



EUROPEAN COMMISSION
DG Employment, Social Affairs and Inclusion

Employment and Social Governance
Social dialogue

EXTRACTIVE INDUSTRIES SECTORAL SOCIAL DIALOGUE COMMITTEE

WG Meeting

27 February 2019

MINUTES

Participants:

Employer representatives

Mr Vladimir Budinsky EURACOAL, Czech Republik
Mr Brian Ricketts, EURACOAL, Belgium
Ms Magdalena Chawula-Kosuri, EURACOAL, Belgium
Ms Kasia Palaczanis, Euromines, Belgium
Mr Tobias Andres, Euromines, Belgium
Mr Szkop Rafal Employers' Organization of Polish Copper, Poland
Ms Miette Dechelle, UEPG, Belgium
Ms Cecilia Andersson, SveMin, Sweden
Mr Friedhelm Mester, APEP, Germany

Employee representatives

Mr Jean-Pierre Damm, FNEM FO, France (chair)
Ms Corinna Zierold, industriAll, Belgium
Ms Desislava Kancheva, IndustriAll, Bulgaria
Mr Vladimir Topalov, IndustriAll, Bulgaria
Mr Ferencz Rabi, BDSZ, Hungary
Mr Károly Stanitz, BDSZ, Hungary
Mr Alberto Simoes, SIMA, Portugal
Mr Gutierrez Peinador Vicente, Confedem, Spain

European Commission

Ms Tomczak, DG ENER
Mr Muench, CLIMA
Mr Handley, GROW

Mr Strohbach, DG EMPL

1. Welcome and adoption of the agenda and the draft minutes of the previous meeting

The meeting was chaired by Mr Damm. The draft agenda was approved.

2. Adoption of the draft minutes of the Plenary meeting

The minutes of the SSDC meeting on 15 November 2018 were approved.

3. Adoption of the work programme

The chairman presented the items of the draft work programme 2019. It was discussed in detail among the social partners.

Social partners agreed on finalising the work programme by written procedure.

4. Skills and Competences a. Presentation of joint project: Development and promotion of soft skills and competences of OSH Management in extractive enterprises – focused on SMEs – structure, timeline, tasks

Ms Palaczanis informed about the successful project application of the SSDC Extractive Industries (lead applicant: Euromines; co-applicant: IndustriAll Europe) under the call “Social Dialogue”. Financing of the project “Development and promotion of soft skills competences of OSH Management in extractive industries - focused on SMEs” - VS/2019/0017 was granted by the EC and will run for 2 years (February 2019 – February 2021). The project comprises five tasks which are:

- Task 1 Data collection for the identification of OSH status of extractive (SMEs) industries
- Task 2 Evaluation of OSH needs of the extractive industries
- Task 3 Development of supporting material for the development of OSH soft skills and competences in the extractive SMEs
- Task 4 Design, development and testing of website
- Task 5 Final dissemination action

The main outcome of the project will be a self-assessment tool and training material (available in five languages). It was highlighted by UEPG that supporter of the project dedicated to SMEs within Extractive Industry should be involved and contribute (as mentioned within the Presentation made)

5. Long-Term GHG Emission Reduction Strategy “A Clean Planet for All” – Presentation by DG CLIMA

Mr Muench presented the strategy “A Clean Planet for All” which is a European strategic long term vision for a prosperous, modern, competitive and climate neutral economy. He pointed out that the EU faces significant challenges due to climate change (e.g. global warming already reached 1°C, 18 of the warmest years during the last two decades and extreme heat waves during the last 5 years) which have a real impact on the economy and the

environment in Europe. Therefore the EC was requested to prepare a vision for a clean planet by 2050. This vision includes limiting climate change to 1.5° and achieving net-zero greenhouse gas emissions by 2050 and will require radical transformations in each economic sector which are defined in 7 building blocks (energy efficiency; deployment of renewables; tackling remaining emissions with carbon capture and storage; competitive industry and circular economy; infrastructure and interconnections; bio-economy and natural carbon sinks; clean, safe, and connected mobility). However, the economic sectors will be impacted differently (mining & extraction will be concerned heavily) in various aspects for instance in terms of future employment. In addition, the social and structural changes of this transformation will affect regions within the EU in different ways. Ensuring a smooth transformation and a just transition as an enabling framework (budget, taxation, policy, trade, legal aspects) is crucial. Mr Muench made clear that sustainable finances will be needed to achieve the climate and energy targets by 2030/2050. Currently an annual investment gap of 175 to 290 billion € has been calculated. To fill the gap public and private investment is needed.

