

STRESS AT WORK

European autonomous framework agreement Presentation-Implementation

Rednal, November 21st, 22nd 2009

UK National Work stress network

Annual conference

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- **EU major cause of concern**
 - Health effects on individual workers
 - economic impact on business and social costs /50% of lost working days
- **Figures**
 - 28 % of European workers / 41 millions workers
 - 29% women / 28% men
 - Technicians, (35%), managers (32%), clerks (25%)

HETEROGENEITY

- Marked difference in design and provision of guidance between the north and north west and south (except SP) in the European Union
- DEN, FIN, SWE, AU, G, IR, NL and UK: most governmental and organisational guidance on WRS
- DEN, FIN, SWE: targeted on blue collars workers
- AU, G, IR, NL and UK: target entire cross section of the workforce
- Differences in national legislation and its enforcement (role of labour inspectorates)

Stress at the workplace - Institutional agenda



Consultation process under Art. 138(2) EC Treaty

COMMISSION

SOCIAL PARTNERS

proposal in the social policy field

consultation on possible direction

opinion

if Community action is desirable

consultation on the content of the envisaged proposal

where appropriate, Commission follow-up

opinion or recommendation or

Initiate negotiation

negotiation 9 months

where appropriate, Commission follow-up

failure

joint request

agreement

Council decision > Directive

Implementation in accordance with procedure and practices specific to management and labour

Framework agreements > Directive
 1995 Parental leave - 2009
 1997 Part time work
 1999 Fixed term work

2002 Lifelong learning (framework of actions)
 2002 Telework
2004 Stress at work
 2007 Harassment and violence at work)

Negotiation process

Delegations	
30	40
Employers	Workers
UNICE	ETUC
UEAPME CEEP	EIF; Euro cadres
Representatives of some new Member States	New Member States: Hungary, Czech Republic and Estonia; EEA

Duration:
Sept. 18, 2003 to May 27, 2004.
Signed on 8 October 2004

Signatory parties:

- John Monks, General Secretary of the ETUC
- Dr. Jürgen Strube, President of UNICE
- Paul Reckinger, President of UEAPME
- Rainer Plassmann, General Secretary of CEEP

Implementation: 8 Oct. 2007

Autonomous framework agreement content

1. Introduction
2. Aim
3. Description
4. Prevention, Identification and management of problems of stress at the work place
5. Implementation clauses

1. Introduction

- Stress is a common concern for the social partners: it is an increasing & worrying phenomenon at work
- A need for a specific joint action has been identified
- Broad coverage of work related-stress situations (All workers & all companies are concerned, SME's, diversity of working contracts or relationships)

2. Aim

- Prevention is a joint **action-oriented** task
- Including health & safety, but also: **work content, work environment & organisation**
- All parties should: **identify, prevent and manage WRS**
- In a **collective** perspective (no focus on the individual)
- With **action-oriented** instruments
- Issues such as **mobbing, bullying, physical or sexual violence, post-traumatic stress** are potential stressors
- ... but they are excluded from this agreement, as they could be part of future negotiations between the EU social partners

3. Description

- Stress is a state, which is accompanied by physical, psychological or social complaints or dysfunctions and which results from individuals feeling unable to bridge a gap with the requirements or expectations placed on them.
- The individual is well adapted to cope with short-term exposure to pressure, but has greater difficulty in coping with prolonged exposure to intensive pressure.
- Stress is not a disease but prolonged exposure to it may reduce effectiveness at work and may cause ill health.
- Stress originating outside the working environment can lead to changes in behaviour & reduced effectiveness at work. All manifestations of stress at work cannot be considered as work-related stress.
- Work-related stress can be caused by different factors such as work content, work organisation, work environment

4. Identification, prevention and management of problems of stress at the workplace

a. Identification

List of potential stress indicators

- high absenteeism or staff turnover, frequent interpersonal conflicts or complaints by workers
- ⇒ Employers & workers have to **act** jointly if such indicators (signs) are present

Preventive tools

- ⇒ Analysis of work organisation and processes
- ⇒ Analysis of working conditions and environment,
- ⇒ Communication
- ⇒ Subjective factors, etc...

b. Management

- Legal obligation to protect the occupational safety and health of workers: Directive 89/391.
- The responsibility for determining the appropriate measures rests with the employer.
- These measures will be carried out with the participation and collaboration of workers and/or their representatives.

