



# ***Ex-post* evaluation of EU OSH legislative *acquis***

Health and Safety at Work  
DG Employment, Social Affairs and  
Inclusion

## *Ex-post* evaluation:

- New **five-yearly** exercise under the OSH Framework Directive 89/391/EEC (Article 17a).
- First exercise covering period 2007 to 2012.
- Previously evaluated directives individually.
- Part of Regulatory Fitness (REFIT) programme.
- The Commission will inform EP, Council, EESC, ACSH of the results of the evaluation and of initiatives to improve the operation of the regulatory framework.

# ***Ex-post* evaluation – main elements for final Commission report**

- National implementation reports based on Commission Decision C(2011) 9200 that defines the structure and questionnaire to be followed by Member States (including social partners views).
- Independent study by an external consortium (COWI (lead), Milieu Ltd and IOM Consulting Ltd).
- Commission's own experience with Directives.

# ***Ex-post* evaluation – inclusive approach to engagement of stakeholders**

- Advisory Committee for Safety and Health at Work (ACSH), principally via Working Party on Evaluation of OSH Directives (tri-partite approach: governmental experts together with employers' and workers' representative organisations).
- Senior Labour Inspectors Committee (SLIC)
- Social Dialogue Committee
- Inter-Service Steering Group (ISSG) with representatives from 13 Commission DGs, European Agency for Safety and Health at Work (EU-OSHA) and European Agency for Improvement of Living and Working Conditions (Eurofound).

# Current state of play and next steps

- ACSH Opinion on external study adopted at Plenary meeting of 24<sup>th</sup> September 2015.
- Preparation of Staff Working Document – *work ongoing*
- Adoption of the SWD and informing Council, EP and others – *mid-2016*

## 24 EU Directives concerned (1)

**Directive 89/391/EEC** on the introduction of measures to encourage improvements in the safety and health of workers at work (**Framework Directive**), and:

- **Workplaces Directive** (89/654/EEC);
- **Work equipment Directive** (2009/104/EC);
- **Personal protective equipment Directive** (89/656/EEC);
- **Manual handling of loads Directive** (90/269/EEC);
- **Display screen equipment Directive** (90/270/EEC);
- **Chemical agents Directive** (98/24/EC);
- **Carcinogens and mutagens Directive** (2004/37/EC);
- **Asbestos Directive** (2009/148/EC);
- **Biological agents Directive** (2000/54/EC);
- **Construction sites Directive** (92/57/EEC);

## 24 EU Directives concerned (2)

- **Safety and/or health signs at work Directive** (92/58/EEC);
- **Pregnant workers Directive** (92/85/EEC);
- **Mineral-extracting industries through drilling Directive** (92/91/EEC);
- **Surface and underground mineral-extracting industries Directive** (92/104/EEC);
- **Fishing vessels Directive** (93/103/EC);
- **Medical treatment on board vessels Directive** (92/29/EEC);
- **Explosive atmospheres Directive** (1999/92/EC);
- **Physical agents (vibration) Directive** (2002/44/EC);
- **Physical agents (noise) Directive** (2003/10/EC);
- **Physical agents (electromagnetic fields) Directive** (2004/40/EC);
- **Physical agents (artificial optical radiation) Directive** (2006/25/EC);
- **Fixed-duration employment relationship or a temporary employment relationship Directive** (91/383/EEC);
- **Young workers Directive** (94/33/EC);