Basic information

2019/2182(INL) INL - Legislative initiative procedure	Procedure completed
Protecting workers from asbestos **Subject** 4.15.15 Health and safety at work, occupational medicine	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
EMPL Employment and Social Affairs	VILLUMSEN Nikolaj (GUE/NGL)	31/01/2020
	Shadow rapporteur FRANSSEN Cindy (EPP) DANIELSSON Johan (S&D) TRILLET-LENOIR Véronique (Renew) MATTHIEU Sara (Greens/EFA) KOPCIŃSKA Joanna (ECR) ZAMBELLI Stefania (ID)	

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety (Associated committee)	BOMPARD Manuel (The Left)	26/04/2021
IMCO Internal Market and Consumer Protection (Associated committee)	PELLETIER Anne-Sophie (The Left)	23/02/2021

European Commission

Commission DG	Commissioner
Employment, Social Affairs and Inclusion	SCHMIT Nicolas

Key events

Date	Event	Reference	Summary

19/12/2019	Committee referral announced in Parliament		
29/04/2021	Referral to associated committees announced in Parliament		
27/09/2021	Vote in committee		
01/10/2021	Committee report tabled for plenary	A9-0275/2021	Summary
18/10/2021	Debate in Parliament		
20/10/2021	Decision by Parliament	T9-0427/2021	Summary

Technical information

Procedure reference	2019/2182(INL)
Procedure type	INL - Legislative initiative procedure
Procedure subtype	Request for legislative proposal
Legal basis	Rules of Procedure EP 57_o Rules of Procedure EP 47
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	EMPL/9/01680

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE689.800	25/03/2021	
Amendments tabled in committee		PE691.469	05/05/2021	
Committee opinion	ENVI	PE691.447	27/07/2021	
Committee opinion	IMCO	PE691.081	02/09/2021	
Committee report tabled for plenary, single reading		A9-0275/2021	01/10/2021	Summary
Text adopted by Parliament, single reading		T9-0427/2021	20/10/2021	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency

Name	Role	Committee	Date	Interest representatives
VILLUMSEN Nikolaj	Rapporteur	EMPL	21/03/2022	Blik og Rør
VILLUMSEN Nikolaj	Rapporteur	EMPL	18/03/2022	Fagligt Fælles Forbund
VILLUMSEN Nikolaj	Rapporteur	EMPL	02/02/2022	EUROPEAN FEDERATION OF BUILDING AND WOODWORKERS
VILLUMSEN Nikolaj	Rapporteur	EMPL	28/10/2021	EUROPEAN FEDERATION OF BUILDING AND WOODWORKERS
VILLUMSEN Nikolaj	Rapporteur	EMPL	27/10/2021	Fagligt Fælles Forbund
VILLUMSEN Nikolaj	Rapporteur	EMPL	25/10/2021	European Federation of Food, Agriculture and Tourism Trade Unions
VILLUMSEN Nikolaj	Rapporteur	EMPL	12/10/2021	Fagligt Fælles Forbund
VILLUMSEN Nikolaj	Rapporteur	EMPL	12/10/2021	Fagligt Fælles Forbund
VILLUMSEN Nikolaj	Rapporteur	EMPL	04/10/2021	Commissioner Nicolas Schmit
VILLUMSEN Nikolaj	Rapporteur	EMPL	09/09/2021	3F
VILLUMSEN Nikolaj	Rapporteur	EMPL	09/09/2021	BJMF
VILLUMSEN Nikolaj	Rapporteur	EMPL	09/09/2021	Fagligt Fælles Forbund BJMF
VILLUMSEN Nikolaj	Rapporteur	EMPL	02/09/2021	EUROPEAN FEDERATION OF BUILDING AND WOODWORKERS
VILLUMSEN Nikolaj	Rapporteur	EMPL	01/09/2021	EUROPEAN FEDERATION OF BUILDING AND WOODWORKERS
VILLUMSEN Nikolaj	Rapporteur	EMPL	07/06/2021	Fagligt Fælles Forbund BJMF
VILLUMSEN Nikolaj	Rapporteur	EMPL	23/04/2021	European Construction Industry Federation
VILLUMSEN Nikolaj	Rapporteur	EMPL	20/04/2021	Green Asbestos
VILLUMSEN Nikolaj	Rapporteur	EMPL	14/04/2021	European Public Service Union
VILLUMSEN Nikolaj	Rapporteur	EMPL	14/04/2021	BEUC
VILLUMSEN Nikolaj	Rapporteur	EMPL	14/04/2021	IUT
VILLUMSEN Nikolaj	Rapporteur	EMPL	01/03/2021	EUROPEAN FEDERATION OF BUILDING AND WOODWORKERS
VILLUMSEN Nikolaj	Rapporteur	EMPL	24/02/2021	Blik og Rør
VILLUMSEN Nikolaj	Rapporteur	EMPL	12/10/2020	EUROPEAN FEDERATION OF BUILDING AND WOODWORKERS
VILLUMSEN Nikolaj	Rapporteur	EMPL	24/09/2020	EUROPEAN FEDERATION OF BUILDING AND WOODWORKERS
VILLUMSEN Nikolaj	Rapporteur	EMPL	22/09/2020	BAT-kartellet
VILLUMSEN Nikolaj	Rapporteur	EMPL	25/06/2020	Blik og rør
VILLUMSEN Nikolaj	Rapporteur	EMPL	24/06/2020	Blik og rør BAT-Kartellet
VILLUMSEN Nikolaj	Rapporteur	EMPL	04/03/2020	European Federation of Building and WoodWorkers
VILLUMSEN Nikolaj	Rapporteur	EMPL	20/02/2020	European Federation of Building and Woodworkers

