

*European*

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## 60 European Information and Consultation Agreements Already Concluded

Just nine months after the Directive on information and consultation in European transnational companies was adopted some sixty agreements are already in place and a number of others are in the process of being negotiated. Social Affairs Commissioner Pdraig Flynn called the Directive "a European Success Story" in a recent speech to the Association of former students of the College of Europe. Extracts from his speech can be found on pages 2 and 3. A full list of the companies where agreements have been concluded can be found on page 4. At the time the European Works Council Directive was adopted, 30 voluntary agreements concerning information and consultation were already in operation. Between September 1994 and June 1994 a further 30 agreements have been concluded. These are so-called "Article 13 Agreements". Article 13 of the Directive provides that existing agreements on transnational information and consultation will be exempt from the obligations arising from this proposed directive. When these expire, the parties to these agreements may decide jointly to renew them. Where this is not the case, the provisions of the directive shall apply.

Many other companies and groups and their workers are preparing or envisaging the creation of European Works Councils or other information and consultation procedures before the 22 September 1996. Despite the UK "opt out" from this directive, it is important to note that none of the companies that have reached agreement have cut their British workers out of that agreement. It is estimated that the directive will give over 50,000 workers' representatives in over 1,500 multinational companies the opportunity to play a part in the operation of those companies. It will apply to 17 countries (EU minus the UK but including the EEA).

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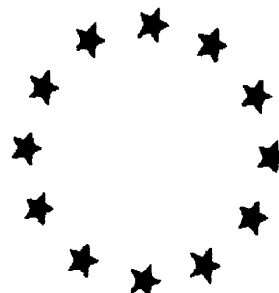
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## The European Works Council Directive:

# "A European Success Story"

*Extracts from a Speech by Social Affairs Commissioner Pdraig Flynn to the Association of Former Students of the College of Europe, Brussels, 13th July 1995.*

(The European Works Council Directive) ... "will potentially give the opportunity to over 50,000 workers' representatives in over 1,500 multinational companies to play a full part in the operation of those companies. It will apply in 17 countries, those of the EU and of the EEA. Any British, Japanese or American multinational operating in at least two of those countries is potentially involved.

Why is it so important? Because the issues raised by the debate on information and consultation go to the heart of European social policy and the future of the European Union: in other words, how we will preserve and defend what I call the European social model while still helping European industry to become more competitive? The proposal was almost permanently on the agenda of the Council of Ministers in one form or another for 24 years. We have been pressing for such a measure since 1970 and the beginning of the debate on the European Company Statute. There were other attempts over the years to achieve progress but it was not until we reached the proposal of 1990 that we found what would ultimately to be a basis for agreement, albeit amongst 11 (or 14) rather than all Member States.

The adoption of the Directive on 22 September 1994, just nine months ago, was an historic breakthrough. We had never before had an instrument that was legally binding on the multinationals. Now, for the first time, multinational companies are subject to an effective transnational legal framework covering the social policy aspects of their management decisions. These decisions have considerable and direct impact on their employees in different countries and the employees were, I believe, utterly justified in seeking a say in those decisions. Until that point, they had not been able to have that say, largely because existing legal provisions on consultation stopped at the national frontier.

The Commission has always had a clear position on this. We unequivocally support the establishment throughout the Union of good practices of information and consultation of workers, including those in multinational companies. We support this for compelling reasons: such practices are the least that is required by the creation of the single market

and the increasing internationalisation of companies and economies. They are a major pre-condition of economic and social progress in Europe and are vital to the development of European industry.

The Commission has been very aware of the fears and misgivings of employers. We know that they were worried about the effect on business of the Directive's provisions. They saw them as potentially weakening the competitiveness of the most powerful commercial players on the European competitive scene. I understand this view, but I also know that it was and is wrong. It was based on a misrepresentation of the objectives, provisions and procedures of the Directive. It showed a failure to understand the essential relationship between productivity and competitiveness.

Let me put before you two simple facts. The first is that there is no evidence whatsoever that good practices of informing and consulting workers lead to a loss of competitiveness. Quite the contrary. Most European economies have found that their most successful companies rely on such practices as a means of adapting to a fast-changing business environment. Some companies, as we can see with Germany and its co-determination system, even take them a step further. But one thing is clear: any costs of information and consultation procedures are more than balanced by a greater sense of involvement on the part of the workforce. And that sense of involvement means increased productivity.

The second fact is this. Arrangements for informing and consulting workers of many European multinational companies were already voluntarily put in place, in the absence of any legal requirement to do so, before September 1994. We must ask ourselves one question. Why were these firms so proactive? Why were they ready to anticipate the Directive? More than this, in the last nine months, we've seen a large increase in the number of companies actively negotiating information and consultation procedures with their employees' representatives, and still on a voluntary basis. We know that the UK "opted out" of this Directive. But please note two things. None of the companies that have reached agreement have cut their British workers out of that agreement. Secondly, an increasing number of UK companies are establishing their own voluntary agreements on information and consultation, regardless of that opt-out. This is something that they want for their companies.

## BACKGROUND BRIEFING : EUROPEAN WORKS COUNCILS

More than this, US companies are getting involved. I am also confident that most Japanese companies - with their very particular human resources management practices - will take a positive approach to the Directive's objectives. There are persuasive arguments in favour of the Directive. And people are increasingly persuaded. As I have suggested, many companies who once fiercely opposed the Commission's proposal are now beginning to accept that good information and consultation practices vis-a-vis employees can be a further asset to a successful business, however large.

Let me clarify the main thrust of the Directive. The Directive is based on four main ideas, which inform all its provisions: subsidiarity; flexibility; consensus; and effectiveness.

- It gives Member States the freedom to adapt their core rules to national arrangements - that is subsidiarity.
- It gives companies the freedom to find the solution which suits their situation best - that is flexibility.
- It gives the social partners the power to agree what they want to agree - that is consensus.
- It gives workers the guarantee that the rights they obtain can be exercised - that is effectiveness.

