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Joint opinion of EFBWW and FIEC on the New community strategy on health and safety for 2013-2020

A) Framework conditions

- 1.** The global economic and financial crisis has had serious consequences for economic growth and progress in the employment and social area in the EU member states. The crisis has induced a growth deficit and has revealed that the EU economy is suffering from a number of structural weaknesses. This development stresses the urgency of the new strategy on economic growth in Europe, the Europe 2020 strategy.
- 2.** The EU is setting ambitious goals for growth, social cohesion and a sustainable working life in its Europe 2020 strategy for growth in the economy and for employment. Together with other policy areas, a future EU Strategy on Occupational Safety and Health at Work aims at contributing to fulfil the objectives and challenges concerning progress in the employment and social areas, as well as economic growth.
- 3.** It is vital that the design of the future EU OSH strategy and its implementation, as well as regular follow-ups, are carried out in collaboration with social partners at all levels. With this joint opinion, EFBWW and FIEC, the European Sectoral Social Partners for the construction industry, provide their views on the upcoming strategy bearing in mind the specific situation and requirements of the construction sector.
- 4.** We are strongly convinced that the vision of the strategy must express the positive contribution which an investment in safety and health can give to the overall Europe 2020 strategy on economic growth and employment and at the same time helping to create a working life characterised by quality in the work, balance between working and family life, good employment conditions, occupational health and safety.
- 5.** A skilled and satisfied workforce is one of the most important competition parameters of the EU in a globalised and competitive world. Therefore, creating good health and safety at work, job satisfaction, skills development, education and career opportunities, etc. are vital and positive factors in an individual's working life. Thus, the effects of an ambitious strategy will also contribute to the competitiveness and expansion of European enterprises.
- 6.** Taking all the above aspects into account and considering that the construction industry is still facing an excessively high level of accidents, the European social partners of the construction industry, EFBWW and FIEC, share the view that health and safety policies should aim at reaching a "zero accidents" target. They therefore ask the European Commission to accelerate its work on a new strategy and to present an ambitious action plan as soon as possible. In this respect, we expect a comprehensive consultation of the social partners on all levels, including the sectoral level.

B) The background

7. The EU OSH strategies have a long tradition of nearly forty years providing a legal and political framework, which gave an impetus to many improvements in the working conditions. The strategies were based on the conviction that the right to health is a fundamental right. All workers should deserve working conditions which respect their health, safety and dignity. We are convinced that the strategies' overall impact was and still is absolutely positive for Europe's workplaces.

8. Health hazards in general are influenced by a significant number of factors. Next to the traditional hazards such as the different aspects of ergonomic conditions or noise, other new aspects have emerged, such as an increased use of numerous new substances and products or growing psycho-mental stress, caused by multifactorial reasons. Therefore, we like to recall that today's OSH-policies are necessarily multidisciplinary, as they draw on occupational medicine, safety, ergonomics, epidemiology, toxicology, industrial hygiene and psychology.

9. Moreover, technological developments and changes in economic and social conditions are constantly changing work places and practices. OSH standards at the workplace must adequately take into account these changes, especially as regards particular forms of employment and of organisation of the construction process. Therefore, rapid political, administrative and technical responses are essential in order to take these changes into account and to guarantee a high level of health and safety at work.

10. The European Social Partner of the construction industry wish to emphasise the need for a comprehensive Community Strategy on health and safety, based on an inclusive and balanced set of measures, the nature of which needs to be determined according to their effectiveness in terms of practical implementation. Hence, the traditional OSH tools should be complemented by tools and strategies designed to anticipate, identify, evaluate and control emerging risks arising from changes in the world of work, as well as from innovative technologies. In this respect, we ask the European Commission to promote and support an exchange of best practices, as well as a regular reporting from the Member States regarding the existing legislation, in order to ensure, when needed, improvements in its practical implementation.

