



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
September 2016**

1. Introduction

In 2016, for the fifth time, the 16 Employer and Employee Signatories (see list enclosed as Annex I) have reported on the application of the European Autonomous Social Dialogue **“Agreement on workers’ health protection through the good handling and use of crystalline silica and products containing it”** signed¹ on 25 April 2006.

A bi-partite Council set up by the Parties is monitoring the evolution in the application and is assessing whether the Agreement reaches its three-fold objective of 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.

Through the present Executive Summary Report, the Signatories wish to report on their activities since 2014.

In the period June 2014 till June 2016, the NEPSI Secretariat and the Signatories were busy with the management of the project “Communication and training campaign to strengthen the implementation of the Social Dialogue Agreement on Workers’ Health Protection through the Good Handling and Use of Crystalline Silica and Products Containing it” which received a grant from the European Commission (VS/2015/047).

A multi-fold communication campaign was launched thanks to this grant with the objective to maintain and enlarge the participation in the NEPSI Agreement to all concerned companies of the signatory sectors across Europe.

A key strength of the Agreement remains the online reporting by industrial sites of eight Key Performance Indicators, every two years. Through this process, the NEPSI Council compiles quantitative data that allow the partners to monitor the state of application of the Agreement. The results of the reporting exercise are presented in this 2016 executive summary report.

2014 conclusions:

On 18 June 2014, the NEPSI Council positively acknowledged the good 2014 reporting results. Eight years after the signature of the Agreement, the steady and improving trends of the key performance indicators demonstrated a real and long-lasting commitment of the Signatories to its implementation and a good consistency in the data. Despite a difficult economic context which was reflected in a significant decline of the various signatory sectors’ activity and workforce in Europe over 2012-2013, many new companies still joined in the reporting process.

With the achieved results, the NEPSI Council concluded that the implementation of the agreement reached a certain degree of maturity. To further progress from this point on, it was recommended that more tailor-made communication and awareness-raising efforts would be needed.

¹ In accordance with the EC Treaty, Article 139 [III-212]

As a follow-up, a Communication Project was carried out in 2015 -2016, targeting national awareness-raising activities and hopefully the results will be observed in the next reporting exercises.

2. NEPSI Activities from June 2014 to June 2016

2.1 Communication and training campaign to strengthen the implementation of ESDA

A communication campaign was launched in 2015 to maintain and enlarge across Europe the participation of all concerned companies within the NEPSI Agreement.

The objectives of this campaign were to:

- Reinforce the training of workers and employers on respirable crystalline silica prevention, the Agreement and its reporting system, with special emphasis on a series of Member States where the implementation of the Agreement is observed as poorer, or needs reinforcement.
- Raise the general awareness and give a more modern image of the Agreement thanks to a new dynamic website.
- Allow access to Croatian workers and employers thanks to the translation of all documents in their language.
- Enable a higher participation and improved key performance indicators in the next reporting exercises on the application of the NEPSI Agreement thanks to this communication and training campaign.
- Be the subject of a dissemination Conference with a multi-national attendance.

To achieve these objectives, the following actions were undertaken:

- Targeted training sessions were given through multilingual webinars or thematic newsletters in the relevant languages. New videos on the NEPSI Agreements were developed for this purpose.
These videos are freely available at <https://vimeopro.com/ecpvideoproductions/nepsi> password: silica.
- All the documents related to the Agreement and Good Practices were translated into Croatian.
- A brand new NEPSI website was developed and is available at www.nepsi.eu. It will be available in multilingual versions.
- A Conference to retrace the achievements of the NEPSI Agreement over 10th Anniversary of the signature was organised on 16 June 2016 with 90 participants.

2.2. ESDA dissemination activities

Contacts with construction sector

From the start, the construction sector has been kept informed of the benefits of the NEPSI Agreement. In 2014-2016, NEPSI signatories have continued their contacts with the construction sector.

Presentation at the OSHA-EU Agency in Bilbao

Mrs. Wyart-Remy presented the NEPSI Agreement at the EU-Israel Workshop on “Issues Associated with Silica and Artificial Stone”, organised by the EU-OSHA Agency in Bilbao on 28 January 2015.

Presentation to the SLIC thematic day

On 17 May 2016, Florence Lumen (NEPSI Secretary) presented the NEPSI Agreement at a Thematic Day of the Senior Labour Inspectors Committee (SLIC), together with a company representative, Mrs Ingeborg Pensis.

2.3. EC study on the implementation of the ESDA

The European Commission commissioned a study on the implementation of the NEPSI Agreement to the ICF International consultant.

The study concludes that:

- The Agreement is improving the protection of health of employees occupationally exposed at the workplace to RCS.
- There is evidence that efforts to minimise exposure to RCS in the workplace have occurred following the implementation of the Agreement.
- The main positive result of the Agreement is that it has increased the knowledge about potential health effects of RCS and about Good Practices, and has enabled better compliance with national legislation.

Recommendations for possible future improvements are also given in the study report and will be discussed by the NEPSI Council.

