

Occupational Safety and Health and Workplace Health Promotion in Germany

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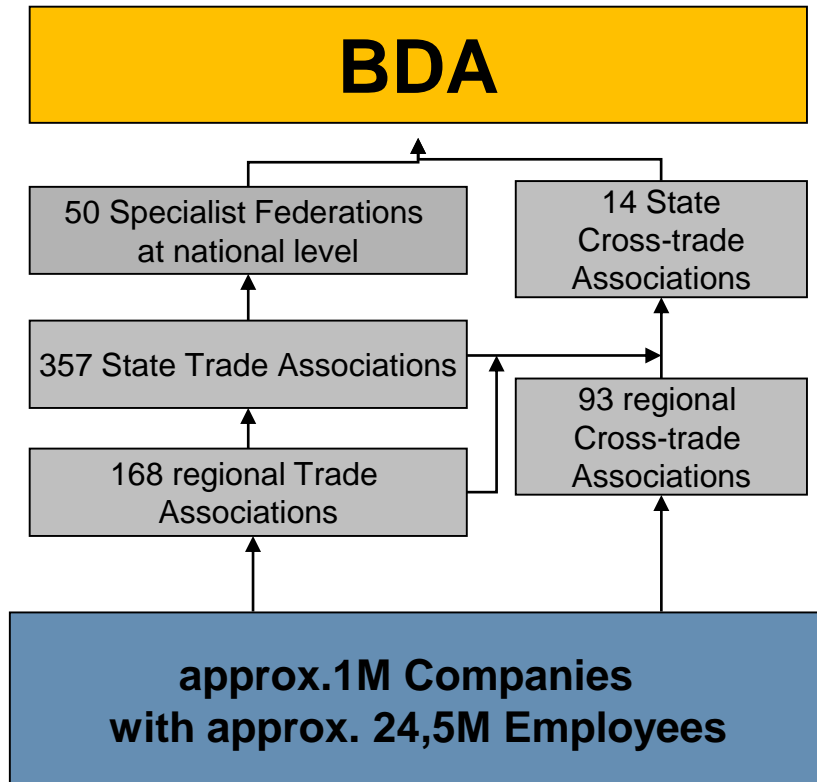
Confederation of German Employers' Associations (BDA)

Deputy Director, Social Protection

Occupational Safety and Health and Workplace Health Promotion in Germany

- I. What is the BDA (Confederation of German Employers' Associations)?
- II. How does occupational safety and health (OSH) in Germany „work“ and what benefits can the companies get from good OSH?
- III. Workplace Health Promotion – motivation and economic incentives for employers
- IV. Conclusions

Confederation of German Employers' Associations (BDA)



BDA's missions:

- Representation of business interests in the field of social policy (central mission)
- Engagement in the work of committees at national, European and international level, in expert hearings, in social insurance self-administration bodies
- Discussion partner for its members, the general public, German government and German parliament on all issues linked to social and pay policy, labour law, education personnel and society policy
- Organisation and moderation of cross-sectoral and country-wide consensus between its' members

II. Occupational safety and health (OSH) in Germany

- Health and safety regulations can be found in various laws and regulations of the State and in accident prevention regulations of the Social Accident Insurance
- The State regulations are increasingly based on EU directives
- The Statutory Accident Insurance has a supplementary rulebook. It consists of accident prevention regulations (binding for the companies), rules and information.
- All companies in Germany have to be member of a Statutory Accident Insurance (Berufsgenossenschaft: German Social Accident Insurance Institutions for trade and industry)

II. Occupational safety and health (OSH) in Germany

The German Social Accident Insurance Institutions are to:

- prevent occupational accidents, occupational diseases and work-related health hazards **“with all suitable means”**;
- restore the health and performance of the insured **“with all suitable means”** after an occupational accident or an occupational disease;
- award monetary compensation to the insured or their surviving dependants.

II. Occupational safety and health (OSH) in Germany

To promote Occupational Safety and Health the members of the German Social Accident Insurance have developed an extensive catalog of measures:

- **incentive systems**
- consultation
- supervision by occupational physicians and OSH professionals
- assessment
- research, development and pilot projects
- information on consultation
- testing and certification
- set of rules and regulations
- qualification
- supervision inclusive of event-related consultation

II. Occupational safety and health (OSH) in Germany

- Incentive systems – possibilities according to the Code of Social Law:
 - Despite from non-monetary benefits for companies who have safe and healthy working conditions, companies can also get monetary benefits from their Statutory Accident Insurance
 - The Statutory Accident Insurance has according to the Code of Social law (§ 162 SGB VII) two possibilities how they can give monetary benefits to companies with good OSH:
 - Awards for companies with prevention measures, which go beyond what the occupational health and safety laws usually require

II. Occupational safety and health (OSH) in Germany

- Premium discounts for the premium to the Statutory Accident Insurance (e.g.: premium discount for a company which has less occupational accidents than the average of similar companies in their sector).
- The Statutory Accident Insurance with their self-administration (representatives of the employers and the employees) can decide on their own, for what measures in the field of health and safety they want to give awards or premium discounts.

