

Leonardo da Vinci Learning Partnership Project
**Comparison of Occupational Health and Safety Policies and Conditions in EU
Countries and Adaptation of Good Practices at VET Schools (Co-SAFE)**

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SURVEY REPORT

The Netherlands



**QUARTER MEDIATION
2012**

The Working Conditions legislation in the Netherlands can be found in:

- **The Working Conditions Act.** General provisions for employers and employees how to deal with occupational safety and health, for example to have a written OSH-policy or a risk inventory. The Act gives certain powers to the Labour Inspectorate, for example to force the employer to stop the work.
- **The Working Conditions Decree.** This Decree covers a wide range of specific occupational health and safety topics, such as provisions on work places, dangerous substances, noise, vibrations etc.
- **The Working Conditions Regulation.** Very specific provisions which are changing relatively fast. For example the occupational exposure limit for dangerous substances.
- **Major Accidents Legislation.** The Major Accidents Decree and Regulation deal with legislation in the field of Major Accidents related to dangerous substances.

Some typical elements in the Dutch occupational safety and health legislation:

- The employer is obliged to contract an occupational safety and health service or an occupational physician. The OSH-service or the occupational physician has to perform four tasks for the employer:
 1. Assisting employees who are not able to work because of illness;
 2. Reviewing the risk assessment and evaluation;
 3. Conduction the periodic occupational health examination;
 4. Conduction the pre-employment medical examination.Especially task number 1 is important, because in the Netherlands the social security system obliges the employer to pay at least 70% of the salary of the employee who has fallen ill. So, it's very costly for an employer not to pay attention to the assistance of sick employees by an OSH-service or an occupational physician.
- The OSH-service or the occupational physicians in the Netherlands are external organizations/specialists mostly. The Dutch employers have to designate an internal employee with some knowledge of OSH as well. This person is called a designated worker or the prevention worker. This prevention worker has to assist the employer with the risk assessment and evaluation, and also assist the work council with OSH related matters.
- It is sometimes difficult, especially for small and medium sized enterprises, to find proper solutions and ideas for OSH-problems. In the Netherlands many branches have made so-called OSH-catalogues; in these OSH-catalogues one can find branche-made solutions. These solutions are approved by the Labour Inspectorate.

A total of 48 people from different target groups answered to the CO-SAFE questionnaire.

The questionnaire was distributed as the following:

- via e-mail
- in the newsletter published by the Dutch NA
- during the meetings, seminars and round tables Quarter Mediation organizes etc.

QUESTION NO.1:

Please mention your target group

The repartition of the Dutch respondents/ target groups is the following:

- managers: 7
- teachers: 23 (including one special needs teacher)
- students: 1
- trainers: 3
- trainees: 1
- decision makers: 3
- other: 10

The respondents included in the target group “others” have the following jobs: journalist, solicitor, hospital pharmacist, festival organizer, care taker, secretary, administrator, ICT specialist, account manager, retired.

