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R E P O R T
of the
Section for Social Questions
on the
Proposal for a Council Resolution on a
Second Programme of Action of the European Communities
on Safety and Health and Work
(COM(82) 690 final)

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INTRODUCTION

On 16 November 1982, the Council of the European Communities consulted the Economic and Social Committee on the

Proposal for a Council Resolution on a Second Programme of Action of the European Communities on Safety and Health at Work
(COM(82) 690 final).

On 23 November 1982, the Committee Bureau instructed the Section for Social Questions to draw up an Opinion and a Report on the matter.

The Section appointed the following Study Group :

<u>Chairman</u>	:	Mrs HEUSER
<u>Rapporteur</u>	:	Mr VERCELLINO
<u>Members</u>	:	Mr ANTONSEN
		Mr BAGLIANO
		Mr BERNASCONI
		Mr LOW
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		Mr NIERHAUS
		Mr PEARSON
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		Mr RAINERO
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Experts :

Prof. Severino ZANELLI - Rapporteur's expert
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Dr J. PAULI - for Group I
ARBED - LUXEMBOURG

Mr José BUSTAMANTE - for Group II
ETUC - BRUSSELS

Dr Mario MAGGIO - for Group III
ENPI - ROME

The Study Group held 3 meetings on the following dates :

- 4 January 1983
- 17 February
- 16 March

The Section adopted the Opinion by 27 votes to 4, with 12 abstentions, at its 161st meeting, held on 14 April 1983.

Gist of the Commission document

The Commission has sent the Council a proposal for a second programme of action on safety and health at work. This follows the first four-year programme adopted in 1978. The first programme sought to fill a gap and remove a worrying delay in this area of vital and growing importance for workers' life and health, for production organization and, more generally, for economic and social progress.

The second programme has three main goals: (1) to step up efforts and implement the proposed actions; (2) to overcome, constructively and by consensus, the major difficulties that have been met; (3) to translate as soon as possible action aimed at improving protection in the workplace for the 100 million workers in the European Community into Community agreements and directives, effective national measures, and concrete results, in the interest of all the countries and groups concerned.

The first programme covered a total of fourteen areas and priority was given to the control of dangerous substances. To this end, steps were taken to regulate specific substances such as lead and asbestos.

In other areas, more educational and organizational, work concentrated on the exchange of information between Member States and efforts towards a common understanding and approach.

By their nature, some of the fourteen actions are unlikely to be completed, while some were of a preparatory nature. Hence the need for a second programme for 1982/87.

This new programme emphasizes safety in the workplace, stressing the important role of ergonomics and industrial medicine. This will complement continuing work on dangerous substances such as chemicals known or suspected to cause cancer, and other harmful exposures, such as high levels of noise and vibration. It will thus complement other Commission action within the broad field of social affairs, including employment and education.

The programme also emphasizes the need to develop schemes for the safety training of young people and migrant workers.

The Section fully endorses the Commission's commitment to give a fresh impetus to the general approach, aims and main actions of the Commission proposals and Council decision for the first programme, now supplemented and updated in the draft second Resolution.

This decision has been taken in the face of the major setbacks and delays which have occurred, due mainly to differences between the situations in and the instruments available to the various Member States. One undeniably positive aspect is the concentration on measures to (a) reduce these setbacks as soon as possible, (b) speed up approval of the necessary directives, and (c) conclude agreements on the most pressing problems of worker safety and health, which in practice all too often still do not receive the attention they deserve.

1. GENERAL COMMENTS

1.1. Technological innovation, health and safety

In a period of rapid technological innovation and changes in work organization, worker safety must be a constant major social concern for the Community.

We must thus continue to draw widely on scientific and technological progress so as to reduce occupational hazards by identifying and eliminating possible sources of injury.

In principle, an innovation should only be introduced when the benefits it brings outweigh the risks. However, it is difficult to translate this into practice, as we still lack generalized criteria to (a) indicate when a risk is acceptable, and (b) allow comparison of very different types of benefits: economic, health, cultural, social, and so on^{1 2}.

