

51st Health & Safety Committee

Brussels, 14th November 2024

Meeting Participants		
AUSTRIA	WKO	Mr Clemens ROSENMAYR
BELGIUM	AGORIA	Mr Geert DE PREZ
DENMARK	DANSK INDUSTRI	Mr. Kåre SØRENSEN
FINLAND	TEKNOLOGIATEOLLISUUS	Mr Sauli HOLAPPA
FRANCE	UIMM	Mr Franck GAMBELLI
GERMANY	GESAMTMETALL	Mr Robert THURM
ITALY	ASSOLOMBARDA	Mr Lorenzo DELL'ACQUA
NORWAY	NORSK INDUSTRI	Ms Berit SØRSET
SWEDEN	TEKNIKFORETAGEN	Ms Kresimir IVESKIC
UK	MAKE UK	Mr Jamie CATER
	CEEMET	Mrs Delphine RUDELLI
Action points from 51 st Ceemet H&S Committee		Deadline
ITEM 4 – MENTAL HEALTH AT THE WORKPLACE		
Ceemet shall continue monitoring developments around the topic of Mental Health at work and advocating against any binding initiative at EU level.		On going
Kresimir Iveskic will send out the Swedish provisions on mental health to the Secretariat for circulation to the Working Group		ASAP
ITEM 5 – CHEMICALS AT THE WORKPLACE		
Ceemet shall inform the members when the proposal for a revision of the CMRD 6 th is published and check with them which position / advocacy strategy shall be adopted.		When available
Clemens Rosemayr will send the problematic questions contained in the evaluation report to the Secretariat for circulation to the members. Members should then discuss them with their Confederation or Member States representatives.		ASAP

Clemens Rosemayr will send the planning of the priority substances for the coming years to the Secretariat to be circulated to the members.		ASAP
ITEM 6 – EUROPEAN COMMISSION REVISION OF EU OSH DIRECTIVES		
Ceemet will report on the follow-up of the NEPSI project after the NEPSI Council meeting on 21 November 2024		December 2024
ITEM 7 – CLIMATE CHANGE & OSH		
The members agreed to discuss the topic at their next meeting.		
Minutes of Meeting		
ITEM 1	Agreement of 31 May 2024 meeting minutes	
	Minutes already approved by written procedure, were approved for the record.	
ITEM 2	Actions from 6 October meeting	
	The actions from the previous meeting were discussed by the Secretariat, a full list of actions and outcomes is attached as per <i>enclosure 3</i> .	
ITEM 3	National Roundtable on latest developments	
	The participants report on the following national OSH issues : • In Austria, no specific issues at the moment due to the change of Government. As regional elections are coming nothing will happen until then. • In Denmark, it is worth mentioning the training on asbestos removal for workers. Also more flexible OSH organisation for companies. • In Finland, new legislation on psychosocial risks are still in the air. Trade unions are pushing: we could see more sanctions coming and many issues arising as it is sometimes difficult to know how to implement the law. Dialogue started with the biggest unions: one of the topics is on productivity from wellbeing. • In Germany, on PSR, 8 working groups are in place. No separate rules will be published. They will be integrated in the existing rules. A group is also reflecting on mobile workers, but waiting on the Commission's directive. • In Italy, there are also strikes. A new collective agreement is ready to be signed, based on sustainability. For constructions sites, credit licence has been set up which is also valid for foreign companies. • In Norway, absenteeism is a big issue though the population is healthy. Social partners are negotiating on the issue but trade unions don't want to discuss the compensation aspects. It will not be easy to reach an agreement before the end of the year. • In Sweden, a full set of new provisions were introduced for the construction sector. All other provisions will be placed in a completely new structure without any intended increases in requirement levels. This has to be checked and followed up that there is no new interpretation on current requirement levels. On telework, social partners in the industry are writing guidelines (work in progress). The government is also trying to push for employers' actions on	

