



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
January 2021

1. Introduction

In 2020, for the seventh time, the Employer and Employee Signatories (see list enclosed as Annex I) have reported on the application of the European 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 signatories is monitoring the evolution of 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, minimizing 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 Summary Report, the Signatories wish to report on their activities since 2018.

The online reporting by industrial sites of eight Key Performance Indicators every two years is a key strength of the Agreement. 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 2020 summary report.

The 2020 reporting of NEPSI Key Performance Indicators (KPIs) of the two last years (2018-2019) started on 22 January and ended on 30 September 2020. Additional time was granted in the context of the COVID-19 pandemic.

2. NEPSI Activities from 2018 to 2020

2.1. Respirable Crystalline Silica: Amendment of the Carcinogens and Mutagens Directive

Works involving exposure to RCS generated by a work process with a Binding Occupational Exposure Limit Value of 0.1 mg/m³ was incorporated in the revision of the European Carcinogens and Mutagens at Work Directive (Directive 2017/2398), entering into force on 16 January 2018. The NEPSI Agreement is recognised in recital 19 of CMD as *"a valuable and necessary instrument to complement the regulatory requirements and to support their effective implementation"*.

¹ In accordance with the EC Treaty, Article 139 [III-212], published in OJ C 279, 17.11.2006

In January 2019, another amendment of the Carcinogens and Mutagens Directive (Directive 2019/130/EC) was published in the Official Journal and includes a new Article on social partners agreements:

“Article 13a: Social Partners' agreements possibly concluded in the field of this Directive shall be listed on the website of the European Agency for Safety and Health at Work (EU-OSHA). That list shall be regularly updated”.

Article 13a gives a strong legal anchor to refer to, enabling to use the NEPSI social dialogue agreement as guidance to support the implementation of the CMD.

2.2. NEPSI projects 2019-2021 under EC grant

In March 2019, the NEPSI signatories officially launched the 5-year roadmap (2018 – 2023) of actions for the future development of their Social Dialogue Agreement. A series of projects, part of the 5-year roadmap, were put on action thanks to a grant from the European Commission under the Social Dialogue budget line with the objective to progress, improve and extend the scope of the Agreement. These projects resulted in the following achievements which are already available in English at the following website: : <https://guide.nepsi.eu/landing-page/>

a) Update of the Good Practice Guide

The NEPSI Good Practice Guide was fully updated and has a new structure and design. The content of the Guide now includes the amendment of CMD in respect to works involving exposure to RCS generated by a work process, to ensure awareness and full compliance with the CMD. Moreover, new task sheets have been added to cover good practices from the new NEPSI signatories.

b) New guidance documents for small and microenterprises

Three new tools were developed to address the SMEs needs:

- NEPSI Good Practices A Guide for SMEs.
- NEPSI Agreement Guide.
- NEPSI Posters for SMEs.

c) Training material and tools for new workers

- 13 training packs on key RCS topics, in the format of PowerPoint, were prepared for the target audience of new workers. These training packs are tailor-made for use of training managers across all NEPSI sectors.
- A platform to deliver e-learning was included in the new NEPSI web-app. An interactive self-training module “Introduction to Crystalline Silica Good Practices“ is included in the e-learning platform.

d) NEPSI RCS monitoring protocol

The Occupational Hygiene Institute IRAS (Utrecht University) drafted in co-operation of the NEPSI technical experts a common methodology to sample and measure RCS dust which can be applied to all NEPSI industry sectors. This protocol would support the implementation on the ground of the CMD and prepare for the future evaluation of the Binding Occupational Exposure Limit (BOEL).

e) NEPSI Reporting IT system

A new reporting system which is more modern and will be more sustainable in the future was developed and successfully used for the NEPSI 2020 reporting.

2.3. NEPSI promotion - meetings and presentations

The NEPSI Social Dialogue Agreement and its good practices were presented at several conferences

NEPSI and its Good Practices are highlighted on [EU-OSHA website](#). Further, NEPSI is also part of the solutions and Good practices of the "Roadmap on carcinogens" initiative and website: <https://roadmaponcarcinogens.eu/solutions/good-practices/nepsi-good-practice-guide/>

The NEPSI Roadmap kick-off meeting, with participants representing the employers and the employees' signatories of the NEPSI Agreement, took place on 26 February 2019.

The NEPSI Council met on 10 December 2019, where the consultants and the NEPSI Secretariat presented the progress of the projects. In addition, in this meeting the NEPSI Council were elected for the period 11 December 2019 – 11 December 2023. Sylvain Lefebvre and Isabelle Barthes were designated as chair and vice chair from the Employees side and Florence Lumen and Christian Schimansky were designated as chair and vice chair from the Employers side. The NEPSI Council warmly thanked Michelle Wyart-Remy for her dedication to NEPSI and her presidency of the Council since its creation. The NEPSI Secretariat is managed and represented by Antigoni Effraimidou.

Further, the NEPSI Technical Committee met seven times throughout 2019 and 2020, to work with the external consultants and ensure that the material developed are well suited to the needs of the workers.

The 2020 NEPSI report of implementation was approved by the NEPSI Council on 10 December 2020.

