


COLLECTIVE BARGAINING AND SOCIAL DIALOGUE IN EUROPE
TO **PROTECT WORKERS' HEALTH AND SAFETY** AT WORK
AGAINST HEAT AND HEAT WAVES




Adaptation to heat and climate change at work.

ADAPT HEAT

Collective bargaining and social dialogue in Europe to protect workers' health and safety, welfare and productivity against heat and heat waves

PROTECT HEALTH AND SAFETY AT WORK FROM HEAT AND HEAT WAVES AND HEATWAVES AT WORK



Recommendations
A call to action on various levels

ADAPT HEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



The general framework

Framework Directive 89/391/EEC

- General duty of care for the employer (art. 5)
- Risk assessment (art. 6/9)
- Take measures/draft plan of action (art. 6/9)
- In consultation with workers (representatives) (art. 11)
- Supported by OSH specialists (art. 7)

- Enforcement: labour inspectorate

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



So the current legislation is enough?

NO !

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



Why not?

Many employers

- do not see heat as a part of their duty of care
- do not assess risks (or do not know *how* to do it properly)
- do not know *when* to take action (differing thresholds)
- do not take *appropriate* action

Labour inspectorates

- are in need of clear-cut legal standards (OEL)
- are in need of undisputable regulations on effective measures

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



What is needed?

For employers

- Risk awareness: **duty of care** is very broad
- **Clarity !!**
 - *how* to assess risks (properly)
 - *when* to take action (threshold limits)
 - *(cost-) effective*, state-of-art measures at various levels

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



What is needed?

For workers

- Protection (duty of care)
- Right to self-protect!

- Clarity !!
 - *what's* the risk
 - *when* to take action (+ right to interrupt work)

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



What is needed more generally?

For employers	For workers	For enforcement
Level playing field	Equal protection	
Legal clarity/certainty	Legal clarity/certainty	Legal clarity/certainty
Tailor-made solutions	Effective protection	Effective strategies
Efficiency		
Scientific <i>and</i> practical knowledge	Participation/Voice!	Knowledge from practices
Risk awareness		

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



Recommendations

Recognise workers as a group at risk

- National heat policy: **workers as a specific risk group** in national strategies and heat action plans
- Address **heat at work** in national/regional heat alert systems
- National OSH policy: more attention to **heat as specific risk**
- More scientific research on the health effects of heat at work

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



Recommendations

Provide legal clarity/certainty

- Develop an **EU Directive on Heat at work**, fleshing out the rather general Directives 89/391/EEC and 89/654/EEC
→ solid framework for further negotiations in companies
- Set clear, EU-wide **occupational exposure limits**, based on various relevant parameters (WBGT) → legal equality
- Make clear **how to properly assess heat risks** at work
- Develop easy-to-use tools to assess risk

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



Recommendations

Effective measures at the heart of the new Directive

- Make heat action plans mandatory, at least at company level
- Address hierarchy of control (also in Annexe to EU Directive)
- Make sure protective measures are effective/science based
- Strengthen worker participation in devising heat action plans
 - Formal participation + respect legal rights of worker reps
 - Use practical knowledge, both in risk assessment and devising effective measures

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



Recommendations

Effectiveness and efficiency

- Be **specific** in what measures are *effective* and *state-of-art* (also in annexe to **EU** Directive and in **national** legislation)
- Use **tailor-made** knowledge at the **sectoral** level
- Make these measures **binding** (collective labour agreement)
- Involve trade unions or other workers representatives
- Also involve OSH specialists

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



Recommendations

Right to self-protect

- Make clear that workers have a **right to stop work** above the threshold limit

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



Recommendations

Right to self-protect

- Make clear that workers have a **right to stop work** above the threshold limit
- Work stoppage should **not entail any financial loss** for the worker
- Establish mutualised systems for (small) employers

... enable workers in the event of serious, imminent and unavoidable danger to stop work and/or immediately to leave the workplace and proceed to a place of safety (art. 8(3) Framework Directive)

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



Recommendations

Enforcement

- Incorporate protection against heat in inspection priorities
- Enforce the measures taken against the risk of exposure to heat throughout the year and not only in the summer months
- Strengthen the resources for the labour inspectorate

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



Recommendations

Strengthen worker participation at all levels

- Legal right
- Effective!
 - Knowledge/pointing out risks
 - Practical experience in effectiveness of measures
- Support SME's with clear and detailed information in collective labour agreements, 'roving safety reps' / workplace visits, etc..

ADAPTHEAT

PROTECT HEALTH AND SAFETY AT WORK FROM
HEAT AND HEAT WAVES AND HEATWAVES AT WORK



Recommendations

Raise awareness

- Campaigns must be designed (and evaluated) according to **scientific evidence** to make them as effective as possible
- Provide **up-to-date training** on prevention of heat-related hazards for workers and employers, including identification of heat-related symptoms and emergencies
- **Strengthen collaboration with the scientific community** involved in research on Heat and OHS in all its domains (physiological, biomedical, industrial hygiene, engineering, organisational etc.)

ADAPTHEAT