Tools

- within an overall process of risk assessment,
- through a separate stress policy
- Collective and/or, individual measures. Specific and or targeted measures
- Internal and/or external expertise
- Anti-stress measures should be regularly reviewed to assess their effectiveness

b.bis Management

Management and communication measures

- Clarifying the company's objectives and the role of individual workers,
- Ensuring adequate management support for individuals and teams,
- Matching responsibility and control over work,
- Improving work organisation and processes, working conditions and environment,

Training managers and workers

To raise awareness and understanding of stress, its possible causes and how to deal with it, and/or to adapt to change

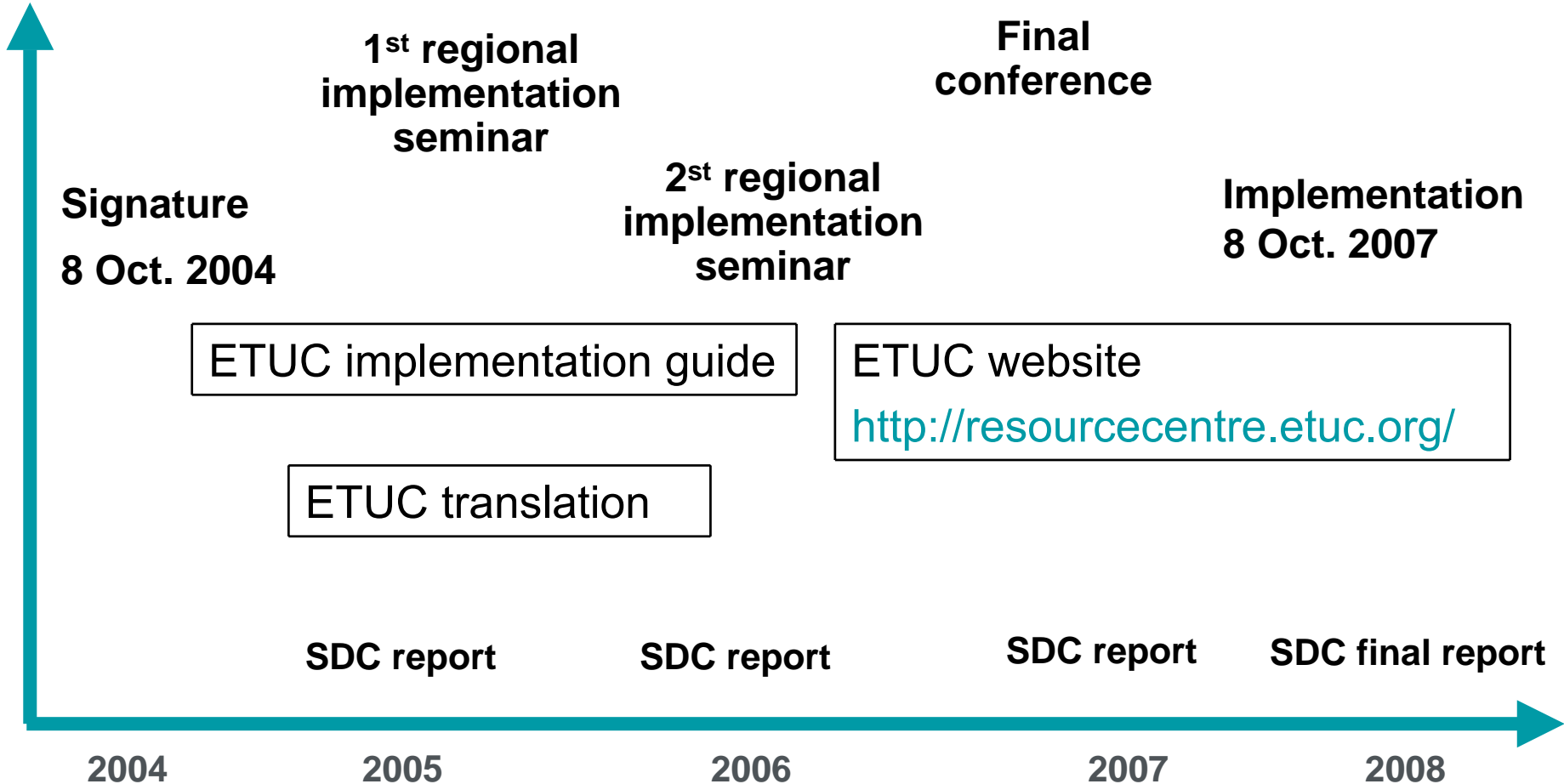
Provision of information to and consultation with workers and/or their representatives

in accordance with EU and national legislation, collective agreements and practices.