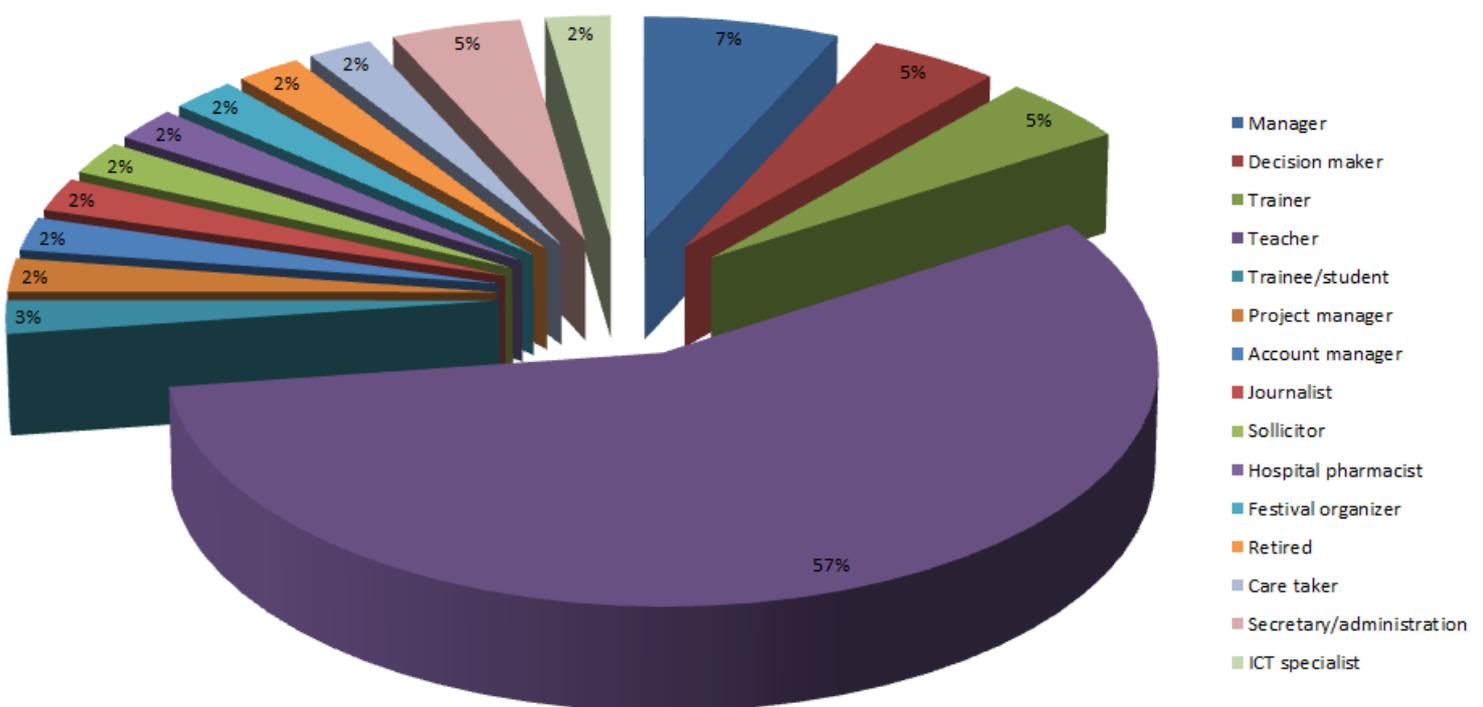


Fig. 1. Target groups repartition in The Netherlands (%)

QUESTION NO.2:

Are you aware about the existence of Occupational Health and Safety Policies at EU level in The Netherlands?