Protecting workers from asbestos

2019/2182(INL) - 01/10/2021 - Committee report tabled for plenary, single reading

The Committee on Employment and Social Affairs adopted the report by Nikolaj VILLUMSEN (GUE/NGL, DK) with recommendations to the Commission on protecting workers from asbestos.

Asbestos causes between 30 000 and 90 000 deaths per year in the EU. The most common occupational cancer is lung cancer, constituting between 54 % and 75 % of occupational cancers, whereas asbestos is the main cause of lung cancer (45 %). Exposure to asbestos combined with tobacco use considerably increases the risk of developing lung cancer. Moreover, asbestos is still largely present in buildings and infrastructure built before 2005 when the EU finally banned asbestos. The exposure occurs still among the EU workforce, especially - though not only - in the construction sector.

European Strategy for the Removal of All Asbestos (ESRAA)

Members stressed that the safe removal of asbestos is a difficult and urgent task. Comprehensive removal strategies will entail financial and administrative consequences for building owners, public authorities and businesses, in particular SMEs, including microenterprises, as well as a significant workload for the certifying bodies.

The European Agency for Safety and Health at Work (EUOSHA) should be strengthened in order to provide effective tools such as technical and scientific support for improving prevention efforts, to better monitor the registration of workplaces containing asbestos and the **tracking of workers** who have or might have been in contact with it, to improve training and protective equipment provided to workers. Members called for the establishment of a European platform, within the remit of EU-OSHA, to showcase good practices on the removal of asbestos and safe disposal of asbestos, which have already been implemented in several Member States, and to provide for the exchange of such good practices.

The report suggested that there is an urgent need for an effective access to justice and redress for all health damage, not only that relating to anxiety, for all asbestos victims. It underlined that **all medical costs related to asbestos exposure should be covered by the employers**. The Commission is called on to assess the possible need for legislation establishing a for diffuse pollution to provide compensation to victims for all damages from diffuse pollution, including that caused by asbestos.

A European framework directive for national asbestos removal strategies

While welcoming the Commission communication of 14 October 2020 entitled ‘A Renovation Wave for Europe’- greening our buildings, creating jobs, improving lives’, which seeks to renovate 35 million buildings by 2030, the report stressed that particular attention should be paid to protecting workers renovating old buildings and intervening in emergency operations from exposure to asbestos.

A European framework directive for national asbestos removal strategies, including the assessment of existing asbestos in the built environment, clear timelines and milestones for its safe removal, minimum standards for public digital asbestos registries mapping all existing asbestos in a country or region, public information campaigns and a financial framework for the support of building owners, the safe and documented disposal of asbestos waste, and proper controls and enforcement measures such as reinforced labour inspections, should set the framework for an ESRAA.

Asbestos **registries** should be accessible for workers and companies, owners, inhabitants, and users of buildings and regularly updated. Asbestos registration in the built environment is an important element also for the circular economy and waste strategy, for which the identification, registration, and documented disposal of hazardous materials is central.

Recognition and compensation of asbestos-related diseases

Member States are called on to facilitate recognition procedures by reversing the burden of proof, especially if national registers for asbestos workers were set up only recently, and to establish adequate compensation for workers suffering from asbestos related diseases. The Commission should present a proposal for a directive laying down Union minimum standards for the recognition and compensation of occupational diseases, including asbestos-related diseases. The Commission should also put forward a proposal for the Member States to establish a national function or an **ombudsperson** to assist victims of occupational diseases.

Member States are called on to facilitate the recognition of and compensation for documented victims of **second-hand exposure** through non-occupational contact with asbestos. The report stressed that the **polluter must pay principle** should be taken into account in the attribution of the cost of asbestos removal as far as possible.

