Germany	Mr KONSTANTY	Mr ANGERMAIER
Greece	Mr POLITIS	Mr DRIVAS
Spain	Mr CARCOBA	Mrs DIAZ OJEDA
France	Mr PHILIP	Mr MARTIN
Ireland	Mr WALL	Mr CRONIN
Italy	Mrs BRIGHI	Mrs BENEDETTINI
Luxembourg	Mr MILLER	Mr GIARDIN
Netherlands	Mrs VERBURG	Mr WILDERS
Austria	Mrs CZESKLEBA	Mr HEIDER
Portugal	Mr GOMES TAVARES	Mr SARAMAGO
Finland	Mr METSÄMÄKI	Miss TYÖLÄJÄRVI
Sweden	Mr TENGBERG	Mrs BREIDENSJÖ
United Kingdom	Mr MELLISH	Miss GIBSON



***b) Alternate members***

Belgium	Mr PHILIPS	Mr VAN DER HAEGEN
Denmark	Mr HEEGAARD	Mr NORSKOV
Germany	Mr GROWITSCH	Mr ZWINGMANN
Greece	Mr PAPANAYOTOU	Dr CHATZIS
Spain	Mr FERNANDEZ ARROYO	Mrs VILLAR FERNANDEZ
France	Mr LEMÎTRES	Mr SEDES
Ireland	Mr O'NEILL	Mr O'HALLORAN
Italy	Dr TASCINI	Dr GALLI
Luxembourg	Mr ABBATI	Mr MERSCH
Netherlands	Mr MULLER	Mr SPRENGER
Austria	Mr SCHRAMHAUSER	Mrs REITINGER
Portugal	Mr SANTOS NEVES	Mr ALMEIDA TEXEIRA
Finland	Miss HEIKURA	Mr SAARIKANGAS
Sweden	Mr LAVENIUS	Mrs THULESTEDT
United Kingdom	Mr TUDOR	Mr PICKERING

### **III. EMPLOYERS' REPRESENTATIVES**

#### ***a) Full members***

Belgium	Mr LEONARD	Mr DE LANGE
Denmark	Mr JEPSEN	Mr NIELSEN
Germany	Mr SCHEEL	Mr KUHLMANN
Greece	Mr TSAMOUSSOPOULOS	Mr ZIMALIS
Spain	Mr MANZANO SANZ	Mr SANCHIS AHUYO
France	Mr TASSIN	Mr PEYRICAL
Ireland	Mr TUMULTY	Mr BRISCOE
Italy	Mr GIUSTI	Dr FREGOSO
Luxembourg	Mr SAUBER	Dr METZLER
Netherlands	Mr VAN OSTAIJEN	Mrs DE MEESTER
Austria	Mrs SCHWENG	Mr BRAUNER
Portugal	Mr COSTA TAVARES	Mr LIMA AMORIM
Finland	Mr GRAHN	Mr KUIKKO
Sweden	Mr LIND	Mr FROSTLING
United Kingdom	Dr ASHERSON	Dr WHITE

***b) Alternate members***

Belgium	Mr PELEGRIN	Mr DILLEN
Denmark	Mr SØRENSEN	Mrs KØLVING
Germany	Mr BEEKHUIZEN	Dr KREIZBERG
Greece	Mr KALDIS	Mr VGONTAS
Spain	Mr BELTRAN APARICIO	Mr MUNOZ MUGICA
France	Dr AUBRUN	Mrs CORMAN
Ireland	Mr LAWLOR	Mr CASSIDY
Italy	Mr ROVIGLIONI	Mr SPANO
Luxembourg	Dr BOLLENDORF	Mr LANG
Netherlands	Mr VERHOEF	Mrs HOPMANS
Austria	Mr DUNGL	Mr STRIMITZER
Portugal	Mr BARROSO	Mr TEVES COSTA
Finland	Mr AHTELA	Miss LUOMALA
Sweden	Mr HAGMAN	Mr HOLMGREN
United Kingdom	Mr HUGHES	Mr CLARE