	domestic violence. Negotiation on new collective agreement will start in January 2025 (for end of March 2025). - In the United-Kingdom, the HSE has just published its new business plans. Key areas of focus are asbestos, dust, a new tool to identify on MSD and noise at work. For this, they will put pressure on implementation. On other topic, there will be an extension of statutory sick pay: three days waiting period will be deleted. Further, a new body will be created: the “Fair Work Executive” on the implementation of legislation. Another piece of legislation is a wider review of several HS legislations like DSE. In the next weeks, the government will launch its “Back to work” Plan to put back to work inactive workers due to illness. - Finally, in Belgium, discussions are ongoing on asbestos. People who are ill are compensated by a fund which is financed by all companies. The idea would be to ask only former asbestos producers. Absenteeism is also an issue. And so is the economic situation for which we don’t see any improvement before 2026.
ITEM 4	Workplace Mental Health
	a. Presentation on Psychosocial Risks Audit by Kåre Sørensen, Denmark
	Kåre Sørensen presented the joint initiative between employers (DI) and trade unions (CO-I) called Tek-Sam (slides attached as per <i>enclosure 4</i>). It is based on a general collective agreement but foresees specific provisions on the consultation of workers on the work organisation, restructuring, the organisation of the production. It sets up a Committee to assess the consequences of new technology and major changes on the workforce. In the event of job losses, the company must seek to retrain employees and reassign them to other positions. The composition of the Committee (with the number of members) depends on the size of the company. When it comes to DI, they start the work to set up those Committees in companies. They work on education and skills development, help them with collaboration problems and give support on green transition.
	b. Update on the latest developments
	Delphine Rudelli recalled the participants that the topic of mental health at work has been on the agenda for some months. On 26/27 June the Belgian Presidency hosted a peer review Conference. The event primarily focused on the exchange of ideas regarding regulation and enforcement in a national context, with only minimal discussion on existing or potential EU-level initiatives. Presentations on the regulatory frameworks focused on 10 different EU Member States, including Belgium, Finland, Greece, Ireland, Latvia, Malta, the Netherlands, Poland, Spain, and Sweden. The Commission concluded that this discussion is ongoing. They will continue to reflect on the insights shared, with an eye toward identifying potential next steps. However, the Commission did not suggest the likelihood of a legislative initiative at this stage. Despite this, the Belgian Presidency strongly reiterated its call for EU-level legislation on psychosocial risks at work and urged the incoming Commission to prioritize this issue in its next mandate. Reading the political guidelines of von der Leyen and the mission letter of Executive Vice-President Commissioner designate, Roxana Minzatu, the message is very broad: Commissioner is asked to “work on improving Europe’s approach to occupational health and safety, ensuring healthier workplaces and mental health at work”. At this stage, the Commission remains vague on what they will do. However, the ACSHH will set a working group to discuss the issue and it is clear the trade unions will continue to call for a Directive on the topic.

	Participants do not deny that there may be a problem in some countries but it can't be sorted out by a European legal initiative. National level is the appropriate place to deal with mental health at work.
	At national level, only a few countries (Belgium, Sweden) report on specific legislation on psychosocial risks. Most of them have a holistic approach covering all risks including psychosocial risks. Employers have to include them in the risk assessment and then they follow some guidance but not generated by legislation. The fact that Norway now is working on a draft legislation could put pressure on the other countries.
ACTION 1	Ceemet shall continue monitoring developments around the topic of Mental Health at work and advocating against any binding initiative at EU level.
	c. Presentation on Mental wellbeing by Geert De Prez, Belgium
	For the implementation of their law on wellbeing at work, Belgium has development an Online Risk assessment tool on mental wellbeing. Geert de Prez presented the tool set up by Agoria to complement it and which was launched on 10 October 2024 for their member companies. Germany and Denmark have similar questionnaires with more questions. Agoria's survey has 36 questions. Denmark 88 and Germany around 100. The real impact of this tool will be known later.
ACTION 2	Kresimir Iveskic will send out the Swedish provisions on mental health to the Secretariat for circulation to the Working Group
ITEM 5	Chemicals at the workplace
	a. Update on latest developments on CMRD 6th revision
	The Secretariat introduced this topic saying that Ceemet is waiting for the text of the draft legislative initiative on the sixth revision of the Carcinogens, Mutagens or Reprotoxic substances at work Directive (CMRD 6). It was expected in September 2024 but has been postponed until the new Commissioner, Roxana Minzatu, comes into office early December. Further, Franck Gambelli mentioned an extension of mandate of ACSHH on link between REACH and OSH. Finally, Clemens Rosemayr mentioned the fact that in the frame of the review of the EU Directives, the Commission is thinking about using delegated acts to revise the chemical legislation. This would be very problematic according to the participants. Should the chemical agents and the CMRD be merged into one? Is another question raised by the Commission. .
ACTION 3	Ceemet shall inform the members when the proposal for a revision of the CMRD 6 th is published and check with them which position / advocacy strategy shall be adopted.
ACTION 4	Clemens Rosemayr will send the problematic questions contained in the evaluation report to the Secretariat for circulation to the members. Members should then discuss them with their Confederation or Member States representatives.
ACTION 5	Clemens Rosemayr will send the planning of the priority substances for the coming years to the Secretariat to be circulated to the members.
	b. NEPSI

