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# **Risks and challenges of the contemporary Work environment**

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[www.mbolaw.it](http://www.mbolaw.it) [www.legalabroad.com](http://www.legalabroad.com)

# “What we talk about when we talk about work”

*Work provides:*

- Economical basis for a living (*What do you do for a living?*)
- Measure for self-esteem (*I for myself*)
- Social identity (*I for the others*)

# The tutelage of the individual at work: not only personal injuries

Because of the **economical – personal – social** meaning that work has, the tutelage of individuals in work environment operates in two directions:

- Protection of the **worker's health**
- Protection of the **worker's dignity**

This principle is clearly expressed in Art. 31 of the

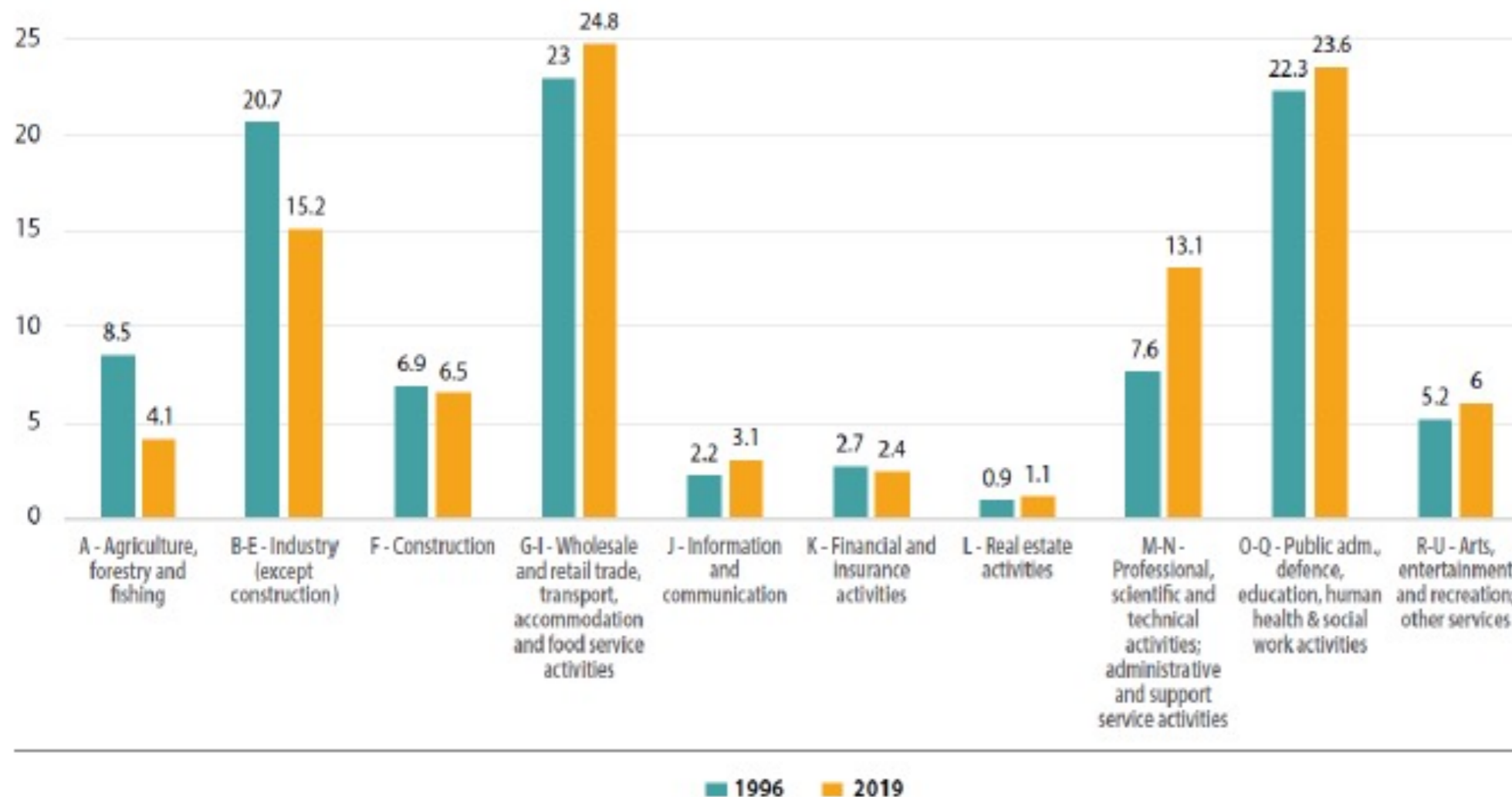
## CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION

*“Every worker has the right to working conditions which respect his or her health, safety and dignity”*

# The sectors where people work in the EU

In the E.U. there are currently 197 million workers

Share of 10 main economic activities in EU total employment, 1996 and 2019

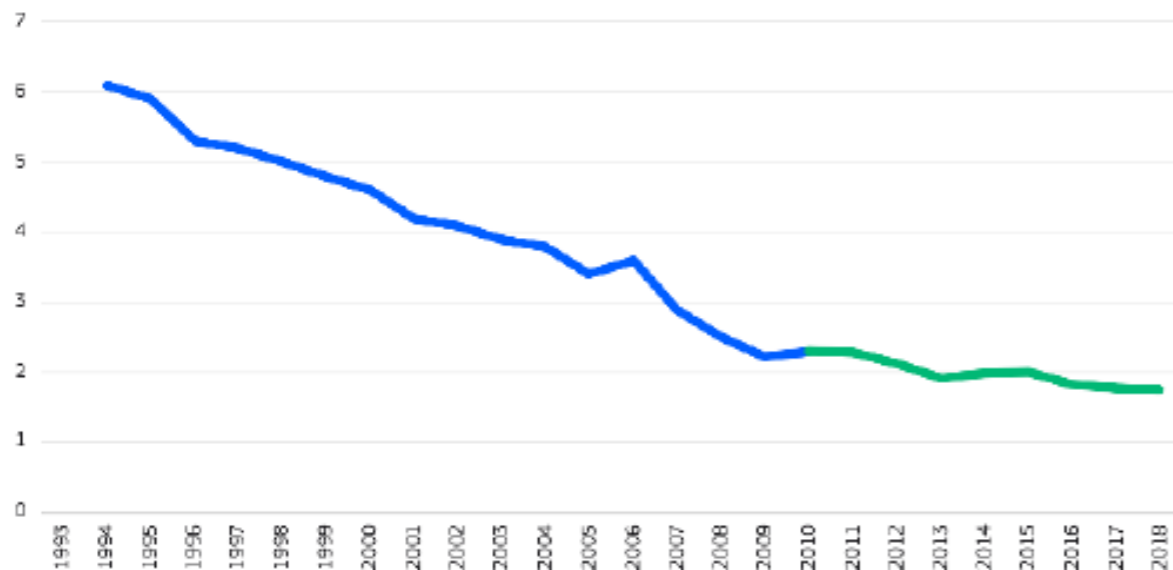


**The major changes:**  
 - 26,6% in manufacturing  
 + 16,0% in services

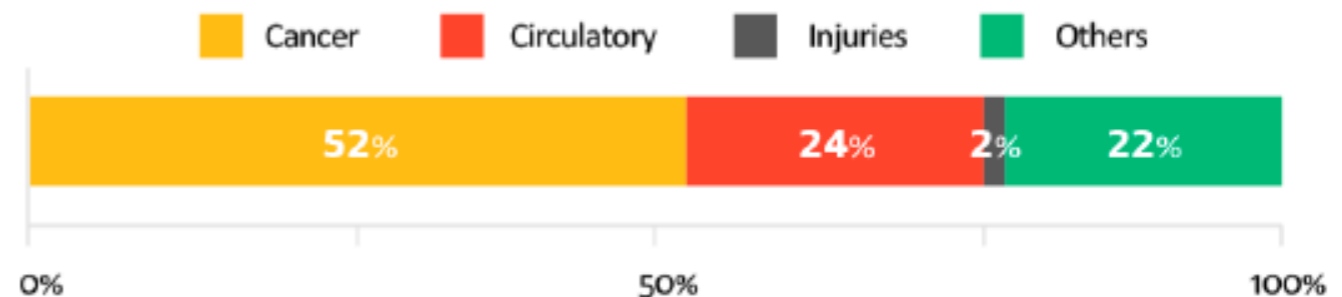
# Accidents and work-related diseases in the EU