II. Occupational safety and health (OSH) in Germany

- OSH is very important for German companies
- Health and safety at work are essential components of the legal obligation of the employer
- Healthy and safe working conditions avoid damage to the employees' health, enhances its images, improve business operations and processes, avoid costs of medical treatment, wage replacement costs and pensions for the social system and can bring awards or reduce the premium for the Statutory Accident Insurance
- OSH brings benefits for both: the employees' and the employers

III. Workplace Health Promotion (WHP)

- Workplace Health Promotion (WHP) is – in contrast to occupational health and safety – voluntary for the companies in Germany.
- Measures concerning WHP go beyond what is required by health and safety legislation. They are voluntary for the employers to offer and voluntary for the employees to take part.
- A lot of employers conduct WHP measures. And their number will increase because of the ageing workforce and the skills shortage.
- Between 2017 and 2024 the employees aged between 50 and under 65 will be 40% of the workforce potential. And the percentage of younger workers and potential trainees will decent.

III. Workplace Health Promotion (WHP)

- It will be more and more important
 - to keep the employees healthy, especially to hold the older ones in the working process.
 - to be attractive as a company for trainees and younger workers.
- One way to do so, is to offer workplace health promotion.
- The companies offer a lot of measures of WHP. The variety of those measures is great, e.g.:
 - Campaigns concerning drug and alcohol abuse
 - Providing healthy food options in canteens
 - Programs for a healthy back, stress management

III. Workplace Health Promotion (WHP)

- Health Checks
- Encouraging employees to exercise during the lunch break
- Supporting employees to join a gym or sports club
- The engagement of the companies is very high. In 2013 they spend 4,5 B € on prevention and health of their employees. That equals 41% of the total sum of 10,9 B €.
- Private households spent 4,0 B € (37%), the State 2,1 B € (19%).

III. Workplace Health Promotion (WHP)

- What do the employees do?
 - For them it is voluntary to participate in the offered WHP measures.
 - Often employees participate, who are “health concerned” anyway. It is difficult to get those ones involved, who normally do not take part in any preventive health measures.
 - Although a lot of companies offer measures concerning WHP it is important to realize, that each one of us is responsible for their own health.
 - Most of the risks addressed by WHP measures concern the private life (e.g. food, alcohol, drugs, exercise).

III. Workplace Health Promotion (WHP)

- The companies get support when they want to offer WHP measures from the statutory health insurance.

- The statutory health insurance funds are legally bound to provide WHP services which cover activities such as:
 - Analyzing the companies' health situation
 - Developing proposals for its' improvement
 - Supporting the implementation of suggested measures.

- In 2014 German health insurance funds spent 54 M Euro on WHP measures.

III. Workplace Health Promotion (WHP)

- Since July 2015 there is a new law in Germany: The Preventive Health Care Act
 - Strengthens the basis for enhanced co-operation among social security institutions, the federal states and the local authorities in the areas of prevention and health promotion
 - The health insurance funds have to spend more money on prevention (starting from 2016):
 - 7 Euro per year and member for prevention measures
 - 2 Euro there off for WHP measures

III. Workplace Health Promotion (WHP)

- Benefits of WHP:
 - Increased productivity
 - Improved employee satisfaction
 - Fewer absences from work
 - Improved morale
 - Reduced health risks
 - Reduced medical costs
 - Less staff turnover
 - Improved company profile
 - Attraction of new employees

III. Workplace Health Promotion (WHP)

- Measures of the company concerning WHP can be tax-free

- Since the beginning of 2009 the German government supports companies, if they are investing in WHP programs. Two possibilities:
 - Measures of WHP which are mainly in the company's own interest: no wage tax has to be paid

 - Independent thereof: If the measure is not mainly in the company's own interest: up to 500 Euro per year and employee, invested in specific WHP-measures, can be tax free

 - These WHP-measures have to fulfill certain requirements which are regulated in § 20 and 20 a Social Legislation Code V

III. Workplace Health Promotion (WHP)

- Requirements in the Social Legislation Code V concern quality, appropriation and goal-orientation.

 - Tax exemption of 500 Euro is not very attractive for the companies, because it is
 - difficult to differ if the measures are mainly in the company's interest, or if the measures are more in the interest of the employees. Some companies have problems with their fiscal authorities

 - very bureaucratic to document, which employee has attended what WHP measure and how often. Attendance lists have to be maintained.
- > This is all necessary to see if the amount of 500 Euro is reached

III. Workplace Health Promotion (WHP)

- Modifications should be made. Cut-off of 500 Euros should be deleted.
- Nevertheless the WHP measures should still need to fulfill the requirements according to the Social Legislation Code V.
- BDA asked the legislator to do so, but until now, there are no changes planned.
- Independent from that: Because of the ageing workforce and the skills shortage in Germany more and more companies will offer their employees WHP measures.
- But important is also: the employees have – in the first place – a responsibility for their health!