Many efforts are being made to evolve analysis techniques which will permit costs/risks:benefits comparison. However, it is not yet possible to draw up a common yardstick for assessing and comparing non-economic costs, risks and benefits. The general criterion used at the moment is that new machinery (or processes or products) is acceptable if it diminishes risk and fatigue.

¹ W.D. ROWE "Anatomy of Risk", J. WILEY & Sons, New York 1980.

² P.F. RICCI, L.S. MOLTON, "Risk and Benefit in Environmental Laws", Science 214, 1096 (1981).

Formulation and implementation of a programme of this kind is now more than ever contingent on the active participation, greater acceptance of responsibility, and closer collaboration of the various parties concerned - primarily the public authorities, industrialists and workers - on the basis of their shared interest in industrial advances and their desire for general social and environmental progress. This is generally recognized³.

1.2. Identifying risks

Past experience in many industrial, agricultural and other work areas, and the studies carried out by industrial medicine and plant experts^{4 5}, have shown that to identify and eliminate industrial health hazards, we must consider the main factors concerned - environment, plant, instrument, the human factor - individually and as a whole, thus involving plant design methods, industrial medicine and work organization. This will help devise an interdisciplinary approach which takes account of differing situations, and increasingly involves doctors, engineers, psychologists and other specialists.

³ Società chimica italiana, "La chimica e la qualità della vita", published by Chimica Roma, 1977; and more especially E.H. SICCAMA's "The Prevention of Major Hazards in Chemical Industry".

⁴ L. DONATO, "Improving Safety and Protecting Health", contract ECI-951-B7210-82-I Doc. XII-1242/B2/EN, December 1982

⁵ S.B. GIBSON, "The design of new chemical plants using hazards analysis", University of Bradford, ICI Course, April 1977

An "overall prevention strategy" which considers not only data immediately obtainable in the environment or the individual, but also the psychological aspects (particularly important in some jobs) must be hammered out as a basis for practical techniques which can be tailored to specific needs. The success of a policy of this type depends on proper information and training. This means that all the parties concerned, primarily the employers and workers who have to exercise joint responsibility, need to be better trained and informed of the reasons behind protection measures, and their aims, so that employers and workers can perform their duties.

The Committee Opinion on the 1978-82 programme⁶ stated: "Official-type approval or some other testing procedure for especially dangerous equipment and machinery is of central importance in ensuring safety. This type approval must be based on constantly updated information provided by ergonomics - information which is anyway vital in its own right for safety and accident prevention". This principle, which also appears in the

⁶ OJ No. C 283 of 27.11.1978

EEC Study mentioned above (footnote 4, page 6), can usefully be clarified, emphasizing the need to follow ergonomic principles both (a) at the design stage, and (b) in the correction of production procedures and modification of machinery.

Before getting down to specific issues let us list the generally accepted definitions of "safety", "risk" and "prevention", and the degrees of risk which they cover. "Safety" exists when the incidence of accidents and health damage is so low as to be unquantifiable. "Risk" (r) is the probability of sickness, disease or injury; it is a function of frequency (f) and the seriousness (s) of the injury or disease ($r=fs$)⁷.

"Prevention" is action taken to prevent injury or disease i.e. steps to reduce frequency.

"Protection measures" are action taken either (a) to minimize the consequences of an accident or exposure to a health hazard, or (b) to minimize the subsequent physical and mental deterioration of a worker who has had an accident or whose health has been impaired by working conditions.

⁷ F.R. FARMER, "Siting Criteria : a new approach", Atom No. 128, page 362 (1967)

The relevant facts and figures are a prerequisite for a health and safety strategy. These can be obtained in two ways. Firstly, by determining the statistical frequency (f) and seriousness (s) of injury, disease, and damage to property, and thus the risk ($r=sf$); secondly by testing and evaluating technological processes and equipment in order to identify hazards. This latter deserves maximum encouragement. This highlights the importance of compiling statistics on industrial accidents and diseases, and of evaluating research into the safety of plant and equipment.

