

REACH and OSH: ensuring effective worker protection from chemical risks

Judith Kirton-Darling

Workshop REACH-OSH in practice - ECHA

Helsinki, 3rd October 2012



European Trade Union Confederation (ETUC)

- ETUC is the European social partner representing workers
- The Maastricht Treaty (1992) guarantees this formal status
- Together with the employers, ETUC is involved in consultation in areas such as employment, social affairs, macroeconomic, industrial and regional policy

- 85 National member organisations
- 36 European countries
- 10 European industry federations
- 60 million workers



Trade union representatives involved in ECHA's activities ?

	ETUC	IndustriAll
Management Board (+ dissemination AG)	2007 -2011	2011-2014
Member State Cttee	X	-
Risk Assessment Cttee	X	X
Socio economic Analysis Cttee	X	X
Forum	X	-
Risk Communication Network	X	-



Why REACH and EU OSH laws are key for trade unions ?

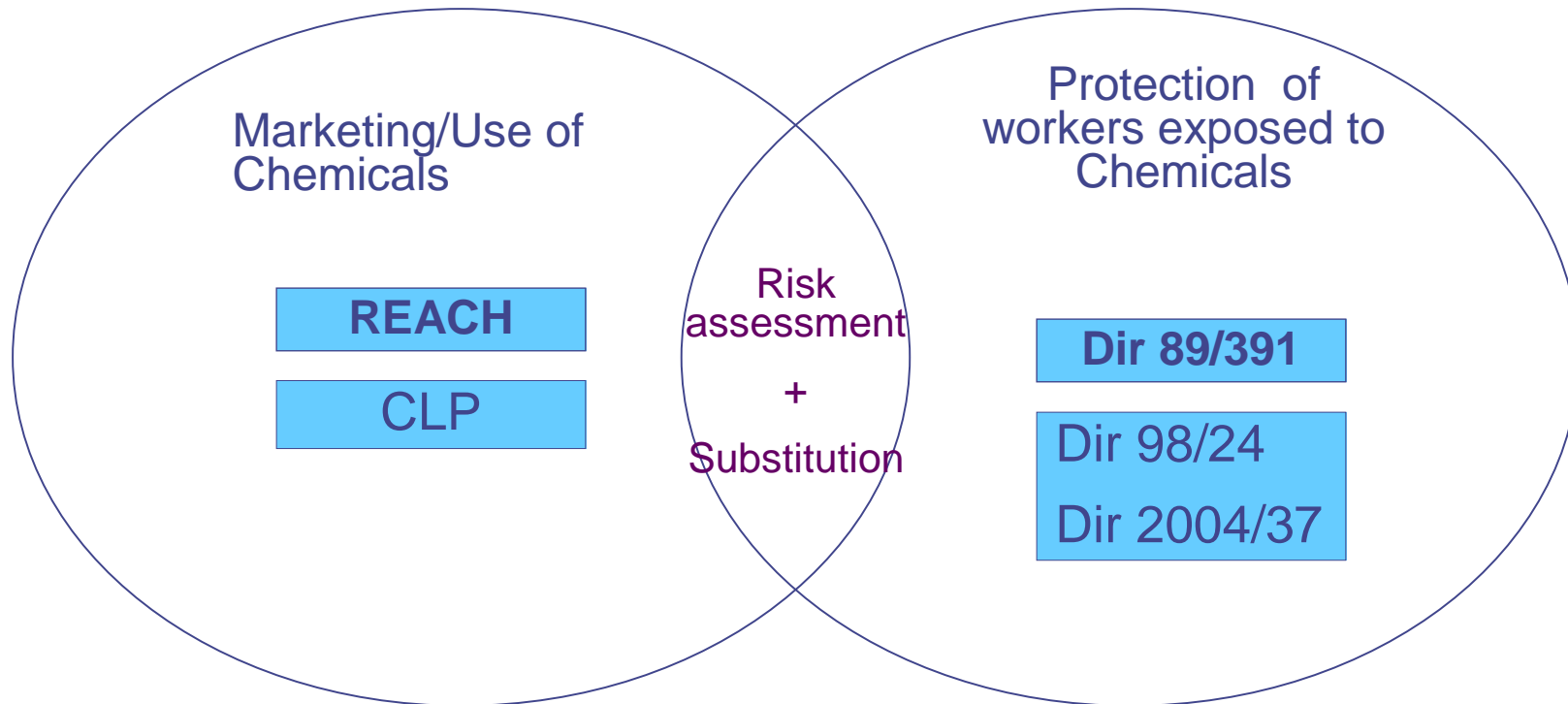
- 1.3 million workers in the EU chemical industry
- Millions of jobs in downstream sectors (building, textile, automotive, electronic, etc...)
- Chemicals contribute to the economic prosperity in terms of trade and jobs

