

SME Guide to EU Compliance

Volume IV: **Occupational Health and Safety**

Spark Legal and Policy Solutions

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Foreword

Occupational health and safety (OSH) is a central component of the regulatory framework governing working conditions in the EU. For SMEs, compliance with OSH requirements is not limited to fulfilling formal legal obligations, but directly affects operational continuity, cost management, and organisational resilience. Workplace accidents and occupational diseases can generate substantial financial consequences, including penalties, civil liability, increased insurance premiums, and productivity losses, which tend to weigh more heavily on smaller organisations with limited capacity to absorb disruption.¹

In addition to risk prevention, OSH compliance contributes to the quality of working conditions and employee well-being. A structured approach to health and safety can support employee motivation, reduce staff turnover, and enhance trust within the workplace. From a business perspective, visible commitment to OSH standards may also influence an SME's ability to attract and retain workers, particularly in sectors facing labour shortages or higher occupational risks.²

At EU level, occupational health and safety is governed by a common legislative framework setting minimum requirements for employers. However, these rules are implemented through national legislation, which may introduce stricter standards, additional procedural obligations, or specific administrative practices. As a result, SMEs may face a fragmented regulatory environment, especially when operating in multiple Member States. Further challenges arise from the need to appoint competent OSH personnel, organise training and information for workers, and comply with consultation requirements, all of which can require financial investment and administrative capacity that may be limited in smaller enterprises.³

This Volume of Spark's SME Guide to EU Compliance provides an overview of the main obligations deriving from the OSH Framework Directive and its practical implications for SMEs. It addresses core elements such as risk assessment and preventive measures, emergency preparedness, worker training and information, the organisation of internal or external prevention services, and mechanisms for worker consultation and participation. Particular

¹ European Agency for Safety and Health at Work (EU-OSHA) (2018) *Improving occupational safety and health in micro and small enterprises in Europe*. Available at: <https://osha.europa.eu/en/publications/improving-occupational-safety-and-health-micro-and-small-enterprises-europe> (Accessed: 10 April 2026).

² European Agency for Safety and Health at Work (EU-OSHA) (2019) *The business case for safety and health at work*. Available at: <https://osha.europa.eu/en/themes/business-case-for-osh> (Accessed: 10 April 2026).

³ European Commission (2016) *Health and safety at work is everybody's business – Practical guidance for employers*. Luxembourg: Publications Office of the European Union. Available at: <https://op.europa.eu/en/publication-detail/-/publication/cbe4dbb7-ffdc-11e6-8a35-01aa75ed71a1> (Accessed: 10 April 2026).

attention is given to how these obligations are applied in practice and how national transposition can affect compliance requirements.⁴

The objective of this Volume is to support SMEs in identifying key OSH compliance requirements and understanding how they can be implemented in a proportionate and structured manner. By clarifying the main legal expectations and common challenges, it aims to assist SMEs in integrating occupational health and safety considerations into routine business management and reducing exposure to legal and operational risks.

EU occupational safety and health rules are regularly reviewed and updated to reflect changes in how and where people work. In this context, Spark is currently contributing to the EU impact assessment for the revision of the Workplace Directive and the Display Screen Equipment Directive, which seek, among other things, to better address OSH risks arising outside traditional workplace settings, such as telework and shared working spaces.

- *Celia Drevon, Principal Consultant for Employment, Education and Health at Spark.*

Background to Spark's SME Guide


The SME Guide is designed to bridge the gap between complex legal frameworks and practical business operations. We break down the law for entrepreneurs without legal expertise, highlighting key action points needed to ensure compliance while alerting you to critical upcoming legislative changes. Our goal is to make legal compliance a tool for growth, not a barrier.

Released in six Volumes, it contains the following:

- An overview of the **key legal areas** affecting SMEs based in the EU, across industries.
- A description of the **key legislative instruments** within those areas, and what they mean for businesses.
- Checklists of the **key action points** businesses must take to ensure compliance.
- A description of **key upcoming changes** in the law for businesses to look out for.
- **Notes and thoughts** from Spark's in-house legal experts.
- Accessible **explanations** of specialised concepts and terminology.
- **Summaries** of each Volume so you can capture the basics at a glance.

⁴ European Commission (2016).

If you or your business needs legal assistance beyond this Guide, contact Spark Solutions at solutions@sparklegalpolicy.eu to see how we can help. Our in-house expertise combined with our network of over 3,000+ national legal experts ensures that your compliance needs are met at EU and national level, with a plan, budget, and schedule that works for you.

 **Go beyond the Guide:** get in touch with **Spark Solutions** at solutions@sparklegalpolicy.eu today!

Note: This Guide is intended to act as a broad starting point for understanding compliance, rather than a comprehensive toolkit for navigating the full scope of all relevant applicable laws. It does not cover sector-specific regulations, such as medical regulations or transport regulations. It also does not address country-specific regulations.

