



Application of the European Multi-Sectoral Social Dialogue Agreement on Workers' Health Protection through the Good Handling and Use of Crystalline Silica and Products Containing It

Executive Summary
July 2010

On 25 April 2006, the Employer and Employee representatives of 14 industry sectors signed a European Multi-Sectoral Social Dialogue Agreement on Workers' Health Protection through the Good Handling and Use of Crystalline Silica and Products Containing it and formed NEPSI, the "European Network on Silica". The ESDA aims at protecting the health of employees occupationally exposed to respirable crystalline silica at the workplace, minimising such exposure by applying Good Practices and increasing the knowledge about potential health effects of respirable crystalline silica as well as about Good Practices.

The Agreement entered into effect on 25 October 2006 and has been translated into 22 official EU languages. It remains open for signature at any time by other industry sectors.¹

The NEPSI Council, assisted by the NEPSI Secretariat, collected and compiled qualitative and quantitative information on the application of the Agreement within the signatory sectors in 2007 and 2008. This information was reported in two Summary Reports circulated to EU and National authorities responsible for Health and Safety and two Executive Summaries² were made publicly available.

As a continuation of the first official 2008 quantitative reporting exercise, the NEPSI Council organised for the second time in 2010 the collection and analysis of quantitative data on the implementation of the Agreement. In compliance with the Agreement's provisions on Reporting, each of the 16 signatory EU sector Employer associations submitted to the NEPSI Secretariat a consolidated version of quantitative data collected at site level.

In 2010, four years after signature, the application of the Agreement is well under way, improves continuously and already demonstrates concrete results.

After analysis of the 2008 results, the NEPSI signatories decided to focus their efforts on the reporting of four indicators. These are related to the number of reported sites, the number of Employees potentially exposed to RCS who are covered by a risk assessment or by a specific health surveillance protocol for silicosis when needed, and the training and information on the General Principle and the task sheets.

The 2010 reporting was carried out in an economically extremely difficult period. However the results of the 2010 Report are positive. In such a monitoring process, the involvement usually tends to decrease over the years and the increased commitment witnessed here is very encouraging. The targets for improvement detailed above have all been fulfilled.

This Agreement is "valid for a minimum term of four years and is automatically renewed for consecutive two year terms", and the NEPSI signatories will focus their efforts in maintaining this high level of commitment.

¹ As planned by Article 13 (1), the Agreement remains open for further signature. The European Expanded Clays Association (EXCA) joined NEPSI on 17 June 2009. With this addition, the ESDA counts to date 18 signatories.

² www.nepsi.eu

1. Promotion of the SDA

As decided by the NEPSI Council in June 2009, the EC grant notably allowed the organisation of two national workshops to raise awareness on the Agreement and on the upcoming 2010 reporting exercise.

A first workshop was organised on 11 January 2010 at the Dutch Silica working Group (VNO NCW Werkgroep Silica) in Woerden in the Netherlands and gathered more than 30 participants across sectors.

The SDA was also promoted during the launch of the Hungarian Silica Platform by the Hungarian Mining Association (MBSZ) in Budapest on 14 January 2010. The event gathered more than 50 social partners' representatives from various sectors in the presence of the State Secretary of the Ministry of Employment and Social Affairs.

A workshop was also organised to promote the Agreement amongst the members of the European Expanded Clay Association (EXCA) which joined in June 2009.

In order to promote the Good Practice Guide annexed to the Agreement and thanks to the EC grant, NEPSI has developed 9 task sheets of the Guide into 9 Picture Exposure Mix (PIMEX) Videos which compare the levels of exposure of a worker when performing a task according to the Guide's recommendations versus any other practice. The videos will be developed into 22 languages and will be made publicly available on www.nepsi.eu.

New task sheets on portable tools in dry conditions have been drafted and will be included in the Good Practice Guide after translation. Further task sheets for portable tools in wet conditions are currently under preparation.

The Bulgarian and Romanian versions of both the Agreement and the Good Practice Guide have been added on the NEPSI website (<http://www.nepsi.eu/agreement.aspx>) in summer 2009.

