Health and safety of workers at work: simplifying and rationalising the reports on practical implementation

2006/0127(COD) - 14/07/2006 - Legislative proposal

PURPOSE: to simplify national reporting on the practical implementation of health and safety provisions in the work place.

PROPOSED ACT: Directive of the Parliament and of the European Council.

CONTENT: the Commission is proposing a simplification of the reports prepared by the Member States on the practical implementation of provisions relating to a number health and safety at work issues. The proposal affects 24 acts in total some of which require obligatory reporting; others which do not. The main Directives affected by the proposal are:

- Council Directive 89/391/EEC on the introduction of measures to improve the health and safety of workers at work and its individual Directives (reporting obligatory).

- Council Directive 83/477/EEC on the protection of workers from risks related to the exposure of asbestos at work (reporting non-obligatory).

- Council Directive 92/29/EEC on the minimum safety and health requirements for improved medical treatment on board vessels (reporting non-obligatory); and

- Council Directive 94/33/EC on the protection of young people at work (reporting non-obligatory).

This proposal is being presented within the context of the 2002 “Better lawmaking” initiative and the European Parliament’s resolution to codify and simplify (rather than de-regulate) existing Community legislation in the field of health and safety at work. Further, it is being presented in follow-up to a 2004 Competitiveness Council meeting in which the Member States made the simplification of EU law a priority.

The current situation of preparing numerous individual reports at varying intervals puts a huge strain on both national and EU administrations, the effect of which is to give an unclear picture of health and safety provisions.

To remedy the situation, the Commission is proposing three basic measures:

1. Insert a new article, entitled “Implementation Reports” to Directive 89/391/EEC, which requires the Member States to submit to the Commission, every five years, a single report on the practical implementation of the Directive and its individual Directives. The social partners’ views must be taken into account when preparing the single report. The new article will also contain provisions on the content and procedure for preparing and submitting reports and on the overall evaluation to be carried out by the Commission. The proposed provisions will allow for the same reporting exercise in the case of any future individual Directives relating to Directive 89/391/EEC.
2. Insert a new Article (Article 2) providing for the inclusion of implementation reports in those Directives which are not considered “individual Directives”. This applies to: Directives 83/477 /EEC; 91/383/EEC; 92/29/EEC; and 94/33/EC. Member States will be expected to submit their

implementation reports concerning these Directives in the form of a “specific chapter” to be included in the single report outlined above.

3. Repeal all provisions of the Directives currently in force dealing with implementation reports.

For further information concerning the financial implications of this measure, please refer to the financial statement.