

(2007/C 93/10)

On 20 September 2006 the European Commission decided to consult the European Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the abovementioned proposal.

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 19 December 2006. The rapporteur was Mr Janson.

At its 432nd plenary session, held on 17-18 January 2007 (meeting of 17 January) the European Economic and Social Committee adopted the following opinion by 150 votes to 1 with 6 abstentions.

1. Conclusions and recommendations

1.1 Health and safety at work is an area of EU competence which is important from the point of view of sustainable competition in the internal market and a social Europe. Companies must not be able to compete with each other at the expense of workers' health and safety.

1.2 Most of the directives on health and safety at work require Member States to draw up reports on the practical implementation of the directives. The current provisions lay down different intervals for the submission of national practical implementation reports to the Commission (four or five years). The purpose of the Commission's proposal is to remove these disparities and to rationalise the existing framework by providing for a single report every five years on the practical implementation of all of the directives.

1.3 The EESC welcomes the Commission proposal. Reporting has taken up a large amount of the national authorities' time, and the proposal will bring significant savings in time and cost.

1.4 Harmonising the frequency of reporting and bringing together reporting obligations in a single report will enable the national authorities in Member States to obtain a better overall view of the situation and make it easier to report on the links between the various health risks which the directives seek to prevent. Regular reporting on the practical implementation of the provisions of the directives is an important instrument for assessing the impact of the various measures on workers' health and safety in the European Union. However, the EESC considers that the Commission should propose the introduction of a requirement for Member States to consult with the social partners on all sections of the report and to include their comments in the report before sending it to the Commission.

1.5 The proposed directive will also help to increase transparency for stakeholders and the public at large, thus bringing Europe closer to the people and strengthening democracy.

2. Background

2.1 Gist of the Commission Communication

2.1.1 The proposal aims to simplify and rationalise the provisions of the Community directives concerning protection of the health and safety of workers at work, which require Member States and the Commission to draw up reports on their practical implementation.
2.1.2 Many of the directives on health and safety at work require Member States to draw up reports on the practical implementation of the directives. The current provisions lay down different intervals for the submission of national practical implementation reports to the Commission (four or five years). The purpose of the Commission’s proposal is to remove these disparities and to rationalise the existing framework by providing for a single report every five years on the practical implementation of all of the directives, which would include a general section with general principles and common aspects applicable to all the directives, complemented by specific chapters dealing with the aspects particular to each directive. The first report will cover the period 2007 to 2012.

2.1.3 At present, the drawing up by Member States of practical implementation reports — on which the Commission’s report is based — is provided for by Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to improve the health and safety of workers at work (1) and by the individual directives (2) within the meaning of Article 16(1) of that directive. Three other directives also provide for reports to be drawn up (3).


2.2 General comments

2.2.1 Health and safety at work is an area of EU competence which is important for sustainable competition in the internal market and for a social Europe. Companies must not be able to compete with each other at the expense of workers’ health and safety.

2.2.2 The EESC welcomes the Commission proposal, which will bring significant savings in terms of time and cost. Reporting has taken up a large amount of the national authorities’ time. At the moment, the different time intervals imposed by the various directives mean that evaluation exercises are carried out virtually continuously, resulting in disproportionately high administrative costs.

2.2.3 Harmonising the frequency of reporting and bringing together reporting obligations in a single report will enable the national authorities in Member States to obtain a better overall view of the situation and make it easier to report on the links between the various health risks which the directives seek to prevent. Problems relating to health and safety at work are often intertwined and a single report could help to give a better picture of the overall effects of the directives. Regular reporting on the practical implementation of the provisions of the directives is an important instrument for assessing the impact of the various measures on workers’ health and safety in the European Union.

2.2.4 However, the EESC considers that the Commission should propose the introduction of a requirement for Member States to consult with the social partners on all sections of the report and to include their comments in the report before sending it to the Commission.

2.2.5 The proposed directive will also help to increase transparency for stakeholders and the public at large, thus bringing Europe closer to the people and strengthening democracy.


The President
of the European Economic and Social Committee
Dimitris DIMITRIADIS