



Quality of Work

'A future Community strategy for safety and health at work'

Proceedings of a workshop jointly organised in Bilbao from 24-25 April 2001 by the Swedish Presidency of the European Union, the European Commission and the European Agency for Safety and Health at Work

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1. Introduction

One of the European Agency's key tasks is to provide the necessary input to the priorities and programmes of the European Community in the field of safety and health at work, based on the collection and dissemination of information in the Member States.

The objective of this seminar, jointly organised by the Agency, the Swedish Presidency and the European Commission was to support the process of development of the new Community Strategy on Safety and Health as announced in the EU Social Policy Agenda, especially to identify the key challenges for the new strategy and the priorities and type of action that could be taken to reach the common goal - safe, healthy and productive jobs.

Key safety and health experts and decision-makers in the Member States, the European Commission, the European Parliament, the European Social and Economic Committee and the European Social Partners participated in the workshop.

This paper is based on the presentations of speakers on key topics and the comments and viewpoints of the seminar participants.

*Swedish presidency*¹

The subject for this workshop 'Quality of Work' is one of the main priorities of the Swedish presidency. According to the Lisbon Summit conclusions it is necessary not only to focus on more jobs but also on better jobs. The European Social Agenda adopt-

ed at Nice followed on from this theme with its focus on 'Quality of work' with the specific objective of producing a Commission Communication in 2001 on the contribution of employment policy to the quality of work. On that basis the EU Employment Committee will submit a report at the end of 2001 on the definition of 'quality of work' indicators. In accordance with the EU Social Agenda a Community strategy on health and safety at work will also be developed on the basis of a Commission Communication in 2002. The results from this Bilbao workshop are meant to contribute to the formulation of a new strategy for safety and health at work.

*Social Agenda*²

The debate about safety and health is an important element of the Social Agenda and is particularly relevant to the issue of 'Quality of Work'. In fact 'Quality of Work' was on the Stockholm Agenda and it is hard to approach the issue without dealing at the same time with occupational safety and health. Although the safety and health figures are marginally improving, the practical application of the legislation emanating from the Directives can still be questioned. At the Lisbon Summit and in the Social Agenda it was said that the EU should be more competitive and dynamic and should have a greater social cohesion. Safety and health at work is one of the guarantees of this.

2. A framework for the past, present and future

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The European Union is at a new stage in the development of a European Policy on Occupational Safety and Health. Previously, the European Commission had a predominant role in defining Community policy regarding occupational safety and health. Now there is a modern EU legislative framework on safety and health, although it may be that some modifications and updates are needed on some legislative issues.

Now that there is a legislative framework, the question is whether it actually fulfils its objectives. The most important outcome of any policy is to reduce workplace accidents and professional illnesses. But is it actually doing so? And if not, why not? To a large extent it probably does. However, not as much as we would have hoped for. There seems to be a feeling among workers, employers and other organisations that things aren't going as well as they should.



Certain indicators tell us that young and older workers are those who tend to suffer most from accidents and that these tend to happen mainly in SMEs. Accidents are also frequent in certain economic activities such as fishing, construction and the agricultural industry. Further, it is important to note the increased risk amongst those workers who are in temporary employment.

This gives us some important trends upon which to reflect. Firstly, the principles that are included within the Framework Directive may not be fully applied in practice. Prevention services are often not multi-disciplinary and sometimes they carry out risk analyses without visiting the workplaces. Often there is not sufficient quality control of these prevention services.

Perhaps prevention should also make more use of financial incentives, such as economic incentives, both directly and indirectly and this issue should be explored further.

Also we ought to be wondering whether the tools that we have are the most appropriate ones to measure the effectiveness of achieving the aims that have been set by European legislation. It is important to set measurable objectives to reduce workplace accidents and occupational illnesses.

It is equally important to obtain knowledge through the appropriate research in safety and health in a co-ordinated manner between all Member States. There are many occupational safety and health institutes that carry out research according to national priorities in occupational safety and health, but these institutes do not co-ordinate much between themselves. There is a great deal of overlap between Member States. In addition, the results of this research are not used appropriately at a Community level.

