

Basic information	
1992/0449(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Safety and health at work: exposure of workers to mechanical vibrations Subject 4.15.15 Health and safety at work, occupational medicine	

Key players			
European Parliament	Committee responsible		Rapporteur
	DELE EP Delegation to Conciliation Committee		THORNING-SCHMIDT Helle (PSE)
	Former committee responsible		Former rapporteur
	EMPL Employment and Social Affairs		THORNING-SCHMIDT Helle (PSE)
Council of the European Union	Council configuration		Meetings
	General Affairs		2362
	Employment, Social Policy, Health and Consumer Affairs		2313
	Employment, Social Policy, Health and Consumer Affairs		2357
	Competitiveness (Internal Market, Industry, Research and Space)		2426
	Agriculture and Fisheries		2404
	Social Affairs		2182
	Social Affairs		2226

Key events			
Date	Event	Reference	Summary
23/12/1992	Legislative proposal published	COM(1992)0560 	
19/04/1993	Committee referral announced in Parliament, 1st reading		
29/03/1994	Vote in committee, 1st reading		
19/04/1994	Debate in Parliament		
		COM(1994)0284	

08/07/1994	Modified legislative proposal published		
25/05/1999	Debate in Council		
01/09/1999	Vote in committee, 1st reading		
01/09/1999	Committee report tabled for plenary confirming Parliament's position	A5-0006/1999	
16/09/1999	Decision by Parliament, 1st reading	T5-0012/1999	
29/11/1999	Debate in Council		
08/12/2000	Modified legislative proposal published	14162/2000	Summary
25/06/2001	Council position published	07914/1/2001	Summary
05/07/2001	Committee referral announced in Parliament, 2nd reading		
09/10/2001	Vote in committee, 2nd reading		Summary
09/10/2001	Committee recommendation tabled for plenary, 2nd reading	A5-0320/2001	
23/10/2001	Decision by Parliament, 2nd reading	T5-0544/2001	Summary
23/10/2001	Debate in Parliament		
21/01/2002	Parliament's amendments rejected by Council		
26/02/2002	Formal meeting of Conciliation Committee		
13/03/2002	Final decision by Conciliation Committee		Summary
13/03/2002	Report tabled for plenary, 3rd reading	A5-0110/2002	
05/04/2002	Joint text approved by Conciliation Committee co-chairs	3616/2002	
24/04/2002	Debate in Parliament		
25/04/2002	Decision by Parliament, 3rd reading	T5-0199/2002	Summary
21/05/2002	Decision by Council, 3rd reading		
25/06/2002	Final act signed		
25/06/2002	End of procedure in Parliament		
06/07/2002	Final act published in Official Journal		

Technical information

Procedure reference	1992/0449(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 137-p2
Stage reached in procedure	Procedure completed
Committee dossier	CODE/5/15412

Documentation gateway

European Parliament

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Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A3-0192/1994 OJ C 128 09.05.1994, p. 0009	29/03/1994	
Text adopted by Parliament, 1st reading/single reading		T3-0239/1994 OJ C 128 09.05.1994, p. 0128-0146	20/04/1994	Summary
Committee final report tabled for plenary, 1st reading /single reading		A5-0006/1999 OJ C 054 25.02.2000, p. 0010	01/09/1999	
Text adopted by Parliament confirming position adopted at 1st reading		T5-0012/1999 OJ C 054 25.02.2000, p. 0055-0075	16/09/1999	Summary
Committee recommendation tabled for plenary, 2nd reading		A5-0320/2001	09/10/2001	
Text adopted by Parliament, 2nd reading		T5-0544/2001 OJ C 112 09.05.2002, p. 0030-0122 E	23/10/2001	Summary
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading		A5-0110/2002	13/03/2002	
Text adopted by Parliament, 3rd reading		T5-0199/2002 OJ C 131 05.06.2003, p. 0016-0114 E	25/04/2002	Summary

Council of the EU

Document type	Reference	Date	Summary
Modified legislative proposal	14162/2000	08/12/2000	Summary
Council position	07914/1/2001 OJ C 301 26.10.2001, p. 0001	25/06/2001	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1992)0560  OJ C 077 18.03.1993, p. 0012	23/12/1992	Summary
Modified legislative proposal	COM(1994)0284  OJ C 230 19.08.1994, p. 0003	08/07/1994	Summary
Reconsultation	SEC(1999)0581 	28/04/1999	
Commission communication on Council's position	SEC(2001)1095 	29/06/2001	Summary
Commission opinion on Parliament's position at 2nd reading	COM(2001)0717 	28/11/2001	Summary
Commission working document (SWD)	SWD(2017)0010 	12/01/2017	Summary