But on the other side:

- 16 % of workers in Europe declare to handle hazardous products and 22 % to breath in toxic vapours (Dublin Fd, 2008)
- Around 30% of all occupational diseases recognised each year in EU are related to exposure to chemicals (ETUI, 2006) & up to 50% according to EODS harmonized figures (OSHA, 2012)
- 74 000 work-related deaths per year in EU-27 due to exposure to hazardous substances (OSHA, 2009)



Synergy between REACH and EU OSH legislation



REACH, Art 4 (2) : This Regulation shall apply without prejudice to Dir 89/391, Dir 98/24, Dir 2004/37, [.....]



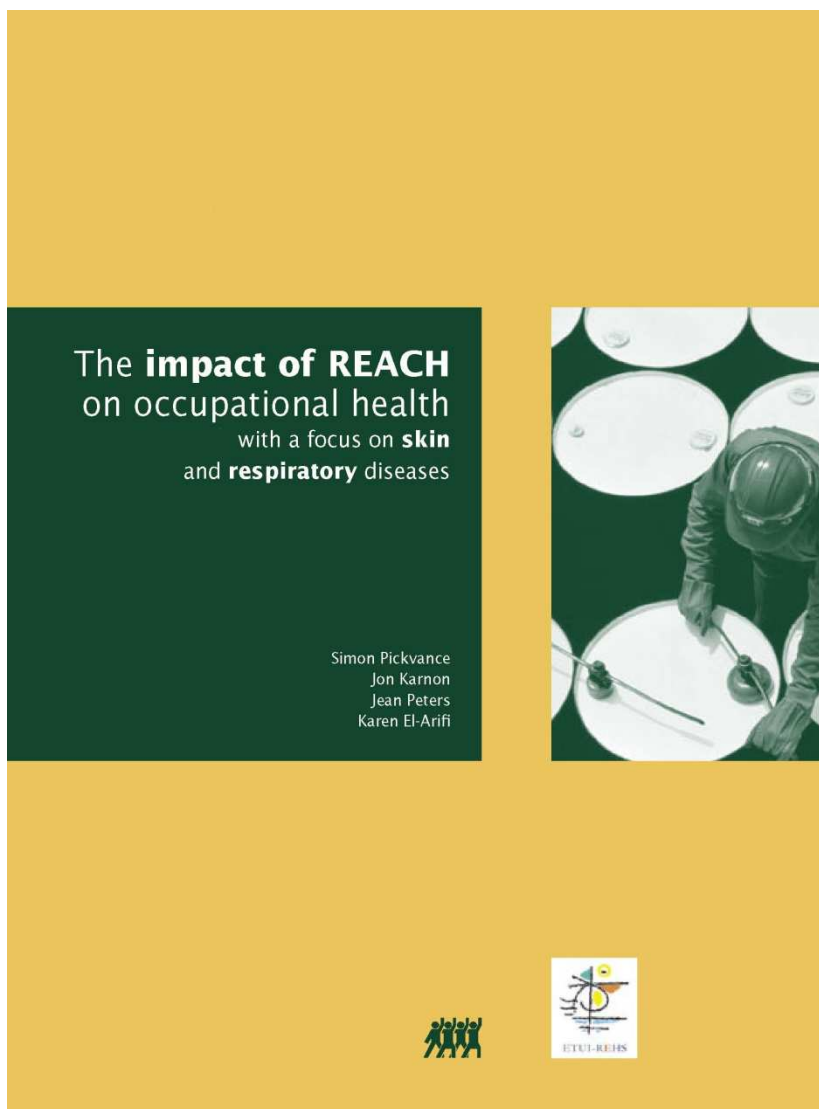
REACH applies without prejudice to OSH legislation

In practice, it means that employers still have to comply with their obligations under worker protection legislation (Chemical Agents Directive & Carcinogens Directive):

- Risk assessment at the workplace (can be combined with REACH Chemical Safety Assessment)
- Compliance with existing EU or national binding OELs (regardless of DNELs)
- Obligation to use a safer alternative to a carcinogen or a mutagen when technically available (regardless of eventual authorisations granted under REACH)
- Obligation to provide information and training to workers



Impact study on REACH benefits for EU workers' health



- Focus on asthma, chronic obstructive pulmonary diseases & dermatitis for EU workforce (200 million people)
- Respiratory diseases: 50 000 cases/year avoided
- Skin diseases : 40 000 cases/year avoided
- € 3.5 billion benefits over 10 years
- € 90 billion benefits over 20 years



Impact study on REACH benefits for EU workers' health

Why REACH will help avoiding those occupational diseases ?

