Project Number: SL9907.03.02

Title: Health and Safety at Work and Equal Opportunities

Sub-programme: Support to the Economic and Social Cohesion

Geographical Location: Slovenia

Objectives: The objective of the project is to support the transposition and implementation of legislation and to reinforce the administrative/institutional capacity in the field of health and safety at work and equal opportunities.

The Accession Partnership identifies\(^1\) enforcement of health and safety at work and equal opportunities as important medium-terms priorities for which the NPAA details the legislative areas to be transposed. Furthermore, the project is designed to address the shortcomings identified in the Regular Report from the Commission on Slovenians Progress towards Accession.

Description:
The project is a part of the MOLFSA’s overall efforts to comply with the occupational health and safety and gender equality acquis for which it allocated 0.48 MEURO from its own budget.

The project is designed to be implemented as a twinning package consisting of one long-term, full time, Pre-Accession Advisor (PAA), and a number of short-term experts. The PAA will be responsible for the entire implementation of the project including transferring experiences from EU member states and for co-ordinating implementation of both project’s components: Health and Safety at Work and Equal Opportunities. The PAA will transfer professional expertise for the health and safety component and will oversee, co-ordinate and ensure timely delivery of the short-term input for the equal opportunities component.

1. Occupational health and safety

1.1. National Programme for Health and Safety at Work
The PAA will, based on the Law on Safety and Health at Work, provide practical hands on support for review the draft National Programme and by transference of experience from EU members it will facilitate finalising of the proposal for the National Programme. In addition the PAA will support the elaboration of an implementation plan for the National Programme including a simple benchmark system able to measure the success of the implementation of the Programme and in this respect specially progress in enforcement of the EU Directives covering the field of health and safety at work.

1.2. Legislative alignment
The PAA will help addressing areas where the transposition of the acquis has still not been accomplished, be it at legislative or at by-law level. Using Member States experience in this field, it will support the speedy alignment in this field. Where transposition already exists, the PAA will help identify and put in place the correct implementation mechanisms.

\(^1\) In Official Journal of the EC, 98/C 202/10, 29.06.98.
1.3. Strengthening the ability of the Office for Health and Safety at Work to support the Labour Inspectorate in conducting workplace risk assessment

Staff from the Office and the Labour Inspectorate will be trained using the concept of training the trainers, which will enable further dissemination of information. The PAA will assist the Office in order to strengthen its ability to support the Labour Inspectorate in conducting risk assessment of work related risk factors for employees. Furthermore, through staff training it will strengthen the Office’s capacity to use risk assessment results as input in prioritisation of its field of effort.

The outcome of component 1 will be:

- Proposal on the National Program for Health and Safety at Work which will focus on transposition of legislation and the correct implementation of the acquis in this field and will be adopted by the Government.
- Further legislative alignment.
- Enhanced capacity and knowledge in using modern risk assessment methods, which form an important implementation measure, designed to transpose provisions of the acquis.

Input for component 1 will be:

- One PAA is envisaged for app. 14 person months.
- A short terms expert(s) with experience in IT field of occupational health and safety, amounting to app. 2 person months.
- Software: Provision of risk-assessment programme used in other EU countries.
- Training

2. Equal opportunities

2.1. Support to mainstreaming of equal opportunities in respect to reconciliation of family and professional life

Under the co-ordination of the PAA short-term experts will support the Office of Women’s Policy to enforce the principle of “reconciliation of family and professional life” as encoded in the Directive on Parental Leave and consequently introduced into the Slovene system through the new law on Parental Leave and Family Allowances. Measures and strategies to avoid discrimination will be proposed, as well as on mainstreaming of equal opportunities issues in the definition of all policies.

2.2. Strengthening the Governmental Office of Women’s Policy

Short-term experts will support the Office of Women’s Policy in obtaining skills, knowledge and experience needed to influence the legislative decision-making process, to monitor the approximation of Community equal opportunities law, to communicate and enforce it, and to develop, pilot and implement methods, strategies, models and measures aimed at changing attitudes and promoting equal opportunities. Training will be provided to the staff of the Office, using Member States experience in the promotion of equal opportunities.