Other institutions and bodies

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Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0716/1993 OJ C 249 13.09.1993, p. 0028	30/06/1993	Summary
CSL/EP	Joint text approved by Conciliation Committee co-chairs	3616/2002	05/04/2002	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act
Corrigendum to final act 32004L0040R(04) OJ L 079 21.03.2013, p. 0036 Directive 2002/0044 OJ L 177 06.07.2002, p. 0013
Summary

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 12/01/2017

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 2002/44/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 (vibration) (sixteenth individual directive within the meaning of Article 16(1) of Directive 89/391/EEC).

The Directive has the objective of minimising the incidence of diseases and accidents caused by workers' exposure to vibration. The focus is on long term health issues, rather than acute accidents, although some acute risks to safety are also identified.

It does so by laying down minimum requirements for the protection of workers from risks to their safety and health arising or likely to arise from exposure to either whole-body or hand-arm vibration – in particular muscular/bone structure, neurological and vascular disorders, namely by setting up **exposure limit values** and action values in respect of the daily exposure to vibration.

The evaluation noted that the Directive remains relevant and has fulfilled its objectives. This said, the evaluation study made a number of recommendations for the way forward when developing the Directive:

- **revise limit values:** limit values can be revised due to the fact that modern machines in general emit less vibration and that many production processes have been automated. Some limit values may be reduced as low-cost technical solutions have become available to reduce vibration. Others may become less important to address as fewer and fewer workers are exposed to certain types of vibration. Consequently, it is recommended that the procedures of adoption/amendment of limit values and action values are clarified and where relevant are harmonised with the other physical agents Directives;
- **review the risk assessment procedure under the Directive:** the idea would be to include the provision of Directive 2003/10/EC (noise) requiring employers to give particular attention to the extension of exposure beyond normal working hours under the employer's responsibility;
- **examine the risk management measures** derived from the risk assessment under the Directive to ensure that they include measures on the limitation of the duration and levels of the exposure;
- **consider using a common instrument for vibration and noise** by aligning it with the more stringent requirements set by the 1977 ILO Working Environment (Air Pollution, Noise and Vibration) Convention (No. 148).

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 16/09/1999

The European Parliament confirmed as its first reading in the context of the codecision procedure the text voted upon on 20.04.1994 concerning this proposal for a directive.

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 27/11/2000

The Council reached unanimous political agreement on a draft common position concerning the amended proposal for a Directive setting minimum health and safety requirements for workers exposed to risks arising from mechanical vibrations. These are more specific rules as referred to in the Framework Directive 89/391/EEC of 12 June 1989, which defined the general principles for the protection of health and safety in undertakings. The text will now be forwarded to the European Parliament for information with a view to formal adoption of a common position at a later stage. It is pointed out that the Commission submitted its initial proposal in 1993. That proposal combined in a single instrument four types of physical agents (noise, mechanical vibration, optical radiation, electro-magnetic fields and waves). In view of the differences between the physical agents concerned and differing levels of the state of scientific knowledge, the Council decided in 1999 under the German Presidency to concentrate on the single aspect of mechanical vibrations, on which the state of scientific knowledge was considered sufficiently advanced and for which the link between vibrations and certain occupational illnesses could be established.

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 25/06/2002 - Final act

PURPOSE : to protect workers from risks arising from mechanical vibrations. **COMMUNITY MEASURE :** Directive 2002/44/EC of the European Parliament and of the Council on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (sixteenth individual directive within the meaning of Article 16(1) of Directive 89/391/EEC). **CONTENT :** This directive lays down minimum requirements on the exposure of workers to vibrations. It leaves Member States the option of adopting more favourable provisions for the protection of workers, in particular the fixing of lower values for the daily action value or the daily exposure limit value for vibrations. For hand-arm vibration: - the daily exposure limit value standardised to an eight-hour reference period is 5 m/s²; - the daily exposure action value standardised to an eight-hour reference period shall be 2.5 m/s². For whole-body vibration: - the daily exposure limit value standardised to an eight-hour reference period is 1.15 m/s² or, at the choice of the Member State concerned, a vibration dose value of 21 m/s^{1.75}. - the daily exposure action value standardised to an eight-hour reference period is 0.5m/s² or, at the choice of the Member State concerned, a vibration dose value of 9.1 m/s^{1.75}. Workers exposure to hand-arm vibrations and to whole body vibrations is to be assessed or measured on the basis of provisions in the Annex to the Directive. There are provisions in the Directive dealing with the obligation of employers in respect of: - determination and assessment of risks - provisions aimed at avoiding or reducing exposure - worker information and training - consultation and participation of workers There are also provisions for derogation under certain circumstances. Member States have a maximum transitional period of five years from 06/07/05 where work equipment is used which was given to workers before 06/07/07 and which does not permit the exposure limit values to be respected, taking into account the latest technical advances or organisational measures. With regard to equipment used in agricultural and forestry sectors, the transitional period may be extended by up to four years. **DATE FOR TRANSPOSITION :** 06/07/05. **ENTRY INTO FORCE :** 06/07/02.

