



European Foundation
for the Improvement of Living and
Working Conditions

INDUSTRIAL RELATIONS AND THE ENVIRONMENT
BELGIUM

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By
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1. INDUSTRIAL RELATIONS AND ENVIRONMENT: THE PRESENT SITUATION

Despite the long tradition in Belgium in the field of negotiations on social and economic matters, either between the social partners themselves or between the social partners and the government, a structured consultation in the area of the environment is still in its infancy.

It is undeniable that such a situation has been largely determined by the process of Belgian State reform. Whereas the legislation governing collective industrial relations (and hence also the linked social relations) falls under the authority of the national government, nearly all matters related to environmental issues were, or are, being transferred to the regional governments; the latter must in turn involve the social partners in their policies via the regional consultative bodies.

All this implies that in Belgium, a distinction has to be made between three different consultative levels in the field of environment: the national level, the regional level and the level of the firm.

1.1. Consultation at the company level

Three instruments of consultation may exist within a firm: the works council, the industrial safety and health committee and the trade-union delegation.

1.1.1. The works council

A works council becomes compulsory once a firm's workforce reaches an average of 100 members of staff. It is a joint organization made up of workers' representatives who vary in number depending on the size of the firm's workforce, and of the employer's representatives. The workers' representatives are elected every four years by secret ballot. The lists of candidates are put forward by the trade union organizations. The employer's representatives are appointed by the employer himself.

The law of the 20th of September 1948 defines the tasks of the works council. These tasks are first of all of an advisory nature. The field of action of the works council comprises inter alia the economic and financial situation

of the firm, the staff and employment policy, the labour organization, vocational training, factory rules, the introduction of new technologies, etc. The employer is obliged to provide the works council on a regular basis and at determined dates with information on the economic and financial situation of the firm.

1.1.2. The industrial safety and health committee

Industrial safety and health committees are set up in firms which employ at least 50 workers. This committee too is a joint instrument of consultation composed of an equal number of employer's and workers' representatives; the employer's and workers' representatives are designated in the same manner as the members of the works council.

The tasks of the Committee are defined by the general regulation on the protection of work based upon the law of the 10th of June 1952. The task of the Safety and Health Committee is to contribute actively to the promotion of the workers' safety and health.

The Safety and Health Committee may give its advice and work out proposals so that the policy aiming at preventing industrial accidents and occupational diseases can be tuned in as best as possible with the concrete hazards in the firm. By virtue of the law, the Committee is duly entitled to give its preliminary opinion on all proposals and measures which may affect the safety and health of workers, directly or indirectly, immediately or in the future.

1.1.3. The trade union delegation

The trade union delegation is exclusively made up of workers' representatives; it can be set up in any firm if one or more trade union organizations (C.S.C. - Confederation of Christian Trade-Unions -, F.G.T.B.- General Belgian Labour Federation - or C.G.S.L.B.- General Belgian Group of Liberal Trade-Unions) make the relevant request.

The status of trade union delegation is governed by collective agreement no. 5 concluded on the 24th of May 1971 in the C.N.T. (National Council of Labour). The trade union delegation must be considered as the workers' spokesman. The main responsibilities of the trade union delegation are as follows:

- labour relations in general;

- negotiations in view of the conclusion of collective agreements or collective conventions within the firm;
- control on the application in the firm of social legislation, collective agreements, factory rules and individual contracts.

The trade union delegation also assumes some responsibilities of the works council or of the industrial safety and health committee in firms where no such bodies exist.

As consultation with regard to environmental issues is mainly dealt with in the industrial safety and health committee and to a lesser extent in the works council, we shall limit our analysis of consultation at the level of the firm to these two bodies.

1.2. Consultation at regional and national level

1.2.1. At regional level

We have already mentioned that, due to the Belgian State Reform, the responsibility in the field of environment has been largely transferred from the national level to the regional governments, that is to say to the Flemish, Walloon and Brussels regional governments; they have legislative power with regard to most of the environmental issues within their regions.

For some time now the social partners have been involved in the development of the environmental policy at regional level.

In Flanders, it is mainly via the "Sociaal Economische Raad voor Vlaanderen (S.E.R.V.) - Social and Economic Council for Flanders" where a special commission "Environment and Economy" prepares the opinions for the Council. Furthermore, there is also the "Vlaamse Raad voor het Leefmilieu - Flemish Council for Environment" made up of civil servants, experts and representatives from the environmental associations and from the social partners. This Council advises the responsible Community Minister on all matters related to the environment.

In the Walloon region, the social partners contribute their advice and preparatory work to the environmental policy via the "Conseil Economique et Social de la Région Wallonne (C.E.S.R.W.) - Social and Economic Council of the Walloon Region". Furthermore, there is the "Conseil Wallon de l'Environnement - Walloon Council for Environment" made up not only of environmental associations and university experts but also of representatives from the cities and municipalities, from the consumer organizations and from the social partners. This Council advises the Walloon Community Minister in charge of environmental issues.

1.2.2. At national level

As the regions are now responsible for environmental issues, there is not, for the time being, in Belgium at national level any form of structured consultation between the social partners in the field of environment. The "Higher Council for Industrial Safety and Health" is the only national and intertrade consultative instrument that is presently indirectly confronted with these issues.

This Council is made up of representatives from the workers' and employers' organizations as well as of experts and state officials. Its task is to advise the Minister of Labour and Employment on legislation related to the safety and health of workers as well as on the potentially harmful factors associated with work and workplaces.

In view of the relation between the work environment and the environment at large (see below) the Council can make a positive contribution to the improvement of the environment at large by adapting the laws governing the work environment (for instance with regard to the enlargement of the scope and coverage, responsibilities of the industrial safety and health committee to matters which are directly or indirectly linked with environmental issues).

Many threats to the environment have the same source as the threats to the safety, health and well-being of workers. Hence, the need for an integration (at company level) of the policies with regard to the internal and the external environment becomes obvious.

In time, this idea will certainly be integrated in a more explicit manner into the responsibilities of the Higher Council for Industrial Safety and Health and in consequence into the scope of the industrial safety and health committee at company level.

2. THE ENVIRONMENT AT THE COMPANY LEVEL

At the present time, the consultative bodies at company level, namely the industrial safety and health committee and the works council, have almost no opportunities to intervene directly with regard to environmental issues situated outside the firm. These bodies are however qualified to raise, improve and protect the quality of the work environment, that is to say the environment within the firm.

However, by improving the work environment within the firm, (some production processes not only affect the safety and health of the workers, but may also endanger the environment outside the firm), these consultative bodies can substantially contribute to the protection of the environment outside the firm.

Some examples may help illustrate this point:

- the use of specifically adapted, modern equipment within the firm could largely reduce the noise level not only within the firm but also outside the firm;
- the implementation of appropriate measures within the firm can prevent the discharge of hazardous products into nearby rivers;
- the selective collection of waste such as oils, solvents, PCB's,... in the firm may reduce, to a large extent, the risks of polluting both the internal and external environment; etc...

