

52nd Health & Safety Committee

Berlin, 23 April 2025

Meeting Participants		
AUSTRIA	WKO	Mr Clemens ROSENMAYR
BELGIUM	AGORIA	Mr Geert DE PREZ (Chair)
DENMARK	DI	Mr Jens SKOVGAARD LAURITSEN
FINLAND	TIF	Mr Sauli HOLAPPA
FRANCE	UIMM	Mr Franck GAMBELLI (Remote)
GERMANY	GESAMTMETALL	Mr Holger RADEMACHER
GERMANY	GESAMTMETALL	Mr Robert THURM
ITALY	ASSOLOMBARDA	Mr Lorenzo DELL'ACQUA
SWEDEN	TEKNIKFÖRETAGEN	Mr Kresimir IVESKIC
UK	MAKE UK	Mr Jamie Cater
	CEEMET	Mrs Delphine RUDELLI (Remote)
	CEEMET	Ms Hilde THYS
Action points from 52 nd Ceemet H&S Committee		
ITEM 4 – WORKPLACE MENTAL HEALTH		
Action 1	Secretariat to monitor developments around the topic of Mental Health at work and advocating against any binding initiative at EU level.	
Action 2	Ceemet shall inform the members when proposals or initiatives on the Quality Jobs Roadmap relating to H&S are published.	
ITEM 5 – CHEMICALS AT THE WORKPLACE		
Action 3	Members agreed to inform the Ceemet Secretariat about mandates they have in national and European committees regarding H&S, such as (Working Parties of) ACSH.	
Action 4	Ceemet shall inform the members when the proposal for a revision of the CMRD 6th is published and check with them which position / advocacy strategy shall be adopted.	
ITEM 6 – EUROPEAN COMMISSION REVISION OF THE EU OSH DIRECTIVES		

Action 5	Franck Gambelli will send confidential (draft) documents to the Secretariat for circulation to a restricted need-to-know impacted group of the H&S Committee. <i>[In line with Ceemet policy, only one person of Ceemet Members that are directly impacted, will receive confidential draft documents. These documents are only to be circulated within your own organisation.]</i>
Action 6	Members to liaise urgently with their national confederation to prevent inclusion of telework in the definition of workplace.
ITEM 7 - CLIMATE CHANGE & OSH	
Action 7	Clemens Rosenmayr will send the mandate of the Working Party: which other hazards, risk factors, negative outcomes do we want to work on and why. Your input will be used by Clemens. Deadline for input 2 May. [Done: Circular 104/25]
Action 8	Clemens Rosenmayr will send regular updates to Secretariat so members can be timely informed.
Minutes of Meeting	
	Housekeeping
	The Chair welcomes a new member from Denmark to the H&S Working Group Jens Skovgaard Lauritsen, who will replace Kåre Sørensen. Delphine Rudelli, Director General of Ceemet, introduced Hilde Thys who is strengthening the Ceemet Secretariat team. Some changes were suggested and approved regarding the Agenda: Clemens Rosenmayr will give a presentation on Cross Industry Initiative (CII) as point 5b. The National Roundtable is moved after point 7.
	Presentation of Gesamtmetall
	As host-organisation of the 52 nd working group meeting in Berlin, Robert Thurm gave a short presentation about Gesamtmetall structure, with 22 regional member organisations of which 14 are also in charge of collective bargaining. Individual companies are member of the regional organisations. Also, the link between Gesamtmetall and the German confederation as well as other German associations was explained.
ITEM 1	Approval of the minutes of the 51st Working Group meeting
	Remark of Gesamtmetall for a small adaptation to the minutes. With this adjustment, the minutes were approved. The final minutes of the 51st Working Group meeting are attached under <i>enclosure 1</i>.
ITEM 2	Action points of the 51st Working Group meeting
	The actions of the previous meeting were discussed by the Secretariat. A full list of actions and outcomes is attached as per <i>enclosure 2</i>. Action 8 was discussed at once in today's meeting.
	Franck Gambelli explained that EFRAG is outdated since the Omnibus package of Commission was launched. EFRAG is expected to hold a consultation late Q2. Because the

