

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	1992/0449(COD) Procedure completed
Safety and health at work: exposure of workers to mechanical vibrations	
Subject 4.15.15 Health and safety at work, occupational medicine	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	DELE EP Delegation to Conciliation Committee		09/11/2001
		PSE THORNING-SCHMIDT Helle	
	Former committee responsible		
	EMPL Employment and Social Affairs		27/07/1999
		PSE THORNING-SCHMIDT Helle	
Council of the European Union	Council configuration	Meeting	Date
	Competitiveness (Internal Market, Industry, Research and Space)	2426	21/05/2002
	Agriculture and Fisheries	2404	21/01/2002
	General Affairs	2362	25/06/2001
	Employment, Social Policy, Health and Consumer Affairs	2357	11/06/2001
	Employment, Social Policy, Health and Consumer Affairs	2313	27/11/2000
	Social Affairs	2226	29/11/1999
	Social Affairs	2182	25/05/1999

Key events			
23/12/1992	Legislative proposal published	COM(1992)0560	Summary
19/04/1993	Committee referral announced in Parliament, 1st reading		
29/03/1994	Vote in committee, 1st reading		Summary
29/03/1994	Committee report tabled for plenary, 1st reading	A3-0192/1994	
19/04/1994	Debate in Parliament		
20/04/1994	Decision by Parliament, 1st reading	T3-0239/1994	Summary

08/07/1994	Modified legislative proposal published	COM(1994)0284	Summary
25/05/1999	Debate in Council	2182	
01/09/1999	Vote in committee, 1st reading		
01/09/1999	Committee report tabled for plenary confirming Parliament's position	A5-0006/1999	
16/09/1999	Decision by Parliament, 1st reading	T5-0012/1999	Summary
29/11/1999	Debate in Council	2226	
08/12/2000	Modified legislative proposal published	14162/2000	Summary
25/06/2001	Council position published	07914/1/2001	Summary
05/07/2001	Committee referral announced in Parliament, 2nd reading		
09/10/2001	Vote in committee, 2nd reading		Summary
09/10/2001	Committee recommendation tabled for plenary, 2nd reading	A5-0320/2001	
23/10/2001	Debate in Parliament		
23/10/2001	Decision by Parliament, 2nd reading	T5-0544/2001	Summary
21/01/2002	Parliament's amendments rejected by Council		
26/02/2002	Formal meeting of Conciliation Committee		
13/03/2002	Final decision by Conciliation Committee		Summary
13/03/2002	Report tabled for plenary, 3rd reading	A5-0110/2002	
05/04/2002	Joint text approved by Conciliation Committee co-chairs	3616/2002	
24/04/2002	Debate in Parliament		
25/04/2002	Decision by Parliament, 3rd reading	T5-0199/2002	Summary
21/05/2002	Decision by Council, 3rd reading		
25/06/2002	Final act signed		
25/06/2002	End of procedure in Parliament		
06/07/2002	Final act published in Official Journal		
14/02/2006	Results of vote in Parliament		

Technical information

Procedure reference	1992/0449(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 137-p2

Stage reached in procedure	Procedure completed
Committee dossier	CODE/5/15412

Documentation gateway

Legislative proposal	COM(1992)0560 OJ C 077 18.03.1993, p. 0012	23/12/1992	EC	Summary
Economic and Social Committee: opinion, report	CES0716/1993 OJ C 249 13.09.1993, p. 0028	30/06/1993	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading	A3-0192/1994 OJ C 128 09.05.1994, p. 0009	29/03/1994	EP	
Text adopted by Parliament, 1st reading/single reading	T3-0239/1994 OJ C 128 09.05.1994, p. 0128-0146	20/04/1994	EP	Summary
Modified legislative proposal	COM(1994)0284 OJ C 230 19.08.1994, p. 0003	08/07/1994	EC	Summary
Reconsultation	SEC(1999)0581	28/04/1999	EC	
Committee final report tabled for plenary, 1st reading/single reading	A5-0006/1999 OJ C 054 25.02.2000, p. 0010	01/09/1999	EP	
Text adopted by Parliament confirming position adopted at 1st reading	T5-0012/1999 OJ C 054 25.02.2000, p. 0055-0075	16/09/1999	EP	Summary
Modified legislative proposal	14162/2000	08/12/2000	CSL	Summary
Council position	07914/1/2001 OJ C 301 26.10.2001, p. 0001	25/06/2001	CSL	Summary
Commission communication on Council's position	SEC(2001)1095	29/06/2001	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A5-0320/2001	09/10/2001	EP	
Text adopted by Parliament, 2nd reading	T5-0544/2001 OJ C 112 09.05.2002, p. 0030-0122 E	23/10/2001	EP	Summary
Commission opinion on Parliament's position at 2nd reading	COM(2001)0717	28/11/2001	EC	Summary
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading	A5-0110/2002	13/03/2002	EP	
Joint text approved by Conciliation Committee co-chairs	3616/2002	05/04/2002	CSL/EP	
Text adopted by Parliament, 3rd reading	T5-0199/2002 OJ C 131 05.06.2003, p. 0016-0114 E	25/04/2002	EP	Summary
Follow-up document	SWD(2017)0010	12/01/2017	EC	Summary

