

Occupational health and safety management systems: towards a European standard?

The ISO may have shelved its international work on occupational health and safety management standards (see past issues¹), but a Spanish proposal has now put the issue on the European agenda in CEN. It has the backing of six CEN members² - including the Netherlands and Denmark - making a sufficient majority to set up a Technical Committee and get work under way. But the decision still has to be ratified by the BT after discussion in BTS4 which met at the end of May.

Below, André Blázquez of the AENOR³ puts the Spanish proposal in context for *Newsletter* readers, followed by the common viewpoint of UGT-E and CC.OO on the development of a standard on the matter.

Meanwhile, at the most recent Luxembourg Advisory Committee meeting on 22 April, the Workers' Group discussed whether CEN should instigate European work on occupational health and safety management at all. They felt that rules on occupational health and safety management were more a matter for Community legislation based on article 118A of the Treaty and the tripartite process (workers-employers-governments). Community legislation, especially the Framework Directive, gives workers and/or their representatives rights of information, consultation and balanced participation in occupational health and safety management matters. The Group feels that top priority should go to the proper transposition and application of existing European legislation, which provides a basis for harmonizing management systems with guaranteed worker participation, and concluded that now was not the time for the CEN to start work in this area.

UNICE has proposed that the Advisory Committee should draw up guidelines for occupational health and safety management. The Committee is due to examine the proposal at its next session in October 1997. Watch future issues for more on this.

A Spanish trade union viewpoint on the standardization of Occupational Health and Safety Management

The prevention of occupational risks is a matter of labour relations. It is governed by labour law and supplemented by collective agreements. It is a matter of complying with statutory obligations, and is generally expressed in terms of the employer's responsibilities, the rights of trade unions and employees, and the duties of public authorities.

But there are also voluntary technical standards to make it significantly safer to use machinery, tools, products and safety elements. This is the area of standardization.

The success of the ISO 9000 series of international standards on quality management and assurance, and the acclaim given to the proposed new ISO 14000 series of environmental management standards has led other organizations to start looking at standards for health and safety management. In Spain, the AENOR has produced three experimental standards and three more are in the pipeline (see inset). The AENOR has also suggested that CEN set up a Technical Committee on the matter based on the Spanish standards.

We are not happy with the way the Spanish standard equates health and safety management with quality and environmental management in many respects. Without launching into a detailed examination of the role of employers and union representatives in quality and environmental matters, it is clear to us that the importance and impact of the role of employees and their representatives cannot be treated as the same in the three cases.

The company does not own the health of its employees at work; it cannot be treated as something to be hired out or transferred under a contract. There are no moral or legal grounds for seeing it as something that can be bought and sold. The same applies to accident prevention. Health and safety management cannot be left exclusively to the tender mercies of the employer, which is precisely why it is governed by labour law.

These considerations are expressed in the recitals of the Framework Directive: "*Whereas the improvement of workers' safety, hygiene and health at work is an objective which should not be subordinated to purely economic considerations*"; and article 1.2 "*(the directive) contains general principles concerning ... the informing, consultation, balanced participation in accordance with national laws and/or practices and training of workers and their representatives as well as general guidelines for the implementation of the said principles*".

We consider the mandatory requirements of the directives and the voluntary provisions of standards, which are also binding, as essential. We believe the trade unions should have a significant role in framing health and safety standards, but as things stand they have far too little say at both national and European level.

The framing of occupational safety and health management standards, whether by AENOR, CEN or the ISO, can in practice marginalise workers' influence in the management of something which affects them directly. So much is clear from the health and safety management system described in standards UNE 81.900 and UNE 81.901 which, by failing to involve either workers or their representatives, flouts articles 10 (worker information) and 11 (consultation and participation of workers) of the Framework Directive.

Standardization in this area would be acceptable if worker participation were among the criteria to be met. That could be achieved by ILO-style tripartite representation in the standards institution.

Given the range of existing models of participation and ground-breaking experiences in this area, we do not feel that recognition should be restricted to one management system alone.

In short: we oppose the AENOR proposal to CEN, and would prefer an outline document worked out within a tripartite framework, like the UNICE proposal for the Luxembourg Advisory Committee to draw up European guidelines for health and safety management.

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¹ International standardization and the management of health at work (I), *TUTB Newsletter* No 3, June 1996, p. 8. International standardization and the management of health at work (II): ISO work to be shelved?, *TUTB Newsletter* No 4, November 1996, p. 11. Standardization and occupational health and safety management: a Spanish initiative, *TUTB Newsletter* No 5, February 1997, p. 19.

² Denmark, Spain, Greece, Portugal, the Czech Republic, the Netherlands

³ Spanish standards body