

**Joint Declaration of the Social Partners
of the European Chemical Industry
on EU OSH Directives**

The European chemical industry has a key role to play in addressing current and future societal challenges such as energy efficiency, raw materials shortage and recyclability, communication technology, and accessibility to health, food and water. In working towards this, we recognise that this cannot be achieved without ensuring Europe (and globally) has healthy sustainable workplaces. The Social Partners of the European Social Dialogue for the chemical industry: the European Chemical Employers Group (ECEG) and industriAll European Trade Union (industriAll Europe) thereby agree that we need effective EU-Occupational Safety and Health Directives. We thereby welcome the European Commission's (DG Employment, Social Affairs and Inclusion) evaluation of the practical implementation of 24 EU Occupational Safety and Health (OSH) Directives in EU Member States.

Addressing EU statistics

The potential for exposure to hazardous substances at work and its management is a reality the European chemicals industry is faced with on a day-to-day basis. ECEG and industriAll Europe note that the management of health risks across Europe (and beyond) could be conducted more effectively, as is demonstrated by the high numbers of incidents reported in statistics for workplace ill-health. The question facing all industry sectors is how to tackle this?

ECEG and industriAll Europe believe the European Commission's current evaluation of the practical implementation of 24 EU Occupational Safety and Health (OSH) Directives in EU Member States presents an ideal opportunity for all stakeholders to work together to reduce the number of ill-health incidents. We believe that better implementation of existing legislation together with increased awareness raising activities is the best way forward. Although we do not advocate for it at this time, it might be necessary in future to develop new legislation in relation to socioeconomic issues and health and safety for those OSH risks where it has been assessed that they cannot be properly addressed by the current framework.

Employers operating in the EU are required to ensure exposure to hazardous substances by employees is prevented or where this is not reasonably practicable, adequately controlled. We believe the transposition of European OSH Directives into national law and their correct subsequent implementation by employers is a very important step to protect the health of workers from exposure to hazardous substances.

Healthy workforces: Making the business case

ECEG and industriAll Europe are committed to ensuring the health of workers in the chemical industry is a top priority. Healthy workforces are an integral part to the success of any business and we place the protection of workers' health and safety as being of extreme high importance to achieving sustainable healthy workplaces.

We encourage businesses to go beyond compliance, in the chemical industry this is through Responsible Care, since a healthy workplace not only brings benefits to a business, but also importantly ensures health protection to workers and improved health. For a business, benefits include increased employee motivation, reduced costs and risks (such as from lower sickness absence), increasing business continuity and improved reputation. For employees, this not only brings a better working environment but also provides opportunities for participation in employer's occupational health programmes. A healthy workforce is therefore fundamental to the running of any business.

Employers and trade unions strive to work together to ensure that legislation relating to occupational health is correctly implemented to provide effective protection of workers from adverse health effects.

Improving the EU-OSH legislative framework

ECEG and industriAll Europe encourage businesses to work with their national regulators to share best practice and improve occupational health.

Whilst we believe existing OSH EU-Directives and their development in a balanced way can protect workers, there is however room for improvement in terms of:

- Clarification of the terminology on hazard and risk assessment is required together with additional guidance to help reduce the number of occupational disease incidents;
- Smart legislative design of the current process for setting European Union's occupational exposure limits to bring more harmonisation across the EU;
- Maintaining the existing Carcinogens & Mutagens Directive for C&M substances where no safe exposure levels can be determined to enable greater focus on safe management of such substances in the workplace; and
- Promoting a holistic approach to protecting employees' health in the workplace.

OSH meets REACH

The interface of OSH legislation with REACH is keenly debated by stakeholders. In particular the convergence of workplace exposure limit values and how occupational health legislation links in with authorisation are noted here.

ECEG and industriAll Europe welcome the ongoing discussions between the European regulatory bodies on improving the synergies between REACH and OSH legislation. We firmly believe that this will further enhance the protection of workers against risks related to the use of chemicals.

We also believe compliance with existing worker protection legislation can be and is in many cases sufficient to address concerns related to the hazards and the risks of the chemicals. This is especially the case where substances are only used in the workplace and do not pose a risk towards the environment and are not deemed to be present in consumer articles. Substitution is a core element of the principle EU- OSH Directives (Chemical Agents 98/24/EC and the Carcinogens & Mutagens 2004/37/EC) for preventing exposures to chemicals.

ECEG and industriAll Europe support the Risk Management Option Analysis approach built into the 2020 Substances of Very High Concern (SVHC) Roadmap for identifying the best regulatory route to address chemicals of concern, for instance authorisation, restriction, substance evaluation or other legislative control beyond REACH, including EU OSH legislation. Risk management measures applied under worker protection legislation can provide adequate control on any potential OSH risk including those associated with new technologies, e.g. nanotechnology.

To conclude:

IndustriAll Europe and ECEG firmly support better implementation of existing legislation together with awareness raising activities to ensure safe handling and use of chemical substances in our workplaces. We believe that correctly implemented EU-occupational health legislation does enable safe control of chemicals in the workplace. Good health and safety systems in a workplace that incorporate good occupational hygiene control practices are designed to prevent or adequately control risks to hazard substances by inhalation, dermal absorption and orally. New regulatory measures should only be considered when full assessment of existing legislative framework provides evidence that this is not sufficient to protect workers.

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ECEG :

The European Chemical Employers Group (ECEG) represents the chemical, pharmaceutical, rubber and plastics industries in Europe. As a Brussels-based social affairs organisation it is a recognised social partner and a consultation body of the European Institutions and other stakeholders. With approximately 2.25 million direct employees in more than 16.000 companies, the sector is one of the biggest and most dynamic industries in the EU.

industriAll European Trade Union:

Result of the merger between the EMF, EMCEF and ETUF-TCL in 2012, industriAll Europe with its 7.1 million members out of 173 organisations in 38 countries is the biggest manufacturing industrial trade union in Europe with jurisdiction in the metal, chemical, energy, mining, textile, clothing, leather, glass, paper and allied sectors. It is a member of the ETUC, and through its 43 national affiliations represents over 1 million members in the chemical sector.