

***Negotiated social dialogue instruments to improve  
the quality of work in the healthcare sector:  
Agreement on Prevention from Sharp Injuries***



**Godfrey Perera, Secretary General of HOSPEEM**  
***Warsaw, Poland 25<sup>th</sup> November 2011***

# Agreement on Prevention from Sharp Injuries

- Background: European Parliament debate and Resolution;
- 2006-2007 1<sup>st</sup> stage Consultation of social partners;
- Replies express divergent views – but willingness to jointly explore;
- Technical Seminar – 7 February 2008  
Presentation of case-studies –  
Insight in complexities of problem;
- 2007-2008 2<sup>nd</sup> stage Consultation;
- HOSPEEM asks EPSU (European Public Service Unions) whether they are willing to negotiate;
- Despite internal differences, EPSU agrees to negotiate an agreement on sharps.

# Agreement on Prevention from Sharp Injuries



- Secretary Generals of HOSPEEM and EPSU meet Commissioner Špidla from DG Employment on 19<sup>th</sup> January 2009;
- European Commission agrees to drop their proposal to issue a directive on needlesticks;
- Commissioner Špidla agrees to allow the social partners to negotiate an agreement on sharps, with a 9 month deadline to conclude negotiations;

# Appearance before the European Parliament



- HOSPEEM, CEEP and EPSU were invited by the European Parliament to appear before them to answer questions on why the social partners wished to negotiate on a subject they had been working on for a number of years.
- The Parliament expresses displeasure at Social Partners involvement.

# Agreement on Prevention from Sharp Injuries



- Negotiations start on 26<sup>th</sup> January 2009 and last less than 5 months: Agreement reached on 2<sup>nd</sup> June 2009;
- 17<sup>th</sup> July 2009: Official signing of the sharps agreement by the social partners, the first of its kind in Health Sector Social Dialogue;
- Commission announces that the agreement will be transposed into a Directive;
- 10 May 2010: The Council adopts the directive 2010/32/EU;
- 1 June 2010: Publication of the Directive in the EU Official Journal.

The Member States have three years to implement the requirements set out by the directive.

## **The Framework Agreement aims to:**

- ✓ Achieve the safest possible working environment for employees in the sector
- ✓ Prevent workers' injuries caused by all medical sharps
- ✓ Protect workers at risk
- ✓ Set up an integrated approach establishing policies in risk assessment, risk prevention, training, information, awareness raising and monitoring.

# Appearance before the Council of Ministers



On 25 January 2010 HOSPEEM and EPSU were invited by the Council of Ministers to participate in the Social Question Working Party.

This was a historical occasion, because the European Social Partners are not usually invited to participate to Council's meetings.

HOSPEEM represented by Mr Godfrey Perera and EPSU represented by Ms Carola Fischbach-Pyttel and Mr Robert Baughan were invited to facilitate the role of the working group with the analysis of the text of the agreement

The key point of discussion were:

- The scope of the Directive, who was covered by the principles stated in the document?
- The question of recapping and the use of safe needlesticks

## **Council Directive Implementing the Framework Agreement concluded by HOSPEEM and EPSU:**

- ✓ Makes the Agreement legally binding across the European Union
- ✓ Lays down the rules on penalties applicable to infringements
- ✓ Enter into force: three years after adoption



# What has been done so far by the European Social Partners:



- Discussion in the internal General Assemblies and promotion amongst our members and their national bodies.
- Issue of discussion for the Hospital Sector Social Dialogue Committee to monitor the implementation in Member States
- Participation in international fora, as the meeting organised by WHO in Geneva in July 2010 and Bonn in December 2010
- HOSPEEM and EPSU completed a project on Social Dialogue in the Baltic States in May 2010: one of the main issues of discussion was the implementation of Directive **2010/32/EU**.

# Hospital Sector Social Dialogue successes:



- ***EPSU- HOSPEEM Joint Declaration on Health Services, 7<sup>th</sup> December 2007***
- ***Code of conduct and follow up on Ethical Cross-Border Recruitment and Retention in the Hospital Sector, 7<sup>th</sup> April 2008***
- ***Framework Agreement on the prevention from sharp injuries in the hospital and healthcare sector, 17<sup>th</sup> July 2009***
- ***Multi-sectoral Guidelines to tackle Third-party Violence and Harassment related to work, 16<sup>th</sup> July 2010***
- ***Framework of Action on Recruitment and Retention, 17<sup>th</sup> December 2010***

# Thank you for your attention!

For more information:

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