Asbestos screening prior to energy renovation works and selling or renting out a building

The Commission should present a legislative proposal for the **mandatory screening of buildings before sale or rent** and for the establishment of asbestos certificates for buildings constructed before 2005 or before the year of an equivalent national asbestos ban, whichever the earlier. Protective measures should be adopted for tenants where asbestos is found prior to energy renovation works. Screening and removal expenses should not be payable by the tenants.

The EU as a global leader against asbestos

The EU is called on to work with international organisations to pioneer instruments to label the asbestos market as a toxic trade. It should integrate the fight against asbestos and asbestos-related diseases into its external policies.

Protecting workers from asbestos

2019/2182(INL) - 20/10/2021 - Text adopted by Parliament, single reading

The European Parliament adopted by 675 votes to 2, with 23 abstentions, a resolution with recommendations to the Commission on protecting workers from asbestos.

Asbestos causes between **30 000 and 90 000 deaths per year in the EU**. The most common occupational cancer is lung cancer, which accounts for between 54% and 75% of occupational cancers, with asbestos being the main cause of lung cancer (45%).

People who work in the construction and renovation of buildings, mining and waste management, fire fighters, and homeowners and tenants are at risk of exposure to asbestos. Asbestos-related diseases can take up to 40 years to develop. A peak in the number of cases in the EU is expected around 2025.

European Strategy for the Removal of All Asbestos: ESRAA

Stressing that the safe removal of asbestos is an urgent and difficult task, Parliament reiterated its call for a comprehensive European strategy for the Removal of All Asbestos (ESRAA) in the EU, using synergies from several policy areas and giving top priority to safe working conditions.

Members suggested that **EU structural and investment funds** should be mobilised to improve the reliability and speed of asbestos diagnostics and the safe removal and management of waste. EU funds allocated under the building renovation wave should be reserved for beneficiaries who comply with EU and national regulations to protect workers from asbestos.

In addition, the **European Agency for Safety and Health at Work** (EU-OSHA) should be strengthened to provide scientific and technical support to improve prevention actions, to better monitor the identification of workplaces containing asbestos as well as the workers who have been exposed to it.

The resolution provides recommendations for several key elements that should be included in a ESRAA:

(1) A European framework directive for national asbestos removal strategies

Parliament called on the Commission to present a proposal for a framework directive for Member States to set up **national asbestos removal plans that include clear and realistic timelines**, including priorities and interim targets, detection and registration of asbestos, financing and support to homeowners and SMEs, protection measures for workers against the risk of asbestos exposure as well as the safe disposal of asbestos in order to prevent asbestos from entering into recycling processes.

Reiterating its call for **national public asbestos registers**, Parliament asked the Commission to introduce, in the context of a proposal for a framework directive, minimum standards for publicly accessible national digital registers on asbestos and other hazardous substances in public and privately owned buildings.

(2) Update of Directive 2009/148/EC on the protection of workers from the risks related to exposure to asbestos at work

Parliament called on the Commission to update Directive 2009/148/EC in the light of the latest scientific knowledge and technical developments, with a view to strengthening EU measures for the protection of workers against the threat of asbestos and preventing the recurrence of asbestos-related casualties during the renovation wave.

Members stressed that the safe removal and disposal of asbestos containing parts and materials is a priority. They welcomed the Commission's commitment to present a legislative proposal in 2022 to further reduce workers' exposure to asbestos and called on the Commission to update, as a matter of priority, these exposure limits, which should be set at 0.001 fibres/cm3 (1000 fibres/m3).

(3) Recognition and compensation of asbestos-related diseases

Parliament called on the Commission to ***update its Recommendation of 19 September 2003*** concerning the European schedule of occupational diseases and to use as it as the essential basis for drawing up a proposal for a directive on: (i) the recognition of work-related diseases, including all known asbestos-related diseases, with minimum standards for recognition procedures, and (ii) minimum standards for compensation for victims of asbestos-related occupational diseases.

This new directive should include elements such as a reversal of the burden of proof in recognition procedures, the establishment of national one-stop shops for all matters concerning occupational diseases, as well as ombudsmen to assist the workers concerned in recognition procedures.

(4) Asbestos screening prior to energy renovation works and selling or renting out a building

Parliament called on the Commission to present a proposal for an **amendment** to Directive 2010/31/EU in the context of the Renovation Wave introducing a requirement for the mandatory asbestos screening, registering, and removal of asbestos and other dangerous substances before any renovation works can start to protect workers' health and safety.

The Commission should present a **legislative proposal for the mandatory screening of buildings before sale or rent** and for the establishment of asbestos certificates for buildings constructed before 2005 or before the year of an equivalent national asbestos ban, whichever the earlier. Protective measures should be adopted for tenants where asbestos is found prior to energy renovation works. Screening and removal expenses should not be payable by the tenants.