1.3. Implementation of the new programme

Unfortunately, as the Commission itself admits, not one of the fourteen measures contained in the first programme has been completed. Some of them have made considerable headway and others have not got off the ground, or are making very slow progress. The new programme, like its predecessor, is undoubtedly ambitious. It is scheduled to run until 1988 (six years as against four) in order to give more time for concrete action in all sectors.

The major step forward between 1978 and 1982 was the adoption of Council Directive 80/1107/EEC of 27 November 1980 on the Protection of Workers from the Risks related to Exposure to Chemical, Physical and Biological Agents at Work. The Directive's general approach on checks on hygiene and machinery, and

production procedures, is appropriate and correct. However, the only specific Directives to emerge so far are those on lead (already adopted), asbestos and noise. It is thus necessary to pin-point the difficulties encountered in drafting the others.

A close analysis of the experience of the last four years reveals that the major setbacks and delays in this field at Community level have four main causes :

- the complexity of technical/scientific studies into the causes and effects of harmful substances;
- the differing criteria and methods used for compiling statistics, and determining exposure limits, gravity and type of hazard or injury;
- the absolute necessity, when carrying out Community actions in this area, of giving priority to the fundamental requirement of worker health and safety, as the ESC stated in its Opinion of 26 September 1979⁸. At the same time, however, productivity and technological progress must also receive due consideration;
- the continual calls from individual Member States for supplementary inquiries and surveys to ensure that Community legislation is being properly and promptly enforced by the other States. This is to prevent inequalities, distortions and disadvantages at social and production level.

⁸-----
OJ No. C 297 of 28.11.1979

One conclusion which we can draw from this is that there is a strong case for a cost/benefit analysis of the programme under review, and of the specific Directives on protection from risks related to exposure to dangerous substances. This would enable the practical details and timing of measures with respect to industrial processes, plant and machinery to be tailored to ensure a universally acceptable balance between (a) health protection and related matters, (b) costs and (c) modernization and productivity gains. In this connection, account must be taken of the benefits that society at large can derive from the lower social costs generated by plant improvements.

Assessment of all this is complicated by the methodological problems mentioned above. However, it is worth remembering that a qualitative assessment of costs and benefits is always possible, and that various attempts have been made to draw up quantitative assessments⁹.

This should prompt the three parties most directly involved - public authorities, industrialists and workers - to help speed up the whole industrial health and safety programme. Their role could be crucial : the public authorities could increase their aid and channel it more effectively;

⁹ D. DIEHR, R. FLAKE, L. HUTTEMEISTER, G. STUMPFIG "Untersuchung der Wirtschaftlichen Auswirkungen Werksärztlicher Tätigkeit", Forschungsinstitut der Friedrich-Ebert-Stiftung Bad Godesberg, January 1970.

industrialists could accept constraints and checks designed to secure the necessary changes in production methods and equipment; workers could agree to play an active part in implementing the health and safety programme.

These problems led some members to note that the social and financial costs should be kept separate when considering the costs/benefits of health and safety protection measures. Basically, account had to be taken of the joint responsibilities of the various parties involved (see footnote 3, page 6).

Studies carried out in many countries have shown that accidents and injuries are often the result of mistakes or short-comings in management. Active managerial participation is therefore crucial to the success of the action on prevention and monitoring of accidents and injury.

Companies now generally accept that safety is directly linked to good management. Safety programmes must thus be made compatible with production programmes, so that the company is run as economically as possible. This conclusion was reached when financial assessments were made of the benefits brought by improved safety conditions. This made it possible to compare the benefits with the costs that the

improvement involved. However, a serious commitment and adequate financial resources are needed to tackle the problem. These will only come about if company managements are firmly convinced that safety is a major component of production problems as a whole^{10 11 12 13 14}.

It is not enough to secure the active participation of experts and safety specialists, however able and conscientious they may be. Measures are needed to back up the studies, directives and instruments, and promote a Community-wide drive to mobilize public opinion and all the various parties concerned. This should be coupled with steps to coordinate and ensure the correct balance between (a) Community instruments, studies and directives and (b) elimination of hazards, and participation by workers and other interested parties in safety schemes.