2.3. Support for the network of women’s local groups and NGO’s

The network of women’s local groups was established with assistance of the Governmental Office of Women’s Policy in 1998. The network presents an important instrument for implementation of the acquis at the regional (decentralised) level. The task is aimed at strengthening this network.
Short term expertise will, co-ordinated by the PAA, support the identification of gender differences at the local level and will support implementation of measures and best practices from EU for alleviating these differences, including the enhancement of women’s participation as local-development-dynamics. Through training and workshops, volunteers of the women’s network will be supported to identify for each of the local unit priority areas for improving practical equal opportunities in the following fields: participation of women in political decision-making at the local and national level, applying the principle of mainstreaming into community activities influence of gender on employment and programmes, combining paid work with household life, education, training and youth, women and health. Based on the priorities identified above, support will be given for the elaboration of local events.

The outcome of component 1 will be:

- Enhanced use of practical consultative mainstreaming methods, in particular in respect to reconciliation of professional and family life, a principle encoded by the Parental Leave Directive and transposed into Slovenian legislation by the new Law on Parental Leave and Family Allowances.
- Improved analytical and co-ordination capacity of the Office of Women’s Policy for enforcing the new legal provisions that are to provide a systemic framework for transposing acquis and best European practice in the field of equal opportunities.
- Stronger networks of women at regional and local levels providing for enforcement of the principles brought about in the relevant acquis.

The input for component 1 will be:

- Different short-term experts amounting to app. 8 person months.
- Training.
- Workshops, etc.

Institutional framework:

Ministry of Labour, Family and Social Affairs (MOLFSA), Office of Occupational Safety and Health and Governmental Office of Women’s Policy.

Even though a relatively small ministry (app. 100 employees) MOLFSA has, in respect to previous Phare programmes, proven its high absorption capacity. Health and safety at work and equal opportunities are core priority areas, also reflected in the high per cent of co-finance provided to this project. All institutions are fully committed to take on the obligation arising from the Twinning Agreement.
Budget (in EUR million): In following format:

<table>
<thead>
<tr>
<th></th>
<th>Investment</th>
<th>Institution Building</th>
<th>Total Phare (=I+IB)</th>
<th>Recipient</th>
<th>IFI</th>
<th>TOTAL M€</th>
</tr>
</thead>
<tbody>
<tr>
<td>Component 1</td>
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<td>0.33</td>
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<tr>
<td>TOTAL M€</td>
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<td>0.48</td>
<td>0</td>
<td></td>
<td>0.98</td>
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</table>

Implementation arrangements:
MOLFSA will carry the implementation responsibility for the project which will be implemented as one complex twinning package.

Implementation schedule:
Start of tendering: after approval of FM (Q4 99)
Start of project activity: Q2 2000
Completion: Q2 2002

Equal opportunity:
Participation in this programme, both by government employees or other types of personnel, contracted by the Government, will be open to both female and male involved in the sector. Records of staff participating in training and other project related activities will reflect this. The Institutional Building through twinning actions will be open to both female and male candidates.

The project is expected, at the beneficiary side, to involve 75% women and on the consultant side a balance of 50% women will be the end-goal. Records of gender participation will be provided in the final report of the project.

Environment:
Not applicable.

Rates of return:
Not applicable.

Investment criteria
Not applicable.

Conditionality and sequencing:
Regarding Health and Safety at Work, the project is contingent on previous commitment by the Slovene authorities on the objective that the proposal for a National Programme will primarily address the transposition and implementation of the acquis in time for accession (i.e. in order to avoid transitional periods).

This project is also conditional on progress in the adoption and implementation of the acquis communautaire in the area of Health and safety at Work and Equal Opportunities.
Annex 1 to Project Fiche for the Programme: Support to the Economic and Social Cohesion

**LOGFRAME PLANNING MATRIX FOR HEALTH AND SAFETY AT WORK AND EQUAL OPPORTUNITIES**

<table>
<thead>
<tr>
<th>Wider Objective</th>
<th>Indicators of Achievement</th>
<th>How, When and By Whom Indicators Will Be Measured</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
</table>
| To support the transposition and implementation of legislation and to reinforce the administrative/institutional capacity in the field of health and safety at work and equal opportunities. | Better ability to implement the social acquis in general and particularly in respect to health and safety at work and equal opportunities. | • adoption of relevant legislation  
• timely screening and negotiation process. | • Adoption of the Law on Health and Safety at work in 1999.  
• Sufficient consensus and decision making capacity.  
• sufficient national budget to cover the accompanied cost. |

