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Page 2: The right to a safe and healthy working environment becomes an ILO fundamental principle – An interview with Dr Annette Niederfranke

The power of sport

One of the main tasks of the German social accident insurance is to help people participate in life as much as possible after an accident. Sport plays an important role in the rehabilitation process. That is why the German social accident insurance is increasing its engagement in this area.

Sport is an important part of the rehabilitation process. Movement helps people to recover after an accident. When people are able to get active again and take part in social and professional life, this has a positive impact on their mental health and motivation. This process is supported by role models – people who serve as an example that physical or mental disabilities do not need to be an insurmountable barrier and that we can achieve our goals in different ways. In the coming years, the German social accident insurance wants to focus more on these role models from competitive sport, rehabilitation sport and recreational sport.

Disabled sport – 2024–2026 roadmap

“We want to use the 2024 and 2026 Paralympic Games to raise the profile of disabled sport and rehabilitation sport, and to raise awareness about inclusion and accessibility”, explains Gregor Doepke, Director of Corporate Communications at the German Social Accident Insurance (DGUV). “To do this, we will tell the stories of the athletes who have had a great deal of contact with the German social accident insurance institutions and BG Hospitals. However, we will also show the carers, family and friends of the athletes, who make it possible for them to take part in sport”. This will not be primarily about sport, but about participation, motivation and specific lessons



The “Disabled Sport 2024–2026 Roadmap” supports tennis player Britta Wend on her journey to the 2024 Paralympic Games. She would like her sport to be more popular.

that can be incorporated into a successful rehabilitation process. Several German social accident insurance institutions, the German Wheelchair Sports Association and BG Hospitals are taking part in the roadmap.

Accessibility for all

In the coming years, Germany will play host to international and regional events that will allow visitors to experience sports played by people with disabilities live. The roadmap will tie in with their attention. According to the most recent participation report published by the German Federal Government, over a half of people with disabilities do not take part in sport, and many don't even know that sport is even a possibility with a disability. There is also a need for action with regard to the accessibility of sports facilities, the availability of resources such as sports prostheses or sports wheelchairs as well as with regard to access to sports in rural areas. Therefore, comprehensive advisory offerings from the disabled sports associations and the further education of people in the medical and paramedical fields, in rehabilitation management, in education and in sports education are crucial components to ensure that people with disabilities are motivated and advised on how they can find the right sport for them.

Getting back to work with rehabilitation sport

“Our experience with rehabilitation and in working alongside para-athletes shows that sport strengthens both physically and mentally. This makes it easier to re-enter social and professional life”, says Doepke. If insured individuals are looking for suitable work environments, DGUV job - the job placement service of the social accident insurance - can help them. At the same time, DGUV is leading the way as an inclusive employer with the UN CRPD 2025 strategy. In doing so, DGUV is fulfilling its rehabilitation mandate and its social responsibility. “Inclusion should be the rule, not the exception”, summarises Doepke.

→ www.dguv.de/rehasport (German only)

With its UN CRPD 2025 strategy, the German social accident insurance is committed to integrating the opportunities offered by disabled sport into the rehabilitation of those who suffered an occupational accident or an occupational disease.

→ www.dguv.de › Webcode: d133311 (German only)



Dear Reader,

The new version of the SARS-CoV-2 Occupational Health and Safety Regulation entered into force on 1 October. Employers must develop hygiene concepts for the coming winter and define and implement protective measures for occupational infection control in the new regulation focuses on risk assessment. This means, there are no blanket specifications, but instead, measures should be selected according to the specific situation at the company. This provides a higher level of self-responsibility and freedom.

Risk assessment is the core instrument of occupational safety and health. It is used to systematically document risks at the workplace and derive preventative measures to protect employees. Around half of the companies in Germany, including small and micro enterprises, do not implement this mandatory measure at all. This was demonstrated by a survey by the Federal Institute for Occupational Safety and Health (BAuA). The risk assessment is an effective tool that allows companies to take a proactive approach. This is all the more important in times of crisis. Against the backdrop of the current energy crisis, for example, we receive questions from companies about how to proceed in the event of an extended power outage. There is no blanket response to this question. Every company and every institution has different requirements that they have to deal with. Ideally, they should do this in the context of a risk assessment.

