

5.4.2022

Les Débats d'



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## Protecting health and safety at work in a changing world

MINUTES PUBLISHED JUST AFTER THE CONFERENCE

### How to protect health and safety at work in a changing world?

Teleworking, robotics, new organizational frameworks, new types of status: the world of work is in the process of transformation. These changes can have consequences for workers' health and safety, and sometimes make it necessary to rethink occupational risk prevention policies. This was the issue examined by the latest EUROGIP Discussions held online on 5 April 2022.

### What has changed

Marc Malenfer, head of monitoring and long-range planning at French national research and safety institute INRS ("Institut national de recherche et de sécurité"), asserted straightaway that *"we have no certainty about what tomorrow will be like."* With his team, he tries to *"explore possible future scenarios, identify the levers that will be decisive"*, and identify what occupational health and safety stakeholders should watch out for in the coming transformations.

He lists five identified issues, already present before the pandemic: an acceleration in the use of information and communication technologies, companies' determination to gain agility and flexibility, notably due to a growing awareness of their vulnerability (with regard to the supply chain and labour), the use of atypical forms of employment status, co-activity and, finally, companies' ability to maintain a work community or not. *"Workforces are fragmented and impoverished by this development, and social dialogue in all its forms is experiencing difficulties,"* noted EUROGIP's chairman, Christian Expert, in his introduction to the conference.

The participants spoke a lot about teleworking, which admittedly existed already, but which has become more prevalent in the past two years. *"It will persist: the trend will decline, but the level will*

*remain higher than that before the pandemic,"* predicted Ivailo Kalfin, Executive Director of the European Foundation for the Improvement of Living and Working Conditions (Eurofound). This tripartite EU agency, (the oldest one), aims to contribute through research to the development of social, labour and employment policies.

Now, *"teleworking reflects a structural change in the organization of work, with new technologies, great work flexibility and a change in the nature of social and work relations,"* commented Manuela Samek Lodovici, Director of the Research Department on the Labour Market and Productive Systems, at the Istituto per la Ricerca Sociale (IRS) in Italy, *"so it is important to examine the challenges posed by this hybrid work form."*

### Risks

Marc Malenfer does not want us to forget that *"the use of technological progress forms part of the general principles of prevention (to improve working conditions and protect workers)"*. Erick Lemonnier, Workplace Safety Director for the infrastructure branch of Eiffage, in France, gave the example of an assistive glove which can mitigate physical loads and thereby improve comfort and prevent the appearance of musculoskeletal disorders.

However, Marc Malenfer warns about the risk of *"getting carried away by potential breakthroughs"* in these technologies, when one should not lose sight of the fact that they are likely to increase the difference between stipulated work and actual work. It is essential to ensure that they are not merely tools for an acceleration in work requirements, he said.

A Eurofound survey shows that the workload increases with



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1

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teleworking. The number of hours overtime is two times greater for teleworking, reported Ivailo Kalfin. And he added, *“When you work at home you do not know what is your role in the company and if what you do is useful and if you are doing it well.”* Excessive control of employees working at home is also dangerous, said Maxime Bellego, doctor of psychology.

Several participants mentioned that managers were especially exposed to PSRs (psychosocial risks) in the case of teleworking. *“They are the ones least in favour of teleworking. Supervision rests on their shoulders. It is not easy for them to adapt to the diversity of employee profiles,”* observed Valérie Duburcq, head of the “collective work practices” transformation programme at Orange.

Laurent Bailly, head of the “insuree services” department and assistant in the Occupational Risks Department of the French National Health Insurance Fund (CNAM), reported on his analysis of the circumstances of teleworking accidents. The main accidents involve falls and cases of malaise. *“That’s rather logical, because it is the same type of incidence rate as for jobs that can be done at home,”* he pointed out.

In addition to teleworking, Maxime Bellego explained that the uncertainty due to the health crisis was having harmful consequences. It exacerbates the effects of a lack of social support, which is a PSR factor recognized by the Karasek model. In other words, the lack of support is in itself a PSR factor, but it is magnified in times of uncertainty.

In short, the transformations in work are generating new risks, but also risks that are already known, stressed Stéphane Pimbert,

Director General of INRS. For example: *“The risks of teleworking are fairly conventional: they concern the work environment, autonomy, the workload and resources.”*

### Risk prevention at home?

The risks related to these transformations, whether they be new or conventional, must be assessed. *“We do not analyse teleworking as a risk in itself, but as a work station subject to risks,”* specified Laurent Bailly.

Of course, in the case of teleworking, it is harder for the employer to assess the risks. *“How to measure the workload and working time at a distance?”*, asked Manuela Samek Lodovici. She continued: *“It is necessary to find a balance between employers’ need to know what their employees are doing and the right to personal privacy.”* The issue is often precisely one of balance.

