



EUROPEAN COMMISSION
DG Employment, Social Affairs and Inclusion

Employment and Social Governance
Social dialogue

EXTRACTIVE INDUSTRIES SECTORAL SOCIAL DIALOGUE COMMITTEE

WG Meeting

18 June 2019

DRAFT MINUTES

Participants:

Employer representatives

Mr Vladimir Budinsky EURACOAL, Czech Republik
Mr Brian Ricketts, EURACOAL, Belgium
Ms Magdalena Chawula-Kosuri, EURACOAL, Belgium
Ms Corina Hebestreit, Euromines, Belgium
Mr Akos Zoltay, Hungarian Mining Association, Hungary
Ms Beata Staszko, Employers' Organization of Polish Copper, Poland
Mr Rafal Szko, Employers' Organization of Polish Copper, Poland
Mr Dirk Fincke, UEPG, Belgium
Ms Florence Lumen, IMA-Europe, Belgium
Ms Cecilia Andersson, SveMin, Sweden
Mr Luis Rodriguez Camino, APEP, Spain
Mr Gutierrez Peinador Vicente, Confedem, Spain

Employee representatives

Mr Jean-Pierre Damm, FNEM FO, France (chair)
Mr Luis Colunga, industriAll, Belgium
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

European Commission

Mr Cammarota, DG EMPL

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 27 February 2019 were approved.

3. Industrial Policy – defining a Social Partner position

Mr Fincke presented the draft paper “A long-term and ambitious EU Raw Materials Strategy”. He pointed out that this first draft needs input from the other social partner organisations of the sector, in particular from the trade unions. The objective is to develop a joint paper informing the members of the new EP and the new EC on the position of this SSDC.

Ms Zierold pointed out that some further discussions are needed, in particular with regard to the social dimension of the letter.

Social partners agreed to work on the draft and to adopt the joint letter by September 2019.

4. Sustainable finance – joint letter Skills and Competences

Ms Hebestreit presented the draft paper “The raw materials contribution to the implementation of the EU Sustainable Finance Action Plan”. She invited social partners to comment on the draft paper.

Ms Zierold pointed out that industriAll Europe could accept the draft paper to be a joint letter of the SSDC Extractive Industries which should be addressed to the new EP. She underlined that the draft paper needs some fine tuning.

The secretariats were mandated to finalise the joint paper which should be adopted by September 2019.

5. Machinery Directive – Euromines & UEPG presentation

Ms Hebestreit explained that the Machinery Directive is going to be revised. An update of the Machinery Directive is needed to further improve safety levels and to take account of the latest IT innovations. The proposed revision

- aligns the Directive with EU harmonised legislation on product health and safety, and
- tackles the challenges that may arise from technical progress in digitisation.

The Machinery Directive is mainly addressed to the machinery producers. A public consultation was started on 7 June and will continue until the end of August 2019.

Mr Fincke continued by mentioning the project NOMAD (survey of instructions supplied with machinery with respect to noise and the requirements of the Machinery Directive). The project had revealed that the general state of compliance of machinery instructions with the noise-related requirements of the Machinery Directive is very poor. Only 20% of instructions

meet legal requirements with respect to noise information which makes it difficult for the end users to decide on the machinery fulfilling the requirements of the Machinery Directive.

6. Occupational Health and Safety in the Extractive Industries

a. Update NEPSI Project

Ms Lumen informed about the respirable crystalline silica (RCS) agreement (NEPSI). 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 Lumen 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 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 project (VS/2019/0011). The project was granted by the EC and will run for 2 years (February 2019 – February 2021). The project focuses on updating the NEPSI Good Practice Guide. Ms Lumen explained the next steps of the project in detail.

b. Update of the work of DG EMPL on OEL setting (in Carcinogens or Chemical agents directive), including the changes of procedures

Mr Cammarota reminded social partners of the EC proposal to amend Directive 2004/37/EC by expanding its scope and by including and/or revising occupational exposure limit values for a number of cancer- or mutation-causing substances. The initiative has proceeded in steps. The first batch (adopted January 2017) covered 13 priority chemical agents, the second, (adopted December 2018), a further seven. The third batch was adopted in May 2019 and addressed an additional five. Currently the EC is working on a fourth batch covering 3 substances. In June 2019 the Advisory Committee came to an opinion about these 3 substances.