## B2 - COMPOSITION OF THE COMMITTEE in 1997

Period 1997-2000

### I. GOVERNMENT REPRESENTATIVES

#### *a) Full members*

Belgium	Mr HESELMANS	Mr DE VIL
Denmark	Mr ANDERSEN	Mr ECKEROTH
Germany	Mr HORST	Mr WILMERSTADT
Greece	Mr KAFETZOPOULOU	Mr PAPADOPOULOS
Spain	Mr GOMEZ- HORTIGUELA AMILLO	Mr MARTINEZ DE LA GANDARA
France	Mr BOISNEL	Mrs GUIGUEN
Ireland	Mr HENRY	Mr WALSH
Italy	Prof LEPORE	Dr CACOPARDI
Luxembourg	Dr RUME	Mr WEBER
Netherlands	Mr VOS	Dr LATERVEER
Austria	Dr BREINDL	Dr SZYMANSKI
Portugal	Mr RODRIGUES DA SILVA CABRAL	Dr COSTA MARINHO
Finland	Mr RANTANEN	Mr HURMALAINEN
Sweden	Mr BYLUND	Mr CLOAREC
United Kingdom	Mr CLIFTON	Dr CRUICKSHANK

*b) Alternate members*

Belgium	Mr STEEN	Mr FONTINOY
Denmark	Mr JENSEN	Mr BAHNE
Germany	Mr GIESEN	Dr RÜCKERT
Greece	Mrs PISSIMISSI	Mr CHRISTODOULOU
Spain	Mr CASTELLA	Mr NOLLA FERNANDEZ
France	Mrs PAILLARD	Mr ROBERT
Ireland	Mr FUREY	Mr DONNELLAN
Italy	Dr FAVENTI	Dr ROCCA-ERCOLI
Luxembourg	Mr DEMUTH	Mr HUBERTY
Netherlands	Mr MEPELDER	Dr MIDDELPLAATS
Austria	Dr FINDING	Mrs JENNER
Portugal	Mrs PINTO MARVAO	Mr FREITAS DURAO
Finland	Mr KALLIO	Mrs LEHTINEN
Sweden	Mr BARREFELT	Mrs SVÄRD
United Kingdom	Mrs WHITE	Mr HENDERSON

## II. WORKERS' REPRESENTATIVES

### *a) Full members*

Belgium	Mrs CYPRES	Mr FONCK
Denmark	Mr RASMUSSEN	Mr POULSEN
Germany	Mr KONSTANTY	Mr ANGERMAIER
Greece	Mr POLITIS	Mr DRIVAS
Spain	Mr FERRER	Mr CARCOBA
France	Mr PHILIP	Mr MARTIN
Ireland	Mr CRONIN	Mr WHELAN
Italy	Mrs BENEDETTINI	Dr GALLI
Luxembourg	Mr MILLER	Mr GIARDIN
Netherlands	Mr WILDERS	Mr DE GEUS
Austria	Mr HEIDER	Mrs CZESKLEBA
Portugal	Mr NASCIMENTO LOPES	Mr DA COSTA FARIAS
Finland	Mrs TYÖLÄJÄRVI	Mr METSÄMÄKI
Sweden	Mr TENGBERG	Mrs BREIDENSJÖ
United Kingdom	Mrs GIBSON	Mr MELLISH

*b) Alternate members*

Belgium	Mrs VELLANDE	Mr VAN DER HAEGEN
Denmark	Mr JACOBSEN	Mr AHLERS
Germany	Mr ZWINGMANN	Mr GROWITSCH
Greece	Dr CHATZIS	Mr PAPANAYOTOU
Spain	Mrs DIAZ	Mr TORRES FERNANDEZ
France	Mr SALENGRO	Mr SEDES
Ireland	Mrs MRKWICKA	Mr DEVOY
Italy	Mr D'ERCOLE	Mr STANZANI
Luxembourg	Mr GOEREND	Mr KINN
Netherlands	Mr MULLER	Mr VAN STEEBERGEN
Austria	Mrs REITINGER	Mr STEINER
Portugal	Mr COELHAS DIONISIO	Mr MONTEIRO do MONTE
Finland	Mr SAARIKANGAS	Mrs HEIKURA
Sweden	Mrs HILDINGSSON	Mrs THULESTEDT
United Kingdom	Mr TUDOR	Mrs GOWAN ROONEY OBE

### **III. EMPLOYERS' REPRESENTATIVES**

#### ***a) Full members***

Belgium	Mr LEONARD	Mr DE LANGE
Denmark	Mr NIELSEN	Mr JEPSEN
Germany	Mr GUNKEL	Mr SCHEEL
Greece	Mr ZIMALIS	Mr TSAMOUSSOPOULOS
Spain	Mr TEIXIDO CAMPAS	Mr MANZANO SANZ
France	Mr PEYRICAL	Mrs CORMAN
Ireland	Mr O'HALLORAN	Mr BRISCOE
Italy	Dr CHACCHIARARELLI	Mr GIUSTI
Luxembourg	Mr SAUBER	Dr METZLER
Netherlands	Mrs FRENKEL	Mr KONING
Austria	Mrs SCHWENG	Mr BRAUNER
Portugal	Mr COSTA TAVARES	Mr PENA COSTA
Finland	Mr FORSS	Mr KUIKKO
Sweden	Mr FROSTLING	Mr LIND
United Kingdom	Dr ASHERSON	Dr WHITE