- The amount of fatal injuries at work in the EU has decreased by 70%.
- Every year, though, 200.000 workers die due to work-related diseases

**Figure 1: Fatal accidents at work in the EU – 1994-2018 (cases per 100,000 employed persons)**



Causes of work-related fatalities (%) in the EU



# E.U. MEGA TRENDS

## Massive use of A.I.

- High risk of decrease in total employment
- Polarization of the work market

## Ageing of the population

- In 2005, 20 million workers aged between 55 and 64 (11% of total)
- In 2019, 36 million workers (18,4% of total)

## Growth of computerization (*digital labour*) and work/workplace dissociation

- Uncontrolled raise in the working time and availability of the worker.  
European Parliament Resolution on the right to disconnect (2021/C 456/15)
- Loss of control over the workplace by the employer
- Isolation

## Immigration

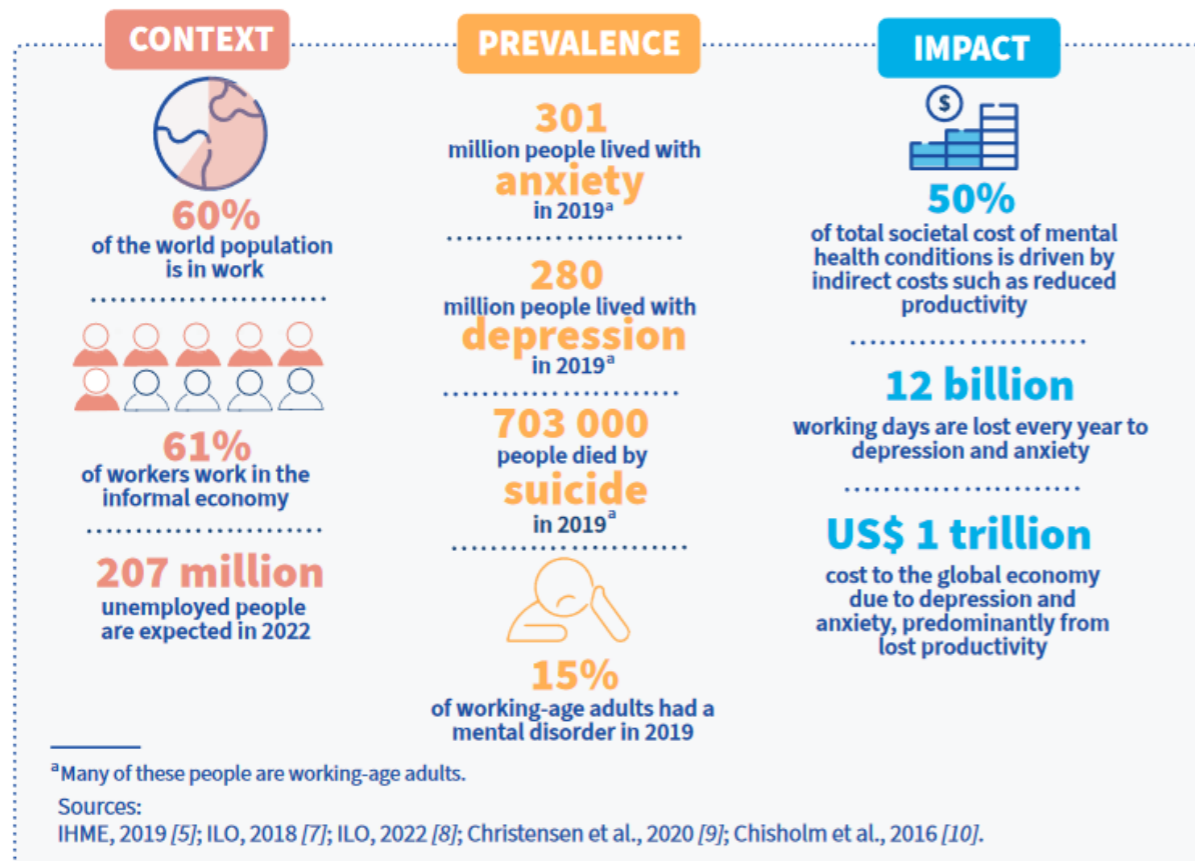
# E.U. MEGA TRENDS

## Climate change and Green Transition

- Natural phenomena, heat above all
- New products and new materials
- Greening of Buildings
  - Energy Performance of Buildings Directive 2010/31/EU, and successive amendments
  - Communication from the Commission on A Renovation Wave for Europe COM(2020)662 – *High health and environmental standards*

