



European Federation  
of Building  
and Woodworkers



## Better Understanding of Arduous Occupations within the European Pension debate – Joint Resolution of multi-sectoral<sup>1</sup> project based on multidisciplinary research<sup>2</sup>

The European Trade Union Confederation (ETUC) and the following European Industry Federations: EFBWW, ETF, EFFAT, EPSU, IndustriAll, and UNI Europa highlight key findings of the research on the relationship between “arduous occupations” and “early retirement schemes”.

A. The comparative study of six different occupations in nine countries<sup>3</sup> shows that the phenomenon of “arduous occupations” still exists. These occupational activities have a substantial negative impact on the physical and/or mental health of the workers in question. Workers’ personal characteristics can play a role in the work experience, however, the negative impact of an “arduous occupation” is not personal, instinctive or subjective. The negative impact is objectively demonstrable on the basis of medical, ergonomic or psychosocial criteria. The phenomenon is statistically demonstrable on the basis of a higher outflow of workers who were employed in an “arduous occupation”.

B. Accounting for the various parameters that characterise arduous occupations, arduous occupations are provisionally defined as “*occupations involving the exposure of the worker over a period of time to one or several factors leading to professional risks susceptible to leave long-lasting and irreversible effects on his/her health; these factors are related to physical constraints, an aggressive physical environment, working rhythms or psychosocial risks*”.

C. An important characteristic of arduous occupations is the profound – yet dormant – impact on the physical and/or psychosocial constitution of workers in the medium (10 to 20 years) and long term (more than 20 years). Depending on the personal constitution of the worker and the arduousness of the occupation, the long-term impact can range over a period of 10 to 40 years. In certain cases this leads to irreversible health damages and subsequently to partial or total work incapacity.

D. Available data shows there is a clear correlation between the physical and psychological constitution of workers exposed to arduous working conditions over a long period. Accordingly,

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2 Processing line workers in the meat sector, bus drivers working in the public transport sector, distribution centre workers (like a typical Amazon worker which combines commerce sector and logistics sector, (metal) foundry-workers, carpenters - floor coverers, elder care workers

<sup>3</sup> Italy, Belgium, France, Denmark, Germany, Austria, Poland, Spain and Romania.

psychological stress generally leads to physical stress and vice versa. This implies that any long-lasting stress under arduous working conditions has a double negative impact on the worker in question.

E. Available data shows that most workers employed in arduous occupations are very much aware of their working conditions. However, there is generally very little knowledge and awareness about the actual disastrous long-term consequences amongst the workers and very often neither amongst occupational health and safety inspectors. In extremely subordinated relationships of workers to employers, workers have very little or no say regarding their working conditions and the long-term consequences of it. In addition, there is often a culture of acceptance, with physical and psychological destruction being considered part of the job. Of course, this does not have to be taken for granted.

F. Besides the “culture of acceptance of an arduous occupation” it should be noted that workers (and even good faith employers) are in many cases not able to influence the specific working situation of the workers. Even if the workers and their employers agree on resolving an arduous situation (e.g. by redesigning the workplace, abolishing heavy weights, improved ergonomics, ...), many situations are outside their possibilities and control and linked to external factors, such as the design of a machine and materials (in the industry sector), the lack of cooperation by others (a patient who refuses to be lifted mechanically), the traffic jam (for a bus driver), ...

G. Special attention must be paid to the “externalisation of arduous work”, whereas arduous work is often performed by workers belonging to another company or by fake self-employed. In general, the externalised arduous work is done by workers who are employed in precarious conditions, with lower wages, social protection, trade union support and access to stringent preventive control measures. Often, externalised arduous work is executed by workers who are compelled to accept arduous working conditions “without complaining”.

