



INTERVIEW

‘Love it, leave it or change it’

Interview with Dr Dirk Watermann,
Director of KAN

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TOP STORY

The negotiation marathon begins

Social accident insurance protection and benefits after Brexit

European coordination legislation regulates social security obligations and rights. If a posted worker suffers an accident at work or occupational disease, benefits are provided in accordance with the principle of equal treatment of Union citizens. But what will happen after the United Kingdom leaves the European Union (EU) on 31 January 2020?

The ratification of the withdrawal agreement marked the beginning of the transition phase and negotiations over the future relationship between the EU and the United Kingdom. Social security arrangements will remain unchanged until 31 December 2020. By then, the EU and Great Britain must agree on future economic, social and security relations. ‘This is an extremely small window of opportunity for what is a very comprehensive and complex set of negotiations’, said Dr Stefan Hussy, Director General of the DGUV. By comparison, the EU and Canada took 60 months to negotiate the CETA agreement.

In mid-January, the European Parliament adopted a resolution calling for the negotiations to give priority to matters relating to the rights of EU citizens. In Germany, the Federal Ministry of Labour and Social Affairs, in conjunction with the various branches of the German social security system and the DGUV liaison office, is preparing the terms and basic principles for negotiations on the future coordination of social security systems.

It is quite possible that the EU and the UK will start from scratch when regulating future social security relations or that Brussels and London will simply agree to continue the status quo. ‘It’s difficult to predict which scenario will occur. The German social accident insurance system is prepared for every situation’, stated Hussy. After all, the withdrawal agreement itself already provides for the protection of certain groups of persons. In addi-



Photo: psdesign1 - Fotolia

Negotiations on the future of the social security agreement between the United Kingdom and the European Union begin in March. The clock is ticking, as the agreement must be ratified by 31 December 2020.

tion, Book VII of the German Social Code also regulates numerous foreign matters.

As a result of Brexit, the free movement of goods, persons and services between Germany, as an EU Member State, and the UK may be restricted or come under new regulations. Both employers and employees need certainty about social security issues, for example about access to medical treatment following an accident at work in the UK, which has been covered up to now. The relevant social accident insurance institutions and the Foreign Liaison Office of the German Social Accident Insurance are available to answer any questions.

Web: www.dguv.de › **Webcode:** e540966

STICHWORT
Foreign Liaison Office

The Office provides employees, employers and the social accident insurance institutions with assistance regarding cross-border activities. It provides information on the posting of foreign employees in Germany and ensures medical care in Germany for persons insured abroad.

Web: www.dguv.de

› **Webcode:** e40364



Reliability

Dear Reader,

The wrangling went on for a long time, but now the decision has been carried out: the UK left the EU on 31 January. But Brexit will continue to dominate in 2020. The eleven-month transition phase begins in February. This window of opportunity will allow the EU and the UK to negotiate an agreement on future relations.

Nothing really changes for Germany's social accident insurance system in the coming months. The status quo remains the same for the time being. But what will happen in 2021? The negotiating period is extremely short. The range of topics to be negotiated include security policy, trade agreements and the future of social security relations. The outcome of the talks could go many ways, but one thing is certain: employers and employees, in both Germany and the UK, will continue to need solid and reliable regulations in the future. Insurance coverage and benefits for posted workers who require medical care must be clearly regulated.

The roadmap for a social Europe will see the EU Member States opening their doors to one another even more. London has left this community. Currently, it is impossible to know what the consequences for both sides will be. However, a reliable partnership with the UK remains important, including in the field of social security.

Dr Stefan Hussy

Director General of the DGUV

'Love it, leave it or change it'

The Commission for Occupational Health and Safety and Standardization (KAN), which celebrated its 25th anniversary in December 2019, sees itself as a broad ally of OSH. DGUV Kompakt spoke to Dr Dirk Watermann, KAN's Director, about the latest challenges facing standardisation.

Dr Watermann, KAN was founded 25 years ago; what were the reasons for this?