Publication roadmap



This Guide is intended for general informational purposes only and does not constitute legal or professional advice. Please note that the law may have changed since publication. Spark is not a law firm and is therefore not regulated by the Barreau de Bruxelles, or by equivalent authorities in other jurisdictions. Our services are designed to provide clients with high-quality legal research, drafting, and analysis, alongside any work of regulated legal professionals. We work with partner law firms across the EU and beyond where specific legal advice is required (e.g. contracting, litigation).

1. Introduction and Volume Checklist

In Volume III of our SME Guide, we covered the rules that SMEs must comply with in relation to labour rights, employee wellbeing, and cross-border mobility. In addition to these requirements, employers at all levels are required to ensure safe and healthy working conditions for their staff. Occupational Health and Safety (OSH) rules form a core part of the EU employment law framework and impose concrete obligations on employers aimed at preventing workplace risks and protecting workers' health.

This Volume builds on Volume III of Spark's SME Guide by setting out the rules governing how work must be organised and performed. It sets out the core EU-level occupational health and safety framework applicable to SMEs. It explains the main employer obligations under EU OSH legislation, highlights the key practical compliance challenges SMEs face, and flags where national rules may go beyond EU minimum standards.

As with previous Volumes, this Guide is intended as a practical starting point for SMEs navigating their compliance requirements in the EU. The application of OSH rules will depend on the nature of the business and the EU Member State in which it operates. Where in doubt, readers should get in touch at solutions@sparklegalpolicy.eu to see how we can help with any specific queries you may have.

OSH rules set out the basic obligations employers must comply with to protect workers' health and safety in the context of their work. These obligations apply regardless of company size and are not limited to traditional office or industrial premises. Depending on the nature of the work, OSH requirements may also extend to home-working or remote working arrangements, particularly where employers control work organisation, equipment or working methods.⁵ The checklist below highlights the core OSH action points that are generally relevant for SMEs, subject to national rules and the specific risks present in each workplace.

⁵ European Agency for Safety and Health at Work (EU-OSHA) (2023) Surveillance and Monitoring of Remote Workers: Implications for Occupational Safety and Health. Luxembourg: Publications Office of the European Union. Available at: <https://osha.europa.eu> (Accessed: 21 April 2026).

Occupational Health and Safety Rules

- ✓ Assess workplace risks before work starts, review the assessment when working conditions change, and apply preventive measures in practice across all activities.
- ✓ Prevent risks at source wherever possible by eliminating hazards or replacing dangerous processes, equipment or substances with safer alternatives, and prioritising collective protection measures.
- ✓ Put basic emergency arrangements in place, including first aid, firefighting and evacuation measures suited to the size and activities of the business.
- ✓ Provide clear information and training to workers, including induction, task-specific training and updates when equipment, technologies or risks change.
- ✓ Designate competent persons or services to manage OSH, using internal staff or external experts where necessary, but be aware that you remain fully responsible for compliance.
- ✓ Consult and involve workers in health and safety matters, allowing them to raise concerns without negative consequences and ensuring effective participation. Be aware of national rules and how they may differ from the minimum standards set by EU Directives.
- ✓ Get in touch at solutions@sparklegalpolicy.eu for assistance in understanding your national and cross-border compliance requirements.

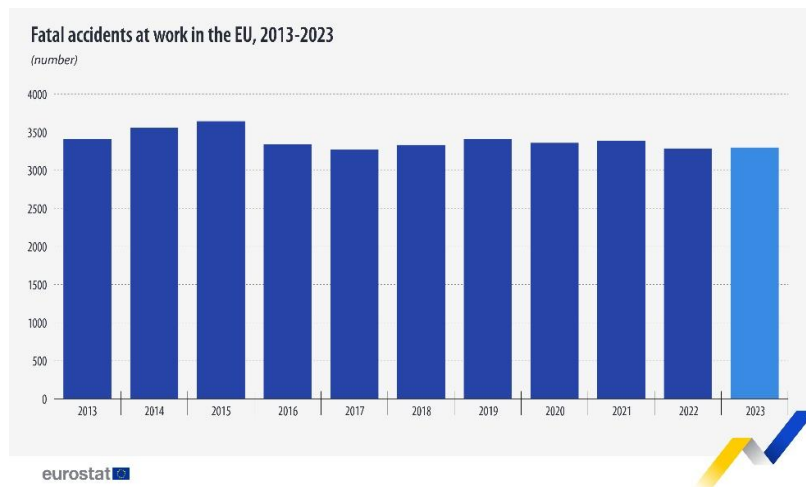


2. OCCUPATIONAL HEALTH AND SAFETY RULES

2.1 Introduction to Occupational Health and Safety Rules

EU occupational health and safety rules form part of a wider EU framework aimed at ensuring fair and safe working conditions. In particular, the right of every worker to fair and just working conditions, including a high level of health and safety protection, is recognised as a fundamental right under the EU Charter of Fundamental Rights and reaffirmed through the European Pillar of Social Rights.⁶