<table>
<thead>
<tr>
<th>Immediate Objectives</th>
<th>Indicators of Achievement</th>
<th>How, When and By Whom Indicators Will Be Measured</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
</table>
| • to support the enhancement of the administrative capacity of the Office for Health and Safety at Work and the institutional infrastructure needed to further strengthen the enforcement of the health and safety acquis.  
• to strengthen the practical enforcement of the principles of equal opportunities and equal treatment as encoded in the relevant acquis. This will be | Timely implementation of the acquis and following the timetable for the membership negotiation in respect to Health and Safety at work and equal opportunities. | • Experts' reports.  
• Materials from the negotiation, assessment reports, ad hoc material and yearly reports. | Sufficient national budget to cover the accompanied cost and availability of Phare support. |
achieved through strengthening the Governmental Office of Women's Policy's ability and capacity to mainstream equal opportunities, to follow the trend in the European Community and to support its co-operation partners' ability to play an active and constructive role in practical enforcement of equal opportunities.
<table>
<thead>
<tr>
<th>Outputs</th>
<th>Indicators of Achievement</th>
<th>How, When and By Whom Indicators Will Be Measured</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Proposal on the National Program for Health and Safety at Work, the implementation plan for the Programme including measures for: assessing the progress in the implementation of the National Programme and the success in enforcing the acquis in this field.</td>
<td>• The Steering Committee’s approval of the proposal.</td>
<td>Expert reports, Work Programmes and reports from the ministry. Legal acts and project proposals from women’s network</td>
<td>Availability of the required inputs including Phare financing. Overcoming of beginner’s difficulties associated with the introduction of the new Twinning concept. Timely availability of qualified civil servants from EU member states.</td>
</tr>
<tr>
<td>• Further legislative alignments.</td>
<td>• The first risk assessments conducted by the Labour Inspectorate and proven ability to elaborate safety statements for working places.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Enhanced capacity and knowledge in using modern risk assessment methods, which form an important implementation measure, designed to transpose provisions of the acquis.</td>
<td>• Incorporated proposals for enhanced equal opportunity principles e.g. in respect to the new active labour market policy.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Enhanced use of practical consultative mainstreaming methods, particularly in respect to reconciliation of professional and family life, a principle encoded by the Parental Leave Directive and transposed into Slovenian legislation by the new Law on Parental Leave and Family Allowances.</td>
<td>• Increased activity and involvement of the Women’s Office in policy making.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Improved analytical and coordination capacity of the Office of Women's Policy for enforcing the new legal provisions that are to provide a systemic framework for transposing acquis and best European practice in the field of equal opportunities.</td>
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<tr>
<td>Increased participation of women in local development.</td>
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<tr>
<td>Stronger networks of women at regional and local levels providing for enforcement of the principles brought about in the relevant acquis.</td>
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<td></td>
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<tr>
<td>Inputs</td>
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<tr>
<td>--------------------------------------------</td>
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<tr>
<td>• One PAA for app. 14 person months.</td>
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<tr>
<td>• Short terms expert(s) with experience in IT field of occupational health and safety, amounting to app. 10 person month.</td>
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<td>• Software: Provision of risk-assessment programme used in other EU countries.</td>
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<tr>
<td>• Training</td>
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<tr>
<td>• Training, Workshops, etc.</td>
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NB See also sheet 2 for disbursement schedule

Name and Number of programme

CUMULATIVE CONTRACTING SCHEDULE
(EUR million)

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<th></th>
<th>QU 1/00</th>
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<th>QU 3/00</th>
<th>QU 4/00</th>
<th>QU 1/01</th>
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NB: all contracting should normally be completed within 6-12 months and must be completed within 24 months of signature of FM
Name and Number of programme

CUMULATIVE DISBURSEMENT SCHEDULE
(EUR million)

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<thead>
<tr>
<th>Date</th>
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<th>QU 3/00</th>
<th>QU 4/00</th>
<th>QU 1/01</th>
<th>QU 2/01</th>
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<td>0.020</td>
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<td>TOTAL</td>
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<td>0.240</td>
<td>0.280</td>
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<td>0.360</td>
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<td>0.440</td>
<td>0.480</td>
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NB all disbursements must be completed within 36 months of signature of the FM.
Name of programme

CUMULATIVE CONTRACTING and DISBURSEMENT SCHEDULE
(EUR million)

<table>
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<td>0.360</td>
<td>0.400</td>
<td>0.440</td>
<td>0.480</td>
<td>0.500</td>
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</table>

NB: 1. all contracting should normally be completed within 6-12 months and must be completed within 24 months of signature of FM
   2. all disbursements must be completed within 36 months of signature of the FM
Annex 2b to Project Fiche SL 9907.03.02: Implementation time chart - HEALTH AND SAFETY AT WORK AND EQUAL OPPORTUNITIES.