Mr Handley informed about the EU raw material strategy with a focus on industrial competitiveness. The transformation towards a net-zero greenhouse gas emission economy/society requires a heavy increase in raw materials. This means that this demand will lead to an increased global competition in accessing these raw materials. The EU has to make sure that these raw materials will be available for the European economy (resource security). To do so, more emphasis will be put on transparency of supply chains, trade agreements, circular economy, substitution and recycling. Mr Handley pointed out that last week the High Level Group for energy intensive industries agreed on developing an industrial transformation masterplan in 2019. In addition, social aspects have to be taken into consideration in order to guarantee a societal acceptance of the energy transition.

Representatives of several employer organisations criticised the clean planet strategy. They pointed out that the GHG reductions in the EU, which have been achieved so far, caused a significant number of job losses, in particular in Eastern Europe. Many companies/mines were closed down and their production was replaced by imports. The EU is responsible for 9% of the global emissions only. Therefore the EU should focus on strengthening the competitiveness of the European industry and not creating policies which lead to a deindustrialization of the EU. In view of the next EP elections the EU has to convince people of this energy transition. It is not sufficient that social/regional issues are handled as an add on only. With regard to the investment gap the institutions of the EU were requested to increase the attractiveness for foreign investment.

Trade union representatives pointed out that industriALL Europe has started an internal debate with regard to the strategy. The strategy has some positive aspects. However, improvement was requested for several issues. In addition to the long-term approach of the strategy short-term objectives have to be defined too. Both sides of industry have to be an integral part (designing, implementing) of the strategy. With regard to the masterplan possible synergies (sectors, regions) have to be identified and to be used. In addition, industriALL Europe supports the idea of the EP to provide a clean energy fund. IndustriALL Europe demands a global level playing field, an adequate infrastructure so that no region and no worker is left behind. The EU has to ensure that the strategy is realistic and feasible. More emphasis has to be put on the social consequences of the strategy.

Social partners mentioned that slide “Regional exposure to sectors that are expected” of the presentation is incorrect.

6. Coal Regions in Transition and structural change

a. Update from DG ENER on the Coal Regions in Transition Platform work programme 2019

Ms Tomczak presented the EC initiative Coal Regions in Transition. There are 11 member states (Spain closed its coal mines by 2018) in which coal is still mined in the EU. The objective of the initiative is to support the development of transition strategies and to identify concrete projects handling structural diversification and technology transition. To do so a multi-stakeholder platform including a secretariat and several operational country teams have been established. To implement the transition, EU funds and programmes mainly the Cohesion Fund, the European Regional Development Fund, the European Social Fund, the European Globalisation Adjustment Fund and Structural Reform Support Service should be used. Ms Tomczak informed in detail about the secretariat the outcomes of the platform in 2018 and the planning for 2019.

Results in 2018:

- Exchange of best-practices, strategies and project ideas: 3 meetings of Working Groups on 1- Post-coal economy and structural diversification and 2- Energy system transformation and clean air
- Multi-stakeholder discussion to foster dialogue and transparency: 270 regular participants, including regional and national public authorities, industry, NGOs and trade unions
- Stock-taking and recommendations for future work to facilitate transition in coal regions: 1 annual political dialogue

Planning for 2019

- New work model based on stakeholder survey: small scale and interactive workshops (parallel sessions), region-driven discussions and coordination, training and focused workshops animated by the Platform Secretariat, the Joint Research Centre and Bloomberg Philanthropies, linking project developers across European coal regions (geothermal, water pump storage, re-cultivation)
- 1st meeting (8-9 April in Brussels), 2nd (July), 3rd (October)
- Political dialogue in December (EP elections, new MFF)

Ms Tomczak underlined that the platform focuses currently on coal mining regions and it is planned to extend the platform to carbon intensive regions (e.g. where coal power plants are located) at a later stage (second phase). However, the definition of carbon intensive regions is challenging.

Social partners underlined their support for the coal regions in transition platform.

b. Follow-up on COP24 and adoption of the Solidarity and Just Transition Silesia Declaration – industriAll Europe

Ms Zierold informed about the “Solidarity and just transition Silesia Declaration” which is an outcome of COP24 (Katowice). So far 54 heads of state and government leaders as well as the EC have signed this declaration. The declaration is based on an initiative of the international trade union movement. The initiative focused on defending workers’ rights and offering perspectives to employees concerned by a transition.