In the following chapters we shall analyse to what extent the existing consultative bodies can contribute to the improvement of the environment by making the optimum use of their legal responsibilities.

2.1. The industrial safety and health committee

The general regulation on the protection of work clearly defines the field of responsibility of the industrial safety and health committee, namely: the work environment.

In the following paragraphs we analyse the main responsibilities of the safety and health committee in the field of the work environment; and draw attention to the possibilities for the committee to use legislation to intervene with regard to the external environment of the firm.

2.1.1. Basic responsibilities

The main task of the industrial safety and health committee is to investigate and put forward proposals and to contribute actively to all initiatives aimed at the improvement of working conditions with regard to safety, hygiene and health.

In order to implement this important task, the committee can and must advise on, and make proposals for the policy related to the prevention of industrial accidents and occupational diseases.

Another important task of the industrial safety and health committee is to contribute to the investigation of any hazard which may damage the workers' safety, hygiene or health, as well as to investigate all those cases where work is not adapted to the worker; the committee has to analyse causes and put forward prevention measures.

The ultimate goal is to aim for a work environment free of any hazard to the workers' safety and health.

It is undeniable that the best guarantee for the preservation and improvement of the work environment is to work out an efficient prevention policy, aimed at the elimination of all risks at their source, rather than implementing partial solutions, as for instance with the use of collective and/or individual protection equipment.

Therefore, the Belgian legislation urges firms to work out a prevention policy in the field of industrial accidents and occupational diseases, mainly by adapting work to the worker in other words, by implementing ergonomic solutions.

Moreover, the firm must avoid as much as possible the generation of new hazards. The following measures must be taken to this end:

- newly purchased equipment, machines, fittings must be guaranteed against any accident or health hazard;
- the existing hazards with regard to machines, equipment, etc. have to be eliminated.

2.1.2. Additional responsibilities

In order to enable the safety and health committee to contribute to the development of an efficient prevention policy with regard to hazards in the work environment,

the legislation offers the members of the committee a series of additional responsibilities and tasks:

- inspection of the workplaces; this means an in-depth control that must take place periodically and at least once a year in all the divisions of the firm;
- appointment of a delegation which goes on the site in case of an emergency, of a serious accident, or of a technical incident, which may have caused an accident;
- Deal with complaints from the staff with regard to the safety and health of the workers and the potential risks associated with work and workplaces;
- sampling and testing of hazardous products and preparations used, and of the atmosphere in the workplaces, ...;
- measuring the harmful physical hazards such as noise level, light, temperature, ionizing radiations at the workplace, ...;
- preliminary opinion on the choice, purchase, maintenance and use of individual protective equipment;
- working out measures with regard to the reception, information and induction of new workers, the information and training related to the prevention of industrial accidents and occupational diseases;

2.1.3. The need for collaboration

In most cases, the efficiency of the prevention policy is largely influenced by the quality of the collaboration between the parties involved (manager of the firm, workers, company physician, safety officer,...). This collaboration is all the more important if one wants to optimize the opportunities to create a healthy work environment free of hazards for the workers.

2.1.4. Positive effects on the external environment

It is reasonable to assume that a sound and efficient prevention policy with regard to the health and safety hazards will (in most cases) also have positive effects on the external environment of the firm.

After all, how could a firm jeopardize the external environment if it has worked out an internally efficient and integrated prevention policy against hazards? As a matter of fact, this says a lot for the importance of the tasks of the industrial safety and health committee with

regard to the work conditions, but also with regard to the quality of the external environment.

This is one of the reasons why the government wants to enlarge the scope and responsibility of the industrial safety and health committees to issues which are related to the external environment. A recent governmental project contains an obligation for the employer to provide the safety and health committee with all the relevant information on the relation between the company and its environment (legislation, sampling data, and so on). The Higher Council for Industrial Safety and Health is at the moment discussing this project (for more details, see chapter 4).

2.1.5. Current responsibilities

On the basis of existing legislation, the industrial safety and health committee already has a great number of possibilities at its disposal for making an active and constructive contribution in the area of environmental issues. These possibilities, however, must always be interpreted within the framework of the Law of June 10, 1952 relating to employee health and safety. Thus, on the basis of this law the industrial safety and health committee has received significant advisory responsibility in relation to employee health and safety. In order to enable the industrial safety and health committee to formulate this advice in a knowledgeable manner, the legislation also contains a concrete specification of the employer's obligation to provide information.

Implicitly, however, the legislation in question contains a great number of points of departure for initiating a discussion within the industrial safety and health committee on various aspects of the environmental issue. What follows, therefore, is a brief survey of the most important possibilities and instruments that are available to the industrial safety and health committees. To be perfectly clear, we wish to point out here once more that the Law of June 10, 1952 does not impose any obligation whatsoever upon the committee to discuss the external environment unless it may have an effect on the health and safety of the company employees.

1. General responsibilities

On the basis of the following general responsibilities of the industrial safety and health committee, different aspects of the environmental issue can already be dealt with:

- The industrial safety and health committee can issue

advice and formulate proposals relating to all measures and means to be applied that, either directly or indirectly, immediately or in the course of time, can lead to consequences for the health and safety of employees.

- The members of the industrial safety and health committees must be informed by the company director of all reports, recommendations and documents related to health and safety.
- In the annual action plan the industrial safety and health committee can present recommendations and formulate proposals related to the improvement of the health and safety of the employees.
- It is also the task of the industrial safety and health committee to monitor and stimulate the activities of the safety officer.
- The legislation regarding the safety policy gives the industrial safety and health committee a voice in the choosing and purchasing of equipment.

These are only a few of the many possibilities that the committee can utilize to initiate a discussion - which, to repeat, is not currently required - relating to the external environment. Thus the industrial safety and health committee can request that a chapter on the environment be included in the annual action plan. Attention can be drawn to the environmental aspects when equipment is being purchased; the industrial safety and health committee can therefore promote the introduction of so-called "clean technologies".

With respect to the safety officer, the committee can also pose a number of additional demands, for example:

- that the safety officer gives attention to the environmental-friendliness of the production process.
- that the safety officer should follow additional environmental training.
- Within the context of the multifaceted task of the safety officer, it should make sure that the safety officer provides information regarding environmental matters to the members of the industrial safety and health committee, that he should have access to permits in order to inspect them, etc.
- Since the safety officer is also required to draw up an annual report; the industrial safety and health committee can request that a section be devoted to environmental activities.

2. A few specific responsibilities

Besides the general areas of responsibility, some specific responsibilities are entrusted by the legislation to the industrial safety and health (I.S.H.) committee; these can be utilized by the I.S.H. committee to initiate a broader discussion in which not only the internal, but also the external environment is dealt with. This relates, among other things, to the following rights and responsibilities:

- The employer must regularly inform the industrial safety and health committee as to the locations in the company where dangerous substances and preparations are used and stored.