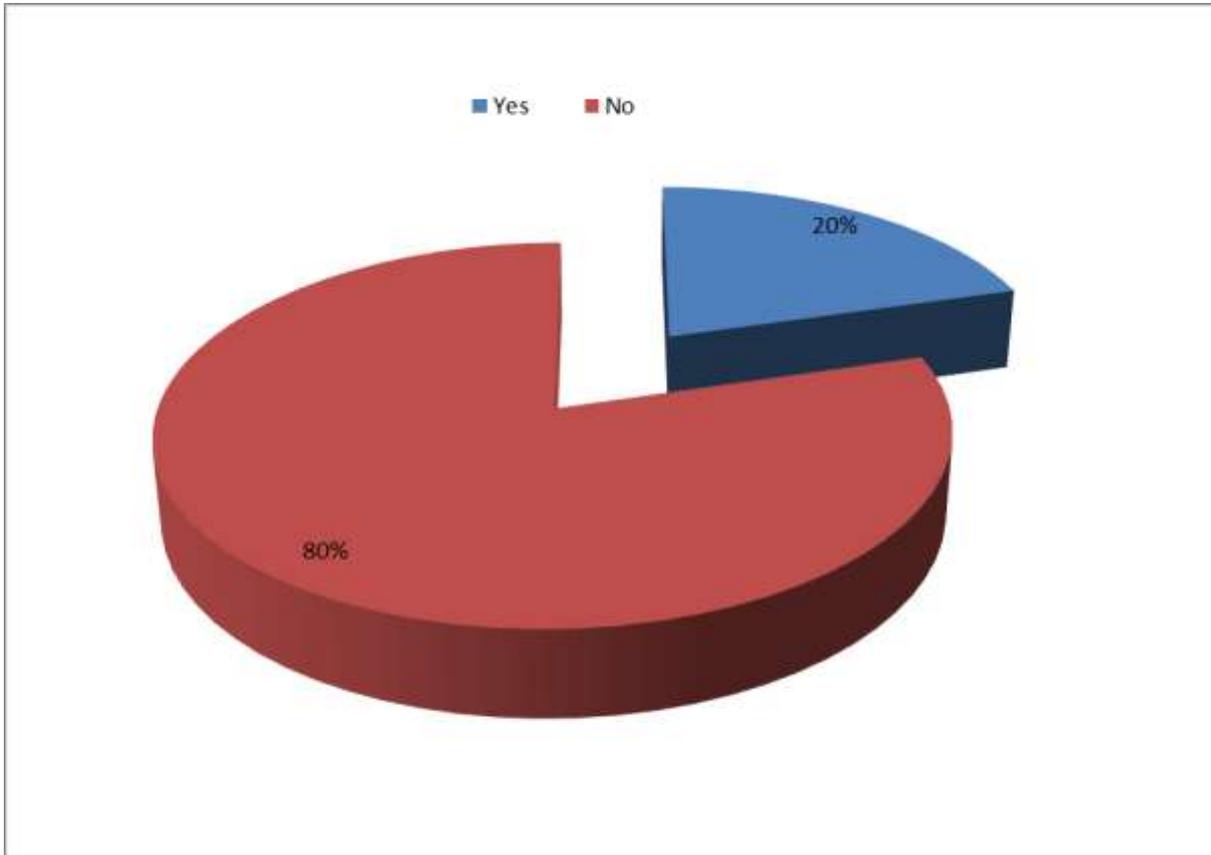


Fig. 2. The awareness about the existence of Occupational Health and Safety Policies at EU level (%)

Even all the respondents were aware about the existence of the Occupational Health and Safety Policies in The Netherlands, only 80% indicated their awareness regarding the existence of Occupational Health and Safety Policies at EU level; the rest of 20% mentioned that they are not aware about the existing EU regulation regarding Occupational Health and Safety Policies at EU level.

As a conclusion, the inquired target groups' respondents are familiar with the EU OHS policy and legislations documents.

The comments provided by the respondents indicated:

1. European Union treaty 95 and 153 articles.
2. Community strategy 2007-2012 on health and safety at work
3. Council Resolution of 25 June 2007 on a new Community strategy on health and safety at work (2007-2012)
4. European Parliament Resolution of 15 January 2008 on the Community strategy 2007-2012
5. European Directives <http://osha.europa.eu/en/legislation/directives>
6. European Guidelines: <http://osha.europa.eu/en/legislation/guidelines>
7. European Standards: <http://osha.europa.eu/en/legislation/standards>
8. European strategy 2007-2012 on health and safety at work.
9. Dutch legislation and publications:
 - The Working Conditions Act
 - The Working Conditions Decree
 - The Working Conditions Regulation
 - Major Accidents Legislation
 - Own-account workers and working conditions (advisory report 2011)
http://osha.europa.eu/fop/netherlands/en/nl_developments/ser-advies-zelfstandigen-en-arbeidsomstandigheden
 - OSH Balance 2010 http://osha.europa.eu/fop/netherlands/en/nl_developments/arbobalans-2010
 - Aggression and violence in an international perspective
http://osha.europa.eu/fop/netherlands/en/nl_developments/aanpak-van-agressie-en-geweld-in-internationaal-perspectief
 - Results of analysis work-related infectious diseases 2009
http://osha.europa.eu/fop/netherlands/en/nl_developments/surveillance-arbeidsgerelateerde-infectieziekten-analyse-arbeidsgerelateerde-infectieziekten-2009
 - National Survey on Working Conditions (NEA) 2008
http://osha.europa.eu/fop/netherlands/en/nl_developments/de-nea-nationale-enquete-arbeidsomstandigheden-is-het-grootste-periodieke-onderzoek-naar-arbeidsomstandigheden-in-nederland

QUESTION NO.3:

Can you list effective practices leading to successful implementation of the occupational, Health and Safety regulations in your school/organization?

