



## **Occupational Health and Safety standards in Slovenia in view of the accession to the EU**

Milan Srna

Institute of Occupational Safety,  
Chengdujska česta 25, SI-1000 Ljubljana

### **Introduction**

Slovenia joined other candidate countries in 1996 signing the European Agreement on accession to the EU and started negotiations for full EU membership in March 1998.

In the process of joining the EU, Slovenia set up an institutional framework for harmonisation of Slovene legal regulations with the *Acquis communautaire* in all substantive areas. In the framework of the core negotiation team, negotiation working groups were established which prepared negotiating positions for individual areas, however, its representatives participate in all phases of the process. On December 2002 Slovenia successfully concluded the negotiations for EU membership. The citizens of Slovenia decided to join the EU in a referendum, which was held on 23rd March 2003 and Slovenia has become an EU member on 1st May 2004.

### **Occupational Health and Safety standards in the area of health and safety at work and product safety standards**

By joining the European Union, Slovenia is responding to the challenges facing independent countries in a globalized world. Slovenia has been harmonizing its legislation with EU legislation in order to create conditions for a democratic society and a social market economy.

Despite its population of only 2 million, Slovenia has made considerable efforts to implement the OSH-related parts of the *acquis communautaire*. The European Agency for Safety and Health at Work has recently commended the Slovenian government for its success in setting up a tripartite national information network to promote safer and healthier working conditions.

In my speech, I will try and do two tasks. The first one is to explain the structure of the safety and health regulations and standards, and then to go on explain product safety standards.

### **Health and safety at work**

#### **Sectoral background**

Slovene workers have traditionally enjoyed a high of protection in their work, both from accidents and ill health. However, the fragmentation of State industry during the 1991-1998, has the rapid development of small and medium sized enterprise, including the services industry, has brought about a need for updating the system of health and safety at work to match the conditions of a modern market economy.

Working conditions are of vital importance to the well-being of people and the whole society. The safety and health of the worker is an essential prerequisite for working. Healthy and motivated workers produce welfare for themselves, their working community and society. For companies and other organisations, a capable worker is the most important resource and the fundamental precondition of productive action.

#### **Implementation of OHS directives**

As we all know, the EU has a large body of legislation in the field of health and safety at work. The effective transposition of European Directives into national laws is very important. In the area of health and safety at work, Slovenia has largely completed alignment with the *acquis*. The Slovenian Occupational Health and Safety Act (transposition of Framework Directive 89/391/EEC) sets out the rights and duties of all

parties in the workplace. Its main purpose is to protect workers against health and safety hazards on the job.

### **New legislation**

Framework directive:

Council Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work is transposed to:

Health and Safety at Work Act published: Official Gazette Republic Slovenia, No. 56/99, 64/01 came into force: 15. July 1999

Transposition of 18 individual directives (and amendments) through adoption of national regulations:

### ***New OHS Regulations***

Regulation on Requirements for Ensuring the Health and Safety of Employees at:

Workplaces, Work equipment, Personal protective equipment (PPE), Safety and Health signs, Manual handling of loads, Display screen equipment, Chemical agents Carcinogens, Biological agents, Temporary and mobile construction sites, Pregnant workers, Mineral-extracting industries, Underground mineral-extracting industries, Boarding fishing vessels, Potentially explosive atmospheres, Vibration, Noise, Electromagnetic fields, etc.

Slovenia obtained transitional periods regarding the Directives on the protection of workers from the risks related to exposure to noise, chemical, and biological agents at work, which remain to be transposed until 31 December 2005. As regards the Framework Directive, some amendments are needed to the Slovenian legislation with regard to the scope as well as first aid, fire-fighting and evacuation<sup>1</sup>.

### **Practical examples**

Let me give you some practical examples of how we transposed safety and health regulation.

Workplaces

COUNCIL DIRECTIVE (89/654/EEC)

This Directive, which is the first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC, lays down minimum requirements for safety and health at the workplace

Regulation on Requirements for Ensuring the Health and Safety of Employees at workplaces (Official Journal RS, No. 89/99, 39/05)

This Regulation stipulates the requirements for ensuring the health and safety of employees that must be applied by employers in planning, designing, equipping and maintaining workplaces.

### **General Arrangement of Workplaces**

Employers must arrange workplaces such that the health and safety of employees at work is not threatened.

Employers must through appropriate organisation of work prevent or limit the risks that could arise at work places, and plan measures for extraordinary circumstances that could occur at workplaces.

Employers must arrange and maintain workplaces at which employees perform work such that they themselves do not present any risk to health and safety at work.

Workplaces must be arranged such that employees can perform work in a predominant or partial sitting position. Employers must adapt work operations that can be performed by employees in a predominant or partial sitting position as far as possible to the

employees.

In work operations in which the employer cannot guarantee the employees a predominant or partial sitting position the employees must have appropriate seating in the vicinity of the workplaces.