	Delphine Rudelli informed the participants about the NEPSI Council meeting taking place on 21 November. The follow up of the NEPSI project will be discussed. It has to be noted that the NEPSI Agreement has made it possible to avoid a directive on silica for many years.
ACTION 6	Ceemet will report on the follow-up of the NEPSI project after the NEPSI Council meeting on 21 November 2024.
ITEM 6	European Commission Revision of EU OSH Directives
	a. Display Screen Equipment (90/270) & Remote work b. Workplace (89/654)
	Franck Gambelli reported that work begun in 2019 and stopped because of Covid and negotiations on telework. This has left the ACSHH with difficulties though the problem is not new. Every company must take care of their worker when they work “off premises”. But the consultant proposed to extend the definition of “workplace”. Question is “how far goes the responsibility of the employer?”. For employers you can only be responsible for what you can do with a notion of proportionality. The two other groups rejected this proposal so employers asked for a new wording to be introduced to limit the responsibility in the preliminary remarks. When the “off premises” is totally unknown, the training of the worker is sufficient. But the consultant obliged us to make the difference between “on premise”, “off premise” and “homeworking”. The Draft opinion of the Working Party – agreed among the three groups - is now discussed internally at BusinessEurope but there is no certainty as regards the position they will take. Germany is very unhappy with the final outcome which will strongly impact their national system. Therefore, they will oppose the adoption of the opinion. For Franck, it would be an issue: first, as they never gave any comment during the discussion and second, as if employers disagree, the two other groups will push their views. The application of the principle of proportionality should not raise any issue to companies. The problem is the way national governments interpret EU texts and in Germany, gold plating is dangerous for companies. The decision of BusinessEurope will be decisive for the future of any Directive on this topic.
ACTION 7	Franck Gambelli will send the two draft opinions to the Secretariat for circulation to the members ahead of the meeting of the ACHHS.
ITEM 7	Climate change & OSH
	Update on latest developments
	The Chair reminded the participants that this topic has gained momentum at EU level. There is now an ACSH working party on the impact of climate change on OSH, which has the objective to develop an opinion on working temperatures in the EU. The work is moving in the right direction as it proposes to complete the “workplace” directive with a provision on temperature in order to avoid a new/separate directive. Further, EU-OSHA are also developing a number of projects in this field, this appears to be one of their flagship initiatives for the coming years. Kåre Sørensen highlighted that there should be a new draft of the ISO standard. Lorenzo dell’ Acqua felt uncomfortable about it as there already initiatives at national level; it is the case in Italy. The Italian legislation now also foresees the obligation for

	companies to have an insurance for climate change as from 2025. In Germany, climate change is gaining importance as temperature are rising but nothing concrete On the WP “climate change and OSH”, Clemens Rosemayr mentioned that the work focused on extreme heat. Employers have been successful in avoiding a reference to recommendation for a Directive on heat, despite the pressure from the Greek government. The other “hot” topic is the reference to technical guidance which trade unions don’t want as it would close the door to any legislation. At this stage, it is important to have a definition of “heat stress” and to focus on some specific groups of workers (pregnant women, etc) or sectors (agriculture, construction). The WP agreed to continue working on the topic but blocking any attempt to recommend a Directive.
ITEM 8	EFRAG
	Update on latest developments
	As Franck Gambelli who is the WG expert on the issue had left the meeting, it is decided to postpone the discussion on this item to the next meeting.
ACTION 8	The members agreed to discuss the topic at their next meeting.
ITEM 9	Miscellaneous
	The next meeting will take place on 23 rd April 2025 in Berlin, with a diner the evening before.