- ¹⁰ Weekly bulletin No. 27, July 1982, of the Kredietbank (member of the Inter-Alfa bank group)
- ¹¹ L. HJORT, "Travail, Santé et Economie", Association Européenne de Cercles de Productivité, 1978
- ¹² H.A. PARTLOW, "Safety and profitability - hand in hand", Professional safety, March 1978
- ¹³ F.E. BIRF, R. LOFTUS, "Loss Control Management", Institute Press Atlanta G.A., 1976
- ¹⁴ European Trade Union Confederation, "ETUC demands for the effective protection of workers with regard to noxious agents", April 1981 Contrattazione 4, July-August 1982, p. 37.

As regards monitoring of protection measures, there are differing views - both among members and elsewhere - as to what the special responsibilities of employers, public authorities and workers should be.

It is difficult to research and draft Community Directives on this subject and to reach agreement on them. But delays should not be accepted as a matter of course. Directives and action are urgently needed, due to the rapid advances in information-science, other forms of technology, and to the large-scale introduction of a wide range of new dangerous substances. Consequently, the Community should press ahead with its research and the preparation of Directives under the "Sixth Amendment" on rules for tests on new chemicals¹⁵. At the same time : (a) it should draw up a broad six-year schedule, giving priority to those Directives which it considers particularly urgent; (b) it should coordinate and align studies, statistics, and exchange of information and experience, on the basis of the rules already in force in individual Member States and sectors.

To this end, the Community bodies should be guaranteed the staff and funds they need to implement at least that portion of the action programme which is given priority.

¹⁵ Directive on the Classification, Packaging and Labelling of Dangerous Substances (OJ No. L 259 of 15 October 1979).

The action programme should also specify the administrative, organizational and information instruments which are best fitted to achieve the concrete goals protecting workers and organizing work. All too often the declaratory statements, however widely supported, are not followed up by prompt action. These instruments, drawing on past experience and the body of knowledge which has been assembled, will translate them into practice.

Many members have offered suggestions and concrete proposals. Several members call for a greater commitment from the Council of Ministers to develop and implement the programme more quickly. To avoid unnecessary delays, subjects which have already had extensive coverage in other Community bodies should not be discussed further. Other members propose rationalising expenditure and using the Community's financial resources more effectively. Others feel that, in helping protection services, the emphasis should be placed on the resources currently available at the Commission, rather than the recruitment of new staff.

Lastly, many members, while sharing this view, call for an increase in funding and staff for the second programme.

It may be helpful to establish a scientific body to monitor the implementation of Community directives on industrial health and safety in the Member States. This would help (a) to overcome implementation difficulties, (b) to ensure that the objectives of Community directives are attained uniformly in all Member States, and (c) to avoid distortions in competition. This body could be modelled on existing bodies in other sectors of Community activity, and would be made up of specialists in industrial medicine and other areas. It would be responsible inter alia for helping the Community and Member States (respecting the latter's prerogatives) to see that the aims of Community directives have really been achieved.

Some members feel that an EEC work inspectorate is vital, and should be introduced as soon as possible. Other members have reservations about such categorical arrangements, and warn against over-involvement by the EEC in health and safety at work, feeling that this could encroach on national prerogatives and institutions. Other members feel that better organization, based on standardized criteria and more joint action in this field would undoubtedly help national and local measures. Individual campaigns and expenditure could thus be streamlined, and the experience, the research findings and positive achievements of each country be used for the benefit of all.

To speed up Community decisions on occupational health and safety, work should start immediately on harmonization. There are two alternatives here. An ad hoc body reporting to the Commission could be set up or the Community could undertake the task in conjunction with the standards institutes of the Member States.

