

**THE ALL CYPRUS TRADE UNION FORUM
CONFERENCE ON
HEALTH AND SAFETY AT WORK IN THE ENVISAGED
UNIFIED CYPRUS
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The EU Legislation for Health and Safety at Work

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Occupational Health and Safety in Cyprus

The EU Legislation

Introduction

- ❑ Transposing of EU Legislation to our Legal System for more than 11 years
- ❑ We are a Common Law Country
- ❑ A pre-transposing continuous consultative process/mechanism exists involving Social partners
- ❑ Main EU H+S Legislation:
 - ❑ 1) Framework Directive,
 - ❑ 2) New Approach Directives (provide for product Essential Health and Safety Requirements)
- ❑ EU Legislation provides for minimum requirements
- ❑ There is room for national legislative provisions

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The EU Legislation

Introduction

- ❑ Not a universal harmonisation throughout the EU
- ❑ Main duty-holders are employers, employed persons the self employed, persons in control, manufacturers / suppliers of artifacts or substances
- ❑ Important: An employer duty to involve/consult labour
- ❑ Legislation complimented by Approved Codes of Practice (ACoPs), Standards, Good/Best Practice

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Not a universal harmonisation throughout the EU

- ❑ Framework Directive provides for elements of a H+S Management System
- ❑ Our Legislation goes a bit further providing for *‘the employer should implement an appropriate safety system or an appropriate risk management system with arrangements relevant to the enterprise activities and size’*.
- ❑ An important difference: Only Common Law countries’ Legislation provides for the duty to protect persons not employed, that is visitors, neighbours, customers.
- ❑ Regarding sports and leisure activities the duty to visitors / customers is not so clear. A separate Law may be required.

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EU Legislation process and provisions advantages

- ❑ Adopting of important Legislation in much less time
- ❑ New Approach (Product) Directives provide for safety solutions from the design stage
- ❑ Product Directives add value to the products i.e. machinery, lifts, PPE e.t.c.
- ❑ Before accession, without the New Approach Directives, product safety was sometimes enforced after product use, making safety measures a difficult issue
- ❑ EU Harmonised Standards provide a presumption of conformity to Directives and promote European policies and values
- ❑ Attitudes and culture towards H + S positively changed since accession
- ❑ EU Legislation is of a high standard enhancing risk prevention and saving human life, enterprise and societal assets

