

**Information about
The Covenant on Working Conditions
In the Performing Arts
(Duration 2002-2006)**

LOGO

What is a health and safety covenant?¹

During the last few years there have been many changes made in the legal framework of the Netherlands in order to reduce occupational disability and absenteeism. With the privatisation of the Dutch Health Law and Disablement Insurance Act (WAO) and the adoption of the new Occupational Health and Safety Act (the 'Arbowet'), the responsibility of employers and employees (the 'social partners') for company policies regarding health and safety and absenteeism has been further intensified. Nonetheless, many workers in the Netherlands are still subjected to work-related risks. This mainly has to do with physical and mental strain, but working in conditions with hazardous noise levels and with harmful substances is also fairly common. Preventive measures are not always taken in time and are sometimes not effective enough to safeguard the health of employees. In spite of all of this new legislation, company policies regarding occupational health and safety and absenteeism have not yet resulted in reduced rates of sickness and occupational disability. The government believes that health and safety covenants will be successful policy tools to achieve the desired improvement. These covenants are tailor made, goal oriented agreements between the social partners at sector level and the Ministry of Social Affairs about policies regarding occupational health and safety and absenteeism.

Health and safety covenants are not new; they were also used in the late 80's and early 90's. These 'old-style' covenants usually consisted of a series of (informal) activities and efforts, mainly to do with providing information and developing sector-related documents and other instruments. In 1998, the government, together with the social partners at national level, decided to give new meaning to the term 'arboconvenant'. In that year the Cabinet and the Social Economic Council issued a 'Joint Statement' in which they declared themselves jointly responsible for further improvement of working conditions by means of concluding 'new-style' health and safety covenants.

Unlike their predecessors, the new style health and safety covenants are characterised by having clear terms of reference. In other words, each covenant concluded must contain effective agreements that are expressed, as far as possible, as quantitative targets. For example: to reduce physical strain by a certain percentage or to realise a structural drop in the rate of occupational disability in a particular sector. The new style health and safety covenants are intended to reduce certain work-related risks. These are physical strain (lifting), pressure of work, RSI, hazardous noise, and harmful substances such as solvents, allergens and quartz. These risks can lead to health problems, absenteeism, disability and frequent use of medical facilities. Reducing work-related risks has many advantages. In the first place, employees will enjoy their work more and that work will be healthier. Secondly, absenteeism and disability rates will drop, as will the frequency that medical facilities are used.

More than twenty covenants have now been concluded. That means that efforts are being made in many sectors to reduce work-related risks. Each sector does this in its own way. Widespread initiatives are being started in which a covenant is the framework that sets up the conditions, and practical experience is the guideline for actual implementation. Such tailoring per sector is crucial in order to keep in touch with actual day-to-day work. By pooling resources at sector level, and using additional incentives provided by the covenant system, employers within a sector will be able to make improvements they might not be able to achieve on their own. The covenants also provide a means for employers within a sector to learn from each other. The covenant system stimulates the development of creative policies and practices in each sector. In turn, sectors can learn a lot from each other's experiences.

¹ 'A safeguard for good working conditions. Health and safety covenants in practice' March 2002, Ministry for Social Affairs and Employment

Structural plans for occupational safety and health in the performing arts

Laying the foundations

Employers and employees in the performing arts must all obey the Occupational Health and Safety Act. In other words, it is up to all of us to ensure good working conditions and the health and safety of all those at work in our branch. Good working conditions are of vital importance. High levels of work-related stress, intense physical strain, working at heights, and exposure to high sound levels are examples of the risks involved for performing artists as well as those who work backstage. Risks like these can eventually result in absence due to sickness or worse still, in complete disability.