1.4. Comments on the new programme

The Section feels that the priority measures of the draft programme are set out in their logical order. "Protection against dangerous agents" is the first item in the draft programme. This is because - as stated in the 1982 symposium held at Jørlunde, Denmark, on the role of the factory inspectorate - new toxicological and epidemiological findings have focused attention on dangerous substances in many Member States. The aetiology of occupational accidents and diseases was the first item in the 1978 Resolution and the VIth Progress Report for 1981 (COM(82) 674, page 40). In the new draft Resolution it comes sixteenth and the relevant research is to be limited to mortality statistics.

The twenty measures proposed are divided into seven sections. The first covers dangerous substances, the second accidents. For the sake of clarity, hazards can be divided into three categories in line with the OECD criteria for the assessment of hazards.

Firstly, the ordinary hazards common to all industries (falls, electric shocks, contact with moving parts of machinery). Such accidents are frequent, and usually involve only a few people.

Secondly, the special hazards of chemical substances which can cause immediate or long-term injury and damage to people, property and the environment; such injuries and damage normally arise from long-term exposure.

Thirdly, major accidents involving explosions and rapid escape of clouds of toxic or flammable substances in large areas of a plant or the environment. Such accidents are very rare, but when they occur they do cause major damage. The "Seveso" Directive (82/501/EEC) is concerned with major-accident hazards. Section I of the draft programme is concerned with special hazards, Section II with ordinary hazards and major-accident hazards¹⁶.

Although this distinction is not water-tight (some cases may be difficult to classify), it is useful in that it directly links the type of hazard to the frequency and seriousness of the resulting injury.

¹⁶ A. LOVATI, "L'affidabilità per la sicurezza degli impianti chimici", La chimica e l'industria, October 1978. See also OECD studies on the assessment of hazards.

The "Seveso" Directive on major-accident hazards requires manufacturers to (a) notify the appropriate authorities of changes which they propose to make in their industrial activities, and (b) provide the information needed to evaluate safety. Such provisions can do much to prevent accidents, and are particularly useful for new, high-risk plant.

New plant and technology pose a special problem. Before being put on the market, new plant should be subject to type-approval or some other form of testing designed to ensure, as far as is necessary and possible, that it is safe and properly designed. Some members have voiced misgivings about the possible introduction of licensing arrangements for the use of new machinery.

However, some Member States, such as Italy, are discussing draft legislation to introduce norms on the standardization of machinery. This is in line with ETUC proposals.

The priority to be assigned to the various stages in adopting the twenty proposed measures over the next few years should be determined, having regard to the work already done. In the last four years greater emphasis has been given to protection against dangerous substances, and the correct approach has been adopted in this field. It is therefore logical over the next six years, to continue to frame specific Directives implementing the

outline Directive on dangerous substances (indeed, some of these specific Directives are already under discussion). Taken together, these specific Directives will further another objective of the draft programme, by securing a substantial alignment of exposure limits, manufacturing practices, and monitoring of the workplace and workers.

The Section feels that any action in the safety and prevention field must be designed to prevent accidents and occupational diseases likely to increase the number of handicapped. On this subject, the Section would refer to the Committee's Own-Initiative Opinion on the Situation and Problems of the Handicapped, issued on 3 July 1981.

2. SPECIFIC COMMENTS

I. Protection against dangerous substances

In line with the wording of the outline Directive (80/1107/EEC of 27 November 1980)¹⁷, the Section feels that this chapter should be entitled "Protection against harmful agents".

2.1. Action 1

Directive 80/1107/EEC of 22 November 1980 is the result of in-depth discussions between two groups. The first sought a legal structure for protection against harmful agents via a corpus of Directives, based on an outline Directive, to fix limits for specific agents. The second group favoured the re-statement of general principles on work hygiene¹⁸. The first

¹⁷-----
Directive on the Protection of Workers from the Risks Related to Exposure to Chemical, Physical and Biological Agents at Work (OJ No. L 327 of 3.12.1980).

¹⁸ R. GUARINIELLO, 44th National Congress of the Società Italiana di Medicina del Lavoro e di Igiene Industriale - Padua 1981.

group undoubtedly prevailed, and the aforementioned outline Directive is the major achievement of the first action programme. The implementation of the specific Directive and actions listed in it must now gain momentum.

