



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 2022

1. Introduction

In 2022, for the eighth 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.

The 2022 reporting of NEPSI Key Performance Indicators (KPIs) of the two last years (2020-2021) started on 17 January and ended on 15 April 2022.

The online reporting by industrial sites of eight Key Performance Indicators, every two years, remains the pillar of the Agreement. A bi-partite Council set up by the signatories 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, *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. The results of the reporting exercise are presented in this 2022 summary report.

Through the present Executive Summary, the Signatories wish to report on their activities since 2020.

In February 2019, thanks to a European Commission grant, NEPSI launched a 2-years project to enhance the health and safety of workers, with a series of new materials and tools, with a focus on SMEs and new workers. Additionally, this NEPSI project aspires to support the implementation of the Carcinogens and Mutagens Directive in the context of the EU binding occupational exposure limit for RCS.

The COVID-19 pandemic affected many people and many businesses. Consequently, the NEPSI industry sectors were heavily impacted, as well. Considering this, the European Commission kindly extended the end date of the NEPSI projects, to 31 May 2021.

2. NEPSI Activities from June 2020 to December 2022

2.1. Carcinogens and Mutagens Directive 4th amendment

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

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 first revision of the European Carcinogens and Mutagens at Work Directive (Directive 2017/2398), entering into force on 16 January 2018. The date of transposition in Member States' laws was on 17 January 2020. According to the Directive after 5 years of implementation of the BOEL, the European Commission needs to evaluate whether this value limit should be reviewed.

In 2021, The European Parliament in the context of the Commission proposal on the 4th amendment of CMD, requested to decrease the BOEL of RCS dust process generated from 0.1 mg/m³ to 0.05 mg/m³.

Both NEPSI signatories and the Sectoral Social Dialogue Committee Extractive Industries (SSDCEI) sent their position to the authorities including the European Parliament and Council that this was against the procedure set in Article 18a of Directive 2017/2398. Article 18 reads: *“the Commission will evaluate the need to modify the limit value for respirable crystalline silica dust as part of the next evaluation of the implementation of this Directive in the context of the evaluation referred to in Article 17a of Directive 89/391/EEC”*. Further, no consultation and evidence-based opinion of the tri partite Advisory Committee for Safety and Health was conducted.

Our voice was heard and the 4th amendment was adopted without any modification on the RCS BOEL but a review clause is repeated.

2.2. NEPSI projects 2019-2021 under EC grant

In February 2019, a series of projects, part of the NEPSI 5-year roadmap (2018-2023), were put on action with the objective to progress, improve and extend the scope of the Agreement. In addition to the Good Practice Guide and the NEPSI KPIs reporting, voluntary material and tools have been developed to bring awareness to the workers about the risks of Respirable Crystalline Silica and measures on how to reduce these risks. Most of the work on the different projects were finalised in 2020-2021. These projects are detailed below:

a) Updated Good Practice Guide

The original Good Practice Guide first released in 2006, is now updated with a new modern design and structure. Further, the content of the Guide now includes the amendment of CMD 2017/2398 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 sector industries of new NEPSI signatories. The Good Practice Guide is available at the NEPSI website, notably <https://guide.nepsi.eu/>

b) New guidance documents for small and microenterprises

The micro, small and medium enterprises have different needs and resources than the big companies. For that reason, several materials have been developed to help these enterprises to learn more about the NEPSI Good Practices and enhance the health and safety of their workers.:

- NEPSI Good Practices A Guide for SMEs. This document is a shorter and simplified version of the original Good Practice Guide. It helps SME workers understand the potential health effects of RCS and introduces the NEPSI Good Practices.
- NEPSI Agreement Guide. This document provides a brief history on NEPSI, illustrated overview of the NEPSI KPIs and the importance of the reporting exercise. It highlights the value of NEPSI for workers, for companies and associations, respectively.
- NEPSI Posters for SMEs. The posters are informative, printable A3 resources that help employees reduce their exposure to RCS in the workplace. Each poster lists a selection of good practices for a specific task or dust control measure, used to help workers be more conscientious. The posters provide good practices which are applicable to all NEPSI industry sectors.

