

European Communities

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Report

drawn up on behalf of the Committee on Public Health and the Environment

on the proposals from the Commission of the European Communities to the Council (Doc. 305/73) for

- I. a decision on the setting up of a general Committee on safety at work
- II. a decision to confer on the Mines Safety and Health Commission the task of continuing its preventative action in the field of safety at work in the whole range of extractive industries

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PE 35.734/fin.

By letter of 20 December 1973 the President of the Council of the European Communities requested the European Parliament, pursuant to Article 235 of the EEC Treaty, to deliver an opinion on the proposals from the Commission of the European Communities to the Council for

- a decision on the setting up of a general Committee on safety at work
- a decision to confer on the Mines Safety and Health Commission the task of continuing its preventative action in the field of safety at work in the whole range of extractive industries.

On 7 January 1974 the President of the European Parliament referred these proposals to the Committee on Public Health and the Environment as the committee responsible.

The Committee on Public Health and the Environment appointed Mr J. Gibbons rapporteur on 21 January 1974.

It considered these proposals at its meeting of 18 February 1974.

At the same meeting, the committee unanimously adopted the motion for a resolution and the explanatory statement.

The following were present: Mr Della Briotta, chairman, Mr Gibbons, rapporteur, Mr Creed, Mr Eisma, Mr Lagorce, Lord Lothian, Mr Willi Müller, Mr Premoli, Mr Vernaschi and Mr Yeats

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A

The Committee on Public Health and the Environment hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council

for

- I - a decision on the setting up of a general Committee on safety at work
- II - a decision to confer on the Mines Safety and Health Commission the task of continuing its preventative action in the field of safety at work in the whole range of extractive industries (Doc. 305/73)

The European Parliament

- having regard to the proposals from the Commission of the European Communities to the Council (COM(73) 2029 final),
 - consulted by the Council (Doc. 305/73),
 - having regard to the report by the Committee on Public Health and the Environment (Doc. 384/73),
1. Welcomes these proposals, which comply with some of the requests made in its resolutions on the tenth report of the Mines Safety and Health Commission;
 2. Agrees that the working population is the mainspring of development in the Community and that it should be safeguarded for humanitarian and economic reasons;
 3. Agrees that a body with power of initiative is necessary to ensure close co-operation and exchanges of experience leading to the choice of the best professional practices;
 4. Is concerned about the frequency of fatal accidents in extractive industries, which is higher in these industries than in any other;
 5. Calls upon the Commission of the European Communities to recruit immediately adequate staff to cope with the increase in volume of work necessitated by these Decisions;

6. Invites the Commission to adopt the following modifications pursuant to the second paragraph of Article 149 of the Treaty establishing the EEC;
7. Calls upon its appropriate committee to check carefully whether the Commission of the European Communities incorporates the amendments proposed by the European Parliament and to report back to it if necessary;
8. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities.

I

Draft decision by the Council
on the setting up of a General
Committee on safety at work

Preamble, recitals and
Articles 1 and 2 unchanged

Article 3

Article 3

In order to carry out its task, the
Committee should aim in particular at:

- (a) gathering from the governments, (a) unchanged
from professional organizations
and from enterprises, any useful
information on the state of
safety at work, on the
preventative methods used and
on the results they produce;
- (b) formulating opinions which will (b) unchanged
guide the Community institutions
in the choice of priorities with
a view to drawing up a common
safety policy;
- (c) proposing studies on specific (c) unchanged
problems where the implementation
of effective preventative measures
depends on the acquisition of new
knowledge and the introduction of
appropriate training and
development actions;
- (d) carrying out studies, within the (d) unchanged
framework of Community Action
programmes on safety at work in
conjunction with the Mines Safety
and Health Commission. The subject
of these studies shall be problems
of common interest especially
regarding:
- minimum level of protection
against the various risks at
work, and the acceptable features
of jobs and of the working
environment;
 - ways in which enterprises and their
staff can assess and improve the
level of protection and other job
features.

