

[Letter sent by e-mail]

Concerns and Recommendations on the Draft Council Conclusions on Mental Health and Precarious Work of the Council of the European Union

Dear Ambassadors,
Dear Social Attachés,

The European Trade Union Confederation (ETUC) hereby writes to express its feedback and recommendations regarding the Draft Council Conclusions on mental health and precarious work. While we appreciate the initiative taken to address these critical issues, we believe that certain aspects need to be clarified and expanded upon to effectively protect workers' mental health and well-being.

Firstly, the document refers to "normal stresses of life," but it is unclear what exactly is meant by this phrase. Stress should not be normalized or promoted, as it is detrimental to individuals' mental health. Therefore, we urge you to reconsider the use of this terminology and instead emphasize the importance of addressing and mitigating stressors in the workplace and promote employment of good quality.

Furthermore, instead of focusing solely on precarious employment, we believe that the initiative should encompass a broader perspective by examining precarious work conditions. It is crucial to recognize the impact of the lack of an employment contract and the prevalence of non-standard forms of employment on mental health. These factors contribute significantly to anxiety, depressive symptoms, and even suicide among workers. At this regard, the document should consider the flexibilization of the labour market, the rise of non-standard forms of employment, job insecurity, lack of stable employment contracts, limited access to labour and social rights, lack of predictability, and economic instability. These factors have a devastating influence on workers' mental health and well-being, and they should be explicitly addressed in the conclusions.

While the document acknowledges that precarious working conditions generate negative stress, it should also highlight the resulting economic and social exclusion. Precarious work often leads to marginalization and denies workers access to essential rights and opportunities.

When tackling non-standard forms of employment, the document should ensure a comprehensive coverage by not limiting its discussion to part-time work but should also encompass the broader spectrum such as bogus self-employment, civil contracts replacing employment contracts, and similar arrangements.

It is crucial to consider the perspective of young workers as well. Due to their limited access to quality employment and their exposure to non-standard forms of employment, young people are more likely to experience mental health problems. Their specific challenges and needs should be taken into account in the conclusions.

While the document acknowledges the need to study the legal and practical implications of new forms of work and work organization, employers' networks, and multi-party

employment relationships, it should extend its scope to cover all non-standard forms of employment, including temporary agency work, subcontracting, short-term contracts, platform work, and low-quality jobs.

Furthermore, the document correctly addresses the difficulties faced by individuals with mental health issues in accessing wages and exercising their labour rights. However, it should also emphasize the importance of social rights and ensure that they are adequately protected and promoted in the workplace. At this regard, it is essential to break down the prevalence of mental health problems in the workplace not only by gender, but also by age. This disaggregated data will provide valuable insights into the specific challenges faced by different demographic groups and inform targeted interventions and policies.

The recommendations put forward in the document call for the effective application of existing EU and national legislation to guarantee decent work and safeguard safety and health at work. While we support this objective, we believe that it is crucial to recognize that existing legislation itself allows sometimes for precarious work. Therefore, we strongly recommend that the focus also be placed on improving and strengthening the legislation to address the root causes of precarious work.

In addition to strengthening public systems aimed at safeguarding mental health at work, which we welcome, we urge you to include a separate point calling for the improvement of public systems and public services. These systems are interconnected with safety nets and access to social rights, creating a comprehensive support structure for workers.

Regarding the recommendation to promote mental health surveillance systems, we would like to express our concern with the term "surveillance." This term raises issues related to fundamental rights to data protection. Instead, we suggest using the term "monitoring of health" in compliance with collective rights and the General Data Protection Regulation (GDPR).

ETUC supports fostering the positive aspects of proactive approaches to digitalization and the use of information and communication technology (ICT) to manage psychosocial risks which are highlighted in the document. However, it is equally important to address and eliminate practices that have a negative impact, such as surveillance. The potential adverse effects of certain digitalization practices must be acknowledged and mitigated to protect workers' mental health.

From the point of view of occupational safety and health, there are a few crucial aspects that should be addressed to ensure effective protection of psychosocial risks among workers.

While the draft of council conclusions on mental health and precarious work goes in the right direction, they fall short in proposing binding legislation on the prevention of psychosocial risks. To strengthen this document, the elements below should be adequately addressed:

Firstly, the recommendations need to emphasize the importance of providing access to relevant training for both employers and employees. By promoting best practices and equipping stakeholders with the necessary knowledge and skills, the Commission can take a significant step towards the development of minimum standards and requirements for the protection of workers' mental health.

Additionally, it is crucial to enhance the involvement of labour inspectorates to ensure their functioning and efficiency. By providing adequate safeguards and resources for their funding, training, and independence, we can ensure their ability to effectively monitor and address psychosocial risks in the workplace.

Moreover, it is essential to guarantee the participation of workers and workers' representatives in the decision-making processes related to the prevention of psychosocial risks and precarious work. Their input and insights are invaluable in shaping policies that reflect the realities faced by workers and contribute to their well-being.

To effectively measure and improve working conditions, a comprehensive list of indicators should be established. These indicators should cover various aspects of the work environment and serve as a tool for assessing the impact of interventions and identifying areas for improvement.

Furthermore, the draft should clarify the obligation of employers to assess and mitigate psychosocial risk factors. By clearly outlining their responsibilities, employers can better understand their role in creating a healthier and more supportive work environment.

Lastly, it would be beneficial to set clear objectives for employers in reducing work-related stress. By establishing measurable goals, employers can prioritize mental health and take proactive steps towards reducing stressors and promoting overall well-being.

We trust that you will take our concerns and recommendations into serious consideration during the finalization of the Council Conclusions on mental health and precarious work. ETUC remains committed to working collaboratively with the European institutions to ensure the well-being and rights of workers across Europe.

Best regards,



Tea Jarc
ETUC Confederal Secretary