These materials are available on the NEPSI website: <https://toolkit.nepsi.eu/>

c) Training material and tools for new workers

New workers joining the industry seek for easy access to material and training to learn about the health and safety issues and on how to protect themselves from any risks. Therefore, 13 training packs on key RCS topics were developed, in the format of PowerPoint applicable to all NEPSI sectors. These training packs have the possibility for further editing to include any specific issues of a particular industry sector.

In addition, an interactive online self-training module is created to give the basis of Crystalline Silica and Good Practices. This training is hosted on an online platform with the possibility of including additional modules in the future. The progress of the workers on the training can be followed by registering the companies and workers in the platform. However, the training is also publicly via the NEPSI website, when registering as an independent worker <https://training.nepsiplatform.com/en/>

d) NEPSI RCS monitoring protocol

A NEPSI RCS monitoring protocol (available from the nepsi.eu website: <https://www.nepsi.eu/measurement>) was developed by the Institute of Risk Assessment (IRAS) of the Utrecht University, it will help those sectors which do not have such a methodology in place to have a reference sampling and analysis method to use for dust and respirable crystalline silica. It will enable them to collect exposure data in a harmonised way and facilitate the implementation of the CMD (directive 2017/2398) provisions on RCS, by providing a protocol to measure the RCS and following the updated Good Practice Guide. It is useful for the NEPSI signatory industry sectors, but also for any other sector concerned by RCS exposure.

e) NEPSI Reporting IT system

The NEPSI KPIs Reporting system has been renewed to a modern and sustainable system. The system is simple, user friendly and self-explanatory.

Finally, a NEPSI Certificate is automatically provided after the completion of NEPSI KPIs Reporting. This is a new initiative which was created for the NEPSI partners to further show their commitment to the NEPSI SDA to any external party.

2.3. New European Association joins NEPSI

On 15 September 2021, the NEPSI Council endorsed the application of the European Association EUROGYPSUM to become a signatory of the European Social Dialogue “Agreement on Workers’ Health Protection through the Good Handling and Use of Crystalline Silica and Products Containing It”, signed in April 2006. Eurogypsum is the European federation of national associations of producers of gypsum products, including plaster, plasterboard and other gypsum-based products. The companies which mine gypsum also process it and manufacture the value-added products and systems used extensively in construction and other industries.

As of September 2021, the European Social Agreement is composed by 1 European federation representing the employees and 19 European industry sector associations (3 being voluntary sectoral associations), representing the employers.

2.4. NEPSI promotion - meetings and presentations

The NEPSI Social Dialogue Agreement (SDA) has been well recognized over the past years by authorities, industry sectors and health and safety experts as an industry best practice to reduce RCS dust and associated risks at the workplace. Due to Covid-19 pandemic there were not many occasions to well promote NEPSI. The few meetings which took place are:

- Roadmap on Carcinogens - Activating industry and sectors

On 19th May 2022, Mrs Florence Lumen was invited by Business Europe to present the NEPSI SDA and its latest achievements at the seminar “Roadmap on Carcinogens – Activating industry and sectors”. The NEPSI SDA is unanimously recognised as a successful initiative to tackle exposure to a process-generated carcinogen.

3. NEPSI 2022 results

NEPSI member companies recovering slowly now from more than 2-years Covid 19 pandemic have provided their data on these two unusual years of 2020 and 2021.

Despite this situation we can notice that there has been an increase on the number of sites in general and reported sites. In particular there are 582 more reported sites compared to 2020. Part of this can be related to the new NEPSI signatory sector Eurogypsum. Notably, the participation of this year is around 86%, slightly increased from 2020.

We are pleased to continue seeing positive results and high participation of NEPSI signatories. These figures show that there is still a strong commitment to retain the scope of the SDA intact.

In the 2022 reporting, the following points can be highlighted:

- The number of reporting sites (9377) has increased by 6,7% in comparison to 2020.
- Consequently, the total number of employees is also higher than 2020, an increase of 6%.

- The percentage of potentially exposed workers of 42,2% in 2020, has remained steady since the first reporting in 2008.

All Key Performance Indicators have remained similar when compared to 2020, with a slight decrease.

