



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
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UEAPME response to the second stage consultation of the Social Partners on protecting EU healthcare workers from blood-borne infections resulting from needlestick injuries

Introduction

UEAPME gives the following responses to the questions posed by the European Commission in its second stage consultation of the Social Partners on the protection of EU healthcare workers from blood-borne infections resulting from needlestick injuries.

On the specific questions:

Request 1 - to submit to the Commission an opinion or, where appropriate, a recommendation on the content of the legislative and non-legislative initiatives envisaged in application of Article 138(3) of the Treaty establishing the European Community;

UEAPME clearly considers the health and safety protection of all workers as important. This of course includes workers from the health care sector. For these workers, the protection from biological agents is essential. From this point of view UEAPME welcomes the Commission's recommendation for Member States to make a particular effort to apply effectively national legislation transposing the Community legislation directive 2000/54 in this field.

Concerning the perspective of amending directive 2000/54 in order to specifically address the risk arising from work with needles and other medical sharps, UEAPME believes that this is not appropriate, as the scope of this directive is about biological agents in general and not on the use of specific tools. Current legislative instruments are sufficient to protect the workers in the health care sector. This very specific issue would be better tackled at sectoral, rather than at inter-sectoral level. The sectoral social partners are better placed to design the appropriate solutions for such a technical problem.

Therefore, UEAPME considers that new initiatives must be of a non-legislative nature and that there is a value in exploring some of the specific measures suggested. A more widespread use of syringes and needles with safety device clearly should be beneficial and this needs to be seriously considered by the relevant authorities in close cooperation with social partners.

Furthermore the training of workers is certainly at stake when it is about the correct handling and safe use and disposal of the needles and medical sharps. Specific actions in this field could be usefully undertaken by social partners at sectoral level.

The suggested recording in a special register of all needlestick injuries would unavoidably lead to a higher administrative burden for companies and can only be seen as contradictory to the EU efforts in aiming at better regulation. Therefore UEAPME specifically expresses its disagreement with such a proposal.

In UEAPME's view the emphasis must lie in non-legislative measures. Here suggestions brought forward by the Commission such as the current work on a guide of good practice elaborating particular guidelines which lay out the specific risk prevention conditions for this area will be highly relevant.

In addition, European information, guidance and awareness raising campaigns a.o. by the EASH in Bilbao involving Member States and social partners would certainly make a positive contribution. Furthermore, social dialogue discussions exchanging best practice should add to an effective prevention.

Request 2 - where applicable, to indicate their willingness to enter into negotiation on the basis of the proposals described in this document in application of Article 138(4) and Article 139 of the Treaty establishing the European Community.

On the basis of the above-mentioned comments, UEAPME does not consider it as appropriate for interprofessional social partners to negotiate on this topic under Articles 138(4) and 139 of the Treaty. However, sector specific social dialogue discussions might be of added value.

Conclusion

- UEAPME disagrees with the idea of revising the scope of the Directive 2000/54 in order to specifically address the risk arising from work with needles and other medical sharps and any other legislative measures.
- Member states are called upon to make a particular effort to effectively apply already existing national legislation transposing the respective Community legislation in this field.
- Any new measures must be of a non-legislative nature and dealt with on a sectoral level.
- A more widespread use of syringes and needles with safety device should be aimed for, as well as increased training of workers regarding a safe use and disposal of the instruments.
- A guide to prevention and good practice and information, guidance and awareness-raising campaigns is very welcome.
- Other initiatives such as the exchange of best practice within the sectoral social dialogue are strongly supported.

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