There is one other principle that I would like to stress especially. For the very first time in the history of European social legislation, the social partners obtained a quasi-legislative power that enabled to reach legally binding agreements. This is the ability to reach so-called "pre-directive agreements" on the basis of the now famous Article 13 of the Directive. What Article 13 says is that, if a company obtains an agreement which covers the whole workforce before September 22 1996, that agreement will stand and no other obligations will apply. I repeat that, no other obligations. It is very significant that the main employers' organisations - notably UNICE - have moved from their critical stance to one of constructive acceptance.

Let's look for a moment into the future. I predict with some degree of confidence that the implementation of this Directive will see an end to all this controversy and argument. In a few years we will all be saying that it's been responsible for creating good industrial relations in Europe and for enhancing worker involvement in business. And we'll be saying that it's good for productivity. I once said that, once adopted, the Directive would not need to be applied because it would provoke a wave of

voluntary arrangements. I believe I have been fully vindicated in that view. All that I have said points to one thing in particular. The Commission was justified in sticking to its proposal for binding action. We argued that without legislation or a binding collective agreement, there simply would not be the widespread establishment of these European information and consultation mechanisms. The first 30 of these agreements, which predated the legislation of September 1994, took 10 years to see the light. In the nine months which followed the adoption of the Directive, an almost equal number of agreements have been reached. That means that we now have over 60 agreements in place. And many dozens, perhaps hundreds of other agreements, can be expected before September 1996. This is worth a short round of applause for the Commission. It shows how a clear and appropriate set of basic rules can play a fundamental role in encouraging people to act, while at the same time giving them the chance to put together the solution that suits them best. And at a time when they are still relatively free to do so.

The Commission has always wanted these things to be dealt with by the social partners themselves. Had the Social Partners at European level been able to sit down and negotiate an arrangement, we would have been happy to abide by it. Their failure to do so led us inevitably to legislation. However, it is legislation which gives pride of place to voluntary agreements. For now, we will continue to support Member States and social partners in acting on this Directive. Our main act has been to set up an expert working group to advise on how to resolve problems that could arise in transposing the Directive into national law.....

So as I have said, the Directive is developing in the promising climate of a voluntary approach. We in the Commission are continuing our effort to ensure that it thrives in this climate. We are publishing reports on agreements concluded. We are taking every opportunity of spreading an understanding of the Directive. This meeting is one such opportunity. Wherever possible, Commission officials attend. We are still providing financial support for meetings between the social partners to help them to reach agreements. We'll be doing some careful monitoring to check that the provisions adopted last September are adequate and suitable. I am very optimistic that we are more than rising to the challenge. This is an excellent example of European social policy working.

In short, a European success story"

## BACKGROUND BRIEFING : EUROPEAN WORKS COUNCILS

### List of Transnational Companies In Which Information And Consultation Agreements Have Been Concluded

ACCOR (F)	ELECTROLUX (SU)	NESTLE (CH)
AGF (F)	ELF AQUITAINE (F)	NOKIA C&M (FI)
AGREVO (DE)	ENI (IT)	NORSK HYDRO (NO)
AIRBUS (F/DE/ES/UK)	ERICSSON (SU)	PECHINEY (F)
BASF (DE)	ERIDANIA BEGHIN-SAY (F)	PETROFINA (BE)
BAYER (DE)	EUROCOPTER (DE/F)	PREUSSAG (DE)
BEIERSDORF (DE)	EUROPIPE (DE)	RENAULT (F)
BERTELSMANN (DE)	GENERALE DES EAUX (F)	RHONE POULENC (F)
BOREALIS (NO/FI)	GRUNDIG (DE)	SAINT GOBAIN (F)
BOUYGUES (F)	HENKEL (DE)	SANDVIK (DE)
BRAUN (F)	HOECHST (DE)	SCANSPED (SU)
BSN-FOOD (F)	HONDA EUROPE (JP)	SCHERING (DE)
BSN-GLASS (F)	KAEFER (DE)	SCHNEIDER (F)
BP OIL (UK)	KONE (FI)	SKF (SU)
BULL (F)	ITALCIMENTI (IT)	THOMSON CE (F)
COATS VIYELLA (UK)	LAFARGE COPPE (F)	THOMSON-CSF (F)
CONTINENTAL AG (DE)	UNITED BISCUITS (UK)	CONTINENTAL CAN(DE)
MAYR-MELNHOLF (AU)	USINOR SACILOR (F)	CPC (USA)
MERLONI (IT)	VOLKSWAGEN (DE)	CREDIT LYONNAIS (F)
MYLYKOSKI OY (FI)	VOLVO (SU)	LYONNAISE DES EAUX (F)

## FOCUS : WORKING TIME IN THE EUROPEAN UNION

### Working Time In The European Union

The statistical service of the European Community - Eurostat - has published detailed statistics of estimated working time in Member States of the European Union. The following tables are taken from: Eurostat: Statistics In Focus - Population and social Conditions 1995. No 4

Country	1983	1988	1993
Belgium	1,739.0 (101.3)	1,714.6 (100.3)	1,711.2 (100.2)
Denmark	1,833.6 (107.6)	1,796.4 (104.9)	1,746.8 (102.3)
Germany	1,808.2 (104.6)	1,782.4 (104.2)	1,738.7 (100.1)
Greece	1,852.9 (107.6)	1,829.7 (106.6)	1,835.4 (107.5)
Spain	-	1,825.2 (106.5)	1,807.1 (105.8)
France	1,785.3 (104.1)	1,816.0 (106.1)	1,790.0 (104.8)
Ireland	1,870.9 (109.1)	1,883.5 (110.4)	1,859.1 (108.8)
Italy	1,741.1 (101.6)	1,720.0 (100.3)	1,709.7 (100.1)
Luxembourg	1,778.6 (104.0)	1,774.3 (103.8)	1,769.0 (103.6)
Netherlands	1,863.3 (110.1)	1,784.8 (105.6)	1,788.4 (104.7)
Portugal	-	1,902.0 (111.0)	1,857.7 (108.8)
United Kingdom	1,903.8 (111.9)	1,969.9 (115.2)	1,952.7 (114.3)
Eur 12	-	1,816.6 (106.2)	1,797.1 (105.1)