ArboPodium is now reaping the fruits of eight years of diligent work done by the Committee for Safety, Health and Well Being in the Theatre (Commissie VGWT). When this group began in 1994, occupational health and safety in the performing arts was in its infancy. Some of the strides made since then include the development of branch norms, a handbook for occupational safety and health, seminars, courses and a standard contract with a Health and Safety service (arbodienst). By the year 2000 the VGWT seriously questioned whether they should continue their work, which until then had been mainly ad hoc. The decision to continue to strive toward more structural measures for occupational safety and health in the performing arts was unanimous. To this end, a policy framework charting the committee's course for the next four years up to 2004 was drawn up and ratified.

On December 6th, 2001 the VGWT Committee was transformed into the ArboPodium Foundation, which has meanwhile become the widest forum for co-operation within the performing arts with representatives from almost all of the branch employers' organisations and unions. This groundwork was particularly needed in the performing arts, because unlike many other sectors in the Netherlands, the performing arts does not yet have a single association for all of its employers. The added value of this joint venture lies in the ability to bundle existing strength; save on manpower, time and budget; and ensure the efficient transfer of knowledge and know-how.

Working toward a covenant

As foreseen in the VGWT's framework, an Agreement of Intent was signed on June 29, 2000 as a step toward adopting a health and safety covenant covering specific occupational risks - physical strain, hazardous noise, and work-related stress - as well as the timely reintegration of employees back into the workplace after sick leave. After all, there is much to be gained by reducing occupational risks. Firstly, a better and healthier working environment for employees, and secondly, lower rates of absenteeism and disability (in terms of the Disablement Insurance Act or WAO). By sealing a covenant with the Ministry of Social Affairs and Employment (SZW) and the Ministry of Education, Culture and Science (OC&W), ArboPodium will be able to develop and carry out a structured policy for safety and health for the branch. The government will make substantial contributions toward tackling occupational risks for the duration of the covenant (2002 - 2006).

The Covenant on Working Conditions in the Performing Arts (Arboconvenant Podiumkunsten) and pursuant Plan of Action was signed on May 15, 2002 by SZW, the Labour Inspection, OC&W and all the organisations of employers and employees who are members of ArboPodium. In the context of the Arboconvenant, 'branch' refers to all the performing arts. The term sub-branch refers to a distinct discipline, for example dramatic theatre, dance, symphonic music, pop music, etc. The term organisation refers to both producing companies such as orchestras, companies or ensembles, as well as the venues for the performing art: theatre, concert hall, etc. This was the green light for the start of an array of activities and measures.

The covenant process was not initiated to produce a fine document full of empty promises. The intent is rather to make tangible improvements in working conditions in the performing arts, a branch where motivated individuals, on or backstage, often take (unnecessary) risks to make 'their' performance or concert a success. ArboPodium is sincerely concerned with the health of these individuals. Because the covenant is tailor-made to tackle specific problems in the performing arts, it is a golden opportunity. It is up to us all to make the best use of it!

What does the Covenant on Working Conditions in the Performing Arts really mean?

The covenant contains binding agreements for making better assessments of exposure to physical strain, work-related stress, damaging amplified sound, long-term absenteeism and disability. It also contains agreements on ways to reduce occupational risks - where necessary and desirable - as a means to shorten sick leaves and reduce the need for public disability benefits. The Plan of Action describes activities and measures as concretely as possible.

Executing this Plan of Action will demand a considerable amount of effort from the entire branch. The most important tasks have been assigned to employers and employees. You are after all chiefly responsible for good working conditions. Every individual arts organisation must make progress during these four years toward further developing and embedding its own health and safety policy. So while it is not possible for these two ministries or ArboPodium take the job off the hands of each individual organisation, they can offer you and your organisation support with an array of activities and measures.