Also common problems relating to the control and monitoring of the application of Community legislation should be dealt with seriously. Work has been carried out at Community level regarding legal co-operation agreements, but when it comes to administrative sanctions, only very little can be applied at a European level. There are problems that arise within a single market owing to cross-border problems through the lack of harmonisation or co-operation at the legal level.

Finally, it is important to exchange information on those national policies that have been successful. These successes and experiences should be shared with other countries in the European Union so that we can learn from each other in terms of strategy and logistics for prevention. In the next stage, there should be better co-operation at a political level between the different national administrations that are in charge of occupational safety and health. The Commission has played a vital role in drawing up the legislative framework, in co-operation with the social partners. Now in terms of the

implementation of this legislation at the workplace level, Member States, national authorities, agencies, social partners and all others involved will have to play a much greater role.

Some points of discussion:

- It is important to establish some sort of benchmarking mechanisms to clarify how much progress is made in the Member States
- Some subjects could be identified where the Member States could compare progress; while others can be left to the national level
- It is important to look for possibilities to integrate occupational safety and health issues with other areas

3. The State of Occupational Safety and Health at Work⁴

A look at some employment figures in the European Union shows that 68% of the population aged 15-64 were economically active (1998) with 70.8% male and 51.2% female. The increase in female employment took place primarily in the service sector (80% women). It should also be recognised that only 36.3% of the population aged 55-64 years were in employment, and also that more than 40% of early retirees would like to continue to work in some capacity. There is an obvious necessity to approach the issue of the ageing European population more proactively.

If we look at the exposure of workers to adverse working conditions we see that:

- 47% work in painful or tiring positions
- 57% reported repetitive movements
- 37% are handling heavy loads
- 27% consider that their safety and health is at risk at work.

Finally, 60% think that their work affects their health.

Further there seems to be a continuing intensification of work, such as high-speed work and tight deadlines and temporary workers continue to report more adverse work situations than permanent employees.

Exposures to adverse work conditions can lead to work-related health problems. Some figures are given below:

- Back pain (33%)
- Stress (28%)
- Muscular pains in neck and shoulders (23%)
- Burn-out (23%).

If we look more in detail at the safety at work indicators we see that in 1996:

- 4.8 million accidents at work with more than 3



days absence were reported (3.3% less than in 1994)

- 4.2% of all workers were victims of an accident that year
- there were 5,549 fatal accidents (13% less than in 1994)
- Accidents led to about 146 million lost workdays (EU+Norway)
- 20 billion in occupational accident insurance costs.

Finally, 7.2% of people who have suffered one or more accidental injuries are excluded from the labour market at least temporarily.

The total costs of work-related health problems and work accidents as estimated by Member States range from 2.6% to 3.8% of GNP.

Key priorities seem to be:

- A general need to increase preventive efforts/OSH-performance especially in SMEs
- Psychosocial and ergonomic strains, but also the handling of chemicals, accidents, noise and vibration
- Construction is the top risk sector, followed by agriculture, fishery, transport and certain manufacturing industries; a strong need to focus on the increasing service sector, especially health and social work
- Temporary workers as well as young and older workers.

Some points of discussion:

- It is most important to have common indicators, even if they are not completely perfect
 - Much of the current data is based on the subjective experience of external exposure; however information about objective exposure is lacking.

4. Quality at Work⁵

Recently, the first ever survey of consumers' attitudes towards 'Corporate Social Responsibility' found that protecting the health and safety of workers was considered to be the most important area of corporate responsibility. It came above human rights, job security and protection of the environment. In fact, 77% of those surveyed believed that health and safety is a crucial responsibility for the employer. On top of this, the survey concluded that up to 70% of consumers would be prepared 'to discriminate' against products which did not carry out this type of social or environmental protection, and 50% would consider paying higher prices! Simply put, this means there is a clear opportunity for companies to demonstrate their commitment to 'Corporate Social Responsibility' through pro-active occupational safety and health policies and win over consumers at the same time.

The role of business and employers in general should not be that of an unwilling victim of EU

health and safety initiatives. Instead, business should be a willing partner in establishing the spread of good practice and setting benchmarks for the tracking of the effective prevention of accidents and illnesses in the workplace across the EU.

The forthcoming Communication from the Commission will be a vital element in the creation of a Future Community Strategy for Safety and Health at Work. What we need, and what the European Parliament has called for is to produce guidelines for the application of EU directives. There is a need to directly involve the social partners in this process, because they are the ones who see how the legislation is implemented on the shop floor.