	way of reporting work accidents varies among Member States, only trends can be compared, not absolute numbers. Delphine Rudelli informed that Omnibus package contains two directives: 1) The “Stop the clock” Directive”, which is adopted and was published in the Official Journal of the EU on 16 April 2025. 2) The proposal to amend the content of the CSRD and CS3D will now follow the normal legislative process in European Parliament and Council. If the draft text remains as it is, that would be good for Ceemet members and their companies. There would be less data points to report on, the (reporting) obligations will not fall on SMEs, and there are changes regarding civil liability. Jens Skovgaard Lauritsen explained that reporting on occupational diseases cannot be done by individual companies, since an occupational disease in general will be built up over many years. Only Danish authorities have data on workers compensation, not individual companies. Clemens Rosenmayr informed the Working Group that a coalition of eight NGOs lodged a formal complaint with the European Ombudsman, condemning the undemocratic, untransparent and rushed way in which the European Commission has developed the Omnibus proposal. The Commission has 3 months to respond to recommendation of the Ombudsman, followed by 3 months of replies.
ITEM 3	National roundtable on latest developments
	As agreed, postponed to the end of the meeting (after point 7).
ITEM 4	Workplace Mental Health
	a. Update on the latest EU developments Hilde Thys informed the members that the Commission has published on 22 November 2024 a Peer Review on legislative and enforcement approaches to address psychosocial risks (PSR) at work in the Member States. On 16 January 2025 it has published a Thematic Discussion Paper as well as Peer Review on PSR of Belgium, Sweden, Spain, Poland, Netherlands, Latvia, Ireland, Greece, Finland and Malta. Also, on 3 February 2025, the ACSH has adopted a mandate on mental health and PSR at work. Most key messages of the Peer Review are promising from our point of view: the EU legal framework gives Member States the flexibility to develop detailed national specifications. Different approaches are taken at national level: specific PSR legislation (BE, FI, NL, SE), reference of PSR in (general) legislation (EL, ES, MT, LV, PL) or soft law approach through non-binding guidance and best practices (IE). However, there is a strong consensus among the peer review participants for the need for specific legislation addressing PSR at work at national level in order to: ensure commitment; clarify the content; specify obligations of employers taking into account their size and tailored guidelines for sectors; determine tasks of inspectors; and enhance general cultural change by bringing PSR to the attention of a wider audience e.g. via thematic campaigns. From a preventive point of view, risk factors such as workload, work organisation and working conditions could be addressed. There is consensus for the need to support employers. A discussion took place on ways to provide expertise in the psychosocial aspects of work. Dialogue of social partners is essential.