**FOCUS : WORKING TIME IN THE EUROPEAN UNION**

**Table 2: Breakdown By Sex of Actual Working Time (1993)**

Country	Males F/T	Females F/T	Males P/T	Females P/T
Belgium	1,738.6	1,662.6	963.4	939.4
Denmark	1,791.3	1,704.8	560.3	935.7
Germany	1,723.2	1,690.9	752.0	845.8
Greece	1,877.3	1,765.6	1,213.0	1,014.8
Spain	1,829.4	1,765.8	887.8	800.3
France	1,826.1	1,742.9	1,018.8	998.0
Ireland	1,930.5	1,754.9	964.5	832.2
Italy	1,767.7	1,608.7	1,343.8	1,025.4
Luxembourg	1,806.5	1,696.0	1,336.8	893.6
Netherlands	1,799.8	1,759.6	824.9	815.9
Portugal	1,925.7	1,774.2	1,190.3	970.7
United Kingdom	2,038.0	1,803.1	715.7	800.4
Eur 12	1,837.8	1,727.4	980.9	906.0

**Table 3: Breakdown By sector Of Actual Annual working time Of Full-Time Employees (Male and Female) 1993**

Country	Agriculture	Industry	Services
Belgium	1,860.9	1,743.9	1,691.2
Denmark	1,923.2	1,724.0	1,751.1
Germany	1,873.6	1,708.3	1,764.1
Greece	2,102.2	1,870.5	1,812.1
Spain	2,005.0	1,805.8	1,793.0
France	1,830.3	1,807.5	1,755.3
Ireland	2,312.8	1,889.9	1,823.5
Italy	1,798.9	1,794.0	1,648.8
Luxembourg	-	1,795.3	1,754.2
Netherlands	1,840.7	1,770.0	1,792.3
Portugal	2,126.0	1,937.4	1,793.8
United Kingdom	2,211.1	1,970.5	1,938.4
Eur 12	-	1,818.7	1,776.5

**Table 4: Public and Annual Holidays In Days - 1983 and 1992**

Country	1983		1992	
	Public	Annual	Public	Annual
Belgium	10.0	25.0	10.0	25.0
Denmark	7.0	25.0	8.0	25.0
Germany	9.0	29.6	8.9	30.8
Greece	9.0	25.0	9.0	25.0
Spain	14.0	23.6	14.0	23.4
France	10.0	25.0	10.0	25.0
Ireland	8.0	20.0	8.0	20.0
Italy	15.0	22.6	15.0	22.7
Luxembourg	10.0	28.0	10.0	28.0
Netherlands	6.0	22.5	6.0	22.5
Portugal	11.0	23.8	11.0	23.8
United Kingdom	8.0	25.0	8.0	25.0

The 4th Health and Safety at Work Action Programme

# Information Provision and Legislative Consolidation At Centre Of New Health and Safety Action Programme

## BACKGROUND

The European Commission has published details of its Fourth Action Programme in the Field Of Safety, Hygiene and Health at Work. Since 1978, the European Commission has implemented three action programmes on safety and health at work. The third of these - the most recent - was closely related to the legislative programme that saw the creation of a Single European Market, and helped establish a general framework for ensuring minimum standards of health and safety at work throughout the European Community. The Third Action programme gave rise to the legislative base that underpins current European health and safety policy : the 1989 Framework Directive and the various individual Directives which have been adopted to date.

In addition to the legislative approach, the provision of information has also been a central feature of previous health and safety action programmes. The most important recent initiative in the sphere of information was the 1992 European Year of Safety, Hygiene and Health Protection at Work. Other recent initiatives include the launch of a mutual information system dealing with developments in the field of health and safety within the Member States and based on the JANUS publication.

The need for continuing action at European level is obvious, both to build on the successful foundations which have already been put in place and to maintain the fight against occupational hazards and diseases. More than 8,000 European workers lose their lives each year as a result of industrial accidents. In total, it has been estimated that there are over 10 million industrial accidents or occupational diseases in Europe each year. Recent research suggests that one worker in seven claims to have had a recognised industrial accident or occupational disease. As the Commission points out, quite apart from the unacceptable human and social costs, there is a resulting huge burden on the economy. In 1992 the direct costs paid out in compensation for industrial accidents and occupational diseases were nearly ECU 27,000 million, representing 4.6% of employer

social security contributions. The figure would be much higher if indirect costs such as production losses and staff replacement costs were taken into account.

## THE BASIC PRINCIPLES OF THE 4TH ACTION PROGRAMME

### (1) Responding to Change:

The European Union is undergoing a period of profound industrial and technological change.

- The EU economy is becoming increasingly knowledge based;
- Manufacturing activities are increasingly being contracted out;
- More high added value goods are being produced;
- Services are accounting for an ever greater share of total output;
- The revolution in information technology is leading to the prospect of a new information society where the possession and transmission of information is assuming ever greater importance.

The Commission argues that this means that the European Union must also adapt its programme of action on health and safety to these changed circumstances. The new programme therefore needs to be both innovative and forward looking.

### (2) Combating Accidents and Disease:

The objectives of European health and safety policy over the last thirty years has been to reduce to a minimum both work accidents and occupational diseases. Nevertheless, the number of work accidents and the incidence of occupational diseases are still far too high. In addition to the human and social consequences of accidents and disease, the economic burden acts as an impediment to increased growth in output and employment.

### (3) Increasing The Emphasis on Information:

In the past - and in particular under the Third Action Programme - the main focus of EU action on health and safety at work has been legislative. This has led to the provision of a set of minimum standards in health and safety to facilitate the creation of the

Single European Market. The focus of the new programme will, however, be broadened to provide a much greater emphasis on information. The Commission believe that such a move is necessary in order to ensure that the substantial body of EU health and safety legislation in place is correctly and effectively communicated and to ensure that the particular needs of small and medium sized enterprises are accommodated. This is the rationale, in particular, behind the proposed launch of the new SAFE (Safety Actions For Europe) Programme.

**(4) Integrating Health and Safety Protection:**

Whilst the over-riding priority of the actions the EU will undertake remains the protection of workers, in itself, this is not incompatible with the need to support the competitiveness of enterprises. The Commission believes that measures aimed at reducing the costs (to employers, workers and Member States) of ill-health and accidents can play their part in the development of an efficient, competitive, quality-based economy. One aim of the new programme will be to encourage the integration of efficient health and safety practices in best management practice.