The Future Strategy

Furthermore, in order to bring about the effective application of national legislation we need to achieve effective inspection at work. Accurate data in key areas is also needed to support this process. This includes laying down benchmarks for Member States to achieve tangible progress in the field of health and safety, with the aim of achieving the standards of the best three performing Member States, and annual reporting to compare progress made towards achieving those targets. Again, social partners must be included in this process.

For clearly identifiable new risks or risks that are inadequately covered by existing legislation, we should think of using the legal basis we have in the Treaty. One could think of new or amended legislation with respect to the problems of skin diseases caused by exposure to the sun's rays, or stress or musculoskeletal disorders.

Some points of discussion:

- Including more OSH knowledge in the professional training of architects, engineers and in business schools, for example, could improve working conditions, because potential problems could be avoided at source
 - A major step forward could be taken if there were more mutual recognition between the Member States of OSH training activities

5. The role of legislation and enforcement⁶

Legislation and enforcement of occupational safety and health is not a mere technical issue. The minimum level of occupational health and safety in developed societies is defined by democratically elected persons, i.e. the political society. And the supply of efficient resources to control compliance with that minimum level is a core task for a 'political' society. Enforcement is therefore a vital issue as it is the only way a society can guarantee a certain level of social welfare. Effective enforcement ensures a level playing field for competition. In particular, small companies need to know what are the



conditions required to operate and all competitors should take the same costs into consideration.

Up to this point, enforcement strategy is in principle quite simple. It is a matter of 'police activity', ensuring that everyone follows the rules. However, one should be aware that there are differences in attitudes towards occupational safety and health issues amongst employers. Employers can be categorised in four groups:

- Those who want to comply with regulations and have the competence
- Those who want to comply with regulations but do not have the competence
- Those who do not want to comply with regulations and have the competence
- Those who do not want to comply with regulations and don't have the competence either.

It is obvious that one should consider different methods to secure enforcement. Inspection is the main method to be used against employers that do not want to follow the rules; while information and economic incentives could be enough dealing with employers who want to comply but do not have the necessary knowledge to follow the rules.

Some experiences have shown that existing legislation that is not enforced could have a negative influence. This does not mean deregulation but rather effective regulation. A regulation which is not accepted and not enforced will never be implemented. One of the most effective ways of implementing regulation or improving working conditions is partnership with employers and employees organisations.

More directives at the European level are clearly not a main priority. Implementation and enforcement of those already issued are more of a priority. A completely implemented Framework Directive would be one of the best measures taken to improve the Quality of Working Life. The existing directives must of course where needed be adjusted to take into account the ongoing change in the structure of working life, where outsourcing and other kinds of activities create an increasing number of self-employed persons. It will create an unacceptable situation if the legislative framework allows them to compete with lower levels of safety.

Some points of discussion:

- Legislation is crucial in setting minimum standards and to avoid social dumping and distortion of competition. Also, the development of guidelines and awareness-raising activities is important
- It is very important to develop efficient intervention and exchange information on this, as the number of resources to monitor and control companies is always limited
- It is to tackle concepts such as commitment. A clearer role for e.g. management responsibility could have substantial positive benefits.

6. Promoting preventive cultures⁷

A prevention culture in occupational safety and health is composed of elements such as attitude, skills and knowledge, behaviour, structures, procedures, systems, and finally financial and material resources. Several players contribute to this through a variety of measures. Some basic features in the development of coherent and successful strategies to promote preventive cultures can be identified.

Education and vocational training play an important role in the promotion of prevention cultures. During education and training periods people learn not only the skills and knowledge of a particular sector or profession but they also learn values and business cultures, including OSH cultures. A special emphasis has to be given to the content and implementation of education programmes, to the skills and attitudes of teachers, and finally to the availability of up-to-date literature and other training and educational material and information channels.

Continuous training should be available to all personnel. Particularly important is the training of safety specialists, safety representatives and safety managers. These people are able to benefit from the training in their everyday work. Awareness of safety and health should be raised, even as early as in school. Increasing awareness is not necessarily the task of people whose main concern is occupational safety and health. We should use our knowledge and spread the discussion on safety culture more widely in society.

