

- 2° to participate in studying the factors that influence the cause of accidents or incidents and in studying the causes that are of crucial nature to every accident that has led to occupational disability to work;
- 3° to participate in analysing the causes of occupational diseases;
- 4° to contribute to and collaborate on investigating work pressure, adjusting the technique and the work circumstances to the human physiology and avoiding excessive professional physical and mental fatigue, and to participate in analysing the causes of diseases due to work pressure and other work-related psychosocial factors;
- 5° to give advice on organising the workplace, the work station, the environmental factors and physical, chemical, carcinogenic and biological agents, work equipment and individual equipment;
- 6° to give on hygiene in the workplace, in particular regarding kitchens, canteens, changing rooms, sanitary installations, work and recreation places and other special social facilities that are peculiar to the undertaking and that are destined for the workers;
- 7° to give advice on drawing up instructions regarding the following:
 - a) use of work equipment;
 - b) use of chemical and carcinogenic substances, preparations and biological agents;
 - c) use of collective and personal protective equipment;
 - d) fire prevention;
 - e) procedures to be applied in the case of serious and imminent danger;
- 8° to give advice on the training of workers:
 - a) at recruitment;
 - b) in the case of a transfer or change in function
 - c) when a piece of work equipment is renewed or changed;
 - d) when new technology is implemented.
- 9° to make propositions to receive, [guide (10: RD of 25 April 2007)], inform, train and sensitise workers regarding the measures relating to the well-being of workers at work, that are applicable within the undertaking or institution, to collaborate with the measures and to develop means of propaganda that are laid down by the Committee in that respect.
- 10° to give advice to the employer and the Committee on any project, measure or means, the implementation of which the employer is considering and which, directly or indirectly, immediately or in the long term, will have consequences for the well-being of the workers;
- 11° to participate in the co-ordination, collaboration and information regarding well-being of workers in the execution of their work, the outside undertakings and the self-employed and co-operate with the co-ordination, collaboration and information regarding safety and health for the undertakings and institutions present at the workplace or regarding temporary or mobile construction sites;

- 12° to be at the disposal of the employer, the members of the hierarchical line and the workers for all questions arising in connection with the implementation of the Act and its executive decrees and, where applicable, submit these to the external service for recommendation;
- 13° to collaborate with the development of internal emergency procedures and the implementation of the measures to be taken in the case of serious and imminent danger;
- 14° to collaborate with the organisation of first aid and the emergency care of workers who are victims of an accident or become ill;
- 15° to ensure the Committee's secretariat;
- 16° to perform all other assignments that are imposed by the Act and executive decrees.

Art. 6. – Besides the collaboration for the execution of the assignment referred to in Article 5, the following assignments are reserved for prevention counsellors who meet the requirements provided in Article 22, 2° of the Royal Decree of 27 March 1998 on the external services for prevention and protection at work, which belong to the department or section responsible for medical surveillance:

- 1° examining the interaction between the person and the work and, by doing so, contributing to a better harmony between the worker and his/her assignment on the one hand, and the adjustment of the work to the worker on the other;
- 2° ensuring health surveillance of workers, in particular for the following reasons:
 - a) to avoid workers being employed for tasks for which, due to their state of health, they cannot normally bear the risks, and to avoid that persons afflicted by seriously contagious diseases or who are a hazard to the safety of other workers are admitted to do the work;
 - b) to promote recruitment opportunities for everyone, including proposing adapted working methods, proposing adaptations to the work station and looking for adapted work, also for persons with a partial occupational disability;
 - c) to detect work-related occupational diseases as early as possible, inform workers and give advice on the impairments and defects with which they are afflicted and collaborate in detecting and studying the risk factors that influence occupational diseases related to the performance of the work;
- 3° supervising the organisation of first aid and emergency care for workers who are victims of accidents or afflicted by disease.

