

Safety at work: work equipment, minimum requirements (amend. Directive 89/655/EEC)

1994/0077(SYN) - 05/12/1995 - Final act

OBJECTIVE: to improve and strengthen the safety of work equipment in general and to provide new provisions in certain sectors not covered by Directive 89/655/EEC (mobile work equipment, whether or not self-propelled, and used to lift loads). **COMMUNITY MEASURE:** Council directive 95/63/EC amending Directive 89/655/EEC on the minimum safety and health requirements for the use of work equipment by workers at work (second individual directive as defined by Article 16(1) of Directive 89/391/EEC). **CONTENT:** the directive makes provision for: . the employer's obligation to ensure that work equipment is inspected when installed and after assembly, where safety depends on installed conditions, and at periodic intervals; . the employer to take full account of ergonomic principles when applying minimum safety and health requirements; . workers to be made aware of the risks to which they are exposed and of the equipment which they use or which is located in their immediate vicinity, even if they do not use it. The directive supplements the Annex to the 1989 directive by adding minimum requirements applicable to specific work equipment, especially mobile equipment, whether or not self-propelled, and equipment used to lift loads. It includes a new Annex II containing provisions on the use of all work equipment in general and of mobile equipment and equipment used to lift loads. Member States must determine how they can achieve a level of safety which meets the objectives of the provisions of Annex II after consultation with the social partners and taking account of national legislation and/or practices. . **Annex I:** the new provisions in Annex I state that work equipment must be adapted so that workers can remain in safety during the journey, prevent blockage of the drive unit and limit the risks of rollover. Some minimum requirements refer specifically to fork-lift trucks and self-propelled mobile equipment. As far as equipment used to lift loads is concerned, Annex I makes provision, inter alia, for their strength and stability to be safeguarded during use and for them to be marked with their maximum capacity and installed so as to reduce the risk of loads striking workers. There is a derogation whereby work equipment specifically covered by Annex I and provided to workers 3 years after the directive is adopted must satisfy the minimum requirements of this Annex within 4 years of that date. . **Annex II:** the provisions of a general nature in Annex II require all work equipment to be installed, located and used so as to reduce the risks to workers, to be erected and dismantled under safe conditions and to be protected against lightning strike. As far as the use of mobile work equipment is concerned, the provisions of the new Annex refer mainly to the driving of self-propelled equipment, the presence of workers on foot in the vicinity of this equipment, the transport of workers on mechanically driven equipment and the air quality in the vicinity of equipment fitted with a combustion engine. The provisions of Annex II relating to the use of equipment to lift loads refer, inter alia, to the stability of mobile or movable equipment, the lifting of persons, the presence of workers under suspended loads and the selection of lifting accessories. There are also specific provisions relating to equipment used to lift non-guided loads. . **Reports:** the Commission is called on to report periodically to the European Parliament on the implementation of this directive. **ENTRY INTO FORCE:** the directive should be transposed into national legislation by 5 December 1998.