***b) Alternate members***

Belgium	Mr PELEGRIN	Mr DILLEN
Denmark	Mrs JUHLER- KRISTOFFERSEN	Mr HOLMBOE BANG
Germany	Mr BEEKHUIZEN	Mr KUHLMANN
Greece	Mr ZACHARIAS	Mr KIRIAKOGGONAS
Spain	Mr MUNOZ MUGICA	Mr MORENO UCELAY
France	Mr TASSIN	Dr AUBRUN
Ireland	Mr CASSIDY	Mr ENRIGHT
Italy	Dr GRAMPELLA	Dr FREGOSO
Luxembourg	Mr WALERS	Dr STELMES
Netherlands	Mr KROEZEN	
Austria	Mr Franz DUNGL	Mr Dietmar STIMITZER
Portugal	Mr FONTES MACHADO	Mr BARROSO
Finland	Mr AHTELA	Mrs LUOMALA
Sweden	Mrs TELL	Mrs BJÖRG ÖSTLUND
United Kingdom	Mrs JEYNES	Mr CLARE

***LIST OF WORKING GROUPS - 1997*****PLANNING**

Chairman : Mr VOS (G)  
 Vice-chairman : Mr FONCK (W)  
 Rapporteur : Mr JEPSEN (E)

<b>GOVERNMENT</b>	<b>EMPLOYERS</b>	<b>WORKERS</b>
ROCCA / IT WALSH / IRL WEBER / LUX VOS / NE DEAKINS / UK	CORMAN / FR BORMANS / B GIUSTI / IT JEPSEN / DK TASSIN / FR	MELLISH / UK SEDES / FR CARCOBA / ES  FONCK / B

Official responsible : E. ROTHER - Tel. 32268

**PREGNANT WOMEN**

Chairman : Dr AUBRUN (E)  
 Vice-chairman : Mrs PISSIMISSI (G)  
 Rapporteur : Mr MARTIN (W)

<b>GOVERNMENT</b>	<b>EMPLOYERS</b>	<b>WORKERS</b>
FAVENTI / IT PISSIMISSI / GR SAUNDERS / UK MOGENS / DK PETTERSON / SV	WHITE / UK AUBRUN / FR BORMANS / BE FREY / D	MORENO / ES PAUL / UK GRODZKI / BE MARTIN / FR PHILIPS / BE

Official responsible : Dr ARESINI - Tel. 32260

## OCCUPATIONAL EXPOSURE LEVELS

Chairman : Dr AUBRUN (E)

Vice-chairman : Mr Wilders (W)

Rapporteur : Mr Steen (G)

GOVERNMENT	EMPLOYERS	WORKERS
JACKSON / UK BOMBARDIERE / IT KLEIN / DE STEEN / BE HURMALAINEN / FI	BEEKHUIZEN / DE AUBRUN / FR JEPSEN / DK GRAMPELLA / IT BORMANS / BE	MAGNAVITA / IT KONSTANTY / DE GRODZKI / BE MARTIN / FR WILDERS / NL

Official responsible : Mr Angelidis - Tel. 33747

## SCAFFOLDING

Chairman : Mr PELEGRIN (E)

Vice-chairman : to be appointed (G)

Rapporteur : Mr KONSTANTY (W)

GOVERNMENT	EMPLOYERS	WORKERS
CANDREVA / IT MURRAY / UK PATTAY / SV MOCKELS / BE RODILLA / ES	PELEGRIN / BE STEINMAURER / AUT FOUILLEROUX / FR MACHADO / PO BORMANS / BE	NILSSON / SV VERDE / BE KONSTANTY / DE BRYSON / UK HELSTEN / BE

Official responsible : Mr LOMMEL - Tel. 33871

## CARCINOGENS / MUTAGENS

Chairman : Mr FONCK (W)

Vice-chairman : E. MELIN (G)

Rapporteur : Mr JEPSEN (E)

GOVERNMENT	EMPLOYERS	WORKERS
RICHARDSON / UK MONTAGUT / ES MELIN / SV KLEIN / DE LHERM / FR	AUBRUN / FR JEPSEN / DK ALESBURY / UK BORMANS / B VAN STEERTEGEM / B	KONSTANTY / DE FONCK / BE LAVENIUS / S GRODZKI / BE

