

E F B W W NEWSLETTER

REVISION OF THE CARCINOGENS AND MUTAGENS DIRECTIVE

After the European Commission launched its list of 13 Chemicals/occupational exposure limits for a revision of the Carcinogens and Mutagens Directive on 13 May, the Council and the European Parliament started their work on a position. Meanwhile the Council reached agreement (<http://data-consilium.europa.eu/doc/document/ST-12883-2016-INIT/en/pdf>).

The Council supports the Commission draft, but a fraction of member states proposed to lower the limit value for Chromium VI to 0.001 or 0.005 (Commission proposal = 0.025 mg/m³).

The submission of a draft EP resolution is scheduled for end November and amendments can be submitted until 7 December.

The EFBWW is now trying to inform MEPs about its position, firstly concerning our opinion on

limit values for wood dust, chromium VI and silica dust and secondly about some recitals, covering our positions for the ongoing debate and an announced second list with a further 12 substances.

Please see the EFBWW position paper sent to affiliated members and the EMPL Committee in the EP <http://www.efbww.org/default.asp?Issue=Chemicals&Language=EN> (right hand column).

We mainly aim to influence opinions at EU as well as national level.

UK: SITE SAFETY INSPECTION SLUMPS A WARNING FOR EUROPE?

Official safety inspections in the UK are increasingly rare and 80% of all UK construction sites have never had an inspection.

Last year there were 65,000 injuries and 67,000 work diseases reported in the sector, yet just 1 in 6 of safety reps were aware of an official inspection in the past year. Over the past five years 217 construction workers have been killed at work, but government austerity cuts have reduced the construction inspectorate to just 132 officials to cover 257,000 businesses employing 2.1m workers. In the year to April 2016 they made only 9,219 inspections – a 13% fall in three years.

By 2019/20 the Health & Safety Executive (HSE) budget will have been slashed by half in the past 10 years.

Creeping commercialisation of the HSE is now being rolled out, not only in Britain but around the world. For many years there has been international interest in learning from and adopting Britain's health and safety system. Now as government demands the HSE meets a much larger proportion of its costs from commercial activities it is selling its products worldwide.

All this happening at a time when it clearly cannot cope with its own national programme.

For the past four years UK business can be charged for HSE inspections. If when visiting a site the inspector sees breaches of safety law they will set a fee of £129 (143 Euro) an hour for the time spent investigating, advising and taking enforcement action. In 2014 this cost constructors

£2.8m (3m Euro), more than a quarter of the fees recovered across all British industry.

The HSE's new boss, Martin Temple, questioned about offering services overseas, said: "I think that's something we can coach people on, and also ensure we translate our best practice to others."

UCATT, Britain's specialist construction union thinks differently. Leader Brian Rye said: "What is the point of the HSE if they don't inspect?" adding: "The government's wilful neglect of the British worker is tantamount to creating a wild west in the workplace, and we all know the consequences of such neglect will be injuries and maybe lost lives to construction workers. It is utterly shameful."

Bill Lawrence

BENZENE IN HAND-HELD WORK EQUIPMENT WITH TWO-STROKE ENGINES: AUSTRIA REQUIRING BENZENE'S REPLACEMENT BY ALKYLATE PETROL

Under Austria's Employee Protection Act (ASchG), the use of fuels containing benzene in hand-held work equipment powered by two-stroke engines has been banned since 31 May 2015. In practice, this means that for work equipment with two-stroke engines for professional use, petrol sold at petrol stations is not allowed and a binding legal requirement to use alkylate petrol (also known as "small engine fuel" or "environmental petrol") applies.

The reason behind this is the European Union's Carcinogens Directive (2004/37/EU), which prevents employers from using carcinogens when substances, preparations or processes can be used which

are less dangerous to workers' health (Article 4.1). The Austrian legislature had to take this into account due to the principle of the primacy of EU law over any conflicting legislation from Member States.

