



@DGUVKompakt

 web magazine
www.dguv.de/kompakt

A look at Brussels

In October of last year, the European Commission presented their work programme for 2023 under the title “A Union standing firm and united”. The programme comprises 43 European policy initiatives that also concern health and safety at the workplace. The focus is on the EU’s goal of climate-neutrality by 2050, mental health, platform work and asbestos.

The Green Deal, which aims to make the EU climate-neutral by 2050, is at the top of the agenda. All major sectors of industry, business, agriculture – including food and product safety – as well as the world of work are affected by climate-neutral measures. The work programme announces a revision of the Regulation concerning the Registration, Evaluation and Authorisation and Restriction of Chemicals (REACH). This regulation contains provisions to promote the safe use of chemicals. “A good approach in principle, but in detail it would have very far-reaching effects on the German economy”, explains Ilka Wölfle, Director of the European Representation of the German Social Insurance (more about this in the interview starting on page 2). Furthermore, it is planned to check and register the presence of asbestos in buildings.

Mental health

Changes in the world of work offer many opportunities, but they come with certain risks. Last year, the EU Parliament called for the EU institutions and Member States to find ways to improve mental health at the workplace. To this end, the European Commission announced an EU mental health strategy for 2023. As part of ongoing



The EU work programme 2023 comprises six overarching goals. These include, for example, the European Green Deal and digitisation.

exploratory talks, the European Commission is inviting all interested parties to comment on this initiative by 15 February 2023. The feedback provided will be taken into account in the development of the initiative.

Platform work

Initiatives that are already under way are also still on the agenda, such as the proposal for a directive on improving working conditions in platform work. The German Social Accident Insurance (DGUV) welcomes the fact that all platform workers and all digital work platforms within the EU are to be covered.

Likewise, that the actual employment relationship and not the contractual agreement is to be decisive for determining the employee status. The EU Parliament’s compromise proposal is expected soon.

It is currently unclear to what extent the Council of the European Union will reach a compromise at its next meeting in March.

The six priorities of the EU Commission for 2019–2024

1. A European Green Deal
2. A Europe fit for the digital age
3. An economy that works for people
4. A stronger Europe in the world
5. Promoting our European way of life
6. A new push for European democracy

Protection against asbestos

Movement is also expected with regard to the directive on the protection of workers from the risks related to exposure to asbestos in the workplace. The focus is particularly on lowering occupational exposure limits. “Even today, 78 percent of recognised occupational cancers in EU Member States are related to asbestos. Therefore, the reduction of the exposure limit is a significant step towards effective prevention of occupational cancers.”, explains Wölfle, who emphasises: “With our current statement, we are actively participating in the legislative process and doing our part to promote effective prevention measures for the protection of workers!”

→ www.dsv-europa.de/en/ > News > European Commission Work Programme 2023

→ www.dsv-europa.de/en/ > Statements > Labour and Social Affairs > Opinion Asbestos Directive



Ilka Wölfle, Director of the European Representation of the German Social Insurance in Brussels

“Numerous activities would no longer be possible for service sector employees.”

Dear readers,

I hope that you started the new year filled with optimism. The turn of the year was marred by the incidents of violence surrounding the New Year's Eve celebrations in Berlin. Unfortunately, these incidents are not an exception, as violence against emergency personnel from fire departments and other support organisations is an ongoing issue in Germany. They are the first people on scene – in a car accident, a fire or a medical emergency. Their job is to provide assistance. For years, emergency responders have complained about facing verbal and physical abuse while carrying out their duties. A survey carried out by the German Social Accident Insurance Institution for the Fire Services in Lower Saxony in 2020 showed: Almost 35 percent of the individuals surveyed indicated that they had experienced abuse in the form of insults, verbal abuse, threats or actual physical attacks over the last two years while carrying out their duties as an active voluntary firefighter. In fact, in the metropolitan area of Hanover this figure was 50 percent.

It is unacceptable that people who are rushing to help others have to fear for their own health and safety. The abuse and violence needs to be taken seriously. It is not part of their job to be insulted and verbally abused! The German social accident insurance supports its insured individuals with anti-violence and de-escalation training courses. However, the responsibility for ensuring the health and safety of those working for emergency services and support services fundamentally lies with policymakers.

