



Screening: Explanatory Meeting

Occupational Safety & Health

February 2014

DG EMPL Unit B3

Health, Safety and Hygiene at work



Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth Individual Directive)

1. Objectives

- Protection of workers from risks related to carcinogens and mutagens.
- To lay down the minimum requirements for protection including occupational exposure limit values.
- The directive codifies the amendments to Directive 90/394 (97/42 and 99/38) and repeals these directives.



Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth Individual Directive)

2. Key provisions

- Definition of carcinogens and mutagens (Article 1): reference to the Annexes of Directive 67/548/EEC and 1999/45
- Limit values
- Reduction of use of carcinogens and mutagens by replacing with less dangerous substances wherever possible.
- Manufacture and use in a closed system, where substance cannot be replaced
- Reduce the level of exposure to a minimum, not exceeding the limit value, where no closed system is possible



Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth Individual Directive)

Key provisions

- Specific requirements for use
- Provisions for unforeseen exposure and accidents
- Restricted access to risk areas
- Particular hygiene and individual protection
- Health surveillance including keeping of records (40 years)
- Annex I contains a list of substances, preparations and processes and complements other EU legislation
- Annex II contains practical recommendations for health surveillance
- Annex III contains limit values for occupational exposure.



Directive 2009/148/EC of the European Parliament and of the Council of 30 November 2009 on the protection of workers from risks related to exposure to asbestos at work

(codified version)



Objectives

Protection of workers against risks to their health and prevention of such risks arising or likely to arise from exposure to asbestos at work.

To lay down limit values for this exposure as well as other requirements

Members States, have the right to apply or introduce laws, regulations or administrative provisions ensuring greater protection for workers – in particular by replacing asbestos by less dangerous substitutes





Key Provisions

- Exposure – limit values and principles
- Demolition/maintenance work and removal
- Training/working equipment
- Worker information
- Workplace
- Health assessment and register





Council Directive 98/24/EC on the protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive)

Objective

To set minimum requirements on workers' protection against health and safety hazards related to chemical agents at work, or resulting from any work activity involving chemical agents

2. Key provisions

Scope: The Directive shall apply where hazardous chemical agents are present or may be present at the workplace, without prejudice to the provisions for chemical agents to which measures for radiation protection apply pursuant to Directives adopted under the Treaty establishing the European Atomic Energy Community

2. Key provisions

Employer's obligation

- to carry out a risk assessment
- to eliminate or reduce risks by design and organization of work systems
- to provide suitable equipment
- to reduce to a minimum the number of exposed or likely-to-be-exposed workers
- to reduce to a minimum the duration and intensity of exposure

2. Key provisions

- to take appropriate hygiene measures,
- reduce the quantity of chemical agents to the minimum required and suitable working procedures
- to monitor levels of exposure
- to review assessment after change of work practices / conditions
- to sample and measure using standard methods

3. Implementation

Indicative Occupational Exposure Limit Values (IOELVs)

IOELVs may be established where the review of the available scientific data leads to the conclusion that it is possible to identify a clear threshold dose below which exposure to the substance is not expected to lead to adverse health effects.



-Commission Directive 91/322/EEC on establishing indicative limit values by implementing Council Directive 80/1107/EEC on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work

-Commission Directive 2000/39/EC establishing a **first list** of indicative occupational exposure limit values in implementation of Directive 98/24/EC

-Commission Directive 2006/15/EC establishing a **second list** of indicative occupational exposure limit values in implementation of Directive 98/24/EC

-Commission Directive 2009/161/EU establishing a **third list** of indicative occupational exposure limit values in implementation of Directive 98/24/EC

3. Implementation (cont'd)

- Binding Occupational Exposure Limit Values (BOELVs)

BOELVs take account of socio-economic and technical feasibility factors as well as factors considered when establishing IOELVs.



Directive 2000/54/EC – biological agents

1. Objectives

- Protection of workers' health and safety against risks arising or likely to arise from exposure to biological agents at work
- Prevention of risks

Biological agents include micro-organisms, cell cultures and human endoparasites causing infection, allergy or toxicity

2. Key provisions

- Biological agents are classified into four groups according to their level of infection risk
- Principle of substitution: the employer shall avoid the use of a harmful biological agent if the nature of the activity so permits, by replacing it with a biological agent, not or less dangerous to workers' health

3. Implementation

- Member States shall establish arrangements for carrying out relevant health surveillance of workers for whom the results of the assessment referred to in Article 3 reveal a risk to health or safety
- Member States shall communicate to the Commission the provisions of national law which they adopt in the field governed by this Directive.



Physical Agents

Initial proposal was split in four directives.

- **16th individual Directive 2002/44/EC on vibration**
- **17th individual Directive 2003/10/EC on noise**
- **20th individual Directive 2013/35/EU on EMF**
- **19th individual Directive 2006/25/EC on optical radiation**



Directive 2003/10/EC - on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents **(noise)** (17th individual Directive)

1.Key Objective

Protection of workers from risks to their health and safety arising or likely to arise from exposure to noise and in particular the risk to hearing.

2. Key Provisions

Sets exposure limit values and exposure action values in respect to the daily and weekly noise exposure level as well as peak sound pressure.