# E.U. MEGA TRENDS

## Overflow of psychological diseases



### European Commission Actions:

- COM(2005) 484: Green Paper Improving the mental health of the population
- Mental Health: good practices and implementable search results, 2019
- A Comprehensive Approach to Mental Health, 2023



# Health and safety at work Strategic framework for the EU



Brussels, 28.6.2021  
COM(2021) 323 final

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL  
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

**EU strategic framework on health and safety at work 2021-2027  
Occupational safety and health in a changing world of work**

{SWD(2021) 148 final} - {SWD(2021) 149 final}



Occupational safety and health in Europe:  
state and trends 2023

# Emerging Risks and diseases

- Cancer

Main cause of work-related deaths in the EU.

A potential risk factor is the exposure to asbestos, lead, cobalt or radon.

- Cardio-circulatory diseases

Follow-up studies of working population have linked several psychosocial factors to the increased risk of cardiovascular disease.

- Reprotoxic substances related risks

New risk factor, lead the European Parliament and Council to issue the 2022/431/EU Directive on Risks Related to Exposure to Carcinogens or Mutagens At Work

# Emerging Risks and diseases

- Pesticides-related risks in agriculture
- Ageing
- Seasonal workers and immigration
- Covid 19 related diseases

Known to cause tumours, lymphomas, neurodegenerative diseases

Rises the need for a specific surveillance

Seasonal workers (especially immigrants) are heavily threatened by work-related injuries and diseases.

Has been a work-related disease for many categories of workers!

# Mental health at work in numbers

- Since the beginning of the 2000s, it is estimated that up to 30% of the total days of work loss is due to stress (EU-OSHA, Work-related stress factsheet, 2022)
- Work-related diseases caused by stress can include strokes and cardiovascular diseases (EU-OSHA, 2014)
- In the European Union, work-related stress is the most common health issue on the workplace, after back pain (EU-OSHA, Work-related stress factsheet, 2022)

*“Work can be a protective factor for mental health, but it can also contribute to potential harm”*

# Psychosocial Risks

## Causes:

- From industrial to tertiary sector
- Post Pandemic trauma and war in Europe
- Endless connectedness
- Non standard contractual forms (*«It is impossible to maintain long-term targets in a short-term society»*)
- Drop of self-identification through job
- Cheap workers (*«A little-paid worker is a worker who's worth a little»*)

