

Health and Safety Catalogue for Dutch Universities

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1. Introduction

1. Introduction

The amendment to the Working Conditions Act, which came into force on 1 January 2007, offers employers and employees the opportunity to compile a Health and Safety Catalogue at sector level. The Catalogue describes instruments, methods and solutions for the main work-related health hazards in the sector. By preparing a Health and Safety Catalogue for Dutch Universities themselves, employers and employees have greater influence on the enforcement policy of the Working Conditions Inspectorate. Instead of the current policy rules, issued by the Ministry of Social Affairs and Employment and the new 'sector brochures' of the Working Conditions Inspectorate due to be published, the sector's own Health and Safety Catalogue has become the enforcement standard.

During the Collective Agreement consultations of 27 November 2007, the Association of Universities in the Netherlands (VSNU) and the employees' organisations decided to compile a Health and Safety Catalogue themselves. To this end, the Health and Safety Catalogue Monitoring Committee was installed, with members representing both employers and employees. The Health and Safety Catalogue for Dutch Universities forms part of the Collective Agreement for Dutch Universities (CAO-NU).

Some Dutch Universities operate a joint working conditions service with the University Medical Centre (UMC). As part of the compilation process of the Health and Safety Catalogue, consultation has taken place with the authors of the Health and Safety Catalogue for the UMC for those instances showing overlapping employment risks and good practices have been consulted.

2. The risk

The Health and Safety Catalogue has been compiled while seeking maximum alignment with existing agreements and projects (such as those arising from the Working Conditions Agreement). A longlist and shortlist of employment risks were drafted and, subsequently, prioritised in consultation with the field.

With a view to the current phase of development of the universities as a sector in terms of health and safety, the emphasis is on promoting the cooperation between universities, on encouraging and, where possible, synchronising policy-making and on the mutual exchange of good practices. As an important instrument to promote such exchange, the Health and Safety Catalogue and available tools (good practices) are made accessible via a joint website.

The Health and Safety Catalogue was shaped in phases. In the first phase, risks were worked out with respect to:

- psychosocial workload and
- CANS complaints of arms, neck and shoulders)

In the second phase (to be worked out in the course of 2009), subjects included:

- hazardous substances
- company emergency response provision
- information and training for students and international staff/students, and
- hazard identification and risk assessment

3. Target groups

The target groups distinguished in the Health and Safety Catalogue are:

- Staff and participation bodies (faculty councils, university councils and works councils)
- Students, insofar as they, in view of the nature of their activities and/or work, can be deemed equal to staff
- Managers
- Health and Safety professionals (including prevention staff)
- Visitors and third parties

Viewed from a national perspective, the guidelines and tools in the Health and Safety Catalogue in particular support the group of Health and Safety professionals in the execution of their duties within the universities.

The managers are actively informed about the contents of the Health and Safety Catalogue so that they are aware of the preconditions and can apply these as basic principles in their daily actions.

Staff and participation bodies require a translation of the Health and Safety Catalogue into everyday practice at a local level. They can find practical tools and examples on the Health and Safety Catalogue website that will facilitate them in playing an active role in promoting health and safety at work.

4. Legal framework and working method

Quoted from NTA 8050 (Dutch Technical Agreement) for the compilation of Health and Safety Catalogues, NEN 2007:

"The employer holds primary responsibility for creating proper working conditions. It is obliged to pursue a working conditions policy by virtue of the Working Conditions Act. This policy must be aimed at creating the best possible working conditions. The implementation of this policy is a joint responsibility shared between the employer and the employees. The law stipulates the objectives which must be met by the policy. A concrete framework for these objectives is provided at individual firm level or at sector/industrial level. Employers and workers can define this framework, for example in the form of a Health and Safety Catalogue. The Health and Safety Catalogue is a description of means and measures that have been acknowledged by employers and workers and can be selected in order to meet the stated objectives. The Health and Safety Catalogue is not explicitly referred to in the law and as such does not have a formal legal status. Nonetheless, it plays an important role during inspections by the Working Conditions Inspectorate, which tests the Health and Safety Catalogue for reasonableness and subsequently uses it as a reference framework during inspections."

In order to meet the test criteria for a Health and Safety Catalogue, the Association for Universities in the Netherlands (VSNU) and the employees' organisations adopt the Health and Safety Catalogue together, as part of their Collective Agreement negotiations. The Health and Safety Catalogue and corresponding website are managed, maintained and developed further by a joint committee operating under the responsibility of the Collective Agreement parties. That committee is authorised to install workgroups with experts and employee representatives who develop and monitor measures and means that can be used to achieve the statutory objectives. The products and results of the workgroups are determined and given final status during the Collective Agreements consultations.