- When the personnel representatives within the industrial safety and health committee or the industrial physician so request, the employer must have samples taken and analyses carried out of the dangerous substances and preparations, of the atmosphere in the working places and of any other substances that may be suspected of being harmful; he must also have tests carried out on the harmful physical agents, such as ion-producing radiation, ultraviolet radiation, intense noise, etc. The results of these analyses and tests must be communicated to the I.S.H. committee.

In the conclusion of this limited and incomplete survey, we wish briefly to point out the recently increased strictness of the asbestos legislation in Belgium. By means of a Royal Decree of July 22, 1991, a number of important new points were added to the legislation relating to occupational safety. As the following analysis clearly shows, the effects of this new legislation reach further than the internal environment of the company itself which, in turn, offers new perspectives for the industrial safety and health committees.

The new asbestos legislation specified that by January 1, 1992 all employers must take an inventory of all the asbestos and asbestos-containing material that was present in their company, i.e. in the buildings, as well as in the machines, the installations, the protective parts, etc.

If this inventory revealed that there was indeed asbestos present in the company, then a management program had to be established for the purpose of keeping the exposure of the employees - whether or not they belonged to the company - at the lowest possible level.

This management program involves in the first place a regular evaluation of the asbestos and asbestos-containing material by means of visual inspection; it also involves the measures that must be taken when it appears that the asbestos or asbestos-containing material is in poor condition or is being utilized in places where it can be damaged. The industrial physician and the industrial safety and health committee must be involved in the establishment of the management program.

The maximum allowable values for the concentration of asbestos fibres in the air have been made considerably stricter. For the serpentines the maximal concentration from now on is 0.50 fibers per cm³; the maximum allowable value for the amphiboles has been reduced to 0.15 fibers per cm³. These new maximum allowable values are stricter than is required in the new EC directive relating to asbestos that was approved by the Council of Ministers of June 25, 1991.

The new Royal Decree also involved a re-evaluation of the existing provisions for the removal of asbestos in the case of large demolition projects. Thus a number of technical and organizational preventive measures have been clarified and some, moreover, have been made considerably stricter. In addition, such large-scale removal projects may be carried out only by companies that have been recognized for this purpose by the Minister of Employment and Labour. The Minister has announced, incidentally, that in the future he desires the 'social partners' to be explicitly involved in this recognition procedure.

During operations on ducts and pipes where the insulation contains asbestos, and during the removal of asbestos and asbestos-containing materials by means of unscrewing, sawing, etc., a number of preventative measures must, from now on, be taken. Moreover, only ready-to-use products composed of asbestos cement may be supplied any more for use in shipyards, so that it will no longer be necessary to carry out procedures that could create dust. In addition, for the treatment or cutting of materials composed of asbestos cement, specially adapted tools must be used.

With this new legislation, Belgium has taken a step forward in terms of protecting the health of employees against the risks of working around asbestos. Moreover, possibilities have also been given to the industrial safety and health committees to ensure that companies take sufficient measures to prevent asbestos fibers from getting into the environment.

2.2. The works council

The works council is entrusted with numerous tasks and responsibilities which enable it to have a direct or indirect influence on the environment within the firm. Just like the industrial safety and health committee, the works council is granted the possibility of intervening on the external environment.

2.2.1. The prevention of hazards

The works council too, has been entrusted with numerous statutory responsibilities in the field of labour organization and working conditions.

The legislation defines amongst other things that the task of the works council is to advise on and inform on all suggestions and complaints related to any measures which might affect the labour organization, the working conditions and the profitability of the firm.

This means that the works council must be informed in advance of all measures implemented by management which could affect the labour organization, the working conditions and the profitability of the firm. The measures concerned are as follows:

- changes in the general structure or in some divisions of the firm;
- changes in manufacturing and working methods;
- changes in the material and human environment (for instance introduction of equipment changing the working conditions,...);

The purchase by the firm of new machines, new fittings, new equipment, ... and even of new products usually affects the labour organization and working conditions.

All such "measures" can entail new hazards or increase the existing ones for the work environment and possibly also for the environment outside the firm.

In close collaboration with the industrial safety and health committee, (we have already mentioned that the main responsibility of this concertation body is in the field of safety, health and hygiene) the works council could also advise that when choosing production processes, equipment, machines, ... the firm should take into account safety and health hazards, as well as hazards with regard to the environment at large.

As with the safety and health committee, the works council may take the necessary initiatives aimed at an efficient prevention policy against hazards in the internal and external environment.

2.2.2. The introduction of clean technologies

The works council must be informed of new processes introduced in the firm. This implies that the works council can see to it that only those processes with limited or no industrial hazards are implemented in the firm. Hence, the works council can actively contribute to the introduction in the firm of so called "clean technologies".

The phrase "clean technologies" refers to all those technological means to be implemented in order to deal with, reduce or even fully eliminate the pollution and hazards of industrial processes and equipment at the level of production.

The works council is in a position to contribute to the introduction of such technologies in the firm. Various regulatory and conventional provisions stipulate that the works council must be informed prior to and during the decision-making process, that it must be consulted effectively and in advance, that information must be given on matters relating to future investments, to the future expectations of the firm, to surveys carried out by the firm, ...

2.2.3. Some relevant responsibilities

As was the case for the industrial safety and health committee, the works council also provides a number of possibilities for initiating a dialogue between the employees and the employer with respect to environmental issues at the company level. What follows, is a brief survey of this matter.

1. Information

In the first place, there are the statutory provisions that require the employer to provide the works council with certain information. This may, either directly or indirectly, include information regarding environmental issues.

- As for economic and financial information, regarding the basic information the employer is required every four years to provide data on:

* Production and productivity:

The Works Council might probe the extent to which attention is being given to clean production processes? What products should be put on the market?

* The general expectations for the future:

Here, the works council may seek to determine whether there is an environmental policy involved in this regard?

* Scientific investigation:

The works council could question whether scientific research being carried on for the purpose of adapting the production processes? What means are being utilized, what institutions are involved and what is the orientation of the research?

* The government subsidies

The works council could push to find out whether ecological support is being granted?

- The works council must be informed annually as to the condition and evolution of the company.

Besides the annual statement of accounts, in which matters such as environmental taxes, deductions, etc. are to be found, the planned (environmental) investments and increased investment deductions can also be examined.

- Finally, at the time when the information is periodically furnished, certain environmental issues can also be discussed.

- Besides the information provided within the framework of the economic and financial information, the employer must also pass on information relating to the works council as soon as he has received any governmental aid. If this governmental support relates to environmental investments, then the works council can pose the following questions:

* Is the support being utilized for a "clean production process" ?

* What is the aim of the subsidy ?

* How does the changeover take place ?