Occupational Health and Safety (OSH) legislation aims to protect workers’ safety, health and well-being in the workplace. For SMEs, compliance with OSH requirements is not only a legal obligation, but also an important element of effective workforce management. Failure to comply may expose businesses to administrative penalties, civil liability claims, increased insurance costs and productivity losses linked to work-related accidents or illnesses.⁷



Occupational risks remain significant across the EU, including in non-industrial and office-based environments. Official data shows that fatal accidents at work have consistently exceeded 3,000 cases per year over the last decade, underlining that workplace safety remains a

critical issue for employers of all sizes.⁸

⁶ European Commission (2017) The European Pillar of Social Rights: 20 principles. Available at: https://employment-social-affairs.ec.europa.eu/policies-and-activities/european-pillar-social-rights-20-principles_en (Accessed: 9 April 2026); European Union (2012) Charter of Fundamental Rights of the European Union, Article 31 (Fair and just working conditions). Available at: <https://fra.europa.eu/en/eu-charter/article/31-fair-and-just-working-conditions> (Accessed: 9 April 2026).

⁷ European Agency for Safety and Health at Work (EU-OSHA) (n.d.) *Good OSH is good for business*. Available at: <https://osha.europa.eu/en/themes/good-osh-is-good-for-business> (Accessed: 15 April 2026).

⁸ Eurostat (2025) Eurostat news article (DDN-20251014-1), 14 October 2025. Available at: <https://ec.europa.eu/eurostat/web/products-eurostat-news/w/ddn-20251014-1> (Accessed: 9 April 2026).

However, OSH obligations are not limited to high-risk sectors or to sudden workplace accidents. They also address non-accident-related and longer-term health risks that are directly relevant to office-based and service-oriented SMEs. Work-related musculoskeletal disorders (MSDs) are reported to be the most common work-related health problem in the EU, affecting workers across all sectors and occupations.⁹

Official studies demonstrate that sedentary work, prolonged sitting, poor workstation design, repetitive movements and other ergonomic factors increase the risk of MSDs, especially in office-based environments.¹⁰ Within this context, OSH requirements play a role in addressing ergonomic and organisational risks that may contribute to long-term work-related health problems and may have operational and workforce-related implications for businesses.

A safe and healthy working environment also delivers business benefits. Effective OSH compliance helps SMEs attract and retain skilled workers, improves employee motivation, reduces absenteeism, and supports overall business performance.¹¹ In competitive labour markets, a visible commitment to workplace safety can enhance an SME's reputation as a responsible employer and support its ability to attract and retain skilled workers.¹²

EU OSH law covers a wide range of rules, including several specific Directives targeting particular risks or working conditions, such as the use of dangerous work equipment or exposure to hazardous substances. As a result, not all EU OSH Directives apply to all SMEs. At the same time, several OSH Directives are of a more general nature and may be relevant to most workplaces regardless of sector. For example, the Workplace Directive sets minimum requirements for the safety and health of work premises, including ventilation, lighting, room dimensions, floors, doors, emergency routes and sanitary facilities.¹³ Similarly, although now considered outdated in several respects, the Display Screen Equipment (DSE) Directive remains applicable to many SMEs with office-based or screen-based work.¹⁴

⁹ European Agency for Safety and Health at Work (EU-OSHA) (n.d.) Musculoskeletal disorders, Safety and Health at Work. Available at: <https://osha.europa.eu/en/themes/musculoskeletal-disorders> (Accessed: 21 April 2026).

¹⁰ European Agency for Safety and Health at Work (EU-OSHA) (n.d.).

¹¹ European Agency for Safety and Health at Work (EU-OSHA) (2017). The business benefits of good occupational safety and health. Factsheet 77. Available at: https://osha.europa.eu/sites/default/files/Factsheet_77_-_The_business_benefits_of_good_occupational_safety_and_health.pdf (Accessed: 15 April 2026).

¹² International Labour Organization (ILO) (n.d.). Occupational safety and health. Available at: <https://www.ilo.org/bureau-employers-activities/areas-work/occupational-safety-and-health> (Accessed: 15 April 2026).

¹³ Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace. Official Journal of the European Communities, L 393, 30.12.1989, pp. 1–12. Available at: <https://eur-lex.europa.eu/eli/dir/1989/654/oj/eng> (last accessed: April 2026).

¹⁴ Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment. Official Journal of the European Communities, L 156, 21.6.1990, pp. 14–18. Available at: <https://eur-lex.europa.eu/eli/dir/1990/270/2019-07-26/eng> (last accessed: April 2026).

