Protection of workers from the risks related to exposure to carcinogens or mutagens at work

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The Committee on Employment and Social Affairs adopted the report by Stefania ZAMBELLI (ID, IT) on the proposal for a directive of the European Parliament and of the Council amending Directive 2004/37 /EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work.

As a reminder, the legislative proposal is the fourth concerning Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work. It provides for the establishment of new occupational exposure limits for three substances: acrylonitrile, nickel compounds and benzene, to which more than one million workers in the EU are exposed in many different sectors, including the oil, textile, manufacturing, food and chemical industries.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Micro-enterprises and SMEs

While maintaining equal levels of protection for all workers, Members considered it desirable to facilitate the operational feasibility and compliance of micro-enterprises and SMEs, avoiding disproportionate impacts on them, in particular by assessing the impact of transposition on these enterprises. Incentives, facilities and digital tools could be the right instruments to address the needs of these businesses.

Reprotoxic substances

Members suggested extending the scope of Directive 2004/37/EC to reprotoxic substances in order to bring it into line with Regulation (EC) No 1907/2006 of the European Parliament and of the Council (REACH Regulation). Reprotoxic substances are of high concern and the organisation of workplace prevention should apply the same approach to them as to carcinogens and mutagens.

Where a carcinogen, mutagen or reprotoxic substance is present in the workplace, the employer should reduce its use, in particular by replacing it, as far as technically possible, with a substance, mixture or process which, under its conditions of use, is not dangerous or is less dangerous to the health or safety of workers.

Reprotoxic substances can also seriously harm pregnant and breastfeeding workers. Specific measures for this group of workers have therefore been introduced.

Hazardous drugs

In the health care sector alone, 12.7 million workers in Europe (including 7.3 million nurses) are exposed to hazardous drugs at work. The handling, preparation and administration of these drugs exposes healthcare professionals to high health risks.

Members considered it important to protect all workers by including the relevant pharmacotherapeutic classes of hazardous medicines in Annex I of Directive 2004/37/EC.

No later than 1 December 2022, the Commission, after consulting interested parties, should draw up Union guidelines and standards for the preparation, administration and disposal practices of hazardous medicinal products. These guidelines and standards would be published on the website of the European Agency for Safety and Health at Work (EU-OSHA) and disseminated to all Member States by the relevant competent authorities.

Cobalt

No later than 31 December 2023, the Commission should present, after consultation with the Advisory Committee on Safety and Health at Work (ACSH) and taking into account the opinion of the Committee for Risk Assessment (RAC) of the European Chemicals Agency in 2018 and the latest scientific knowledge available, a legislative proposal to introduce a limit value for cobalt and its compounds.

Benzene and nickel

By 1 January 2028, the Commission should assess the feasibility of further reducing the limit value for benzene and the limit value for nickel compounds. No later than 1 January 2030, the Commission should propose, if necessary, the necessary changes for these substances.

Respirable crystalline silica dust

Directive (EU) 2017/2398 requires the European Commission to assess the need to amend the limit value for respirable crystalline silica dust by 2022. Since its inclusion in Annex III of Directive 2004/37/EC, the limit value has remained at 0.1 mg/m³. Members proposed to set a lower limit value (0.05 mg/m³).