Art. 7. - § 1. Prevention counsellors are obliged to perform at least the following tasks to fulfil these assignments:

- 1° Within the context of permanent risk analysis, and the drawing up and adjustment of the global prevention plan and annual action plan:
 - a) perform multiple and systematic investigations at the workplace, either on their own initiative, at the request of the employer, or within the shortest term possible after a request by the workers or their representatives;

- b) on their own initiative, at the request of the employer or of the respective workers, examine the work stations every time an worker who is employed at this work station is exposed to increased risks or to new risks;
 - c) at least once a year, perform a thorough investigation of the workplaces and the work stations;
 - d) perform investigations pursuant to occupational accidents and incidents that occurred at the workplace;
 - e) perform the useful, necessary and relevant examinations and investigations to improve the well-being of the workers;
 - f) carry out analyses or check-ups themselves or have them carried out under the conditions stipulated by the Act and the executive decrees;
 - g) taking cognizance of manufacturing procedures, working methods and work processes, examining them in situ and proposing measures to remedy the risks arising from them;
 - h) keeping the necessary documentation up to date, the contents of which are determined in Appendix I;
 - i) in the case of urgent necessity and if it is impossible to call on the management, taking the necessary measures themselves to prevent the causes of the hazard or trouble;
 - [j) the tasks that the employer gives them in implementation of Article 26 of the Royal Decree of 27 March 1998 on the policy of the well-being of workers at work, to avoid repetition of serious occupational accidents, (6: RD of 24 February 2005)];
- 2° within the context of managing and operating the service, see to the following:
- a) the draft of monthly reports at the employers belonging to groups A, B and C, and at the employers' who employ fewer than 50 workers and who do not belong to group B, the draft of three-monthly reports, of which the contents are provided in Appendix II to this decree;
 - b) the draft of the annual report, the contents of which are provided in Appendix III to this decree;
 - [c) the draft of the occupational accident index card, the contents of which are provided in Appendix IV to this decree or completing the form for occupational accident notification, in accordance with Article 28 of the Royal Decree of 27 March 1998 on the policy of the well-being of workers at work; (6: RD of 24 February 2005)];
- 3° draft, complete or stamp the documents for the purposes of selecting, purchasing, using and maintaining work equipment and personal protective equipment;
- 4° keep up to date the notices that must be made to the authorities in implementation of the Act and its executive decrees;
- 5° perform the secretarial tasks of the Committee as provided in the regulations that determine the operation of the Committee;

[6° keep up to date the document referred to in Article 13, second paragraph, 8° of the Royal Decree of 27 March 1998 on the policy of the well-being of workers at work. (10: RD 25 April 2007)];

§ 2. As regards the tasks regarding health surveillance provided in Article 6, the following tasks are reserved for the section responsible for medical supervision:

- a) ensuring that the workers who are victims of accidents or afflicted by disease receive first-aid and emergency care, unless other medical services established in implementation of the Act of 10 April 1971 on occupational accidents are responsible for this;
- b) reporting occupational diseases.

Art. 8. – Without prejudice to the provisions of Articles 9 to 12, the assignments and tasks referred to in Articles 5 to 7 are performed by the internal or external service.

Without prejudice to the provisions of Article 11, all assignments and tasks referred to in the first paragraph are performed by the internal service, if this avails of the required competence.

The employer must keep the identification document referred to in the fourth paragraph to provide the official responsible for surveillance with it, either separately or as part of the annual report of the service, or as an Appendix to the agreement with the external service.

This document shall state the following:

- 1° the employer's identity;
- 2° the tasks that are performed by the internal service, possibly by means of a reference to the relevant provisions of this decree;
- 3° the composition of the internal service, the number of prevention counsellors, their qualifications and how long it took them to do the work;
- 4° the skills represented in the internal service, so that the tasks can be performed fully and efficiently;
- 5° the administrative, technical and financial resources that the internal service has available;
- 6° the Committee's advice;
- 7° where it concerns an assignment regarding health surveillance, a copy of the recognition issued by the authorised Community.

Art. 9. – With the employers of groups A and B, the internal service always performs the following assignments and tasks:

- 1° the assignments of Article 5, first and second paragraphs, 1°, 4°, 6°, 7°, 8°, 9°, 10°, 11°, 12°, 13°, 14° and 15°;
- 2° the tasks summarised in Article 7, § 1, 1°, a), b), c), e), f), g), h), and i), 2°, 3°, 4° and 5°;
- 3° the assignments and tasks referred to in Article 12 if the external service is called upon.

Art. 10. – With the employers of group C, the internal services are always responsible for the assignment referred to in Article 5, second paragraph 6°, 12° and 15), the tasks referred to in Article

7 § 1, 1°, a), c), h) and i), 2°, 3°, 4° and 5° and the assignments and tasks referred to in Article 12 if an external service is called upon.