In addition to risk assessment, the same difficulty is faced in implementing preventive measures. *“The employer can hardly guarantee the quality of the air and lighting that you have in your home,”* commented Ivailo Kalfin. *“There is a conflict between employers’ obligations and the means that they have to influence working conditions,”* observed Edlyn Höller, Deputy Managing Director of the Deutsche gesetzliche unfallversicherung (DGUV) in Germany. It is especially difficult when teleworking does not take place in the home but in nomad mode, during business travel for example.

Coworking spaces and other third places should not be forgotten. The concern for health at work in general and for ergonomics in particular is also very important there. This is illustrated by the concerns of Jean-Claude Blachier, Head of Moulin Digital in Valence,



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2

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and Marjolaine Devic, who is an occupational risk prevention actor and former manager of a coworking space, both working in France.

### **Faced with the tech world: prevention as early as possible**

Regarding technological facilities, Maxime Bellego spoke strongly in favour of experimental phases, “*vital for a good understanding of the quality of work.*” He gave the example of France Télécom where, since the tragic series of suicides, any new technology is first tested for several months before being rolled out massively... or abandoned.

More generally, information feedback and working groups can prevent negative consequences of changes made very swiftly. But Maxime Bellego admits that these methods “*are rather complicated in teleworking because the groups need a chair, especially in the technical world.*”

Before that, the ideal approach is to bear occupational health and safety issues in mind at the very time the tools (machinery, software, etc.) are created. “*Robot designers and integrators should work upstream on human/machine relations,*” for example, recommended Stéphane Pimbert. Hence the need, according to Marc Malenfer, for upskilling of the designers, who should be made more aware of these issues. Prevention stakeholders should also acquire a better understanding of what these tools are.

### **Digital technology as a tool for awareness raising**

During the pandemic, employers not very sensitive to occupational health issues became more aware of them. Moreover, the number of downloads of EU-OSHA documentation exploded. “*We had never seen that before,*” said William Cockburn, temporary Head of the European Agency for Safety and Health at Work.

According to the Occupational Risks Department of CNAM, the health crisis was a catalyst for transformations already underway. Its actions have not fundamentally changed in substance, but it uses new means to carry them out, explained Anne Thiebeauld, Head of the Branch. “*We have definitely developed teleservices faster and more massively than we would have done if it were not for the crisis,*” she said. The crisis enabled OSH personnel to reach a wider audience in small enterprises.

Dematerialization is a tool for massively raising awareness of health and safety at work. This is also shown by the self-checking questionnaire developed by the Swiss National Accident Insurance Fund (Suva), sent to 9,000 small and medium-sized enterprises. Eric Rochat, safety and health protection expert at the Fund, explains that processing the collected data naturally requires less personnel. After answering the questions, enterprises receive a summary of the measures that they should take. Some of them even then call on Suva to obtain further advice. “*This tool raises awareness and opens doors,*” observed Eric Rochat.

### **What role for social partners and regulations?**

The various contributions have shown that the regulations regarding teleworking vary from one European country to another. The same holds for the recognition of occupational injuries in work-at-home jobs. The pandemic has led some countries to change their legislation. This is the case of Portugal. Catarina de Oliveira Carvalho, Associate Professor at the Law Faculty in Oporto, explained that faced with the increasing prevalence of teleworking, which was governed by very general legislation dating from 2003, the government undertook a reform in 2021 with legislation that is far



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3

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more protective for employees. In this case, social dialogue was brief.

On the European level, it generally works well. This, in any case, is what was claimed by Francisco Jesùs Alvarez Hidalgo, policy manager in the Occupational Health and Safety unit of the European Commission's Directorate General of Employment, Social Affairs and Inclusion. Aude Cefaliello, researcher at ETUI (the research centre of the European Trade Union Confederation), and Rebekah Smith, Deputy Director of the Social Affairs Department of the BusinessEurope employers' organization, were its representatives at the EUROGIP Discussions. With regard to teleworking, both agreed that it should be voluntary. *“Teleworking can be a very positive tool. [...] It must be the subject of a compromise and discussions in order to be acceptable by both parties,”* advocated Aude Cafaliello. She is generally favourable to a directive on the right to disconnect. Rebekah Smith, without clearly rejecting this idea, warns against *“excessively strict rules”*. In her opinion, the review of the Workplaces Directive could be an opportunity to speak about teleworking.

Directive or no directive? *“Legislation was one option, but not the only one,”* Francisco Jesùs Alvarez Hidalgo stated simply. He indicated two limits to European regulations on teleworking and disconnection: the fact that the changes are rapid, whereas legislation must have a medium- and long-term perspective and cannot be changed too frequently, and cultural differences between the countries. This comment corresponds to the testimony of Valérie Duburcq, from Orange: in some African countries, being on the spot is valued because it is perceived as a form of professional recognition, whereas in Nordic countries teleworking is generally synonymous with trust and flexibility.



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