

ROADMAP	
TITLE OF THE INITIATIVE	EU Strategic Framework on Health and Safety at Work [2021-2027]
LEAD DG – RESPONSIBLE UNIT	DG EMPL – B3
LIKELY TYPE OF INITIATIVE	Commission Communication
INDICATIVE PLANNING	Q2 2021
ADDITIONAL INFORMATION	https://ec.europa.eu/social/main.jsp?catId=148&langId=en
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A. Context, Problem definition and Subsidiarity Check
Context
<p>Workers in the European Union have the right to a high level of protection of their health and safety at work as enshrined in the European Pillar of Social Rights¹.</p> <p>A strong social Europe calls for constant improvements towards safer and healthier work for all. Setting new updated EU policy strategic orientations for the period 2021-2027 will contribute to the improvement of the health and safety of workers across Europe. These strategic orientations are particularly relevant in this new period to address new risks, such as those resulting from new ways of working, new technologies and digitalisation and COVID-19 pandemic alongside the more traditional ones, such as exposure to dangerous substances and risk of accidents at work. The Communication has been announced in the Letter of intent of President von der Leyen, and confirmed in the Commission’s Work Programme for 2021 (under the headline ambition 3, ‘an economy that works for people’). As the previous EU Occupational Safety and Health (OSH) Strategies 2007-2012² and 2014-2020³ did, it is expected also for this new Strategic Framework to trigger the adoption or revision of national OSH strategies helping to stimulate coordinated action of Member States, social partners and other key stakeholders to promote actions at the different levels. The Communication also responds to the recent Council Conclusions and to the opinions of the tri-partite Advisory Committee for Safety and Health at Work and the Senior Labour Inspector Committee and was also announced in the Communication “A strong social Europe for just transitions”</p>
Problem the initiative aims to tackle
<ul style="list-style-type: none"> • <i>What is the problem that this initiative aims to tackle? How big is the problem? Who is affected by it?</i> <p>Despite the significant reduction in accidents at work in the EU over the past decades⁴, workers in the Union still fall victim to too many accidents at work. In 2017, there were some 3.300 fatal accidents at work and some 3.2 million non-fatal accidents (with at least 4 days of absence from work) in the EU-27⁵.</p>

¹ https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_en

² COM(2007) 62

³ COM(2014) 332

⁴ Between 2008 and 2017 the number of fatal accidents decreased by about 30% and the number of non-fatal accidents by about 14% in the EU-27 (from 2020).

⁵ Source: Eurostat, ec.europa.eu/eurostat/data/database, datasets ‘Fatal Accidents at work by NACE Rev. 2 activity (hsw_n2_02)’, ‘Non-fatal accidents at work by NACE Rev. 2 activity and sex (hsw_n2_01)’

At the same time, data published in 2017 by the European Agency for Safety and Health at Work (EU-OSHA) show that there are some 200.000 deaths per year related to work-related illnesses in the EU-28⁶.

The economic costs of work-related illnesses and accidents together account for about 3.3% of GDP or €476 billion in the EU-28 per year⁵.

This initiative will contribute to improving health and safety at work, including helping to prevent workers from having accidents at work and getting avoidable work-related illnesses. The initiative will also improve productivity and contribute to preventing unnecessary health costs, such as medical or rehabilitation costs, as well as to reducing public healthcare spending, so improving the sustainability of social security systems.

This requires an inclusive and crosscutting strategic approach to address the main challenges which will be identified for this decade and ensure that workers in the EU can benefit from the highest standard when it comes to health and safety at work.

Is the initiative driven by a newly arising political opportunity (which one) rather than a specific problem?

The initiative will also contribute to a better preparedness to face new crisis and threats, such as the current COVID-19 pandemic, in particular as OSH measures are critical as regards the continuation of essential activities.

- *Is the initiative part of the Regulatory Fitness Programme (REFIT)?*

N/A

- *Do implementation problems exist based on complaints and infringement proceedings?*

N/A

- *What are the causes ("drivers") of the problem and their relative importance?*

The fast pace of societal, technological or scientific changes has brought great benefits but also new risks, including those resulting from digitalisation or the use of robots at the workplace while at the same time the traditional risks remain, such as exposure to hazardous chemicals. The coronavirus outbreak accentuated some risks, both linked to the virus itself and to changes in the way work is carried out, in particular with the significant rise of teleworking and work from home, which raises a new set of OSH issues to be considered.

The correct and full application and enforcement of the existing rules is important to prevent the occurrence of accidents at work and work-related illnesses in the EU. Improving the extent and quality of compliance with OSH provisions is a longstanding objective at EU and national level and is particularly challenging for micro and small enterprises. Moreover, meeting this objective is an increasing challenge given the rapidly evolving world of work. Many accidents can be accounted for as due to non-compliance with OSH provisions. For instance, according to recent data⁷ 23% of all establishments in the EU-28 do not carry out risk assessments, with significant variations between Member States. Effective labour inspections and enforcement contributes to better compliance and fosters at the same time a prevention culture which is at the core of this area and thus improve OSH outcomes. Some of referred lower numbers of risk assessments carried out in some countries correspond with a lower numbers of labour inspections in the same countries.