	Legislation is not the solution: effective implementation, enforcement, guidance and support is necessary. Member States can and should learn from each other, by sharing best practices. Robust enforcement requires an effective inspection system, with both a preventive as well as a protective role, by trained and specialised inspectors. Guidance and counselling services on PSR at work provide essential support to employers and employees, through advice on best practices and legal requirements. Common challenges across Member States include the specialisation of inspectors and the management of complaints on PSR at work. b. Discussion A debate in the ACSH late March, showed there is a lot of interest from the employers' interest group. Ideally, other than ETUI studies, employers should also have non-biased data to feed the discussion. Lorenzo Dell'Acqua remarks that mental health on workplace goes far, PSR is not mental health, it goes far beyond the duties for companies. In Germany, Holger Rademacher mentions that a series of workshops are taking place about how to help employees regarding PSR. ASGA, a national advisory body, puts forward technical rules for mental health (how to do risk assessment, threshold). It is a non-binding tool, but with a "presumption of conformity" with legislation. Sauli Holappa reports on pressure from the Trade Unions for a new law for mental health at work. When it comes to stress, there is personal liability with criminal sanctions for managers. Questions arise if this link to criminal law (sanctions) could see a spill-over effect in employment law, e.g. dismissing an employee not suited for the job, however not related to stress. Finnish employers push for a complete review of H&S law, that go hand in hand with a review of criminal law. A similar link to criminal sanctions also exists in Italy. Lorenzo Dell'Acqua reiterates that stress can be work-related, but the general term "mental health" is too wide. Changes of society cannot be brought down to the responsibility of the employer. Jamie Cater informs about the Labour government's plan for big changes in employment law: improving work-life balance, improving employee's security at work, introducing the right to disconnect, in short, improving working conditions for employees in general. Mental health is a part of this. Jens Skovgaard Lauritsen refers to the launch at EU level of a Quality Jobs Roadmap. Delphine Rudelli informs the group of a Social Partner consultation regarding the Quality Jobs Roadmap (QJR) with EVP Commissioner Mînzatu that she attended on the 16th of April. There will not be a definition of "Quality job", but the QJR will consist of different initiatives, some of which were already in the pipeline, some will follow later this year and in 2026. It will be a mix of binding and non-binding proposals. From the employers' side, given the current competitiveness agenda, we try to push back legislative proposals. However, workplace mental health will be a topic. The Chair concludes the discussion that the QJR is likely to have some elements relating to H&S that we will follow up. Ceemet shall inform the members when proposals or initiatives on the Quality Jobs Roadman relating to H&S are published.
ITEM 5	Chemicals at the workplace
	a. Carcinogens, Mutagens or Reprotoxic substances at work Directive

	Hilde Thys gives an update. The Commission is expected to publish a proposal for a procedural change in the upcoming 6th revision of the CMRD before the summer recess. It will then follow the legislative process through the EP and Council. Lorenzo Dell’Aqua explains that the new procedure with delegated act would speed up the process. The role of the ACSH will become more important, the Expert Group can come with a recommendation. There is a Social Partner consultation up front. When the Commission proposal is published, the European Parliament and Council have 3 months to vote yes or no. As the EP cannot come up with new values, we can expect Trade Union pressure, maybe via the Expert Group. The Employers group of the Working Party on Chemicals are closely working with Isaline Ossier on the position of Business Europe. There is a close dialogue. Jens Skovgaard Lauritsen mentions that the impact assessment, a study of the socio-economic cost and benefit for society, will remain. However, if partial or gradual implementation was not part of the impact assessment, the Regulatory Scrutiny Board has difficulties with limit values in a Directive. Therefore, we can only agree on partial implementation of limit values if the limit has been taken into the Impact Assessment. Regarding measuring OELs, Lorenzo Dell’Acqua mentions that only very expensive machines can measure certain levels of asbestos or diesel engine combustion fumes. If you find the same value in the street near to you, there is no problem for the factory. Holger Rademacher confirms this. The national institute measures the values, but the authority cannot control it. Due to the high costs, the Directive limits the competitiveness of companies. Clemens Rosenmayr informs about the 29 April ‘Jumbo council’. Cumulative effects for legislation become a burden for companies. Geert De Prez mentions the issue of goldplating. As an initiative to lighten administrative burden, the Belgian government asked the Commission to avoid the possibility of goldplating. Sauli Holappa agrees to the problem of goldplating in other Member States: there is pressure from Trade Unions in Finland to follow goldplating. Jens Skovgaard Lauritsen informs that it is left to social partners. Denmark will follow the deadline of transposition, not earlier. However, limit values can be stricter. Kresimir Iveskic remarks that in Sweden the new limit value for 2029 has been put forward and applies already. This is also a small form of goldplating. Robert Thurm mentions this is described as ‘a competitive advantage’ for companies. Clemens Rosenmayr indicates that Austria takes a hybrid approach: if a Member State wants to take this further it is fine. Franck Gambelli gives an overview of the procedural changes with delegated acts. BusinessEurope is in favour of delegated acts. But there are certain risks: - It obliges companies to have strong training for employees, however, remains silent about training for end-users. - The role of the Committee must be preserved. - There will be harmonised values, but no harmonised method of measuring. However, the latter is a tough obligation for companies. - Excess of measurement for SMEs, whereas the priority should be on prevention. - The possibility not to need advice of an expert. - Measurement should be a practical aspect and should not be necessary for all companies.
	b. Cross Industry Initiative – CII