2. Advice

The works council is also empowered to make recommendations regarding particular matters. Thus, the

works council can make recommendations and suggestions or objections relating to any measures that might affect the labour organization, the working conditions or the profitability of the firm. To be able to carry out this advisory function in a proper manner, the works council must be fully informed on all these matters. This information relates to the installation of machines and to changes in manufacturing and working methods. Hence, these provisions leave room enough for the environmental aspect to be included in the recommendation.

2.3. A few examples in practice

Our analysis shows on the basis of the present definition of the responsibilities of the works council and of the industrial safety and health committee, that it is possible within these consultative bodies to initiate a discussion, between the employer and the employee representatives, of the company's general environmental problems. This possibility depends to a great extent, however, on the goodwill of the employer, since strictly speaking the discussion can be limited by law to those aspects that relate to the actual functioning of the company itself.

The provisions relating to environmental matters, however, are very fragmentary and widely spread over the various legal regulations. It is impossible on the basis of these regulations to develop an efficient, structural and generalized process of environmental consultation within the existing organs of consultation. In this connection, an adaptation and harmonization of the legislation is urgently needed. (In this connection, see also chapter 4).

Despite this lack of clarity in the regulations, various enterprises have already chosen to develop a consultative structure in the area of environmental matters. For this purpose, the existing consultative bodies (industrial safety and health committee and works council) are usually utilized. A few examples:

- In an assembly plant for automobiles, by means of a consulting program in the industrial safety and health committee, the individual employees are sensitized to the task of integrating an awareness of environmental issues into their daily activities.
- The same company has developed an environmental handbook in which, among other things, guidelines are included for the benefit of the employees. In this way the employees receive information, for example, about the disposal of waste water, (how, in which sewer system, etc.).

- In another metal-working firm an environmental group has been established which anyone who has an interest in environmental issues can join on a voluntary basis. This group's task is to come up with ideas for solving particular concrete environmental problems.
- In a chemical company a decision was taken through the industrial safety and health committee to organize a systematic safety and environmental training program for the benefit of the employees.
- In a metal-working firm a process relating to environmental problems has been set up that runs parallel with the safety organization; it involves the drawing up of an annual environmental plan, a regular audit of the firm, the development of effective measuring programs, the provision of information to the directors and employees, etc. The industrial safety and health committee plays a coordinating role in this process.

These are only a few of the many examples of companies in which a constructive dialogue has come into being between the employer and the employees with respect to environmental problems. And despite the fact that for the most part this has occurred by means of the appropriate consultative bodies, (the works council, but especially the industrial safety and health committee), it can still be observed that here and there independent, autonomous work groups come into being that are composed of "volunteers". In this way, naturally, the consultation surrounding environmental problems is removed from the normal consultative bodies...

3. THE VIEWPOINTS OF THE TWO SIDES OF INDUSTRY

In Belgium, both the employers' organizations and the trade unions agree that the protection of the environment is an enormous challenge not only with regard to the future of the firms but also with respect to the future of the workers. Besides this general agreement, employers' and workers' organizations do differ to a certain extent with regard to the measures which have to be taken in order to execute their fundamental principles.

The public authorities are convinced that the social partners can play an important part in the improvement of the environment. A quote from Mrs Miet Smet, State Secretary for the Environment, illustrates this concern. On the occasion of the start in 1988 of the promotion and information campaigns set up by the trade unions within the framework of the European Year of Environment, she made a clear reference to the important role that the workers and their organizations can play with regard to the protection of the environment.

The State Secretary stated very explicitly in her speech that " the environment is a matter which concerns not only the public authorities and the firms. It is also a matter of concern for the worker and the trade unions. The trade unions should not only recognize the need for environmental awareness, but they should also feel the first to be involved in any environmental policy."

Mrs Smet further argued strongly in favour of more participation on the side of the workers: " A new dimension, the environmental one, must be added to the objectives of the industrial safety and health committees which in the past mainly dealt with the improvement of the working conditions. The trade unions must demand that a fully fledged department on environmental matters be set up in the firms and that together with the employers a company code of conduct be worked out in the field of environmental protection."

The State Secretary further says that "this company code of conduct must be based upon information and directed towards minimizing the influence on the environment thanks to the motivation of all parties concerned. The worker too must be fully aware of his responsibility with regard to environmental protection within his firm where he can act against certain forms of pollution at the source."

First of all, we will examine the viewpoints of the trade union organizations with regard to the topic of

industrial relations and environment. In Belgium, three trade unions are acknowledged by the government, namely: the Confederation of Christian Trade Unions (C.S.C.), The General Belgian Labour Federation (F.G.T.B.) and the smaller General Belgian Group of Liberal Trade Unions (C.G.S.L.B.). After that we will develop the viewpoint of the Federation of Belgian Companies (F.E.B.), which is the Belgian employers' organization.

3.1. The viewpoints of the trade unions

3.1.1. The Confederation of Christian Trade Unions (C.S.C.)

This trade union argues that today our society is confronted very frequently with one or another form of important pollution. The C.S.C. is of the opinion that industry has a very important responsibility with regard to this pollution; too many firms are still polluting the environment because they discharge toxic waste, release toxic vapours, etc.

But also the population itself is not yet environment-minded; many people still deal carelessly with domestic waste, paints, oil products, etc.

The C.S.C. wants to state very clearly that the concern for the environment needs special attention at political level; the quality of life still closely depends upon a healthy environment.

During its national congress held in April 1990, the C.S.C. proclaimed that concern for environment was a new trade union priority which implied that a healthy environment was as important as optimal economic growth and full employment. The C.S.C. stated that it was ready to contribute actively to a better environment (within and outside the firm) and to a more lasting development of employment and economy. This workers' organization emphasises that a prevention policy be first of all implemented in order to prevent or at least limit pollution.

Hence, the Confederation of Christian Trade Unions (C.S.C.) propose that all social forces should contribute to the ecological modernization of the economy. In this connection, a number of concrete initiatives are also expected from the government, such as:

- the promulgation of norms against harmful products and production procedures, strict monitoring and effective sanctions which are linked to the granting of the operating license and of support to the firm;
- effective and broad application of the principle that "the polluter pays" for the pollution that cannot be avoided;
- a specific quasifiscal environmental policy that taxes environmentally-unfriendly products and activities, and that exempts environmentally-friendly production and employment;

- a coordinated policy between the regions
- research to promote clean technologies;
- to insist upon - and be a forerunner with respect to - strict European and international environmental policies.

Beyond this, the C.S.C. will continue its activities in the companies with all the more conviction because it believes a positive interaction exists between the environment in the working place and the environment in general. The activities of employees within a company can also have beneficial results outside the company; in addition, the activities outside a company should provide an impetus to the employees to make a company's production and production process more environmentally-friendly.