European Week and the SME programme for Accident Prevention are good examples of non-legislative actions that help to raise the profile of specific safety and health issues. When national activities have been integrated into European Community action, the message has struck home to a wider audience and the principle of subsidiarity has been put into practice. In addition to that, other important topics can also be introduced parallel to the programmes. The European Week is very cost-effective because of the degree of publicity it generates. Through European Week, information on good practice examples is also extensively disseminated. The outcome of the SME Programme is yet to be seen, but it is evident that a major part of the programme will benefit SMEs in the Member States and even wider.

Occupational safety and health aspects should also be integrated into other EU programmes aimed at enhancing the quality of work and working life. As an example, maintaining and improving worker ability is considered as a means to improve the employability of workers. Safety and health aspects should be incorporated better than they are today into many EU programmes, for example those on education and research.



Some points of discussion:

- To stimulate a preventive culture it is important to be aware that public organisations can set a good example when they buy or hire services. They could also select their contractors or products with a critical view on OSH performance
- The importance of making use of the European Social Funds for training and awareness-raising purposes

7. Changing work patterns⁸

UNICE

There is an overall improvement in safety and health at work in Europe and there is a marked reduction in fatal accidents. Nevertheless, in absolute terms the figures remain high and there is a worrying upward trend in some sectors in the number of work-related accidents. There is a clear need to further examine causes and think about adequate solutions that can help to improve performance.

It is also clear that there is a progressive move towards a knowledge-based society. Companies are becoming increasingly dependent on the skills, individual commitment, motivation and creativity of their employees. It is important to have good working conditions also for company development and competitiveness. But elaboration of social standards must leave room for flexible solutions and individualised arrangements.

Also there is a need to go beyond preventive measures at the workplace and the improvement of technical protection measures. It is important to develop a prevention culture based on:

- Promotion of education and training
- Development of awareness-raising actions with regard to occupational risks and their prevention
- More reliable data on the causes of accidents, which will allow us to adapt prevention strategies efficiently (upgrading of data collection and harmonisation of statistics).

Health and safety at the workplace must remain a priority for European and national authorities, social partners, companies and employees. Traditional as well as new risks need to be considered. It is crucial that all relevant players at different levels are mobilised, respecting the most appropriate division of roles. Social partners are in favour of the efficient functioning of the Advisory Committee and encourage the Commission to take into account their proposals from October 2000.

ETUC

An important consideration is how occupational safety and health policy can be better related to other public policies. The first is employment policy; in particular as we know that this has an effect on health and safety. We know that the restructur-

ing processes and downsizing policies that are being carried out, have an effect on health and safety.

The second one is the public health policy on a Community level as this can hide the effects of the health and safety policies.

The Framework Directive considers that people are individuals and workers are recognised as the objective of collective health and safety initiatives. When we talk about public health, we talk about individuals and it is as if we were using two contradictory terms that are difficult to articulate. It is crucial that we have to recognise the priority of health and safety but not in an isolated fashion. It should be complementary to other policies.

Further, we need to consider completing the current legislation by including some spheres that have not been covered yet. Certain people are not covered by the Framework Directive and one of these groups - the self-employed workers - plays a more and more important role in our society. Also we should consider including some new subjects such as moral harassment and stress. These are issues being dealt with in more and more countries. Why not at a Community level?

Some points of discussion:

- Some areas of economic activity such as agriculture and transport are not yet covered by European legislation
- It is important that public organisation plays an active role by setting good practices such as including OSH issues in public procurement issues

8. Small, healthy and productive - a strategy for Europe's SMEs

A substantial proportion of work accidents occurs in small and medium-sized enterprises (SMEs). In Spain over 40% of all workplace accidents occur in companies with less than 50 workers. According to a recent study the highest accident rates occur in companies with 25-100 workers. Accidents appear to be concentrated in SMEs primarily because they employ a very high (and increasing) percentage of the population, rather than because they are intrinsically hazardous.

One specific problem in this context is that prevention does not form part of the regular activities of SMEs, as:

- In SMEs, the management, often the owner, tends to believe that the situation is under control.
- SMEs very often have a patriarchal structure, with most responsibility incumbent on the owner, whose time constraints force him to focus on problems



requiring immediate attention. Prevention is not included in such problems.