Accordingly, SMEs are only required to comply with those OSH rules that are relevant to the actual risks, activities, substances, equipment and workforce characteristics present in their workplace.

That said, there are two EU OSH Directives which play a central and broadly applicable role across most sectors: the Framework Directive 89/391/EEC and the Workplace Directive 89/654/EEC.

Beyond this general framework, determining whether more specific EU OSH Directives apply to a business requires carrying out a proper risk assessment based on the nature of the work performed by staff. Where such an assessment identifies particular risks or hazards, additional compliance obligations may arise. Additionally, national occupational safety and health rules may go beyond the minimum standards set by EU Directives and impose stricter requirements at Member State level.

Example: In Germany, national workplace safety legislation establishes more detailed and stringent rules on technical aspects such as workplace lighting and the design of office and screen-based workstations.¹⁵

Where there is uncertainty about which EU OSH Directives apply to a specific business, or how national implementing rules affect these obligations, SMEs are encouraged to contact solutions@sparklegalpolicy.eu for country-specific support.

Key challenges for SMEs

Fragmented legislation across Member States

While EU law sets minimum OSH standards, Member States may impose stricter national rules or apply different administrative and enforcement practices, such as varying documentation formats, record-retention requirements or employee consultation thresholds. SMEs operating in more than one Member State must therefore navigate multiple legal frameworks and ensure country-specific compliance.

Limited internal resources and expertise

OSH legislation frequently requires employers to designate, train or consult competent persons responsible for workplace health and safety. For SMEs with limited financial or human resources, meeting these obligations may represent an operational and financial burden.

¹⁵ Arbeitsstättenverordnung (Workplace Ordinance – ArbStättV), adopted on 12 August 2004, as amended, transposing Council Directive 89/654/EEC and laying down detailed technical requirements for workplaces, including lighting and workstation design. Available at: https://www.gesetze-im-internet.de/englisch_arbst_ttv/englisch_arbst_ttv.html (Accessed: 22 April 2026).

2.2 OSH Framework Directive 89/391/EEC

The Framework Directive 89/391/EEC applies across all sectors with the aim of improving workplace safety and protecting the health of employees.¹⁶

Key obligations for SMEs

General obligations

As a general rule, SMEs are responsible for ensuring the health and safety of their employees in all aspects of their business activities.¹⁷

In this context:

- SMEs must ensure that workers receive appropriate health and safety training and have access to the equipment, information and resources needed to prevent workplace accidents and occupational diseases.¹⁸

Example: Where an SME requires their staff to work with hazardous chemicals, before starting work, staff members must be provided with mandatory safety training, personal protective equipment, and clear written instructions to ensure they know how to handle spills and prevent exposure-related illnesses.

- SMEs should aim to eliminate workplace risks wherever possible. Where risks cannot be removed, they should be addressed as early as possible by organising work safely, keeping up with technical progress and replacing dangerous processes, substances or equipment with safer alternatives. Collective protection measures should be prioritised over individual ones, and workers should receive clear safety instructions.¹⁹

Example: An SME may identify through a risk assessment that employees could trip over loose cables in a shared office area. The first step would be to eliminate the risk by reorganising the workspace so that cables are no longer existent in walkways. If this is not possible, the company could address the risk by replacing existing cabling with safer,

¹⁶ Council of the European Communities (1989) 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, Articles 1 and 18. Available at: (Accessed: 8 April 2026).

¹⁷ Directive 89/391/EEC, Article 5(1).

¹⁸ Directive 89/391/EEC, Article 6(1).

¹⁹ Directive 89/391/EEC, Article 6(2)(a), (b), (c), (e), (f), (h) and (i).

fixed cable management systems, reflecting technical improvements. As a collective protection measure, cable covers or permanent floor channels should be installed rather than relying on individual workers to avoid the area. Finally, workers should be clearly instructed on the new layout and reminded not to place temporary cables or equipment in walking areas.

- Before assigning tasks, SMEs must ensure that the working conditions, equipment and work methods are safe and suitable for the role concerned, and that foreseeable risks to workers are prevented or reduced.²⁰

Example: For a role involving the use of machinery such as a forklift, SMEs must ensure that the equipment is properly maintained, safety measures are in place, and workers are not exposed to avoidable risks. Where specific risks are known (for example, exposure to hazardous substances), tasks should be organised to protect workers' health.

- Workers or their representatives should be consulted before introducing new technologies or equipment.²¹

Example: Before installing a new high-speed cutting machine, a manufacturing company should consult workers or their representatives on guarding systems, emergency stop functions and required safety training.

- Only workers who have received training appropriate to the risks involved should carry out higher-risk activities.²²

Example: SMEs should only assign workers who have received specific training to operate a forklift or work on maintenance tasks involving live machinery.