IV. Conclusions

- Occupational safety and health and workplace health promotion are very important for German companies. The companies offer a lot of measures for the health of their employees.
- Measures in these areas are important for social and economic reasons.
- Incentives are important for companies to conduct those measures, but they are not essential.
- Due to the ageing of the workforce and skills shortage it is getting more and more important for companies to look after the health of the employees. But the employees also have to assume responsibility for their own health!

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II. Occupational safety and health (OSH) in Germany

German Social Accident Insurance Institutions cover:

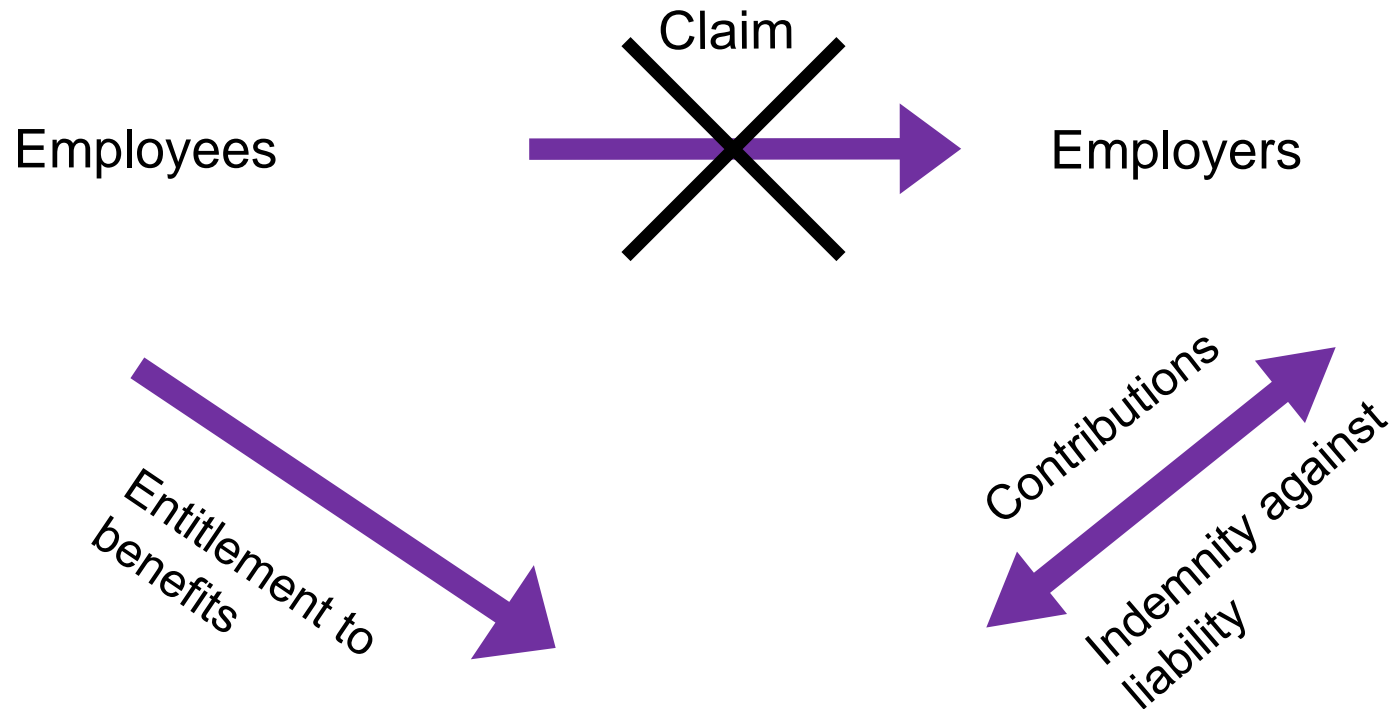
- occupational accidents
- commuting accidents
- occupational diseases

The contributions

- are entirely paid by employers
- Average rate: 1.21 % of companies payroll (range from 0.7 to 8 %)
- Amount depends on size of the payroll, sector of industry and risk class

II. Occupational safety and health (OSH) in Germany

Employer's Liability:



II. Occupational safety and health (OSH) in Germany

- Responsibilities and Targets of Prevention
 - To promote safety and health at work
 - To **reduce risks** for life and health
 - To **make** unavoidable **risks controllable**
 - To **support** the employer or institution **with advice** in the field of occupational health and safety