Official responsible : Dr ARESINI - Tel. 32260

### **SELF-EMPLOYED WORKERS**

Chairman : Mr HENRY (G)

Vice-chairman : Mr PELEGRIN (E)

Rapporteur : Mr VOGEL (W)

<b>GOVERNMENT</b>	<b>EMPLOYERS</b>	<b>WORKERS</b>
BELL / UK HENRY / IRL HUUSKONEN / FI PICCOLI / FR	PELEGRIN / BE WHITE / UK RIVAILLE / FR RICHARD / B GUNKEL / D	TUDOR / UK MURIE / ES VOGEL / BE FROST / DK

Official responsible : Mrs DELAVAL - Tel. 32781

### **TRAINING**

Chairman : Mrs GALLI (W)

Vice-chairman : to be appointed (G)

Rapporteur : Mr DE LANGE (E)

<b>GOVERNMENT</b>	<b>EMPLOYERS</b>	<b>WORKERS</b>
RENHARDT / AUT CAWLEY / UK WOOD / IRL ARENAL / ES	DE LANGE / BE GIUSTI / IT GUNKEL / DE PYKETT / UK RICHARD / BE	GALLI / IT PHILIP / F FREDERIKSEN / DK HALLORAN / IRL VOGEL / BE

Official responsible : Mrs Van Loon - Tel. 32034

### **SOCIAL & ECONOMIC APPRAISAL**

Chairman : Mr TUDOR (W)

Vice-chairman : ROWE (G)

Rapporteur : Mr SCHEEL (E)

<b>GOVERNMENT</b>	<b>EMPLOYERS</b>	<b>WORKERS</b>
BEATSON / UK NILSSON / SV ROWE / IRL BAKKUM / NL FRICHET / FR	SCHEEL / DE ASHERSON / UK GAMBELLI / FR BORMANS / B KRISTOFFERSEN / DK	TUDOR / UK D'ERCOLE / IT CYPRES / BE SCHRAMAUSER / AUT SAPIR / BE

Official responsible : Mr HAIGH - Tel. 32734

## **MULTIDISCIPLINARY SERVICES / HEALTH SURVEILLANCE**

Chairman : Mr TÝOLÄJÄRVI (W)

Vice-chairman : Mrs CORMAN (E)

Rapporteur : Mrs WOOD (G)

<b>GOVERNMENT</b>	<b>EMPLOYERS</b>	<b>WORKERS</b>
SAUNDERS / UK LOPEZ / ES BIENECK / DE ENGLUND / SV WOOD / IRL	RICHARD / BE GIUSTI / IT CORMAN / FR JANNERFELDT / S DE LANGE / B	BENEDETTINI / IT POULSEN / DK TÝOLÄJÄRVI / FI GIARDIN / LUX VOGEL / BE

Official responsible : Dr ALVAREZ - Tel. 34547

## **STANDARDISATION**

Chairman : Mr GIUSTI (E)

Vice-chairman : Mr TENGBERG (W)

Rapporteur : Mr WEBER (G)

<b>GOVERNMENT</b>	<b>EMPLOYERS</b>	<b>WORKERS</b>
ALVINO / IT WEBER / LUX FUREY / IRL MEPPELDER / NL TOMKINS / UK	GAMBELLI / FR GIUSTI / IT SCHEEL / DE BORMANS / BE LIND / SV	ANGERMAIER / DE GIBELLIERI / IT SAPIR / BE TENGBERG / SV PAZ / ES

Other experts :

Mr MERTENS, CENELEC

Mr PLISSART, CEN

Mr MENDOLA, European Commission - DG III Brussels

Mr VAN GHELUWE, idem

Mr BREKELMANS, idem

Mr ROBERTS, idem

Official responsible : Mr LOMMEL - Tel. 33871

## ANNEX D

## 1997 TIMETABLE

SUBJECT OF MEETING	Days	JA	FE	MA	AP	MAY	JUNE	JULY	SEP	OCT	NOV	DEC
PLENARY	2				22/23					28/29		
PLANNING	3		11				6		9			
STANDARDISATION	1								4			
LIMIT VALUES	1			14								
PREGNANT WOMEN	2	14					5 GR	15 GR	10			
BIOLOGICAL AGENTS	1			11								
SCAFFOLDING	2					13			11&12		14	
SELF-EMPLOYED	1					15		18 (GR)				
TRAINING	1							8				
SOC. ECON. APPRAISAL	1					20						
MULTI. SERV.	1					27						
CARCINOGENS	3			4			16			7		
WORKERS' I.G.	2		25									3
EMPLOYERS' I.G.	2		27									9
GOVERNMENT I.G.	2		26									5

## ANNEX E

Speech given by Commissioner Flynn

Meeting of the Advisory Committee

on Safety, Hygiene and Health Protection at Work

22 April 1997

Thank you very much, Dr Hunter. Good morning, Ladies and Gentlemen and Members of the Advisory Committee.

