



The European Commission's Public Consultation on the Roadmap for the EU Strategic Framework for Health and Safety at Work 2021 - 2027

German Social Insurance Statement

26 November 2020

The German Federal Pension Insurance (DRV Bund), the German Social Accident Insurance (DGUV), the National Association of Statutory Health Insurance Funds (GKV-Spitzenverband) and the national associations for statutory health and long-term care insurance have come together because of their common European policy interests to form the "German Social Insurance - Working Group Europe".

The German Social Insurance represents the interests of its members vis-à-vis the bodies of the European Union (EU) and other European institutions and advises the relevant players in the context of current legislative proposals and initiatives.

As part of Germany's statutory insurance system, health and longterm care insurance, pension insurance and accident insurance offer effective protection against the consequences of major life risks.

I. Preliminary remark

The European Union has extensive legislation on health and safety at work. It establishes common minimum standards for the protection of workers and represents an important aspect of the EU's social acquis. It forms the basis for the upward convergence pursued under the European Pillar of Social Rights with regard to a high level of health and safety at work and a working environment which meets workers' occupational and health needs and enables them to participate in the labour market for a long time.

The setting of common policy objectives in an EU strategic framework for health and safety at work 2021 - 2027 is another building block, which should help to maintain the high occupational health and safety standards for workers in the EU



and, in line with the "Vision Zero", to reduce occupational accidents and work-related diseases and to tap the health-promoting potential inherent in work. With the new strategy, it aims to help promote coordinated action by the Member States, the social partners and other stakeholders involved and to involve all levels. Incentives should be provided for updating national occupational health and safety strategies.

II. Comments

In principle, the German Social Insurance welcomes the initiative of the European Commission to present a new Strategic Framework for Health and Safety at Work in order to maintain and develop the high occupational health and safety standards for workers in the EU. It supports the Council's call in its conclusions on the new strategic framework of 10 December 2019 to integrate the approaches of the Vision Zero prevention strategy with regard to fatal accidents at work and occupational diseases that cause fatalities, thereby promoting a culture of prevention and contributing to the exchange of good practice. The complementary approach announced by the European Commission for the new strategic framework between companies, national and EU levels to ensure safety and health at work is also to be welcomed, in principle.

In the future strategic framework, the European Commission intends to identify ways of combining action at EU and national level. The intended presentation of the roles and responsibilities of the different levels and relevant players, such as Member States and their authorities, the social partners at EU and national level, EU-OSHA, the Advisory Committee on Safety and Health at Work and the Senior Officials Committee, can help to clarify the structures and facilitate cooperation. However, from the perspective of the German Social Insurance, it should not call into question the practice of cooperation between the players involved and the possibilities of contributing expertise to the existing advisory bodies.

Among the possible pillars of the strategic framework, the European Commission's roadmap identifies anticipating and managing change for a better and longer working life, preventing work-related illnesses and accidents, improving the application of EU rules and ensuring evidence-based policy-making.



1. Anticipating and managing change for a better and longer working life

The German Social Insurance welcomes the fact that the new strategy will include new risks, such as those arising from new forms of work and technologies, digitisation and the COVID-19 pandemic, in addition to traditional risks such as exposure to hazardous substances and the risk of accidents at work. These include, for example, the increasing mental stress in many areas due to technical and organisational change, globalisation and digitisation.

Increasing digitisation is giving rise to new forms of work characterised by temporal and spatial flexibility, which place new demands on prevention and occupational safety. The COVID-19 pandemic has given a further boost to such forms of work. The partial or complete relocation of the work from the workplace to the private environment of employees represents a new challenge with regard to classical occupational health and safety measures and regulations, for which solutions must be found.

In view of the goal of promoting a better and longer working life, the German Social Insurance advocates prevention that takes account of demographic developments and shifts in the spectrum of burdens. Such a pioneering strategy is a prerequisite for achieving the objectives pursued by the fundamental principle 10 of the European Pillar of Social Rights, namely to ensure a high level of health and safety at work and a working environment which meets the occupational and health needs of workers and enables them to participate in the labour market for a long time. Effective prevention and early health promotion throughout working life creates the framework conditions for averting work-related health risks and for longer participation in working life.

2. Prevention of occupational diseases and accidents

With the new strategy, the Commission aims to contribute to improving health and safety at work, including the prevention of occupational accidents and preventable work-related illnesses. In its roadmap, the Commission puts the economic costs of work-related illnesses and accidents at 476 billion euros, which corresponds to 3.3 per cent of the gross domestic product, while the International Labour Organization (ILO) estimates the figure as high as 4 per cent worldwide.

The umbrella organisations of the German Social Insurance share the Commission's assessment that further efforts must be made despite significant reductions in the number of fatal and non-fatal accidents at work in the past. The aim must be



to avoid fatal and serious accidents at work and occupational diseases in line with the "Vision Zero" prevention strategy. German Social Insurance welcomes the fact that the Commission has included the aspect of the costs of medical and vocational rehabilitation and improving the sustainability of social security systems in its roadmap. It is suggested that the Vision Zero prevention strategy and the topic of raising awareness of the advantages of effective prevention, also from an economic point of view¹, be included in the new strategy and promoted more strongly.

3. Improving the application of EU rules

The umbrella organisations of the German Social Insurance share the European Commission's assessment that correct and full implementation and enforcement of existing health and safety legislation is important to prevent occupational accidents and diseases. They welcome the fact that the new strategic framework will also pursue better implementation and support for small businesses, which account for 93 per cent of businesses in the EU, with a view to introducing effective and efficient risk prevention measures.

The application and consistent enforcement of existing health and safety legislation requires that it keeps pace with technological developments, without creating unnecessary administrative burdens, especially for small businesses. German Social Insurance suggests that the objective of the 2014 - 2020 strategic framework to simplify EU legislation where possible, to avoid unnecessary administrative burdens and to review existing legislation for meeting its purpose, should also be enshrined in the new strategic framework.

4. Ensuring evidence-based policies

The German Social Insurance supports the Commission's approach of making policy decisions in the field of occupational health and safety on the basis of evidence-based scientific and economic information - in particular, the expertise of the occupational health and safety institutes in the Member States - as well as the expertise of the various committees involved, such as the Advisory Committee on Health and Safety at Work and the Committee of Senior Labour Inspectors. However, where data is used, which not only relates to objective scientific or engineering facts, but also includes a legal derivation, e.g. on the question of whether an

¹ See also the calculation of the international "Return on Prevention" for companies: Costs and benefits of investments in occupational health and safety <https://publikationen.dguv.de/widgets/pdf/download/article/2799>.



occupational disease or accident at work is present, the respective differences in occupational health and safety and accident insurance systems must be taken into account. There is no direct comparability of data in these cases and it must first be examined whether a methodology can be developed to establish comparability.