**(5) Transposition and Enforcement:**

Legislation will remain a strong focus of EU activity. In particular, the Commission identifies the need for accurate transposition of EU legislation into national legislation and the effective enforcement of legislation as priorities. The new programme includes the proposal for the establishment of a "Group of Senior Labour Inspectors" to help co-ordinate the enforcement of legislative standards. The enactment of four outstanding legislative initiatives - "physical agents", "chemical agents", "transport" and "work equipment" - is also a central objective of the new work programme. The Commission states that new legislation will "be considered where appropriate". The rapid pace of technological change can bring about new risks, or the re-emergence of old ones, and new legislation may be necessary to deal with such developments. Equally, new legislation may also be necessary to review and update existing legislation in line with changed circumstances and technical developments.

**(6) The Social Dialogue:**

The Commission reiterate that the social dialogue will remain central to the development of health and safety policy. The Commission stress that successful action on health and safety can only be achieved with the joint support of the social partners.

**THE ACTION PROGRAMME**

**PART I : NON LEGISLATIVE MEASURES TO IMPROVE SAFETY AND HEALTH AT WORK.**

**ACTION 1 : Guidance Notes And Core Information Material On Legislation**

**(i) Non-Binding Guides To Legislation**

During the European Year On Safety and Health at Work a number of explanatory pamphlets on EU Health and Safety Directives were published. The texts are not legally binding, but provide a clear and simple explanation of obligations under the legislation concerned. The Commission intends to pursue this initiative by updating existing publications and developing new, non-binding, explanatory guides. Such guides will be of particular value to small and medium sized enterprises.

**ACTION 2 : Information, Education and Training On Non-Legislative Matters**

**(i) Development Of Health And Safety Awareness**

The Commission will assist Member States to encourage a greater awareness of health and safety, especially in relation to improved risk assessment in the workplace. Initiatives will include training and guidance documents for people involved in health and safety and the development of a network of training centres.

**(ii) Information On Commission Policies**

The Commission will seek ways to improve the gathering and dissemination of reliable, authoritative and comparable data relevant to the effectiveness of Community action in the field of health and safety. To this end, the Commission will examine how best to encourage co-operation between Member States and the social partners. In particular, the Commission will:

- facilitate the publication of data on risks and precautions to be taken connected with physical, biological and chemical agents;
- encourage the harmonisation of statistics on workplace accidents and diseases;
- examine the effectiveness of information required under the 1989 Framework Directive and its subordinate texts;
- encourage improvements in exchanges of information between Member States on national and Community initiatives.

**(iii) Awareness and Events**

The Commission will, in consultation with the Member States, propose that a European Week of

Safety and Health at Work be organised. The Commission will also promote the development of information products by organising a regular festival of audio-visual products on health and safety at work.

**ACTION 3 : The Emergence Of New Health And Safety Risks:**

**(i) The Information Society and Health and Safety at Work**

The Commission believes that it is crucial that important questions regarding the impact of the Information Society on working and living conditions are actively addressed, in order to minimise the potential negative effects. The Commission has already established a Group of Experts on the Social and Societal Aspects of the Information Society which has been asked to investigate, amongst other things, the health and safety implications of the information society.

**(ii) Specific Investigations**

The Commission intends to intensify or initiate investigations in particular in the following matters:

- the incidence and control of violence in the workplace;
- the influence of excessive stress and personal behaviour on the incidence of work accidents, occupational diseases and work-related diseases;
- advantages and disadvantages from the use of particular techniques for the monitoring of the state of health of the workforce;
- the implications for health and safety of new technologies, production techniques and the introduction of modern telecommunications and the resulting increase in homeworking;
- the potential exposure of workers, especially in health care premises, to potential health and safety hazards;
- the need for specific measures for women and young persons;
- incentive systems favouring prevention activities as regards their efficiency and their suitability for general application.

**ACTION 4 : The SAFE Programme (Safety Actions For Europe)**

The Commission believe that Small and Medium Sized Enterprises (SMEs) have particular needs in relation to health and safety. The new SAFE programme will support projects of a practical nature intended to address these needs in a constructive and efficient manner. In particular it will aim to demonstrate that good safety practices and efficient

management are intrinsically linked. The SAFE programme will attempt to support projects which help enterprises to introduce management techniques which will not only increase productivity but also help to reduce the number of work accidents and the level of absenteeism. The programme will also support the development of reference workplaces, which have developed practical solutions to workplace risks and which will serve as models for others. The overall role of the SAFE programme is to provide the conditions needed to carry out measures which will stimulate enterprises to improve safety, hygiene and health at work as well as environmental risks and demonstrate that it can provide support to them rather than being a burden. The programme will also consider projects prepared by European organisations which provide guidance for decisions concerning measures to be put into practice throughout entire sectors of activity, especially in more than one Member State.

**PART II : EXISTING AND NEW LEGISLATIVE MEASURES**

**ACTION 5 : Correct Implementation By Member States Of The Community Legislation Already Adopted:**

In order to turn Community legislation on health and safety into reality for individual citizens, it is not only essential that it is transposed into national legislation accurately and on time, but also it must be enforced effectively and impartially in all Member States. In relation to transposition, the Commission, when necessary, will initiate infringement proceedings in those cases where Member States have failed to communicate the relevant national law or when that law does not conform with Community provisions. In relation to enforcement, this falls mainly within the competence of Member States.

While respecting the principle of subsidiarity, the Commission intends to take measures to ensure the correct and effective application of Community Directives. It proposes that the "Group of Senior Labour Inspectors" be placed on a formal footing in order to encourage the effective and equivalent enforcement of Community health and safety legislation and the rigorous analysis of the practical questions of enforcement of legislation in this field. The Commission will also stimulate the definition of common principles of labour inspection in the field of health and safety at work.



## FOCUS : THE 4th HEALTH AND SAFETY ACTION PROGRAMME

### **ACTION 6 : Progressing Existing Commission Proposals:**

The Commission will continue to press for the adoption by Council of the legislative work in progress, namely:

- The draft directive on physical agents at work (OJ C77 18th March 1993)
- The draft directive on chemical agents at work (OJ C165 16th June 1993)
- The draft directive on minimum health and safety requirements for transport activities and workplaces on means of transport (OJ C25 28th January 1993)
- The draft directive on work equipment (OJ C104 12th April 1994).

