



UNION EUROPEENNE DE L'ARTISANAT ET DES PETITES ET MOYENNES ENTREPRISES
EUROPÄISCHE UNION DES HANDWERKS UND DER KLEIN- UND MITTELBETRIEBE
EUROPEAN ASSOCIATION OF CRAFT, SMALL AND MEDIUM-SIZED ENTERPRISES
UNIONE EUROPEA DELL' ARTIGIANATO E DELLE PICCOLE E MEDIE IMPRESE

UEAPME position on the simplification of the provisions of the “health and safety” directives concerning the reports on their practical implementation

General comments

The Commission has on 21 October 2005 consulted the European Social Partners for the second time on the simplification of the provisions of the “health and safety” directives concerning the reports on their practical implementation, and to give their opinion on the content of the initiative planned by the Commission on this issue.

UEAPME would like to repeat and extend the comments made during the first consultation phase on this subject¹.

As already expressed in our reply to the first consultation, UEAPME welcomes the proposal of streamlining the periodicity of the various reports. However, it does not see the need for one single report for the various health and safety directives, as this could even result in more administrative burden as before.

Specific remarks

Involvement of social partners

UEAPME regrets the fact that the Commission did not mention in its section on “the content of a possible initiative” the appropriate involvement of the Social Partners at national level in the compilation of the reports. This important element, which was part of the first consultation, should have been repeated in the current document.

Periodicity

UEAPME agrees with a general five-year interval period for the submission of the national reports.

Scope

European crafts, small and medium-sized enterprises do not agree with the Commission proposal to include the two directives that do not currently provide for implementation reports, i.e. the ‘biological agents’ (2000/54/EC) directive and the ‘carcinogens or mutagens’ directive (2004/37/EC), in the scope of the initiative. These directives were intentionally excluded from a reporting exercise by the Council and this should not be revised retrospectively.

¹ Please see http://www.ueapme.com/docs/pos_papers/2005/Health_safety_simplification.doc

Nevertheless, UEAPME supports the proposal to include a description of best practices and the measures taken to publicise them, in other directives, which currently do not report on these initiatives.

Standard implementation report

UEAPME is generally against one single report for the various directives. However, if the Commission decides for one, this report should have one general part and one part concerning the specificities of the different directives. The part on the specificities should concentrate on the real distinctiveness of the directive and should **not include** issues such as groups of workers exposed, hazardous substances, use of certain work equipment, workplaces, specific risks, work organisation aspects, as these issues are far more information as currently required and add new burdens on companies for reporting. This is contrary to the Commission's aim of cutting red tape and its initiative of better legislation.

Advisory Committee on Safety and Health at Work

UEAPME appreciates that the structure of the report would be developed together with the Advisory Committee on Safety and Health at Work. The transmission of one European report, instead of 25 national ones, to the committee is also being supported by UEAPME.

Article 138(4) and 139

UEAPME does not see the simplification of the provisions of the "health and safety" directives concerning the reports on their practical implementation as an appropriate case for an initiative of European Social Partners under article 138(4) and 139.

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