The targets in a nutshell

In a nutshell, the covenant aims to achieve the following goals by 2006:

- 90% of the population at risk and of the employers concerned know what causes physical strain and how it can be prevented.
- A 10% reduction in complaints of physical strain by the risk population affected;
- In anticipation of branch norms, a maximum lifting weight will be established, from which dancers and acrobats will be exempted in certain instances.
- 90% of the population at risk and the employers concerned know how work-related stress can arise and how it can be prevented.
- A 10% reduction of complaints of work-related stress by the risk population affected.
- The measures for reducing occupational stress have actually been implemented in arts organisations.
- 90% of the population at risk and the employers concerned know the possible effects of exposure to hazardous amplified sound and know how exposure can be avoided.
- The number of employees who are exposed without protection to hazardous amplified sound will be minimised by measures that include reducing effective exposure to hazardous sound levels (preferably to levels under the danger zone of 80 dB(A)), creating low-noise zones and general use of suitable hearing protection.
- ArboPodium seeks to gain more reliable insight into the sound levels generated at pop concerts and during highly amplified performances of amusement and musical theatre as well as the extent to which workers (including volunteers) experience hearing damage.
- ArboPodium has developed and implemented activities aimed at reducing long-term absenteeism and disability.
- By February 1, 2005 a branch specific protocol for managing absenteeism and reintegration, including the registration of absenteeism, will be followed by at least 75% of the arts organisations in each sub-branch of the performing arts and by their safety and health service (arbodienst). This system will enable the entire branch, sub-branches and individual companies to make sound policy for tracking and tackling work related sickness.

- By January 1, 2004 each of the arts organisations that participated in the VBBA-monitor (described below) will have utilised the results in its own plan for addressing occupational risks (as part of its 'risk assessment and evaluation').

How?

Pooling resources is vitally important for meeting the covenant's targets. This is why an Expertise Centre is being set up to help carry out the covenant, to manage information and know-how on working conditions, and to initiate, co-ordinate and support activities. You can read more below about how the Expertise Centre can help your organisation to set up or further develop your own occupational safety and health plan.

As of May 15, 2002 there is an operational website: www.arbopodium.nl. As of now you have access to extensive and detailed information about the covenant activities, more general subjects pertaining to working conditions like legislation, technical and scientific developments, but also to information pertaining specifically to your profession. You can find all of the information gathered by the Expertise Centre via the site. Your contributions to the site will be greatly appreciated. You can react via the discussion forum, initiate discussions, ask questions to colleagues, or exchange useful tips. The website is in fact the heart of the 'working conditions network' for the performing arts.

Three workgroups will assist the Expertise Centre in the task of gathering, sorting and unlocking information on working conditions.

The workgroup 'State of the Art' will gather information on policies, provisions and services that can contribute to managing and reducing occupational risks.

The main subjects for **the workgroup 'Norms, Standards and Rules'** include the development of agreements, norms and rules for situations where two employers are operating at the same location for example the visiting performing arts group and the receiving theatre. This workgroup will also address the position of internal 'arbo co-ordinators', and general standards like for example maximum lifting weight.

The workgroup 'Absenteeism and Reintegration' will oversee the design of a uniform and concrete protocol for managing absenteeism and the process of reintegration, a program of specifications for contracting safety and health services and a system of registration for the entire branch.

You can communicate with the work groups via the www.arbopodium.nl discussion forum.

The Expertise Centre has a helpdesk which you can reach from Monday to Friday either by phone (020-6200201) or e-mail (info@arbopodium.nl) for information on the covenant themes, or for 'day to day' topics like information on safety equipment for orchestra pits or working at heights.

And of course there is also a newsletter with information on the latest developments on working conditions. Though it is not feasible to provide all of the information in English, an effort is being made to make the website accessible to English speakers.

The Expertise Centre will also provide staff and secretarial support to consultations among and between producing and facilitating arts organisations, branch specific organisations and relevant service providers. Maintaining relations with other relevant expertise centres, for example the medical centre for dancers and musicians, but also with occupational safety and health services and suppliers of safety equipment and tools is also part of the Expertise Centre's assignment.

Activities and measures to address occupational risks

From the signing of the covenant onward, there are many activities on the agenda. We have selected a few and will describe them below.