As a result of the current trend of violence towards emergency responders, the prospect of working in these professions is becoming increasingly unattractive. However, all of us depend on someone to help us in an emergency.

Yours, Dr Stefan Hussy
Director General of the German Social Accident Insurance (DGUV)

The European Commission has developed a Chemicals Strategy as part of the Green Deal. The aim of this strategy is to promote safe and sustainable chemicals and protect the environment. DGUV Kompakt spoke with Ilka Wölfle about the impacts on individual sectors and activities.

Ms Wölfle, you have been critical of the Chemicals Strategy in a statement on behalf of the German Social Insurance (DSV). Why?

At first glance, the thoughts of the European Commission regarding safety and health at the workplace are a welcome contribution, as people who come into contact with chemicals should receive greater protection. However, when you take a closer look at the plans concerning the revision of the Regulation on the Registration, Evaluation and Authorisation and Restriction of Chemicals (REACH Regulation), it becomes clear how far-reaching the consequences of this revision could be. The European Commission wants to remove the tried-and-tested risk-based approach towards working with chemicals for employees. This would mean that numerous activities would no longer be possible for employees.

Can you explain this using an example?

The approach towards protecting consumers against hazardous substances is very strict, and rightly so. However, different rules apply for service sector and industrial employees who work with chemical substances. A risk-based approach has been established there. This means that the risk associated with a substance is assessed, and the potential exposure and resulting consequences are considered. On this basis, measures are taken to protect people at the workplace. So far, this has made it possible to work safely with chemicals. The Chemicals Strategy now stipulates that, in future, service sector employees will be subject to the same strict regulations as consumers are. This

means that they will no longer be able to work with potentially carcinogenic substances or other substances with a similar level of risk. Industrial employees, on the other hand, could continue to apply the risk-based approach.

This would surely have massive consequences for many sectors, especially for medium-sized enterprises, wouldn't it?

Yes, it would have very far-reaching consequences, including for the healthcare sector, for example. In this sector, it is normal to disinfect surfaces using cleaning agents that contain formaldehyde. Medical instruments are sterilised with ethylene oxide. Although both of these substances are carcinogenic, it is possible to work safely with them on the basis of workplace exposure limits and compliance with protection provisions. However, according to the Chemicals Strategy, service sector employees would no longer be permitted to use these substances in future.

What does this mean for the construction industry, especially in terms of the handling of asbestos?

Here too, the consequences would be huge. Even today, during renovation or demolition work, materials containing asbestos are removed. Since asbestos is carcinogenic, this would no longer be possible. This is because this type of work is carried out exclusively by service sector employees.

“In 2018, chemicals worth 3347 billion euros were sold worldwide, with Europe being the second biggest producer. Chemical manufacturing is the fourth largest industry in the EU, comprising 30,000 companies, 95 percent of which are small and medium-sized enterprises (SMEs), employing around 1.2 million people directly and 3.6 million indirectly.”

→ forum.dguv.de > Edition 11/22
“The EU Chemicals Strategy”



Image source: © Getty Images/Morsa Images

The EU Chemicals Strategy would have far-reaching impacts on the healthcare sector.

Which recommendation do you give the EU in the statement?

From the DSV point of view, neither the planned different protection provisions for service sector employees and industrial employees, nor the prohibition of activities with hazardous substances for these occupational groups are expedient. In Germany, workers are well prepared for working with hazardous substances – through risk assessment that then serves as a basis to determine risk minimisation measures. The tried-and-tested risk-based approach should be maintained for both service sector employees and industrial employees.

in substances having to be labelled twice. Companies that producing both inside and outside the EU, this would face different requirements for labelling and classification. The domestic market could be restricted since substances and compounds would have to be labelled according to the GHS and, in order to be put into circulation within the EU, also with the new hazard classes.

Where do we expect things to go from here?