Art. 11. - § 1. Employers whose internal services do not have departments responsible for medical supervision which comply with the provisions of Article 13, § 2, are always obliged to call upon external services.

In that case, the external service performs the following assignments and tasks:

- 1° the assignments referred to in Article 6;
- 2° the tasks referred to in Article 7, § 2b).

§ 2. With group C employers where the internal services have no prevention counsellors who successfully completed a supplementary level I or II training course as provided in Article 22, the following assignments and tasks are always performed by the external service:

- 1° the assignments referred to in Article 5, first and second paragraphs, 1°;
- 2° the examinations of the workplace after an occupational accident at the workplace with [four (6: RD of 24 February 2005)] or more days of occupational disability.
- [3° the assignments and tasks that the employer gives them in implementation of Article 26 of the Royal Decree of 27 March 1998 on the policy of the well-being of workers at work, to avoid the repetition of serious occupational accidents. (6: RD of 24 February 2005)]

§ 3. With group D employers, the assignments and tasks referred to in § 2 are always performed by an external service.

Art. 12. – Without prejudice to the provisions of Articles 9 to 11, the internal service is always responsible for the following assignments whenever the external service is approached:

- 1° to organise the collaboration with the external service;
- 2° to ensure co-ordination with the external service by providing the external service with all the useful information that it needs to complete its assignments;
- 3° within the context of the risk analysis, to collaborate with the external service by accompanying the prevention counsellors of the external service during the examination of the workplace and assist it in analyzing the causes of the occupational accidents and occupational diseases and in drawing up inventories;
- 4° collaborating with the external services within the context of the implementation of the prevention measures that have been determined on the basis of the risk analysis, in particular by giving advice relating to the measures regarding propaganda, receiving, informing and sensitising workers, and regarding the drafting of the instructions for the workers;
- 5° collaborating with the development of procedures to be followed in the case of imminent danger, and organising first-aid and emergency care.

Section III. – The internal service’s organisation and operation

Art. 13. - § 1. The internal services may or may not consist of sections in accordance with Articles 35 and 36 of the Act.

§ 2. An employer who makes the choice that the internal service shall perform the assignments referred to in Article 6 shall set up a department within the internal service that is responsible for medical supervision, which can be recognised by the Communities.

The department that is responsible for medical supervision is led by the prevention counsellor who meets the requirements provided in Article 22, 2° of the Royal Decree of 27 March 1998 on the external services for prevention and protection at work.

Staff belonging to this department performs its assignments under the exclusive responsibility of this prevention counsellor.

The composition of this department and the duration of the work of the members are in conformity with the provisions of Articles 25, 26 and 27 of the Royal Decree of 27 March 1998 on the external services for prevention and protection at work.

§ 3. The following may be given the assignments of a department responsible for medical supervision:

- 1° the State's service for occupational medicine;
- 2° the service for occupational medicine of Belgium's National Railway Company (NMBS/SNCB);
- 3° the medical for occupational medicine of the armed forces.

These services must, in any event, comply with the following terms:

- 1° they are able to fulfil the obligations imposed by the provisions of this decree, both as regards the execution of the tasks prescribed herein and as regards the titles and scientific qualifications that the prevention counsellors to whom those tasks are entrusted must possess;
- 2° the services must be structured in such a manner as to guarantee their independence and the independence of the prevention counsellors;
- 3° as regards occupational medicine, the medical dossier is an object to be handled separately.

Art. 14. – Without prejudice to the provisions regarding the department responsible for medical supervision, the internal service is composed in such a way that its assignments can be completed on the grounds of the principle of multi-disciplinarity.

The principle of multi-disciplinarity is achieved by the co-ordinated intervention of the prevention counsellors and experts who have different skills that contribute to the promotion of the well-being of the workers at work.

These skills are related, in particular, to the following:

- 1° work safety;
- 2° occupational medicine;
- 3° ergonomics;
- 4° operational hygiene

5° the psychosocial aspects of work [including violence, bullying and sexual harassment at work (3: RD of 11 July 2002)].

After the Committee's prior advice and taking into account the overall prevention plan, the employer determines which skills must be present in his/her undertaking or institution and for which skills s/he calls on an external service.

[The employer follows up on this advice in accordance with Article 19 of the Royal Decree of 3 May 1999 on the assignments and operation of the Committees for prevention and protection at work. (1: RD of 3 May 1999)]

In any event, the skills regarding work safety and those regarding occupational medicine may never be exercised by one and the same person.