5. Ambitions, measures and means

The Health and Safety Catalogue for Dutch Universities explains how the universities give substance to the health and safety policy for their staff and students. The Catalogue ensures that, as a minimum, the universities meet the statutory provisions. In addition, the Health and Safety Catalogue is an indicative, practical and accessible tool that provides methods and means to promote health and safety up to a level that suits the primary objectives of research and education. The Catalogue is also an instrument to support staff and managers in their everyday duties and the choices that they have to make in the field of health and safety.

The Health and Safety Catalogue consists of sections that each deal with a specific risk. Each section describes the ambitions as well as the measures and means needed to meet the statutory provisions and realise the ambitions – all this in accordance with state-of-the-art science and technology. For each measure the Catalogue indicates which of the possibilities below are concerned.

5a. Provisions setting out the objectives

There are three types of provisions setting out objectives (*doelvoorschriften*)¹:

- *Concrete provisions setting out objectives* with statutory limiting health values (evidence-based) for exposure to hazardous substances, noise, etc. The universities are of course subject to these statutory provisions.
- *General provisions setting out objectives*, in which the desired level of protection is formulated by the sector itself, without having set an evidence-based, limiting health value. The measures to be taken must lead to achieving the objective agreed within the sector.
- *Process provisions* without a limiting health value. Process provisions indicate which subjects must be regulated in the health and safety policy as a minimum (agenda). A process provision makes a binding ruling that each university enters into specific agreements on the relevant risks. The subjects for the university to focus on are determined when setting the agenda. The contents of the agreements are at the discretion of the separate universities. The University Council / Works Council (participation bodies) exercise their statutory powers when implementing the process provisions.

The provisions setting out objectives are binding to a high degree. They can be used by the authorities as part of the enforcement effort and can be measured by the participation bodies.

5b. Provisions setting out the measures to be taken

Provisions setting out measures to be taken (*middelvoorschriften*) are measures and means to prevent or reduce (exposure to) certain risks. According to the recommendation of the Social and Economic Council, these are always recognised means and methods. In this instance, 'recognised' is taken to mean that research and experience have shown that the means or method demonstrably contribute to reducing the risk, as confirmed by specialists (researchers, experts). 'Recognised' usually also means that research has been conducted into the effects of the means or the measure.

Applying methods and/or means is always based on the occupational hygiene strategy. Provisions setting out measures to be taken set the level of protection, but the measures themselves are not binding. They can be replaced by equivalent alternatives, at all times. Health and Safety experts and participation bodies can supervise the equivalence of these alternatives.

5c. Good Practices

Good practices are tools and instruments used in university practice to reduce the exposure to occupational risks. They are tools that aim to make improvements and are not binding for the university, but they do indicate the minimum standard for the level of protection. They serve as a source of inspiration to managers, Health and Safety experts and participation bodies and can be freely copied and amended, as long as the required level of protection is met.

¹ source: What is a Health and Safety Catalogue? – Labour Foundation (p. 13)

All provisions, measures and means are communicated and made accessible via a website. The primary objective of the website is to serve as a central "repository" where all provisions, tools, instruments and experiences are stored.

6. Products

The Health and Safety Catalogue for Dutch Universities consists of this introductory text and the subsequent sections. Each section of the Catalogue provides a listing of the products that are relevant to the risk concerned. Each section includes good practices in the form of instruments, tools and/or descriptions.

The text of the Health and Safety Catalogue can be found on the website (www.vsnu.nl/arbocatalogus). The website forms an integral part of the Health and Safety Catalogue for Dutch Universities.

7. Evaluation

The Health and Safety Catalogue is a "live" document that requires regular updating following developments in the fields of science, technology and safety and as a result of practical experiences gained in the use of the Catalogue. To this end, a guidance structure will be set up under the supervision of the VSNU, with teams of experts per subject who will periodically assess whether the Health and Safety Catalogue must be updated. The VSNU and trade unions have agreed to evaluate the Catalogue and guidance structure within four years of adoption of the Catalogue.

8. Adoption

The Health and Safety Catalogue was adopted by the Collective Agreement parties on 29 June 2009. The Catalogue was submitted to the Working Conditions Inspectorate for assessment on that same date. The Working Conditions Inspectorate granted its approval on 6 October 2009.

2. Psychosocial workload

1. The risk

The concept of psychosocial workload was introduced in the Working Conditions Act in 2007. All factors causing stress at work fall within the scope of psychosocial workload. The origins of these factors can be found in professional duties, working conditions, labour relationships and terms and conditions of employment.