I would like to join with Dr Hunter in welcoming you all to this, the 54th Committee meeting.

Let me say straight away how glad I am to be here with you today and it provides me with the unique opportunity to address at the same time government, trade unions and employers' representatives and to express to you my personal recognition and that of the College of Commissioners for your contribution, your outstanding contribution to the development of Community health and safety policy.

I would like also to express my regret to you for not being able to preside over the Committee on previous occasions and to address you directly as would have been my wish. I have asked Mr Larsson, the Director General, to chair your plenary meetings and to keep me regularly informed on the developments occurring in your forum - and this he does.

You represent the social partners and national administrations, and in that capacity you represent the most knowledgeable in the field of health and safety right throughout Europe and, as such, I have great expectations from you to help us enter a new era to make working life safer and more productive.

Now, as laid down in the 1974 Council Decision, "The Committee shall have the task of assisting the Commission in the preparation and implementation of activities in the field of safety, hygiene and health protection at work".

It is a big charge that we have and I consider that the time is now right to put health and safety policy among the top priorities of the Community agenda and to raise public awareness on what has already been achieved and on what we are continuously striving for - namely better working conditions all across the Community.

So let me start, if I may, by telling you why I am convinced that health and safety must be made a high-profile issue, and after that I would like to open the floor for your comments - you as the professionals and experts in the field.

There are several good reasons to give a new impetus to the fight against accidents and for an active health and safety policy.

Health and safety at work has always been one of the fundamental missions of the European Union - set out in the Treaties and, more particularly, in Articles 117, 118 and 118a of the EU Treaty.

And, you know very well, since you have been the co-authors, in recent years this mission has led to the adoption and implementation of a series of directives. These directives draw up minimum requirements in a gradual manner, taking account of the conditions and technical regulations already existing in the Member States.

Close attention was paid to avoiding administrative, financial and legal constraints being imposed by the new legislation. We did not want to hinder the development and creation of small and medium-sized enterprises.

However, we are now operating in a period where deregulation is to the fore. Some people refuse to acknowledge the effectiveness of these directives in improving health protection and workers' safety. Instead, they focus on the direct monetary cost to their company.

Health and safety is a basic right - one which takes more and more a centre stage for us because we are talking here about human lives and public opinion is less and less willing to accept risks that are avoidable, could be prevented and are not kept to a minimum and I believe the public is right - we should not accept such risks.

Indeed, 6,000 workers who die every year as a result of accidents at work and the ten million who are the victims of work accidents and occupational diseases tell the story. And, that means that in a working day like this one today, like today, as we are gathered here in Luxembourg, twenty to thirty people will die and 40,000 are injured today or become ill because of work and these figures indicate clearly a level of human suffering - one which can be avoided by increased prevention, safety measures and improved information for workers regarding the risks encountered and health and safety of workers deserves, first and foremost, to be a number one priority, based on both human and on social values. But I believe it can be equally argued that a successful health and safety policy is a productive factor too.

Occupational accidents and diseases directly translate into problems for businesses and they also create a very heavy burden for social security systems such as health care, sickness benefit, insurance, disability pension and early retirement.

I have read with great interest a study made by HSE, the UK Health and Safety Executive, indicating that the overall cost to the British economy of all work accidents and work-related ill health could be estimated to be between one and two per cent of GDP and, undeniably, this is a huge cost and a huge loss of economic resources.

This demonstrates that improved health and safety is good business, it's a productive factor and it makes economic sense for society in general and business and government in particular.



If the cost of prevention is attributed entirely to business, then the cost of non-prevention, or rather accidents or illnesses resulting from non-prevention, will impact on the economy of each country affecting social security systems and, ultimately of course, the Community as a whole.

It is therefore at both levels of the individual Member States and the Union that we find it advisable to evaluate those risks and it will be more advantageous if debate is held at the level of "society" rather than limited to interested parties.

At company level, are the benefits of health and safety at work ever measured in terms of prevention of absenteeism - therefore making it a clear promotion of competitiveness?