- SMEs must ensure that workers, their representatives and, where relevant, external workers are clearly informed about workplace risks, preventive measures and emergency procedures.²³ Workers with specific OSH responsibilities must be able to access risk assessments, accident records and relevant safety information.²⁴

Example: SMEs should ensure that all workers are informed about fire and evacuation procedures, and that workers with OSH responsibilities can access risk assessments, accident records and machine safety instructions when needed.

²⁰ Directive 89/391/EEC, Article 6(2).

²¹ Directive 89/391/EEC, Article 11(1-2).

²² Directive 89/391/EEC, Article 12(1).

²³ Directive 89/391/EEC, Article 10(1-2).

²⁴ Directive 89/391/EEC, Article 10(3).

- SMEs must actively involve workers or their representatives in health and safety discussions, allow them to raise concerns without negative consequences, and provide them with the necessary time and means to participate effectively, including contact with competent authorities where needed.²⁵

Example: After several workers report near-miss incidents on a production machine, an SME should allow the machine to be halted temporarily, and for a workers' representative to participate in the investigation during working hours, and contact the labour inspectorate to clarify whether additional safety guards are legally required.

Risk Assessment Obligation

In addition to the general obligations above, SMEs must **carry out a risk assessment before work starts**. This applies in particular before selecting work equipment, using chemical substances or setting up workplaces, and must review and update this assessment whenever working conditions change.²⁶

When assessing risks, SMEs should place particular emphasis on identifying whether certain groups of workers may be more exposed or more vulnerable to specific risks and therefore require additional or tailored protection.²⁷ This includes, for example, workers whose health, physical condition or personal circumstances may make them more sensitive to certain workplace risks, such as older workers, workers with disabilities or health conditions.²⁸

EU law does not require complex risk-assessment methods for all companies. In practice, for many SMEs, the task is relatively simple. Digital tools such as the [OiRA \(Online interactive Risk Assessment\) online risk-assessment tools](#) can help identify common risks and document preventive measures to the standard that the Framework Directive requires, subject to national practice.²⁹



OiRA is a free, web-based risk assessment tool developed by the European Agency for Safety and Health at Work (EU-OSHA). It is designed specifically to help micro and small enterprises identify common workplace risks, assess them in a structured way and document appropriate preventive measures in line with EU OSH requirements, taking account of national practice.³⁰

²⁵ Directive 89/391/EEC, Article 11.

²⁶ Directive 89/391/EEC, Articles 6(3) and 9(1).

²⁷ Directive 89/391/EEC, Article 15.

²⁸ European Commission (2016), p.9.

²⁹ European Commission (2016), p.4.

³⁰ European Agency for Safety and Health at Work (EU-OSHA) (n.d.). OiRA – Online interactive Risk Assessment. Available at: <https://oira.osha.europa.eu/en/about-oira> (Accessed: 15 April 2026).

The risk assessment should:

- ✓ identify hazards,
- ✓ assess the risks arising from those hazards,
- ✓ decide on measures to eliminate or reduce risks, and
- ✓ be documented and reviewed where necessary.³¹

Beyond the risk assessment itself, SMEs must implement the preventive measures identified, keep records of serious occupational accidents, and draw up accident reports, in accordance with national rules.³²

SMEs must ensure that the preventive measures identified through the risk assessment are actually implemented in practice, across all business activities and at all levels of the company.³³

Example: If a risk assessment identifies a high risk of injury due to manual handling tasks in a warehouse, the company should put appropriate measures in place, such as introducing mechanical lifting aids, reorganising work tasks, or providing targeted training to workers.

Protective and preventive services

SMEs are required to designate at least one employee to carry out preventive and protective activities related to occupational health and safety in the workplace. The designated person must have the necessary competence, be given sufficient time to perform these duties, and have access to the information, tools and resources required to do so.³⁴ Where there are no employees with the necessary technical expertise within the company, these activities may be carried out through external experts or services.³⁵ In such cases, SMEs must ensure that all necessary information and documentation are made available to the externally appointed person or service provider.³⁶

Example: In a small office-based SME with limited physical risks, an employee with basic OSH awareness or first-aid training may be sufficient to coordinate preventive activities. By contrast, in a factory, construction site or medical laboratory where workers are exposed to machinery, hazardous substances or complex processes, the SME may need to appoint a person with more specialised technical competence or engage an external OSH specialist to ensure that risks are properly managed.

³¹ European Commission (2016), p.7.

³² Directive 89/391/EEC, Articles 9(1)(b-d).

³³ Directive 89/391/EEC, Articles 6(1) and 6(3).

³⁴ Directive 89/391/EEC, Article 7(1).

³⁵ Directive 89/391/EEC, Article 7(3).

³⁶ Directive 89/391/EEC, Articles 7(4) and 7(5).