- Progress in Harmonized Classification & Labelling
- Better communication on risk management measures in the supply chain (extended Safety Data Sheets)
- Authorisation & Restriction procedures to promote substitution of sensitizers

Where do the benefits come from ?

- Savings for social security
- Quality of life gains for workers
- Productivity gains for industry (absenteeism avoided)

<http://www.etuc.org/IMG/pdf/REACH-Sheffield-3-2.pdf>



Conditions for synergies between REACH/CLP and OSH ?

- Mind-set change in the industry (paradigm shift with the burden of proof reversed onto producers)
- Awareness in companies (incl. SMEs) about their obligations under both REACH/CLP and OSH (Sectorial Social Dialogue also needed)
- Good enforcement with well-resourced inspectorate
- Coherency between REACH & OSH (reprotoxics should be included in the scope of the Carcinogens & Mutagens Directive)
- Quality of data generated by REACH / CLP
- Good dissemination of data generated by REACH / CLP
- Effective authorisation & restriction procedures to promote substitution (currently far too slow)
- Real cooperation between ECHA and ACSH* (see REACH Article 110(4))
- Training on chemical risks for employers & workers

* European Advisory Cttee on Safety, Hygiene and Health Protection at work



Workers' reps ambassadors for REACH and CLP

REACH 2013 - Call to action

Workers' reps in companies manufacturing, importing or using chemicals

The REACH Regulation requires the registration of all chemical substances that are manufactured or imported into the EU, Iceland, Norway or Liechtenstein in quantities of one tonne or more per year. If information on the hazardous properties of the chemical is unavailable, it should be generated and the safety data sheets should be updated.

Substances already on the market have to follow specific registration deadlines, based on their volumes and on their health and environmental hazards. New substances must always be registered before they are placed on the market.

IS YOUR EMPLOYER READY?

Companies manufacturing or importing chemical substances into the EU in quantities of 100 tonnes or more per year have to register them by the second REACH deadline of 31 May 2013.



Remember the deadlines

First registration
30 November 2010
≥ 1000 tonnes/year

Second registration
31 May 2013
≥ 100 tonnes/year

Third registration
31 May 2018
≥ 1 tonne/year

- Many companies still unaware of their obligations under REACH and CLP
- ETUC/IndustriAll awareness campaign with ECHA & EU-OSHA
- Objective: use workers' reps to inform employers
- “Call to action” leaflet available in 22 EU languages



Trade Union Priority List for REACH Authorisation

- Constructive contribution to the choice of SVHC
- 334 high production volume chemicals
 - widely used at the workplace
 - ranked according to their eco-toxicological properties
 - linked to EU recognized occupational diseases
- If they are included in the candidate and authorisation list:
 - workers will get better information on their uses
 - development of safer alternatives will be promoted
 - occupational diseases will be reduced
- The TU list is available on line: www.etuc.org/a/6023



Impact of the TU Priority List ?



Trade Union Priority List for REACH Authorisation

for REACH Authorisation



etui.
european trade union institute



Version 2.0, June 2010
With main uses indicated in each entry

- 58 out of 84 substances currently on the Candidate List are also on the TU list
- 11 out of 14 SVHCs included in the Authorisation list are also on the TU list
- 131 substances in common with the Member States List
- Many inquiries from industry (substitution is a paying strategy for companies)



REACH training material for workers' reps (EU & non-EU)



Content:

- What is REACH?
- What are my firm's obligations ?
- REACH & the EU worker's protection laws
- How can trade unions make REACH work for them ?
- hard copies available in different EU languages:
<http://www.etui.org/Publications2/Guides>



Conclusions

- ❑ REACH has the potential to improve health & safety at the workplace and reduce the number of occupational diseases and fatalities caused by hazardous chemicals
- ❑ Synergies between REACH and OSH need to be worked on and developed further
- ❑ Trade unions are committed to make REACH reform a success and they intend to play their role throughout the timetable for REACH implementation



Thank you, further info on:

<http://www.etuc.org> > Our activities > REACH

<http://www.etui.org/Topics/Health-Safety/Chemicals-and-REACH>