11. In order to be effectively and successfully implemented by companies, it is crucial that policies be clear and practicable and that they take into account the specificities of each sector. A particular attention must be given to the effective implementation of such policies by SMEs. In this respect, the social partners of the concerned sectors certainly play an important role.

12. We underline that the positive impact of a new strategy will very much depend on some preconditions. It needs clear goals, backed by specific actions and the adequate funding, as well as a periodic evaluation of the respective activities. First and foremost the further reduction of accidents needs to be accompanied by specific targets to also reduce the number of occupational diseases.

13. In order to be able to compare the various situations in the various Member States and to be able to benchmark them at the EU level the EFBWW and FIEC consider that further improvements in the availability, the quality and the comparability of statistical data on occupational health and safety are needed.

14. EFBWW and FIEC consider a sound legislative basis and its correct application and enforcement as a basis for any improvement of the working conditions. This basis also provides a level playing field for all actors in the respective economic area. Based on this legislation, non-binding instruments i.e. exchange of best practices, awareness raising campaigns or better information tools are playing an important role too.

C) Occupational Safety and Health policies

15. EFBWW and FIEC consider a regular assessment of the existing legislative framework as important. The world of work is a gradually changing subsystem of our society and therefore, we need to assess on a regular basis whether the existing legislation adequately takes into account newly emerging aspects of the labour relations. Furthermore, measures and tools that will help companies in understanding and complying with the legislation must be put in place.

16. Regulation is necessary for achieving policy goals of the EU, including social goals aiming at improvements in the safety and health of workers at work. Smart regulation shall not jeopardise the level of protection reached at the European level. Compliance with legislation is paving the way to the protection of workers.

17. In order to avoid that the fundamental right of health, as laid down in Article 31 of the charter of fundamental rights, be affected by introducing different levels of protection for companies of different size, EFBWW and FIEC share the view that a minimum level of protection for all workers is needed. In order to achieve this it is therefore crucial to ensure that any legislation can effectively be implemented and applied by all companies, independently of their size.

18. Building upon the European legislative framework, the European and national social partners and member states should help SMEs to comply with the health and safety regulations. EFBWW and FIEC recognise that further improvements can be achieved towards a better application of the obligations foreseen by the Directives in question, taking into account the needs and the possibilities of SMEs.

19. EFBWW and FIEC share the view that OSH policies at European and national levels should be made consistent and that a special emphasis should be put on the European Framework Programme for Research and Innovation. Therefore, there is a need for taking into account the analysis of potential risks from new technologies, harmful substances, the different aspects of work place ergonomic and risk factors including work organisation in the workplaces.

20. The Community policy can provide a significant added value in workplace health and therefore FIEC and EFBWW would like to see in the upcoming strategy a particular focus on preventing accidents at work and occupational diseases.

21. The European Social partners of the construction industry see an urgent need for action in one specific area i.e. the problem of the presence of asbestos in Europe's private and public buildings. We ask the European Commission to introduce in the new strategy specific actions which aim :

- to support the introduction of national asbestos registers;
- to improve the qualification of workers who are working or could get in touch with asbestos and to improve the working conditions for those workers;
- to initiate a European wide action aiming at the disposal of all asbestos from Europe's public and private buildings, starting with schools.

in those countries where they are not yet in place.

22. EFBWW and FIEC underline that labour inspectors play a vital role in verifying the correct application of the legislation in force and, thereby, in prevention in general. The European Commission should therefore encourage all the Member States to strengthen the capacity of their labour inspectors.

23. Finally, we would also like to draw the attention to the new EFBWW-FIEC work programme, covering the period 2012 to 2015¹. In this programme we have committed ourselves to:

- Improve the overall H&S framework;
- Foster a culture of H&S;
- Better take into account new developments;
- Improve the ergonomomy.

Brussels, 17/12/2012

¹ Multiannual Action Programme for the Sectoral European social dialogue of the construction industry 2012 – 2015. Adopted at 10 January 2012 – Brussels. (See Annex)