It is important to note that the use of external support does not remove or limit the employer's responsibility, which remains fully in place.³⁷

The employee appointed for this role must not be placed at any disadvantage as a result of their duties and must be given sufficient time to perform these tasks properly.³⁸

SMEs must ensure that persons responsible for occupational health and safety in the workplace, whether internal or external, have adequate skills and resources to meet their responsibilities. Furthermore, the number of persons appointed for OSH responsibilities must be sufficient for proper protection, taking into account the size of the company and the nature and level of workplace risks.³⁹ Where OSH responsibilities are split between internal and external personnel, both must cooperate where necessary.⁴⁰

For micro and small enterprises, Member States may allow competent employers to take on OSH responsibilities themselves. In this regard, it is national law which determines the required qualifications an employer must meet and what is considered a sufficient number of responsible persons.⁴¹

Examples: National OSH rules for micro and small enterprises

Germany: In Germany, micro and small enterprises may assume occupational safety and health (OSH) responsibilities themselves, provided that they complete the training offered by the competent authorities, fulfil core obligations such as carrying out risk assessments, and, where necessary, obtain advice from occupational physicians and occupational safety specialists.⁴²

Belgium: In Belgium, in enterprises with fewer than 20 employees, the employer may assume the role of prevention advisor at the workplace, provided that the required conditions are met. However, where the employer is unable to fulfil these duties, support from a duly authorised external service for prevention and protection at work is mandatory.⁴³

³⁷ Directive 89/391/EEC, Article 5(2).

³⁸ Directive 89/391/EEC, Article 7(2).

³⁹ Directive 89/391/EEC, Article 7(5).

⁴⁰ Directive 89/391/EEC, Article 7(6).

⁴¹ Directive 89/391/EEC, Article 7(7).

⁴² European Agency for Safety and Health at Work (EU-OSHA) (2020). OSH system at national level – Germany. OSHwiki. Available at: <https://oshwiki.osha.europa.eu/en/themes/osh-system-national-level-germany> (Accessed: 17 April 2026).

⁴³ Federal Public Service Employment, Labour and Social Dialogue (n.d.) Prevention services. Available at: <https://employment.belgium.be/en/themes/international/posting/working-conditions-be-respected-case-posting-belgium/well-being-11> (Accessed: 17 April 2026).

Emergency measures and serious danger

All businesses, regardless of size, must put in place certain measures to mitigate risk in the event of an emergency or serious danger. SMEs must put in place first aid, firefighting and evacuation measures that are appropriate for their activities and company size. Where needed, contact details and arrangements with local emergency services (such as fire brigades or medical services) should be prepared in advance.⁴⁴

SMEs must appoint workers to carry out first aid, firefighting and evacuation tasks. The number of designated workers, their training and the equipment provided must be adequate for the size of the workplace and the risks involved.⁴⁵

Example: In a small office-based SME, designated workers may be responsible for providing basic first aid for minor injuries, guiding colleagues towards exits during an evacuation, and using portable fire extinguishers to control small fires until emergency services arrive.

In a larger or higher-risk workplace, these tasks may extend to coordinating evacuation procedures across multiple areas, shutting down hazardous machinery or processes where required, managing communication with emergency responders on site, and supporting crowd control or perimeter safety until professional services take over.

If there is a serious and imminent danger, SMEs must immediately inform workers, allow them to stop work and move to a safe place, and must not require them to resume work until the danger has been removed. Workers who leave the workplace for this reason must not suffer any negative consequences.⁴⁶

Example: If a gas leak is detected in a small workplace, employees must be informed without delay, allowed to leave the premises and move to a safe location, and must not face disciplinary action or other disadvantages for stopping work and evacuating the building.

Where a serious and imminent danger arises and no responsible manager can be contacted, SMEs must allow workers to take appropriate action, within their knowledge and available means, to prevent harm. Workers must not be penalised for doing so unless they acted carelessly or negligently.⁴⁷

⁴⁴ Directive 89/391/EEC, Article 8(1).

⁴⁵ Directive 89/391/EEC, Article 8(2).

⁴⁶ Directive 89/391/EEC, Article 8(4).

⁴⁷ Directive 89/391/EEC, Article 8(5).

Training of workers

SMEs must ensure that all employees receive appropriate training in relation to occupational health and safety. This training must be provided in particular:

- When the employee starts work.
- When the employee's tasks or position change.
- When new work equipment is introduced or existing equipment is changed.
- When a new technology is introduced.⁴⁸

Such training must be adapted to new or changing risks and must be updated and repeated where necessary.⁴⁹

Example: An SME may initially show employees how to safely use basic work equipment and explain emergency procedures on their first day of work. If new equipment is introduced, the employer should demonstrate how it is used safely before employees start working with it. Similarly, if work processes change or new risks arise, such as handling different materials or working in a new area, employees should receive a short refresher briefing or practical instruction to address those specific changes.