	Clemens Rosenmayr presents slides about the possible integration of REACH in OSH. The Slides are attached as per <i>Enclosure 3</i>. The Cross Industry Initiative (CII) is an association of contributing and non-contributing members. Ceemet is currently a non-contributing member of CII. There are more sectoral organisations and small organisations, that are not necessarily represented by BusinessEurope. Its scope is the interface and contradiction between REACH and OSH. There are regular meetings at EU level (with Commissioners and with DG EMPL, ENVI and GROW) as well as meetings at national level. A Forum event is organised two times per year. The Risk Management Options Analysis (RMOA) is promoted by CII. RMOA is now also used in REACH. CII not only offers visibility and credibility, but it also counterbalances the NGO's lobby. However, CII is not financially sustainable. Clemens explains the different options, the consequences for OSH and the strengthening competitiveness that were discussed in the CII core group. Synergies with the Alliance for Sustainable Management of Chemical Risk (ASMoR) are logical. In new legislation, CII could provide the OSH perspective that is currently lacking in ASMoR, keeping in mind that it is very focused on chemicals and not e.g., on mental health. In the last strategy meeting, there was strong agreement to maintain the brand, since CII has indeed become a household name for the Commission. In the last Forum event, more than half of Member States were present, as well as two representatives from Trade Unions. For specific topical meetings with DG EMPL for OSH overlap, an extra budget share will be necessary for CII. He concludes that the work of CII is useful for the Ceemet H&S Committee. Financial contributions for Ceemet as a full member, would amount to € 3.000 per year. Clemens recommends integrating CII as a special task force in ASMoR. After a short discussion, the H&S Committee concludes to recommend Ceemet to become a contributing member of CII.
ITEM 6	European Commission Revision of the EU OSH Directives
	a. Display Screen Equipment (90/270) & remote work b. Workplace (89/654)
	Hilde Thys gives an update on the timeline of EU developments. The work of two Working Parties of the Advisory Committee on OSH have been discussed in a meeting on 27 November 2024 – just after the previous H&S committee. The Ceemet Secretariat has forwarded this information in Circular 337/24 to the members. Regarding remote work, we are still waiting for the second stage consultation on telework. As soon as the second stage consultation is launched, we will inform the members. Regarding the Workplace directive, there could be a change in relation to the provision on temperature. Franck Gambelli gives an outline of the issues at stake at this moment, regarding the definition of workplace. The opinion of ACSH and the process it involved, were discussed in the previous H&S meeting. Even though the Social Partners interest group had chosen a policy option, we had already discovered that the Commission only partially accepted it. Combined with the new policy of the Commission – i.e. competitiveness for SMEs, impact for consumers, impact on environment – the Commission asked for a new report

at the (new) Consultant, who will have to follow new rules. Therefore, the new draft report reflects the new choices of the Commission and policy options changed.

The employer is responsible for the workplace. If the definition of workplace were also to include telework (remote working from home), that would be problematic for all employers. Moreover, it would create huge legal problems regarding inspections at the private home of employees.

It appears that the new Workplace directive would have no guarantee on the limitation of responsibility of employers. The inevitable effect will be that if teleworking would become too expensive, complicated or risky, it will simply no longer be allowed.

BusinessEurope has a new position paper, expressing their surprise not to find the compromise that was reached in ACSH. There will be a new meeting in June. There are 2 positions:

- No limitation on liability: this is not an option for employers
- Stop the process: no revision for the directive. Politically a difficult position.

