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**PRESIDENCIA ESPAÑOLA DE
LA UNIÓN EUROPEA**

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**“Conferencia europea
de contribución a la evaluación
a medio término de
la estrategia comunitaria
de salud y seguridad en el trabajo
2007-2012”**

Barcelona, jueves 3 y viernes 4 de junio de 2010

MRS. CHRISTINA FOGELQUIST

**“European conference
for the mid-term review
of the community strategy
2007-2012
on health and safety
at work”**

Barcelona, Thursday 3rd and Friday 4th June 2010

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Mid-term review of the Health and Safety Strategy 2007-2012

WG1: Putting in place a modern and effective legislative framework

3 June 2010

Christina Fogelquist
European Commission (DG EMPL/F/4)



Summary

Part 1: The contents of the Strategy

(reminder – key words)

Part 2: Work already done

(how & by whom)

Part 3: The way forward



Part 1 - The contents of the **Strategy** (*reminder*)

A modern and effective legislative framework:

- **Strengthening *implementation* of EU legislation**
- **Reinforcing cooperation in efforts to *monitor* the application of the legislation**
- ***Adapting* the legal framework to change and simplifying it**



Part 1 - The contents of the Strategy *(reminder)*

Strengthening implementation

- **Guarantee proper implementation of EU legislation**
- **National strategies to give priority to certain instruments to achieve better compliance, in particular in SMEs and high-risk sectors**
- **Problems identified: sub-contracting; prevention services (quality, coverage, access)**



Part 1 - The contents of the **Strategy** *(reminder)*

Strengthening implementation

Actors:

- Commission
- Other EU institutions
- Member States
- Social Partners
- Bilbao Agency
- ACSH
- SLIC



Part 1 - The contents of the Strategy *(reminder)*

Monitoring the application of the legislation

- **Effective and uniform application**
- **Cooperation between Labour Inspections at EU level – SLIC**
- **National level: dissuasive and proportionate penalties and prosecution for failure to abide by health and safety rules. Challenges - migratory flows**



Part 1 - The contents of the **Strategy** *(reminder)*

Monitoring application

Actors:

- Commission
- Member States
- SLIC



Part 1 - The contents of the Strategy *(reminder)*

Adapting the legal framework to change and simplifying it

Background: maintain and improve the level of protection; update the concept of simplification to reflect smart legislation – coherent, simple and effective

- Improve risk prevention (adopt and/or adapt legislation)
- Evaluate the regulatory framework and simplify it: evaluation of directives, codification, reduction of unnecessary administrative burdens
- Common methodology for evaluation of OSH directives
- National level



Part 1 - The contents of the **Strategy** *(reminder)*

Adapting to change and simplification

Actors:

- Commission
- Other EU institutions
- Member States
- Social Partners



Part 2: Work already done

Strengthening implementation of EU legislation

Commission: prevention initiatives; infringements; practical implementation reports; guidelines (with ACSH);

Bilbao Agency: awareness initiatives focus on high risk sectors, campaign on risk assessment, Online interactive Risk Assessment Tool (OiRA), network of stakeholders for economic incentives

ACSH: draft opinion on users' guide methodology

Social Partners: participation in WPs of ACSH; research project EPSARE (European Project on Safety Reps); conference on participative risk assessment

SLIC: enforcement an important element in effective implementation

Member States: a number of initiatives – see next slide



Part 2 : Work already done

Strengthening implementation of EU legislation

Examples of initiatives taken at national level

- any party tendering to provide a service under a public procurement procedure to be excluded if it has not fulfilled risk assessment
- study about the financial situation as regards access to external protection services
- Customising support for SME's
- Better dissemination of information and better access to counselling services with the creation of internet site; digital administration project initiated aiming to establish an easily accessible, simple form of communication and knowledge sharing, both within the admin. itself and between the admin. and its users



Part 2 : Work already done

Monitoring application

Commission: promoting SLIC work

SLIC: Machex, Knowledge Sharing Site (KSS), cooperation ECHA and ACSH (e.g. WG on the draft guide on construction), European campaigns

Member States (SLIC): CIBELES, a project partially financed with ESF for specific training of the most experienced inspectors and training of inspectors to train their colleagues; increase of number of inspectors; fusion of the general and the specific inspection services for agriculture and transport; set up of pluri-disciplinary inspection teams; new programs of collaboration with foreign services to face new challenges related to migration; inspectors trained on how to conduct detailed inspections on psychosocial risk factors



Part 2 : Work already done

Adapting to change and up-dating

Commission and other EU institutions: Directive on sharp injuries; adoption of 3rd List of IOELVs; Codified Directives on “asbestos” and “work equipment”; Directive 2008/46 on EMF; preparation of EU legislative initiatives on MSD, Carcinogens, ETS, EMF

Simplification

Commission: Directive 2007/30/EC on practical implementation reports; preparation of EU directive on MSD.

Follow-up of the opinion of the HLG on “administrative burdens” – consultation of ACSH and SLIC, mapping-out of the concrete situation in all 27 MS;

Development of a common methodology for evaluating the OSH directives



Part 2 : Work already done

Adapting to change and simplification

Social Partners: Framework agreement on sharp injuries; Framework agreement on harassment and violence at work; Agreement on implementing the ILO maritime labour convention; report on the agreement on stress; replies to the consultations on ETS, CLP, EMF

Member States: Example risk assessments to show businesses how they might produce an appropriate risk assessment for their working environment; Removing outdated business premises notification forms and registers; Codification and better accessibility of OSH legislation ("logic of the user", standardization of terminology)



Part 3: The way forward

**Continue and strengthen initiatives
towards better implementation**

**Continuous monitoring of needs for
legislation**



The way forward

Remaining issues

- **Continue work on MSD, carcinogens, IOELVs, ETS and EMF**
- **Self-employed: a WG of the ACSH to be set up in June 2010**
- **Occupational Diseases: a WG of the ACSH created; external study to be launched**
- **Sub-contracting: a WG of the ACSH to be set up in June 2010**
- **Preventive Services: to continue to analyse comprehensively the situation to have the available info in 2011**
- **Continue work towards development of a common methodology for evaluating the OSH directives**



Mid-term review of the Health and Safety Strategy 2007-2012

***Thank you
for
your attention***