Where SMEs engage self-employed workers, freelancers or contractors to carry out work at their premises, they must ensure that these workers receive appropriate instructions on the health and safety risks to which they may be exposed.⁵⁰ SMEs must make sure that external workers are genuinely informed about the health and safety risks arising from their activities at the workplace.⁵¹

Example: If an SME hires an IT contractor to work on-site, the contractor should be informed about emergency procedures, restricted areas and electrical safety rules. Similarly, where a cleaning, maintenance or repair contractor is engaged, the SME should explain any specific risks in the workplace, such as slip hazards, chemicals in use or ongoing work activities, before the work starts.

Employees with a specific role in occupational health and safety, as well as workers' representatives, are entitled to receive appropriate specialist training in order to carry out their duties. SMEs must provide such training where required.⁵²

⁴⁸ Directive 89/391/EEC, Article 12(1).

⁴⁹ Directive 89/391/EEC, Article 12(1).

⁵⁰ Directive 89/391/EEC, Article 12(2).

⁵¹ Directive 89/391/EEC, Article 10(1).

⁵² Directive 89/391/EEC, Article 12(3).

Example: If an employee is appointed to be responsible for health and safety in a small office, the SME may send that person to a short course on how to carry out risk assessments and report incidents, so that they know what to check and what to do if a problem arises.

All occupational health and safety training must be provided free of charge and, as far as possible, during working hours.⁵³

Practical tips for SMEs

- ✓ **Carry out a risk assessment before work starts:** Identify workplace risks before selecting equipment, using substances or setting up workspaces, and review the assessment whenever working conditions change. Use a simple and proportionate approach suitable for your business size and the nature of your work.⁵⁴
- ✓ **Use practical tools where helpful:** Consider digital tools such as the [OiRA online risk-assessment tools](#) to identify common risks and document preventive measures.⁵⁵
- ✓ **Act on risk assessment results:** Make sure that the preventive measures identified are actually applied in practice across all business activities and at all levels of the company.⁵⁶
- ✓ **Pay attention to workers facing higher risks:** When assessing risks, consider whether certain workers are more exposed in practice, such as workers with disabilities, young or inexperienced staff, older workers, pregnant workers, migrant or temporary workers, maintenance staff or workers exposed to high workload or stress.⁵⁷
- ✓ **Prevent risks at source wherever possible:** Eliminate workplace risks where you can. If risks cannot be removed, reduce them by organising work safely, using safer equipment and/or processes, and prioritising collective protection over individual protective equipment.⁵⁸
- ✓ **Put emergency measures in place:** Ensure that first aid, firefighting and evacuation measures are put in place, proportionate to your activities and company size. Designate trained staff to carry them out and always keep emergency contact arrangements available.⁵⁹

⁵³ Directive 89/391/EEC, Article 12(4).

⁵⁴ Directive 89/391/EEC, Articles 6(3) and 9(1).

⁵⁵ European Commission (2016), p.9.

⁵⁶ European Commission (2016), p.7.

⁵⁷ European Commission (2016), p.9.

⁵⁸ European Commission (2016), p.10.

⁵⁹ European Commission (2016), p.11.

- ✓ **Make sure workers know what to do in emergencies:** Inform workers immediately in case of serious danger and allow them to stop work and move to a safe place. Where appropriate, use brief explanations or simple drills to ensure emergency procedures are understood in practice.⁶⁰
- ✓ **Train workers at key moments:** Provide health and safety training when workers are recruited, change tasks, use new equipment or technologies, or when risks change. Training must be free of charge and, as far as possible, take place during working hours.⁶¹
- ✓ **Involve workers in OSH decisions:** Regularly consult workers or their representatives on health and safety matters, allow them to raise concerns without fear of negative consequences and give them enough time and means to participate effectively.⁶²
- ✓ **Seek external expertise where needed:** Use external OSH experts where risks are complex or internal expertise is lacking.⁶³

⁶⁰ European Commission (2016), p.11.

⁶¹ European Commission (2016), pp. 11-13.

⁶² European Commission (2016), pp. 14-15.

⁶³ European Commission (2016), p.8.

2.3 The Workplace Directive 89/654/EEC

The Workplace Directive (Directive 89/654/EEC) has been transposed into national law by the Member States, has been applicable since 31 December 1992, and applies across most sectors with the aim of ensuring minimum safety and health requirements for workplaces.⁶⁴ The Directive supplements the general obligations laid down in the Framework Directive 89/391/EEC by setting out concrete requirements relating to work premises and facilities.

Unlike more technical or sector-specific OSH rules, this Directive contains very concrete obligations that are easy for SMEs to relate to, as they concern the physical layout, condition and facilities of the workplace itself.