The employer who, in implementation of the overall prevention plan, must have one of the skills referred to in [the second paragraph, 3° and 4° (RD of 11 July 2002)] can also call on other persons in his/her undertaking or institution who do not belong to the internal service, to the extent that these persons have the skills referred to in [Article 22, 3° and 4° (3: RD of 11 July 2002)] of the Royal Decree of 27 March 1998 on the external services for prevention and protection at work and to the extent that these persons can have the necessary time and resources available.

Art. 15. – Where an internal service consists of various sections in the sense of Articles 35 and 36 of the Act or where a department responsible for medical supervision is established, the employer determines, after the Committee's prior advice, what the relationship is between, where applicable, the sections, departments and central service, and by whom and in which manner the management of the service and, if applicable, every section, is ensured.

The service or section management is ensured by the following:

- 1° either a prevention counsellor who has successfully completed a recognised first-level course, when the employer or the technical operational unit belongs to group A;
- 2° or a prevention counsellor who has successfully completed a recognised course of at least the second level, when the employer or the technical operational unit belongs to group B;
- 3° or the prevention counsellor responsible for the leadership of the department in charge of medical supervision.

Where the prevention counsellor responsible for the leadership of the department in charge of medical supervision takes on the management of the internal service or section, the internal service of the section must, depending on whether the employer or technical operational unit belongs to group A or B, also have a prevention counsellor who complies with the conditions provided in the second paragraph, 1° and 2°.

Art. 16. – The prevention counsellor responsible for the management of the service depends directly on the person responsible for the daily management of the undertaking or institution and has direct access to the person or persons responsible for the daily management of the technical operational unit or units.

The prevention counsellor responsible for the leadership of a section depends directly on the person responsible for the daily management of the technical operational unit for which the section was established and has direct access to the person with the daily management of the undertaking or institution.

The prevention counsellor responsible for the management of the department in charge of medical supervision referred to in Article 13, § 2 also has direct access to the persons responsible for the daily management referred to in the first paragraph.

Art. 17. - § 1. The employer determines the following after the Committee's prior advice:

- 1° the way in which the internal service is composed;
- 2° the technical and scientific resources, the rooms and the financial resources, and the administrative staff with which the internal service is provided.

[The employer follows up this recommendation in accordance with Article 19 of the Royal Decree of 3 May 1999 on the assignments and operation of the Committees for prevention and protection at work. (1: RD of 3 May 1999)]

§ 2. After the Committee's prior advice, the employer determines the minimum time during which the prevention counsellors must perform their work so that the assignments designated to the internal service are completed fully and efficiently at all times.

The minimum time to perform work can be amended in accordance with the same procedure and at the request of any interested party.

Minimum time during which work is performed is understood to mean the minimum time that must be spent on completing the assignments and activities that are designated to the prevention counsellors.

Art. 18. – The following is done to ensure that the prevention counsellors can complete their activities efficiently:

- 1° the employer informs them of the manufacturing procedures, work techniques, work and production methods and the substances and products that are used in the undertaking or that are being considered to be used in the undertaking;
- 2° the employer informs them and consults them on the amendments that are made to the manufacturing procedures, work techniques or plants if the latter can worsen existing risks or can generate new ones, and when new products are used or manufactured;
- 3° the employer, members of the hierarchical line and the workers give them all the information they request to enable them to complete the assignments of the internal service;
- 4° the employer informs the prevention counsellor responsible for the management of the service of the section of all activities that are executed at the workplace through the intervention of outside undertakings, the self-employed or temporary workers;
- 5° the employer informs the prevention counsellor responsible for the management of the service with the list of workers and (provides him/her) with the data s/he requires to execute his/her assignments.

Section IV. – Status of an internal service's prevention counsellors

Art. 19. – The prevention counsellors are connected to the employer by means of an employment contract or by means of regulations in which their legal function is unilaterally regulated by the government.

They are employed in the undertaking or institution for which the internal service has been established.

The prevention counsellors of a section work in the technical operational unit for which the section is established.

Art. 20. - § 1. The employer appoints the prevention counsellors or their temporary replacements, replaces them or removes them from their functions, after having received the Committee's prior advice.

Whenever it concerns the prevention counsellor responsible for the management of the internal service that consists of different sections and the prevention counsellors who assist him/her, the prior agreement of all Committees is required.