With regard to the role to be played by the industrial safety and health committee and by the works council in matters related to the environmental policy of the firm, the congress formulated the following ideas:

- The workers must be regularly informed on the implementation of the rules with regard to the environment by the firm; they must also have the right to inspect all environmental files related to their firms.
- The industrial safety and health committee must give its opinion on the consequences of new production processes following a compulsory preliminary survey carried out by an external organization. This environmental opinion must be provided each time new machines are used and each time existing machines are modified. The employer is obliged to give all necessary information on the possible consequences of these modifications on the internal and external environment.
- The workers must receive the necessary knowledge and competence to control the wastes both as regards their origin, storage, processing and destination. In this way, the report on the waste policy implemented by the firm could be discussed once a year by the consultative bodies. The employer should also be obliged to give a full survey of the movements of raw materials and waste within the firm as well as to make a description of the kinds of waste, the category, the quantities and the processing methods.
- The situation of the firm should be assessed every year on the basis of an environmental audit. The firm could work out an environmental action programme on the basis of such an assessment.

- A certain form of environmental consultation can also be organized for small - and medium-sized firms through the setting-up of subregional environmental committees, composed of representatives of the workers and the employers of that specific region. Besides, the employers and workers can meet together at the level of an industrial park, of a municipality, of an industrial sector, etc.

However, the C.S.C. would like to draw attention to an important sub-aspect of the environmental issues which has mostly been dealt with in a 'stepmotherly' way, namely the work environment. For the workers, the working conditions are still an important part of their overall environment. The C.S.C. notes all too often the day-to-day reality is that the work environment can be harmful to the safety and health of workers.

Hence, the improvement of the workers' safety and health is a continuous concern for the C.S.C. This explains why in those circumstances where the environment at large is the focus of attention, this workers' organization wants to re-emphasise the work environment which, for many workers, is a daily source of nuisance, inconvenience and hazard for their health.

The C.S.C. wants to stimulate public authorities, industry, company physicians and experts in the field of safety to eliminate hazards related to safety and health. The Industrial Safety and Health Committees must play a central part in working out an appropriate prevention policy. However, the C.S.C. further proposes that this prevention policy must also take into consideration the possible effects on the environment outside the firm. It must for instance avoid dangerous gases being removed from the workplace and then released in the environment without any appropriate processing.

Via the industrial safety and health committees the C.S.C. wants to do its utmost so that the firms work out a prevention policy with positive effects both on the internal and external environment. To this end it has been arguing for several years in favour of the integration of safety and health measures at the time of the design of machines, fittings, production processes in order to make an integrated approach of all hazards both in the work environment and in the environment at large.

In developing an environmental policy at the company level, the C.S.C. wishes in particular to emphasize the following points:

- Companies must make a serious effort to develop a preventive policy with respect to environmental protection that takes a source-oriented approach, by means, for example, of utilizing so-called "clean technologies".
- Employees must, in an active manner, become involved in their company's environmental policy. It is critical for example that the responsibilities of the industrial safety and health committees be expanded so that, via this channel, the employees and their representatives will be regularly informed about the implementation of the environmental regulations, the likely consequences of the implementation of new production procedures; such consultation is necessary to ensure that ISH committees can regularly evaluate the effects produced on the environment by the activities of their company, etc., etc.
- Via the works council, employees should also become involved in the development of an effective and preventive environmental policy at the company level, for example when discussions take place on new investments.
- In view of the complexity of the environmental issues, the C.S.C. is of the opinion that at company level employee representatives should be able to call upon the services of well-trained and independent experts. Taking into account the relationship between the internal and the external environment, the C.S.C. wishes to entrust this task, in the first place, to the industrial safety and health committee, which itself should have the necessary expertise and time available for this purpose. Indeed, the accomplishment of this additional task should not be at the expense of the time that is dedicated to improving the working conditions!

3.1.2. The General Belgian Labour Federation (F.G.T.B.)

The F.G.T.B. believes that the combination of the internal work environment (the working conditions) with the external environment (environmental protection) via those bodies where the workers are represented would make possible a new and more efficient approach of environmental protection. It would be an integrated approach reconciling economic aspects (employment), social aspects (the working conditions) and the quality of life (the improvement of the environment at large).

The General Belgian Labour Federation (F.G.T.B.) wants to promote the development of humane and environmentally-friendly industries and to hinder the development of harmful industries. According to the F.G.T.B, the introduction of "soft" technologies should in the long run lead to the creation of greater numbers of jobs and qualitatively better work than short-term choices for employment during a limited period of time in a polluted industry.

The F.G.T.B. advocates a general and consistent environmental policy. The government and the labour unions must, each in their own domain, ensure that control and regulations do not lag behind reality, and are preventively implemented.

In these activities, the following principles must be acknowledged:

- preventive action constitutes the best answer to environmental problems; (in the area of energy consumption, for example, the best way to protect the environment is to encourage rational energy use, and thus lower consumption);
- 'the polluter pays', but this should not mean that the one who pays is also entitled to pollute! In dealing with problems of the environment, regulations and penalties are only the beginning, and nothing more. Every policy option must be directed towards eliminating the causes of pollution, and not simply limiting its effects. The companies must take on their responsibilities, and not (sometimes at very high cost) buy them off!
- The price of the products must reflect not only the production costs, but also the damage to the environment. Environmentally-unfriendly products and waste must become less attractive. On the other hand, social justice must be guaranteed, (for example by means of low-cost prices for minimum consumption of vital basic products such as water).

More concretely, such a general plan of action would mean that in addition to governmental support to encourage "soft" and "clean" forms of production (with less waste, less pesticides, etc.), there must also be coercive measures, such as:

- a system of selective taxation: imposing heavier taxes on gasoline containing lead, automobiles without catalyzers and non-recyclable motor oil; and/or reducing taxes on lead-free gasoline, the "clean car" and recyclable motor oil.

- systems of fixed payments paid beforehand for the dumping of waste products and the emission of pollutant substances into the atmosphere;
- regulations for establishing environmental norms and; stricter governmental monitoring of the adherence to these norms, combined with the power to impose financial sanctions on companies that fail to conform.

During its national congress held in november 1990, the F.G.T.B. stated very clearly that a trade union can play an important role with regard to the protection of the quality of work as well as the protection of the quality of life. The role of the trade union was seen as providing future generations with sufficient and meaningful jobs in a human and healthy world. The trade unions has to make a larger effort in order to promote to their members - with respect to the role of the ecological movement - the protection of the environment.

The F.G.T.B. proclaims that the protection of the environment starts within the companies. The responsibility and the decision making power is entirely in the hands of the employer. It is however necessary that the industrial safety and health committee can discuss the so called "waste report".

It is therefore necessary to enlarge the responsibilities of the industrial safety and health committee so that it can deal with environmental issues. This committee should be informed on a periodical basis of the existing situation in the field of environmental nuisances. Moreover, the employer and the workers' representatives should discuss the necessary measures to eliminate such nuisance. This periodic information and consultation could take the form of an "environmental audit".