Developments in Europe played a key role in the decision, especially the EU Machinery Directive passed in 1989 which took away the right of national regulators, namely the state, accident insurance institutions and the social partners, to stipulate the characteristics of machinery and plant equipment in specific terms. This was transferred to European standardisation, which is organised under commercial law. Germany was looking for a way to make sure that OSH also played a major role in the new system. All relevant stakeholders were to be given the opportunity to develop common standpoints at one table. This German OSH position could then be integrated into standardisation processes. This was the birth of KAN!

Things have continued to develop. Today, standardisation is international, and the economic balance of power is changing. What influence do countries like China or the USA have on standardisation processes?

The influence of the USA, like that of Germany, has arguably remained more or less the same in recent years. Both hold a high proportion of secretariats which are responsible for the work process in an international standards committee and therefore have great scope for influencing it. There are differences between the fairly uniform European standardisation system and the very fragmented US-American system. But as long as there aren't any far-reaching trade agreements that enforce mutual recognition of respective norms and standards, we can deal with this in terms of prevention work. The influence of China and, to a lesser extent, India and other economically emerging countries is growing in line with their

economic power and interests. China, in particular, is filling more and more key positions such as secretariats and presidencies at international level and sending an impressively large number of staff to committees. The European Union must make sure that it does not simply agree to international standards per se and adopt them at European level. This should only happen if they also meet our requirements in terms of safety levels.

OSH and standardisation – what trends do you see?

We are increasingly dealing with high-tech products in the machinery sector. Other emerging areas include biologically effective lighting, service standards, OSH management systems, human resources management, risk management, digitalisation, industry 4.0, artificial intelligence and cybersecurity. All of these pose considerable challenges for occupational safety and health. It is becoming increasingly difficult to define a state-of-the-art benchmark for an adequate level of protection or even to determine the exact target groups of a standard. In addition, the European Commission is imposing extremely tight deadlines on the standardisation projects that it commissions and funds. Another trend is that standards are no longer being developed purely by the established standards organisations, but rather in consortia.

However, these trends aren't intrinsically linked to the basic principles of standardisation and are often beyond our sphere of influence. Nevertheless, we must not compromise when it comes to participation and the transparency of the procedures because without these, people would lose confidence in these documents and thus in the standards organisations themselves. It could also endanger the safety and health of workers and consumers.



Photo: ohsuriya - stock.adobe.com

The Commission for Occupational Health and Safety and Standardization recently examined the effects of non-visual lighting on people.

Can standardisation sometimes go too far?

Standardisation always goes too far when it infringes on the core areas of responsibility of the social partners without a suitable legal basis. This includes not only social policy areas such as collective bargaining, parental leave and working time. We are also critical of the tendency to regulate human resources management through a constantly growing number of international standards, for example, measuring a company's OSH performance in terms of key indicators. We continue to believe that it's important to avoid duplication or contradictions in occupational safety and health as a result of standards wherever there are already detailed national regulations issued by the state or accident insurance institutions.

How is KAN adapting to these changes?

KAN's working methods must indeed change, and have already changed, in keeping with the motto 'Love it, leave it or change it'. Let's start with change: In order to ensure that OSH is taken into consideration from the very start in a holistic way, new concepts for forming opinions are also necessary in our company. In the

future, we want to increase the involvement of practitioners, manufacturers, users and other stakeholder groups, including those outside the field of OSH. We must move away from a purely German perspective. Since standards are practically only ever drafted at European and international level, we must increase our efforts and involvement there. This also means further raising the profile of KAN and its activities. That's why we need new approaches to public relations work. The Executive Board and KAN have laid the foundations for this approach. This will enable us to devote ourselves even more effectively in the future to what we love and what our mandate is: to work even harder to ensure that the standards relevant to OSH are practical and consistent with regulations. We want to make sure that the positions we take on OSH are strongly heard in European and international committees.

Web: www.kan.de



Dr Dirk Watermann
Director of the Commission for Occupational Health and Safety and Standardization (KAN)

TOPIC

Roadmap

How can European social policy help to meet the challenges facing the world of work and make the most of new opportunities? On 14 January, the European Commission presented its communication on 'A Strong Social Europe for Just Transitions', which Social Affairs Commissioner Nicolas Schmit has called a roadmap for a social Europe.