### **ACTION 7 : Review Of Community Legislation:**

The Commission intends to evaluate, in co-operation with the Member States and social partners:

- the potential implementation difficulties for firms, employers and workers of the provision of health and safety directives;
- the enforcement problems and the impact of the directives on the organisation and working methodologies of the national labour inspectorates;
- the socio-economic impact of the health and safety legislation on the different Member States;
- the effectiveness of the Community's health and safety policy.

As a result of this evaluation the Commission will propose adjustments to the current legislation as are deemed appropriate. The Commission will also examine health and safety directives in light of recent advances in scientific knowledge, technological developments, work organisation changes and other relevant factors. One of the main actions of the Commission will be represented by the on-going activity on the establishment of limit values for occupational exposure with the support of a newly established Scientific Committee.

### **ACTION 8 : New Proposals For High Risk Activities, Or For Certain categories Of Workers:**

#### **(i) Risk Assessment And Limitation of Risk**

Through its work with the European Foundation For the Improvement Of Living and Working Conditions, the European Agency For safety and Health at Work, and its on-going dialogue with representatives of the Member States, the social partners and the scientific community, the Commission will continue to identify areas where workers are not adequately protected by the existing legislative framework.

#### **(ii) Assessing The Need For Legislation**

Once high-risk activities have been identified, the Commission will then consider the most appropriate ways and means of combating them. As far as possible the Commission will rely on a non-legislative approach, but where legislation is deemed the most appropriate in the interests of the health and safety of the workers concerned, the Commission will act accordingly. In making such an assessment, the Commission will also:

- be guided by the concepts developed under the 3rd Action Programme;
- apply the principles of subsidiarity;
- engage in consultation with Member States and their Social Partners;
- ensure a solid scientific basis to their considerations;
- continue to evaluate the costs and benefits of any proposal.

### **PART III : SAFETY AND HEALTH IN OTHER POLICIES**

#### **ACTION 9 : Improved Coherence Amongst Commission Activities:**

Health and safety requirements are now a constituent part of many of the Community's other policies such as environment, research, industrial affairs, agriculture, transport, consumer protection and external relations.

The Commission will continue to ensure that the implementation of specific legislative instruments does not prejudice the implementation of the horizontal Community measures regarding worker protection. Equally the results of Commission programmes in other fields will be used to strengthen health and safety protection. Particular attention will be paid to the 4th Framework Research and Development Programme and some of the specific Programmes such as the Biomedicine and Health programme, the Standards, Measurement and Testing Programme, the Telematics Application Programme and the Biotechnology Programme. These programmes will improve the scientific knowledge needed to increase the safety and health protection of workers and contribute to higher standards in the future.

#### **ACTION 10: Links With those Third Countries Which Have Association Agreements with the European Community:**

The Copenhagen Council of June 1993 stressed the importance of approximating legislation, including legislation for the protection of workers, in

relation to the countries of Central and Eastern Europe. The Commission will seek to ensure, with a view to future membership, that progress is made in the field of worker protection, in particular through the implementation of measures aimed at improving safety and health at work on the basis of existing Community legislation.

**ACTION 11: Improved System Of Co-operation  
Inside the European Union and  
Internationally:**

The European Commission will continue to play a positive role in ensuring that consideration of workplace health and safety is incorporated into the external relations of the European Union. In particular:

- the need for minimum standards for health and safety should not be overlooked in the developing economic and social relations between the EU and the Mediterranean zone;
- the Commission will be actively involved in the establishment and operation of the Intergovernmental Forum on Chemical Safety which is intended to improve the international control of chemicals;
- the Commission will continue its active role in international organisations, in particular the United Nations agencies such as WHO and the ILO.

**CONSULTATION AND EVALUATION**

In order to permit the fullest possible coherence of the actions contained in the 4th Action Programme, the Commission will implement the programme in close collaboration with the Advisory Committee on Safety, Hygiene and Health Protection at Work. For non-legislative actions the Commission will be assisted by a committee composed of representatives of each Member State, to ensure proper execution of the budget and evaluation of actions.

In order to increase the value and the impact of the 4th action programme, a continuous assessment of the activities undertaken will be carried out. In addition, the evaluation and reporting structure of the Programme will consist of two key elements:

- a report on the state of the activities carried out under the Programme to be produced by the end of 1997.
- a final global report by the 31st December 2001, including an independent peer review evaluation of the major activities.

**Highlights From the 1996-97  
List Of Activities**

As an annex to the 4th Health and Safety action Programme, an indicative list of activities in the course of 1996-1997 is published. Here are some of the more important proposals from that list.

- Adoption of Communications on a model of the safety and health plan and the safety file (Directive 92/57/EEC "Construction Sites") and on a general approach to risk assessment.
- Development of an education approach to accident prevention for school children and its validation.
- Preparation of a consultation document on a framework for a resource centre of educational material on safety and health at work.
- Elaboration and adoption of a Recommendation / Code of Practice on education and training requirements in relation to health and safety at work.
- Preparation for the first European Week of Health and Safety at Work (October 1996).
- Investigation into safety and health at work problems related to new technologies.
- Analysis of the action necessary at Community level on prevention of violence at work, and follow up.
- Analysis of the action necessary at Community level on the prevention of risks linked to the disposal of waste, and follow up.
- Analysis of the action necessary at Community level on prevention of stress at work, and follow up.
- Support for first series of projects under the SAFE programme and the establishment of a consultative mechanism for assessing SAFE proposals.
- Adaptation to technical progress of Directive 90/270/EEC ("VDUs").
- Adoption of a Commission Directive adapting to technical progress Directive 90/679/EEC ("biological agents").
- Adoption of a Council Directive amending Directive 90/394/EEC ("carcinogens").
- Commission Communication on the results of a review of the Directive on the protection of workers from the risks of asbestos.
- Examination of the need for a Council Recommendation on the safety and health at work of the self-employed.
- Evaluation of the need for further legislation in areas such as the use of explosives.
- Promoting the exchange of officials between national labour inspectorates.