Directive 2003/10/EC - noise (II)

2. Key Provisions (Cont.)

The exposure limit values fixed at 87 decibels shall take into account of the attenuation provided by personal protective equipment (hearing protectors) worn by the workers. The exposure action value is fixed at 80 decibels (lower value) and 85 decibels (upper value)

The risks arising from exposure to noise shall be eliminated or reduced to a minimum - If risk cannot be banned by other means, the employer has to provide properly fitting personal protective equipment (hearing protectors)

The exposure limit values must not be exceeded. If they are exceeded, the employer has to take adequate measures immediately in order to reduce the exposure

The employer shall ensure that workers exposed to risks from noise at work and/or their representatives receive necessary information and training relating to the outcome of the risk assessment



Directive 2002/44/EC - on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (**vibration**) (16th individual Directive)

1.Key Objective

Ensuring health and safety of each worker and creating a minimum basis of protection for all Community workers by timely detection of adverse health effects arising or likely to arise from exposure to mechanical vibration, especially musculo-skeletal disorders.



Directive 2002/44/EC (vibration) (II)

2. Key Definitions/Provisions

- The Directive distinguishes between vibration affecting the hand-arm-system and vibration being transmitted to the whole body
- It defines exposure limit values for hand-arm-vibrations and whole-body-vibrations, respectively on basis of a standardised eight hour reference period, simulating a work day
- It also defines exposure action values for both kinds of vibration, on the basis of an eight hour reference period.

Obligations of the employer

The employer shall assess, and if necessary measure the levels of exposure to mechanical vibration on basis of technical specifications given in the Annex of the Directive.



Directive 2002/44/EC (vibration) (III)

Obligations of the employer (Cont.)

- When assessing exposure, the employer must take into account working practices & equipment (info submitted by manufacturer). When measuring, he shall use adequate technical apparatus and appropriate methodology
 - He shall pay attention to level, type & duration of exposure, limit and action values, particular sensitivity of workers, interaction with vibrations caused by other equipment at work place, unusual working conditions (especially cold work) and the exposure to vibration beyond working hours under his responsibility
 - Based on results of the risk assessment, the employer take measures that allow to reduce risks at source.
- If the action values are exceeded, he must implement an action plan to prevent exposure from exceeding the exposure limit values -If exposure limit values are exceeded, he must take immediate action to reduce exposure below limit.

Electromagnetic fields

- Directive **2004/40/EC** – deadline for transposition 30 April 2008 => 30 April 2012 => 31 October 2013
- Issues – the **threshold values** could be set considerably higher without causing health problems; respecting the threshold values would hamper the performance of magnetic resonance imaging (**MRI**)

Directive 2013/35/EU

- Adopted on **26.06.2013**; transposition by **1 July 2016**
- Concerns exposure to EMF (up to 300 GHz) during work
- Covers all known **direct biophysical effects** and **indirect effects** caused by EMF
- Does not cover suggested **long-term effects**
- If new scientific evidence, possible **amendment** of the directive

- Recommendations of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) were taken into account and certain threshold values were increased
- Three derogations – magnetic resonance image (MRI), military activities and limited derogations for industrial activities
- Exposure Limit Values (ELVs): health effects ELVs and sensory effects ELVs
- Action Levels (ALs)



Directive 2006/25/EC (artificial optical radiation)

Objective

Introduce minimum requirements for the protection of workers from risks to their health and safety arising or likely to arise from exposure to artificial optical radiation during their work.

(risk to the health and safety of workers due to adverse effects caused by exposure to artificial optical radiation to the eyes and to the skin)

Definitions

Non-coherent radiation

Optical radiation: ultraviolet radiation, visible radiation, infrared radiation

Laser and laser radiation

Exposure limit values for non-coherent radiation are set out in Annex I and for laser radiation in Annex II

Obligations of employers

- Determination of exposure and assessment of risk
Measure and/or calculate the levels of exposure to optical radiation so that the measures needed to restrict exposure to the applicable limits can be identified and put into effect. The methodology applied shall follow the standards of the International Electrotechnical Commission (IEC) in respect of laser radiation and the recommendations of the International Commission on Illumination (CIE) and the European Committee for Standardisation (CEN) in respect of non-coherent radiation.
If no standards and recommendations are exist, available national or international science-based guidelines shall be used.



Directive 1999/92/EC - minimum requirements for improving safety and health protection of workers potentially at risk from **explosive atmospheres** (15th Individual Directive) (I)

1. Objective

Establishment and harmonisation of minimum requirements for improving the protection of workers potentially at risk from explosive atmospheres (ATEX)

2. Key provisions/definition ATEX

ATEX = a mixture of flammable substances with air under atmospheric conditions, in which after ignition, combustion spreads to the whole mixture

Exceptions to scope of application (Article 1)

Directive 1999/92/EC - explosive atmospheres (II)

2. Key provisions

- Prevention principles: employer must ensure the prevention of the formation of ATEX (1), avoid the ignition of ATEX(2), to mitigate/reduce detrimental effects of an explosion (3)
- General requirements for a safe working environment including supervision during workers' presence:
- Assessment of risks
- Drawing up of explosion protection document
- Coordination of workers from several undertakings
- Inform and train adequately the workers potentially at risk from explosive atmospheres

Directive 1999/92/EC - explosive atmospheres (III)

Key provisions (cont.)

- Classification of places (Annex I)
- Special requirements for training, work permits, equipment and explosion protection matters (Annex II)

3. Implementation

- Commission has set up a non-binding guide of good practice for the implementation (COM(2003)515). The guide must be taken into account in drawing up the national health and safety policy to the largest possible extent (Article 11 of the Directive).



Directive 2010/32/EU (Prevention from sharp injuries in the hospital and healthcare sector)

Objective:

To implement the Framework Agreement concluded by HOSPEEM and EPSU in order to prevent this kind of injuries

Directive 2010/32/EU- Sharp injuries

Key provisions

- Prevention principles)
- Risk assessment
- Elimination, prevention and protection
- Information and awareness raising
- Training
- Reporting
- Response and follow-up
- Implementation