I am proud that most of our major companies in Europe enforce stringent regulations regarding health and safety for their employees. They are fully aware that absenteeism as a result of accidents reduces production levels - and it also reduces morale.

So, I would like to know, for example, the cost-benefit ratio of health and safety prevention services.

Because you know, and I know, that illness and accidents at work create very heavy burdens on workers, on enterprises and on the social protection systems.

So I ask you, would it be fair to say that taking account of health and safety factors renders European companies less competitive?

Well, despite its senior role in both trade and international affairs, Europe, just like the United States, is a relatively autonomous economic entity. Production within Europe covers 92% of our needs - the remaining 8% being imports which are balanced, of course, against our exports, and trade within the Union has doubled in the last thirty years and it will increase with the lowering of trade barriers and as companies start to wake up to the size of the European market which is beckoning them forward. So we must not therefore be in fear of progressing European society.

In the developed world outside of Europe, health and safety requirements at work are a reality - even if they sometimes differ in one way or another. We can only hope that, progressively with economic development, the other trading blocs will follow suit. And, even if this does not happen, it is no reason for us not to continue with our progress in health and safety issues - we clearly do not want any return to the situation that existed in the last century - we are preparing for the next one.

At this time, the real challenge to take up is that of employment, we all recognise that and this challenge should not, however, be a pretext to reduce safety and health levels at the workplace - on the contrary. And, there must be total agreement that we cannot allow ourselves to compete by putting workers' health at risk. That is why we need European legislation and I am convinced that more focus on working conditions can bring the Union closer to the heart of its citizens.

So, let me add that alongside the emergence of new forms of working, new organisation of work, working from home, remote work, subcontracting, our mission is to ensure that those workers involved also benefit from the same guarantees of health and safety.

Health and safety at work issues need further precision regarding categories of workers temporarily in a weak position. Take for example the case of pregnant workers, those having just given birth or in nursing care, in order to prevent accidents and illnesses which could affect them or their children. Indeed, the cost of lack of prevention could continue to take its toll over a number of years for the company. In the same way, close attention will have to be paid to working conditions for adolescents - we do not want to reduce the potential of the workforce of tomorrow. And there, the results of the comments from Member States are, of course, significant - young workers are more frequently the victims of accidents at work - either because they take the jobs with higher risks or their behaviour or inexperience increases the risk for them.

Now, it is understandable that cyclical economic factors reveal difficulties which immediately take their toll as an additional risk and the solution is not to give up with the process - but rather to progress it.

My next question is, how are we going to do all of this, if it's so important?

The starting point: the 1995 Community Programme concerning safety, hygiene and health at work is, I believe, our point of departure. And, on that basis, and taking account of the developments of the last two years, we need to make the best use of the resources available to the Commission, the Member States and the social partners.

A successful policy for health and safety requires an effective and, of course, an efficient machinery. So let me, therefore, add a few words about our resources and our organisation for health and safety at work and, as you know, all the different bodies dealing with health and safety are now subject to changes to improve their efficiency.

An important element in the strategy must always be information and the aim is to promote health and safety in general, to enable enterprise to implement a high standard of health and safety.

I am pleased that the Bilbao Agency has been set up and that it has started to develop a health and safety information network with the Member States - and this will produce preliminary results during the course of this year.

In my view, the new information and communications technologies offer new opportunities to provide material on the best practice in health and safety to all sectors of industry - including small and medium-sized businesses, and I feel strongly that developing these opportunities will be an important part of our new information strategy.

Now, the Commission keenly anticipates receiving comprehensive information and informative material from the Agency - the Agency benefiting, as you know, from many amongst you sitting on its Administrative Board.

The Dublin Foundation, too, has a role to play and has adopted a long-term work programme.

So you, the tripartite Advisory Committee, have engaged in a process of reform.

Ladies and gentlemen, I am here today in order to encourage you, to encourage you, to also exercise social dialogue on occupational health and safety issues under the umbrella

of this Committee, and this will foster a coherent approach across all sectors and certainly result in synergy and in progress.

Let me move on to the means with which we can do this.

We have sound legislation which must be made comprehensive and it must be properly enforced, and we will do our best to help companies to apply it, especially the smaller companies and, in this connection, we have proposed, at the European Parliament's invitation, the SAFE Programme. Legislation is practically now in place and most of the current activities are on the right track.

Also, I hope that the Council will adopt the "carcinogens" Directive in June of this year, and that a common position will be found during the Netherlands Presidency.