Update working conditions handbook for the performing arts: 'Open doek voor Arbozorg'

By May 1, 2003 at the latest a first update of the handbook will be available. In addition to basic updating, extra attention will be given to the covenant themes, the issue of multiple employer situations, risk assessment and evaluations per production, and other branch specific topics.

Certified basic course for internal safety and health co-ordinators and a refresher course

In conjunction with one or more training institutes, a certified basic course for internal safety and health co-ordinators and a refresher course will be developed that is specifically oriented toward performing arts organisations. The course will be offered annually during different periods. ArboPodium's target is to certify employees from at least 200 arts organisations and to have co-ordinators from at least 150 arts organisations attend the refresher course during the next four years.

Study- and forum days

To support internal safety and health co-ordinators, a study and discussion day will be organised each year to highlight the development of the covenant themes. In 2002 and 2004 meetings will be organised to handle the implementation of occupational safety and health policy and practical care. In addition ArboPodium will hold special meetings in 2003 and 2005 for artistic and administrative directors.

Inventory of company data

Needless to say it is important to be able to measure whether policies and activities have had an impact on occupational risks. This requires gathering general information and specific data on safety and health from all performing arts organisations. One of the first activities of the Expertise Centre will therefore be to make an inventory of this data from each and every organisation. This inventory will include the current size and status of arts organisations; type of employee representation; current status of safety and health care; levels of service and co-operation with occupational safety and health service. It will also make clear which subjects you would like to know more about and the way you would like to receive this information.

In this inventory, you will also be asked for some basic figures on absenteeism and use of public disability insurance (WAO-intake). At the start of 2004 and 2005 the inventory will be repeated to monitor the results of the covenant. As you can understand, your contribution to these inventories is of the utmost importance!

The role of employees in making the covenant perform: VBBA surveys

In 2003 and near the close of the covenant, all employees will be invited to complete a 'VBBA' questionnaire - a survey of how physical and mental strain are experienced by individuals. The VBBA is a reliable tool for assessing levels and causes of job pressure and strain; it is widely used by doctors who work in an organisational context. In many other sectors, these surveys have already been done on a wide scale. Other sectors have been able to compare their own levels and causes of work-related job pressure and strain to those of other branches and have used this insight to pinpoint problems and set targets in their own covenants.

Because such a wide scale study has never been conducted in the performing arts, the first VBBA survey will be commissioned by the Ministry of Social Affairs and Employment (SZW), as a forerunner to the covenant. This will provide the first standard measure of its type in the performing

arts. The results will indicate the extent to which stress and physical strain must be considered as serious occupational risks. It should also help us find out how these factors in the performing arts compare with other fields of work.

The survey is not only important as a statistical tool, but also aims to generate an open discussion about the effects of work-related stress and physical strain in the performing arts. Questionnaires will not be combined with a periodic physical exam and the response will, of course, be completely confidential. It is vital that a vast majority of all performers in all sub-branches, technicians, and members of staff fully complete the VBBA questionnaire. Without a high response on your part, the covenant will not perform!

Measures addressing physical strain (including lifting and RSI) and work-related stress

- The Expertise Centre will provide extensive information on widespread types of physical strain and work-related stress and the generally recognised rules of science pertaining to reducing these risks.
- ArboPodium will strive to establish a maximum lifting weight for technicians in accordance with the NIOSH-formula. The technical, financial and/or organisational impediments to implementing this norm will also be carefully studied.
- In 2003, the results of an extensive survey commissioned by SZW will be completed. This is the first standard measure of the perception and assessment of workers in the performing arts (VBBA questionnaire). The results will provide a more reliable and detailed picture of the extent to which stress and physical strain must be considered as serious occupational risks. It is vital that as many colleagues as possible fully complete the questionnaire. ArboPodium's target is to have the survey completed by at least 75% of all colleagues from at least 75% of all member organisations. Each organisation that meets the target will receive its own analysis of the results and an explanation of how to apply the information to its own policy for safety and health. The survey will be repeated toward the close of the covenant to assess whether the covenant targets have been reached.
- A pilot project on 'physical strain and work-related stress among musicians and singers' will be conducted (2004-2005). Using (international) research on preventive and curative methods along with an analysis of the most recent VBBA-survey (on the perception and assessment of both of these occupational risks), one or more methods of reduction will be formulated. Subsequently these methods will be tested by several organisations that participated in the VBBA survey. Based on an evaluation of these pilot projects, the most successful methods can be introduced in the rest of the music branch.
- A pilot project on 'physical strain and work-related stress among dancers' will be conducted by the Dance Directors Platform (DOD). This project will be based on research already done with dance students. Using a dance diary can help dancers learn to recognise their limits and warning signals. The diary can also become a useful tool for teachers and coaches. The first phase of his project will take place in 2003-2004 and will be followed by a second phase in 2004-2005. One large and one small dance company will carry out the pilot project.

