

Common declaration on standardization policy in the field of occupational safety and health

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Standards are an important element in prevention activity for safe and healthy workplaces. Elaborated at European and increasingly also at international level, they set out technical requirements for products and define measurement methods for emissions such as noise, vibration, radiation and harmful substances. At the same time, standards increasingly impact upon non-technical areas such as the harmonization of OSH management systems. Against this background **EUROGIP** (represented by R. Haeflinger), **INRS** (Institut National de Recherche et de Sécurité pour la prévention des maladies professionnelles et des accidents du travail, represented by S. Pimbert) and **KAN** (Kommission Arbeitsschutz und Normung, represented by N. Breutmann), supported by the social partners, have agreed upon a set of joint positions on their standardization policy.

1. Product standardization

Following the principles of the Cracow Memorandum¹, harmonized European Standards must constitute a reliable technical reference for all stakeholders and must support legislation in a consistent manner, without contradictions, in order to contribute to fairness of competition and to the high level of safety called for by the Treaty on the functioning of the European Union (TFEU). Harmonized European standards should reflect the current state of the art and correspond to the highest level of safety and health that can reasonably be expected from a product.

CEN and CENELEC actively encourage the adoption of ISO and IEC standards at European level whenever possible. In this context, preserving the high level of safety and health that is expected of harmonized European standards supporting directives under Article 114 of the TFEU constitutes a major challenge.

For the negotiations on the Transatlantic Trade and Investment Partnership (TTIP) between the EU and the USA, the French and German OSH parties call upon the European Commission and the European standardization bodies to ensure that the high level of protection in the trade of products that is required by the EU treaties is respected.

As a matter of principle, it must be ensured that standards continue to support the essential health and safety requirements of the EU Single Market directives under the rules of the New Legal Framework even where they are developed at international level or as a result of bilateral agreements between trade partners. The French and German OHS parties stress that standards need to be assessed independently vis-à-vis their satisfaction of the essential health and safety requirements of the European directives. They consider that such assessments have been successfully carried out up to now by the CEN consultants and recommend that such consultants continue to

¹ www.euroshnet.eu/pdf/Cracow-Conference-2008/Memorandum-en.pdf

be assigned. They also call upon the European Commission to ensure adequate enforcement of market surveillance at national level by the Member States.

2. Role of new deliverables

Besides traditional standards, new types of document produced by standardization bodies are increasingly emerging which can be grouped under the heading of "new deliverables". These documents include CEN Workshop Agreements (CWAs) and Publicly Available Specifications (PAS). Although they are drafted under the auspices of standards organizations, they differ from traditional standards in that they are not designed to reflect a consensus between all stakeholders.

Originally, these deliverables were intended for fast-moving sectors such as that of information technology, since they can be produced within a short time. New deliverables are driven by particular interests; they are increasingly being used to address health and safety issues. Since in the view of the OSH parties, the production and use of such deliverables is associated with problems, EUROGIP, INRS and KAN reject the use of CWAs and PAS for the regulation of OSH aspects. The French and German OHS parties call upon the standardization bodies to make a clear formal and visual differentiation between standards and new deliverables in order to ensure that users are well aware of the exact nature of the documents.

3. Standardization in the field of services

Standardization is considered an important means of liberalizing cross-border trade in services and removing obstacles to trade. If standards are drawn up for services, it is inevitable that they will include references to the people who perform the services. Consequently, such standards may include requirements concerning the safety and health of the service providers, an area which should in fact be regulated by the individual states as part of their implementation of OSH directives under Article 153 of the TFEU. CEN Guide 15 on service standardization takes this into account. In contrast to products, services are delivered with a particular customer focus and are generally unique to the customer concerned. One particular threat arises from the fact that it may not be possible to standardize the process itself and that in consequence, skills and competencies may be defined instead for the person performing it. This could ultimately lead to an explosion in the certification of persons on the basis not only of their ability, but also of their formal vocational qualifications. The French and German OSH parties acknowledge the value of standardized services for the European Single Market. However, it is important to look closely at what is being standardized, and limits will have to be defined concerning the role of standardization in the area of safety-related qualifications.

4. Standardization in the area of the health and safety of workers at work

Article 153 of the TFEU directly focuses on social security and on health and safety aspects at the workplace, and sets out the framework for the development of European Directives in this area. Directives developed under Article 153 contain minimum requirements which are to be adopted by the Member States within their

responsibility for the improvement of occupational safety and health. In this area, European Standards do not play a role comparable to that in product standardization. However, standardization is possible and has delivered good results in fields including the following: terms and definitions, measurement and planning of measurement, testing and sampling procedures, statistical methods and data exchange, safety signals and warning signs, and selection of equipment. EUROGIP, INRS and KAN call upon the European standardization bodies to take the different role of standards within the scope of Article 153 and Article 114 into account when launching new standardization projects. In particular, the European standardization bodies should evaluate whether new projects within the scope of Article 153 support the Member States in improving occupational safety and health and whether they lead to duplication of work and conflicts with regulations of the individual EU Member States.

5. Standardization of management systems

Various management systems have been introduced in recent years in France, Germany and elsewhere. Systems have been standardized and have thus become certifiable. Well-known examples include the ISO 9000 series of standards for quality assurance and ISO 14000 for environmental management systems. Standardization is also addressing other subjects, such as **social responsibility in the ISO 26000 standard**. There are also efforts to incorporate topics such as sustainability or health management in standards or new deliverables.

In October 2013, ISO approved the request by the British Standards Institute (BSI) to develop an international standard for **OSH management systems (ISO 45001)** based upon OHSAS 18001, which is already in use in numerous countries. In their comment to their national standards institutes, German and French OSH parties drew attention to the fact that adequate provisions governing OSH management systems already exist in the form of the ILO guide to OSH management systems and its implementation at national level. EUROGIP, INRS and KAN are therefore concerned that the ISO standard would offer no added value, whilst at the same time leading to greater pressure for certification. This would above all affect small and medium-sized enterprises who would have to be certified in order to obtain orders as suppliers or to take part in tendering processes. Since the ISO Project Committee 283 has started working on the standard "Occupational health and safety management systems – Requirements", EUROGIP, INRS and KAN have decided to become actively involved in the standardization work both in the national mirror committees and in ISO/PC 283.

6. Perspectives for future joint commitment

EUROGIP, INRS and KAN confirm their excellent cooperation in standardization. They will continue to identify common objectives, find and establish instruments of cooperation and look for approaches to jointly influence the standardization process while benefiting from efficiency gains. In the Strategic Advisory Board for Occupational Health and Safety (CEN/SAB OHS) they will undertake joint efforts to

implement their initiative on the quality of harmonized standards. They will support the Working Party on Standardization of the Advisory Committee on Health and Safety at Work of the European Commission by preparing and presenting common positions through their representatives. In order to support their experts active in standardization, they carry out cross-border seminars, also involving institutions from other countries, such as CIOP, FIOH, HSE, INAIL and INSHT. They commit themselves to strengthening the EUROSHNET network in order to improve the efficiency of their standardization work, the exchange of views and mutual support in standardization committees relevant to occupational safety and health. Finally, EUROGIP, INRS and KAN agree on periodical consultations at management and expert level.

Signed in Bonn on 25 March 2014

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