## European Foundation

FOR THE IMPROVEMENT OF LIVING  
AND WORKING CONDITIONS

### The Role Of Partnerships In Promoting Social Cohesion

The European Foundation for the Improvement of Living and Working Conditions at the end of last year launched a new project within its programme on social cohesion. Research into the role of partnerships in combating social and economic exclusion is building upon previous work in this area, notably research into local community involvement, but the new project is taking a broader view which includes an examination of the role of the social partners.

In many EU and Member State programmes aimed at building social cohesion and combating poverty, unemployment and exclusion, the establishment of "partnerships" has gained increasing importance in recent years. The aim of these arrangements is to harness the energy, skills and resources of key actors - such as public sector agencies, employers, trade unions, voluntary organisations and local community groups - in developing and implementing solutions to increasing poverty and social exclusion across the European Union. These partnerships take different forms and their work tends to cover a broad range of social, economic and environmental policies.

The Foundation's project is looking particularly at partnerships:

- which are based on formal organisational structure for policy making and implementation "on the ground" and
- which mobilise a coalition of interests and the commitment of a range of different partners around a common agenda and multi-disciplinary action programme to combat social exclusion and promote social cohesion.

A detailed investigation into "what works" is being carried out in order to develop guidelines and recommendations to assist policy-makers and other interested parties in the future development of partnerships aimed at tackling social exclusion. The first part of the project consists of 10 national overviews to assess the development and implementation of the partnership approach and to identify key issues. A more in-depth analysis of the structures, working methods and outcomes of partnerships by means of case studies will follow. The results will then be compiled in a synthesis

report in 1996. Work is underway in four countries (Greece, Ireland, Portugal and the United Kingdom). This will then be extended to Belgium, France, Germany and Spain and to new Members Austria and Finland. Further details can be found in the projects' background document "The Role of Partnership In Promoting Social Cohesion : A Discussion Paper" (Ref. WP/95/38) which is available in English from the Foundation.

### Foundation Publications

Two further recent publications of the Foundation are likely to be of interest to European trade unionists. "A Guide To Good Practice In Labour Market Counselling" outlines the key elements which have emerged from the work of the Foundation's "Eurocounsel" programme. The booklet aims to provide a summary of good practice drawn from European experience and serve as an aide-mémoire to those concerned with improving counselling services in relation to the prevention and solution of long-term unemployment. It is available from the Office for Official Publications (or national agents) priced ECU 7.

A second prototype bulletin on health and safety at work research "Euro Review" has been issued by the Foundation in French and English language editions. The new edition focuses on organic solvents and it looks at the use of solvents, the potential health risks involved in exposure to common solvents and recent research designed to replace solvents in common industrial uses. Copies of Euro Review can be obtained from the Foundation.



European Trade  
Union Institute

The third edition of "Transfer" - the quarterly European Review of Labour and Research published by the European Trade Union Institute - continues the policy whereby each issue concentrates on a particular theme. On this occasion the theme is labour relations and trade unions in the countries of central and eastern Europe. A general overview of trade union developments in central and eastern Europe is provided in an article by Kari Tapiola, the International Affairs Director of the Central Organisation of Finnish Trade Unions. Other articles explore the social dimension of the PHARE Programme, the question "who and what are employers in central and eastern Europe?", and the relationship between the ETUC and trade unions in central and eastern Europe.

## Employment Research and Co-operation

The European Commission has adopted a Communication on research, analysis, co-operation and action in the field of employment. The Communication sets out a new approach to employment policy designed to:

- produce more accurate knowledge of the labour market and employment policies;
- help in finding and transferring examples of best practice;
- develop an acceptable policy for disseminating findings.

The proposed budget for the measures to be taken is 57 million ECU for the period 1996-2000.

The Commission believes that its activities in the field of employment need to be assessed in the light of the Essen Summit conclusions and the need to establish a legal basis for Commission action in the field. Speaking of the numerous initiatives in this field undertaken since 1986, Commissioner Pádraig Flynn said "The smallness of scale and the sheer number of initiatives meant that resources were not concentrated. This, in turn, reduced the impact of this effort" In the light of this experience it is felt that a more co-ordinated approach will bring benefits. It will have the effect of drawing together the different elements of Community action on employment policy so that they enhance and complement each other. More than this, it will encourage the development of partnerships between the Commission and the Member States enabling the Commission to support and reinforce what Member States are doing themselves.

## 4th Equal Opportunities Action Programme

The European Commission has adopted a proposal for a Fourth Action Programme on equal opportunities for men and women. Like the previous programmes, the fourth programme - which will cover the period 1996 to 2000 - will provide a basic framework for all Community activity aimed at promoting equal opportunities over the next five years. Speaking at the launch of the new programme, Social Affairs Commissioner Pádraig Flynn said that the status of women in the EU had increased over the last ten years but serious inequalities continue to exist, especially in relation to how women are employed and what they are paid.

The Commission believes that there is a need to consolidate and build on the results already achieved

by the three earlier action programmes. There is also still a need to strengthen the legal framework and to ensure consistent application of existing legislation throughout the Union. To ensure that resources are not spread too thinly, the programme focuses on a number of priority areas:

- getting the full range of economic and social actors involved and working;
- promoting equal opportunities in response to economic and social change;
- encouraging policies which reconcile family and working life for women and men;
- getting a better balance of numbers of women in decision-making roles;
- making it easier to exercise the right of equality of opportunity;
- supporting the implementation and assessment of all activities which further the programmes underlying aims.