Whenever it concerns a prevention counsellor who works in an internal service that does not consist of sections, the prior agreement of the Committee is required.

Whenever it concerns a prevention counsellor who works in a section, the prior agreement is required of the Committee that is competent for the technical operational unit for which the section was established.

§ 2. Where no agreement can be reached on the Committee or various Committees, the employer requests the advice of the official responsible for surveillance.

This official hears the respective parties and attempts to reconcile the points of view.

If no reconciliation can be attained, the official responsible for surveillance gives advice, of which the employer is informed by registered letter.

Before s/he makes the decision, the employer informs the Committee of the advice by the official responsible for surveillance within a term of thirty days after s/he was informed.

The notice is deemed to be received on the third working day after the letter has been handed in at the post office.

§ 3. The provisions of §§ 1 and 2 are, as far as the appointment is concerned, not applicable to the heads of sections for safety, health and embellishment of the workplaces, and their deputies who, in accordance with the provisions of Article 833.2.1 of the General Regulations concerning Protection at Work, were appointed at the moment that this decree came into effect, or to the industrial medical officers who, in accordance with the provisions of Article 112 of the General Regulations concerning Protection at Work, were appointed at the moment that this decree came into effect and who continue to exercise the function of prevention counsellors and to the extent that they continue to fill those functions in the same undertakings, institutions or technical operational units.

Art. 21. – The prevention counsellors have sufficient knowledge of the legislation regarding the well-being of the workers at work and applicable to the undertaking or institution in which they fulfill their assignments, and have the necessary technical and scientific knowledge to be able to fulfill the activities referred to in Section II.

[This knowledge has particular regard to the following:

1° the techniques relating to the risk analysis;

- 2° the co-ordination of the following prevention activities:
 - in the internal service;
 - between the internal and external services;
 - with the employers and workers of the external undertakings who perform work in their own undertakings;
- 3° the measures regarding hygiene at the workplaces;
- 4° the organisation of the first aid on and emergency care of victims of an accident or a sudden disease and the measures to be taken in the case of serious and imminent danger;
- 5° the assignments of the prevention counsellors referred to in the Royal Decree of 3 May 1999 on the assignments and operation of the Committees for prevention and protection at work;
- 6° the reporting. (12: RD of 17 May 2007)]

[Art. 22. - § 1. With group A and B employers, prevention counsellors must have successfully completed the training referred to in Royal Decree of 17 May 2007 regarding the training and refresher courses of the prevention counsellors of the internal and external services for prevention and protection at work.

With the employers who belong to group A, the prevention counsellors who fulfil the assignments referred to in Article 5 must submit proof that they have successfully completed a recognised course of at least level two and the prevention counsellors who fulfil the assignments referred to in Article 5 and are responsible for the management of the service, must submit proof that they successfully completed a recognised first-level course and have at least two years' experience as prevention counsellors in an internal service for prevention and protection at work.

At the technical operational units belonging to group A, the prevention counsellors who fulfil the assignments referred to in Article 5, must submit proof that they successfully completed a recognised course of at least the second level and the prevention counsellor who has fulfilled the assignments referred to in Article 5 and who is responsible for the management of the section must submit proof that s/he successfully completed a recognised first level course and has at least two years' experience as prevention counsellor in an internal service for prevention and protection at work.

With employers who belong to group B, the prevention counsellors who fulfil the assignments in Article 5 and who are responsible for the management of the service must submit proof that they successfully completed a recognised course of at least the second level.

With technical operational units belonging to group B, the prevention counsellors who fulfil the assignments in Article 5 and who are responsible for the management of the section must submit proof that they successfully completed a recognised course of at least the second level.

Persons who are in possession of a degree, certificate or other title from which it appears that they have the required qualifications to be allowed to exercise the function of prevention counsellor in a Member State of the European Union can, depending on the level of these qualifications, exercise the functions of prevention counsellors with employers of groups A or B, on condition that they can show that they have followed in an institution the courses of the multi-discipline basic

module and the specialisation module, which relate to the legal and social aspects of these functions in Belgium. (12: RD 17 May 2007)]

§ 2. In derogation from § 1, it suffices that the prevention counsellor who fulfills the assignments referred to in Article 6 submits proof that s/he meets the requirements stated in Article 22, 2° of the Royal Decree of 27 March 1998 on the external services for prevention and protection at work, even when s/he is responsible for the management of the internal service or a section.