Occupational Health and Safety in Cyprus

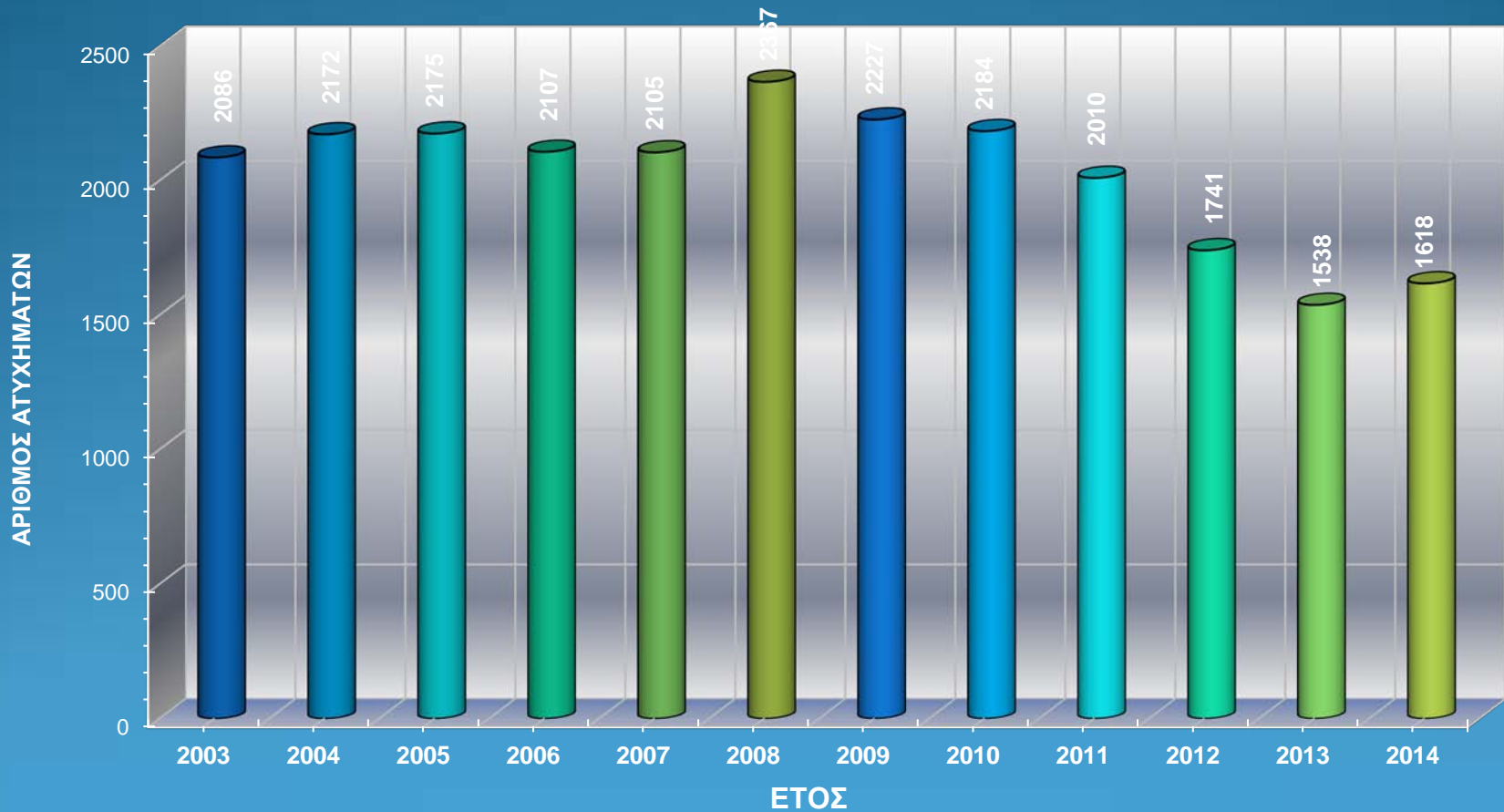
The EU Legislation

EU Legislation process and provisions disadvantages

- ❑ Mandatory transposition of EU Directives reflects the influence of bigger Member States, if we cannot exercise influence during the EU Directive formation process
- ❑ Regarding sports and leisure activities the duty to visitors / customers is not so clear. A separate Law may be required
- ❑ EU H + S Legislation implementation costs to the enterprise
- ❑ Cost is mainly of economic and administrative time consuming nature

