

TECHNICAL STANDARDIZATION AND THE WORKING ENVIRONMENT

The participation of the European Trade Union Technical Bureau for Health and Safety in European standardization work

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European standardization, which is and will be a lever of European integration, affects a wide range of other communities in addition to business, not least European trade unions through the European Trade Union Confederation. The ETUC is the voice of European organized labour, standing up for core values like democracy, social justice, full employment and solidarity.

The process and purposes of European integration are central to the ETUC's role as a transnational organization. Europe's coming together has given a boost to financial and industrial multinationals, and drastically changed the role of governments, by relocating key decision-making centres. All these facts have diminished trade union influence on national policy decisions, and business behaviour in a great number of areas.

One core aim of the European trade union movement is to build a balancing force at European level with the ability to influence employers and public authorities. This was what lay behind the foundation of the ETUC in 1973. The European single market and single currency make that an even more pressing need.

The introduction of the Euro is a key milestone in European integration. But a single currency must be the foundation for framing coordinated policies to achieve sustainable, environmentally-sensitive and employment-driven growth.

European integration cannot just be about markets and currency. It must include a real social union, and that means developing industrial relations and a political union underpinned by democratic institutions. In the completed internal market, free market forces sway and profoundly affect social policies, and pose a challenge to the putting in place of new regulations. European standardization is and may remain an essential underpinning of these policies if it succeeds in becoming a forum for wide-ranging social dialogue between all the parties concerned, especially consumer and environmental organizations, and if governments lay down procedural rules and give standards a status which makes their obligations to the collective interest clear.

The new Amsterdam Treaty will invest the social partners with a key role by enabling them to draw up social legislation in the Commission's place. Since the earliest days of the European Community, the social partners have been informed and consulted by the Commission when preparing its legislative initiatives, not just in the social sphere, but also to regulate the single market.

Occupational safety and health at the crossroads of EU social and economic policies

Protecting the safety and health of workers is an exemplary area of Community intervention in social policy - which remains the purview of Member States, but where the Commission has powers to propose "minimum requirements" Directives to the Council - and equipment design (or the labelling and classification of chemical substances and preparations), where the safety-related aspects are no longer a matter for the national authorities but a decision to be taken jointly by all the States (on Commission proposals).

Protecting individuals from physical injury remains a matter for the Member States as part of their duty to protect their citizens, which includes workers and consumers.

This trend towards the fragmentation and redrawing of the boundaries of public action - separating the employers' obligations from those of the manufacturer or the person responsible for placing goods on the market - and subjecting a very wide range of work equipment to design rules (a requirement wholly in line with the trade union fight for an approach towards eliminating risks at source) has prompted the ETUC to get a discussion rolling on the role of European standardization. While standardization is first and foremost a tool - production of consensus documents - for market operators, it is also often, at European level, a lever for public authorities to implement harmonized market control policies.

Standardization as a vehicle for implementing public interest objectives

It is part of the trade union agenda to take part in the development of standards, for which the public authorities have set a reference framework and essential requirements. The reason is that workers - as the end users of many industrial products, not least work equipment - have a direct interest in the effective application of legal provisions relating to the protection of their health and safety. And while the types and levels of risks may be set by public authorities, non-mandatory documents can also play an essential role in giving effect to these public interest goals by involving all parties concerned, especially equipment designers and users.

European standards development offers a forum for dialogue between different technical views and facilitates the search for technical solutions which incorporate advances in technology.

The TUTB: an instrument for coordinating trade union expertise

The TUTB was set up by the ETUC to help workers' representatives, as repositories of users' knowledge, give their input into European technical work. The Machinery and PPE (personal protective equipment) Directives explicitly recognize the importance of the social partners' input into standards development by requiring the Member States to enable the social partners to have an influence in the European process. The reason is that occupational safety and health is not just about the rules of the marketplace; the public authorities also lay down rules for the selection and use of work equipment. These rules draw inspiration from collective agreements and are consulted on and negotiated with management and labour in ways which are specific to each member country, but which recognize their specific role in framing rules relating to the workplace - which is the employer's bailiwick - and those relating to the information, consultation and participation rights of workers and their representatives.

For the past ten years, the TUTB and national trade union experts have been setting common priorities focussed on the so-called horizontal standards which interpret the essential requirements, especially those relating to design ergonomics. The TUTB and its network of trade union experts attempt to influence standardization work by taking part in technical committees and working groups, submitting remarks in public inquiry stages, and above all by writing technical reports which can underpin standards development, especially relating to the assessment of ergonomic risks.

The TUTB is also involved in the CEN bodies responsible for organizing technical work. **The TUTB became an associate member of CEN in 1993.** So there are no procedural obstacles to workers' representatives participating in European standardization work. However, the TUTB is concerned about the

recent changes to CEN's organization designed to make it more responsive to market demands. This is not the right way to tackle issues like the quality of the work and wider environments, where the interests are primarily collective.