- The financial resources of SMEs are generally meagre, so they are applied to directly and immediately profitable ends, which do not include prevention.
- The ultimate reason for SMEs' lack of interest in prevention is the contradiction between the SME business world, focusing on short-term practical action, and the world of prevention, in which action is pointless unless it is viewed from a long-term perspective.

A significant, widespread change in the behaviour of SMEs in this area is unlikely to come about solely as a result of changes in regulations and pressure to comply with them.

Strategies for change

It is therefore important to ensure that the market puts pressure on companies to improve the quality of their prevention programmes. There are several ways this can take place.

The first one is offered by the growth in the chain of contracting and subcontracting, which gives large-scale companies the opportunity to assess their contractors, taking account not only of traditional management parameters, but also considering their effectiveness in the field of prevention. This is an attractive option that some companies have already put into practice in their own interests, since they believe that results in terms of prevention are a good indicator of the management capacity of a company applying to be a contractor, 'precisely because it is an issue that is often ignored'. Along these lines, there is little doubt that public authorities should practise what they preach, not only in their capacity as business people with respect to their own workers, but also since they are one of the main participants in the chain of contracts and subcontracts in all countries.

A second way forward is to encourage the appearance of small-scale private prevention consultants within the framework of the regulations governing the involvement in companies of external prevention services, in accordance with Article 7.3 of the Framework Directive. Although it is difficult to sell prevention consultancy because it is a product that small businesses are not 'naturally' inclined to purchase, appropriate legislation may stimulate the market and facilitate its sale.

A completely different but apparently successful approach is to stimulate the participation of workers by means of regional or area prevention representatives, as has been the case in Sweden since 1974, where legislation lays down three tasks for the regional representatives:

- To inspect and investigate working conditions in

small-scale companies;

- To foster worker participation in this field; and
- To promote local risk prevention actions.

Studies carried out so far on the effectiveness of the scheme suggest that it provides considerable support for small companies, produces much better results than those provided by factory inspectors and also offers many advantages over external safety services.

Some points of discussion:

- Existing experiences in the Member States with respect to how to improve OSH in SMEs should be made available and exchanged in order to facilitate the use of good practice; for example with respect to training and the role of preventive services
- A multi-annual EU SME-programme could be an important tool to promote the development and exchange of successful practices in smaller companies
- It is worthwhile to see whether and how concepts such as the 'good neighbour' and the supply chain assist smaller companies

9. Monitoring of risk and research¹⁰

It is important to anticipate future developments in ensuring that risks to people's health and safety from work activities are properly controlled. However, the early identification of emerging risks remains a major challenge. In the United Kingdom, the Health and Safety Executive is undertaking its own forward look at technological trends and how these are likely to impact on health and safety. HSE's own staff identify, analyse and post information on new trends to a database which has been placed on HSE's internet site and linked to the Foresight internet site.

At European level, the feasibility should be explored of establishing a system of 'Emerging Risk Alerts', which would involve the Member States. This could for example be implemented by providing information and views on trends, both in technology and working practices, which might give rise to new risks to health and safety or new opportunities to control these.

Member States could consider agreeing to prepare a 'state of the nation' health and safety summary report on a regular basis, perhaps every two years. Such reports would identify

- Emerging risks where EU action may be needed
- Well known significant risks where EU controls should remain in place
- Declining risks

where, in the light of improved information or changes in industry, it might be appropriate to relax



EU controls and thereby free up resources to tackle the emerging risks.

There is a need to target efforts better to achieve improved health and safety outcomes. A key part of this will be to look critically at the evidence base for everything that we do. There is a real need to develop programmes of activity aimed at meeting health and safety targets, e.g. reducing falls from heights. These programmes should incorporate all of the tools that might be used to secure improvements, e.g. better regulations and guidance, improved publicity and more effective enforcement. Research will play a key role in this process, e.g. in establishing health and safety performance baselines and monitoring change, evaluating the effectiveness of regulatory and other interventions and understanding and influencing the behaviour of individuals and organisations.

