



Safety & Health: The Implementation of the Working Time Directive (WTD) in the Armed Forces

Transposition/implementation in Spain

Paris, May 25, 2022

Safety & Health in the Armed Forces

2003/88/EC WTD

2008/89/391/EEC

Framework Safety & Health



- concerning certain aspects of the **organization of working time** as rest periods, annual leave, night/shift work
- to introduce measures to encourage improvements in the **safety and health of workers at work**
 - occupational accidents and diseases
 - Prevention/assessment of risks
 - Elimination risks and accidents factors
 - Informing/consultation
 - Training of workers
 - participation workers and their representatives

Working time conditions



Transposition/implementation in national regulations

Orden DEF/1363/2016, de 28 de julio, por la que se regulan la jornada y el régimen de horario habitual en el lugar de destino de los miembros de las Fuerzas Armadas (2016)

[MoD internal regulation on regular working hours at military installations]



setting working day (hours)
granted time off after 24-hour duty
work-life balance recognized as a right



time on duty / training drills not included in annual computation of working hours
10 days maximum annual limit of additional time off per shift
periods of rest not respected in drills (accident risks increases particularly for drivers)

Safety & Health in the Armed Forces



Transposition/implementation in national regulations

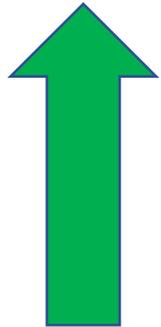
Ley de Protección de Riesgos Laborales (1995)

[exclusion Armed Forces activities]

Real Decreto sobre PRL del personal militar de las Fuerzas Armadas (2007)

[specific regulation for Armed Forces]

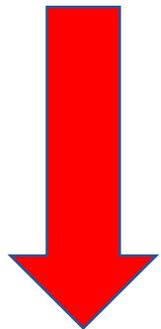
- General rule is application of same principles/criteria on occupational risk prevention to all workers, whether civilian or military
- Derogation for determined operational activities, regulated by own security measures in land, sea, air operations
- Particular psychophysical aptitude tests for military personnel (Military Health Services)
- occupational risk protection structure (offices) in military units, run by specialized personnel, and similar functioning/management of civilian ones



Implementation of **safety & health principles/criteria European Directives** in Spanish military regulations

Improvement of technical training for military personnel assigned in internal structure of occupational risks prevention

Positive evolution of **knowledge/awareness** of these matters in the MoD/Armed Forces as a whole, but much remains to be done



Generic **clause of exclusion** of operational activities, drills and training

Specific security measures in operational areas, not focus specifically on protection of personnel involved

MoD monitors its own standards without any check and balance from workers. From this **lack of independence / transparency** is derived certain obstacles over the investigation of accidents, occupational diseases (burn-out), mental disorders, etc

Little concern of the health status of military personnel, as shown data from recent years. For a collective of 120,000 personnel, less than 3,000 medical checkups (no mandatories) per year on average

- **AUME appreciates the positive evolution** experienced in the field of health and safety of military workers since the transposition and implementation of European directives, but considers that exclusion of soldiers from the general regulation is not justified (only reason is they belong to a particular collective of workers)
- **Specificity of the military role/activities** should be treated like any other higher risk/dangerousness activity in any other sectors, considering acceptable exceptions in certain operations on temporary basis
- **Representatives of military workers** (Professional Associations/Trade Unions) must be entitled to participate in the MoD/Armed Forces occupational risk protection

- Soldiers as **citizen in uniform** should be treated in all respects of the regulations as any other citizen/worker, not exception in safety & health matter