At workplaces at which employees use highly inflammable substances the employees must have appropriate cabinets for storing such substances. The cabinets must have locks and shelves with an edge bent upwards to a height of 5 cm. Store cabinets for highly inflammable substances must be produced from non-combustible materials.

#### *General requirements*

To safeguard the safety and health of workers, the employer shall see to it that:

- traffic routes to emergency exits and the exits themselves are kept clear at all times,
- technical maintenance of the workplace and of the equipment and devices, and in particular those referred to in Annexes I and II, is carried out and any faults found which are liable to affect the safety and health of workers are rectified as quickly as possible,
- the workplace and the equipment and devices, and in particular those referred to in Annex I, point 6, and Annex II, point 6, are regularly cleaned to an adequate level of hygiene,
- safety equipment and devices intended to prevent or eliminate hazards, and in particular those referred to in Annexes I and II, are regularly maintained and checked.

#### *Electrical Installations*

Employers must ensure that electrical installations are planned and executed such that they do not present any risk of fire or explosion, whereby employees and other persons must be protected from risks presented by indirect or direct contact with parts of electrical installations.

The requirements specified in the first point of this article shall be deemed to have been fulfilled if the electrical installations are planned and executed in accordance with technical regulations and standards.

The design and construction and choice of materials and safety elements for electrical installations must correspond to the voltage, purpose and level of training of the persons who have access to parts of the electrical installations.

Employers must ensure that prior to the start of performance of activities electrical installations are inspected by a responsible officer. A certificate shall be issued on inspection by the responsible officer from which it shall be clear that the electrical installations have been planned and executed in accordance with technical regulations and standards.

OSIST prHD 60364-1:2004 - Electrical installations of buildings – Part 1: Fundamental principles, assessment of general characteristics, definitions

OSIST prHD 60364-4-41:2004 - Electrical installations of buildings – Part 4-41: Protection for safety – Protection against electric shock

OSIST prHD 60364-5-54:2004 - - Electrical installations of buildings – Part 5-54: Selection and erection of electrical equipment – Earthing arrangements, protective conductors and protective bonding conductors

#### *Room temperature*

During working hours, the temperature in rooms containing workplaces must be adequate for human beings, having regard to the working methods being used and the physical demands placed on the workers.

The temperature in rest areas, rooms for duty staff, sanitary facilities, canteens and first

aid rooms must be appropriate to the particular purpose of such areas

Employers must ensure that the air temperature in work premises during work time corresponds to the physiological needs of the employees with regard to the nature of the work and the physical demands on the employees during work. In so doing the requirements stipulated in Appendix II of the present Regulation must be taken into consideration.

The air temperature in work premises may not exceed 28°C. An exception shall be made for so-called hot work premises, where the temperature may exceed 28°C, but in such a case the employer must ensure that the air temperature in auxiliary rooms, corridors and staircases connected to the hot work premises in no higher than 20°C.

The requirements specified as mentioned above have been planned and executed in accordance with technical regulations and standards.

SIST EN 27243:2001 - Hot environments - Estimation of the heat stress on working man, based on the WBGT-index (wet bulb globe temperature)

SIST EN ISO 7730:2001 - Moderate thermal environments - Determination of the PMV and PPD indices and specification of the conditions for thermal comfort (ISO 7730:1994)

SIST EN ISO 9920:2004 - Ergonomics of the thermal environment - Estimation of the thermal insulation and evaporative resistance of a clothing ensemble

#### *Natural and artificial room lighting*

Workplaces must as far as possible receive sufficient natural light and be equipped with artificial lighting adequate for the protection of workers' safety and health.

Lighting installations in rooms containing workplaces and in passageways must be placed in such a way that there is no risk of accident to workers as a result of the type of lighting fitted.

Workplaces in which workers are especially exposed to risks in the event of failure of artificial lighting must be provided with emergency lighting of adequate intensity.

The requirements have been planned and executed in accordance with technical regulations and standards.

OSIST prEN 12464-2:2004 - Light and lighting - Lighting of work places

SIST EN 13032-1:2004 - Light and lighting - Measurement and presentation of photometric data of lamps and luminaires - Part 1: Measurement and file format

SIST EN 13032-2:2005 - Light and lighting - Measurement and presentation of photometric data of lamps and luminaires - Part 2: Presentation of data for indoor and outdoor work places

SIST prEN 12665:2000 - Light and lighting - Basic terms and criteria for specifying lighting requirements

OSIST prEN 13032-3:2005 - Measurement and presentation of photometric data of lamps and luminaires - Part 3: Presentation of data for emergency lighting of work places

### **Implementation of product safety directives & standards**

#### ***Market surveillance and product safety standards***

The Ministry of Economy is the competent national body for market surveillance. The adoption of new regulations related to Slovenian accession to the EU gave the Market Inspectorate numerous new competences in the field of the free movement of goods, especially in relation to directives arising from EU accession on areas such as general product safety, low voltage apparatus, electromagnetic compatibility, machine safety, personal protective equipment, gas appliances, simple pressure vessels, construction

products, etc.