It is worth mentioning a Norwegian initiative which helps promoting the Agreement outside the EU-27. Various Norwegian industry branch organisations have collaborated in a project to voluntarily translate and promote to their members the NEPSI Good Practice Guide in Norwegian. Additionally, they helped industry to implement the Good Practices in accordance with Norwegian regulations and have thus published:

- Their own guidelines for monitoring exposure
- Their own training programme in accordance with the SDA
- Their own health surveillance protocol for employees exposed to respirable crystalline silica (RCS)

The English versions ("engelsk") are available with the Norwegian versions ("norsk") at <http://www.norskindustri.no/miljoe-hms-veiledninger/forebygging-av-helseplager-fra-arbeid-med-kvartsstoev-article3647-258.html>

Thanks to the Agreement, the awareness about the respirable crystalline silica issue increased in non-signatory sectors as well, with the Good Practice Guide being translated and implemented by non-signatory sectors.

2. Organisation of reporting

Article 7 of the Agreement requires information to be collected at site level and consolidated at EU sector level before being communicated to the NEPSI Council once every two years.

A secure online reporting system available in the 22 EU languages of the Agreement was created in 2008. It aimed at collecting data at site level and consolidating them successively at

Company, National Association and EU Sector levels before being communicated to the NEPSI Council for a global assessment. The online reporting tool has been upgraded in 2009 in order to clarify some interpretation issues and be as user-friendly designed as possible, and revised guidance was developed.

The online reporting system has proved technically efficient as no data loss or crash occurred. It is noted that there were less interpretation issues in 2010, although some new uncertainties appeared. In this perspective, an evaluation of the reporting system should be done.

3. Economic context

The difficult economic context in 2009 and 2010 has obviously had some impact on the reporting. The crisis has had various consequences throughout the sectors. One direct result is a decrease in the number of employees working in some sectors. Indirectly, it is worth noting that many companies did not work at full capacity during a short period, and often rigorously reduced all administrative burdens that were not absolutely necessary for the vital functions of the companies. Reporting has sometimes been victim of this policy and this economic background should be kept in mind when evaluating the results of the reporting.

4. Newcomers and learning curve

1.454 additional sites compared to 2008 have been invited to report in NEPSI, thus resulting in 22 % more reported sites than in 2008. Though it is a successful achievement, most newcomers that have been recently involved are still in the phase of implementation of the Agreement. It is worth mentioning that these newcomers might therefore put at risk the global performance of the sites formerly involved and which are now in the “improving implementation” phase.

Considering this learning process, sites formerly involved in 2008 have improved their application of the Agreement while the newly involved ones seem to have stepped into the process with a good level of application of the Agreement. This gives an indication of the good awareness created around the Agreement within the signatory industry sectors.

5. Voluntary reporting

In compliance notably with Article 7(1) of the Agreement³ and in order to support the growing application of the Agreement beyond its scope, each sector was invited to encourage sites outside the scope of the Agreement to make use of the system use the system. These voluntary sites fulfill one or more of these criteria:

- Not situated in the EU-27 (this year, contributions were received from Turkey, Norway, Switzerland and Croatia).
- The workers are not directly or indirectly represented by one of the signatory European trade union federations.
- The company is not directly or indirectly a member of one of the signatory European industry associations.⁴

6. Results

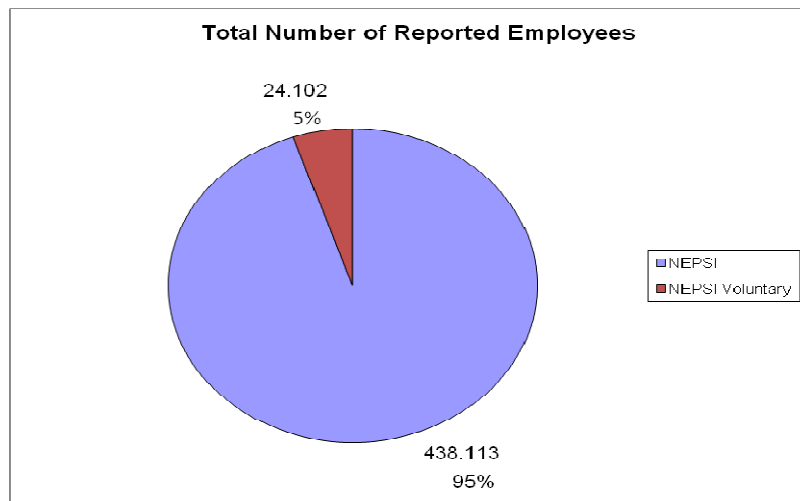
- **The total number of sites for which complete data was provided is 5.789. Among these, 263 provided data as EU/Non-EU Voluntary reporting**

³ “The Employers and Employees with the support of the Workers representatives shall jointly and continuously strive to respect the Good Practices, and to improve their application”

⁴ For the cement sector, data from Spain was voluntarily and unilaterally supplied by employers in accordance with the reservation made when the ESDA was signed.

