

From technical transpositions to political debates

Legislation to implement the Framework and other health and safety directives went through largely undebated in most EU countries. Most governments saw it simply as updating existing legislation to correct the odd technical hitch in preventive systems whose general operation was by and large satisfactory. Once that was considered done, the mood turned upbeat. Set-ups had been modernized - time for a break from new legislation and political debate.

The difficult transition to practice, and especially, worsening working conditions, shattered this break in several countries. Debates are on the move, especially nationally, where significant differences remain. It soon became clear that while the Framework Directive was an effective device for setting ground rules in workplaces, it was not up to the challenges of prevention. National prevention policy also had to be reviewed and properly resourced. That is one reason why the national debates have not yet led on to a Community debate. Another is the head-in-the-sand policy adopted by the EU institutions in failing to shoulder their responsibilities for joint discussion of common problems in an area where Community legislation is a benchmark. So, the Portuguese Presidency's priorities for the Lisbon Jobs Summit offer an upbeat assessment of the future information society, but totally gloss over present-day working conditions and the health damage they are wreaking.

In France, asbestos was clearly instrumental in triggering the first public debate for nearly a quarter of a century. After decades of downplaying the risks of asbestos, the French government decided to get tough in 1996 and ban asbestos completely (See *TUTB Newsletter*, No. 4). Asbestos rapidly became a litmus of the failings of the preventive system's different functions (policy-making, research, use of medical surveillance data to set prevention priorities, problems of jointly-run occupational risk compensation bodies, links between public health and occupational health, etc.). The trade unions launched a common discussion and 2000 will doubtless be a year for evaluating and overhauling the preventive system.

Particularly alarming figures on reported employment injuries, the failings of joint industrial bodies set up at different levels, the many problems left unaddressed by the 1994 legislative decree implementing the Framework Directive (See *TUTB Newsletter*, No. 2) sparked off the first major political debate for twenty years in Italy on the workings of the preventive system. The government called a major conference in December 1999.

In the United Kingdom, the main questions are coming from trade unions and the academic community, but also for the first time in two decades, the Health and Safety Executive's upbeat and anodyne assurances have given way to a more qualified assessment of achievements and, especially, a genuine concern about the preventive system's ability to address the new challenges.

In Spain, like Italy, the immediate trigger for debate was the stark employment injury figures and the manifest links they reveal between the spread of insecure jobs and the rising accident toll. The euphoria of 1996-97 which followed the passing of the Safety at Work Act has yielded to concerns that it is not being applied properly in most workplaces, and that the enforcement and penalty system is not working. The debate in Spain is not just an institutional one, but is underpinned by mass workers' action, as witness the call to a two-day general strike in the building industry on 24 and 25 February 2000. The two main trade union confederations (Comisiones Obreras and UGT) have an agenda focussed on health and safety, and against job insecurity.

The debates in other countries may not be quite so intense, but a ground swell of common concerns is emerging about how to enforce the rules, how to address changing patterns of work, how effective have the prevention policies of recent years been? Deregulation, the watering down of enforcement systems, ineffective or no employee representation in small and medium-sized firms have mostly been important factors. But behind these problems with preventive systems lies a more fundamental issue. Employment policies have led to more job insecurity. And the coming debates on the future of preventive systems must take into account that an insecure job is also an unhealthy job. ■