The approach outlined in Articles 4 and 5 is appropriate and correct. We would however like to comment on Article 5(5) ("Access by workers and/or their representatives at the place of work to appropriate information to improve their knowledge of the dangers to which they are exposed"). The specific Directives should spell out the form this information is to take - registers of environmental data, plant safety sheets, figures on accidents in similar plants. This point will be taken up later in the Report.

2.2. Action 2

Action 2 is extremely ambitious. However, toxicologists, biologists, works doctors, epidemiologists and industrialists are discussing the (mutagenic, oncologic, toxicological) tests which should be made before new products are launched on the market, and it will probably take a long time to

work out a general "philosophy" on the assessment of the health hazards of new dangerous substances, and the cumulative effect of dangerous substances (synergism). Methods can however be agreed for substances whose toxicological data are known, and which have been the subject of epidemiological investigations¹⁹.

2.3. Action 3

The specific Directives on individual chemicals should give precise instructions on how environmental data are to be converted into exposure data. General instructions should also be provided on sampling of work environment, measurement technique, weighting of data to allow for free time, and determination of duration of exposure²⁰. The effects which emissions of dangerous substances may have on the external environment should also be borne in mind. The main goal should be to lay down standard limits for the Member States.

¹⁹ E. SARTORELLI, "Trattato di medicina del lavoro", published by PICCINO, Padua 1981, especially G. BATTISTA "Prospettive di organizzazione di medicina del lavoro".

²⁰ S. ZANELLI, "Rischi e danni da cloruro di vinile" relazione impiantistica - Quaderni FULC, No. 4, Rome, July 1977.
J. BUSTAMANTE, "La strategia della CES sui cancerogeni professionali" "Contrattazione 4", July-August, page 19 (1982).

2.4. Action 4

Development of "standard methods ... (in order to) establish the methods necessary to limit individual exposure" is unlikely to yield anything very specific unless thought is given to those aspects on which negotiations and agreement between employers and unions will be necessary. The public authorities must of course retain responsibility for monitoring of work practices and organization but this area is covered by other items of the draft programme.

2.5. Action 5

On the question of carcinogens, reference could be made to the outline Directive and the specific Directive on asbestos. Exposure of workers to recognized carcinogens, or other highly toxic substances, must be avoided by both (a) technical measures and (b) rules on handling and specifications for plant designs and equipment ("closed circuit") which prevent or minimize the emission of the product. If necessary, the product should be banned. Directives will also have to be backed up by a special authorization procedure based on prior inspection of plants where carcinogens are produced or used. Alternatively, if this is not possible, the Directive should stipulate notification arrangements similar to those in the "Seveso" Directive on major-accident hazards (Directive 82/501/EEC - OJ L 230 of 5 August 1982).

To date, the EEC has only carried out sporadic work on protection against occupational cancer, and has lacked a clear guiding principle. Furthermore, some of the Directives adopted in this area do not meet with the approval of the European Trade Union Confederation. This action should therefore provide for a series of coordinated measures to launch a Community programme to combat occupational cancer. The Section calls for the setting-up of a data-bank on occupational cancers in the various production sectors, not forgetting agriculture.

As little is known about the harmful effects of the 50,000 chemicals listed for the implementation of the Sixth Amendment²¹, the Section feels that Community action is needed. This could begin with the compilation of an EEC list of chemicals according to their presumed degree of harmfulness and the number of workers involved. Studies should also be carried out on their harmful effects, prevention and protection methods, rules, and user training and information.

2.6. Action 6

With regard to 1.6., a specific Directive on noise has been drafted, and research has been carried out into the health effects of vibration (COM(82) 674 fin, op. cit., page 37). Non-ionizing radiation which has been or is to be considered: microwaves (Draft Directive published in OJ C 249 of 26 September 1980), lasers, and so on.

²¹-----
J. BUSTAMANTE, "La strategia della C.E.S. sui cancerogeni professionali" Contrattazione 4, July-August, page 19 (1982).