- *How is the problem likely to evolve with no new EU intervention? Will the nature of the problem change as society makes greater use of the internet, social media and ICT technologies?*

The existing EU OSH Strategic Framework 2014-2020, which expires end of the year, is proving being useful in triggering actions and mobilising actors around the key common priorities. The non-adoption of a new EU Strategic Framework for the next years would generate lack of coherence among Member States actions and leave a political lacuna in this area, as there are no other similar initiative or actions at EU level which could play its pivotal role of triggering actions at national, social partners and company level around common strategic objectives.

Basis for EU intervention (legal basis and subsidiarity check)

⁶ Source: <https://osha.europa.eu/en/publications/international-comparison-cost-work-related-accidents-and-illnesses/view>, <https://visualisation.osha.europa.eu/osh-costs#!/>

⁷ <https://osha.europa.eu/en/publications/third-european-survey-enterprises-new-and-emerging-risks-esener-3/view>

The legal basis for this initiative is Article 153 (1) (a) of the Treaty on the Functioning of the European Union. It is an initiative in the area of the improvement of the working environment to protect workers' health and safety, which is a shared competence between the EU and Member States.

When identifying in which areas EU action could bring added value for contributing to the improvement of the health and safety of workers at work, this Strategic Framework will take into account the principle of subsidiarity. The same would be applicable for possible policy initiatives that could follow the communication.

The adoption in 2021 of an EU OSH Strategic Framework for a new period provides clear added value in this policy area in particular given the COVID crisis and its impact on the measures taken to protect workers at national and EU level. This element is of particular relevance in the case of cross-border workers or seasonal workers.

Given the current context, despite the progress made, there is a strong need for EU action as there continue to be important problems and issues regarding OSH across the EU which need to be addressed, for example the constant screening of the need for updated measures in relation to the pandemic crisis, which cannot be properly and effectively addressed by Member States acting alone. The EU added value of the Strategic Framework relates to four main types of effects: – additional actions compared to what would have been the case without the EU Framework; – better coordination of efforts; – transnational exchange of experience; – achievement of broader EU policy goals.

B. What does the initiative aim to achieve and how

The initiative aims at maintaining and improving high OSH standards for workers across the Union, also in the light of new circumstances and the need to prepare for upcoming new crisis and threats, by reducing accidents at work and work-related diseases and by mobilising Member States and stakeholders around common priorities to achieve this. It aims at providing a political policy framework to improve OSH at both national and EU level.

The setting of common political objectives at EU level is particularly effective in stimulating coordinated action of Member States as well as social partners and other key stakeholders to promote actions at the different levels. In particular, the EU OSH Strategic Framework aims to trigger the adoption or the updating of national OSH strategies in cooperation with the national social partners.

The Communication will define the EU policy strategic orientations for the next period 2021-2027 in this policy area, framing a complementary approach between company, national and EU levels for the protection of the safety and health of workers. It will outline the roles and responsibilities of each level and relevant actors such as Member States and their authorities (for instance labour inspectorates), EU and national level social partners, EU-OSHA, the Advisory Committee for Safety and Health at the Work and Senior Labour Inspectors Committee.

It will set out how to combine actions at EU and national levels and of different natures, according to the particularities of the issues to be addressed. Particular focus will be given to encouraging Member States to adopt national strategies which will build on the EU strategy by taking into account national specificities and national laws and practices. The framework could build on the following elements:

- Anticipating and managing change for better and longer working lives
- Preventing work-related diseases and accidents
- Improving the application of EU rules
- Ensuring evidence-based policy
- Promoting higher safety and health standards in the world

The proportionality principle is fully respected as the scope of the initiative is limited to setting out the main common challenges and key objectives in the OSH policy area and to identifying different actions that could be considered during the period in particular by Member States in their national strategies.

C. Better regulation

Consultation of citizens and stakeholders

As the initiative will cover a very broad range of activities at different levels, it is critical to receive input from the relevant interested parties. This will be ensured/has been ensured by the inputs provided by the main stakeholders in this policy area, e.g.:

- the opinion of the tripartite Advisory Committee on Safety and Health at Work,
- the opinion of the Senior Labour Inspectors Committee,
- the Council Conclusions during Romanian, Finnish, and Croatian Presidencies.

Feedback will also be gathered on initial ideas by publishing this roadmap and a public consultation is planned to be launched in Q4 2020.

The results of the public consultation will be presented in a staff working document accompanying the Communication.

Evidence base and data collection

The political decision making process in the area of OSH is supported by a solid evidence base and inclusive consultation. In particular, the EU-OSHA provides technical, scientific and economic information. The Advisory Committee for Safety and Health at Work, with its tripartite structure of workers, employers and government representatives, supports the development of OSH initiatives. The Senior Labour Inspectors Committee, constituted by Member States representatives, contributes to the consistent enforcement of OSH legislation across the Union.

This Communication will be based on the key input provided by the above bodies and by comprehensive internal knowledge, data and relevant information and on a public consultation.

Furthermore, an external study financed by the Commission have been launched this year to take stock of the Strategic Framework 2014-2020 and support the update of the strategic framework. It is expected that it will provide relevant input related also to the identification of main challenges for the next period.