

Social partners give work-related stress agreement a positive report card

At a press conference in December 2008, the European social partners unveiled their final report on implementation of the framework agreement on work-related stress which they had signed four years earlier. It is clearly too soon to tot up its practical impact in workplaces, but one thing that can already be said for sure is that it will have helped start the debate going in countries where it was off-limits, and revive it in those where it was stalled.

The European Trade Union Confederation (ETUC), Business Europe, UEAMPE and CEEP¹ signed an autonomous framework agreement on work-related stress on 8 October 2004.

The agreement gives the social partners and their representatives a framework for action focused on ways of preventing, identifying and eliminating the problems that give rise to work-related stress. It is an "action-oriented" agreement which says that when a stress situation starts to appear in the work place, steps must be taken to prevent, eliminate or reduce it. These "anti-stress" measures are a joint responsibility for management and labour.

The measures taken may be collective or individual, depending on the context of the problem arising, but collective action will be always preferred and the agreement does not seek to apportion blame on the individual, whether cause or victim of work-related stress.

In signing up to the agreement, the European social partners recognize the particular importance of stress and the need to eliminate or reduce it as a means of improving health, safety and efficiency at work with the social and economic gains that will bring for workers, employers and society generally.

This specific recognition is not, though, intended to brush aside employers' existing legal duty under Framework Health and Safety at Work Directive 89/391 to assess, prevent and eliminate the risks of stress: that obligation is specifically incorporated through the linkage that the agreement makes with that Directive.

The signatory parties finally agreed on the instruments and procedures for its implementation, and on its dissemination and transposition, between 2004 and 2007.

The state of play

Implementation of the agreement had to be carried out within three years of its date of signature, i.e., by October 2007. Based on their experience with the

preceding framework agreement on telework, the social partners decided to draw up a yearly summary of implementation and a joint final report in June 2008. Twenty-one Member States of the European Union and European Economic Area – the exceptions being Bulgaria, Estonia, Greece, Iceland, Italy and Lithuania – had submitted joint final reports by June 2008.

The various initiatives taken – whether Europe-wide, national, sectoral or workplace-level – all demonstrate that the European social partners have really moved along the road mapped out by the agreement to take practical action against work-related stress.

The first initiatives were to get the agreement translated into the languages of countries where English was not the main language: this in turn meant the parties agreeing on the new text, and was generally done on a bipartite or sometimes tripartite basis. In some countries, recommendations and other forms of guidance were annexed to the translated agreement.

Activities to disseminate the agreement were then organized in several countries. These activities took the form of joint or separate seminars, training courses and leaflets, and in a number of European firms, schemes designed to measure and act on workers' stress levels.

Transnational activities were also staged and are described in detail on the European social partners' resource centre websites²: they include a range of activities under the ETUC support programme, including a website on stress (and the other framework agreement issues), translations into Member State languages, agreement dissemination conferences held throughout Europe, as well as seminars like "Training & Mentoring on European Social Dialogue", and the drafting and distribution of an explanatory and educational brochure. The social partners' resource centres have themselves been key delivery systems for disseminating the agreement, its translations and updates on implementation.

A raft of instruments – ranging from social partner agreements to tripartite activities – have been

¹ European Association of Craft Small and Medium-Sized Enterprises (UEAMPE), European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest (CEEP).

² A list of websites is available on <http://hesa.etui.org> > Main topics > Stress.

brought in; the sheer number and variety of these show how much importance the social partners and their respective members place on the agreement and the significance of work-related stress. The social partner negotiations reflected the differing framework of labour relations in each Member State.

This implementation drive has yielded national, sectoral and workplace collective agreements, good practice guidance and implementation through national legislation, as happened in Belgium, Latvia, the Slovak Republic and the Czech Republic where the legislation was amended for the purpose.

Tripartite activities to implement the framework agreement on work-related stress were developed in Slovenia, Hungary, Luxembourg, Latvia, Norway and Portugal.

Finally, complementary activities ranging from “stress barometers” through the development of stress level assessment tools to training activities, have also been organized by the social partners on a tripartite, bipartite or individual basis. In Germany and Austria, awareness-building campaigns have been run on different fronts (accident insurance, health care insurance, etc). In Sweden, a joint worker/employer developmental project was set up based on a joint handbook. A “stress barometer” was developed in Denmark, while the social partners in Portugal drafted a co-operation agreement.

The social partners, especially in the 12 new EU Member States, faced problems in implementing this new type of instrument. But the real challenge posed by the nature of the instrument and, more especially, the scale of the problem in the European work environment, prompted most of the stakeholders to get firmly to grips with work-related stress, as is shown by the sheer volume and quality of the actions carried out.

The future

The success of the agreement is partly to be seen in the efforts put in to disseminating and implementing it, as described above. Let there be no mistake, however: its real effectiveness will be gauged by the overall level of complaints about work-related stress. If the agreement delivers on its aims, overall levels of work-related stress should come down. Measuring these levels is a practical proposition thanks in particular to the studies done every five years by the Dublin Foundation for the Improvement of Living and Working Conditions. But there are limits and risks to it: getting workers’ subjective opinions on a concept as broad as that of work-related stress also involves methodological challenges, and means that we must look at what is really being measured and what might skew the results.

It is a known fact that asking a question may focus special attention on something that might otherwise be dismissed as minor: this is what is known as stigmatization; it artificially inflates the overall level of complaints and is one of the unintended consequences of this type of agreement.

However, if the variabilities of “work-related stress” are interpreted in two stages, the first stage increase in complaints should probably be seen as a positive effect of the agreement. As one of its key aims is to raise understanding of the phenomenon, logically we should see a rise in reported cases. In the second stage of implementation of the agreement – following on from the awareness-building – the anti-stress measures developed and implemented should result in a decrease in the overall incidence of complaints in Europe.

It is this medium-term trend that we propose be taken and used to measure the effective reduction of work-related stress in the post-awareness-building stage.

Being “action-oriented”, the framework agreement adds to the preventive mechanisms already contained in Health and Safety at Work Directive 89/391 by targeted preventive action on what causes work-related stress, or trying through specific measures to reduce the harm it causes.

Finally, as the framework agreement comes under the European social dialogue, it plays into the development of a tool that so characterizes the changes in labour relations within the EU: each advance made during the negotiations for a new autonomous agreement helps move the instrument forwards and, through the agreed joint assessments, to build up an increasingly effective framework. This is how the experience and lessons of the Telework Agreement found their way into the text of the Stress Agreement which itself helped to enhance the text of the Framework Agreement on Harassment and Violence at Work signed by the European social partners in April 2007. ■

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More

The work-related stress briefing page on the ETUI website – <http://hesa.etui.org> > Main topics > Stress – contains the social partners’ final report together with a long list of downloadable documents on the implementation of the Framework Agreement in the Member States and other anti-work-related stress measures taken at national level.

More information on the autonomous framework agreements negotiated by the European social partners is available on the ETUC and Businesseurope dedicated websites: <http://resourcecentre.etuc.org/Agreements-57.html>
<http://www.erc-online.eu/content/default.asp?PageID=511>