Art. 23. – The prevention counsellors have the right and duty to improve themselves.

That is why the employer gives them the permission to maintain all useful contacts with university centres and other specialised bodies that are able to provide them with the resources for improvement, education and collaboration that they want.

Art. 24. – The time spent on training course activities is regarded as normal working time, and the accompanying costs are reimbursed.

Art. 25. – In implementation of Article 43 of the Act, the prevention counsellors fulfill their assignments fully independently of the employer and workers.

At the request of the prevention counsellor, the employer or the workers, the differences of opinion on this actual independence are submitted to the official entrusted with supervision for his/her advice.

Art. 26. – The prevention counsellors have the right and duty to maintain all contacts with the external service, the external service for technical inspections at the workplace and all other services or institutions specialised or specially authorised in the field of work safety, health, ergonomics, the environment and psychosocial stress caused by the work, or the field of the disabled, that are necessary to execute their assignments, and under the same conditions as provided in Article 4, fourth paragraph.

Art. 27. – The relationship between the sections, the department and the central service, and the manner in which the management of the service and, where applicable, of every section is ensured, are determined, at the latest, on 1 January 2000, if this determination has not yet been made on the date this decree comes into effect.

[APPENDIX I**Contents of the documentation referred to in Article 7, § 1, 1° h)**

1. The Acts, decrees and agreements regarding the well-being of the workers at work and applicable to the undertaking or institution.
2. The deeds and documents imposed by those same Acts, decrees and agreements.
3. Any other document drawn up in the undertaking or institution to ensure the well-being of the workers at work, and internal and external environmental policy.
4. The inventory of the apparatus and machines that must be inspected by the recognised bodies in terms of the regulatory provisions.
5. The list and localisation of the dangerous substances and preparations used in the undertaking or institution.
6. The list and data of the emission points regarding air and water pollution in the undertaking or institution. (8: RD of 29 January 2007)]

[APPENDIX II**Contents of the monthly or three-monthly reports referred to in Article 7, § 1, 2° a)**

1. Internal Service for Prevention and Protection at work:
 - 1.1 overview of the activities;
 - 1.2 relations with the external Service for Prevention and Protection at work;
 - 1.2.1 proposals;
 - 1.2.2 questions;
 - 1.2.3 remarks.
2. Investigations regarding the well-being of the workers at work.
3. Detected risks
4. Summary of the occupational accidents:
 - 4.1 analysis of the occupational accident index cards and reports;
 - 4.2 location of the accidents;
 - 4.3 causes and preventive measures;
 - 4.4 evolution of the frequency and seriousness of the accidents;
 - 4.5 the locations, causes and preventive measures for the occupational accidents that happened to workers who are no workers of the employer, but in respect of whom the latter had the capacity of:
 - 1° either the employer in whose institution these workers came to execute work as workers of outside undertakings;
 - 2° or the user;
 - 3° or the construction management responsible for execution for whom these workers executed work as workers of contractors or subcontractors of this construction management.
5. Preventive measures taken.
 - 6.1 options regarding the realization of the annual action plan;
 - 6.2 achievements realised within the context of the annual action plan.
7. Comments on the amendments made to the following documents:
 - 7.1 organisational chart;
 - 7.2 the operating permit and the operational conditions imposed;

- 7.3 the reports by the representatives of the Committee responsible for investigating the causes of an accident, an incident or serious intoxication;
- 7.4 attestations, minutes and reports submitted by the recognised bodies;
- 7.5 suggestions by the authorised fire brigade (8: *RD of 29 January 2007*)]

[APPENDIX III**Annual report of the Internal Service for Prevention and Protection at work
referred to in Article 7, § 1, 2° b)****I. Information on the undertaking**

1. Name and full address of the undertaking (+ telephone number).
2. Object of the undertaking and number of the joint committee to which the largest part of the staff belongs.
3. Average number of staff, subdivided according to age group (- than 21 years, 21 years and older), category of workers (blue and white-collar workers) and gender.

This concerns the mathematical average number of staff at the end of each of the four trimesters.