Being proactive also helps to increase a company's resilience. When the lights suddenly go out, it is very helpful if you already have the emergency plan in the drawer.

Yours,

Dr Stefan Hussy
Director General of the DGUV

Dr Annette Niederfranke, Director of the International Labour Organisation (ILO) Office for Germany.

“For us, it is about initiating change processes.”

The four fundamental principles and rights have been updated with a fifth – a safe and healthy workplace. As a result of this update, all ILO Member States are fundamentally required to respect and promote the right to a safe and healthy work environment. DGUV Kompakt spoke about the decision with Dr Annette Niederfranke, Director of the International Labour Organisation (ILO) Office for Germany.

Dr Niederfranke, what should we take from the decision to add safety and health at work as a fifth fundamental principle of the ILO?

This is a landmark decision by the 187 ILO Member States. This is because it directly benefits employees. The fundamental rights and obligations at work have a special status – and now these include occupational safety and health. What is special about these principles is that they are considered to be human rights and are universally applicable. They apply even when states have not ratified this Convention. All Member States must regularly give an account of the specific ways in which they are implementing the fundamental principles and rights at work. During this process, the social partners of the Member States can participate and provide their comments and/or complaints about the implementation.

In addition to the right to a safe and healthy work environment, the fundamental principles and rights at work include the elimination of all forms of forced or compulsory labour, the effective abolition of child labour, freed collective bargaining and the prohibition of discrimination at work, including equal pay.

Why has the ILO only decided to take this step now?

For a long time there was no consensus about how the fifth fundamental principle should be defined, i.e. which ILO labour and social standards should be adopted. This has now been decided. I am convinced that the COVID-19 pandemic accelerated this decision. The pandemic demonstrated how important occupational safety and health is for individuals, for companies and for the economy as a whole.

Estimates from the WHO and the ILO also show the importance of a stronger emphasis on occupational safety and health on a national and global scale. According to these estimates, in 2016, work-related illnesses and injuries were responsible for the deaths of 1.9 million people. There are also a high number of people who become ill or get injured at work, some of which suffer long-term income losses, which leads to a risk of poverty.

Was the right to a safe and healthy working environment not important enough previously?

No, that is certainly not the case. Ensuring a safe and healthy working environment is a major focus of the ILO's work in the Member States and of its development cooperation. Nevertheless, such far-reaching decisions require a consensus to be reached by all parties in the ILO – including governments and the representatives of the social partners. As is often the case, a consensus could not be reached overnight. It takes time or an event like the pandemic to bring about a change in thinking. At the same time, the implementation of international agreements is also a challenge for governments: They review their national legislation to check whether they meet ILO standards. If this is not the case, the legislation needs to be adapted. This, in turn, has consequences for everyone who is bound by this amended legislation. Therefore, governments and social partners always weigh up the cost against the benefit. The pandemic underscored the benefits of the fifth fundamental principle.



Source: privat

Dr Annette Niederfranke sees the recognition of safety and health at work as a human right as a decision that strengthens the ILO fundamental principles.

What does the addition of the fifth principle say about the other four fundamental principles?

I view the decision to recognise the right to a safe and healthy work environment as a human right, as one that strengthens the fundamental principles. It sends the signal that we are keeping a close eye on things and embracing global developments. This does not detract from the importance of the existing fundamental principles. In contrast, we are toughening up the laws in order to close the gaps and improve labour rights.



The fundamental principles and rights at work have a special status – and now occupational health and safety is one of them.

What specific impacts can we expect to see this have?

Governments must regularly give an account of what they are doing to ensure the right to a safe and healthy work environment is respected. This creates an increased level of awareness and transparency, including for violations of this right. This, in turn, gives rise to a dialogue that can result in real-life changes. Let's

take Qatar as an example: In 2014, the ILO criticised the country, over its failure to effectively fulfil its obligations with regard to the elimination of forced labour. In the context of the FIFA World Cup, the kafala system was criticised specifically, as this system did not allow migrants to change jobs or leave the country. This complaint gave rise to a dialogue with the government about possible changes to the law. Since 2021, migrants have been permitted to change their job and leave the country as desired.

