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Community Strategy on Health and Safety at Work 2007 – 2012

Introduction

On 21 February 2007, the European Commission published a new Community strategy on health and safety at work for the period 2007 to 2012.

While recognising that the EU has seen a significant fall in occupational accidents during the period 2002 - 2006, the Commission proposes under the new strategy to aim for a 25% reduction in the total incidence rate of accidents at work by 2012 in the EU-27. In order to achieve this, the Commission focuses on the following actions:

- guaranteeing the proper implementation of EU legislation;
- supporting SMEs in the implementation of the legislation in force;
- adapting the legal framework to changes in the workplace and simplifying it;
- promoting the development and implementation of national strategies;
- encouraging changes in the behaviour of workers and encouraging employers to adopt health-focused approaches;
- finalising the methods for identifying and evaluating new potential risks;
- improving the tracking of progress;
- promoting health and safety at international level.

General comments

1. BUSINESSEUROPE broadly welcomes the new Community strategy on health and safety at work and particularly its focus on better implementation of the existing legal acquis. An extensive legislative framework covering all known risks and categories of workers is in place. This framework is highly complex, not always fully understood and presents a particular challenge for SMEs. Therefore, further progress in the reduction of work-related accidents and occupational diseases can and should primarily be achieved by concentrating efforts on making what exists work better and developing efficient support measures for SMEs.
2. BUSINESSEUROPE also welcomes the accent that is put on simplification of the legal framework, but recalls that so far only a simplification of reporting requirements for Member States is under way and no simplification of health and safety rules for companies has been envisaged yet. It invites the Commission and particularly the Member States to reflect on ways of simplifying health and safety rules.
3. Efforts to foster better implementation and simplification will however have only very little effect, if in the meantime the legislator continues to add to the complexity of the legislative framework. A true commitment by public authorities to “better regulation” is indispensable in the future. This means:

- Regulating only what and where really necessary. Any Commission decision to propose new specific legislation in the future must be based on a) a proper analysis of implementation of the existing legal framework; b) a sound analysis of scientific evidence and c) a thorough assessment of economic and social costs and benefits in relation to the introduction of new legislation.
 - Refraining from the adoption of very burdensome, complex and detailed legislation.
 - Recognising that not all health- and safety-related issues are most appropriately addressed through detailed provisions, but would benefit from a more framework-like and goal-oriented approach. This could provide the necessary flexibility for development and innovation in both the monitoring and management of some health and safety aspects and facilitate practical application for SMEs.
4. As regards ongoing consultations of the social partners on possible new legislative measures such as review of the carcinogens directive, formulation of additional requirements to prevent musculo-skeletal disorders (MSD) and formulation of specific requirements to prevent needle-stick injuries, BUSINESSEUROPE recalls the following:
- Before taking any steps towards revising the carcinogens directive, the Commission should assess the implementation and impact of the current directive. Moreover, any proposals for revision of the current directive must build on new sound scientific evidence and take into account socio-economic impacts and feasibility factors.
 - The fact that the phenomenon of MSD remains important is not due to a lack of legislation in this area, but linked to the complexity and the multifarious and multifactorial nature of MSD. This results in numerous challenges of coming to grips with it from a practical prevention and risk management point of view. Priority should therefore be given to the elaboration of toolkits that are sector- and workplace-oriented, with a view to closing the know-how gap and enabling companies to develop well-adapted solutions.
 - BUSINESSEUROPE sees no justification for further legislative action at EU level with a view to protecting European health care workers from blood-borne infections due to needle-stick injuries. A legal framework which ensures adequate protection is already in place and is complemented by well established prevention practices.
5. In the case where national authorities envisage the definition of quantitative targets for the reduction of occupational accidents, this needs to be discussed and decided in full cooperation with national social partners.
6. While BUSINESSEUROPE is strongly in favour of further developing harmonised European statistics on health and safety, it stresses at the same time that the development of statistical data and instruments should not result in additional administrative burdens for companies.
7. BUSINESSEUROPE highlights that occupational health and safety and health promotion at the workplace can go hand in hand, but it must be noted that protecting the health and safety of workers at work is a legal obligation whereas

health promotion refers to voluntary activities of employers that aim at promoting healthy attitudes and lifestyles among employees.

Conclusion

BUSINESSEUROPE broadly welcomes the new Community strategy on health and safety at work and its focus on better implementation and simplification of the existing extensive and complex legal acquis. Such a focus is necessary with a view to obtaining a further reduction in occupational accidents and the occurrence of occupational diseases, goals which BUSINESSEUROPE fully shares. Moreover, it is important that there be a true commitment by public authorities to “better regulation” in the future. This means regulating only where there is a well-justified and established need and defining less complex and more workable health and safety rules.