4. Composition of the Internal Service and, in particular, names and capacities of the prevention counsellors.
 - 5.1 Composition of the Committee of the Works Council if it takes on the capacities of the Committee. Names and capacities of the Chairperson and members.
 - 5.2 Number of Committee meetings.
 - 6.1 Name and address of the prevention consultant-doctor in occupational medicine or the department of the Internal Service or of the department of the External Service responsible for the surveillance of the undertaking.
 - 6.2 Name of the physician or of the entrusted physician who is connected to the undertaking to guarantee emergency care for victims of occupational accidents.
 - 6.3 Name(s) of nurse(s) connected to the undertaking.
 - 6.4 Name(s) of the First-Aid responder; name and address of the recognised body that issued the degree or certificate.
 - 6.5 Name and address of the hospital or hospital service appointed in accordance with the provisions of the occupational accidents Act.

II. Information on accidents that happened at the place of work

1. Number of hours of exposure to the risk during the work year, i.e. the total number of work hours worked during the year, including overtime.

Subdivision according to category of workers (white - blue-collar workers).

2. Number of accidents.

Subdivision according to the category of seriousness (death, permanent occupational disability, temporary occupational disability), age group (younger than 21 and older than 21 years), category of worker and gender.

3. Annual frequency rates for the year under consideration and of the two previous years.

The frequency rate Fr is the proportion of the total number of accidents that resulted in death or full occupational disability of at least one day, not including the day on which the accident happened, that is recorded during the period considered, multiplied by 1,000,000, to the number of hours of exposure to the risk, which is expressed by the following formula:

$$Fr = \frac{\text{number of accidents} \times 1,000,000}{\text{number of hours of exposure to the risk}}$$

4. Duration of the actual and agreed incapacities pursuant to those accidents.

4.1 Actual incapacities:

- 4.1.1 Number of calendar days really lost (sub-division according to temporary occupational disability, permanent occupational disability, death and category of worker) based on the total of the individual accident index cards or notices of accidents that caused at least one day's occupational disability.

- 4.1.2 Actual degrees of seriousness of the accidents for the considered year and for the two previous years. The actual degree of seriousness (actual Sd) is the proportion of the total number of calendar days lost due to the occupational accidents, multiplied by 1,000, to the total number of hours or exposure to the risk, which is expressed by the following formula:

$$\text{Actual Sd} = \frac{\text{number of actual calendar days lost} \times 1,000}{\text{number of hours of exposure to the risk}}$$

4.2 Fixed standard incapacities:

- 4.2.1 Number of days of fixed standard occupational disability (sub-division according to permanent occupational disability, death and category of worker) established according to the total of the individual accident index cards or notices of accidents that caused at least one day's occupational disability.

- 4.2.2 Overall degree of seriousness of the accidents for the considered year and for the two previous years. The overall degree of seriousness (overall Sd) is the proportion of the number of actual calendar days lost, increased by the number of days of fixed standard occupational disability, multiplied by 1,000, to the number of hours of exposure to the risk, which is expressed in the following formula:

$$\text{Overall Sd} = \frac{\text{number of actual calendar days lost} + \text{number of days of fixed standard occupational disability} \times 1,000}{\text{number of hours of exposure to the risk}}$$

III. Information on accidents to and from work

IV. Information on safety

1. Measures taken to ensure safety.
2. Proposals that were submitted to the Committee to ensure safety, accompanied by the consequences pursuant to them.

3.1 Number of mandatory visits that were made by the body or bodies recognized for the inspections imposed by regulations, with the sub-division according to the nature of the apparatus or installations that were examined.

3.2 Names and addresses of the bodies.

V. Information on workers' health

As appendix to the report of the department of the Internal Service of the section of the External Service responsible for medical supervision.

In the absence of this report, provide the following information:

1. Number of mandatory examinations upon engagement.
2. Number of periodic examinations:
 - 2.1 of persons younger than 21 years – distinction between those younger than 18 years and those between 18 and 21 years;
 - 2.2 the detection of occupational diseases with distinction according to the category of the dangerous agents included in Appendix II, of title II, Chapter III, Section I of the General Regulations concerning Protection at Work;
 - 2.3 of persons in a safety function;
 - 2.4 of disabled persons;
 - 2.5 of persons who have to be vaccinated against tuberculosis;
 - 2.6 of persons who come into direct contact with foodstuffs or food substances.
3. Number of examinations upon work resumption.
4. Number of consultations on own initiative.
5. Number and nature of the vaccinations.

