



Towards a European Pillar of Social Rights

HEALTH AND SAFETY AT WORK

Longer and healthier working lives can reduce precariousness while improving productivity. Indeed, good health and safety at work leads to numerous benefits, such as reducing sickness absence, cutting healthcare costs, keeping older workers in employment, stimulating more efficient working methods and technologies and reducing the number of people who have to cut their hours to care for a family member.

Challenges

New challenges arise for health and safety at work from less stable employment relationships, new working patterns and an ageing workforce. Not all people concerned by those changes are adequately covered by the existing health and safety legislation. The increasing numbers of temporary workers - reaching 14% of all employment in 2014 - and the increasing number of atypical contracts, raise concerns on the degree of coverage of health and safety provisions. Some 10% of workers report that they are not well informed about health and safety risks related to their jobs, with a higher share in small and medium-sized workplaces.

Situation at EU level

Article 31(1), of the Charter of Fundamental Rights of the European Union enshrines the right of every worker to working conditions which respect his or her health, safety and dignity. According to Article 153(1)(a) of the Treaty on the functioning of the European Union (TFEU) the Union shall support and complement the activities of the Member States to improve the working environment to protect workers' health and safety; to that end, the Union may adopt minimum requirements through directives (Article 153(2)(b) TFEU).

One Framework directive and 23 individual directives set out minimum requirements on the prevention of occupational risks, the protection of workers' safety and health, the elimination of risk and accident factors, the principle of the responsibility of the employer, rights and duties of workers, including the information, consultation, balanced participation and training of workers and of their representatives and health surveillance. The individual directives specify rules with regards to specific hazards (for example chemical, physical and biological agents), to specific activities (for example manual handling of loads), to sectors with higher risks (for example extractive industries or construction) and to vulnerable workers (for example young workers or pregnant workers).

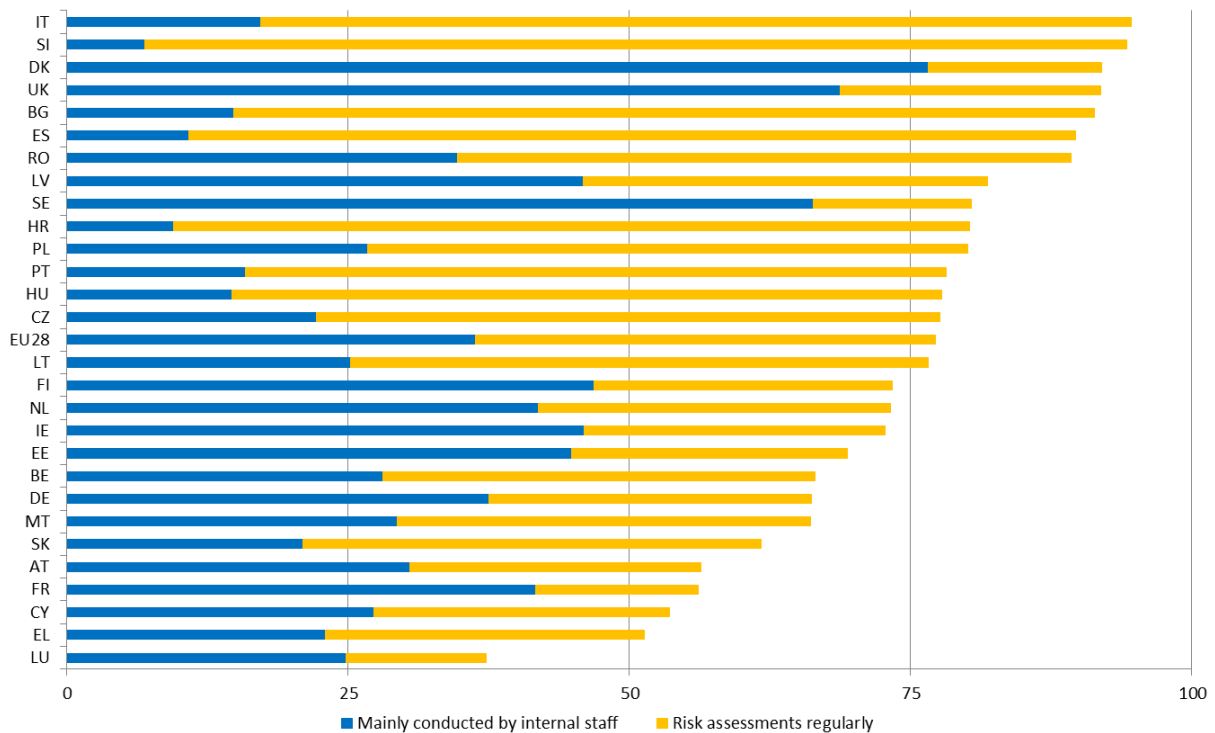
The EU Guidelines for the employment policies of the Member States¹ call for quality employment to be ensured among others in terms of working conditions, including health and safety.

¹ Council Decision (EU) 2015/1848 of 5 October 2015.

Situation in the Member States

The EU minimum requirements have contributed to developments towards a stronger focus on the risk management cycle at national level. However, the application of the rules varies significantly from one Member State to another, entailing different levels of workers' health protection. For example, as illustrated below, there are significant differences as regards whether risk assessments are carried out regularly.

Figure 1: Workplace risk assessments carried out regularly and risk assessments mainly conducted by internal staff, by country (% establishments), 2014



Source: European Agency for Safety and Health at Work, Second European Survey of Enterprises on New and Emerging Risks (ESENER-2).

European Statistics on Accidents at Work data indicate that – when taking all sectors together – there is no great difference in the incidence rate of fatal accidents among workers compared with self-employed people (including employers and family workers). The situation is different, however, in the agriculture, hunting and forestry sector, which has the highest proportion of self-employed: here the fatal accident rate of self-employed and family workers is notably higher than that of workers in the same sectors.²

International dimension

The right to safe and healthy working conditions is provided for in Article 3 of the European Social Charter³, and protected by the International Labour Organization Constitution, applicable to all EU Member States, which sets forth the principle that workers should be protected from sickness, disease and injury arising from their employment. This is also covered by the ILO Occupational Safety and Health Convention, 1981 and the ILO Promotional Framework for Occupational Safety and Health Convention, 2006.

² A review of methods used across Europe to estimate work-related accidents and illnesses among the self-employed*, EU-OSHA, 2010, p. 5-6.

³ The European Social Charter is a Council of Europe treaty which was adopted in 1961 and revised in 1996.