KAN Kommission Arbeitsschutz und Normung

Standardization of services - comments by the OH&S groups within the Commission for OH&S and standardization (KAN)[1] regarding the treatment of OH&S issues

These comments are intended for members of standards committees, and are to provide guidance on whether a service standard should address OH&S aspects.

What is generally the objective of a service standard?

Efforts by policymakers at international and, in particular, European level are aimed at liberalizing the service sector by the creation of a statutory framework and cross-border agreements. Service standards are an example of such efforts[2].

Generally speaking, service standards are an instrument for the creation of uniform services. They permit comparison between the services to be provided and the quality which they attain. They thus support the market for services across borders.

May OH&S requirements constitute a part of service standards?

If standards are to be applied, ideally including across borders, they must not conflict with national regulations. Certain rules must therefore be observed during the development of service standards. These rules extend to the issue of whether OH&S aspects can be addressed in standards.

Service companies are obliged to observe existing requirements concerning occupational health and safety. Service companies also emphasize repeatedly that the OH&S measures to be taken constitute an important quality criterion of a service. It therefore appears reasonable in the first instance for requirements concerning the safety of the employees delivering the service to be included in a standard governing services.

Difficulties arise at precisely this point, however. Although it initially appears plausible and logical, the inclusion of OH&S provisions in such standards leads to constraints upon their suitability for cross-border application:

Owing to differences between countries in their social policy and safety culture, particularly where countries outside Europe are concerned, OH&S provisions are generally defined at national level. The OH&S directives issued for the European Union also take account of this situation, and specify only minimum requirements

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1 www.kan.de

2 For background information, see http://www.kan.de/pdf/basisdokumente/eng/backgroundinfo-services.pdf (partly in English)

for the health and safety of workers at work. When transposing these directives into national law, each Member State is at liberty to issue regulations which are stricter than these minimum requirements and which differ from those in force in other Member States.

The rules in force for European standardization therefore state that requirements concerning the health and safety of workers at work should not generally be formulated in standards[3].

The guides to international standardization activity require that standards be designed such that they can be applied throughout the world, ideally in the same form, and that they do not conflict with national regulations. These principles apply not only to the service sector, but also to all areas of "conventional" product standardization.

What are the consequences of this arrangement for the service sector?

This arrangement is of great relevance to the service sector, since services are influenced to a high degree by the individuals who deliver them. Requirements in standards concerning personnel may therefore be relevant to the **quality of the service** (e.g. the qualifications of the service provider, the instruction of personnel in organizational procedures, division of responsibilities, the equipping of personnel, technical facilities, documentation of activities; Table 1).

As soon as the **occupational health and safety of the individuals delivering the services is concerned**, however, a standard ceases to be an appropriate basis. Instead, the service provider must comply with the relevant national OH&S provisions.

For this reason, the requirements concerning the health and safety of persons delivering the service must not form a part of standards. Such requirements include those governing the wearing of personal protective equipment, facilities at workplaces for protection against specific hazards, occupational health check-ups, the provision of instruction on OH&S issues, and the definition of workplace-related limit values (Table 1).

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[3] For background information, see http://www.kan.de/pdf/basisdokumente/eng/backgroundinfo-services.pdf (partly in English)

Table 1: Examples of requirements within the service sector which are and are not suitable for standardization

Company-related OH&S requirements which are <u>not suitable</u> for standardization	**Requirements in service standards which are <u>suitable</u> for standardization**
• Employers' obligations • Personal protective equipment, such as hearing protectors or special clothing for the employee • Vaccinations and medical check-ups • Instruction within the company in OH&S issues, for example relating to statutory or BG regulations • Regulations for operators governing the erection of equipment and apparatus • Equipping of workplaces with secondary safety facilities, e.g. emergency exits for employees • In-company organization and implementation of occupational health and safety, e.g. by means of OH&S management systems • Workplace-related limit values, e.g. for hazardous substances or noise exposure	• Terms and definitions relating to the service • Provision of information and advice to customers • Tenders, contractual arrangements • Descriptions of services • Consumer or environmental protection • Service-related division of responsibilities between customer and supplier • Measurement procedures • Aspects with a bearing upon the quality of the service, such as: - Instructions, for example concerning the procedure for the service - Criteria for the selection of personnel, e.g. regarding qualification - Provision of equipment to personnel, e.g. for contact with customers, suitable work clothing - Technical equipment, e.g. baggage x-ray machines for security services, diving equipment for the customers of a diving school

Should you have any further questions, please contact:

Angela Janowitz
Commission for Occupational Health and Safety and Standardization (KAN)
- Secretariat -
Alte Heerstrasse 111
D-53757 Sankt Augustin
Tel. +49 2241 231 3453
Fax. +49 2241 231 3464
E-mail: janowitz@kan.de
WWW: http://www.kan.de

Internet addresses for further information can be found in Annex 1.

Annex 1

Internet addresses for further information

More detailed background information on these KAN comments (partly in English)	http://www.kan.de/pdf/basisdokumente/eng/backgroundinfo-services.pdf
WTO-GATS General Agreement on Trade in Services	http://www.wto.org/english/tratop_e/serv_e/serv_e.htm
Summary of a report conducted for KAN on standardization and services in the WTO-GATS agreement	http://www.kan.de/pdf/fb/eng/WTO-GATS-e.pdf
Draft directive governing services in the Internal Market	http://eur-lex.europa.eu/LexUriServ/site/en/com/2006/com2006_0160en01.pdf
European Commission Mandate M/340 to CEN in the field of services	http://europa.eu.int/comm/enterprise/standards_policy/services/m340en.pdf
Final report on Mandate M/340	http://www.cenorm.be/cenorm/businessdomains/businessdomains/services/freport.pdf
European Commission Mandate M/371 addressed to CEN in the field of services	http://www.cenorm.org/CENORM/BusinessDomains/businessdomains/services/m371enadonis21854.pdf#search=%22M%20371%20Service%22
Standardization of services at European level	http://www.cenorm.be/cenorm/businessdomains/businessdomains/services/index.asp
European Commission workshop on standardization for services - March 2004	http://europa.eu.int/comm/enterprise/standards_policy/services/index.htm
German project on service-sector standards within successful internationalization strategies (in German)	http://www.standard-is.de
CEN Technical Board Working Group BT/WG 163 "Service Standardization"	http://www.cenorm.be/CENORM/BusinessDomains/businessdomains/services/horizontal+activities.asp
German Consensus Statement on the role of standardization in the context of directives pursuant to Article 118a of the EC Treaty	http://www.kan.de/pdf/basisdokumente/eng/basis01e.pdf http://www.kan.de/pdf/brief/eng/2004-1-gds-e.pdf