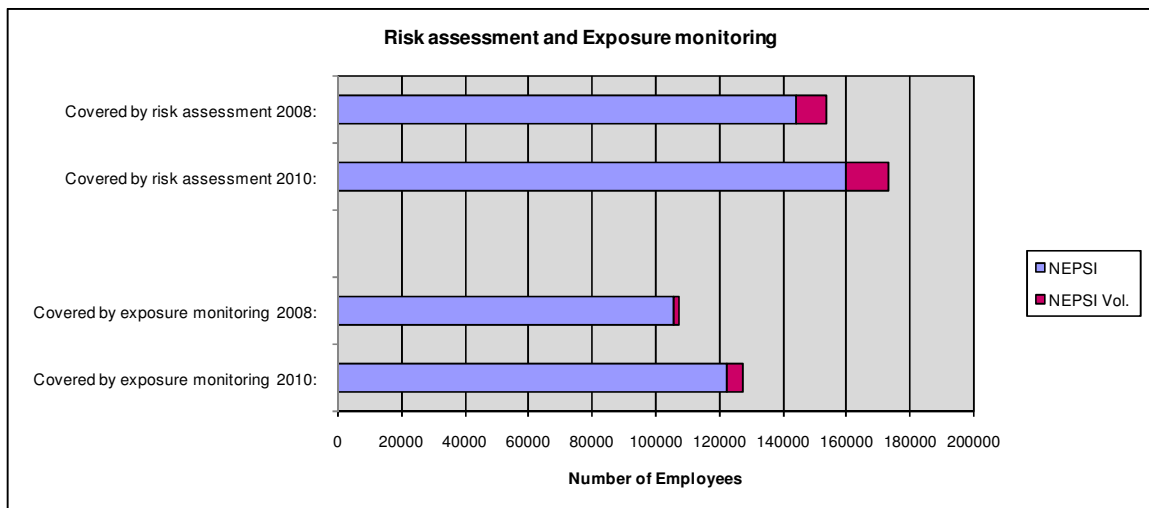
It must be noted however that for each sector and for reasons particular to each sector, not necessarily all sites under the scope of the Agreement were invited to report. Many sectors indicated that they are in the process of a more accurate assessment of the number of member companies and sites they represent so as to provide a clear indication of the proportion of Members still to be covered.

- The total number of Employees reported is 462.215 in 2010. Among these, 24.102 were reported as EU/Non-EU Voluntary reporting



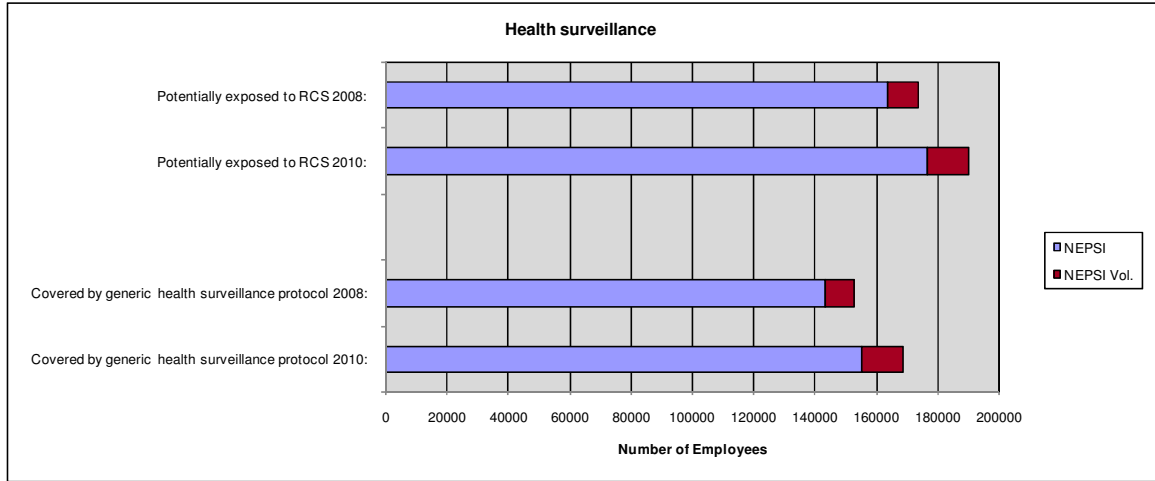
- The total number of reported employees estimated to be potentially exposed to Respirable Crystalline Silica is 190.269 (41.2%)

- Among the total number of employees⁵ estimated to be potentially exposed to Respirable Crystalline Silica, 173.145 (91%) were covered by Risk Assessment (representing 13% more employees than in 2008) and 127.160 (67%) were covered by exposure monitoring in 2010 (representing 18, 5% more employees than in 2008).