Additional information

European Commission

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Final act

Safety and health at work: exposure of workers to mechanical vibrations

Following the debates which led to the adoption of the common position on the draft directive dating from 1993 on the exposure of workers to risks caused by physical agents, it has been decided to propose a new text of the amended proposal on which the Council shall shortly come to a decision and which could lead to an agreement by most of the delegations. The new text concerns in particular the risks caused by mechanical vibrations, which is only one of the four agents taken into consideration in the 1993 proposal, taking account of the difficulty for the Member States to come to a conclusion on the whole of the proposal (noise, optic lights, electromagnetic fields and mechanical vibrations). The proposed amended Directive aims to combat against the effects of vibrations which cause muscular and skeletal disorders which are nowadays the first root of professional illness. It shall apply to cases of vibrations transmitted to the hands and the arms, causing in particular vascular problems, osteo-articular or muscular or neurological damage. It also applies to vibrations transmitted to the whole body, which leads in particular to the risk of trauma to the colon vertebral. The proposed directive accepts the level of actions beyond which specific prevention measures must be taken, such as the choice of working equipment produced, taking into consideration the work to be carried out, the least vibration possible or the right, for the workers concerned, to be subject to a health monitoring system. It sets the limit values of daily exposure on a reference period of 8 hours which must not be exceeded: - a limit value of 5m/s² for the vibrations transmitted to the hands and the arms; - a limit value of 1,15m/s² for the vibrations to the whole body. The exposure values triggering an action are: - 2,5m/s² for the vibrations transmitted to the hands and the arms; - 0,6m/s² for the vibrations transmitted to the whole body. In order to take into consideration the technical difficulties of the application, in particular in SMEs, the proposed revised directive provides a transition period of 6 years for the application of the limit values. This period is brought back to 3 years when new materials are brought into service and may be brought to 9 years for agricultural and forestry equipment. The Member States have the option of lowering the application of the value limit for the maritime and air navigation sectors. ?

Safety and health at work: exposure of workers to mechanical vibrations

The European Parliament adopted 26 amendments at first reading which concerned vibrations. Nearly all were accepted in the Common Position, either fully or on substance. Of those not accepted: - the threshold levels were deleted. The Council considered that the deletion strengthened the text, by making the provisions of the Directive applicable for as long as the risk exists. - the obligation imposed on the Commission to submit a report was already covered by the submission of the Commission's annual implementation report. The common position respects the objectives put forward by the Commission and supported by Parliament, and introduces some amendments to the proposal. The preventive measures adopted are based on the obligation imposed on the employer to determine and assess risks by using various methods to assess the level of exposure to mechanical vibrations. The Council refers specifically to the ISO standards. The major differences with regard to the Commission's proposal concern an increase in the exposure limit values and the exposure action values for whole body vibrations. The threshold level has been deleted. The common position grants special derogations for the sea and air transport sectors and for seasonal work and, establishes transitional periods for existing work equipment. there is an additional transitional period for work equipment used in the agricultural and forestry sectors.?

Safety and health at work: exposure of workers to mechanical vibrations

The Commission supports the common position in its entirety. In particular, the Commission accepts the increase in the daily exposure limit value for whole body vibrations and the action value, although it still considers that lower values in line with its amended proposal should be established. The Commission also accepts the derogations from the limit value for whole-body vibration for sea and air transport. Strict conditions for granting the derogations are imposed as well as the guarantee of increased medical surveillance for the workers concerned. Transitional periods are accepted since the time will be needed for some industrial sectors to adapt.?

Safety and health at work: exposure of workers to mechanical vibrations

The committee adopted the report by Helle THORNING-SCHMIDT (PES, DK) amending the Council's common position under the codecision procedure (2nd reading). As regards whole-body vibration, the committee was in favour of limit and action values corresponding to ISO standards which would represent a lower threshold than the values being proposed by the Council. The committee also felt that the transitional arrangements planned by the Council were too long. In the light of technical developments, MEPs were convinced that a five-year transition period would be sufficient for companies to replace their tools and machinery, although within the agricultural and forestry sector a further extension of two years (rather than three years as proposed by the Council) could be permitted. The committee also said that the final decision on the use of derogations should be taken by Member States after consulting the two sides of industry.?