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 29/06/2001 - Commission communication on Council's position

The Commission supports the common position in its entirety. In particular, the Commission accepts the increase in the daily exposure limit value for whole body vibrations and the action value, although it still considers that lower values in line with its amended proposal should be established. The Commission also accepts the derogations from the limit value for whole-body vibration for sea and air transport. Strict conditions for granting the derogations are imposed as well as the guarantee of increased medical surveillance for the workers concerned. Transitional periods are accepted since the time will be needed for some industrial sectors to adapt.

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 23/12/1992

PURPOSE : proposal to protect workers from the risks of exposure to physical agents.

PROPOSED ACT : Council Directive.

CONTENT : The proposal aims to protect workers against risks to their health and safety, including the prevention of such risks, arising or likely to arise from exposure to physical agents. It lays down particular minimum requirements in this area.

The physical agents are defined as:

-audible acoustic fields;

-vibrations;

-electric or magnetic fields or combinations of these with a frequency equal to or less than 3,10(15) Hertz (wavelength of 100 nanometres or more.)

The directive will apply to activities where workers are likely to be exposed to these physical agents as a result of their work. The employer must then carry out an assessment of the risks resulting from exposure. Under the conditions laid down in the relevant Annexes, certain activities must be considered as presenting an increased risk and must be declared to the authority responsible. Each physical agent must be assessed, and where necessary, measured. The risk arising from exposure must be reduced to the lowest achievable level, with the aim of reducing exposure to below the threshold level referred to in the relevant Annex.

The proposal proceeds on the basis that minimum requirements in the field must establish the general principles of protection and the objectives to be achieved, whilst leaving open the detailed rules translating the safety levels in operational terms, to be adopted in order to comply with the provisions of the Directive.

The proposal makes provisions on personal protection, as well as worker information and training, consultation and participation of workers.

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 08/12/2000 - Modified legislative proposal

Following the debates which led to the adoption of the common position on the draft directive dating from 1993 on the exposure of workers to risks caused by physical agents, it has been decided to propose a new text of the amended proposal on which the Council shall shortly come to a decision and which could lead to an agreement by most of the delegations. The new text concerns in particular the risks caused by mechanical vibrations, which is only one of the four agents taken into consideration in the 1993 proposal, taking account of the difficulty for the Member States to come to a conclusion on the whole of the proposal (noise, optic lights, electromagnetic fields and mechanical vibrations). The proposed amended Directive aims to combat against the effects of vibrations which cause muscular and skeletal disorders which are nowadays the first root of professional illness. It shall apply to cases of vibrations transmitted to the hands and the arms, causing in particular vascular problems, osteo-articular or muscular or neurological damage. It also applies to vibrations transmitted to the whole body, which leads in particular to the risk of trauma to the colon vertebral. The proposed directive accepts the level of actions beyond which specific prevention measures must be taken, such as the choice of working equipment produced, taking into consideration the work to be carried out, the least vibration possible or the right, for the workers concerned, to be subject to a health monitoring system. It sets the limit values of daily exposure on a reference period of 8 hours which must not be exceeded: - a limit value of 5m/s² for the vibrations transmitted to the hands and the arms; - a limit value of 1,15m/s² for the vibrations to the whole body. The exposure values triggering an action are: - 2,5m/s² for the vibrations transmitted to the hands and the arms; - 0,6m/s² for the vibrations transmitted to the whole body. In order to take into consideration the technical difficulties of the application, in particular in SMEs, the proposed revised directive provides a transition period of 6 years for the application of the limit values. This period is brought back to 3 years when new materials are brought into service and may be brought to 9 years for agricultural and forestry equipment. The Member States have the option of lowering the application of the value limit for the maritime and air navigation sectors.

