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Joint statement on psychosocial risks in the workplace: European employers call for an evidence-based and practical approach to a complex issue

*Ahead of the European Parliament's plenary vote on 5 October 2026 on the INL report "Psychosocial risks, stress and mental health at work" (2026/2023), **European employers call on Members of the European Parliament to reject the legislative annex and any other reference to the introduction of a new European legislation, as well as remove its most problematic provisions. We call for an approach that:***

- *clarifies that the existing general risk-assessment obligation covers both physical and psychosocial risks;*
- *strengthens implementation and enforcement of the existing OSH framework;*
- *provides practical guidance and tools;*
- *supports the exchange of effective practices across sectors and Member States;*
- *reinforces social dialogue and shared responsibility;*
- *respects subsidiarity and the practical realities of companies, especially of SMEs; and*
- *Respect the ongoing tripartite work of the Advisory Committee on Safety and Health at work.*

European employers fully recognise the importance of protecting workers' health, safety and mental well-being. Employers take this responsibility seriously and are already taking action to prevent and address psychosocial risks across Europe. **Employers are not debating whether to address psychosocial risks, rather how to do so effectively and proportionately.** European employers support a general clarification that the existing obligation under the OSH Framework Directive to carry out a general risk assessment covers both physical and psychosocial risks. This would provide useful clarity while building on the existing EU occupational safety and health framework.

However, this clarification should not become a basis for a disproportionate and overly prescriptive new EU legislative regime requiring separate and specific psychosocial-risk assessments, mandatory follow-up measures, extensive documentation or mandatory action plans. **Such an approach risks adding bureaucracy and liability without evidence that it would result in better mental health outcomes for workers.** This is the moment where simplification, improved competitiveness and better regulation must be delivered upon. It is therefore imperative that any new legislation should demonstrate a clear need, added value and ability to deliver better outcomes. In this case, introducing a highly prescriptive new framework risks doing the opposite: adding complexity to an already comprehensive OSH system, comprising of a Framework Directive and 24 separate OSH directives, and broadening the employers' liability beyond their sphere of

control without demonstrating that the outlined regulatory approach will improve prevention.

Psychosocial risks are complex and multifactorial. They are influenced not only by working conditions and work organisation, but also by individual circumstances, factors outside work and differences in how people respond to similar situations. **There is no one-size-fits-all solution that can effectively be prescribed at EU level.** Companies across Europe are already investing in prevention, awareness, workplace organisation, management practices, employee support and social dialogue. European and national social partners have also developed agreements, guidance and practical tools to help workplaces address psychosocial risks. Europe should build on existing work and respect the autonomy of social partners rather than adding a new legislative framework. The priority should be effective implementation of the existing OSH framework, practical guidance, exchange of good practices and support for stronger social dialogue.

This is particularly important for SMEs, which often lack dedicated HR, legal or compliance resources. New assessment, documentation, consultation and reporting requirements may appear limited individually but can create significant administrative costs in practice with far-reaching consequences for European growth and employers' liability, without evidence on possible improvements of health and safety. Prevention is most effective when requirements are clear, proportionate and integrated into existing systems.

For this reason, the INL should:

- **Delete any legal presumption of causality.** In most cases, mental ill health cannot be attributed to a single or exclusively workplace-related cause. A general legal presumption would oversimplify the complex nature of psychosocial risks, while disregarding medical and occupational health realities and exposing employers to liability for circumstances beyond their control, including in Member States where OSH breaches may trigger severe administrative, civil or even criminal consequences. Existing national social security and occupational accident systems already provide mechanisms for assessing occupational causation and should not be undermined by an EU-level presumption.
- **Respect the principle of shared responsibility.** Employers have an important responsibility for workplace safety and health, but this responsibility cannot extend to factors that employers cannot reasonably control. Individual circumstances and non-work-related factors can significantly influence psychosocial risks and related health outcomes. This important reflection is also acknowledged and underlined by the European cross-sectoral social partners in their report on the Implementation of the European Autonomous Framework Agreement on Work-related Stress, which states that “*different individuals can react differently to similar situations and the same individual can react differently to similar situations at different times of his/her life*”. The framework should therefore reflect the complex reality of mental health taking into account responsibilities of both employers and workers, as recognised in Article 13 of the OSH Framework Directive.

- **Remain within the scope of OSH and avoid duplication of existing legislation.** Working-time and rest-period requirements, information and consultation rights and other relevant issues are already comprehensively regulated by EU legislation. Introducing a stand-alone “right to disconnect” through a psychosocial risk instrument, or broad new consultation procedures, risks duplication and introducing unnecessary administrative burden without clear added value. Any initiative in this area should be subject to a dedicated assessment, ensure coherence with working-time legislation and respect collective bargaining, social partner processes and different forms of work organisation. Worker involvement is essential but a blanket obligation to involve workers at every stage of risk management would be disproportionate and impractical.
- **Avoid automatically defining specific workplace factors as psychosocial risks.** Workload, working hours, the interface between professional and private life or the use of digital tools can be relevant factors, but they cannot automatically be classified as risks irrespective of context. Unlike certain physical hazards for which evidence-based thresholds can be established, there are currently no equivalent scientific thresholds for many psychosocial factors. Legislation should not simplify a complex issue by labelling factors a priori as risks where the scientific evidence does not support such an approach.
- **Reject unnecessarily complex administrative requirements, including mandatory action plans.** Preventive measures must remain adaptable to the actual circumstances, risks, sector and size of each workplace and fit within established national OSH systems and practices. Prescriptive lists of measures and mandatory action plans risk turning prevention into a compliance exercise and creating disproportionate burdens, particularly for SMEs. In several Member States, strict legal constraints furthermore apply to the processing of workers’ health data, which significantly limits employers’ ability to intervene via the proposed measures. EU action should respect subsidiarity and leave Member States and social partners sufficient flexibility to develop solutions suited to their national context and traditions, including through collective agreements.
- **Reject any mechanism granting worker representatives a formal approval or veto right over risk assessments or preventive action plans,** as this would fundamentally alter the balance of responsibility between employers and workers established under Directive 89/391/EEC and undermine management’s ability to act.

Protecting workers’ health and well-being is a shared responsibility and a shared objective. European employers **support action that is proportionate, evidence-based and capable of delivering results in real workplaces.** We therefore call on Members of the European Parliament to reject the legislative annex of the INL report and any other reference in the text to the introduction of a new European legislation or to the points referred to above. In line with Europe’s commitment to simplifying rules and delivering better regulation, additional legislation is not justified where the existing framework already provides the foundation for action.