It is also clear that there are too few trade union experts, public authority and, generally, preventive service representatives in the CEN working groups responsible for drawing up specific standards for machinery and other products. The standards development system has been designed around national delegations intended to represent the national consensus: some countries have set up procedures or institutions through which to evolve that national consensus: Germany and Denmark are cases in point. Germany has also set up a national agency (the KAN) specifically to follow up on European standardization work. In other countries, like France, the social partners have a hand in setting the guidelines of the national standards institution. In yet others, like Britain, the social partners have a direct voice in the public watchdog agency which is actively involved in national and European standards development.

But in most EU countries, there is no provision, or little beyond lip-service, for giving the social partners an influence in preparing and monitoring European standards.

Obstacles to effective, representative participation by workers

Still today, many obstacles beset that effective participation by workers' representatives with specific responsibility for the safety and health of workers called for by Directive 89/391/EEC. These representatives are vectors of users' knowledge, which is fundamental to improving the content of standards and giving them scope for development. As I said earlier, most States have made no official provision for informing and consulting the social partners on European standards mandated under Directives.

One consequence of this failure to acknowledge trade unions' practical right to participate is that financial resources have not been made available. States should do away with fee-paying membership of national organizations, and pursue a policy of making standards generally available - the cost and translation of standards holds back the development of standardization in areas which directly affect the social partners.

It also creates problems for representatives, who find it hard to get the time off needed to play an active part in what is a time-consuming, complex process, not to mention the necessary training. They also have the added difficulty of standing independent from the company's interests.

Often, too, there are no national rules setting procedures for framing standards from a national viewpoint or achieving the necessary consensus.

All this is compounded by the difficulty of turning workplace experience into significant technical knowledge which can be used in fashioning equipment design standards. This work requires the making available of resources which have so far been centred on manufacturers and the notified bodies.

Consolidating participation and organizing the feedback of users' experience

The TUTB has decided to square up to these difficulties by writing a report on the role of the trade unions in European standardization, marrying national experiences to that of the TUTB. This report is intended to inform the future debates on the revision of the Machinery Directive. The Commission has already flagged up its intention of bringing forward a revised version of this Directive which was a landmark in the development of the "new approach" to standardization. The revision should give an opportunity to debate the role and influence of the parties concerned, especially the social partners, as stipulated in the present Directive. An ongoing European debate must be set rolling on what Member States are doing to enable them to have that influence.

The organized, systematic feedback of users' experience is vital to the revision of standards. Under existing rules, standards are open to revision every 5 years. The French experience with feeding back experience from the workplace could be a critical asset here and a useful starting point for the standards institutions and the TUTB alike.

The greatest challenge facing workers' representatives involved in the technological debate is the constant search for ways of making machinery design and technologies more human-centred through technical standardization. The intensification, increasing pace and time pressures of work makes this a particularly daunting challenge. That debate and search for technological options are part and parcel of the trade union approach to promoting the individual and collective rights of workers to practical participation. Only effective participation at all levels can guarantee respect for human labour.

EU enlargement: challenge or opportunity?

EU enlargement and closer integration represent major challenges to the European blueprint. The applicant countries need to adapt their policies and structures to the principles of the European Union, and in particular to strengthen their democratic ways. The European Union must support their efforts. For the trade union movement, the established body of Community social laws and regulations - the social *acquis communautaire* - is a non-negotiable fundamental of the enlargement process.

We expect of the applicant countries that they will implement the principles of the Machinery and PPE Directives on social partner participation in the standardization process. And that the national standards institutions which will gradually become members of CEN will open their doors to the trade unions and other concerned groups.

The role of labour organizations and the future of standardization

The TUTB's experience is a powerful illustration of the challenges and opportunities offered by participation in European standardization to organizations that represent the collective interests of workers, as well as consumer and environmental groups. The European Parliament's recent vote on the Commission report on "Efficiency and Accountability in European Standardization Under the New Approach", which welcomes the Commission's agreements with standards watchdogs like the TUTB, ANEC (consumers) and NORMAPME (SMEs) whose missions are to provide support to national representatives involved in European standards development, sends out a positive signal of recognition for the work done and its importance in the eyes of a democratic body.

The experience developed also shows the need for vigilance towards plans to use standardization as a lever for deregulating the market and rolling back the State's role as an upholder of the public interest. Any attempt to take standardization down that road must be opposed by the European trade union movement.

So, the initiatives taken by the ISO and members of CEN on standards for occupational health and safety management systems triggered international debates on the expediency of standards in this area. EU legislation (Framework Directive 89/391/EEC) explicitly says that the management of health and safety in the workplace cannot just be left at technical maintenance, but must be part of an overall policy covering work organization, adapting the work to the individual, and that workers and their representatives must be informed, consulted and be given "balanced" participation in it. This is why the social partners at European level felt that any such debate on management systems had to be conducted within the tripartite forums, while workers' representatives at international level demanded that the ISO refer to the ILO international labour standards.

The vigour and extent of the current European debate on whether this is an appropriate area for standardization shows how the role of standardization, as a force for market integration and control, is gradually shifting into the social arena.

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