The **Chair** opened the floor for a lively discussion:

Lorenzo Dell’Acqua questions if we need our own position paper for Ceemet sectors, and that we will need to read the new documents, reflecting that the first Impact Assessment failed to grasp all implications. **Robert Thurm** informs that Gesamtmetall is critical about the term “return on prevention” and has strongly opposed to the change of definition. There is constitutional protection that inspectors are not allowed to enter a private house, including social inspectors. It is therefore outside the sphere of influence of the employer to check the workplace in the private house of an employee. The pandemic was a game-changer. German Trade Unions IG Metall and Verdi want that employers are responsible to pay for two workplaces. If this would be reached via H&S, telework as such is unlikely to be allowed any longer. **Sauli Holappa** added that many different rules other than H&S would apply as well. Depending on what the definition finally would be, telework will indeed no longer be possible. **Kresimir Iveskic** remarks there may be companies who have changed their offices because of telework. This is shared by all Members. **Jens Skovgaard Lauritsen** gives input that Danmark has a specific exemption in its legislation for telework. If some conditions cannot be met, the employer and employees need to address this. He gives an example of a court case regarding an accident at home. If an accident happens in the office, it is clear: that is a work accident. What are the obligations for the employee and employer for accidents happening when teleworking? **Lorenzo Dell’Acqua** remarks that in Italy, there are no data on accidents at home. Injury at home is a civil law matter. Referring to the previous discussion, in worker compensation legislation there is also a criminal sanctions aspect. There are important consequences if the Workplace Directive would include criminal sanctions. In addition, it is not possible for an employee to do self-risk assessment. Only the employer can do a risk-assessment. Employers can provide information and training but cannot impose risk assessments at private homes. **Jamie Cater** reflects on what can be considered as private and how this can be put in a workplace definition. In the UK, the prior government did not change legislation to adapt to the post-covid era but instead opted to work via guidance. However, this is not enforced.

The **Chair** comments on the way forward: how to receive information and be able to read draft documents, and the necessity to liaise with our national confederations who sit at the table at BusinessEurope.

	Frank Gambelli refers to the short notices: an invitation sent on 28 March for a meeting on 2 April. All employers present were on the same line. Since the Commission did not accept the compromise reached in ACSH and came up with a new policy, we must express officially the point of view of employers. - Can we support BusinessEurope position or not? - What option is best for us as employers? He suggests having a meeting at DG EMPL, whether by BusinessEurope or Ceemet, to discuss telework in general. We need guarantees as employers to allow telework. Not all Member receive information from their confederation, who are not all member of the ACSH Working Group. As Ceemet is not a member of BusinessEurope, a discussion about sharing confidential (draft) documents was raised. Circulating this type of documents in a restricted need-to-know impacted group will be taken up at the Ceemet Secretariat. <i>[In line with Ceemet policy, only one person of Ceemet Members that is directly impacted will receive confidential draft documents. These documents are only to be circulated within your own organisation.]</i> The Chair concludes that all Members should urgently talk with their national confederation to give them input.
	Send the confidential information from Franck to members of H&S. In addition, Members asked to liaise with their confederation to align position. (done: cfr Circular 99/25) Members agreed to inform the Ceemet Secretariat about the mandates they have in national and European committees regarding H&S.
ITEM 7	Climate Change & OSH
	Update from the latest developments at EU level. The ACSH has adopted at the November 2024 plenary session an opinion on extreme weather conditions such as heat waves, including the exposure to ozone and solar UV-radiation. It put forward a number of recommendations to the Commission to consider: Opinion on Climate change – extreme heat stress. - Definition of heat and heat stress - Particular attention to specific sectors and groups of workers - General principles and management measures at company level - Technical (strategies for hydration, appropriate rest areas), organizational (modification in work schedules), personal measures (PPE) - Share experiences at national level, existing tools - The importance of awareness campaigns to spread knowledge - Enforcement of existing legislation. ACSH also adopted opinion on the draft ISO/PAS 45007 “Occupational H&S management, OH&S risks & opportunities arising from climate change and climate action – guidelines for organizations”. ACSH will give an opinion on possible gaps in the current legislation relating to heat stress. The timeline is 21-22 May 2025. BusinessEurope has a position paper of 17 February 2025. As this area is already well-regulated, it calls for: - guidelines for employers on how to remove, minimise and handle risks related to heat at work,

- mainstreaming actions to ensure non-binding Early Warning Systems at EU and national level to support employers
- awareness raising at work & in society in general.