The Working Conditions Act also identifies undesirable behaviour (sexual harassment, aggression and violence, bullying) and work pressure as causes of psychosocial workload. Discrimination and stalking are not explicitly referred to in the Working Conditions Act, but are included in the Health and Safety Catalogue as undesirable behaviours.

Psychosocial workload can have serious consequences for the well-being and health of staff and affects the working conditions, the work performance, job satisfaction and the professional atmosphere.

Undesirable behaviour

Sexual harassment

Sexual harassment is classed as undesired sexual advances, soliciting for sexual favours or other verbal, non-verbal or physical behaviours which further include one of the following aspects:

- submission to such behaviour is used as a condition for employment of an individual, either explicitly or implicitly.
- submission to or rejection of such behaviour by an individual is used as a basis for decisions that affect the work of this individual;
- such behaviour results in or is aimed to achieve deterioration of an individual's performance and/or an intimidating, hostile or unpleasant professional environment.

Aggression and violence

Incidents in which a member of staff is physically or mentally harassed, threatened or attacked under conditions that are directly related to carrying out work. Intimidation is a form of implicit aggression involving psychological pressure, sometimes in combination with the abuse of a formal or informal position.

Bullying

Bullying at work is the systematic, undesired physical or mental treatment by one or more staff members of – in many cases – a single colleague, who is not (or no longer) capable of defending himself. Examples of bullying include: making jokes at someone's expense, isolation, insults or damaging personal properties.

Discrimination

Distinguishing on the grounds of religion, life principles, political opinion, race, gender, nationality, sexual orientation or civil status or any other grounds, without objective justification.

Stalking

The systematic and deliberate intrusion of a colleague's privacy with the objective of forcing the other person to do, omit or tolerate something and/or to cause fear.

Work pressure and stress

The concept of work pressure refers to the combination of man, work and working conditions. Due to this dynamic coherence, work pressure can be best explained from multiple

perspectives. Work pressure is a neutral concept in its own right. However, in this context it is taken to mean: a too high or too low pressure of work.

Work pressure can be taken to refer to the degree of imbalance between the requirements set by the work (work rate, complexity, variety and disturbances) and the possibilities offered by the work to meet these requirements (room for initiative and contact, autonomy and social support). In this definition, characteristics of the work can be classed as more or less suitable in relation to the physical, mental or social qualities of the staff involved. In private circumstances too the pressure can be such that it affects the ability of the staff member to meet the work-related requirements.

A second interpretation of work pressure is based on personal perception: the notion of the staff member that he cannot cope with the work and the concerns he has in that respect. Within this context, work pressure is a cognitive-emotional evaluation of the situation and therefore does not depend on the characteristics of the work alone, but also on the manner in which the staff member himself assesses the work.

Work-related stress

Work-related stress is understood to mean the consequences of a sustained imbalance between the requirements (work pressure) imposed by the professional environment on the staff member and the ability of that staff member to deal with this. The imbalance can also arise from an acute situation which is deemed threatening.

Work-related stress can be a consequences of work pressure. Whether an individual will suffer from work-related stress when exposed to high levels of work pressure largely depends on his or her personal ability to deal with it. Thus the ability to handle work-related stress largely determines the workload capacity of the staff member concerned.

Work-related stress can have adverse consequences, such as reduced productivity, loss of motivation, dissatisfaction, physical and mental symptoms, performance issues, absenteeism and incapacity for work. Hence it is of paramount importance to ensure that the work and the work organisation are optimally aligned to the qualities of individual staff members.

2. Target group

Staff of the universities who, within their professional capacity, are exposed to factors known to cause a psychosocial workload.

3. Legal framework

Working Conditions Act

Chapter 2 Working conditions policy

Working conditions policy, Section 3, paragraph 2

"As part of the general working conditions policy, the employer pursues a policy that is aimed at prevention of the psychosocial workload and, if this is not possible, to reduce this."

Working Conditions Decree

Part 4. Psychosocial workload

Section 2.15 Measures to prevent or reduce the psychosocial workload.

1. "If staff members are or can be exposed to psychosocial workload, the psychosocial workload risks are assessed within the framework of the hazard identification and risk assessment as referred to in Section 5 of the Act and, in the plan of action as referred to in that same Section, with due observance of scientific findings, measures are taken and implemented to prevent psychosocial workload and, if that is not possible, to reduce it.
2. Staff members carrying out work with the risk of being exposed to psychosocial workload shall receive information and training about the risks of psychosocial workload as well as about the measures aimed to prevent or reduce that workload.

4. Ambition of the universities

Undesirable behaviour

The universities aim to create a professional climate with a clear sense of social safety. Undesirable behaviour is not tolerated. Collegiality, integrity, respect and attention for the other person are deemed of paramount importance. The aim is to adequately respond to undesirable behaviour, in both formal and informal procedures.