Under Commission President Ursula von der Leyen, the EU Commission has kicked off a series of new social policy initiatives. The roadmap for a social Europe proposes new measures at EU level for the coming months. The Commission is also calling for feedback across all levels in the field of employment and social rights. The aim is to further improve the living and working conditions of EU citizens.

The implementation of the 20 principles of the European Pillar of Social Rights is to be driven forward by combining them into one action plan. The European Commission is therefore calling on all Member States, partners, stakeholders and citizens to express their views on how to proceed and their plans for achieving the objectives of the Pillar. The Communication also addresses issues of importance for Germany's social accident insurance system including social protection and OSH, fair working conditions, digitalisation, platform work, combating cancer, inclusion of people with disabilities, and active ageing. The DGUV will make a positive contribution to the processes and, where appropriate, also provide constructive feedback and criticism.

Feedback will be used to help prepare the Action Plan by compiling all contributions and submitting them for approval at the highest political level. The European Pillar of Social Rights can help to ensure that labour markets and social systems function well and in a sustainable manner. Whether, and to what extent, national competences should be shifted to European competences cannot be predicted at the moment.

Web: www.dsv-europa.de > news

New portal for post-work healthcare

'DGUV Vorsorge' (DGUV Health Care) is the name of the new cross-institutional information and reporting portal for all aspects of post-employment healthcare. Work-related illnesses and occupational diseases often only emerge long after exposure to occupational hazards first occurred. Germany's social accident insurance institutions run various preventive services to ensure that work-related healthcare for insured persons exposed to carcinogenic substances and their effects continues beyond the end of their employment.

The DGUV Vorsorge portal is a joint service of the institutions. It provides information and simplifies the organisation and documentation of post-employment healthcare. It also includes a central reporting point, where affected persons can register digitally.



Photo: BGRC

If employees are exposed to carcinogenic substances and effects during their work, employers must offer them medical healthcare.

Web: www.dguv-vorsorge.de
(German only)

IMPORTANT DATES

22 April 2020

**German Paralympic Media Award
BERLIN**
www.dguv.de/gpma (German only)

8-9 May 2020

**XIII Potsdamer Occupational
Illness Congress 2020
POTSDAM**
www.dguv.de > Webcode: d96934
(German only)

9 May 2020

**40 Years of IFA –
Open day at the Institute for Occupational
Safety and Health of the DGUV
SANKT AUGUSTIN**
www.dguv.de/ifa

NUMBER OF THE MONTH

421,600

... officially reportable school accidents happened during school sports in 2018.

Source: Statistik Schülerunfall-
geschehen 2018

LEGAL INFORMATION

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NEW APPOINTMENT

Ilka Wölfle elected as ESIP President

On 4 December 2019, the members of the European Social Insurance Platform (ESIP) elected Ilka Wölfle as their new President. She succeeds Arnaud Emériaux, who was appointed Vice-President.

The ESIP was founded in 1996. Its members include 50 different social security organisations from 18 EU countries and Switzerland. Ilka Wölfle brings with her a broad range of expertise in the fields of European social and health policy. Up until 2016 she was the German Social Accident Insur-

ance's representative at the European Representation of the German Social Insurance in Brussels. In 2016, she became Director of the European Representation and represents the interests of the umbrella organisations of Germany's social insurance system at European level. The new President wants to strengthen ESIP as the voice of social security in Europe. Only by doing this can the major challenges of the future, such as the changing world of work, digitalisation, demographic change, and maintaining and expanding social security, be met.

Web: www.esip.eu/news

kommmitmensch at didacta 2020

The German Social Accident Insurance is showcasing its **kommmitmensch** prevention campaign at Europe's largest education trade fair. From 24-28 March 2020, the DGUV and the German Social Accident Insurance Institution for the Public Sector in Baden-Württemberg will be highlighting the importance of safety in school sports at their exhibition stand.

Web: www.messe-stuttgart.de/didacta

didacta
die Bildungsmesse

24.-28. March 2020
Messe Stuttgart