## Eurobarometer 43 Highlights

The European Commission has launched "Early Release" details of its latest Eurobarometer Surveys (No 43 Spring 1995). In addition to the regular standard questions, the survey concentrated on the theme of enlargement. Some of the main findings were:

- Knowledge of the enlargement of the EU in January 1995 was limited. Only 55% of respondents were aware that Sweden had joined, 54% for Austria, and only 40% for Finland.
- Citizens of Luxembourg, Germany and Denmark were best informed about the 1995 enlargement.
- The general effects of the recent enlargement was generally seen as positive (64% for EU15). The most quoted potentially negative effect was the problem of unemployment (18%). The Danes led the way in believing the recent enlargement would have a positive effect on their own country (73%)
- Citizens of the three new Member States are less favourably inclined to the idea of European unification than citizens of the twelve. EU membership was seen as a "good thing" by less than half of the people interviewed.
- There was equally a lack of enthusiasm for the introduction of a Single European Currency (SEC) in the three new Member States. It was opposed by 59% of Finns, 57% of Swedes and 51% of Austrians.
- The majority of EU citizens (56%) think that within the next 15 years a further enlargement

to take in countries such as Hungary, Poland, the Czech Republic and Slovakia will occur. Such a move would find most support amongst the Danes (74%), the Finns (72%), the Swedes (69%), the British (66%) and the Austrians (64%)

### Northern Ireland Peace Programme

The European Commission has approved the special support programme for peace and reconciliation in Northern Ireland and the border counties of the Irish Republic. The Commission decision means that implementation of the 416 million ECU programme can commence immediately. Commenting on the decision, the Commissioner responsible for regional policy - Mrs. Monika Wulf-Mathies underlined that the channels for the distribution of aid will not be remote and bureaucratic but will be close to those working at ground level. "An extensive consultation process took place before the programme was prepared and the outcome of that process is reflected in the programme drawn up by the national authorities, particularly in the provision for social inclusion and in the recognition given to the importance of women's groups," the Commissioner added.

The central feature of the programme is the fact that more than half the EU aid will be distributed through intermediary bodies and local partnerships which are in close touch with needs and opportunities at ground level. The largest allocation of the EU funding (30%) goes to promote and assist social inclusion, thereby increasing the chances of disadvantaged people of sharing in the benefits of the economic growth which is forecast to occur in coming years. The programme is divided into a number of sub-programmes, the largest of which cover employment (14% of total structural fund allocation for the programme), urban and rural regeneration (17%), cross border development (15%), social inclusion (23%) and productive investment and industrial development (15%).

### European Council

The European Council Meeting in Cannes, France in June brought together, for the first time, the political leaders of all fifteen EU Member States. A number of important issues were discussed, amongst them the current situation with regards to employment in the European Union. The main points contained within the Presidential Conclusions

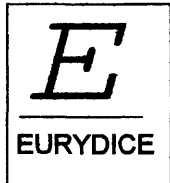
on Employment were:

- Despite the resumption in economic growth, the unemployment rate will remain unacceptably high in 1995. It is of the utmost importance that Member States press ahead with structural reform of the labour market in line with the Essen guidelines. The European Council calls on Member States to put forward multiannual programmes based on the Essen guidelines in the Autumn.
- The European Council called upon the Council and Commission to study the mutually reinforcing effect of increased co-ordination of economic and structural policies and report back.
- The European Council welcomed the willingness of the social partners to play their full part in implementing the Essen guidelines, notes the intention of the Commission to submit a White Paper on continuing training, and notes with satisfaction the Commission's reports on the development of local employment initiatives and the CIAMPI Group report on competitiveness.
- The European Council emphasised the importance it attaches to the development of local employment initiatives. The Commission report will be examined by the Social Affairs Council who will submit a report to the Madrid summit.
- The European Council believes that investment promotion has an important role to play in combating unemployment and welcomes progress in implementing the priority projects identified at the Essen summit.

### EU Trade With Central and Eastern Europe

Trade between the European Union and the associated countries of Central and Eastern Europe (those countries with a Europe Agreement with the EU in force) is continuing to increase according to the latest information released by the European Commission. The share of the six countries concerned (Poland, Hungary, Romania, Bulgaria, the Czech Republic and Slovakia) of the total EU's external trade almost doubled from 2.7% in 1989 to 5.1% in 1994.

The statistics show, however, that exports to the CEECs have been growing faster than imports from them. During 1992 EU imports from CEECs grew by 17% whilst exports to the same countries increased by 22%. The difference was even more marked in 1993, when exports grew by 20% and imports from CEECs only increased by 7%.



## In Service Training Of Teachers In The European Union and EFTA/EEA

Increasingly the availability of in-service training is being recognised as an important element in the total remuneration package of workers. One area where the provision of in-service training has been subject to considerable research at European level is the teaching profession. During the 1980s, a number of detailed studies of in-service provision in the Member States were undertaken by the European Commission and in 1987 the Council of Ministers adopted Conclusions which invited the Commission to promote developments in this field. In order to provide an overview of developments in in-service training for teachers since then, the Eurydice (The Education Information Network in the EU and EFTA/EEA Countries) European Unit has recently been commissioned to prepare a detailed comparative study of provision and the results of this study have now been published (\*). The Study covers the 15 Member States of the European Union and the EFTA/EEA countries which now participate in the Eurydice Network. For each country, the following information is provided:

- a summary of the structures of in-service training at pre-schools, primary and lower and upper secondary levels;
- an overview of in-service training leading to additional qualifications;
- an analysis of all the practices, forms and content of in-service training schemes;
- descriptions of in-service training provision along with a tabulated presentation of the initial training of teachers.

(\*). *"In-Service Training Of Teachers In the European Union and the EFTA/EEA Countries"* Available in English, French and German language editions from EURYDICE European Unit, Rue d'Arlon 15, B-1040 Brussels, Belgium. Fax 00 32 2 230 65 62.

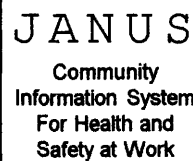


## The Medium-Term Social Action Programme 1995-7

The first issue of "Social Europe" for 1995 (\*) is dedicated to an analysis of the European Commission's new Medium-Term Social Action Programme. It contains the complete text of the Programme along with the texts of recent Council

and European Parliament Resolutions on social policies and Opinions of the Economic and Social Committee and the Committee of the Regions. Social Affairs Commissioner, Padraig Flynn, sets out the context of the Programme in his preface and identifies the key themes which run through it.

(\*). *"Medium-Term Social Action Programme 1995-97"* Social Europe 1.1995. Available from the Office For Official Publications of the European Communities - or national agents - price ECU 24.



## Recent Developments In Health and Safety At Work

In the short time since it began publication, JANUS - the regular publication of the European Community Information System for Health and Safety at Work - has established a reputation amongst European trade unionists for providing a concise source of information on the latest developments in health and safety both within the European union as a whole and within individual Member States. The latest issue of JANUS (\*) is no exception.