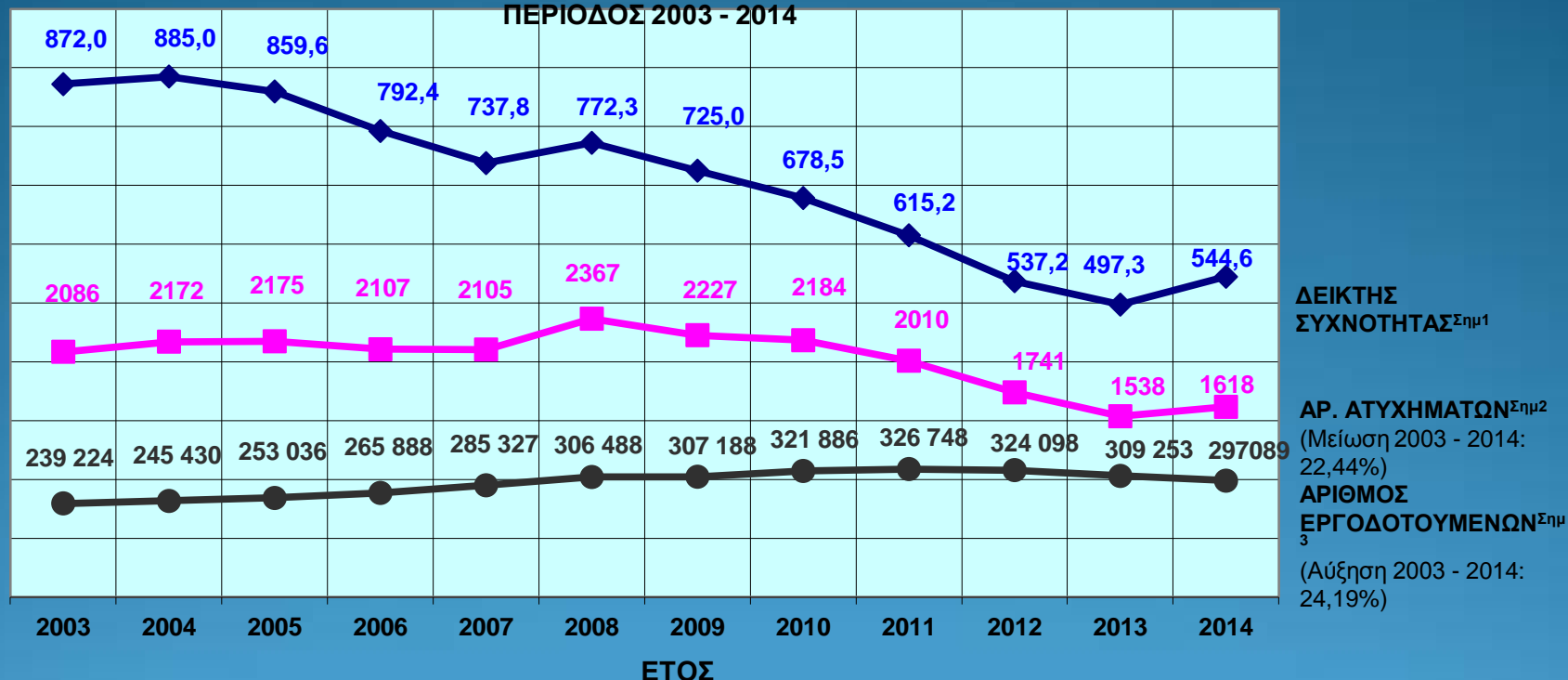
Number of accidents 2003 - 2014

Source: Department of Labour Inspection (DLI)



Accident frequency rate, number of accidents, number of employees, 2003 – 2014. Source: DLI

ΜΕΤΑΒΟΛΗ ΔΕΙΚΤΗ ΣΥΧΝΟΤΗΤΑΣ - ΑΡΙΘΜΟΥ ΑΤΥΧΗΜΑΤΩΝ - ΑΡΙΘΜΟΥ ΕΡΓΟΔΟΤΟΥΜΕΝΩΝ
ΠΕΡΙΟΔΟΣ 2003 - 2014



ΔΕΙΚΤΗΣ ΣΥΧΝΟΤΗΤΑΣ^{Σημ1}

ΑΡ. ΑΤΥΧΗΜΑΤΩΝ^{Σημ2}
(Μείωση 2003 - 2014: 22,44%)

ΑΡΙΘΜΟΣ ΕΡΓΟΔΟΤΟΥΜΕΝΩΝ^{Σημ3}

(Αύξηση 2003 - 2014: 24,19%)