- ✓ The percentage of potentially exposed workers covered by **risk assessment** is 96,2% in 2022, compared to 97,2 % in 2020 (and 88% at the first reporting in 2008).
- ✓ The percentage of potentially exposed workers covered by **exposure monitoring** is 84,6%, compared to 86,4% in 2020 (and 64,5% at the first reporting in 2008).
- ✓ In 2022, 85,7 % of the employees were covered by **generic health surveillance**.
- ✓ In 2022, 94,9 % 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 91,7% in 2022, a decrease compared to 2020 (94,2%) but significantly better than at the first reporting in 2008 (75%).
- ✓ The percentage of potentially exposed workers covered by information, instruction and **training on specific task sheets** is 75,3% in 2022, an increase compared to 2020 (74,7%) and has the highest level since the first reporting in 2008 of 42,8%.



2022 NEPSI KPIs:

Consolidated Report: EU Countries /Signatories (inc UK)								
	2008	2010	2012	2014	2016	2018	2020	2022
Section 1: General Information								
Number of Sites:	5102	6395	6922	7184	7550	8785	10359	10885
Number of Reported Sites:	4607	5526	6047	5951	6234	7445	8795	9377
% of Reported Sites:	93,1%	97,6%	97,3%	82,8%	82,6%	84,7%	84,9%	86,1%
Number of Reported Employees:	410909	438113	472991	440159	433411	445923	362469	384346
Section 2: Exposure Risk								
Number of Employees potentially exposed to Respirable Crystalline Silica (RCS):	163662	176533	189593	176660	171084	181739	156381	162328
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%	42,2%
% covered by risk assessment:	88,1%	90,4%	91,5%	93,1%	95,0%	95,5%	97,2%	96,2%
% covered by exposure monitoring:	64,6%	69,2%	71,7%	73,4%	76,4%	78,9%	86,4%	84,6%
% with risk assessment requiring Health Surveillance Protocol for Silicosis:	39,0%	36,2%	37,5%	39,9%	43,1%	44,2%	45,5%	45,0%
% covered by generic health surveillance:	87,5%	88,1%	90,0%	89,1%	90,7%	91,4%	90,6%	85,7%
% covered by Health Surveillance Protocol for Silicosis:	34,7%	34,3%	35,8%	37,9%	41,4%	43,0%	44,0%	42,7%
% covered by information, instruction and training on General Principle:	75,0%	82,9%	84,0%	88,1%	90,1%	88,7%	94,2%	91,7%
% covered by information, instruction and training on Task Sheets:	42,8%	54,6%	59,9%	65,1%	67,5%	65,9%	74,7%	75,3%
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%	94,9%
Number of Sites where employees have potential exposure to RCS							6674	6722
% Sites where Technical measures taken to reduce generation/dispersion of fine particles at source:							93,5%	91,2%
% Sites where Organizational measures taken							90,9%	88,4%
% Sites which distribute and use of Personal Protective Equipment:							94,6%	96,7%

2. NEPSI Council Conclusions

The 2-year Covid-19 pandemic has impacted many businesses and workers, including the industry sectors handling and using crystalline silica. Fortunately, the figures of the NEPSI 2022 reporting are still very good, and not much influenced by this situation. We are pleased to see that the NEPSI KPIs are still of high priority for these businesses and all necessary measures are taken to ensure the safety and health of workers.

The participation of companies to the NEPSI reporting has remained stable and even increased. We observe an increase of total sites and reported sites when compared to previous years. From the first reporting in 2008, we have doubled the number of participating sites. This is notably thanks to the new signatories joining NEPSI. When compared to the previous reporting of 2020, there is an increase of around 600 sites. One fourth of these new data come from the gypsum producers who have recently joined the NEPSI SDA.

Due to the complexity of the online system of reporting a dedicated meeting will be organised with the NEPSI Helpdesk to improve the system. Further, to better understand the results and the fluctuations of KPIs, an approach to have some additional qualitative data will be investigated.

The NEPSI signatories are now looking forward to launch the new NEPSI projects, promoting the new material and tools developed for SMEs at the national level, to ensure a healthy workplace for the workers in all Member States.