# Clandestine immigration

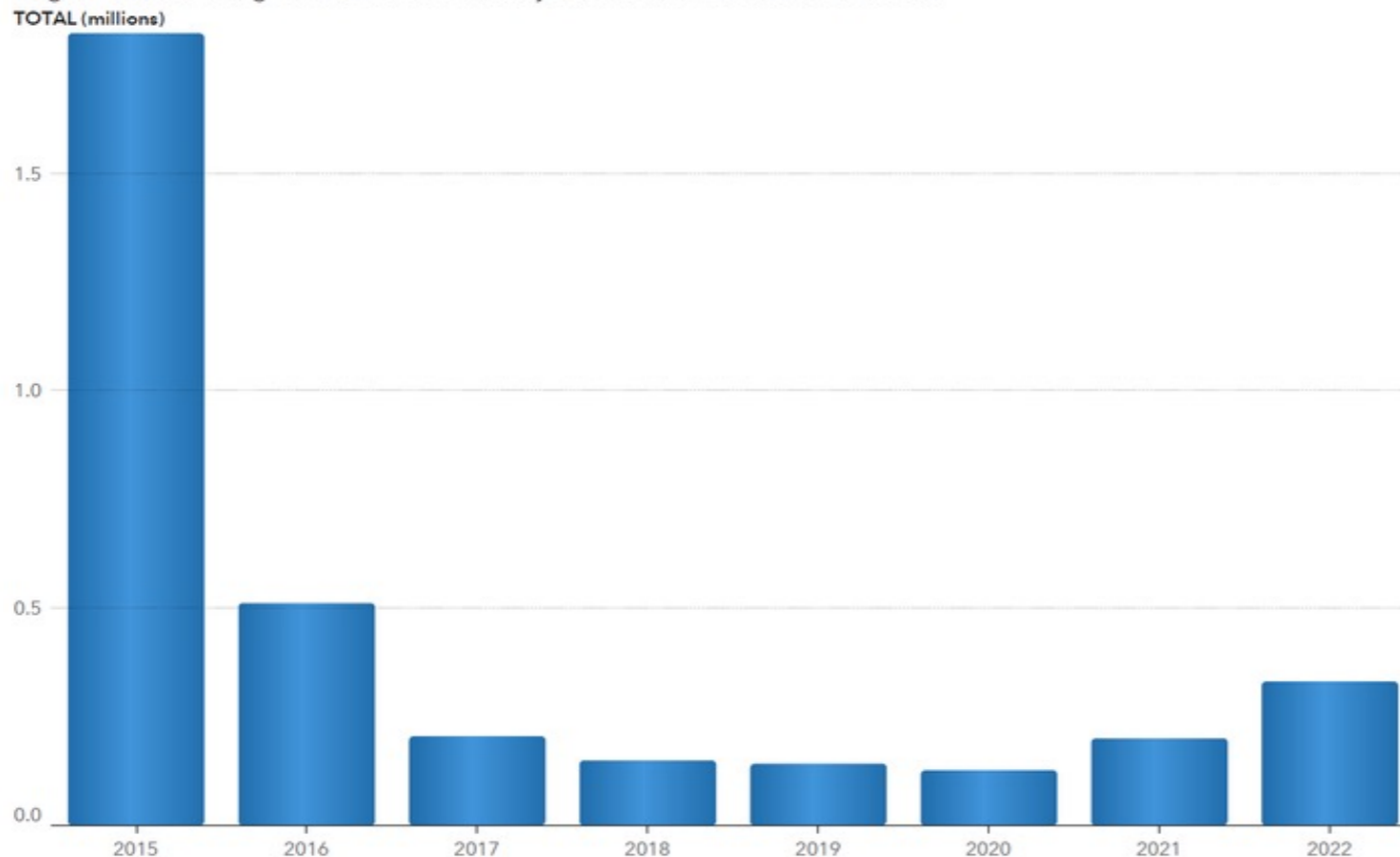
## Regular immigration

- 2.9 M **first permits** were issued in the EU in 2021 (source: Eurostat)

## Irregular immigration

- 340.500 **repatriations ordered** in 2021
- 330.000 **irregular border crosses** (both by sea and land) detected in 2022
- Up to 4.8 M estimated **«Overstayers»**, people whose permit expired, in the EU

Illegal border crossings between BCPs on entry from third countries in 2015-2022



Irregular border crosses have been almost stable after the 2015-2016 peak, due to the Syrian crisis.

Last year was first by irregular border crosses since 2016.

Source: Frontex, EU's external borders in 2022: Number of irregular border crossings highest since 2016

# Challenges

- Understanding the change
- Provide workers with full protection
- Adapt the law instruments to the changing times

# Directive 89/391 Principles of Prevention

The employer has the obligation to guarantee safety and health “*in all aspects related to the work*”;  
to implement measures concerning the prevention of occupational risks  
“*adapting the work to the individual*” (and not vice versa),  
“*adapting to technical progresses*”,  
taking “*social relations*” into account,  
to entrust the individual with tasks “*considering its capabilities as regards health and safety*”,  
the individual with tasks “*considering its capabilities as regards health and safety*”, of evaluating “*the risks of workers exposed to special risks*”,  
consulting the workers when introducing new technologies “*as regards the consequences of the choice of equipment, the working conditions and the working environment for the safety and health of workers*”.



The society of the future  
will greatly depend  
on the work it will be able to offer  
its citizens

**Good luck with your work!**