The new hazard classes are set to come into force at the end of 2023. Then we are also expecting the proposal for the revision of the REACH Regulation. At this point, it is still unclear whether the European Commission will actually move away from the tried-and-tested risk-based approach to working with chemicals for service sector employees. We are continuing to take part in the discussion and standing up for the interests of the people and companies represented by the German social accident insurance.

➔ Statement – EU Chemicals Strategy
www.dsv-europa.de/en > Statements >
 Labour and Social Affairs



In Germany, workers are well trained for working with hazardous substances.

The EU also wants to introduce a new hazard class for the classification, labelling and packaging of chemicals. How is that compatible with the objective of establishing the globally harmonised system of the UN (UN GHS) as a worldwide standard?

By introducing the new hazard classes, the EU would – contrary to its intention as an important supporter of the UN GHS – weaken the system and send a fatal signal to the states that want to introduce the system. From the view of occupational safety and health, the introduction of special hazard classes would not necessarily lead to an added benefit. This may even result



Ilka Wölfle, Director of the European Representation of the German Social Insurance

Defeating of protective devices on machines – Supervisors play a key role

The defeating of protective devices on machines regularly leads to serious and fatal accidents, production outages and high costs. The frightening thing about this is that supervisors are often aware that protective devices have been disabled. This is shown by a survey by the Institute for Occupational Safety and Health of the German Social Accident Insurance (IFA).

According to estimates, around 10,000 occupational accidents – some of them fatal – occur every year due to defeated devices on machines. Protective devices are tampered with when they interfere with the workflow. In order to specify the current extent of the problem, the IFA interviewed over 840 people who are responsible for occupational safety and health issues in their company. These are mostly specialists for occupational safety, but also managers. More than half said supervisors tolerated machine manipulation in at least one instance. Leadership behavior is therefore a central lever for influencing accident occurrence in the long term.

“The responses from the field show that more than a quarter of all machines are tampered with (i.e. protective safeguards are defeated) and sometimes the tampering is permanent”, says Stefan Otto, Machine Safety Expert in the IFA. The survey findings also show a statistically significant correlation between tolerance by management on the one hand and the frequency of tampering and the resulting accidents on the other hand. Conversely, accident prevention requires superiors who are convinced of occupational safety.

Two thirds of respondents consider a clear commitment by management against the defeating of machines to be a particularly effective way of preventing such tampering, and in turn, preventing accidents. This also includes procuring machines that offer little incentive for defeating protective devices.

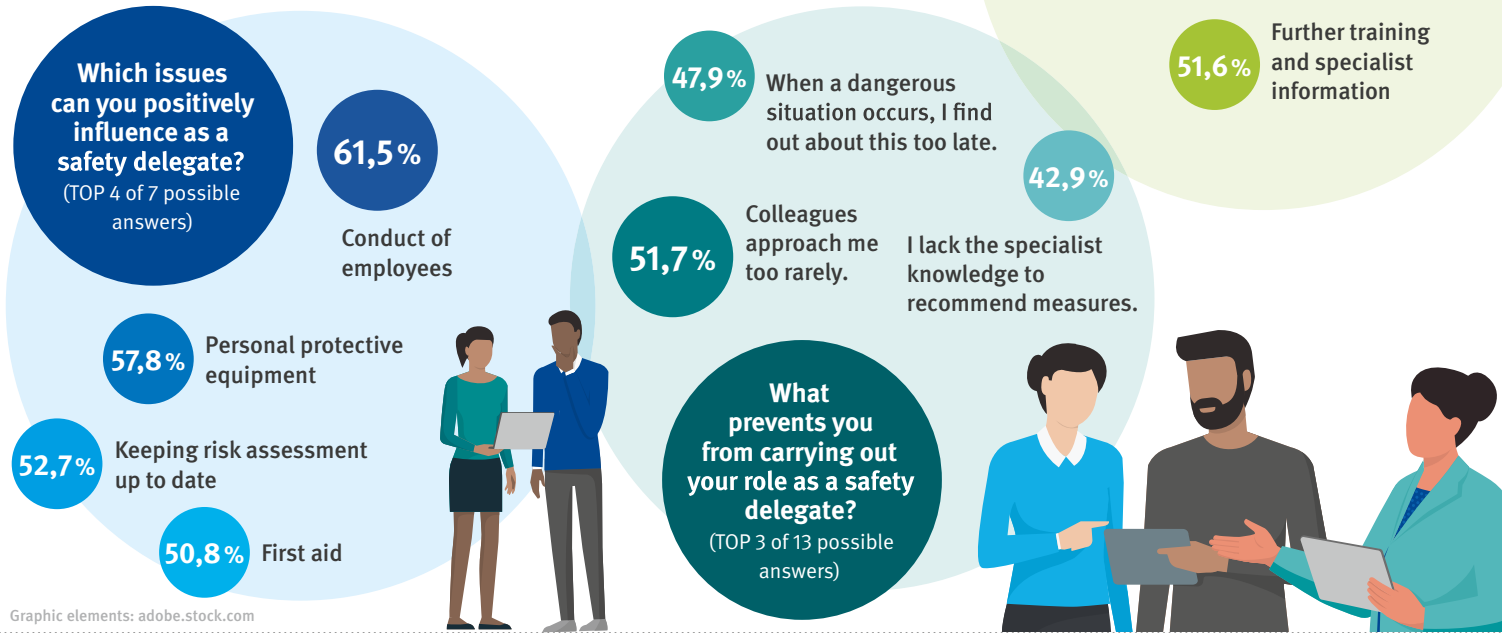
➔ www.dguv.de > Webcode: p022290, dp1319848 (German only)

