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Answer given by Executive Vice-President Minzatu
on behalf of the European Commission
(14.3.2025)

The current EU occupational safety and health (OSH) regulatory framework providing protection for workers exposed to hazardous chemicals on industrial sites consists of the Framework Directive 89/391/EEC¹ and its related Directives in the area of chemicals, i.e. Directive 98/24/EC² and Directive 2004/37/EC³. The latter provide adequate protection for exposed workers and are updated when there is need to reflect new scientific findings concerning dangerous chemicals, or as a result of the five-yearly *ex post* evaluation of the health and safety at work Directives⁴, which may signal any needs for improvement. Member States are however allowed to adopt more stringent and specific provisions in this regard.

Safety and health at work of temporary agency workers is regulated under Directive 91/383/EEC⁵ which ensures that temporary agency workers are afforded, as regards safety and health at work, the same level of protection as that of other workers in the user undertaking and/or establishment. Directive 89/391/EEC and the related EU OSH Directives apply fully to all workers in the EU including temporary agency workers.

It is primarily for the Member States' competent authorities to ensure that the national legislation transposing these directives is properly enforced. The Senior Labour Inspectors' Committee⁶ assists the Commission regarding the enforcement aspects of the EU OSH legislation at the national level. The Commission monitors the correct implementation of these Directives by Member States and may decide to take appropriate action if the Member State fails to fully or correctly transpose EU rules, or if the Member State fails to fulfil its obligations under the relevant EU legal provisions.

¹ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, OJ L 183, 29.6.1989, p. 1; <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A31989L0391>

² Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work, OJ L 131, 5.5.1998, p. 11; <https://eur-lex.europa.eu/eli/dir/1998/24/oj/eng>

³ Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC), OJ L 158, 30.4.2004, p. 50; <https://eur-lex.europa.eu/eli/dir/2004/37/oj/eng>

⁴ See Article 17a of Directive 89/391/EEC.

⁵ Council Directive 91/383/EEC of 25 June 1991 supplementing the measures to encourage improvements in the safety and health at work of workers with a fixed- duration employment relationship or a temporary employment relationship, OJ L 206, 29.7.1991, p. 19–21; <https://eur-lex.europa.eu/eli/dir/1991/383/oj/eng>

⁶ https://employment-social-affairs.ec.europa.eu/policies-and-activities/rights-work/health-and-safety-work/senior-labour-inspectors-committee-0_en