Signatories and NEPSI Secretariat Contact Details

IndustriAll-European Trade Union

Bd roi Albert II, 5
1210 Brussels, Belgium
Tel: +32 2 226 00 50
Email: info@industriAll-europe.eu
www.industriall-europe.eu

A.st.A. Worldwide - World-wide Agglomerated Stone Manufacturers Association

Via del Marmo, 919
37020 Volargne - Verona ITALY
Tel: +39 045.6888474
info@astaworldwide.com
<https://www.astaworldwide.com/>

BIBM - Bureau International du Béton Manufacturé – Precast Concrete

Rue d'Arlon 55
1040 Brussels
Tel: +32 2 340 18 28
E-mail : ar@bibm.eu
www.bibm.eu

CAEF - The European Foundry Association

c/o Deutscher Gießereiverband
Hansaalle 203 40549 Düsseldorf
Postbox 10 19 61, D-40010 Düsseldorf
Tel: +49 211 6871 217
Email: info@caef.eu
www.caef.eu

CEEMET - Council of European Employers of the Metal, Engineering and Technology-Based Industries

Diamant Building, Bd. A. Reyers 80
1030 Brussels
Tel: +32 2 706 84 65
Email: secretariat@ceemet.org
www.ceemet.org

CEMBUREAU - The European Cement Association

Rue d'Arlon 55
1040 Brussels
Tel: +32 2 234 10 11
Email: industrial_policy@cembureau.eu
www.cembureau.eu

CERAME-UNIE - *The European Ceramic Industry Association*

Rue Belliard 12
1040 Brussels
Tel : +32 2 808 38 80
Email: sec@cerameunie.eu
www.cerameunie.eu

EMO - *European Mortar Industry Organisation*

Düsseldorfer Straße 50
D-47051 Duisburg
Tel: + 49 203 9 92 39 – 0
Email: antonio.caballero@euromortar.com
www.euromortar.com

ERMCO – *European Ready Mixed Concrete Organisation*

Rue d'Arlon 55, 1040 Brussels-Belgium
Tel: +32 2 234 10 31
pdv@ermco.eu
<http://ermco.eu/new/>

EURIMA - *European Insulation Manufacturers Association*

Avenue Louise 375, Box 4
1050 Brussels
Tel: +32 0 2 626 20 90
Email: info@eurima.org
www.eurima.org

EUROGYPSUM - *European federation of national associations of producers of gypsum products*

Rue de la presse 4
1000 Brussels – Belgium
Tel +32 2 227 11 30
Fax +32 2 227 31 41
secretariat@eurogypsum.org
<https://www.eurogypsum.org/>

EUROMINES - *European Association of Mining Industries*

Avenue de Tervuren 168, box 15
B-1150 Brussels
BELGIUM
Tel: +32 2 205 08 44
Email: euromines@euromines.be
www.euromines.org

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

Gluckstrasse 10
D-65193 Wiesbaden
Tel: +49 611 97712-11
Email: Gerd.Merke@zvz-steinmetz.de
www.euroroc.org

EXCA - *European Expanded Clay Association*

IT Tower, ave Louise 480
B-1050 Brussels, BELGIUM
Tel: + 32 2 895 31 10
mara.caboara@exca.eu
www.exca.eu

ECSPA - *European Calcium Silicate Producers Association*

68 Boulevard du Souverain - Vorstlaan 68
B-1170 Brussels
antonio.caballero@ecspa.org
<http://www.ecspa.org/>

FEVE - *European Container Glass Federation*

Av. Louise 89 – Bte 4
1050 Brussels
Tel: +32 2 536 00 80
Email: secretariat@feve.org
www.feve.org

GlassFibreEurope

Rue Belliard 199
B-1040 Brussels
Tel: +32 (2) 538 44 46
Email: info@glassfibreeurope.eu
<https://www.glassfibreeurope.eu/>

Glass for Europe

European Association of Flat Glass Manufacturers

199 Rue Belliard
1040 Brussels
Tel: +32 2 538 43 77
Email: info@glassforeurope.com
www.glassforeurope.com

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

Rue des Deux Eglises 26
1000 Brussels
Tel: +32 2 210 44 10
Email: f.lumen@ima-europe.eu
www.ima-europe.eu

UEPG - European Aggregates Association

Rue d'Arlon 21
1050 Brussels
Tel: +32 2 233 53 00
Email: secretariat@uepg.eu
www.uepg.eu