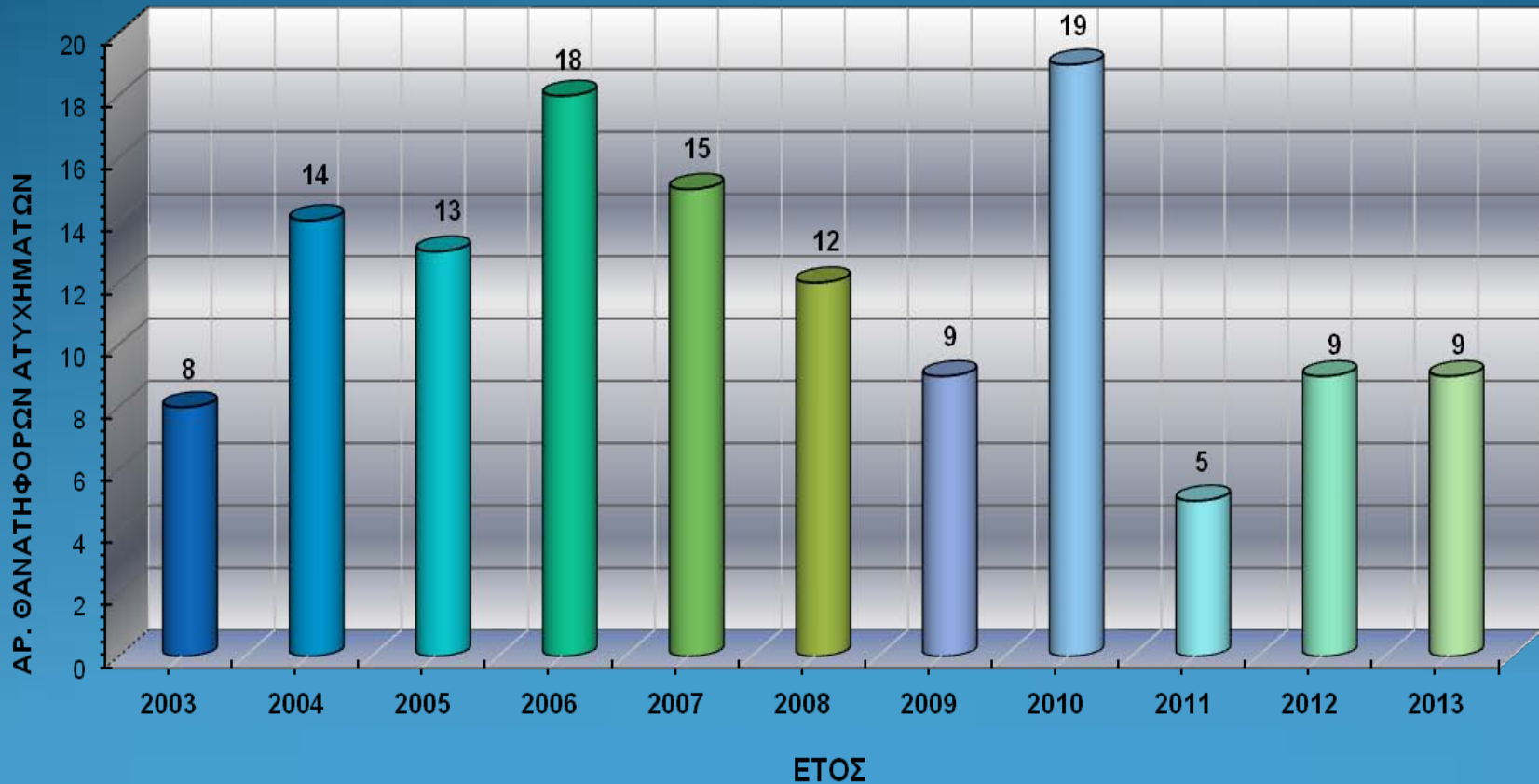
Σημ 1.: Τα αποτελέσματα που αφορούν το έτος 2014 σε ότι αφορά τον αριθμό των εργοδοτούμενων και τον υπολογιζόμενο Δείκτη Συχνότητας, είναι προκαταρκτικά και όχι τελικά, καθότι ο αριθμός των απασχολούμενων προσώπων που αναφέρεται, αφορά τον Μέσο Όρο του Πρώτου, Δεύτερου και Τρίτου Τριμήνου του 2014,

Σημ 2.: Ο αριθμός των ατυχημάτων αναφέρεται σε ατυχήματα που συνέβησαν σε εργοδοτούμενα πρόσωπα κατά τη διάρκεια της εργασίας τους και γνωστοποιήθηκαν στο Τμήμα Επιθεώρησης Εργασίας.

Number of Fatal accidents 2003 – 2013

Source: DLI

ΘΑΝΑΤΟΦΟΡΑ ΕΡΓΑΤΙΚΑ ΑΤΥΧΗΜΑΤΑ ΠΟΥ ΓΝΩΣΤΟΠΟΙΗΘΗΚΑΝ ΚΑΤΑ ΤΗΝ ΠΕΡΙΟΔΟ 2003-2013



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What will be important in the envisaged unified Cyprus?

- ❑ Probably the same legal system would be adopted
- ❑ Competent Authority could be an Independent and Federal Organization, governed by a tripartite body (State, Employers, Labour)
- ❑ Occupational H+S is an important and paramount issue influencing and being influenced by all sectors of economy
- ❑ A Federal Legislative procedure/mechanism would enhance better communication
- ❑ Federal Legislation would enhance fair competition in a unified economy

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What will be important in the envisaged unified Cyprus?

- ❑ Federal Legislation and policies would enhance enforcement, and promote a sense of equality and a level playing field for enterprises
- ❑ Health and Safety professionals (consultants, enterprise safety Officers) would be approved by the same Competent Authority under the same Legislation provisions or Policy criteria
- ❑ A H+S positive culture would be enhanced by the tripartite nature of the Competent Authority and Labour involvement
- ❑ Language would not be a barrier to the above

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Thank you