



## The importance of the NEPSI Social Dialogue Agreement in the context of the amendment of the Carcinogens and Mutagens Directive

Ten years ago, a diverse group of industries and their social partners signed the Social Dialogue "Agreement on Workers' Health Protection Through the Good Handling and Use of Crystalline Silica and Products Containing it". Together, the 15 signatories formed NEPSI, the European Network on Silica, to implement effective protection measures through good practices and closely monitor the application of the Agreement over the years. This is the first European multi-sectoral agreement.

NEPSI social partners acknowledge the proposal to include in Annex I of the Carcinogens and Mutagens Directive (2004/37/EC) the "work involving exposure to respirable crystalline silica dust generated by a work process" and to establish in Annex III a binding occupational limit value for respirable crystalline silica dust at 0.1 mg/m<sup>3</sup> as an important, feasible and proportionate step. The proposed value reflects the opinion of the tri partite Advisory Committee on Safety and Health at Work.

Recital 6 of the Commission proposal acknowledges the role of NEPSI Good Practices as a valuable instrument to complement the regulatory requirements and to support their effective implementation. In this context, NEPSI social partners confirm their desire to continue working together for enhanced workers' health protection, ensuring that the NEPSI Agreement continues playing a key role in facilitating compliance with the proposed regulatory measures and actual implementation on the ground. The NEPSI Agreement is always open for new signatories.

As Commissioner Marianne Thyssen highlighted on the tenth anniversary of the Agreement: the NEPSI Agreement "deserves praise for leading to lower levels of exposure through spreading Good Practices which employers have actively bought into. And it has helped to increase the knowledge of the health effects of RCS. Crucially, it has and still is complementing European legislation in the field of worker protection. Setting limit values through EU legislation is instrumental for protection of workers' health. But it is the quality of implementation and enforcement on the ground [...] that will determine whether lives are saved. That is where we see the true value of the bottom-up approach, which has driven the success of NEPSI".

In June 2016, the EU Commission finalised a study on the implementation of NEPSI which concluded that:

*“The NEPSI Agreement helped employers to implement a more coherent risk management strategy to control the risk of exposure to RCS, by either introducing new procedures or improving already existing health and safety procedures.*

*The exposure monitoring is an area where the NEPSI Agreement has prompted employers to do it more consistently and has provided harmonised guidance on sampling methods, valuable in national situations where no clear indication was provided.*

*Increased knowledge and awareness was the area where all stakeholders perceived the NEPSI Agreement had the greatest impact.*

*The bottom-up approach of the Agreement ensured commitment from employers, encouraging them to go beyond legislative requirements. The report concluded also that tailored tools (i.e. the Good Practice Guidance) provided practical guidance to implementing effective workplace changes and improving compliance with national legislation, which contains generic principles.”*

The Agreement stipulates that in case future EU legislation related to crystalline silica should be proposed, the Parties will meet to evaluate the impact of this proposed legislation on this Agreement. Given that the limit value could have an impact on the Agreement, the NEPSI social partners count on the support of the European Parliament to maintain and continue to develop this highly effective Social Dialogue Agreement.

Signed on behalf of:

BIBM – The International Bureau for Precast Concrete

CAEF – European Foundry Association

CEEMET - European employers' organisation of the metal, engineering and technology-based industries

CEMBUREAU – The European Cement Association

Cerame-Unie - The European Ceramic Industry Association

EMO – European Mortar Organization

EURIMA - -The European Insulation Manufacturers Association

EUROMINES – The European Association of Mining Industries

EUROROC - European Federation of Natural Stone Industries

EXCA – The European Expanded Clay Association

ECSPA – European Calcium Silicate Producers Association (voluntary)

FEVE – The European Container Glass Federation

GlassFibreEurope – The European Glass Fibre Producers Association

GLASS FOR EUROPE – Trade association for Europe's manufacturers of building, automotive and transport glass

IMA-Europe – The European Industrial Minerals Association

UEPG – European Aggregates Association

industriAll – European Trade Union