Work pressure

The universities aim to align work and working conditions with the skills set of individual staff members, so that pressure of work issues and the adverse affects thereof are prevented and/or limited, where possible. Staff members also have a personal responsibility to protect their workload capacity and availability, e.g. by developing competencies *and* by timely signalling the work pressure that they experience.

5. Measures and means

5a. Undesirable behaviour

Provisions setting out the objectives:

- *limit values:*
No additions compared to the statutory obligations
- *process provisions:*
Universities pursue and propagate a policy with respect to undesirable behaviour. The policy addresses at least the following aspects:
 - appointing/installing one or more confidential advisors who work in accordance with an agreed competency profile
 - the procedure for handling complaints as laid down in a complaints procedure.

Provisions setting out the measures to be taken:

There are no specific means that are suitable to be prescribed. In time, the good practices may yield means that enjoy sufficient support to be promoted to a provision setting out the measures to be taken.

Good Practices:

- *Competency profile*: a package of professional and individual competencies which a confidential advisor must meet to safeguard satisfactory performance in this role.
- *Registration system*: a registration system that can be used to visualise and mutually exchange trends.
- *Periodic prevalence study*: the objective of which is to map out the nature and scope of undesirable behaviour among the workforce. The results can be mutually exchanged (benchmark).
- *Protocols for undesirable behaviour*: guidelines for managers and staff who are confronted with sexual harassment, aggression, bullying and employment-related conflicts.
- *Complaints procedure for undesirable behaviour*: model regulations describing formal and informal procedures that can be followed in the event of a report or complaint on undesirable behaviour.
- *Training* in dealing with aggression: training of skills that can be applied in a situation in which a staff member is confronted with aggression.
- *General leaflet*: information to staff regarding undesirable behaviour.
- *Questions from the hazard identification and risk assessment*: questions with regard to undesirable behaviour that can form part of the hazard identification and risk assessment.

5b Work pressure

Provisions setting out the objectives:

- *limit values:*
No additions compared to the statutory obligations
- *process provisions:*
Universities pursue and propagate a policy with respect to work pressure. The policy addresses at least the following aspects:
 - the long-term availability of staff
 - the use of a work pressure tool when signals from e.g. the hazard identification and risk assessment or a Staff Satisfaction Survey give reason to do so
 - offering training for staff to handle work-related stress issues
 - offering guidance options in the event of work-related stress issues

Provisions setting out the measures to be taken:

There are no specific means that are suitable to be prescribed. In time, the good practices may yield means that enjoy sufficient support to be promoted to a provision setting out the measures to be taken.

Good Practices:

- Work pressure instruments used by the universities to identify, analyse and reduce the work pressure
- Questions from the hazard identification and risk assessment: questions with regard to work pressure that can form part of the hazard identification and risk assessment.

All good practices are available on the public website, www.vsnu.nl/arbocatalogus. They are available as semi-finished products, i.e. they are editable (Word, Excel, PowerPoint) and can be adjusted to local circumstances. These tools are also available in English for international members of staff and students.

3. CANS (complaints of arms, neck and shoulders)

1. The risk

CANS or RSI?

So-called CANS is sometimes also referred to as RSI. As there is no transparency about the terminology used, the terms CANS, KANS (the Dutch term) and RSI are often mixed up. In this document, we use the term CANS. In practice, all three terms mentioned above will appear.

What is CANS?

CANS refers to complaints in connection with the neck, upper back, shoulders, arms, elbows, wrists and/or hands. These complaints concern regular or prolonged pain, tingling, a numb feeling and/or stiffness. They make it difficult or impossible for the patient to carry out certain manoeuvres or activities, which may lead to a loss of productivity, study delays or (long-term) absenteeism.

Risk factors

Apart from computerwork, all sorts of work may lead to CANS, such as certain laboratory activities. All these types of work are characterised by a static physical strain and/or repetitive movements. At universities, this concerns jobs that are identified by means of a risk assessment. This section on CANS primarily focuses on the risks associated with computerwork.

On average, university staff and students use a computer for more than two hours a day. computerwork is characterised by a static strain on the shoulder muscles, combined with a dynamic strain on the pulse and hand. Stress, prolonged computerwork and/or an incorrect working posture cause muscles to continuously tighten, which may lead to CANS.