II. Protection against accidents and dangerous occurrences

2.7. Action 7

This must aim to harmonize Member States' legislations on accident prevention and to improve the rules governing high-risk occupational groups. Although the statistics available in the various Member States are not strictly comparable, use could be made of the "untreated" data held by social security institutions, which is broken down by production sector. In all States, it seems clear that some groups are more at risk than others. These include construction workers²², in some countries farm workers, and in others fishermen. To make the aim clearer, the wording of this Action should show the determination to harmonize Member States' rules on accident prevention, and the intention to introduce sectoral rules, starting with those occupational groups who are most at risk.

Consideration should therefore be given to an outline Directive to cover ordinary hazards, more especially those linked to the design and use of machinery and plant.

²² EEC - Proposals for a Research Programme on Job Safety in the Building Trade (Annex II, doc. V/Lux/6708/82, December 1982).

2.8. Action 8

The reference to the "Seveso" Directive (82/501/EEC) on major-accident hazards seems out of place in an Action which deals with ordinary hazards of particular concern to the building industry, fisheries and agriculture (as stated above), and to the steel and metallurgical industry.

2.9. Action 9

The aim of this Action is to protect the individual from the effects of machinery and the work environment in general. This Action must cover ergonomic principles both (a) at the design stage, and (b) in the correction of production procedures and modification of machinery.

The wording of this Action should accordingly include a reference to approved safety standards, to help remove the pressures which machinery, the work involved, and the work environment impose on certain categories of workers.

2.10. Action 10

It would be better to include this item in Section III. As regards the training of safety inspectors, reference should be made to the 1982 conference on the role of factory inspectorates, and to the suggestions made by the 1980 seminar²³ on the curricula and methods of university courses in industrial health and safety.

III. Organizational aspects - Monitoring

2.11. Action 11

This item should specify that the public authorities responsible for industrial health and safety should also help smaller firms (who provide a large proportion of available jobs) to reach the requisite safety standards where their technical staff are unable to do so. At the same time they should encourage training, in order to improve the safety expertise of such firms; Adoption of the monitoring collaboration policy pursued by the TNO in the Netherlands would enable smaller firms which process dangerous substances or use dangerous plant to undertake the requisite safety surveys or health checks.

²³-----
COM(82) 674 final, Brussels - 25 October 1982, page 39.

2.12. Action 12

The accident risk can be considerably reduced by taking preventive action before maintenance, repair and sub-contract teams (or teams from outside the company) start work. A great deal of experience has been acquired in the chemical and electrical industries, where management is responsible for making a plant safe and working out the safest procedure for maintenance, repair and sub-contract teams. This reduces the ordinary hazards as well as the specific hazards, of which maintenance and sub-contract workers are often unaware.

Efforts should be made to expand preventive arrangements in all firms, whatever their size or field of activity. This applies particularly to the health and safety committees and the industrial medicine services, who must be guaranteed the resources and authority needed to carry out their work.

IV. Training and Information

2.13. Action 13

A call should perhaps be made for the enforcement of the Directive on safety signs at places of work (OJ No. L 229 of 7 September 1977).

2.14. Action 14

To ensure that workers are fully briefed and can play a greater part in solving safety and prevention problems, some countries feel it necessary (a) to provide a register of environmental data for workers who are exposed to chemicals or physical and biological agents, and (b) to draw up a safety data sheet for the plant pinpointing the types of hazard present (special, ordinary, major hazards). The Italian Decree implementing Directive 82/501/EEC requires installations judged to have major hazards to submit a special safety report along with the "notification" of the installation. A safety data sheet can be drawn up on the basis of the notification^{24 25}.

2.15. Action 15

Safety training programmes for workers have to be made more effective. Particular attention should be focussed on certain categories of workers referred to in Section IV. A proper organizational and financial drive would be enough to achieve this priority aim.

²⁴-----
S. ZANELLI, "Salute ed Industria chimica", page 117, Soc. Editrice Unitaria Sindacale - Rome 1981.

²⁵ "Contratto nazionale del lavoro dei lavoratori chimici ed affini", Capitolo VIII - Rome, January 1983.