This shows that, for us, it is about initiating change processes. To do this, we need to voice criticism where necessary and provide help and support. This is done with the aim of ensuring comprehensive occupational safety and health for all. This human right will continue to become increasingly important in light of climate change. Extreme heat and cold have a negative impact on physical well-being and can be fatal. Having the right protection at work is vital – and we are now recognising this by upgrading occupational safety and health to the level of a human right.



**International
Labour
Organization**

The International Labour Organization is a special agency of the United Nations and is committed to promoting social justice as well as human rights and labour rights.

www.ilo.org/berlin

More stress at work

44 percent of the workforce in the EU are experiencing increased levels of work-related stress as a result of the pandemic. This is according to the OSH Pulse survey commissioned by EU-OSHA. Almost half of the respondents said they are exposed to severe time pressure or work overload.

Other factors causing stress include poor communication or cooperation within the organisation and a lack of control over work pace or work processes. A number of work-related health issues that are commonly associated with stress are reported by a quite large proportion of workers, including lasting fatigue, headaches, eye strain, muscle problems and pain. 30 percent of the respondents reported at least one of these health problems.

However, one positive development is the fact that talking about mental health is no longer considered taboo. According to 50% of workers, the pandemic has made it easier to talk about mental health at work. But, not all workers feel comfortable talking about how they feel. Half of the respondents stated that they worry that disclosing a mental health problem could have a negative impact on their career.

The Institute for Prevention and Occupational Medicine of the German Social Accident Insurance (IPA) also investigated the impacts that the pandemic has had on the mental health of workers. In one study, the IPA found that the risk of severe mental health problems has increased among workers with a potentially higher risk of infection at work. The results of the survey also showed an increase in the mental burden faced by workers over the course of the pandemic.

In addition to the infection risk, other factors also influenced the severity and frequency of symptoms of anxiety and depression. These factors include conflict between work life and private life, a lack of instruction on infection control and a lack of contact with colleagues. By paying closer attention to these factors, companies can help to improve the mental health of their employees and provide better protection in future crisis situations.

www.osha.europa.eu/en > Facts and figures > „OSH Pulse“

www.dguv.de > Webcode: p021545, dp1319774 (German only)

Smaller company, higher risk of accidents

Data collected by the German Social Accident Insurance (DGUV) shows that there is a lower risk of suffering an accident at large companies with over 500 employees than at small and medium-sized enterprises (SMEs). Companies with 10 to 49 employees have the highest rate of occupational accidents, while large companies with over 500 employees have the lowest. There reasons are many and varied. On the one hand, there is an uneven distribution of company sizes across the various

industries. Many of the large companies are office workspaces and administrative buildings with a low accident risk. Another reason for the findings is that management systems for occupational safety and health tend to be established more often in big companies. In order to support small and medium enterprises, the German social accident insurance institutions provide tailored offerings.

→ www.dguv.de › Webcode: d69167
(German only)



→ www.dguv.de › Webcode: p022235
(German only)

Accident rates according to company size in 2021



New accident pensions

Micro enterprises have the highest rate of accident pensions per 1000 FTE employees. Accident pensions are an indicator of serious accidents.



Company number replaces member number

All companies in Germany that are a member of a German social accident insurance institution will be given a new, uniform nationwide company number from autumn 2022 onwards. This company number will replace the previous member number and its use is mandatory from 1 January 2023 onwards. With the Seventh Act to amend the Fourth Book of the German Social Code, the legal basis was established for both the new administrative code and also for the transition process.

The company number consists of two parts: The first twelve digits are the entrepreneur number (Unternehmensnummer).

This is assigned to a person upon first taking up entrepreneurial activity. The number is assigned only once and remains in place permanently. The entrepreneur number (Unternehmensnummer) is supplemented with three end digits that allocate one or more companies to the owner. The 15 digits then serve as the company number.

The company number is used as an identifier that businesses need in order to report social insurance data or provide wage statements, for example. On the other hand, the German social accident insurance institutions require the number in order to allocate requests, insurance cases

or prevention services to the companies, for example.

The entrepreneur number is listed in the central entrepreneur directory. The directory accelerates and simplifies the exchange of data between companies and the accident insurers and makes the German social accident insurance even more digital and citizen-friendly. Furthermore, it also has the potential to link the data directories used by the various branches of social insurance throughout the country.

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