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EDITORIAL

Will workplace health and safety be watered down in European social policy ?

This *Newsletter* has repeatedly argued that the working environment is a specific area for action by the Community public authorities. Article 118A has gone, but most of its provisions have been re-enacted in the new articles 136, 137 and 138 of the Treaty which apply to the much wider field of social policy, education, training and youth. Signally, the Member States' commitment to work on harmonizing conditions in this field has been swept under the carpet and the Treaty makes no provision for a majority Council Decision to adopt common programmes to implement existing directives !

This, plus the setting up in 1995 of a European Agency based in Bilbao to be an information resource on health and safety, has led many to question where health and safety are headed in Community policies. The social policy agenda for the period 2000-2005, published by the Commission, is the first document to lay down programme guidelines which include health and safety. The Lisbon Conclusions talked about quality of employment but glossed over quality of the working environment.

The Commission's agenda lists ways of modernizing the European social model. Health and safety at work gets a look-in under the objective: *"anticipating and managing change and adapting to the new working environment"*, which provides for promoting health and safety at work, and adapting legislation in the light of new knowledge and technical progress. It is covered by three actions: codifying and simplifying H&S legislation; adapting and improving H&S legislation taking into account ECJ case law and the changing world of work; and further developing the Community strategy on health and safety at work by issuing a Commission Communication. This third action scraped into the preparations for the agenda at the last minute, and took a unanimous call from the Luxembourg Advisory Committee to convince the Commission to put it in.

Never before in the social programme have health and safety policies been expressly made part of employment policy and no other. The foundations of this linkage could be seen in the mid-term report on the Community programme concerning safety, hygiene and health at work 1996-2000 (COM (1998) 511). One priority set for the period 1998-2000 was strengthening the link between a good safe working environment and the *"employability of labour"*. Many misgivings were voiced about this shift in language from collective protection for workers to the *"employability of labour"* - a term favoured by employers which underpins an approach to employability as a means for selecting healthy workers rather than a policy of making workplaces fit for workers.

The social policy agenda now ties health and safety to the adaptability of firms and workers. This was a strand of the third pillar of the employment strategy guidelines laid down at the 1997 Luxembourg Summit which set two objectives: modernizing work organization to achieve a new balance between flexibility and security (of jobs ?), and supporting adaptability in firms by ensuring that any new regulations help reduce barriers to employment and foster structural change.

NEWSLETTER

We believe that linkages between a policy to promote health and safety and changes in work organization not only should but must be forged. There is abundant evidence that changes in work organization (increased responsibilities and constraints) and job insecurity are harming workers' health. The musculoskeletal disorders and stress which poor work organization causes to workers are well-established (see the ETUC campaign). The Dublin Foundation and Bilbao Agency's reports show the extent of the suffering: one worker in three !

And yet the Commission's agenda contains conflicting and confused signals, because the self-same guidelines foreshadow a process of codifying and simplifying health and safety legislation. The BEST report, like the Molitor report, had already called for simplification of existing legislation. The Community Directives mainly laid down fundamental principles of prevention and organization. Simplification cannot be about dismantling a structure which actually needs strengthening to cope with current issues. Poor working conditions are harming not just workers, but also social protection systems and business. How many more times does it have to be said that this situation is all due to business and Member States' unwillingness to stump up the means needed. The continuing low rate of preventive service coverage (50% of workers are covered) and the lack of rights to be informed and consulted for workers in most European firms speak for themselves here. The TUTB has consistently highlighted worsening working conditions and the need for a policy based on feedback of shopfloor experiences, data collection and tripartite debate.

In September 2000, the TUTB is staging a joint conference with the Swedish SALTSA programme on "Working without limits? Reorganizing work and reconsidering workers' health", where researchers and trade unionists from across Europe will give thought to the linkages between work organization and health and safety in the light of available data and industry experiences. They will also map out ways forward for research and action on the organization of prevention and spelling out the role of workers.

The last Lisbon Summit called on the Commission to produce an annual report on the progress achieved and pledged to implement the (open) method of coordination as the means of "achieving greater convergence towards the main EU goals". Where in the agenda is there anything about including a better working environment in the EU's objectives (quality of employment) in the coordination method ?

We want the new programme to include a linkage between the Commission's and Council's remits. The Commission is responsible for following-up on how the Directives are being applied and improving them. The Council looks after the means of open coordination, i.e., setting indicators and benchmarks (there is already a core of European indicators, and others are to be framed on infrastructure), information gathering, setting concrete aims for improving the work environment and strengthening the infrastructure, as well as establishing national programmes for the improvement of working conditions.

That they must get their act together now is clear: the latest batch of statistics show that work-related accidents are on the up in some countries, while injuries related to repetitive and intense work are rising everywhere. ■

Marc Sapir, Director of the TUTB

THE EUROPEAN TRADE UNION TECHNICAL BUREAU FOR HEALTH AND SAFETY was established in 1989 by the European Trade Union Confederation (ETUC). It provides support and expertise to the ETUC and the Workers' Group of the Advisory Committee on Safety, Hygiene and Health Protection at Work. The TUTB is an associate member of the European Committee for Standardization (CEN). It coordinates networks of trade union experts in the fields of standardization (safety of machinery) and chemicals (classification of hazardous substances and setting occupational exposure limits). It also represents the ETUC at the European Agency for Health and Safety in Bilbao.

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