5. Implementation and follow up

- Implementation period of 3 years; Non additional burden for SMEs
- Reporting: SDC/yearly reporting until 2007/implementation report in 2008
- Commitment of members organisation of the signatory parties to implement the agreement
- Invitation to the candidate countries
- Review: at any time after 5 years on the request of one of the signatory parties
- Move the “Non regression clause” and “More favourable clause” to the implementation for more coherence.
- “Voluntary” refers to the procedure of Art. 139 and not to the content of the agreement

Autonomous framework agreement implementation agenda



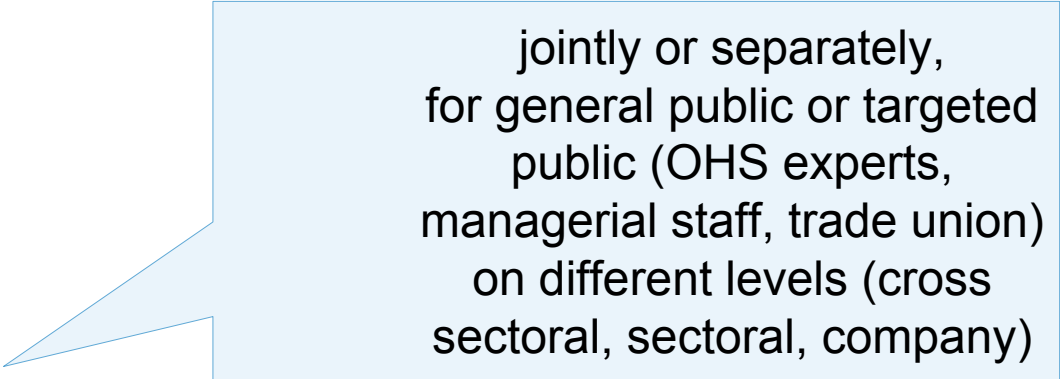
Phase I: Dissemination activities

Translation of the European framework agreement

- English text = only original version
- Purely technical exercise or often first step to identify further implementation action
- Several countries annexed/integrated translation to/in the concrete implementation results (e.g. Spain, Sweden, Netherlands, Austria, Czech Republic)
- In all cases translation resulted from bipartite dialogue and sometimes within tripartite setting with help from public authorities (e.g. Slovenia)

Phase I: Dissemination activities

National activities



jointly or separately,
for general public or targeted
public (OHS experts,
managerial staff, trade union)
on different levels (cross
sectoral, sectoral, company)

- Information campaigns via employers', trade union and/or general media
- Newsletters (e.g. Czech Republic, Greece, UK, Germany)
- Internet/respective websites (in almost all countries)
- Joint or separate seminars (e.g. Germany, Finland)
- Specific brochure (e.g. Latvia, Netherlands, Czech Republic, UK)
- Other tools like information or training CD-roms (Germany)

Monitoring of the implementation

Phase I: Dissemination activities

Transnational activities

- Polish social partners – joint conference with colleagues from LT, MT, IT and SI
- Joint / separate activities by **BUSINESSEUROPE, UEAPME CEEP and ETUC (seminars, brochures, websites, support programmes, etc.)**
- European Sectoral social dialogue:
 - Joint Statement Construction sector (EFBWW and FIEC – Jan 2006)
 - Joint Declaration Electricity sector (EPSU & EMCEF, Eurelectric - Dec 2007)
 - Joint Declaration Private Security sector (UNI-Europa & COess - June 2008)
 - ETUCE (ETUC affiliate for education) implementation project

Phase II: Concrete implementation results

- Social partners' agreements
- National, sectoral and regional collective agreements
- Legislation
- Tripartite activities
- Complementary activities

Social partners' agreements

- **Sweden**: Joint national agreement for private (2005) and public sector (2006)
- **Austria**: Joint interprofessional guidelines (2006)
- **Finland**: Joint recommendation by all interprofessional social partners (private, state, municipalities and churches) (2007)
- **Latvia**: interprofessional framework agreement (2006)
- **Ireland**: interprofessional social partners' guide (2007)
- **Netherlands**: update of existing national joint declaration
- **Spain**: integrated in annual interprof. Agreement (ANC/2005)
- **Czech Republic**: separate trade union and employers' recommendation to lower level bargaining negotiators

Monitoring of the implementation

National, sectoral, regional and company collective agreements

National

- 2006 **Romania** (Sept)
- 2007 **Belgium** (of 1999 but extended); Iceland (June 2007); France (July)
- 2008 **Italy** (June)
- Work in progress/scheduled: **Hungary, Spain, Slovenia, Poland, Slovak Republic, Luxemburg, Czech Republic, Portugal**

Sectoral

- **Denmark**: renewed Cooperation Agreements for local government (2005), regional authorities (2006) and state sector (2005) + in state sector a substantial guide on how to best implement the agreement
- **Netherlands**: sectoral agreements in amongst others finance, cleaning, carpentry, hotel and catering, agriculture and public sector
- **Sweden**: municipal sector (April 2005) and “local enterprises” (2007)

Company_level

- **Sweden**: Fastigo
- **Germany**: Daimler, Gothaer Versicherungen, Debeka Versicherungen
- **Portugal**: EDP Produção, CP-E.P. (Portuguese railway) and Montepio Geral (bank sector)