He pointed out that the SCOEL has formally ended its work. From 2019, the scientific evaluation of the relationship between the health effects of hazardous chemical agents and the level of occupational exposure is conducted by the [Risk Assessment Committee \(RAC\)](#) of the [European Chemicals Agency \(ECHA\)](#).

Social partners underlined that in addition to the scientific evaluation more attention should be given to the feasibility in defining a given exposure limit value.

c. Standing Working Party for Mining and the Extractive Industries

Mr Cammarota highlighted that the Standing Working Party of the Advisory Committee for Safety and Health at Work (ACSH) is the only one which was set up directly by the Council ([Council Decision 2003/C 218/01](#)). For almost one year the work of the Standing Working Party was slowed down. However, on 14 May 2019 a meeting of the Standing Working Party took place and the activities were restarted. As a result of the meeting a new chairperson was appointed. Mr Cammarota mentioned that the EC intends to launch a MS survey in summer 2019. As Euromines have launched an internal questionnaire, both results should be taken into consideration to create synergies.

d. Planning a 2019 Health & Safety Conference

Ms Hebestreit informed about the planning of a health and safety conference on 19/20 November 2019 (two half days). The main theme will be physical hazards. However, social partners have been invited to suggest speakers and additional topics.

e. IMA Europe – activities accidents at work

Ms Lumen presented the OSH activities of IMA Europe. Although OSH falls within the scope of authority of the companies, IMA supports the companies in harmonising and promoting OSH in the sector. Since 2000 IMA has established a dust monitoring programme and since 2011 IMA has collected data (safety statistics on an annual base) in order to reduce the accidents rate in this industry. In addition IMA carries out 2-3 OSH meetings a year with around 15 participants from 10 different companies. Every second year a workshop with a site visit gathering around 30-40 participants is conducted. She explained in detail the zero injury policy of IMA Europe. Moreover she pointed out that the European sectoral associations should help companies/countries in sharing their experiences to increase safety and to lower the accidents rates. However, she underlined that improving safety is a long-term objective and a continuous process.

f. Explosives for civil use

Mr Fincke informed that UEPG has prepared a statement on explosives for civil use. He briefly explained the background and the content of the statement which will be shared with the other social partner organisations of the sector.

7. European Minerals Days 2019 edition Occupational Health and Safety

Ms Lumen informed about the European Minerals Day, which will take place in Brussels on 21 November 2019. This year's theme is "The mineral sector contributing to local jobs and

economic development”. For the first time the mineral day will be organised as the closing conference of the minerals week.

8. AOB

Mr Topalov gave a presentation on the energy plan in Bulgaria. He recommended that social partners should have a look at all the national energy plans.

According to the governance of the energy union and climate action rules, which entered into force on 24 December 2018, EU countries are required to:

- develop integrated National Energy and Climate Plans (NECPs) that cover [the five dimensions of the energy union](#) for the period 2021 to 2030 (and every subsequent ten year period)
- submit a draft NECP by 31 December 2018 and be ready to submit the final plans by 31 December 2019 to the European Commission
- report on the progress they make in implementing their NECPs, mostly on a biennial basis

The EC will monitor EU progress (as a whole) towards achieving these targets, notably as part of the annual [state of the energy union](#) report.

The priorities of the Bulgarian NECP are:

- Enhancing energy security through sustainable energy development;
- Developing an integrated and competitive energy market;
- Using and developing of renewable energy sources (renewable sources) in accordance with the resources available, the capacity of networks and the national specificities;
- Increasing energy efficiency by developing and implementing new technologies to achieve modern and sustainable energy;
- Protecting consumer, by ensuring fair, transparent and non-discriminatory conditions for the use of energy services.

Mr Topalov presented his view according to which a pillar “European citizen” should be added to the 5 pillars of the Energy Union (de-carbonization, energy efficiency, energy security, internal energy market, innovation and competitiveness). This additional pillar should cover the effects of the transition on the interest of the European citizen.

Mr Topalev underlined that coal is Bulgaria’s main energy resource. 40 % of the electricity generated in the country comes from coal. He was very critical of how the objectives of the NECP should be realised in practice without putting too much pressure on the citizens in Bulgaria. In this respect Mr Topalov pointed out that, in the EU, Bulgaria is offering the lowest price of electricity to consumers. However, nearly 60 % of Bulgarians are energy poor, as they spend more than 20 % of their family budget on electricity and heat bills according to a World Bank study.

He therefore requested a fair energy transition for the people in Bulgaria and not a de-industrialization of the country.

The Chair thanked the participants and closed the meeting.