Safety and health at work: exposure of workers to noise

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The Commission presented a working document accompanying the Commission communication to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on the modernisation of the EU occupational safety and health legislation and policy.

The detailed ex-post evaluation of the EU acquis, checking their relevance as well as efficiency, effectiveness, coherence and EU added value, carried out by the Commission confirms that the framework meets its ambition to adequately protect workers.

Main conclusions: the evaluation concluded that the overall structure of the EU occupational safety and health acquis, consisting of a goal-oriented Framework Directive complemented by specific Directives, is generally effective and fit-for-purpose.

However, it pointed to **specific provisions of individual Directives that have become outdated or obsolete**, and highlighted the need to find effective ways to **address new risks**.

The way in which Member States have transposed the EU occupational safety and health Directives varies considerably across Member States. Compliance costs therefore vary and cannot be easily dissociated from more detailed national requirements.

As regards SMEs: the evaluation clearly concluded that compliance with the occupational safety and health Directives is more challenging for SMEs than large establishments, while at the same time the **major and fatal injury rates are higher for SMEs**. Specific support measures are therefore necessary to **reach SMEs** and help them increase their compliance in an efficient and effective way.

Next steps: the evaluation considered that occupational safety and health measures should reach the widest number of people at work, **no matter the type of working relationship they are in, and no matter the size of company they work for**. Compliance with occupational safety and health rules should be manageable for businesses of all sizes and effectively monitored on the ground.

Measures must be result-oriented, instead of paper-driven, and maximum use should be made of **new digital tools** to facilitate implementation.

Characteristics of the evaluation: this exercise also forms part of the Commission's Regulatory Fitness (REFIT) Programme with a special focus on SMEs. In this respect, the evaluation concentrated both on Framework Directive 89/391/EEC and on the other 23 directives related to it.

The evaluation also concerned Directive 2003/10/EC of the European Parliament and of the Council on the minimum health and safety requirements regarding the exposure of workers to the risk arising from physical agents (noise).

The main objective of the Directive is to prevent workers from impairing/losing their hearing, as well as any condition which might arise from exposure to noise, for example permanent ringing in the ears (tinnitus).

The Directive is generally relevant in its current form. It has not identified a need for major amendments of the Directive, for example concerning exposure limit values.

However, in order to enhance relevance of the Directive, the evaluation study recommended:

- ensuring a better implementation of existing requirements in the Directive through awareness raising activities and strengthened inspection and guidance regimes;
- a dialogue with the Member States and the social partners on how to achieve a better implementation of the Directive in music and entertainment sectors;
- a review and streamline of worker information requirements under the physical agents directives and the review of the health surveillance provisions, to ensure consistency across the four physical agents directives;
- adoption of measures to ensure that the procedure of adoption/amendment of limit values and action values is clarified and harmonised with the other physical agents Directives.