H. The debate on “arduous occupations” must take place in a real context, reflecting the realities at the workplaces, where the emphasis is on the actual situation at the workplace and not on only so-called formal legislative or administrative rules and commitments that are not enforced in practice. Not sufficiently reflected is especially the mix of hazards workers may be confronted with. This phenomenon is not sufficiently reflected in research and especially in prevention practices and when it comes to the recognition of work related diseases.

I. The project observed that some workers are exposed to arduous occupations under pressure of their employers, either because the employers are unwilling to prevent or remedy the situation or simply oblige the worker to work under these working conditions. This kind of unacceptable behaviour is an aggravating act of direct violence of the employer towards the physical and psychological integrity of the worker.

J. The world of work is an ever changing world. All workers are permanently confronted with new combinations of technology, materials/substances and new forms of labour. These developments also generate new risks. Nobody can predict which physical or mental disorders will occur in the longer term, which have been recently imposed on workers. Even if all precautionary measures are immediately taken, - based on the current knowledge – long term physical or mental disorders can never be excluded. Thus, even if existing hazards are minimised, new ones are possibly affecting another generation of workers, which are not able to stay at work till their normal pension age.

K. Working conditions performed in shift or night work must be considered as arduous. Therefore shift and night work deserve special attention and a particular sui-generis approach.

L. The resolution stresses that the all workers are entitled to a highly qualitative working and retirement life and that no concessions can or should be made to achieve this objective.

The project parties agree that:

1. The concept of “arduous occupations” must be recognised urgently at European and national level as a legal conceptual form of employment.
2. Any definition of the concept of “arduous work” must be based on actual facts, must focus on the worker, and be defined via a multidisciplinary approach (medical, psychosocial, social, ergonomic and statistical). Any definition based on a political approach is considered inappropriate and must be rejected. It is important that the term is acknowledged and discussed by all social partners, in both joint and tripartite consultation. The following elements could be further discussed/explored: the concept of arduous work – aspects of arduousness; the risk factors; concepts/definitions of the various aspects of arduous work; the reality of hazard-combinations; concepts for the measurements, inspections and control for the various parameters; tools for the evaluation at workplace level ...
3. Any definition of the concept of “arduous work” must take into account the strong sectoral differences and typical features of each profession and the individual working conditions of the workers.
4. There is a clear need for an extensive impact study on arduous work, in its various forms and conditions, to be assessed at European level. This way more knowledge becomes available on prevention and compensation.
5. It is extremely important that there is extensive and broad awareness of the existence of arduous occupations, of the preventive and compensatory solutions and of the consequences of employment in an arduous occupation for the workers in question and their immediate environment. This awareness must be shared by social partners and governments.
6. At European and national level, the appropriate resources must be made available to address, rectify and mitigate the phenomenon of “arduous occupations”. In particular, extra attention must be paid to those sectors with a high number of workers in an arduous occupation. Resources need to be made available to develop comprehensive strategies aimed at diminishing the negative effects of arduous occupations on the worker’s health and quality of life, offering compensation for the incurred ill-effects due to one’s occupation, and gradually limiting the incidence of arduous occupations.
7. The concept of “arduous occupations” and its consequences must be extensively present in all academic discussions and in vocational education and training offered to the workers. It is extremely important that awareness takes place in the earliest stages of the education and working life and that it is continuously repeated. For workers it is important that the awareness and training is as practical and tailor-made as possible so that workers see for themselves what might happen to them.
8. The European, national, regional and company trade unions must act pro-actively in avoiding that any worker is exposed to any form of arduousness and that the matter is discussed with either the competent labour, social or health inspectorates and the respective employers representatives.
9. It should be an immediate policy priority for all those who make and enforce policy, from the European central level to the actual workplace, to start work on developing a genuine preventive policy applicable to everyone and in which “arduous occupations” are identified and that practical preventive actions are immediately implemented so as not to further expose the

workers in question to arduous working conditions. Obligatory collective and individual risk assessments of workers' workplaces and working conditions are necessary, including the mandatory required checks and other obligatory tracking measures. In the event of a clear refusal, immediate, compelling, stringent and dissuasive sanctions and protective measures must be imposed to protect the worker's integrity.