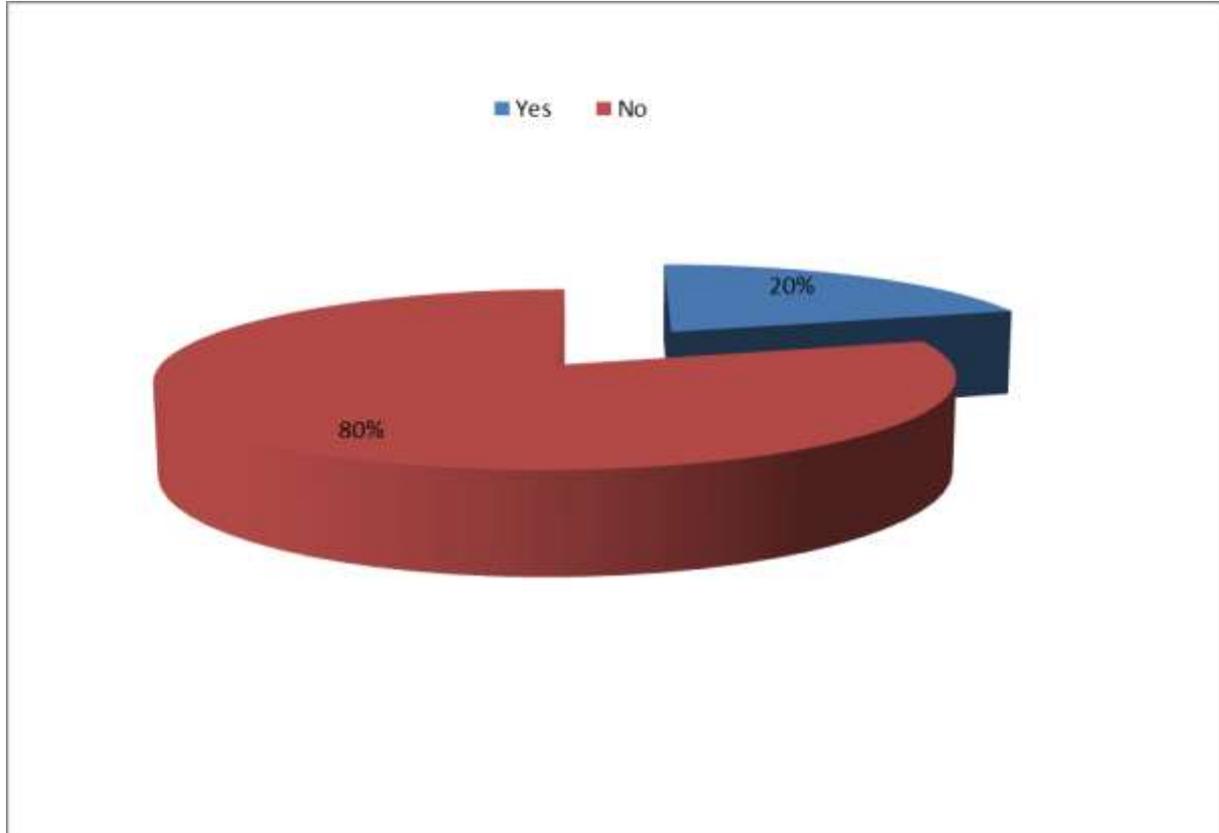


Fig. 3. Availability and knowledge of the respondents to list effective practices leading to successful implementations of the Occupational, Health and Safety regulations in their organization (%)

The 80% respondents aware about the existence of Occupational Health and Safety Policies at EU level, were also able to list effective practices leading to successful implementation of the occupational, Health and Safety regulations in their school/organization and/or in The Netherlands.

List of the effective practices mentioned by the respondents:

- Safety regulations with chemicals
- Safety regulation with clothing, mainly clothing in dangerous circumstances
- Controlling regulations in companies
- Safety regulations about medicine and chemicals
- Safety regulations about participation in festivals
- Prevention of drug use
- Awareness only about Dutch regulation
- Prevention, protection and fire extinguishing with the help of the fireman
- Ergonomic measures for desk working
- General safety regulations in schools

QUESTION NO.4:

In your opinion, what are the biggest difficulties in VET regarding implementation of Health and Safety Regulations?