In addition, the F.G.T.B. is of the opinion that a better coordination between the regional and national inspection services could stop the present fragmentation of legislation and inspections. At present, the regional governments are responsible for the environment whereas the national inspectorates are responsible for safety and health at the workplace. In the absence of reliable coordination, some "grey areas" are emerging; this evolution can of course have negative effects on the protection of the environment.

3.1.3. The General Belgian Group of Liberal Trade Unions (C.G.S.L.B.)

The General Belgian Group of Liberal Trade Unions has also shown a lot of interest in the environmental issues.

For this trade union, respecting the environment is more than an act of protection. They argue that the balance must be kept between the environment and man in general and between the worker and his environment more particularly.

The C.G.S.L.B. notes that "it should not be forgotten that the worker spends an important part of his life at the workplace in his company; this means that his work environment is an important part of the overall environment in which he lives.

"The environmental problems are very much related to the industry and more especially to the production processes. Companies manufacture products and implement processes which are sometimes directly or indirectly harmful to the environment and the workers. The C.G.S.L.B. feels that a coherent policy must be implemented in this field in order to phase out such products and produce ecologically sound substitutes. Attention must however be paid to the need to reconcile the economic and financial interests with those of the environment and of man."

The trade union notes that it is often stated that "a policy based on the respect for the environment is not possible without severe negative repercussions on the turnover and on employment." The C.G.S.L.B. states that "repercussions are probably unavoidable but will be limited to the short term; but the future is the medium and long term. Within such a prospect, a reliable policy will be very profitable and create another kind of jobs; the eco-industries seem to be very promising."

Like the other trade unions, the C.G.S.L.B. notes that with regard to the environment "a lot of measures must still be taken; in order to stimulate the realization of these ideas, a joint effort based on consultation with all social partners will be necessary.

3.2. Viewpoint of the employers' organizations

For sometime now Belgian employers have shown, very clearly their interest for the environmental issues: "The reduction of industrial pollution should not only be considered as a obligation, but also as an asset for the company management." As a matter of fact, during recent years, there has been a change in the attitude of the employers towards environmental problems; nowadays, many companies are engaging themselves in serious efforts to reduce environmental pollution.

The national and regional employers' organizations are working on a joint declaration with regard to the environment; to a certain extent, this declaration will be emphasized on the need for a coherent and transparent government policy. At this moment, the employers' organizations aren't certain if they want to discuss certain aspects of the policy with regard to environment with the trade unions; however, they don't believe that the Dutch model of a joint declaration with the trade unions will be possible in the short run.

At company level, employers do support, to a large extent, the implementation of the so-called "clean technologies". Unlike conventional techniques where one tries to eliminate the pollution, these clean technologies have a direct preventive and integrated influence on industrial processes. Such techniques are in most cases less expensive and moreover more efficient. The industrialist can make their implementation profitable by marketing some by-products, by saving raw material, water and energy.

At an important symposium held on the 18th of February 1988 by the Federation of Belgian Companies (F.E.B.) on the theme "Companies vis-à-vis the environmental challenge", Mr. Bodson, the previous President of the F.E.B. clarified this policy: "I think that we all agree today on the fact that a lasting economic growth and an efficient protection of the environment are not irreconcilable objectives. The argument 'I will have to close down the factory if you oblige me to stop the pollution it generates' is no longer true. The technological innovations stimulated by industrial research can indeed create new methods which make it possible to reduce, control or eliminate pollution. In a sound economy there must be possibilities to reserve some financial means in order to make those investments which are necessary to face the ecological challenges."

Mr. Bodson concluded his speech with the following sentence which has now become well-known: "To invest in the environment is to invest in the future."

For the employers' organization it is nevertheless obvious that the employers should not be the only party to deal with the protection of the environment. The president of the F.E.B. has appealed to the collaboration of all parties concerned: "...everyone, the employers, the workers, the government, the elected authorities, the public opinion should join their efforts in order to cope altogether with the most important challenge of this century."

Mr. Bodson further stated: "Everyone, at all levels, starting from the manager, must feel responsible for the environment. Every responsibility must be associated with a responsibility in the field of environment. In each firm, the manager is the first to be responsible for the environment. But the manager is not the only one who should be convinced; he must motivate the entire staff to collaborate in this important mission. This implies however a substantial effort for motivating and training the staff."

Despite the fact that within the employers' organizations pressure is being exerted to produce a declaration on the environment - which will plead for a clear and coherent governmental policy on this point - towards the outside world - and also in consultations with the trade unions - their performance has been very limited. Thus, the openings appear to be occurring rather at the sectorial level. [By way of illustration, we cite here the joint recommendation relating to the information of the employees regarding environmental affairs in the companies of the chemical industry.]

For example, Flemish companies in the metalworking, machine construction, electronic techniques, electronics and plastics processing sectors are prepared to make efforts towards environmental management. It is the smaller firms that seem to have problems with the comprehensive and complex environmental legislation. To counter this the employers' organization is going to distribute a handbook about the development of an environmental management system in smaller firms. By means of a tandem operation, the smaller firms will be able to benefit from the environmental knowledge possessed by the larger firms.

4. NEW TENDENCIES

In the foregoing we have already pointed out that in Belgium competence relating to the internal work environment, on the one hand, and competence relating to the external environment, on the other, are strongly split up between the national and the regional authorities. And in view of the fact that, strictly juridically speaking, the consultative bodies at the company level also have little or no authority with respect to the external environment, in Belgium there is in fact no one single body that is capable of establishing the link between the internal environment (working conditions) and the external environment (water, air and soil).

Due partially to the pressure being applied by the employees' organizations, the government desires as quickly as possible to re-establish the link between the internal and the external environment. Thus, during a joint press conference on May 17, 1990, the Minister of Employment and Labour, Luc Van den Brande, together with the State Secretary for the Environment, Miet Smet, announced a new policy that is focused on an integrated approach to the internal and external company environment.

At the regional level, also, a great deal of effort is being made to further develop the consultation process in the area of environmental problems. Great efforts are also being made to involve the consultative bodies at company level (especially the industrial safety and health committee) in a more direct way in their company's environmental policy. In Flanders, particularly, a number of concrete steps have already been taken in this direction.

In what follows, therefore, we will go more into detail on the various new tendencies with respect to industrial relations and environment; we distinguish between three different levels, namely: the company, the region and the sector.

4.1. At the company level

4.1.1. Towards an integrated system of environmental management

Environmental problems often find their origin within the company itself: unadapted production procedures, inefficient use of raw materials, outdated technologies, insufficient attention given to environmental effects in the purchase of production infrastructure, etc. are usually the direct cause of the excess stress put upon

the environment. Moreover, it is also often just the same elements that constitute a threat to the safety and health of the employees.

This all implies, therefore, that many environmental problems - and safety and health problems - can be solved efficiently only by means of a source-oriented approach. Additionally, there is the fact that in many cases environmental pollution is an isolated act - just think of the garage manager who dumps waste motor oil in the sewer system instead of having it picked up by an approved disposal service - so that violations of the environmental regulations in many cases are difficult if not impossible to track down.