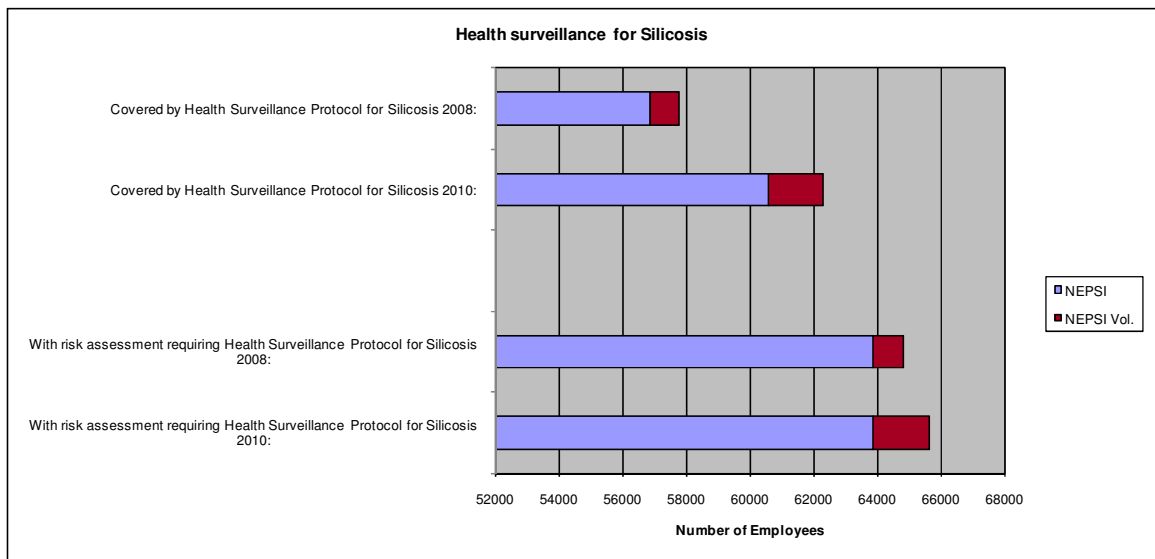


⁵ i.e. reported non-voluntarily and voluntarily

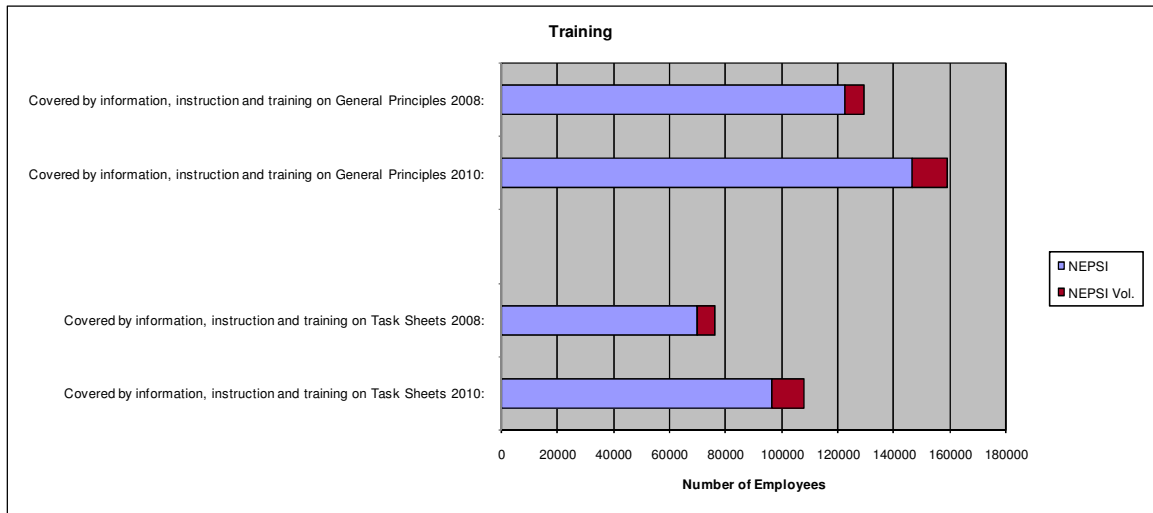
- Among the total number of employees estimated to be potentially exposed to Respirable Crystalline Silica, 168,716 (89%) were covered by generic health surveillance in 2010 (representing 11% more employees than in 2008).



