

REACH Impact on workers ETUC contribution



Marc Sapir, TUTB director

TUTB presentation at the European Parliament, November 10, 2003



Preliminaries

- Focus on health and safety protection of workers exposed all along the chemical life cycle
- We must also have in mind which Europe we want: a social Europe:
 - States recognize the role of trade unions as actors of solidarity, equity through social dialogue
 - Shared sovereignty to support these principles
 - Limitation of the principle of free trade through the adoption of social & environmental regulation (art. 95)



Key impact of Reach for workers:

■ Direct

- Access to information via SDS for workers and their representatives (art.32)
- CSR includes exposure assessment (including workers) –(art.13 and Annex I)
- Duty to communicate up supply chain and DUs (art. 31)
- Risk reduction measures (restriction of use, substitution)

■ Indirect

- Provide information to employers (manufacturer/down stream users) which must follow social directives (minimum provisions)



Risk reduction measures

- Potential Impact is important but experience shows that it's slow (e.g. asbestos and PCB) and it will depend on the priorities given to occupational health
- Depends on available information plus political will!!!
- Measures must be compatible and supportive with workers protection directives (CMR substitution 90/394)
- Special attention to so called 'adequately controlled substances' (art. 57)



Information – indirect effects

- Many different needs of information: enterprises level/society but are inseparable
- At enterprise level: choice of preventive depends on chemical properties – information provided via SDS and labels
- But also other parties: workers and their representatives, preventive services, labour inspection,
- Induced effects of information ? Consolidation of market and innovation



How many workers are concerned ?

- I'm not going to give a price to life! But debate on how many are concerned
- How many workers are exposed to known dangerous products: Dublin Foundation report (6% all time exposed covering all sectors – 16 % part time) /CAREX survey 32 million exposed to carcinogens
- How many victims ? Welcome the efforts of RPA but occupational disease are tip of iceberg (exposition ~ absenteeism/diseases/recognition process – see survey EUROGIP)



Our questions about the final draft of REACH:

1. Links between REACH and OHS Directives :

- ❖ Chemical Agents Directive 98/24 provides risk assessment for **all chemicals** used at the workplace

REACH limits risk assessment for tonnage > 10 t/y

- ❖ Carcinogens Directive 93/394 supports the **substitution principle** (minimum provisions)

REACH gives possible autorisation for CMRs if they are **adequately controlled**

→ **Confused messages to employers should be avoided**

Our questions about the final draft of REACH:

2. Excessive reduction on data requirements:

Quantities	Nb of Substances	Registration	CSR
< 1 t/y		NO	NO
1<t/y<10	20,000	YES	NO
> 10 t/y	10,000	YES	YES

→ No Chemical Safety Report for 20,000 out of 30,000 substances to be registered (1-10 t/y)

Cost-efficiency Savings ?

Measure	Saving
Replace downstream user Chemical Safety Report with expanded Safety Data Sheet	- € 4,650 million
Exclude Polymers	- € 1,900 million
Drop 'preliminary' Chemical Safety Report	- € 1,800 million
Reduced requirements for 1 to 10 tonnes	- € 500 million
Lighter requirements for transported intermediates	- € 600 million
Authorization and other factors	- € 200 million
Increased use of (Q)SARs	- € 950 million
Total reduction in costs	- € 10,600 million

- 4.72 %



Conclusions

- REACH can give a positive impact on workers
- Avoid confused message for employers:
 - Risk assessment (no tonnage limitation, all chemical are covered)- current proposal excludes 20 000 chemicals
 - Support the substitution principle required by directive 90/394
 - Support the information/consultation right & participation rights of workers on risk management measures



Finally

- The improvement of workers' safety, hygiene and health at work is an objective which should not be subordinated to purely economic considerations- recital framework directive 89/391