This suggests that at company level there is an urgent need to develop an effective environmental policy that focuses in the first place on prevention rather than on restoration. Thus, the companies must be stimulated to develop a sound system of environmental management. Such a system must have the aim of raising the environmental awareness within the companies to such an extent that by means of their own self-regulating actions they will better manage - and limit - the burden they put on the environment.

Moreover, the dangers for the environment are often of the same nature or they have the same source or causes as the dangers for employee safety and health. This means that significant sources of environmental problems in many cases also figure significantly in the struggle for better working conditions. Moreover, the same types of technical or organizational measures are often necessary in the area of prevention.

This all means that dealing at the same time with environmental care and the safety and health policy within a firm can increase the effectiveness of both and also lower the costs. In many cases, therefore, the development of an effective environmental care system will produce interesting opportunities for integrating the problems relating to the working conditions and the environment into a consistent and preventive policy.

The precondition for this, however, is that by means of the existing consultative structures the employees be involved in the establishment and operation of such an environmental management system that, furthermore, must be supported in a professional manner. This support can be provided by the industrial safety and health committee and, if need be, can be supplemented by the services of an environmental expert.

According to the Minister of Employment and Labour, such an integrated environmental management system implies the creation of suitable company structures; these structures will ensure that the necessary attention is given to environmental issues within the company.

4.1.2. The consultative bodies at company level

In Belgium the social partners have always aimed at integrating in the social consultation at the level of the firm those elements which are important for the firm's policy (for instance the financial and economic information, the introduction of new technologies, working conditions, regulations on the working time, ...). Given the fact that environmental policy becomes an essential element of the overall policy of the firm, the Belgian public authorities want to seize the opportunity and broaden the powers of the industrial safety and health committees in this area.

However, at the moment, the general regulation on the protection of work already provides the industrial safety and health committee with some responsibility/authority which can be useful either directly or indirectly within the framework of the environmental issue:

- right of consulting all documents in the field of safety and health;
- advisory powers with regard to the acquisition of new machines and equipment;
- knowledge of the chemicals and production processes used in the firm;
- possibility to keep in touch with the industrial safety and health officer and the industrial hygienist;
- right to consult external experts.

The Minister of Employment and Labour, Luc Van den Brande, recently presented a draft royal decree to the Supreme Council for Safety and Health that provides for the expansion of the responsibilities of the industrial safety and health committees to include a number of aspects of environmental matters. With this action, the Minister took a first concrete step in the direction of integrating the internal and the external environment within businesses.

This draft royal decree provides in particular for an expansion of the obligations of the employer to provide information to the industrial safety and health

committee, since the employer will have to present to the industrial safety and health committee all documents, recommendations and reports relating to the internal or external environment. This information regarding the external environment will relate to the amount of waste, the emissions data relating to air and water pollution, the environmental policy being implemented and possible plans for redevelopment.

According to the current draft royal decree, this obligation to provide information to the industrial safety and health committee will relate to all the information, reports, recommendations and documents that the company in question, in accordance with the environmental regulations, must either furnish to the government or keep available for inspection. In addition, this obligation also holds for information which a third company is required to make public when applying for an operating license, if the employer is able to obtain rights of access to this information; (this relates, among other things, to the application for an environmental permit submitted by a neighboring firm if this firm is located within a radius of 100 meters around the company grounds).

Finally, this draft royal decree also stipulates that the employer must provide all the required information relating to external environmental affairs that may be requested by a member of the industrial safety and health committee. The employer is required to inform the I.S.H. committee whenever particular changes in the production procedures, the working techniques or the installations could increase the existing risks for the external environment or could create new risks. Each year the employer must provide the industrial safety and health committee with an extensive explanation of the environmental policy implemented by the company, (i.e. the so-called environmental balance).

In order to avoid all misunderstandings, we wish to point out that, within the framework of the Law of June 10, 1952, the industrial safety and health committee has a broad advisory competence with respect to employee safety and health. The environmental laws and the environmental policies being carried on by the firm, however, can have a direct or indirect influence on the prevention policy relating to employee safety and health being carried on by the firm. On the basis of the current legislation, the industrial safety and health committee is already able to deliver advice with respect to this influence; on this point, therefore, nothing is changed in the proposed draft.

Nonetheless, the industrial safety and health committee can deliver advice with respect to this influence only if it has the necessary and sufficient information at its disposal. Therefore, the draft presented has the aim of expanding the right to information that the Safety and Health committee has and of clarifying the employer's obligations in connection with this information. The presence of information regarding the environmental regulations, the reports, the recommendations and the documents which the firm must have at its disposal and of the information regarding the policy being carried on is a necessary precondition for the industrial safety and health committee to be able to deliver a recommendation regarding the impact of it on employee safety and health. Because of this, too, the right to information is very broadly outlined in this draft royal decree, and this despite the fact that the advisory competences are more limited.

This draft royal decree is currently being discussed by the social partners in the Supreme Council of the Industrial Safety and Health Committee. And despite the fact that the employers are not really prepared to discuss this draft royal decree, it is nonetheless expected that before the end of 1991 the Supreme Council will deliver a (probably divided) recommendation to the Minister of Employment and Labour.

4.1.3. Appointment of an environmental coordinator at the level of the firm

As stated earlier, the concern for the external environment cannot be dissociated from the concern for the internal environment. Hence, it is better that one service or one person balances the different aspects. This coordination can only be successful if the person or service :

- belongs to an appropriate level in the hierarchy;
- is sufficiently involved in the preparation of the list of specifications for new machines and equipment;
- can give objective information.

The Belgian legislation imposes these criteria on the industrial safety and health officer. The public authorities make it possible for the firms to either appoint an environmental coordinator meeting these criteria or entrust this officer with the tasks of the environmental coordinator.

Moreover, the general regulation on the protection of work already provides the industrial safety and health

officer with a series of possibilities which can be directly or indirectly useful when dealing with environmental issues:

- advisory powers with regard to the determination of the safety and health properties of all new machines and equipment;
- knowledge of all chemicals used in the firm, of the noise level within the firm, etc...;
- right to receive extra-training and collect information.

The final responsibility for the environmental policy fully rests with the employer; hence, the environmental coordinator can only have an advisory role just like is the case for the industrial safety and health officer and the industrial hygienist.

4.1.4. An environmental audit

The present legislation obliges the employer to work out an annual report on the safety and health situation within the firm. This report has to be discussed at a special meeting of the industrial safety and health committee; a copy must also be sent to the public authorities.

The responsible minister proposes to complete this report with an annual environmental audit listing the kinds of wastes, the categories, the quantities and the disposal dealt with during the year. This environmental audit should also be submitted to the industrial safety and health committee before being sent to the public authorities concerned.

