

Modtaget i arkivet, den 29/12-18



EUROPEAN COMMISSION
Cabinet of Commissioner Marianne Thyssen
Employment, Social Affairs, Skills and Labour Mobility
Head of Cabinet

Brussels, 19 DEC. 2018
Ares(2018) 6546 752

Your Excellency,

Please find enclosed a letter from Mrs Thyssen, the European Commissioner for Employment, Social Affairs, Skills and Labour Mobility, to Mr. Troels Lund Poelsen, Minister for Employment.

I would be grateful if you could arrange its onward transmission.

Yours faithfully,

Inge BERNAERTS

H.E. Kim JØRGENSEN
Ambassador Extraordinary and Plenipotentiary
Permanent Representative (Coreper II)
Permanent Representation of Denmark to the EU
Rue d'Arlon 73
1040 Brussels
E-mail: brurep@um.dk

Brussels, 19 DEC. 2018
Ates (2018) 6546752

Dear Minister,

Thank you very much for your letter and in particular for sharing with me your thoughts resulting from the discussions held during the Peer Review on "*The efficient transposition, implementation and enforcement of the EU OSH legislation*".

Firstly, I would like to warmly thank you and your services for having hosted the event in Denmark and acknowledge the excellent cooperation with my colleagues during its organisation. The feedback received from the participant Member States and from my services shows that the event was a very good occasion to learn from your experience and from the different practices in the Member States. Its overall outcome highlights the importance of working together during all phases - transposition, implementation and enforcement - towards the continuous improvement of the health and safety of workers in EU.

I fully share your views that proper enforcement on the ground of the legislation transposing the EU Directives on occupational health and safety is essential, as legislation alone is not enough to ensure the achievement of the set goal.

Already in the Communication of January 2017 "*Safer and Healthier Work for All – Modernisation of the EU Occupational Safety and Health Legislation and Policy*" this Commission has stressed the need to refocus efforts on ensuring better and broader protection, compliance and enforcement on the ground as one of the three Occupational Safety and Health priority actions. In this regard, the simplification project of the Danish chemicals legislation to improve the efficient transposition of the EU relevant Directives, without lowering the level of protection of workers, is fully in line with the 2017 Communication; the focus shall be on increased protection and in avoiding unnecessary administrative burdens for companies.

It is my strong conviction that supporting employers in complying with legislation is crucial to ensure proper enforcement. The Commission is working actively in this field, with the effective support of the European Agency for Safety and Health at Work (EU-OSHA) which develops practical tools and guidance and shares good practices to improve knowledge and facilitate implementation.

Mr Troels Lund Poulsen
Minister for Employment
Ved Stranden 8
DK-1061 Copenhagen K

Moreover, the work of the Senior Labour Inspectors' Committee (SLIC) is of major importance to promote equivalent and effective enforcement of the legislation across the EU. The SLIC has been very active in this field contributing through different ways to reach the objective of promoting effective and equivalent enforcement of the national legislation transposing the EU Directives. Among many initiatives, I would like to draw your attention to the evaluations of national inspections system of the Member States, which are based on a system of mutual auditing on a voluntary basis by which the national labour inspectorate arrangements are evaluated against SLIC's '*Common Principles for Labour Inspectorates regarding Inspections of Health and Safety at the Workplace*'. SLIC also develops an important number of guidance tools to support the work of labour Inspectors in specific topics.

These actions support and encourage the promotion of comparable enforcement approaches thus contributing to a level playing field for all businesses in the EU.

Let me reassure you that the Commission remains fully committed to play an important supporting role facilitating exchanges of experiences and practices among Member States and promoting among others the highly relevant activities of SLIC, triggering more convergence in this area.

Thank you once again for your support, engagement and valuable insight into the Danish experience. I look forward to continuing the fruitful cooperation on those issues with you and the Member States in the future.

Yours faithfully



Marianne Thyssen