¹ For complete text see: COM (73) 2029 final

(e) the information of national administrations, professional organizations and the appropriate enterprises on actions undertaken at Community level, in order to facilitate their co-operation and to favour initiation aimed at exchanges of experience gained and at the definition of good practices codes.

The Committee shall send an Annual report to the Community institutions in which it shall give a review of its work and give opinions on the measures to be undertaken.

(e) unchanged

The Committee shall send an Annual report directly to each of the Community institutions in which it shall give a review of its work and give opinions on the measures to be undertaken;

(f) the making available of the latest information on safety health to all interested sectors of the economy.

Articles 4 to 9 unchanged

Article 10

The Chairman may, on his own initiative, invite one or two technical advisers to participate in Committee meetings.

A member of the Committee may be represented by a technical adviser, provided that he informs the Chairman of this at least three days before the Committee meeting.

However, the number of technical advisers assisting the Committee members or their deputies may not exceed a third of the Members for any given meeting.

Article 11

The Committee can set up working groups presided over by a member of the Committee.

They will present the results of their work in the form of a report to a meeting of the Committee.

Article 10

unchanged

unchanged

delete

Article 11

unchanged

unchanged

Article 12

The Committee shall meet when convened by the Chairman, either on his initiative or at the request of at least half of its members.

Representatives from the Commission departments concerned shall participate in the meetings of the Committee and its working parties.

The Commission shall provide secretarial services for the Committee and the working parties.

Article 13

1. The Committee can only act legitimately if two thirds of its members are present or represented.
2. Opinions shall state the reasons on which they are based, they shall be passed by an absolute majority of the valid votes. The opinions shall bring out or shall be accompanied by a note which portrays the opinions expressed by the minority, if it so requests.

Article 12

The Committee shall meet when convened by the Chairman, either on his initiative or at the request of at least one third of its members.

unchanged

unchanged

Article 13

unchanged

Opinions shall state the reasons on which they are based; they shall be passed by an absolute majority of the valid votes. The opinions shall bring out (9 words deleted) the views expressed by the minority (four words deleted).

Articles 14 to 16 unchanged

II

Draft Decision of the Council to confer on the Mines Safety and Health Commission the task of continuing its preventative action in the field of safety at work in the whole range of extractive industries.

Preamble and recitals unchanged

Article 1

1. Preventative action against risks in the working environment, which threaten the health of workers in all extractive industries, with the exception of the extraction of oil and natural gas as well as simple excavation work, shall be included in the mandate of the Mines Safety and Health Commission, defined by the decision of the representatives of the Governments of the Member States meeting within the special Council of Ministers of 11 March 1965.

2. Extractive industries include extractive activities in the true sense and also the preparation of extracted materials for sale and transport, but not the processing of these materials.

Article 1

1. Preventative action against risks in the working environment, which threaten the health of workers in all extractive industries, with the exception of (10 words deleted) simple excavation work, shall be included in the mandate of the Mines Safety and Health Commission, defined by the decision of the representatives of the Governments of the Member States meeting within the special Council of Ministers of 11 March 1965.

2. unchanged

Articles 2 and 3 unchanged

¹ For complete text see: COM (73) 2029 final.

EXPLANATORY STATEMENTIntroduction

1. The purpose of the setting up of this General Committee is to study and to contribute to the development of conditions of safety and the prevention of risks at work.
2. Since the Treaty of Rome was signed, there has been no appreciable drop in the frequency of industrial accidents, and as production methods become more sophisticated, workers are often exposed to new dangers. The elimination of these dangers can only be achieved by considerable effort.
3. It is regrettable that more and more of the laborious and unhealthy work in these industries is being done by migrant workers, who often experience particular problems of adaptation to new surroundings.
4. In order that improvements may be made in the conditions of safety and health at work, the general Committee will gather information on the present situation, preventative measures and the results produced. In formulating opinions, and in making specific studies itself, it will help the Community institutions to choose priorities in the drawing up of a common safety policy. The Mines Safety and Health Commission can provide a model for this Committee.