The 5 Ws

CANS is a multi-factor complaints syndrome, which means that it arises as a result of a combination of physical strain, psychosocial workload and individual predisposition. Reference points for preventative action may include:

| Causes | Preventive action |
|----------------|---|
| Work duties | Computerwork is alternated with other tasks in order to prevent a lack of movement. |
| Working hours | If it proves impossible to alternate tasks, take regular breaks. |
| Work pressure | Peak loads, deadlines and stressful working environments must be avoided as much as possible. |
| Workplace | Computer workstations have an ergonomic setup. |
| Working method | Computer workers are aware of the risks and of what they can personally do to prevent complaints. |

Incidence

At the end of the 20th and the start of the 21st century, CANS was a considerable problem among staff and students at universities. The wide range of measures subsequently taken have led to a significant reduction in CANS-related absenteeism. This justifies a continuation of these (preventive) measures.

2. Target groups

Virtually all staff and students at universities regularly carry out prolonged computerwork and are therefore among the target group of this Health and Safety Catalogue. Ph D students working on their theses form a specific category, as they run additional risks. This also applies to students working on their essay. Counter clerks may also be regarded as a specific group.

The Health and Safety Catalogue contains self-help tools which are directly accessible for staff and students. It also contains tools that can be used by Health & Safety experts or management.

3. Legal framework

Working Conditions Act

Section 8.1 Providing information to staff and students.

Section 8.4 Monitoring compliance with instructions and regulations.

Working Conditions Decree

Section 5.2 Preventing and reducing dangers caused by physical strain.

Section 5.4 Ergonomic workplaces.

Section 5.9 Attention for computerwork in the hazard identification and risk assessment.

Section 5.10 Alternate computerwork with other tasks or a break every two hours.

Section 5.11 Examination of eyes and eyesight, and issuing eyesight correction instruments.

Section 5.14 The obligations also apply to working from home (but not, in this regard, to students).

Working Conditions Regulations (see appendix 1).

Section 5.1-5.3 Provisions setting out objectives regarding equipment and furniture, setup of the computer workstation and software.

Working Conditions Policy Rules

Policy rule 5.1 Computerwork; equipment and furniture

Policy rule 5.4-1a Seating work

Policy rule 5.4-3 Seating for counter work

Policy rule 5.11 The protection of eyes and eyesight when working on a computer

4. Ambition of the universities

The nature of work carried out at universities assumes regular computerwork. It is a fact that people are exposed to the dangers of computerwork. Given that fact, universities aim to prevent CANS-induced absenteeism and loss of productivity as much as possible and to take adequate measures in order to promote the recovery of staff/students suffering from CANS.

5. Measures and means

Provisions setting out the objectives:

- *limit values:*
No additions compared to the statutory obligations
- *process provisions:*
Universities pursue and propagate a CANS policy. The policy addresses at least the following aspects:
 - The ergonomic setup of workplaces for staff and students.
 - Information and instructions for staff and students, making them aware of the dangers of computerwork and the way in which they themselves can reduce those risks as much as possible. Extra attention for staff and students working on theses and dissertations.

- The availability of Health and Safety expertise in the field of CANS.

The following additional measures may be included in the policy:

- Workplace surveys within the framework of CANS prevention (whether or not after individual members of staff have reported CANS)
- An examination of the eyes and eyesight (vision test)
- Adjustable equipment in workplaces intended to be used by multiple workers (e.g. study rooms).
- A digital information pack on CANS at every university workplace
- Low-threshold provision of aids, such as workplace-regulating software
- Monitoring the incidence of CANS reports
- Specific measures to address CANS risks which are related to the large-scale use of laptops (particularly by students).

Provisions setting out the measures to be taken:

Currently, there are no specific means that are suitable to be prescribed. In time, the good practices may yield means that enjoy sufficient support to be promoted to a provision setting out the measures to be taken.

Good Practices:

Risk assessment

- CANS policy checklist: in order to assess the effectiveness of the CANS policy and the care system.
- CANS questionnaire: in order to identify CANS risks within the framework of a hazard identification and risk assessment on the departmental level.

Information

- Digital information: a digital information pack available at all university workplaces, which includes hyperlinks to workplace-regulating software.
- PowerPoint presentation: to be used by Health and Safety experts when orally informing staff or students.
- Text in general leaflets: to be distributed among staff or students.

Tools for workplace surveys

- Self-help tool: a digital tool that enables staff and students to assess and adjust their own workplace and working methods. Yet to be developed, in cooperation with Delft University of Technology.
- Workplace survey tool: a tool that enables a Health and Safety expert to systematically carry out individual workplace surveys and to report this to the client.

All good practices are available on the public website, www.vsnu.nl/arbocatalogus. They are available as semi-finished products, i.e. they are editable (Word, Excel, PowerPoint) and can be adjusted to local circumstances. These tools are also available in English for international members of staff and students.