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EUROPEAN AGREEMENT ON THE REDUCTION OF WORKERS' EXPOSURE TO THE RISK OF WORK-RELATED MUSCULO-SKELETAL DISORDERS IN AGRICULTURE

PREAMBLE

The European Union's strategic objective, defined at the Lisbon Summit in March 2000, is to become the world most competitive and dynamic knowledge economy by 2010, capable of sustainable economic growth accompanied by a quantitative and qualitative improvement in employment and greater social cohesion.

A safe and healthy working environment for agricultural workers is essential to maintaining agriculture as an attractive sector for workers, and hence for the competitiveness of the sector. The European Union's social partners in agriculture, EFFAT and GEOPA-COPA, affirmed this point in October 2004 in a joint declaration made at the conclusion of a seminar on the health and safety of workers in the agricultural sector.

The European Commission entered into an initial phase of consultation with the social partners in November 2004 concerning the protection of workers' health and safety with respect to musculoskeletal disorders (MSD). Although no negotiations on this subject have been engaged in at the interprofessional level, the European Commission has indicated its intention of pursuing the legislative process, which is likely to lead to the adoption of a directive.

The social partners in agriculture, GEOPA-COPA and EFFAT, have, however, agreed to engage in sectoral negotiations on MSD, with the aim of formulating a number of concrete proposals, in the hope that the Community authorities will take account of these in the context of the legislative process already under way.

This is because:

- they recognise the considerable frequency of musculoskeletal disorders in the sector, which has negative consequences for workers, employers, social security systems and hence for the whole society;
- They note that risk prevention for MSD is [already] covered by existing European legislation but that this legislation is not yet fully implemented in a number of small enterprises, as the Commission admits itself in its Communication of 5 February 2004. Measures to improve this situation like those proposed in the present agreement would be a more adequate response to this problem;
- they agree that additional preventive measures are necessary and these must focus on improving knowledge about the risk in the public authorities, health services, social partners, employers and workers, and on setting up a concrete prevention policy in enterprises and at sectoral level;
- They believe that the lack of comparable national statistics relating to work accidents and occupational diseases is an obstacle to the definition and implementation of a prevention policy at European level. Consequently, they call on the European Commission to devise a common statistical framework for all Member States, and to require Member States to regularly gather national statistical data conforming to this common framework and to communicate this information to an appropriate European body. In particular it would be of value to record the nature, frequency and seriousness of the various forms of MSD found in the agricultural sector.

These considerations have led GEOPA-COPA and EFFAT to conclude the present agreement:

Chapter 1: Object and field of application of this agreement

Article 1-1: Object

This agreement is intended to propose to the Community authorities and to the social partners a number of initiatives for improving knowledge about work-related musculoskeletal disorders in agriculture and for organising the setting up of concrete prevention policies with respect to the risk of MSD.

Article 1-2: Field of application

This agreement sets out proposals applicable to farms and enterprises and to those workers who, according to the legislation and practice of each Member State, belong to the professional agricultural sector.

Article 1-3: Definition of MSD

The signatories to this agreement call upon the Community authorities to establish a definition of musculoskeletal disorders which will be valid for all Member States. For their part they consider that MSD are a number of troubles affecting the main articulations of the human body which might be caused by:

- repeated gestures;
- loading and unloading heavy weights; whole body vibrations;
- bad postures.

Chapter 2: Improvement of knowledge about the risk

Article 2-1: National observatories of agricultural workers' health and safety

The signatories to this agreement call on the social partners in each Member State to create a "national observatory of agricultural workers' health and safety", with the support of the appropriate national bodies, or to designate an existing authority or body to perform this role. This observatory should be in charge of centralising statistics relating to MSD in conformity with the European statistical framework, and of compiling a register of good practices for preventing the risk of MSD.

Article 2-2: European observatory of agricultural workers' health and safety

The signatories to this agreement would like a European observatory of agricultural workers' health and safety to be set up with the support of the European Agency for Health and Safety at Work. The European social partners have been calling for this for a number of years, and the European Social and Economic Committee has supported this demand. GEOPA-COPA and EFFAT are prepared to set up this observatory within the Sectoral Social Dialogue Committee for Agriculture if the Commission does not favour any other solution. The signatory parties will request financing for this observatory from the European Union.

This observatory should in particular be in charge of centralising national statistical data submitted by the Member States' national observatories, as well as available information relating to good practices for the prevention of MSD. It will communicate the information gathered and the results of the analyses made to the European Commission, the Sectoral Social Dialogue Committee for Agriculture, the Member States and the national social partners. The register of good practices, which is the subject of Annex I of this agreement, will consequently be added to and modified by the joint decision of GEOPA-COPA and EFFAT.

Chapter 3: Organisation of risk prevention

Article 3-1: National policies for the prevention of MSD

The signatories to this agreement call on the national social partners to intervene in order that an authority or body in each Member State is made responsible for defining and coordinating policies for the prevention of MSD. Prevention policies must above all apply to ergonomics and the organisation of work, and must take into account the design of machinery and equipment. A medical approach must also be integrated into the preventive process with the particular support of the occupational doctor or the workers' health monitoring services as organised in accordance with the national legislations and/or practices.

Organisations which represent employers and workers must be involved on a parity basis in the work of this authority or body.

Article 3-2: National information and training programmes

The signatories to this agreement call on the national social partners, in accordance with the terms to be established in each Member State, to help organise national information and training programmes for workers and employers concerning the prevention of MSD.

The objective of information campaigns must be, in line with the arrangements defined by each Member State, to heighten employers' and workers' awareness of the risks of MSD. This information must enable employers and workers to identify the sources of work-related MSD and to act to avoid the associated risks.

Training programmes for employers and workers should be integrated also into the initial and continuing vocational training programmes organised by the public authorities, private organisations and social partners.

Article 3-3: Evaluation of health and safety risks at work

The obligation laid down by the framework directive 89/391 for every enterprise to evaluate health and safety risks in the workplace constitutes a suitable means of raising awareness of the risk of MSD. Nevertheless the great diversity of European farms and their small size mean that information and training programmes must stress the importance of this evaluation work and provide employers with methods and documents for carrying it out under optimal conditions.

Article 3-4: Implementation of best practices

The signatories to this agreement call on the national social partners to ensure that, in line with the arrangements defined by each Member State, the best practices for the prevention of MSD that have been gathered by the European observatory are implemented in farms and agricultural enterprises with the support of the competent bodies designated for the purpose. Such measures must aim to eliminate or reduce risks at each individual work place.

Chapter 4: Follow-up required to this agreement

Article 4-1: Coordination with Community legislation

Should the consultation launched by the European Commission on preventing MSD lead to the drafting of EU legislation in the agricultural sector as defined in article 1-2, GEOPA-COPA and EFFAT request that their proposals in this agreement be taken into consideration.

Article 4-2: Monitoring Committee

The signatories to this agreement have decided to set up, within the Sectoral Social Dialogue Committee for Agriculture, a monitoring committee responsible for evaluating, within the next three years, MSD prevention policies in the Member States. If the European Commission does not wish to respond favourably to the request to finance a European observatory of health and safety in the agricultural sector, this monitoring committee will endeavour, within the means available to it, to accomplish the tasks assigned to this observatory by Article 2-2 above.

Brussels, 21 November 2005

GEOPA-COPA

EFFAT

Bernard LEVACHER
President

Peter HOLM
Agricultural President

Annex I

Best practices – Innovative measures for the reduction of work-related musculoskeletal disorders in agriculture in the Member States of the European Union