

“Public Health Policies – Training Romanian staff at Regional level to develop Public Health Policies (PHPRO)”

PHP GERMANY – NATIONAL REPORT

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The topic of this report is Occupational Health and Safety Policies at national level in Germany

The first institution presented is:

BAuA (the Federal Institute for Occupational Safety and Health) is the main institution in Germany in the field of occupational Safety and occupational health. It has 711 staff in 4 locations:

- Dortmund (Federal Institute for Occupational Safety and Analysis)
- Berlin (Central Institute for Occupational Medicine)
- Dresden (Central Institute for Occupational Safety)
- Chemnitz (Data Archive)

The total budget of BAuA in 2010 is approximately 53 million euros.

BAuA has the following functions:

- Advises in safety and health as well as in work design
- Examines the effects of working conditions on safety and health of workers
- Evaluates scientific and practical developments
- Develops and tests suggestions for preventive occupational safety and health and for workplace health promotion
- International cooperation on regulation and standardization
- Propagates the results among the general public
- Maintains the German Occupational Safety and Health Exhibition (DASA)

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BAuA performs the following tasks:

- Provides policy advice based on monitoring facts and figures
- Research on the effects of new technologies on mental workload and multifactorial genesis of work-related diseases
- Development and delivering to companies of instruments like risk assessment techniques for improving safety and health at work, delivering aids for health and safety products, corporate health management, assessment of chemical risks
- Promotes transfer of knowledge in corporate practice by using media channels, networking, advice, exhibitions
- Performs sovereign duties like evaluation authorization, examination, information, organization

The target groups of **BAuA** activities are:

- The employers
- The employees
- OSH experts and occupational health doctors
- Institutions dealing with OSH In Germany and abroad
- Associations / federations (e.g. VDSI, BDA, BDI)
- Trade unions and social partners
- Politicians / policy-makers
- Accident insurances and health insurances
- Scientific community
- Teachers and students
- Media

The PHP described by the representative of BAuA is INQA “The Initiative for a New Quality of Work”. This initiative has been launched in 2000 and it is the answer that the German Government (via its Ministry of Labour) gave to the Lisbon Declaration issued in the same year. According to this Declaration which amended the Treaty on the Functioning of the European Union, the quality of working conditions must improve¹

¹ *Article 151 (ex Article 136 TEC)*

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while in the same time Europe should become the most innovative economic area worldwide.

Affirming as the essential objective of their efforts the constant improvements of the living and working conditions of their peoples, the European Union Member States: support and complement the activities in the following fields:

“(a) improvement in particular of the working environment to protect workers' health and safety;

(b) working conditions;

(c) social security and social protection of workers;”

The Ministry of Labour imagined this as a program initially for a limited period but the initiative continued until today.

INQA is closed partnership having as initiators the Ministry of Labour, the Länder, the Statutory Health Insurance Funds, the social insurance, the social partners, the Bertelsmann and Hans-Böckler foundations, DGUV and some large companies. In this partnership, the initiators still constitute the core group which is meeting twice a year. The initiative has also a secretariat with 5 persons employed and running the day by day activities; however nowadays a lot of the tasks have been devolved to the initiators due to the expansion of activities developed by them.

The EU Social Agenda of 2000 describes the overall goal: „.....more and better workplaces and a better social dialogue“. So INQA is an initiative aimed for fulfilling this goal in Germany.

The basic idea of INQA is: “acting together – with individual responsibility”.

The goals of INQA are:

- Competitive and humane working conditions

“The Union and the Member States,..... shall have as their objectives the promotion of employment, improved living and working conditions.....”

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- The establishment of an OSH policy in companies, which contributes to the employability of people
- The establishment of an employee oriented corporate culture, which account for the economic success of enterprises

The INQA strategy is based on:

- Initiating a **public debate** on “Decent work in the future” (publications know-how Congress)
- Organising the **transfer of know-how** to enterprises and organisations (innovative projects, good practice examples)
- Placing emphasis on **innovative state action** (networking and creating a platform for the empowerment of companies)

In terms of funding INQA started with a budget of 500000 euros for 2000 and reached a level of 10000000 euros allocated for the year 2010. The budget has been always provided by the Ministry of Labour and this budget can be used by the initiators by submitting grant proposals and receiving grants; this means that for each project the initiators submit there is a 70 % funding from the Ministry of Labour and 30% its own contribution. However this ratio did not remain the same over the years and now there are a lot projects funded with 50%. The trend is following a pattern where the initiators are contributing more and more to this initiative and the main reason is probably its success and attractiveness. A different issue needs to be dealt with and this is the use of the INQA logo a use which must be controlled in a stricter fashion.

INQA initiated a survey, which took place in 2003 and aimed to reveal what the employees considered to be a good workplace.

The employees’ answers mentioned several features of a good workplace:

- Safeguarding one`s existence
- Meaning and fulfilment
- Social cohesion
- Occupational health

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- Latitude for action
- Development possibilities
- Correct leadership

A very interesting note about this survey is that it has been used as a political instrument in what regards the relationship with the ministry of labour. This is why a new survey was performed so as to be able to prove that the directions that will INQA will be in line with needs of the German employees.

A further analysis showed that a good correlation between employees engagement and company's economic success ($r=0.37$)

INQA is organized in Thematic Network Groups on demography, long life learning, construction, health care, small and medium enterprises

The most important groups are the thematic groups which enclose between 15 and 50 members / group. Each group has one moderator who is a BAuA representative and one group manager. These two are the ones who organize the activities for the group in the shape of the work program. Further on they report to the group of initiators and from here it is the secretariat which further distributes the information to the other Thematic Groups.

It is important to note that the members of these thematic groups are acting within the group as individual experts in their field of activity and not as representatives of the institutions they are coming from.