Further, one should consider co-ordinated research at EU level to avoid duplication, fill gaps in knowledge and share costs etc. This needs to take place at the formative planning stage and simply exchanging information on completed project, although easier, is much less useful. In addition there is a need to develop non-bureaucratic ways of stimulating co-ordination and collaboration on research across the EU. Interchange mechanisms for the science and innovation strategies (or equivalent documents) of the Member States are needed. These documents might signal where countries are looking for collaboration - bilaterally or in clubs - to tackle issues, particularly large and intractable problems. This could lead to improved understanding between Member States of one another's programmes and a greater willingness both to work together and to trust others to take the lead in certain areas.

Finally, there have been so far no discrete specific health and safety programmes under the various EU Framework Programmes for Research and Technological Development although some valuable research has been undertaken under other headings. However, it is not always easy to identify opportunities in the Framework Programmes. This should be improved.

Some points of discussion:

- More communication and co-ordination between the Member States about which subjects they focus their research activities would be useful
- There is a clear need to improve the accessibility and use of existing research information from within the European Member States

10. Conclusions ¹¹

This debate pointed to a great number of subjects that could be included in a future Commission

Communication. The conclusions presented below form a selection of the points raised in the debate:

The legislative framework:

- The current legislative framework had a major impact in the Member States and played a major role in the development of a Community philosophy in social policy. It contributed significantly to the current concept that competitiveness, productivity and protection are closely linked.
- There is a need for better regulation. The current legislation on OSH has become more and more complex as the different legislative stages have accumulated. There is a clear need to simplify legislation, both at Community and national levels.
- The legislative framework has to be brought up to date, adapted, and modernised, according to the situation and risks and, in this context, added to it if necessary.

The implementation of the legislative framework:

- There is a need to improve a practical application of legislation. Appropriate guidelines on safety and health and how these can be complied with should be improved. Community action alone is not enough. Action at national, local and business levels is necessary to achieve improvements in application of the preventive actions.
- Special efforts have to be made for SMEs. Existing legislative tools are useful, but they are not sufficient. Tools to be used by SMEs should be adapted to their needs, including how training and advisory facilities can be made more accessible. National experiences and policies on this point should be exchanged.

New areas for attention:

- OSH will have to deal with new risks that start emerging such as mobbing, stress, musculoskeletal disorders, and technologically related diseases.
- New forms of work and the organisation of work, the diversification of statutes, outsourcing, teleworking, self-employed people or those who are also economically dependent have to be taken into account. All of these new types of work which are related to new forms of work organisation have not yet received sufficient attention.
- The issue of the ageing population needs debate as we ought to look at the consequences of our demographic development and to look into how tools and instruments of occupational health and safety can be used in dealing with the issue. This is especially of significance taking into account the different guidelines that were drawn up in Stockholm regarding the integration of the older



members of the population and, perhaps, their return to full employment.

Open co-ordination:

- It is important to use the method of open co-ordination drawn up in Stockholm in which goals are set, decisions are made based upon benchmarking and national plans, and indicators and the exchange of best practices are used. This would make an ideal setting for putting good practices into operation, to set targets and monitor them.

- Social partners should be involved so that they can develop their own way of benchmarking to reach the objectives that have been set.

The application of financial incentives:

- To stimulate the use of financial incentives and motivate employers. Also here the exchange of good practices between Member States is needed;

- The European Social Fund as a financial tool is linked to the employment strategy but this includes some OSH aspects. Education and training are aspects that can be supported by ESF and linked to general awareness raising activities with a strong emphasis on getting the message across to SMEs.

Mainstreaming OSH:

- Increased co-ordination with other EU policy areas such as environment, public health, transports, public procurement should be explored, and where possible implemented.

- Companies should be encouraged to integrate Good Safety and Health practices into their Corporate Social Responsibility policy. The Commission is preparing a Green paper on social responsibility and will publish a communication about quality and quality indicators. Both are inter-related. Safety and health is an important issue within this general report on social accountability for companies.

The role of research:

- OSH should have a more prominent place in the European Framework Programmes for Research and Technological Development. Member States should take up their responsibility by promoting the subject at the national level as input for these Programmes. There needs to be political will within the Member States to include the issue more within the priorities of these Framework Programmes. Two areas in particular: socio-economic research and the co-ordination between research institutions.

- The exchange of information about research, systemising research knowledge and the co-ordination of research. The European Agency should have a more prominent role with respect to co-ordination and dissemination of research.

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