The amended proposal for the Directive on explosive atmospheres has just been forwarded to the Council, hopefully making it possible for a common position during the Luxembourg Presidency.

A second draft version of the draft proposal on scaffolding has been submitted to you for your opinion and, when we have results from the impact studies, we intend to hasten the proposal along to fruition.

The adaptation to technical progress of the "biological agents" Directive is due to be submitted to the Commission during the second half of this year.

With regard to the directives on limit values, the Commission hopes to adopt the third Directive comprising some 20 to 25 new elements between now and the next few months and, on this particular subject, after consultation with the Member States, the Commission hopes to be able to name the members of the Scientific Committee for Occupational Exposure Limits to Chemical Agents, and hopes to be able to publish them during the second semester.

On the other hand, for the two exceptions to the "workplace" Directive which have not yet been handled, we have encountered some problems relating to economic sectors having a large number of self-employed workers.

As you know, work on the proposal for agriculture has been suspended since the Copenhagen meeting in 1993.

Furthermore, it is unacceptable that the transport proposal has been blocked for so long in Council. Indeed, the Commission has been looking for a solution to this very problem - as well as to the problem of the physical agents proposal held up now since 1992.

Lastly, the Commission has prepared an evaluation in order to determine whether there is a need to adapt the "work on screen" Directive to technological development.

So, let me now move on to a second element: transposition - transposition of legislation into the various national laws.

Almost all of the 54 directives that have been adopted in the social sector, two-thirds of them, involve health and safety at work issues. They are now in force and I have put on

record, and I want to say it again here today, my disappointment at the fact that Member States are not giving adequate priority to the implementation of health and safety legislation - they are not doing it and the Commission is actively engaged now in ensuring that the appropriate measures are taken where these measures are deemed necessary.

And, although the situation relating to pre-1989 directives is better, it is good, I must say that for post-1989 directives implementation is far from satisfactory. In the light of the last assessment made by us in January this year it seems there may just be a certain lack of goodwill on the part of some Member States to fulfil their commitments and this, ladies and gentlemen, is inadmissible. The Commission has already referred some Member States to the Court of Justice and we will not hesitate to pursue these matters further if it's deemed necessary. Without full transposition, implementation and equivalent enforcement, there simply can be no level playing field between the Member States - I reiterate that it is fundamental that the Member States in question make all of the necessary efforts to redress the situation. Ladies and gentlemen, it is a disgrace that they have not already done so.

Checking of conformity in respect of the communicated measures is now in hand and it is an important task which we are in the process of carrying out and in addition, in each Member State, each regulation must be applied correctly and must be applied fully.

In order to promote equivalent enforcement in the Member States which will neither penalise certain workers nor distort competition between enterprises, the Commission set up the Senior Labour Inspectors Committee in 1995.

As you know, this Committee deals mainly with questions related to the labour inspectorate and the enforcement of legislation, and this ensures the useful exchange of experience and enables harmonisation of strategies between the Member States on the problems and developments which the labour inspectorates have to face in the enforcement of Community health and safety legislation.

I would like to mention here the recent sessions focusing on certain industrial branches. These covered the construction industry, the automobile industry and the next session will be on the textile industry, and I am especially glad that one of the applicant countries for EU membership, namely Poland, is due to participate in this particular session.

Seminars have already been held on subjects such as high-risk enterprises and information exchanges between the Member States in relation to market control of machines covered by the "machinery" Directive. In June this year there will be a seminar on the labour inspectorates' approach to small and medium-sized enterprises, and later this year on safety and health for workers in the waste sector.

The Commission is engaged in a number of initiatives to develop the methodological basis for cost-benefit analysis and to build up evidenced examples of how well-managed health and safety can contribute to good business. A three-year contract has been launched to assess the scientific and the technical evaluation of the impact of health and safety policies in small and medium-sized enterprises.

You have been asked to advise on a methodology for assessing the socio-economic impact of proposed health and safety legislation. Furthermore, the Dutch Presidency will focus on the cost and the benefit of occupational health and safety with a conference in

May of this year. So we need facts and we need sound arguments, and I am quite sure that we are going to be able to deliver them. But, of course, it is necessary to provide assistance to enterprises and particularly to small enterprises for the practical application of all of this legislation.

As I mentioned before, the Commission has proposed the SAFE Programme upon an invitation from the European Parliament. The general purpose here is to make the legislation accessible, visible and efficient to small and medium-sized enterprises, for example through the exchange of good experience.

