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SPEAKING NOTES

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EUROPEAN PARLIAMENT EMPLOYMENT COMMITTEE HEARING REVISION OF DIRECTIVE ON ELECTRO-MAGNETIC FIELDS 5 OCTOBER 2011

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General remarks:

- Revision of the directive is necessary to ensure that European companies have legal certainty and can effectively implement the provisions.
- The Commission proposal for a revised directive makes some important improvements, although there are still some areas of concern.
- The aim should be to ensure a risk-based approach, targeted to cases where electro-magnetic fields pose a real risk to workers' health and safety. It should reflect the fact that in many workplaces, although there is exposure to EMF, this does not necessarily mean harm to workers.
- The directive should be revised in such a way to find a solution for all European companies which have to deal with EMF.
- A revised directive needs to be complemented by guidelines, information campaigns, etc, to be effective.

Specific remarks on the proposal for a revised directive:

1. Scope and Definitions

- We support the scope of the directive being restricted to addressing risks due to known short-term adverse effects, and not long-term effects. There is no conclusive, substantial scientific evidence establishing a causal relation between long-term exposure to EMF and health effects.
- The proposal makes a useful distinction between adverse health effects and adverse safety effects. This allows action to be targeted where there are real risks to workers' health, rather than where there is exposure to EMF without any health impact.
- However, we question whether some of the elements included under adverse health effects are appropriate, i.e. mental well-being or general well-being. These are affected by a wide range of factors and are very subjective, making it difficult to identify the cause as exposure to EMF.
- The inclusion of headaches and vertigo as a direct effect of exposure to EMF may cause confusion, as both can be caused by many different factors.
- It may not be clear to companies what the term "temporary annoyance" (with regards to adverse safety effects) means in practice.

2. Limit values and action values

- The inclusion of limit values which are directly measurable is an improvement, as this should limit extensive measurements at the workplace, concentrating on where they are really necessary.
- A sound scientific basis is necessary. Therefore the limit values should be based on the most recent international recommendations of the International Commission on Non Ionizing Radiation Protection (ICNIRP).
- Employers should be able to continue to use relevant, scientifically-based standards and guidelines which they already use, or which are specific to the national context.
- The possibility to exceed action levels, providing compliance with the exposure limit values can be demonstrated, is positive, as it ensures a certain amount of flexibility.
- However, there is not enough information on how to use the values. This may result in confusion for companies, lack of legal certainty and ultimately lack of effective implementation.
- Also, there is some evidence that some welding processes are likely to exceed the action values and/or the exposure limit values for health and safety requirements and would therefore no longer be possible. This is despite such processes not resulting in adverse health effects.

3. Flexibility clause

- We support the introduction of a limited amount of flexibility for member states, to allow limited derogations for industry to exceed the exposure limits.
- This should not be unconditional – limits may only be exceeded in justified circumstances, on the basis of a risk assessment, and under controlled conditions.

4. Signage

- The requirements for safety signs and limiting or restricting access to areas where the orientation or action values are exceeded, is excessive. In particular, the fact that these requirements need to be fulfilled even if the exposure limit is not exceeded.
- This could be impractical for some companies and create costs, e.g. companies working on power lines.

5. Health surveillance

- The requirement, in the case of exposure to low frequency fields, for any undesired or unexpected health effect reported by a worker to be transmitted to the person in charge of the medical surveillance, is inappropriate.
- This will create unnecessary burdens for employers, in particular since undesired or unexpected health effects may cover many different symptoms regardless of whether the cause is exposure to electromagnetic fields.

- It also contradicts the statement in the directive that effects from low frequency fields cannot be observed once the worker has left the area of exposure, meaning that any health damage resulting from such exposure cannot be determined by a medical examination.
- Health surveillance is sufficiently outlined in the Framework Directive on Health and Safety.

6. List of equipment

- We do not consider that the list of equipment in Annexes IIC and IIIC should be included in the directive, since it would be very difficult to ensure that such a list remains accurate and complete. Therefore it would be more appropriate and useful to include this information in the guidance document.

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