Under Article 3 of the Directive, employers must ensure that workplaces meet the minimum requirements set out in the Annexes. These requirements apply to both new and existing workplaces and cover everyday aspects of running a business premises.⁶⁵



The Workplace Directive is expected to be updated in the near future.⁶⁶ However, the core obligations set out in this Guide are likely to remain largely unchanged. For most SMEs, compliance will continue to focus on simple and everyday workplace issues, such as keeping premises safe, accessible and suitable for daily use, rather than introducing complex technical measures.

⁶⁴ Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace. Official Journal of the European Communities, L 393, 30.12.1989, Articles 1 and 10, Available at: <https://eur-lex.europa.eu/eli/dir/1989/654/oj/eng> (Accessed: April 2026).

⁶⁵ Directive 89/654/EEC, Article 3.

⁶⁶ European Commission (2021) EU strategic framework on health and safety at work 2021–2027 – Occupational safety and health in a changing world of work, COM(2021) 323 final, 28 June 2021. p.9, Available at: https://employment-social-affairs.ec.europa.eu/policies-and-activities/rights-work/health-and-safety-work/strategic-policy-documents_en (Accessed: April 2026).

Key obligations for SMEs

Emergency routes and exits

SMEs must make sure that:

- Emergency routes and exits are always kept clear and lead as directly as possible to a safe area.⁶⁷
- Exits are easy to use, clearly marked and appropriate for the size and use of the workplace.⁶⁸

Example: A small accounting firm ensures that the corridor leading to the fire exit is not used for storing archive boxes or old office furniture, even temporarily during busy periods.

General maintenance and safety

SMEs must ensure that:⁶⁹

- The workplace, installations and equipment are properly maintained.
- Any faults or defects that could put workers at risk are fixed as quickly as possible.

Example: A café owner repairs a loose floor tile in the kitchen as soon as it is noticed, rather than waiting until the next refurbishment.

Ventilation, temperature and lighting

SMEs must provide in workplaces:

- Adequate ventilation.⁷⁰
- A suitable indoor temperature.⁷¹
- Sufficient lighting for the work carried out.⁷²

Example: A small design studio installs blinds and adjusts artificial lighting so staff can work comfortably on screens without glare during bright afternoons.

Space and freedom of movement

SMEs must ensure that:

- Workrooms provide enough space for safe work.⁷³

⁶⁷ Directive 89/654/EEC, Annex I, point 4.1 and Annex II, point 4.1.

⁶⁸ Directive 89/654/EEC, Annex I, points 4.3 4.5, 4.6 and Annex II, 4.3, 4.5, 4.6.

⁶⁹ Directive 89/654/EEC, Article 6.

⁷⁰ Directive 89/654/EEC, Annex I, point 6 and Annex II, point 6.

⁷¹ Directive 89/654/EEC, Annex I, point 7.1-7.3 and Annex II, point 7.1-7.2.

⁷² Directive 89/654/EEC, Annex I, point 8 and Annex II, point 8.

⁷³ Directive 89/654/EEC, Annex I, point 15.1.

- Workers can move freely at their workstation.⁷⁴

Example: A retail shop rearranges shelving behind the counter so staff can move easily when handling deliveries or assisting customers.

Sanitary and rest facilities

SMEs are required to provide:

- Adequate toilet and washing facilities.⁷⁵
- Rest areas where needed for health or safety reasons.⁷⁶

Example: A small warehouse provides a clean break room where staff can sit down during lunch instead of eating in the loading area.

Facilities for pregnant and nursing / breastfeeding workers

Where necessary, SMEs must ensure that pregnant and nursing or breastfeeding workers have access to a suitable place to rest.⁷⁷

Example: A marketing agency makes a quiet meeting room available during the day so a breastfeeding employee can rest or express milk in privacy when needed.

Practical tips for SMEs

- ✓ Walk through your premises regularly to check that emergency routes, exits and work areas remain clear and easy to use in practice, not just on paper.
- ✓ Fix visible safety issues immediately, even if they seem minor (e.g. loose tiles, poor lighting or blocked walkways).
- ✓ Adjust basic workplace conditions such as lighting, ventilation or temperature where staff raise comfort or visibility issues.
- ✓ Make sure workspaces allow safe movement, especially in areas where staff handle goods, serve customers or share equipment.
- ✓ Provide clean and usable welfare facilities, including toilets and a place to rest or take breaks where needed.
- ✓ Be ready to adapt spaces temporarily to support pregnant or breastfeeding workers, for example by making a quiet room available.

⁷⁴ Directive 89/654/EEC, Annex I, point 15.2.

⁷⁵ Directive 89/654/EEC, Annex I, point 18.2-18.3 and Annex II, point 13.2.

⁷⁶ Directive 89/654/EEC, Annex I, point 16.1-16.4 and Annex II, point 11.1-11.3.

⁷⁷ Directive 89/654/EEC, Annex I, point 17.

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