Safety and health at work: exposure of workers to mechanical vibrations

The European Parliament adopted the resolution drafted by Helle THORNING-SCHMIDT (PES, DK), and agreeing with the parliamentary committee, made some amendments to the common position.

-As regards whole-body vibration, Parliament decided that the limit and action values should correspond to ISO standards which would represent a lower threshold than the values being proposed by the Council.

-Parliament felt that the transitional arrangements planned by the Council were too long. In the light of technical developments, Members were convinced that a five-year transition period would be sufficient for companies to replace their tools and machinery, although within the agricultural and forestry sector a further extension of two years (rather than three years as proposed by the Council) could be permitted, whilst bearing in mind the research in this sector.

-Parliament stated that the final decision on the use of derogations should be taken by Member States after consulting the two sides of industry.

Safety and health at work: exposure of workers to mechanical vibrations

Of the amendments tabled by the European Parliament during its second reading of the proposed Directive on vibrations the Commission is able to accept three in full, one in part and four are rejected. Of the later four the Commission can accept two in principle if they are redrafted in parts. Those accepted in full refer inter alia, to "vibration reducing handles" and "information of the employer". Concerning transitional periods and the consultation of social partners the Commission feels it can accept aspects of this in principle only. Those amendments not accepted relate to "limit values", parts relating to transitional periods (the Commission feels SMEs are entitled to more time in which to transpose the requirements of the Directive) and lastly "justifications on derogations and collection of best practices and assessment". Concerning the agricultural and forestry sector the Commission rejects this amendment since it would exclude workers of the two highest risk sectors from the benefits of the Directive.?

Safety and health at work: exposure of workers to mechanical vibrations

Following an exchange of letters, the Conciliation Committee reached agreement on a joint text for the directive. The main points of this agreement can be summarised as follows: - the directive has to be transposed by the Member States by 2005 and they may, after consultation of the social partners, apply a maximum derogation period up until 2010 for machines given to workers before 2007; for forestry and agriculture machinery a longer derogation period will be permitted (until 2014); - the European Parliament and the Council commit themselves to continue examining the draft directives on exposure of workers to other physical agents: noise, optical radiation and electromagnetic fields and waves; - maximum daily exposure limit values and daily exposure action values for whole-body vibration are fixed at 1,15 m/s² and 0,5 m/s² respectively (standardised to an eight-hour reference period); - a provision for vibration-reducing handles has been added to the text of the directive, which is important for the reduction of vibration transmitted to the hand-arm system. - employers shall have to be provided with information on health surveillance taking into account any medical confidentiality; - the Member States' reports to the European Commission on the implementation of the directive shall contain a description of best practices for preventing vibrations and other forms of work organisation and action taken by the Member States on the basis of these practices. On the basis of the Member States' reports, the Commission shall carry out an overall assessment of the implementation of the directive. ?

Safety and health at work: exposure of workers to mechanical vibrations

The European Parliament adopted the Conciliation Committee's compromise agreement. (Please refer to the summary dated 13/03/02). ?

Safety and health at work: exposure of workers to mechanical vibrations

PURPOSE : to protect workers from risks arising from mechanical vibrations. **COMMUNITY MEASURE** : Directive 2002/44/EC of the European Parliament and of the Council on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (sixteenth individual directive within the meaning of Article 16(1) of Directive 89/391/EEC). **CONTENT** : This directive lays down minimum requirements on the exposure of workers to vibrations. It leaves Member States the option of adopting more favourable provisions for the protection of workers, in particular the fixing of lower values for the daily action value or the daily exposure limit value for vibrations. For hand-arm vibration: - the daily exposure limit value standardised to an eight-hour reference period is 5 m/s²; - the daily exposure action value standardised to an eight-hour reference period shall be 2.5 m/s². For whole-body vibration: - the daily exposure limit value standardised to an eight-hour reference period is 1.15 m/s² or, at the choice of the Member State concerned, a vibration dose value of 21 m/s^{1.75}. - the daily exposure action value standardised to an eight-hour reference period is 0.5m/s² or, at the choice of the Member State concerned, a vibration dose value of 9.1 m/s^{1.75}. Workers exposure to hand-arm vibrations and to whole body vibrations is to be assessed or measured on the basis of provisions in the Annex to the Directive. There are provisions in the Directive dealing with the obligation of employers in respect of: - determination and assessment of risks - provisions aimed at avoiding or reducing exposure - worker information and training - consultation and participation of workers There are also provisions for derogation under certain circumstances. Member States have a maximum transitional period of five years from 06/07/05 where work equipment is used which was given to workers before 06/07/07 and which does not permit the exposure limit values to be respected, taking into account the latest technical advances or organisational measures. With regard to equipment used in agricultural and forestry sectors, the transitional period may be extended by up to four years. **DATE FOR TRANSPOSITION** : 06/07/05. **ENTRY INTO FORCE** : 06/07/02.?