Monitoring of the implementation

Legislation / Legislative changes

- **Belgium**: Royal Decree extending national collective agreement private sector of 1999 to the whole public sector (2007)
- **Czech Republic**: new chapter on work-related stress in new Labour Code (2006)
- **Denmark**: social partners in private sector that European agreement is sufficiently implemented through existing rules and regulations
- **Latvia** and **Slovak Republic**: implementation led to changes in labour law
- **Poland**: in view of the foreseen implementation negotiations, social partners asked public authorities to “screen” to see whether and where eventual changes are needed to align with European agreement
- **Norway**: the Norwegian Environment Act is considered to sufficiently covering the content of the EU agreement

Monitoring of the implementation

Tripartite activities

- **Slovenia**: tripartite social agreement 2007-2009 whereby social partners commit themselves to conclude specific collective agreements
- **UK**: specific working group overseeing implementation + jointly funded specific booklet + specific projects in most prone sectors (central government, local government, health services, Education)
- **Hungary, Luxemburg**: tripartite discussions ongoing
- **Latvia**: educational campaigns of social partners together with Labour Inspectorate and Ministry of Health
- **Netherlands**: in cooperation with Ministry of Social Affairs, social partners created new web-based risk-assessment tools
- **Norway**: social partners/Ministry of Government Administration and Ministry of Labour renewed existing agreement which also covers aspects of tackling work-related stress + joint specific brochure of Labour Inspectorate and social partners
- **Portugal**: new protocols between social partners and authorities to fund studies, training and awareness-raising activities

Challenges in implementation

1. Linked to the Industrial relations / social dialogue systems

- **Lack of experience** in implementing autonomous agreements (in particular in new member states) (e.g. CZ, PL, SI)
- But the **experiences gained help** in building/enforcing bipartite social dialogue structures and processes (e.g. PL, SI, HU)
- **Positive experiences** in including organisations which are not affiliated to any of the European social partners in implementation process (e.g. PL, AT, NO, SI)

2. Linked to topic of work-related stress (WRS)

- In most cases, **WRS is already dealt with by EU and national regulations** so no real need for new regulations but rather fine-tuning existing ones
- **WRS is a broad and multifaceted topic:** difficult to describe/define; work organisation as stress factor; appropriate risk assessment and evaluation systems (in particular for SME's)
- **Lack of awareness in society** in large

Added value of the agreement

- Existence of European agreement and obligation to implement it created momentum to step up efforts and make progress for new rules or fine-tuning existing ones
- WRS and psycho-social problems at work become (again) priority in OHS strategies and policies
- Allowed to focus – as intended by the agreement- on concrete work place actions to handle WRS
- As this is 2nd autonomous agreement, experiences are growing on how to implement them and help in developing/reinforcing social dialogue processes and structures

Conclusion

- An agreement with clear and real added value,
- A catalyst for action and awareness
- Development of social dialogue
 - European and national social partners learned (again) some lessons on how to improve the respective social dialogue systems
 - Support from ETUC (Delegation of affiliates to negotiation rounds, ETUC guide/website, (regional) Information and training sessions, monitoring exercise, ETUI support for ad hoc requests)
 - Real impact assessment only possible in few years
- Need for increased participation of social partners in transposition process :
 - **Implementation of the EU directive/framework agreement**
 - **correct translation and interpretation (ETUC guide to framework agreement)**
 - **To improve domestic transposition provisions – also above the minimum requirements of the EU directive/framework agreement**



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Social Partners' Framework Agreements

Dialogue between the European social partners exists at both cross-sectoral and sectoral level. The participants in the cross-sectoral social dialogue – ETUC, BUSINESSEUROPE (private sector employers)/UEAPME (small businesses), and CEEP (public employers) – have concluded a number of agreements that have been ratified by the Council of Ministers and are now part of European legislation, notably on:

- parental leave (1996) revised
- part-time work (1997)
- fixed-term contracts (1999)

The social partners have also concluded voluntary agreements on telework (2002), work-related stress (2004), and on harassment and violence at work (2007).

- » **Framework agreement on parental leave (revised)**
Brussels, 18/06/2009 en
- » **Framework agreement on harassment and violence at work**
Brussels, 26/04/2007 en
- » **Framework agreement on work-related stress**
Brussels, 08/10/2004 en fr
- » **Framework agreement on telework**
Brussels, 16/07/2002 en
- » **Framework agreement on fixed-term contracts**
Brussels, 28/06/1999 fr en
- » **Framework agreement on part-time work**
Brussels, 15/12/1997 en fr

Related:

- » [Framework of actions](#)
- » [European Social Partners' Work Programme](#)
- » [European Social Partners' joint analyses and cooperation](#)
- » [European Employment Strategy](#)
- » [European Social Partners' Joint Declarations](#)
- » [Press releases](#)
- » [Speeches](#)
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