Safety delegates want more discussion and further training

Companies with more than 20 employees must appoint a safety delegate. Safety delegates are colleagues who volunteer to promote occupational safety and health alongside their actual work: Are protective safeguards in place, is personal protective equipment being worn or are there accident risks? A survey of around 1630 safety delegates provided information about which

conditions allow them to successfully carry out their voluntary work and what hinders them. More than half indicated that they would like to be approached more often by colleagues and would like to see a greater exchange of knowledge and more further training to make their work more effective.

→ forum.dguv.de > Ausgabe 11/22 > Schwerpunkt (German only)



Online service for insured individuals and companies

Report an occupational accident or apply for a survivor's pension – from January 2023, insured individuals and companies can do this and much more using the online service portal of the German social accident insurance. The portal is connected to the user account network (Nutzerkonto Bund) for insured individuals and the company account on the basis of ELSTER for companies. As a result, applicants can use these accounts to identify themselves once and use this authentication for all future contact with authorities. They can store data and transfer it to various

forms and also receive notifications via their inbox. With the digitalisation of over 30 services, the German social accident insurance is complying with the provisions of the Online Access Act (Onlinezugangsgesetz). This act obligates the German government, federal states and local authorities to also provide most of their services digitally and link them to a portal network. The German social accident insurance benefits can be found on Bund.de and all portals at state level.

→ www.serviceportal-unfallversicherung.dguv.de (German only)



As of this year, it is also possible to apply for an accident pension online.

Imprint

Published by: German Social Accident Insurance (DGUV), Dr Stefan Hussy (Director General). The DGUV is the umbrella organisation of the German Social Accident Insurance Institutions for the public sector and for trade and industry.

Deadline: 02/02/2023

Publishing committee: Dr. Renate Colella (Vorsitz), Prof. Dr. med. Axel Ekkernkamp, Frauke Füsers, Markus Hofmann, Gabriele Pappai, Dr. Udo Schöpf, Karl-Sebastian Schulte, Ilka Wölfe

Editorship: Gregor Doepke, Kathrin Baltscheit, DGUV, Glinkastraße 40, 10117 Berlin

Editorial team: Kathrin Baltscheit, Katharina Braun, Katrin Wildt

Translation: Intercontact GmbH

Layout: Atelier Hauer & Dörfler GmbH, www.hauer-doerfler.de

Publisher: Quadriga Media Berlin GmbH, Werderscher Markt 13, 10117 Berlin

Printed by: MedienSchiff BRuno

Contact: kompakt@dguv.de

Image sources portraits: Page 2, 3 – Jan Roehl/DGUV