By way of background, since 1982 the benzene has been classified as "carcinogenic to humans" by the International Agency for Research on Cancer (IARC) of the World Health Organisation (WHO) and its list of hazardous substances, causing leukaemia and other cancers. In the case of benzene, the conventional petrol sold at petrol stations must have a limit value of 1% by weight according to EU legislation (Directive 98/70/EC) and is strictly speaking only

allowed for engines of motor vehicles. By contrast, alkylate petrol has a maximum limit value of 0.1% by weight. Furthermore, benzene not only enters the body through breathing but also through the skin. In two-stroke engines, a significant portion of the petrol is removed without being burnt. A high level of exposure is inevitable due to the close proximity of the machinery user. As a result, workers are particularly at risk given that the machinery in question is largely work equipment.

The new rules cover machinery operators who have to work with chainsaws, brush cutters or other devices with a two-stroke engine. The typical areas of

Continued on page three

NEWS / NEWS / NEWS / NEWS / NEWS

BELGIUM: NOSE CANCER – HIGH NUMBER OF SUSPICIONS

From 2013 onwards, the Belgian fund for occupational diseases started surveillance activities specifically focusing on older wood workers (over 55 and with a working career of at least 20 year in the woodworking industries) examining in particular cases of possible nose cancer and cancer of the nasal cavities. Until now some 380 persons applied to be taken up in the programme, 241 of which were accepted and are actually covered. Each year more than 100 cases of nose cancer are being reported in

Flanders only. From 2016 onwards, the activities will be complemented by an awareness raising campaign.

GERMANY: TOO HIGH EMISSIONS

The German organization for the protection of the environment (Deutsche Umwelthilfe) published a press release announcing that 80% of all chainsaws and brush-cutters tested by them emit a massively higher amount of hydrocarbon and/or nitrogen oxides and carbon monoxides, than legally allowed. 24 different types of the two machine-families (33 machines in total) coming from various

countries to the German market were checked. The emissions were often remarkably exceeding the allowed values – up to 600% above the threshold. The organisation also underlines that especially workers, using this type of machinery, are exposed to enormous amounts of hazardous substances.

Because of the protest of the "Deutsche Umwelthilfe" some producers have taken their products from the market. Other producers have not reacted yet. Against those producers, the environmental organisation will initiate appropriate action.

http://www.duh.de/pressemitteilung.html?&tx_ttnews%5Btt_news%5D=3928

activity where such machinery is used are agricultural and forestry businesses, municipal horticultural offices and farms and cutting greenery in general (e.g. along railway lines and motorways).

Alkylate-petrol production involves a laborious refinement process. This fuel consists mainly of alkanes, ensuring that it remains free from soot and can be stored for as long as two years. Furthermore, alkylate has a neutral odour. These benefits mean that many companies (in particular in Scandinavia) use it of their own accord. The new arrangements mean that in Austria too, workers and the environment, and so the general public as well, will be better protected in future.

Franz Greil

ITALY: STOP WORKPLACE DEATHS

The Italian Construction Federations Feneal, Filca and Fillea, will mobilize once more urging everyone to pay more attention to health and safety issues at the workplace.

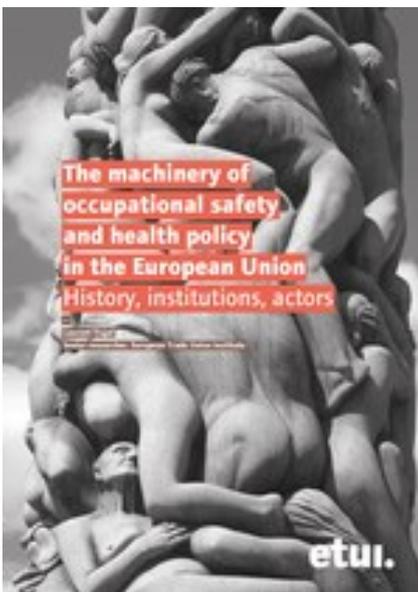
A month of assemblies, conferences, handing out flyers and organising awareness raising event all around Italy and on all construction sites, will culminate in a one hour nation-wide strike of construction workers on 7 November demanding a stop to workplace deaths.

As a matter of fact statistics on accidents, deaths and work-related illness are becoming more and more tragic and alarming.