Issue 19 reviews the first meeting of the technical progress committee which is working on the updating of Directive 90/679/EEC on biological agents, the restructuring of the Commission's Directorate of Public Health and Safety and the establishment of the new Committee of Senior Labour Inspectors. The section dealing with developments in Member States examines a new Portuguese study of Vibroacoustic Syndrome, a review of public opinion in France on working conditions, and a Belgian study of upper limb injuries caused by strain at work.

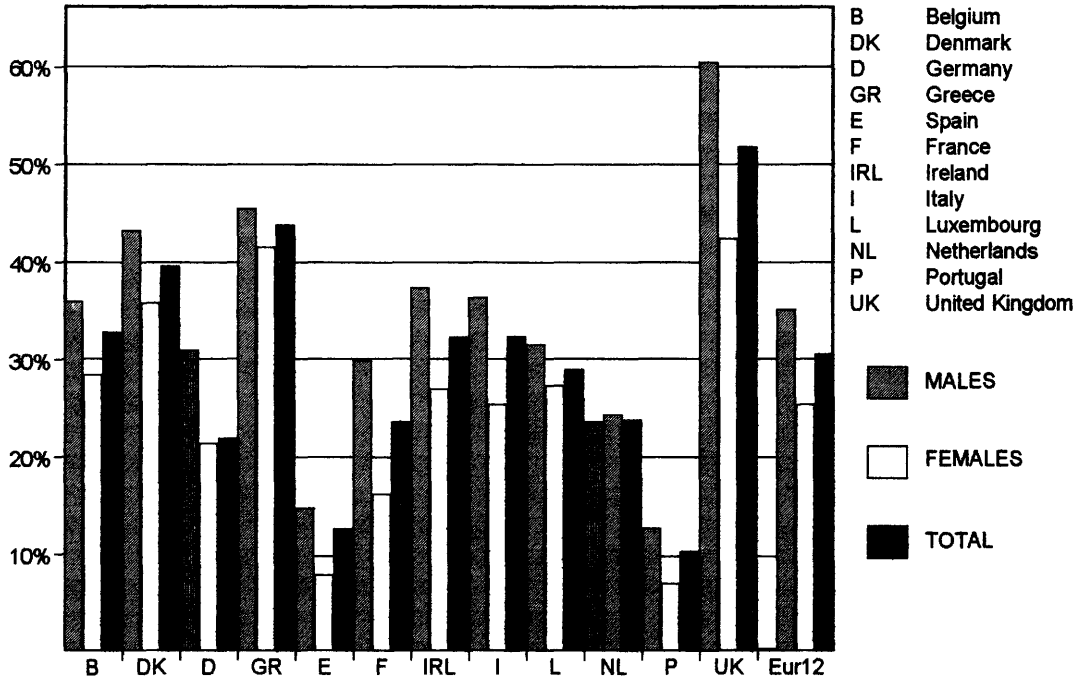
There is also a feature on the potential health risks associated with the exposure to electromagnetic fields in the radio frequency range which examines a report by Danish experts on the hazards associated with appliances such as mobile telephones, plastic welding machines, glue-line machines and short-wave equipment. The work of the Greek Institute For Health and Safety at Work is also reviewed.

(\*). *JANUS No 19 (1/1995)*. Secretariat: André Garrigo, Cives Europe, Bld Clovis 12a/Clovislaan 12a, B-1040 Brussels. Fax 00 32 2 732 23 92. Subscriptions: EUR-OP (Fichier client) MER 01/193. L-2985 Luxembourg.

**STATISTICS**

**SHIFT WORK, EVENING WORK AND NIGHT WORK IN THE EU**

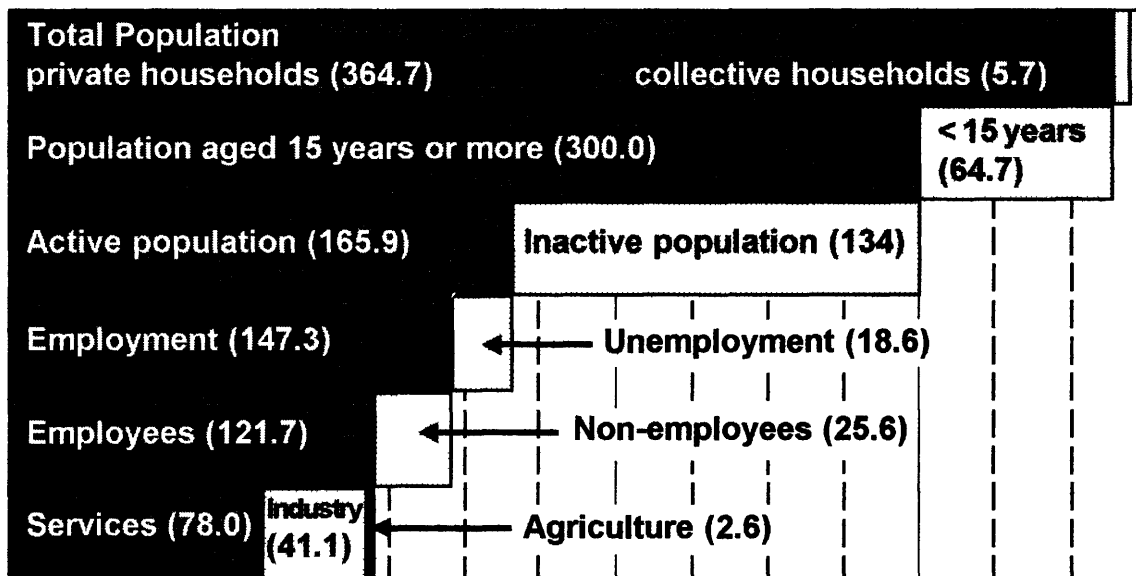
Percentage of total employees doing shift, evening or night work in the European Union (1993)



Source: Eurostat, Statistics In Focus : Population and Social Conditions 1995. No 7.

**STRUCTURE OF THE EU LABOUR FORCE, SPRING 1994**

The following figures represent the breakdown of the total population and the total labour market in the European Union (EU15) in the Spring of 1994 (millions).



Note: Collective households refers to people in hospitals, nursing homes etc. Non-employees include employers and the self-employed.

Source: Eurostat Statistics In Focus, Population and Social Conditions 1995 No. 6

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