General Remarks

5. Your committee is glad to note that the representatives of professional organizations who will be members of the Committee, will be chosen in such a way as to bring about effective collaboration between existing Joint Committees, the Working Parties responsible for safety at work, and the Committee.
6. In order to ensure that the European Parliament is kept fully informed of the activities of the Committee, your Committee proposes that the last sentence of Article 3(é) of the draft Decision be reworded to read: 'The Community shall send an Annual Report directly to each of the Community institutions'.

7. Article 10 states that the number of technical advisors assisting the Committee members or their deputies may not exceed a third of the Members for any given meeting. The previous paragraph requires that at least three days' notice be given of the presence of a technical advisor at a meeting. This seems a little impractical, as it does not give the Chairman enough time to decide who may or may not attend. Your Committee suggests therefore that the last paragraph of Article 20 be deleted.
8. Article 12 states that the Committee shall meet when convened by the Chairman, either on his own initiative or at the request of at least half of its members. Your Committee feels that it would be more democratic if this number was reduced to one third.
9. The second sentence of Article 13.2 states that the opinions of the Committee may or may not mention the views expressed by the minority. Again, in the interests of democracy, your Committee proposed that this sentence be modified to read as follows: 'The opinions shall bring out the views expressed by the minority.'
10. In his report on the tenth report of the Mines Safety and Health Commission and on the fourth report of the Steel Industry Safety and Health Commission, Mr Jahn spoke of the need for a joint central body which would make the latest information on safety and health immediately accessible to all mines in the Community.

This General Committee on Safety and Work could perform this function in the industries not coming under the responsibility of the Mines Safety and Health Commission.

Your Committee therefore requests the Commission to include among the aims of the Committee as Article 3(f) 'the making available of the latest information on safety and health to all interested sectors of the economy.'

Introduction

1. The Mines Safety and Health Commission was set up in 1956 with two main purposes:
 - to study safety conditions in the mines
 - to work out how these conditions may be improved.

In 1965, its tasks were extended to cover health problems.

At present, the competence of the Mines Safety and Health Commission is limited to coal mines. The Commission of the European Communities, in this draft decision, proposes to extend that competence to include all underground and open cast extractive industries.

2. The majority of the safety problems arising out of coal mining are also particular to the other extractive industries.
3. This decision refers to extractive industries in the true sense and the preparation of extracted materials for sale and transport, but not the processing of these materials.
4. An examination carried out by the Safety Commission has shown that the existing administration can be adapted without difficulty to cope with the extension of competence.
5. In the report drawn up by Mr Jahn on the tenth report of the Mines Safety and Health Commission (Doc. 247/73), the European Parliament reiterated its request that the activities of the Mines Safety and Health Commission be extended to other mining industries and urged the Commission to support this development.

General Remarks

6. Your committee welcomes this decision, as it represents an important step towards the improvement of safety and health in a large number of undertakings.
7. Article 1.1 of the proposal states that this Decision does not include the extraction of oil and natural gas, and in the Commission's explanatory memorandum, it is stated that these industries are subject to a provisional reservation. It appears that the reasons for this provisional reservation are no longer valid and your committee

therefore proposes an amendment to the article, including the extraction of oil and natural gas in the mandate of the Mines Safety and Health Commission.

8. It expresses the hope that steps will be taken to remedy the problem of adequate staffing of the Safety Commission which has been a problem for some time as the effectiveness of this decision will depend on the Safety Commission having the necessary administrative and specialist staff to carry out its tasks. X
9. From 1 April 1974, when the decision will come into force, it will apply in respect of underground extractive activities, and from 1 January 1976 to all extractive industries. This gradual transition is explained by the Commission as necessary, as, at the moment, in Holland and Germany, the mining inspectorates are not responsible for all the quarries.

Conclusion

10. Both these draft decisions are welcomed by the Committee on Public Health and the Environment, representing as they do a positive step towards effective action in the field of worker protection.