

Framework Agreement on Prevention from Sharp Injuries in the Hospital and Health Care Sector

(4 August 2009) The above framework agreement was signed by Karen Jennings, EPSU Chair of the Health and Social Services Committee, and Godfrey Pereira, General Secretary of HOSPEEM, the European Hospital and Healthcare Employers' Association on 17 July in the presence of Employment and Social Affairs Commissioner Vladimir Spidla and Anne-Marie Perret, EPSU President. Both the decision making bodies of EPSU and HOSPEEM have endorsed the agreement and its signature concluded 6 months of negotiations. I would like to take the opportunity to thank the members of the EPSU negotiating group in particular, for their valuable input and expertise without which we would not have been able to reach this agreement. This agreement will contribute in a major way towards the improvement of working conditions of millions of healthcare workers in the European Union and beyond. It takes a holistic approach, making the link between risk exposure / assessment and the work environment, stressing the importance of a well resourced and organized working environment. As a directive the agreement will become binding legislation in EU Members States and countries of the European Economic Area. But the agreement can also be used as a model text for the improvement of relevant health and safety provisions in Europe as a whole. We enclose a copy of the signed agreement to this letter. The agreement will be translated into all EU languages. EPSU will ensure that a translation of the text into Russian will be made available.

Contents of the agreement:

- General considerations: The agreement is put into the context of relevant EU health and safety directives, in particular Council Directive 2000/54/EC on the protection of workers from risks related to the exposure to biological agents at work. Importantly, reference is also made to Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community. Last but not least, reference is made to the joint ILO/WHO guidelines on health services and HIV/AIDS and the joint ILO/WHO guidelines

on post-exposure prophylaxis to prevent HIV infection.

- Purpose: to achieve the safest possible working environment and prevent workers' injuries by an integrated approach in risk assessment, risk prevention, training, information, awareness raising and monitoring.'
- Scope: all workers in the hospital and healthcare sectors, and all those who are under the managerial authority and supervision of the employers; workers include trainees and apprentices and temporary workers; whilst students in clinical training are not considered as workers under this agreement, the agreement states 'that they should be covered by the prevention and protection measures outlined'.
- Definitions: we have endeavored to ensure the broadest possible coverage, so that workers include any person employed by an employer, including trainees and apprentices in the hospital and healthcare sector related services and activities as well as agency and temporary workers. Emphasis has been put on a hierarchy of measures, defined in order of effectiveness to avoid eliminate and reduce risks of injury and infection.
- Principles: the importance of a well trained, adequately resourced and secure health service workforce is underlined as essential to prevent the risk of injury and infection from medical sharps; exposure prevention is key; the role of health and safety representatives is underlined; the agreement establishes a hierarchy of risk elimination and prevention; importance of awareness raising and 'no blame culture'.
- Risk assessment: to include an exposure determination, understanding the importance of a well resourced and organized working environment; it shall take into account technology, organization of work, working conditions, level of qualifications, work related psycho-social factors.
- Elimination, prevention and protection: Importantly, the agreement provides that the practice of recapping shall be banned with immediate effect. Safe procedures for using and disposing sharps as well as contaminated waste must be put into place. The unnecessary use of sharps is to be eliminated; technically safe containers must be available for the disposal of sharps and injection equipment as closely as possible to the assessed areas where sharps are being used or to be found. Free vaccination has to be provided in case of injury for all workers and students.
- The importance of information, awareness raising, training and reporting is elaborated in its different facets.
- Response and follow-up: steps for the care of the injured worker, including the

provision of post-exposure prophylaxis; counseling of workers where appropriate and guaranteed medical treatment. Rehabilitation, continued employment and access to compensation shall be in accordance with national and/or sectoral agreements or legislation.

- Implementation: A non-regression clause ensures that this agreement will be without prejudice to existing, future national and Community provisions which are more favorable. With transposition into a Council Directive the agreement will become binding legislation.

Follow-up:

Both parties have requested the European Commission to take the necessary steps according to article 139, 2nd indent of the European Treaty. We have been informed that the processing of the agreement by the European Parliament and Council should be finalized by the end of the year. The practice is that these institutions are invited to express a view but that they cannot touch the substance of the text. In the autumn, we will explore the possibilities of how to best promote the dissemination of the framework agreement, in cooperation also with the European Health and Safety Agency in Bilbao. Ideally, every health care workplace should be in possession of our agreement. Equally important will it be that national social partners are involved into the process of national transposition. Language versions of the agreement will have to be scrutinized by national social partners in comparison with the English original text Yours sincerely

[Signed final agreement](#) (in all EPSU languages)

- [Log in](#) to post comments
- [Printer-friendly version](#)

Policies

[Health and Safety](#)

[Social Dialogue](#)

Sectors

[Health and Social Services](#)

Document types

[Project document](#)