SAFE PR events shall raise awareness amongst employers and workers on safety and health issues in the workplace and the main target of such events would be those employers who otherwise would not have even considered or would have neglected to properly address these issues for which they are responsible. Now these events, they are going to offer the opportunity for them to get in touch with health and safety at work issues and shall demonstrate to them that there are practical and efficient ways of addressing all of these issues.

Every single PR event will take place at the premises of the enterprise and give practical demonstrations of innovative solutions to a certain theme in response to any requirements of any of the directives on safety and health at work. Now, the chosen theme shall apply and appeal greatly to the target group. The practical solutions implemented by the host firm shall be shown to the public and especially to the media. The presence of key persons at events is likely to influence the extent of media coverage favourably, and to do it most favourably, and thus have an important impact on the perception of this event by the public in general and by the target group in particular.

The experience of the host enterprise on the theme of the event shall be thoroughly documented in a way that allows its integration in a database on good practices which is being collated and managed by the European Agency down in Bilbao. The documentation shall not merely describe the achieved results, but also explain the ways leading to the result as well as the reasons why the final solution was preferred to other possible ones and their respective economic assessment. Any audio-visual material produced at the core action will be included, except where copyright issues become prohibitive.

A pilot project aimed at assessing the feasibility of the concept is being prepared jointly by the Euro Info Centres of Luxembourg, Nuremberg and Den Bosch. The experience gained from these first three projects will be used as a model to cover gradually the whole territory of the Union. So, in order to make this a success, your help will be appreciated and I am asking you today for your help to make this effort a success. I am inviting you as well, I am inviting you, to propose to my services any enterprise known to you that you consider appropriate for hosting a SAFE PR event. There is nobody in this room that does not know where a good practice and a good experience is on display in the workplace - we would like to hear about it so that we can pick the best, get the good experience and duplicate and replicate it right across the Union.

Let me move just for a moment to the question of health and safety in the enlargement process and particularly in our international relations. Ladies and gentlemen, you will appreciate that high on our list of priorities is, of course, the whole question of enlargement. We are going to constantly hear this matter discussed in more depth from

this point on and I acknowledge that this clearly means additional work for everybody involved in the whole process. And, of course, applicant countries will be obliged to ensure that by the date of accession they have their legislation in line with European Union legislation. And what does that mean in effect, ladies and gentlemen? It means for the area for which I am responsible and where you too have a responsibility, some 50 legal acts, two-thirds of which come under health and safety - and that is quite a workload for the accession countries.

In this perspective, a high standard of implementation of European Union legislation in all the Member States is a prerequisite for the establishment of that level playing field that I spoke about, where enterprises in the enlarged European Union compete on quality, productivity, innovation and not by putting workers' health at risk.

So dialogue is necessary and dialogue already established between the Commission with the applicant countries has improved, it has improved their understanding too of the *acquis communautaire*. In this context, I am very pleased to note that cooperation between the senior labour inspectors of the PECO countries and the Senior Labour Inspectors Committee is well established now, and I am sure that this will contribute to facilitating the process of adaptation in these countries.

Now, our future colleagues in the area of health and safety have expressed a wish to receive as much support as possible and the Commission as such is making every effort to fulfil this wish, but there are areas which are clearly, of course, outside the Commission's competence. Areas which, for example, relate to participation of the social partners in the preparation of legislation, and I would encourage you to let them share your experience, and to let them share your expertise. I am convinced that with your help they can overcome a lot of the problems that they are certainly going to encounter.

After having presented some considerations now, for making health and safety a high-profile issue, and my ideas on the content of the strategy, I would like to draw to a close in the following words.

I am here, ladies and gentlemen, to seek your advice, to seek your support for this plan of action. I have, as I said at the beginning, very great expectations of you to help us to place health and safety at the top of the political agenda. It cannot be a successful strategy unless this house here gives that wholehearted support.

Now, our next meeting is scheduled for the end of October this year. Until then I will give wide publicity to our plans, mainly by making a presentation of these plans at the conference on safety and health arranged by the Dutch Presidency at the end of May and a high-level seminar during the Luxembourg Presidency, to which you are all invited to

contribute and you are all invited to participate - I encourage you please to do so. Mr Larsson, our Director General, has promised to come back to me before the end of this year with a comprehensive strategy for achieving a higher political profile for health and safety at work and I am greatly looking forward to that strategy and the outline that will be contained therein.

Finally, I want to thank you all, not only for your good attention which I appreciate this morning, but for what I am sure will be fruitful cooperation and for the very special efforts I anticipate from you to deliver your opinion on this document at your next plenary session. I thank you for your kind attention, thank you very much.

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