The INQA instruments are:

- Projects
- Co-operations and Networks
- Competition /Award
- Tools
- Publications
- Events, exhibitions
- Homepage, newsletters
- Good practice database

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The most successful instrument that INQA is using for expanding its activities is networking. In this regard there are more than 30 member networks affiliated to INQA.

The success factors of this endeavour are considered to be:

- political support
- the presence of important companies
- clear aims and responsibilities
- voluntary participation
- networking
- budget for all
- working program
- marketing and PR

There is no formal evaluation of INQA as a whole with impact or process evaluation, however there are some activities under the INQA roof which are being evaluated. For example the distribution of publications and the access to the website are being monitored.

Another Institution visited was The German Statutory Accident Insurance

The German Statutory Accident Insurance is based on the contribution of the employers on a pay-as-you-go scheme. It is on average 1.26% of the payroll but it can be lower (for office institutions) and higher (for construction sector) and depending on the number of accidents on a *bonus malus* principle

The DGUV is responsible for 13 industrial and trade sectors social accident insurers (BGs) and 27 public sector social accident insurers. The total number of the insured is 73 million, working in 3.6 million companies. Tjsi type of insurance covers the employees, children in day care centres, pupils, students, and the employers – with spouse on a voluntary basis. The insurance covers:

- Occupational accidents
- Commuting accidents
- Occupational diseases

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The system does not allow direct claims from the employee to the employer in case of liability of the latter. The process is done through the UK / BGs.

The German social accident insurance carriers are public law bodies (non profit institutions) and are self administered by representatives of employers and employees.

The BGs have started in 1885 in the steel and mining industries.

There are no compensations for paying in the sickness insurance fund system, the only allowed to receive compensations are those who loose their working capacity totally or partly. The most of the BGs are using the “bonus malus” system. DGUV is the major first aid training provider for companies in Germany, with tens of thousands of trainees each year. DGUV is still providing OSH services, medical check-ups, even though there is a provision in the future law that they no longer be allowed to do so.

The legal mandate of the BGs and the public sector social accident insurers demands them to:

- prevent occupational accidents, occupational diseases and work-related health hazards and investigate their causes
- provide effective First Aid
- ease the effects of occupational accidents and occupational diseases „with all suitable means”

The “suitable means” are prevention (0.8 billion euros), rehabilitation (3.1 billion euros) and compensation (5.6 billion euros) and they are used only in this order.

The responsibilities and targets of prevention are:

- to promote safety and health at work
- to reduce risks for life and health
- to make unavoidable risks controllable
- to support the employer with advice in the field of occupational health and safety

The responsibilities and targets of rehabilitation are:

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- to restore the health of the insured
- to support the insured with their occupational reintegration
- to support the insured with their social reintegration

There are 600 authorized general clinics, 9 accident rehabilitation clinics and 2 occupational diseases clinics. The trend in what regards the development of these clinics is to enlarge and further develop them. They all cared for 99000 inpatient cases and 272000 outpatient cases in 2005.

The PHP presented by the DGUV representative is the OSH strategy.

This has the shape of a multiannual program with the first one 2008- 2013 and the next one 2013 – 2017.

The partners who are implementing this strategy are 5:

- Two active partners – DGUV and the Land Labour Ministry
- One passive partner - the Federal Ministry of Labour
- Two social partners (employers associations and unions)

Out of these five members, only three are allowed to vote (federal Ministry of Labour, the Land Ministry of labour and DGUV), while the other two are only being consulted in a similar way like it is being done in the Prevention Conference (as described by Mr. Kai Seiler).

However the role of these social partners increased in the last period of time and now without them agreeing on the strategy this can not pass through. For example in the current strategy the experts decided that the targets of the Joint German OSH strategy are:

- Reduction in the frequency and severity of occupational accidents
- Reduction in the frequency and severity of musculoskeletal workloads and disorders
- Reduction in the frequency and severity of skin diseases

All targets shall take into account impairing mental stress and promoting the systematic consideration of occupational safety and health within enterprises. However, the social partners aimed for other topics, each one for a different one; the employers wanted to

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have mental health (especially occupational stress) while the unions wanted to strengthen the OSH activities.

The strategies are implemented using detailed project plans which include:

- Administration data
- Programme-relevant background information (starting point, statistical data, cause-effect-relations, target analysis, target groups)
- Project partners' data (strengths of partners, capabilities)
- Content, methods, time-frame (planning phase, preparation phase, implementation phase, final phase)
- Project leaders
- Information about resources (manpower, measures, financial means, regional distribution of programme elements)

The collective decision-making process is also a feature of this OSH strategy, in a similar fashion as described by the representative of the LIGA institute Mr. Kai Seiler. However, this is a national level policy and this collective body is therefore the National Conference on OSH which again has 5 members and classified in voting ones (the Federal Ministry of Labour, The Lander Labour Inspectorates and DGUV) and non-voting ones (employers associations and the unions).

One of the most interesting features of the current OSH strategy is fact that it had adopted from the EU OSH strategy an indicator even though its achievement was clear that it will be very difficult to attain; this is the reduction by 25% of the work-related accidents, an indicator which in Germany was at that time very low.

There are common regulations for the actors involved in implementing the OSH strategy. There is an increased capacity to share resources among these partners, and these are considered strengths of the processes.

A weakness of these processes is the lack of uniformity across Germany in what regards the legislation applicable to personal data management. There is a big gap between

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those who issued the strategy (or better said those who co-contributed) and those who are asked to implement it, which are only the BGs reunited under the DGUV.

There is one clear recommendation for the future OSH strategy (2008 – 2013) as it is coming from the current one. This consists of the need for more overlapping of the activities performed by the partners of this joint strategy.