4.1.5. An annual action plan with regard to environmental hygiene

The present legislation obliges the employer to work out an annual action plan aimed at improving the safety and health of the workers; this plan must be submitted to the industrial safety and health committee.

Besides this plan, the Belgian public authorities are now proposing that firms should also work out an annual plan with regard to the improvement of the environmental hygiene: this environmental plan should list all the actions the employer wants to carry out in order to improve the environmental situation.

4.2. At sectoral and regional level

The Belgian public authorities are considering the following initiatives at sectoral and regional level:

- the development of regional consultation structures between the employers' and the workers' representatives from a specific region, from a specific industrial park, etc.;
- the creation of joint information and advice centers in each sector or region in order to provide the social partners with the necessary know-how.;
- the conclusion of so-called "green collective agreements" in order to determine the commitments of the different parties concerned in a contractual way..

Thus the social partners in the chemical industry have developed a joint recommendation regarding the information possessed by the employees related to environmental affairs. This recommendation is an expression of the fact that the parties involved "are convinced that a permanent process of making people conscious of the environmental issues with which the firm is confronted is an urgent necessity."

This general basic principle is further spelled out in the recommendation as follows:

"The right path for this permanent process of consciousness training is to make information available to the employees and to give them training relating to the environment. The company leadership regards it as a duty to provide this information and this training at all levels of the hierarchy.

More in particular, they are of the opinion that the existing consultative bodies, i.e. the Works Council and the Industrial Safety and Health Committee, must deal with the environmental problems related to the company.

Environmental issues that could have an influence on employee safety and health and on the environment within the company, as well as on the safety of the surroundings and the environment outside the firm, are discussed in the Industrial Safety and Health Committee. In the absence of an industrial safety and health committee, this responsibility shall be taken over by the union representatives.

Environmental issues that can have an effect on employment, investment and in general on the future of the company, are dealt with in the Works Council. In the absence of the Works Council, the Industrial Safety and Health Committee - or, in its absence, the union representatives - shall take over the task.

All these topics shall be discussed, whether at the initiative of the employer and as a result of questions from the employees.

The information shall be provided in an appropriate, open manner, and with the necessary explanations. The documentation required to be able to deal with the environmental issues includes:

- the laws, decrees and agreements relating to safety, hygiene and the internal and external environment that is applicable to the company;
- the acts and documents imposed by these same laws, decrees and agreements;
- any other document produced within the company to ensure safety, hygiene, and the internal and external environmental management;
- the inventory of the machines and equipment that in accordance with the regulatory conditions must be monitored by the accredited bodies;
- the list and the location of the dangerous substances and preparations used within the company;
- the list and the data regarding the points of emission (relating to air and water pollution) present within the company.

The following environmental topics shall be dealt with in the consultative body:

- Information about all data, reports, recommendations and documents relating to the internal or external environment, whether or not required by the labour regulations or environmental regulations.
- Environmental regulations that are applicable to the firm.
- The operating licenses of the firm itself and those of third-party firms, including the environmental impact statements.
- The administrative process relating to the permit dossiers.

- The environmental policy being carried on, with an overview of environmental investments, costs and taxes (annually).
- Modifications in the manufacturing procedures, the working techniques or the installations that have an effect on the internal or external environment.
- Internal and external complaints and disruptions.
- Simplified summary of annual survey relating to waste, waste water, noise and light emissions.

Finally, the ultimate competence and responsibility of the company leadership for the environmental policy is hereby expressly confirmed."

4.3. At the level of the regional public authorities

The regional governments are fully entitled to deliver operating licences to the firm. In the past elements with regard to the internal environment of the firm were only sporadically taken into consideration.

In order to achieve a better integration at this level between the internal and external environment, one proposes to deliver the operating licence for some industrial businesses on the basis of a report on the internal environment. Operating conditions could also be imposed with regard to the concern for the internal environment.

In the future, the delivery of the operating licence will depend on the advice from the industrial safety and health committee.

In Flanders this starting point has already been made concrete by means of the "Vlaams Reglement betreffende de Milieuvergunning" or "VLAREM" ("Flemish Regulations Regarding Environmental Permits"). This is an integrated permits system that replaces the operating license, the discharge permit, the waste permit and the poisonous waste removal permit.

At the same time, these new regulations provide for a linkage between the construction and the environmental permit: each of these permits remains suspended as long as the other has not been granted; moreover, when the one is definitively denied, the other also becomes invalid.

This new environmental permits system, however, also provides for a significant involvement of the industrial safety and health committees in the permit application:

- certain companies classified as being harmful must provide a copy of the permit dossier to the industrial safety and health committee;
- moreover, for firms whose operations involve considerable risks, the competent mayor must inform the industrial safety and health committees of every firm located within a radius of 100 meters around the establishment of the application;
- the industrial safety and health committee shall be informed of the decision as to whether the environmental permit is granted or not, as well as of any appeals against this decision.
- The "Flemish Regulations Regarding Environmental

Permits" stipulate, moreover, that every natural person who may be harmed as a result of the establishment and operation of a firm can submit an appeal against the decision regarding a permit application. By means of this stipulation, any member of the industrial safety and health committee (and even any individual employee) can submit an appeal against this decision.

At the present time a similar regulation is also being worked on in the Walloon Provinces. At the same time efforts are being carried on to involve the industrial safety and health committees more closely in the drawing up the environmental impact statements. An environmental impact statement gives a picture of the planned activities, of the reasonable alternatives and of the consequences for the environment. In fact, the environmental impact statement regulations add a preliminary phase to the existing procedures for the granting of environmental and construction permits. An important point here is that the environmental impact statement is open to public examination; this implies that also the employees can express their objections via this public procedure rather than directly via the existing consultative bodies. Finally it is the government that evaluates the statement presented and that then, on the basis of its evaluation, either grants or denies the requested permit.

5. CONCLUSION

For the moment, the social consultation with regard to environmental problems is still in its starting phase. A lot of work has to be done in the field of legislation, education, sensibilisation, etc. Trade unions, employers' organizations and the government play an important role with regard to these aspects of environment. In Belgium the situation has been more complicated through the State Reform, regionalizing the legislative power with regard to the "external" environment, while the "internal" environment remains in the hands of the national government.

In reality one has to try to close the artificial gap between the external and the internal environment. Both types of environment merge into one another and influence one another. Both the problems at the workplace and those that threaten the natural environment must be dealt with. As a matter of fact, many of the risks occurring in the external environment are present, maybe to an even greater extent, in the working environment, where they in most cases also originate.

However, solving problems in the working environment must not mean that they are simply transferred to the external environment. This means that an effective environmental policy has to be developed in every country all over the world. This policy should be based on prevention at the source; this is necessary for creating a durable improvement of the internal as well as the external environment.

The actual tendency on company level is to develop an integrated system of environmental management, focussing in the first place on prevention, rather than on restoration. In many cases, employees are being involved in the establishment and the operation of such an environmental management process by means of the existing consultative structures (in most cases the safety and health committee).

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