Measures to reduce exposure to (damaging) sound levels

- The Expertise Centre will provide extensive information on the common sources of dangerous amplified sound as well as the generally recognised rules of science for risk reduction. Another topic of concern is the stress possibly caused by noise in workplaces or during set building on stage.
- The pilot project 'podium' will assess the extent of exposure to damaging sound levels in a representative sample of the venues and highly amplified theatre productions. These results combined with the results of the VBBA survey will be utilised to formulate one or more preventative programmes to be implemented in several venues that were in the sample group

and took part in the VBBA survey. The most effective programme can subsequently be refined and implemented in the entire sub-branch and other affected target groups.

- Counselling and education for workers exposed to dangerous sound levels.
- Demarcating workplaces where sound levels exceed 85 dB(A).
- Requiring use of hearing protection by those who work within these danger zones where sound levels exceed 85 dB(A).
- Specifying explicitly the way the use of hearing protection shall be supervised and the way employers will sanction non-use.

Measures to stimulate timely reintegration

- An inventory of data on working conditions in each organisation in order to gain understanding of the scope and sources of sickness leaves longer than a few weeks.
- Developing a clear standard protocol for absenteeism and reintegration in conjunction with a branch wide system of administration, and drawing up specifications for a standard contract with one or more safety and health services. Conducting a feasibility study on the development of a central branch service point for absentee management and reintegration.

In closing

This pamphlet has given you a short impression of the content of the Covenant on Working Conditions in the Performing Arts and some of the activities and measure it calls for. If you are interested in more information in English on particular topics or activities, please let us know via www.arbopodium.nl or via info@arbopodium.nl. In addition, the ArboPodium helpdesk can answer questions you may have on workdays during office hours. We will inform you periodically of the developments and progress made in implementing measures in the covenant. ArboPodium is depending on you to help carry out all the activities aimed at reducing occupational risks, long term absenteeism and disability and we will ask you regularly for assistance. We look forward to fruitful co-operation and a successful outcome!

Composition of ArboPodium

A delegate from your branch organisation represents you in ArboPodium. These delegates will inform you regularly of the latest developments:

Foundation Council ArboPodium

VSCD Henk Everts (De Tamboer)
 VVT Theo Ruijter (Lantaren/Venster)
 VNP Siebe Weide (VNP)
 VAMP Henk Heuvelmans (Gaudeamus)
 VIP Ton de Gooyer (Jazzpower)
 VVTP Peter van Eick (Stageholding)
 VNT Nicolien Luttels (Orkater)
 DOD Johan van Beem (Nederlands Danstheater)
 CNO Ton Verberne (acting director CNO)
 VNME Willem Wijgers (VNME)
 Koepel Opera Frans Huneker (Het Muziektheater)
 FNV KIEM Martin Kothman/Han Ellenbroek
 CNV-Kunstenbond Sjaak Warnaar
 Ntb Hans Stap
 Advisory member:
 VPT Frits van den Haspel/Henk ter Haar

Board ArboPodium

Rinus Haks (chairman)
 Martin Kothman (secretary and deputy chairman)
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