VI. Information on the hygiene of the work and workplaces

1. Measures taken to promote hygiene of work and workplaces.
 - 1.1 Number of announcements addressed to the workers with the purpose of informing the workers on the seriousness of the danger that the dangerous substances and preparations with which the persons concerned come into contact can cause.
 - 1.2 Number of questions addressed to the prevention consultant - doctor in occupational medicine to investigate jobs where risks are caused and changed.
 - 1.3 Number of consultations of the prevention consultant – doctor in occupational medicine requested by the employer regarding projects that can influence the staff's health.
 - 1.4 amount of written advice given by the prevention counsellor-doctor in occupational medicine within the context of measures to combat work hindrance.

- 1.5 Number of control measure analyses performed with a view to determining the importance of the factors that hinder work.
- 1.6 Number of visits that the prevention consultant - doctor in occupational medicine paid the workplaces.
2. Suggestions in terms of sanitary conditions and hygiene at work submitted to the Committee, stating the consequence given to them, where the following are taken as starting points:
 - 2.1 the employer;
 - 2.2 the workers' representative;
 - 2.3 the prevention consultant - doctor in occupational medicine.
3. Number of complaints formulated by the staff and investigated by the Committee regarding the following:
 - 3.1 sanitary conditions of the working areas;
 - 3.2 collective protective equipment;
 - 3.3 individual protective equipment;
 - 3.4 implementation of measures to combat work hindrance;
 - 3.5 way in which the department of the Internal Service or the section of the External Service responsible for medical supervision works;
 - 3.6. way in which the medical, nursing or pharmaceutical service, established by the implementation of the occupational accident Act, operates.
4. Existence of an asbestos inventory.

VII. Information on the embellishment of the workplaces

1. Measures taken with a view to embellishing workplaces.
2. Proposals that were submitted to the Committee regarding the embellishment and including statements on the consequences pursuant to it.

[VIIbis. Information on the prevention of the psychosocial stress caused by work

1. Collective preventive measures that were taken to prevent the psychosocial stress caused by work:
 - A. General.
 - B. With particular regard for the protection of the workers *vis-à-vis* other persons at the workplace.
2. Repeating incidents of psychosocial nature:
 - 2.1 Number.

2.2 Nature.

2.3 Status of the person concerned.

3. Incidents of a psychosocial nature that were directly reported to the prevention counsellor or confidential representative:

3.1 informal interventions:

- a. number of interventions by the confidential representative;
- b. number of interventions by the prevention counsellor;
- c. parties concerned:
 - c.1 number according to the person requesting the intervention:
 - c.1.1 employer;
 - c.1.2 worker;
 - c.1.3 member of the hierarchical line;
 - c.2 number according to the defendant;
 - c.2.1 employer;
 - c.2.2 worker;
 - c.2.3 member of the hierarchical line;
 - c.2.4 other person at the workplace;
- d. number according to the nature of the intervention:
 - d.1 reception, advice;
 - d.2 intervention;
 - d.3 mediation;
 - d.4 other;

3.2 formal interventions:

- a. total number of substantiated complaints;
- b. total number of substantiated complaints submitted after informal interventions;
- c. parties concerned
 - c.1 number according to complainant:
 - c.1.1 employer;
 - c.1.2 worker;
 - c.1.3 member of the hierarchical line;

- c.2 number according to the defendant:
 - c.2.1 employer;
 - c.2.2 worker;
 - c.2.3 member of the hierarchical line;
 - c.2.4 other persons at the workplace;
 - d. number of facts according to their nature:
 - d.1 violence;
 - d.2 bullying;
 - d.3 sexual harassment;
 - d.4 other;
 - e. number of measures:
 - e.1 individual measures;
 - e.2 collective measures;
 - e.3 no measures;
 - e.4 intervention by the general surveillance management for well-being at work.
4. Register of facts as referred to in Article 12 of the Royal Decree of 17 May 2007 regarding the prevention of psychosocial stress caused by work, including violence, bullying and sexual harassment at work.
- a. Number of recorded facts.
 - b. Number according to the nature of the facts:
 - b.1 physical violence;
 - b.2 psychological violence;
 - b.3 bullying;
 - b.4 sexual harassment;
 - b.5 other (*11: RD of 17 May 2007*)]

VIII. Applied training, information and propaganda resources

IX. Distributing documents and information to the staff

X. A summary of the most important themes of the annual action plan for the working year following the year to which the annual report relates and, where applicable, the deadlines for implementation where this accounting year is exceeded. (*8: RD of 29 January 2007*)]