<table>
<thead>
<tr>
<th>COMPONENTS</th>
<th>Implementation Time Schedule (Quarters)</th>
<th>PLANNED</th>
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</thead>
<tbody>
<tr>
<td>Component 1</td>
<td>D</td>
<td>D-C</td>
</tr>
<tr>
<td>Component 2</td>
<td>D</td>
<td>D-C</td>
</tr>
</tbody>
</table>

Legend:
D = design
C = contracting
I = implementation

Annex 3 to Project Fiche SL9907.03.02: Detailed costs breakdown

A. Technical Assistance

<table>
<thead>
<tr>
<th>Expenditure in EURO</th>
<th>Component 1</th>
<th>Component 2</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Long-term PAA</td>
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<tr>
<td>Short-term experts</td>
<td>30,000</td>
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<tr>
<td>Training</td>
<td>50,000</td>
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<tr>
<td>Software</td>
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<tr>
<td>TOTAL budget</td>
<td>300,000</td>
<td>200,000</td>
<td>500,000</td>
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</table>

Legend: Component 1: Occupational Health and Safety
Component 2: Equal Opportunities
Annex 4 to Project Fiche SL9907.03.02: Relation of the project with previous Phare activities

The European Commission has provided support for strengthening the health and safety inception system through the Phare Programme SL9704.05. This Programme includes support to identification of the best macro-division of tasks between the health and the labour market sector. SL 9704.05 is crucial for establishing modern standards in line with those prevailing in the member states of the European Union. However, the issues of identifying the best micro-division of responsibilities, between the Office and the MOLPSA are not addressed through SL9704.05. Thus, the SL9901.02.02 means, in the terms of contents, continuation of the above mentioned project. On the other hand, it covers fields which were not included in the previous project at all; institutional strengthening in respect to the Office’s main responsibilities, e.g. elaboration of the National Program for Health and Safety and strengthening of the capacity for using modern risk assessment procedures.

As to transposition of equal opportunities acquis, the European Commission has provided funds for supporting the preparation of the draft Individual Labour Relations Law that includes important provisions on equal opportunities, transposed from the relevant acquis, and that is currently in the parliamentary procedure. Support was provided through SL9502.03 and SL9605 Technical Assistance to the PIU.

Annex 5 (*): Reference to feasibility/ pre-feasibility studies
Not applicable.

Annex 6 (*): Relevant Laws and Regulations

Acquis Communautaire:

**Occupational Health and Safety:**
- Council Directive 89/656/EEC on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace (third individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC);
- Council Directive 92/58/EEC on the minimum requirements for the provision of safety and/or health signs at work (ninth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC);
- Council Directive 92/57/EEC on the implementation of minimum safety and health requirements at temporary or mobile construction sites (eighth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC);
- Council Directive 93/103/EEC concerning the minimum safety and health requirements for work on board fishing vessels (thirteenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC);
- Council Directive 82/605/EEC on the protection of workers from the risks related to exposure to metallic lead and its ionic compounds at work (first individual Directive within the meaning of Article 8 of Directive 80/1107/EEC);
- Council Directive 88/364/EEC on the protection of workers by the banning of certain specified agents and/or certain work activities (fourth individual Directive within the meaning of Article 8 of Directive 80/1107/EEC);
- Council Directive 89/654/EEC concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC);

**Equal Opportunities:**
- 76/207/EEC Council Directive of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions
- 92/85/EEC Council Directive of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breast-feeding

Pivotal national laws and regulations:

- Proposal of the new law on occupational health and safety at work
- Proposal of the Law on Working Relations
- Law on Vocational Education
- Directive on the occupational activities to which women can not be designated;
- Law on Working Relations
- Family Benefit Act
- Law on Labour and Social Courts
- Normative determining the use of child care leave

Annex 7 (*): Relevant Government Strategic Plans and Studies
- National Governmental Programme for Equal Opportunities (Draft outline)
- National Analysis of the Election System
- National Analysis on Standpoints of Employers on Prolonged Maternity Leave
- Study on Reproductive Rights
- Comparative Analysis of Statistic Data on Equal Pay for Equal Value for Selected Professions

Annex 8 (*):.................

(*) Annexes to Project Fiche SL9907.03.02