General Product Safety Directive - 2001/95/EC is transposed to General Product Safety Act (O.J. RS 101/2003) and following regulations:

- List of standards the application of which presumes safety of products under the General Product Safety Act (O.J. RS, št. 75/2004 (104/2004),
- Rules on the form and content of the notification of dangerous products (O.J. RS, št. 33/2005),
- Technical Requirements for Products and Conformity Assessment Act (O.J.RS, 59/1999 ,31/2000, 54/2000, 37/2004)

"New Approach" Directive (low voltage apparatus, electromagnetic compatibility, machinery safety, personal protective equipment, gas appliances, simple pressure vessels, construction products, etc.) are transposed to New Regulations :

- Order on machinery safety (O.J. RS 52/2000 (57/2000 ),
- Rules on electrical equipment designed for use within certain voltage limits (O.J. RS 27/2004) .....

### **Practical Examples**

Machinery Directive 98/37/EC is transposed to Order on machinery safety (Ur.l. RS, št. 52/2000 , 57/2000, 107/2001 provides the regulatory basis for the harmonisation of the essential health and safety requirements for machinery at European Union level (obligation for producer or manufacturer).

The employer shall take the measures necessary to ensure that the work equipment made available to workers in the undertaking and establishment is suitable for the work to be carried out or properly adapted for that purpose and may be used by workers without impairment to their safety or health.

In selecting the work equipment which he proposes to use, the employer shall pay attention to the specific working conditions and characteristics and to the hazards which exist in the undertaking and establishment, in particular at the workplace, for the safety and health of the workers, and any additional hazards posed by the use of work equipment in question.

Where it is not possible fully so to ensure that work equipment can be used by workers without risk to their safety or health, the employer shall take appropriate measures to minimize the risks.

### **Codes of Practice**

Codes of Practice (publication, guidelines,..) contain practical recommendations intended for all those with a responsibility for occupational safety . They are not legally binding instruments and are not intended to replace the provisions of national laws or regulations, or accepted standards. They aim to serve as practical guides for public authorities and services, employers and workers concerned, specialized protection and prevention bodies, enterprises and safety and health committees.

It is essential that the public, including employers, workers and ordinary members of general public should understand and identify with the efforts being the Slovenian Government and the EU to improve existing standards of safety and health in the workplace.

### ***Codes of Practice Issued by the Institute of Occupational Safety, Slovenia***

Institute of Occupational Safety prepared publication, guidelines ;

- Safety statement and risk assessment
- Working with VDUs
- Risk assessment requirements

- Health and safety regulations
- Health and safety law
- An introduction to health and safety
- Health and safety requirements for manual handling
- Manual - Safety of machinery; declaration of conformity
- Manual - Risk assessment- Safety statement
- Manual – Safety and Health on construction sites
- Manual – Safety at maintenance of machinery, etc.

### **Conclusion**

Slovenia is strongly committed to improving occupational health and safety (OHS) outcomes in all workplaces. This includes helping employers to comply with their legal obligations. The Government prepared the national programme and providing a national approach to OHS which is aimed at reducing the regulatory burden and complexity for employers, in particular small business.

Director of The European Agency for Safety and Health at Work, Mr. Hans-Horst Konkolewsky recently visited Slovenia and said "*Slovenia has already transposed the EU's comprehensive safety and health directives into national legislation. The main challenge now is to ensure that these legal standards are converted into real improvements in working conditions. The Agency is looking forward to support this process and in partnership with its Slovenian network partners to develop safe, healthy and productive workplaces across an enlarged Europe*".

### **References:**

1. *COUNCIL DIRECTIVE of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (89/391/EEC)*
2. *COUNCIL DIRECTIVE of 30 November 1989 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (89/655/EEC)*
3. *COUNCIL DIRECTIVE of 30 November 1989 on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace (third individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (89/656/EEC)*
4. *COUNCIL DIRECTIVE of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (89/654/EEC)*
5. *Directive 98/37/EC of the European Parliament and of the Council of 22 June 1998 on the approximation of the laws of the Member States relating to machinery*
6. *Regulation on the use of personal protective equipment by workers at work (Official Journal RS, No. 89/99)*
7. *Regulation on safety and health in relation to the use of work equipment (Official Journal RS, No. 89/99 104/05)*
8. *Regulation on safety signs (Official Journal RS, No. 89/99, 39/05)*
9. *Regulation concerning the requirements for assuring of safety and health of workers at workplaces (Official Journal RS, No. 89/99, 39/05)*
10. *Law on health and safety at work (Official Journal RS, No. 56/99)*
11. *M. Srna, Manual - Safety of machinery; declaration of conformity- book 2003slo*