

European Commission Conference

Negotiation, consultation and autonomy of EU Social Partners. 20 years of the Social Partners' Agreement

Warsaw, 24 and 25 November 2011

**Session 6: Implementation of agreements by Directive:
Social Partners' Experience: Sectoral Example:
Directive 2010/32/EU "Prevention from sharps injuries"**

**Activities of the European Social Partners in the
Hospital Sector in 2011 and next steps planned**

Mathias Maucher

Policy Officer "Health and Social Services"

EPSU

Directive 2010/32/EU on the prevention of sharps injuries in the hospital and health care sector

- Implementing the Framework Agreement concluded by HOSPEEM and EPSU (17 July 2009) and making it legally binding across the European Union
- Content-wise identical with Framework Agreement
- Key features: 1) Risk assessment (technology, work organisation, working conditions, level of qualifications, work-related psychosocial factors; working environment; 2) Elimination, prevention, protection (safe procedures; medical devices with safety-engineered protection mechanisms; ban of recapping; safe disposal); 3) Information, awareness-raising; 4) Training; 5) Reporting
- Lays down the rules on penalties (by Member States) – to be effective, proportionate and dissuasive – applicable to infringements of national provisions
- Entering into force 3 years after adoption = 11.05.2013

What have European social partners done since adoption of directive? (1)

- Meeting with European Agency for Safety and Health at Work (OSHA) in Bilbao (11 May 2011) to discuss further details on possible collaborations between OSHA on the one hand and HOSPEEM and EPSU on the other in order to make sure that the Directive 2010/32/EU is successfully implemented in the EU 27
 - Database of relevant research/studies/articles
 - Awareness-raising
 - Dissemination (webpage; newsletter; targeted mailings)
 - Production of material (training guides, handbooks, toolkits, leaflets, etc.) in different languages
 - Reaching out to national stakeholders through national focal points of OSHA (tripartite structure)
 - Cooperation with OSHA through 2012 and 2013, also in a framework of a project HOSPEEM and EPSU intend to run

What have European social partners done since adoption of directive? (2)

- Participation in and contribution to 2nd Summit of European Biosafety Network (Dublin, 1 June 2011)
- Participation in two workshops (Berlin, 5 and 6 May 2011 and Frankfurt/Main, 14 and 15 November 2011) organised by the Aesculap Academie, entitled "From legislation to implementation: What needs to be done to implement the Council Directive 2010/32/EU until May 2013?", involving OSH experts and relevant stakeholders and aiming at the elaboration of practical guidance to make effective use of the directive by those working on the ground (staff and management)
- Sensitisation of their members as to the role and responsibility national social partners have in promoting the transposition of this piece of European legislation

What do European social partners plan to do in the near future?

- Discussion of main outlines and preparation of activities to support the awareness raising, dissemination and concrete steps in view of implementing Directive 2010/32/EU between HOSPEEM and ESPU
 - Use and dissemination of existing material (elaborated by HOSPEEM members, EPSU affiliates, the European Biosafety Network, an expert group linked to Aesculap Academie, OSHA)
 - Preparation of project proposal to be submitted for co-funding to DG EMPL (in March 2012) to support and promote the effective implementation of Directive 2010/32/EU
 - Series of regional workshop (topics: awareness raising, risk assessment, training, reporting, safety devices)
- Use SSDC HS to do survey about state of play as to implementation and their involvement in different MS
- Strengthen role of social partners in OSH-related work