Training on safety and accident prevention should be an integral part of vocational training and continuing education. The Community can help here via the courses financed by the Social Fund. Top priority should be given to information and training of workers' representatives.

V. Statistics

2.16. Action 16

The goal of Community statistics on occupational diseases and mortality rates can be achieved in three stages :

- 1) As it already does with unemployment data, the Statistical Office could publish raw data, broken down by country and sector, even though they may not be comparable.
- 2) Standardized Community procedure for reporting occupational diseases and accidents.
- 3) Drawing up of comparable statistics.

In 1982, sectoral surveys were recommended (see COM(82) 674 final, op. cit. page 34). Under the present Draft Programme statistical surveys are to be confined to mortality rates. This is unacceptable. It would be relatively easy to lay

down a standardized procedure (at least for the production sector) for notification of accidents, as proposed in Annex V of Directive 82/501/EEC. This would considerably simplify the compilation of future accident statistics.

2.17. Action 17

Epidemiologists seem prepared for this work, which could yield valuable results.

VI. Research

2.18. Action 18

The Commission's ability to influence the applied research of international organizations should be increased. Research programming and findings checks should be put on a sound scientific footing. Findings should preferably be communicated to the international scientific community so that they can be checked.

In addition to a joint research programme, facilities should be established for monitoring research and planning use of its findings, with the scientific authority required. The resources available to the Community could be put to better use; the centres at Ispra and Dublin, for example, could undertake work of this sort.

VII. Collaboration

2.19. Actions 19 and 20

If further progress is to be made here, we must bear in mind the specific characteristics of the various parties. We should not, for example, underestimate the fact that research bodies tend to gear their activities to their particular scientific interests. This hampers coordination. And coordination is perhaps not always implemented with the scientific authority and the efficiency it deserves.

3. PROPOSALS

The Section felt it useful to add some proposals to follow up those contained in the main body of the Report.

Each of the above concrete proposals has a particular priority and motivation within its immediate context and in the light of the problems involved. The Section would however draw the Commission's and the Council's attention to the more general character of the following proposals. If they are deemed useful, or, if appropriate, similar measures are adopted, these proposals could help speed up implementation of the second Community Programme. They would also help resolve more effectively the serious problems of health and safety at work, in the interest of all concerned.

3.1. Financial statement and work schedule

Given the importance of the problem, the Section feels that to speed up implementation of the second programme, and in view of past difficulties, it would be useful to append a financial statement and work schedule to the final version. The statement would confirm the Council's commitment, the schedule would specify the various goals and deadlines for individual measures over the six years of the Programme.

3.2. Industrial medicine and occupational diseases

The Section regrets that the second programme makes no reference to the crucial role of industrial medicine, and to the major problems posed by occupational diseases. The Section asks that this shortcoming be remedied by considering the need to compile and update as soon as possible an EEC list based on the 1966 Recommendation. This would also meet a specific demand made by the European Trade Union Confederation²⁶. There is no justification for the fact that certain diseases are recognized as "occupational" in some Member States and not in others.

²⁶ European Trade Union Confederation - Action Programme on Industrial Medicine.

3.3. Work inspectorate and Community sectoral committees

The watchdog body proposed in our general comments to ensure enforcement of Community directives could also double as an EEC work inspectorate. The creation of such an inspectorate, quite feasible under certain conditions, is now indispensable. Workers, public and private authorities and other interested groups are all stepping up the pressure for a body of this type.

Joint or tripartite Community committees could be set up for each work sector, particularly the most dangerous ones. These could supplement and decentralize health and safety monitoring, using the valuable experience of the ECSC.

4.4. Community information campaign

Lastly, to give maximum impetus to Community action in this area, the Section feels it would be useful for the Commission to sponsor - in OECD's information year - a large-scale campaign to inform and influence the general public

throughout the Ten. This campaign should focus on topical problems, their effects, and past and future measures to protect worker health and safety and prevent occupational accidents and diseases, as well as other hazards and injuries, such as cancer, which are rife in this sector.

The Chairman
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