3. NEPSI 2020 results

Despite the pandemic breakthrough and the new reporting IT system, the participation in the 2020 KPIs remains very good. Around 85% of the total sites, invited to report, provided their KPIs. There are 1.350 more reported sites (increase of 18%). Part of this increase is thanks to the new signatory sectors, ECSPA (European Calcium Silicate Producers Association), ASTA Worldwide (the Agglomerated Stones Association) and ERMCO (the European Ready Mixed Concrete Organisation), who joined in the last 3-4 years and it was not possible to have a complete reporting of their sectors in 2018.

In the 2020 reporting, the following points must be highlighted:

- The number of reporting sites (8.795) has increased by 18% in comparison to 2018.
- Although there is an increase on the number of sites compared to 2018, the total number of employees is decreased by 18%. This is a result from various factors such as: no careful reading of guidance documents of new reporting system leading to incorrect interpretation of the specific questions, the leave of large-sized companies

in the ceramic sector from the NEPSI KPIs reporting, internal company changes, more engagement from the SMEs which increases the number of sites but not necessarily much the number of employees, some reluctance to report from companies which do not have RCS present, and last but not least Covid-19 implications.

- The percentage of potentially exposed workers of 43% in 2020, has remained steady since the first reporting in 2008.
- All Key Performance Indicators are improved.
 - ✓ The percentage of potentially exposed workers covered by **risk assessment** is 97,2% in 2020 (an increase of 2% compared to 2018).
 - ✓ The percentage of potentially exposed workers covered by **exposure monitoring** is 86,4%, (an increase of 7,5% compared to 2018).
 - ✓ In 2020, 90,6% of the employees were covered by **generic health surveillance**.
 - ✓ In 2020, 96,8 % of potentially exposed workers whose risk assessment indicate that they require **Health Surveillance Protocol for Silicosis** were actually covered by this health surveillance. This percentage has improved by around 10% since the first reporting in 2008.
 - ✓ The percentage of potentially exposed workers covered by information, instruction and **training on General Principles** is of 94,2% in 2020 (an increase of 5,5 % compared to 2018).
 - ✓ The percentage of potentially exposed workers covered by information, instruction and **training on specific task sheets** is 74,7% in 2020, which has the highest level since the first reporting in 2008 of 42,8%.

2020 NEPSI KPIs:

Consolidated Report: EU Countries /Signatories							
	2008	2010	2012	2014	2016	2018	2020
Section 1: General Information							
Number of Sites:	5102	6395	6922	7184	7550	8785	10359
Number of Reported Sites:	4607	5526	6047	5951	6234	7445	8795
% of Reported Sites:	93.1%	97.6%	97.3%	82.8%	82.6%	84.7%	84.9%
Number of Reported Employees:	410909	438113	472991	440159	433411	445923	362469
Section 2: Exposure Risk							
Number of Employees potentially exposed to Respirable Crystalline Silica (RCS):	163662	176533	189593	176660	171084	181739	156381
Key Performance Indicators							
% of Employees potentially exposed to respirable crystalline silica:	39.8%	40.3%	40.1%	40.1%	39.5%	40.8%	43.1%
% covered by risk assessment:	88.1%	90.4%	91.5%	93.1%	95.0%	95.5%	97.2%
% covered by exposure monitoring:	64.6%	69.2%	71.7%	73.4%	76.4%	78.9%	86.4%
% with risk assessment requiring Health Surveillance Protocol for Silicosis:	39.0%	36.2%	37.5%	39.9%	43.1%	44.2%	45.5%
% covered by generic health surveillance:	87.5%	88.1%	90.0%	89.1%	90.7%	91.4%	90.6%
% covered by Health Surveillance Protocol for Silicosis:	34.7%	34.3%	35.8%	37.9%	41.4%	43.0%	44.0%
% covered by information, instruction and training on General Principle:	75.0%	82.9%	84.0%	88.1%	90.1%	88.7%	94.2%
% covered by information, instruction and training on Task Sheets:	42.8%	54.6%	59.9%	65.1%	67.5%	65.9%	74.7%
Additional Key Performance Indicators							
% of those identified as requiring Health Surveillance Protocol for Silicosis covered	89.0%	94.9%	95.3%	95.1%	96.2%	97.3%	96.8%

2. NEPSI Council Conclusions

Despite the COVID situation and possible technical issues with the new reporting software, the participation in the reporting is very good.

All key performance indicators are in improvement. The improved KPIs are the results of continuous work from the NEPSI partners and the NEPSI Helpdesk to ensure the questions are understood and answered correctly. The lessons learnt will be considered to improve the 2022 reporting.

These figures are very encouraging and demonstrate that NEPSI signatories continue and strengthen their commitment to NEPSI good practices to protect their employees and minimise the exposure to respirable crystalline silica. It is reassuring to see that NEPSI is still going strong after 12 years of reporting.

The new awareness & training tools, which will soon be available thanks to an EU fund, will be extremely useful and further reinforce the protection of workers. We will continue to evolve following the NEPSI Roadmap which will last until 2023.

Annex 1: Signatories and NEPSI Secretariat Contact Details

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ERMCO – *European Ready Mixed Concrete Organisation*

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EURIMA - *European Insulation Manufacturers Association*

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EUROROC - *European and International federation of Natural Stone Industries*

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EXCA - European Expanded Clay Association

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IMA-Europe - Industrial Minerals Association – Europe / (NEPSI Secretariat)

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