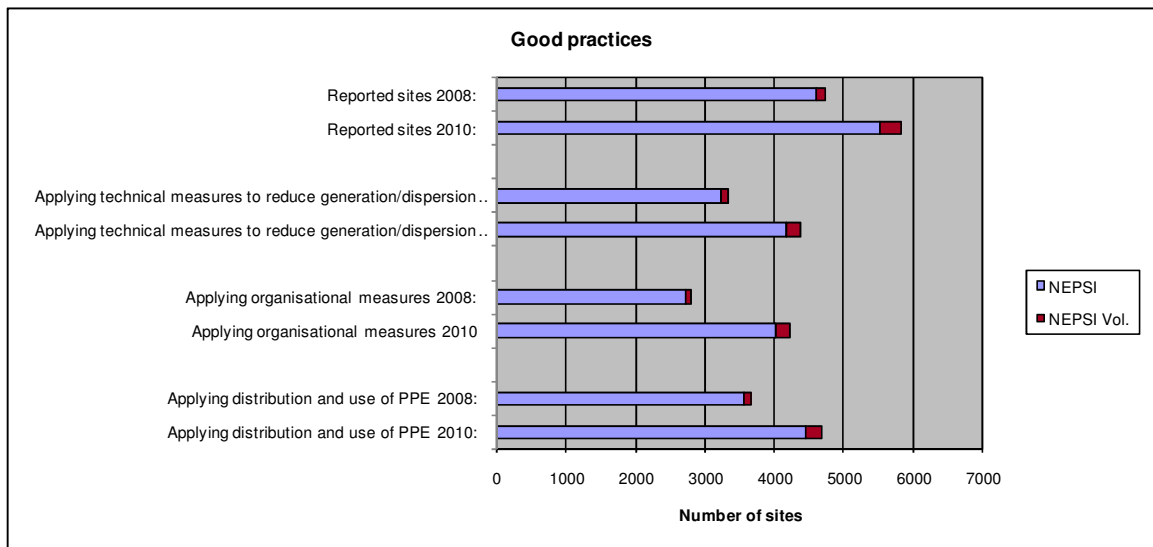
- Among the total number of employees estimated to be potentially exposed to Respirable Crystalline Silica, 65,599 (34, 5%) were assessed as requiring Health Surveillance for Silicosis. Among the latter, 62,298 (95%) were effectively covered by Health Surveillance for Silicosis in 2010. In 2008, this figure amounted to 89% employees estimated to be potentially exposed to Respirable Crystalline Silica and effectively covered.



- Among the total number of employees estimated to be potentially exposed to Respirable Crystalline Silica, 158,916 (84%) received information, instruction and training on General Principles of prevention and 108,256 (57%) were covered by information, instruction and training on the Task Sheets included in the Good Practice Guide (Annex I of the Agreement) in 2010, representing respectively 23% and 43% more employees than in 2008.



- Among the total number of sites for which reporting has been completed, 4,383 (76%) apply technical measures to reduce the generation / dispersion of fine particles at source, 4,235 (73%) apply organisational measures and Personal Protective Equipment is distributed and used on 4,687 (81%) of them.



A comparison of 2008 and 2010 results shows that the identified objectives for improvement in 2010 as detailed in the introduction were reached.

7. NEPSI Council Conclusion

At its meeting on 22 June 2010, the NEPSI Council expressed its satisfaction on the application of the agreement which is well under way, improves continuously and already demonstrates concrete results. The NEPSI Council has identified some areas to be targeted for further constant improvement.

It is unanimously agreed that the promotional events organised in 2010 have been efficient and that more multisectoral national workshops to present the SDA or other specific targeted actions should be organised at national level with the help of local associations or companies in the countries identified as the best candidates for such awareness events.

The NEPSI Employers agree to strive to include more information on R&D projects made in the area of exposure to RCS in the next Summary Report, especially R&D progresses on process substitution, if relevant.

The NEPSI Reporting task force is mandated to try to better harmonise some remaining interpretation issues and investigate especially why the training on specific task sheets presents lower results than the training on the general principle.

At the request of the Employees, the NEPSI Secretariat will convene a meeting with the representatives from the NEPSI Council and the NEPSI Technical Committee experts to try to find possible practical recommendations on how one could further investigate on the effectiveness of the SDA application.