10. As the arduousness of an occupation is clearly linked to the individual working-time arrangement of the worker (in particular overtime, flexible working time, shift work, night work, on-call arrangements, ...), it is of utmost importance that any working time arrangement avoids that the worker encounters any form of arduousness. Thus any working time legislation or arrangement must take into account the arduous nature of the arrangement on the individual worker and set-up preventive and compensation measures.

11. The worker's quality of life must be taken into account primarily, and the worker's life expectancy secondarily.

12. The study clearly demonstrates that labour Inspectorates in virtually all countries and often occupational health and safety inspectors are not fully aware of the arduous nature of an occupation and their long term consequences for the workers. The arduous nature of an occupation is completely different for each profession and industry and often not immediately visible. As prevention is the key condition to reduce arduous occupations, all inspectors (labour, social and OSH) must be granted adequate resources in terms of staff, training and competences to detect and adequately (re)act when workers are employed in an arduous occupation.

13. With a view to resolving situations where there are "concealed arduous occupations", it is necessary to have an analysis performed in every country on the unseen victims of arduous occupations, i.e. workers who had to accept another job for medical reasons, be it due to work incapacity or out of sheer necessity. These workers are entitled to an express acknowledgement that the policy did not work and are therefore entitled to compensation.

14. For certain categories of workers, for whom the preventive measures have no benefit or are not applied, the workers must be entitled to immediately cease their occupational activities and the employer must be obliged to immediately offer the worker another job. This must not negatively impact the labour law situation. Where appropriate, the employer is obliged to educate the worker free of charge, bearing in mind a realistic transition period for the worker.

15. Relatedly, everyone must have the possibility of anonymously submitting complaints to either trade unions, workers representatives or competent national/ regional/ company bodies, which will be rapidly acted upon.

16. Bearing in mind the typical sectoral and professional characteristics of an "arduous occupation", it is very important that all measures are realistically discussed/ negotiated between the sectoral social partners at central and company level. Accordingly, a target result must be worked out, not just some commitments.

17. Bearing in mind the negative medium-term and long-term impact of the exercise of an arduous occupation, an occupation should be deemed to be "arduous" while taking into account the actual state of health of the worker, including the possibility of a compensatory approach via early retirement schemes, in the 1st, 2nd and 3rd pension pillar. The definition and categorisation of specific occupations into 'arduous occupations' must be enacted legally and for those that are

legally defined as arduous, then early retirement schemes must be made available with regard to 1st and 2nd pillars. These schemes must be negotiated by the representative social partners and take due consideration of the arduousness of the occupation.

18. The national trade unions are strongly urged to submit the issue of arduous work on the negotiation table whether within the framework of bi-partite collective bargaining or the tri-partite negotiations with the national authorities/ government and the employers.

19. European policy pushing for a uniformly prolonged working career has proved to be not appropriate and must be modified. Accordingly, all parties reject the unilateral political decision that all workers must prolong their working career under all circumstances. This kind of blind policy takes no account of the reality of “arduous occupations”.

20. The link between “arduous work” and “precarious work” is a matter of primary concern and leads to the overall conclusion that “precarious workers” not only suffer from poor working conditions and social protection, but also from the danger of jeopardizing their physical and psychological wellbeing.

21. Special focus must be placed on the situation of foreign workers, especially coming from Eastern European countries, who are subject to arduous work but do not have access to trade union or administrative assistance given their situation (non-declared work) or out of fear of being fired.

22. External factors, which directly or indirectly contribute to the development of an arduous nature of an occupation, such as production processes, tools/ instruments/ machineries and HR developments should be assessed in a broader context in order to have an overall picture of all factors and by identifying a share of responsibility to all parties. This project could not address this topic but the project parties recommend the establishment of a comprehensive research project on arduous occupations.