For the construction sector alone the provisional calculation for 2016 is terrible: at the beginning of October, a 27% increase of victims was registered as compared to 2015. This figure is even more appalling when one considers the amount of victims over 60. We literally face a "grandparents" massacre. For Trade Unions it is essential to intervene immediately, strengthen the monitoring and impose appropriate sanctions if undeclared and irregular work is involved, because circumventing the applicable rules and laws causes a lot of accidents.

Ermira Behri

PUBLICATIONS



ETUI PUBLICATION: EU POLICY MAKING ON OSH

This guide gives an overview of the background to, principle actors in, and essential tools of, EU occupational health and safety policy with the aim of contributing to a better understanding of this policy and of facilitating effective intervention at European level.

It is aimed primarily at worker representatives responsible for health and safety at work and union officials involved in this area. It will also be useful to anyone with an interest in EU policy developments or involved in preventing occupational risks.

The information is up-to-date as of the end of March 2015. The ETUI

will provide regular updates of any changes. ETUI, Brussels, ISBN 978-2-87452-370-0; Available in English, French and Italian

CLR-NEWS 3/2016 ON WORKING TIME

The next CLR News will be published in November 2016. The issue will deal with changes and tendencies in working time regimes in the construction sector. Five subject articles are foreseen:

1. Working time - collective arrangement and reality;
2. UK dire working times;
3. Working Time campaign in Belgium;
4. Working time preferences of Swiss construction workers
5. The EU-Working Time Directive.

GERMANY: JOINT DECLARATION: „MINIMIZING DUST IN CONSTRUCTION“

The German social partners of the construction sector succeeded in making construction work less dusty.

When talking about dust in construction work, very often asbestos is in focus. Work with asbestos can be intended and is then carried out by specialized and certified companies. However, there are many more construction occupations leading to an accidentally work with asbestos and the exposure to the death bringing substance. These occupations are, amongst others, restoring activities, repair work, modernisation or renovation work.

Potentially all houses and infrastructure build before 1993 are possibly contaminated with asbestos. In the whole of Europe, a comprehensive asbestos register does not exist and information from clients

are not always reliable or helpful. In this connection, especially the building trade is concerned.

However, dust in construction work is usually not pure asbestos dust but usually a conglomerate of various types of dust, including silica and some more substances. Against this background, in Germany the occupational limit value for general dust emissions had been reduced to 1.25 mg/m³ in April 2014. If this limit value cannot be kept, an evaluation criteria of 3 mg/m³ for the effectiveness of protection measures is under specific circumstances and temporarily applicable.

The new joint declaration for the minimization of dust aims to better protect workers accidentally exposed to dangerous substances. The social partners oblige themselves to ensure that all

construction activities take place under conditions of minimised dust exposure, by using appropriate machinery as for example de-dusting devices, air cleaning devices or hollow drillers. The overall aim is to reduce dust emissions generally as much as possible ensuring that the possible exposure to asbestos is minimised.

On 25th October, the declaration was signed by the social partners of the construction sector, the accident insurance and the ministry of employment and social affairs. According to the signed declaration labour inspectors can still stop working activities on sites if the dust exposure is too high. Restoring activities, modernisation or renovation activities remain prohibited if asbestos is present, and remain prohibited.

Gerhard Citrich

NEWS / NEWS / NEWS / NEWS / NEWS

SPAIN: ACTION AGAINST WORK RELATED CANCER

For the 2016 International Day for Safety and Health at Work, Spanish CCOO Construcción y Servicios focused on combating occupational cancer

under the slogan: "Occupational Cancer - Work to live, not to die". The campaign was dedicated to the millions of workers who, as a result of their daily work, have seen their quality of life being drastically reduced or who even died. A range of campaign materials was produced ([manifesto](#), [videos](#)) which are available on [You-tube](#). In the videos developed for the campaign,

specialized doctors, territorial responsables for occupational health in the sectors affected and even victims of some types of occupational cancer give their testimony in order to make workers aware about the dangers related to occupational cancer.

Next issue:

Deadline for contributions for the next issue of this newsletter is Monday 28th November 2016.

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