The Chair gives the floor to **Clemens Rosenmayr**, who is member of the Working Party (WP) Climate Change & OSH.

At the last WP meeting on 15 April, two issues to work on this year were discussed:

- 1) Legislative gaps. Unsurprisingly employers and trade unions have different view. Also, some Member States (esp. HE) are basically in favour of legislation. Other MS did not speak out. There is a commitment from the WP to keep working on legislative gaps analysis and draw conclusions. The mandate is very wide, to include nine other elements as well, so reaching a quick decision is unlikely.
- 2) Which other elements do we want to work on and why, input is welcome by 5 May. Trade Unions propose to work on extreme weather conditions (e.g. flooding). From employers' side we are in favour to propose further work that will not lead to additional legislation. There are also some societal issues, emerging industries, digital transformation preparedness.

The Chair of the WP is from the Trade Unions, rapporteur is from Employers' side; there is also a sub-drafting group. The timeline for the opinion is the end of October, to be ready for the plenary meeting in November.

In conclusion: heat is a topic this year, additional topics to be discussed.

In the discussion the following points were raised.

Excessive heat:

- Avoid setting a maximum temperature in the workplace. What is "excessive" heat, there are many variables, and not all are due to climate change. It also depends on the work activities.
- It is not possible for all companies to install air-conditioning. Rather refer to "organisational measures". There is already legislation in Member States: if we change the definition of excessive heat, more and more companies will be affected.
- Already legislation in Directive regarding high temperature "appropriate for human beings".
- Rather than legislation, look at the work conditions: possibility to cool down, additional work breaks, use PPE (e.g. for extremes -50° outside / +20° inside).

Risk of obligation to have insurance after climate disaster:

- Studies show that most Northern European countries already have insurance for climate change, not necessarily in other parts of Europe.

Catastrophic events vs. OSH related factors:

- A difference must be made between catastrophic events with emergency response (societal, government) and OSH related factors (employers). Not everything is OSH related, e.g. what factor of flooding in Spain is OSH related.
- ILO convention on biological hazards. Public authorities are part of contingency plans. There is a level of cooperation; yet employer does not have to deal with fire, flooding. It is important to separate these aspects.

Inspiration in other areas:

- Already legislation on viruses and bacteria: wait for final ILO convention.
- Look into practices in other sectors such as the construction sector.

Clemens Rosenmayr concludes with the red lines for BusinessEurope: at most a recommendation, not binding legislation.

	Clemens will send the mandate of the Working Party: which other hazards, risk factors, negative outcomes do we want to work on and why. Your input will be used by Clemens. Deadline for input 2 May. [<i>done: Circular 104/25</i>] Clemens will send regular updates to Secretariat so members can be timely informed.
ITEM 3	National roundtable on latest developments
	The Chair suggested that, as we have extensive and engaging discussion on the previous items of the H&S Committee agenda, to limit the national roundtable. It was agreed that, as of the next H&S Committee meeting, each member would have maximum 4 minutes to discuss maximum 2 topics that could be of interest to share with the colleagues.
ITEM 8	Miscellaneous
	a. Date and place of next meeting
	Brussels, 30 October 2025
	b. AOB
	Possible speaker for a special meeting on the overlap of REACH and OSH: challenges and pitfalls.

Enclosures:

1. Final Minutes of 51st H&S Committee meeting
2. Action points of 51st H&S Committee meeting
3. Slides of 52nd H&S Committee meeting.