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 08/07/1994

The Commission submits to the Council an amended proposal. There are two main types of amendments:

-one group of amendments provides useful additional detail and clarification of the initial proposal;

-a second group of amendments strengthen the proposal by enhancing the protection offered to the health and safety of workers.

The Commission's amended proposal retains the general structure and objectives of the initial proposal but extends and expands on certain provisions. Of the 41 amendments adopted by Parliament, 31 have been accepted, 4 of these in part.

Six amendments have been rejected because they sought to exclude audible acoustic fields (Annex 1) from the scope of the proposal. The Commission has not accepted these amendments because they are contrary to the Commission's obligations under Article 10 of Directive 86/188/EEC and under the European Parliament resolution of 13 September 1990 which requires the Commission to put forward a proposal on a directive on the basis of Article 118A of the Treaty with regard to the risks arising from noise and vibration and other physical agents.

The Commission has also refused an amendment which imposes upon it an obligation already fulfilled by the Commission in producing its annual report on the implementation of Community legislation.

Three amendments could not be accepted because their extremely binding nature would impose additional costs on employers yet not contribute to enhancing the health and safety of workers.

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 25/06/2001 - Council position

The European Parliament adopted 26 amendments at first reading which concerned vibrations. Nearly all were accepted in the Common Position, either fully or on substance. Of those not accepted: - the threshold levels were deleted. The Council considered that the deletion strengthened the text, by making the provisions of the Directive applicable for as long as the risk exists. - the obligation imposed on the Commission to submit a report was already covered by the submission of the Commission's annual implementation report. The common position respects the objectives put forward by the Commission and supported by Parliament, and introduces some amendments to the proposal. The preventive measures adopted are based on the obligation imposed on the employer to determine and assess risks by using various methods to assess the level of exposure to mechanical vibrations. The Council refers specifically to the ISO standards. The major differences with regard to the Commission's proposal concern an increase in the exposure limit values and the exposure action values for whole body vibrations. The threshold level has been deleted. The common position grants special derogations for the sea and air transport sectors and for seasonal work and, establishes transitional periods for existing work equipment. there is an additional transitional period for work equipment used in the agricultural and forestry sectors.

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 28/11/2001 - Commission opinion on Parliament's position at 2nd reading

Of the amendments tabled by the European Parliament during its second reading of the proposed Directive on vibrations the Commission is able to accept three in full, one in part and four are rejected. Of the later four the Commission can accept two in principle if they are redrafted in parts. Those accepted in full refer inter alia, to "vibration reducing handles" and "information of the employer". Concerning transitional periods and the consultation of social partners the Commission feels it can accept aspects of this in principle only. Those amendments not accepted relate to "limit values", parts relating to transitional periods (the Commission feels SMEs are entitled to more time in which to transpose the requirements of the Directive) and lastly "justifications on derogations and collection of best practices and assessment". Concerning the agricultural and forestry sector the Commission rejects this amendment since it would exclude workers of the two highest risk sectors from the benefits of the Directive.

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 23/10/2001 - Text adopted by Parliament, 2nd reading

The European Parliament adopted the resolution drafted by Helle **THORNING-SCHMIDT** (PES, DK), and agreeing with the parliamentary committee, made some amendments to the common position.

-As regards whole-body vibration, Parliament decided that the limit and action values should correspond to ISO standards which would represent a lower threshold than the values being proposed by the Council.

-Parliament felt that the transitional arrangements planned by the Council were too long. In the light of technical developments, Members were convinced that a five-year transition period would be sufficient for companies to replace their tools and machinery, although within the agricultural and forestry sector a further extension of two years (rather than three years as proposed by the Council) could be permitted, whilst bearing in mind the research in this sector.

-Parliament stated that the final decision on the use of derogations should be taken by Member States after consulting the two sides of industry.

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 30/06/1993

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 20/04/1994

The European Parliament adopted the report by Mr HUGHES on the exposure of workers to risks arising from physical agents.

Safety and health at work: exposure of workers to mechanical vibrations

1992/0449(COD) - 25/04/2002 - Text adopted by Parliament, 3rd reading

The European Parliament adopted the Conciliation Committee's compromise agreement. (Please refer to the summary dated 13/03/02).