2.4. New NEPSI Signatory

A new NEPSI signatory was welcomed as voluntary participants at the NEPSI Council meeting of 15 June 2016: the **European Calcium Silicate Producers Association (ECSPA)**.

3. NEPSI 2016 results

The 2016 reporting was again carried out over an economically difficult period for most sectors which witnessed a reduction of their workforce in Europe, as well as some closures or mergers of industrial sites. However, the overall involvement of companies is increasing along the years and this is made possible thanks to a regular re-assessment and an EU-wide communication effort with the excellent cooperation of the national and European associations of the concerned sectors.

- In the 2016 reporting, the following points are to be highlighted:
- The number of reporting sites (6234 sites) has increased by 5% in comparison to 2014
- The percentage of potentially exposed workers of 39,5%, in 2016, has remained steady since 2008
- An overall increase of around 3% of all Key Performance Indicators is observed:
 - ✓ The percentage of potentially exposed workers covered by **risk assessment** is 95% in 2016, compared to 93% in 2014, and 88% in 2008.
 - ✓ The percentage of potentially exposed workers covered by **exposure monitoring** is 76,3%, compared to 73,4 % in 2014, and 64,5 in 2008.
 - ✓ In 2016, 90,7 % of the employees were covered by **generic health surveillance**.
 - ✓ In 2016, 96 % of potentially exposed workers whose risk assessment indicate that they require **Health Surveillance Protocol for Silicosis** are actually covered by this Protocol. This percentage has improved by 6 % since 2008.

The stable percentage of 4% of the workers not receiving the specific health surveillance is due to the periodicity of the health surveillance campaigns, the remaining workers actually receiving the appropriate health surveillance on the following year after the reporting period. The objective of matching both figures is considered as achieved.

- ✓ The percentage of potentially exposed workers covered by information, instruction and **training on General Principles** is 90% in 2016, representing an increase by 2 % since 2014 and by 15 % since 2008.
- ✓ The percentage of potentially exposed workers covered by information, instruction and **training on specific task sheets** is 67,5 % in 2016, representing an increase by around 2,5 % since 2012 and by 24,7 % since 2008.

2016 NEPSI KPIs compared to 2014 and 2008:

KPI	2008	2014	2016
Number of reported Sites	4.607	5.951	6.234
Number of Reported Employees:	410.909	440.159	433.411
% of Employees potentially exposed to RCS:	40%	40%	39%
% covered by risk assessment:	88%	93%	95%
% covered by exposure monitoring:	64%	73%	76%
% covered by generic health surveillance:	87%	89%	91%
% covered by Health Surveillance for Silicosis:	35%	38%	41%
% covered by general training :	75%	88%	90%
% covered training on Task Sheets:	43%	65%	67%

Additional remarks

It is worth mentioning the following relevant European legislative development:

On 13 May 2016, EU Commissioner for Employment, Social Affairs, Skills and Labour Mobility, Marianne Thyssen, presented a proposal to revise the Carcinogens and Mutagens at work Directive (Directive 2004/37/EC)³. On this occasion, the Commission proposes to include in Annex I “work involving exposure to respirable crystalline silica dust generated by a work process” and to establish in Annex III a Binding Limit Value for respirable crystalline silica dust ('respirable fraction') at 0.1 mg/m³.

Recital (6) of the proposed amendment of the Carcinogens and Mutagens Directive acknowledges NEPSI Good Practices' beneficial role and states such as: “*Guides and good practice developed through initiatives such as the Social Dialogue "Agreement on Workers' Health Protection through the Good Handling and Use of Crystalline Silica and Products Containing it" (NEPSi) are valuable instruments to complement regulatory measures and in particular to support the effective implementation of limit values*”.

NEPSI signatories confirm their desire to continue working together for enhanced workers' health protection. The NEPSI Agreement is always open for new signatories.

7. NEPSI Council Conclusions

Compared to 2014, and on a longer timeframe since the first reporting in 2008, all Key Performance Indicators are steady or in continuous improvement.

The NEPSI Agreement is very important to its signatories and still has a promising future.

The NEPSI control standards are the best way to avoid RCS exposure in the signatory sectors.

The signatories will work on a joint roadmap/agenda for the next years.

Ideas of future actions may include:

- Special attention to new generations of workers:
The signatories will focus more closely on the training and prevention of the upcoming new generation of workers.
Such a successful health and safety initiative could be used as a tool to attract the young workers to our industries.
- Update of the good practice guide
There will be probably a need to refresh the good practices, to make sure that the task sheets are up-to-date.
- Efforts to involve the construction sector will continue.

The NEPSI signatories will continue to ensure that the NEPSI Agreement has a key role to play in facilitating compliance with the proposed regulatory measures. Their strong belief remains that 'Transparency enables action'.

The signatories will discuss together the opportunity to present a project for an EC grant at the next EC call of March to June 2017.

ANNEX I: Signatories and NEPSI Secretariat Contact Details

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