2015 the ILO provided guidelines for a just transition. Nonetheless, the COP presidency plans to carry out a study on identifying examples of good practices in structural change and transformation.

Social partners discussed if this SSSC should support the Silesia Declaration and agreed on putting the item on the agenda of the next SSSC meeting again.

7. Occupational Health and Safety

a. Report NEPSI activities/upcoming project

Ms Dechelle reported on developments with regard to the respirable crystalline silica (RCS) agreement (NEPSI) on behalf of Ms Lumen. She reminded social partners of the first revision of the carcinogens and mutagens directive (CMD, Directive 2017/2398) which has to be transposed into national law by 17 January 2020. Annex I of the directive refers to work involving exposure to respirable crystalline silica dust generated by a work process. Annex III defines the binding limit values for respirable crystalline silica dust at 0.1 mg/m³. The Article 18a of the directive mentions that “The Commission(...) will evaluate the need to modify the limit value for respirable crystalline silica dust” (5 years after implementation). In addition NEPSI and the Good Practice Guides are recognized as valuable and necessary instruments to support the implementation of CMD through recital 19.

Article 13a of the second revision of the CMD (Directive 2019/130) refers to social partners' agreements. 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). This list shall be updated regularly. The NEPSI agreement will be included in this list and will be the benchmark for any future social partners' agreement.

Ms Dechelle informed that the NEPSI Council agreed on a 5-year roadmap in early 2018. Within the next 5 years NEPSI will support the implementation of the CMD on the ground and will prepare for the evaluation of the BOEL (binding occupational exposure limit). In addition, specific actions will be launched with regard to the extension of the scope. Special attention will be given to SMEs and new workers.

Finally she informed about the successful project application of the NEPSI secretariat (IMA-Europe is the lead applicant, all NEPSI signatories are Associate Organisations). Financing of the project “Measures to develop and extend the Social Dialogue Agreement on Workers’ Health Protection through the Good Handling and Use of Crystalline Silica and Products Containing it and adapt it to change in legislation and to current work-related challenges” - VS/2019/0011 was granted by the EC and will run for 2 years (February 2019 – February 2021). The project has a budget of € 527 272, the kick-off meeting was on 26 February 2019 and the project comprises five tasks which are:

- Update of the NEPSI Good Practice Guide
- Development of a specific training programme for SMEs (incl. micro enterprises)
- Development of a training programme for the new workers, especially the young generation
- Renewal of the NEPSI Reporting system software.
- Development of a standardized respirable crystalline silica measurement methodology.

b. Report SWP Extractive Industries renewal of mandates

Ms Palaczanis informed that an EC official has to be appointed for the Standing Working Party. However, so far this has not happened. As the next SWP meeting will be in March/April 2019 social partners agreed on sending a letter to Mr Olson the Director B of DG Employment to raise his attention to this fact.

c. Explosives for civil uses

Ms Dechelle reminded social partners of the Commission Directive 2008/43/EC of 4 April 2008 which pursuant to Council Directive 93/15/EEC sets up a system for the identification and traceability of explosives for civil uses. This directive was amended by Commission Directive 2012/4/EU on 22 February 2012.

The EC (DG GROW) raised concerns on Article 5(6) of the [Explosives for Civil Uses Directive](#) (2014/28/EU) on the obligations of manufacturers, as well as, the Special requirement 1(k) of the Essential Safety Requirements. The discussion in the EC Group of Experts on Explosives has shown that these requirements are interpreted differently by different manufacturers. Thus, a common guidance would be needed to ensure safety and a harmonised implementation. Therefore, UEPG, lead representative of the Explosive for civil uses Task Force and member of the EC Experts group on explosives for civil uses, was asked to inform its Members and Partners as Social Partners to express an opinion on the labelling requirements of explosives and the experiences made in the Member States with regard to this issue.

Consequently, social partners were asked to express their opinion on how the Article 5(6) of the Explosives for Civil Uses Directive as well as Special requirement 1(k) of the Essential Safety Requirements should be interpreted and what instructions social partners would consider as “suitable”.

Based on the EC request UEPG has sent questions to their members and partners from the explosives for civil uses task force but received a few replies only.

Ms Dechelle asked social partners from the other organisations to contact their national affiliates and to respond to the EC request.

In addition she pointed out that UEPG will have the Health and Safety Committee Meeting on March 14 and will have a roundtable discussion on this issue.

8. AOB

The Chair thanked the participants and closed the meeting.