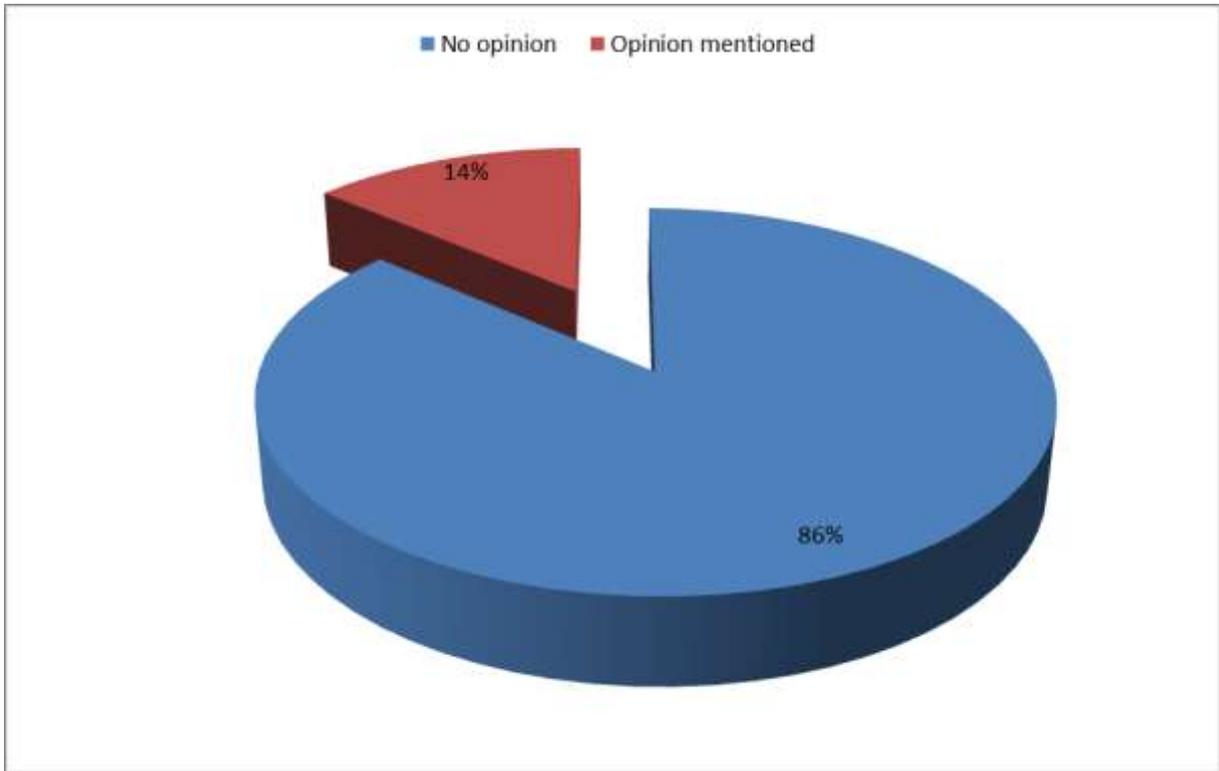


Fig. 4. The difficulties in VET regarding implementation of Health and Safety Regulations

86% of the respondents had an opinion, and they mentioned the difficulties listed below:

- Lack of knowledge
- Lack of information regarding Occupational Health and Safety Regulations
- Low interest in the specific training
- Lack of control
- No time and/or money for implementation
- Occupational Health and Safety Regulations considered as less important
- People don't know about the subjects
- Occupational accidents
- No enough transparency or the authorities actions
- Low awareness of regulation, rules and laws

The rest of 14% of the respondents had no opinions or they didn't mention it.

QUESTION NO.5:
Additional comments

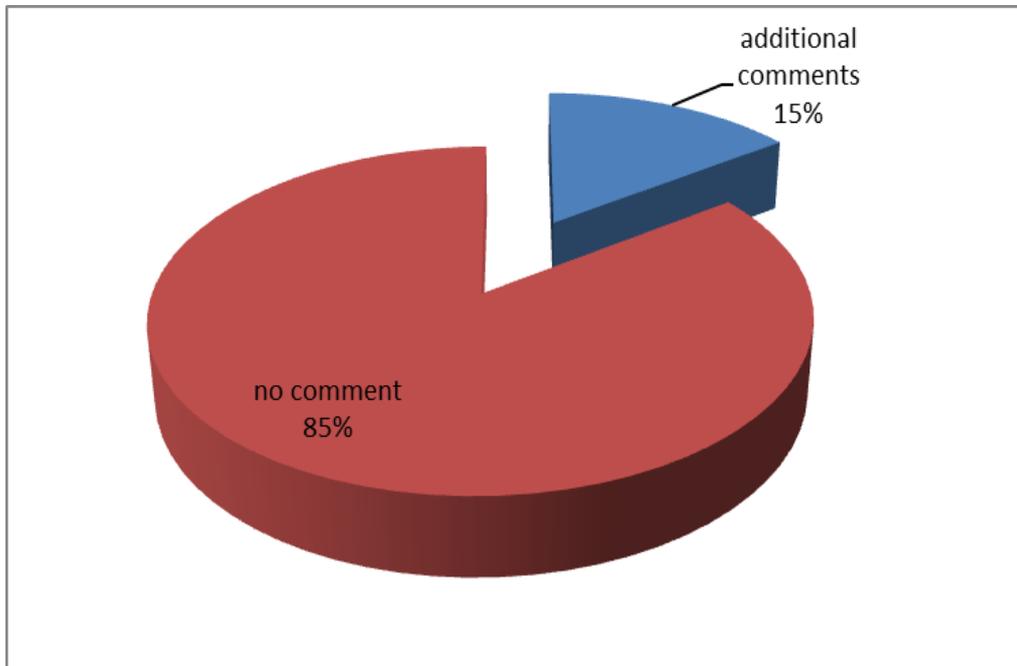


Fig. 5. Repartition of the respondents'additional comments (%)

The respondents had the opportunity to write additional comments to the once listed at the former questions. In this respect, a percentage of 15% had additionally comments.

The mentioned final comments concluded the questionnaire, mentioning the following facts:

- The Dutch regulations are based on the European regulations
- The Dutch regulation are more strictly than European regulation in this respect
- There are enough safety regulations
- There are too many safety regulation