

Sectoral Social Dialogue Committee “Extractive Industry”



Joint statement on the further improvement of the working conditions and occupational health of employees in the extractive industries in the context of European social dialogue

1. Preamble

The extractive industry social partners made a joint statement in 2004 that today, with the enlargement of the European Union and the accession of new social partners to the Sectoral Social Dialogue Committee for the Extractive Industries in Europe (SSDCEI), needs to be updated.

The social partners point out that issues relating to health, safety, working conditions and stress have been discussed at length by the sectoral committee they represent. There is already both legislation and regulation at European and national level concerning the working conditions and the health and safety of employees, as well as the right of employees to participate in the safety management of their company. In many Member States, these issues are addressed using industry or company-specific agreements between employers and employees. National provisions and agreements between employers and employees are such that the conditions of application differ among Member States, the various extractive sectors and the companies involved.

At the same time, and based on existing legal frameworks, social partners and European extractive industry sectoral committee members representing European employee and employer organisations have unanimously decided to publish and promote this fundamental statement in order to move social dialogue forward and to strengthen their partnership on health and safety issues.

This statement provides for the addition of other specific texts and individual agreements negotiated between social partners at national level, and for their adoption in the various extractive industry companies.

2. Scope

This statement is intended to apply to all people involved in primary and secondary (including recycled) material exploration, extraction and processing activities in extractive industry companies, whether performed on the surface, underground or using drilling equipment.

3. Initial and continuing training and vocational education

Employees, regardless of their occupational category, should receive adequate information, instruction and training to contribute towards ensuring their occupational health and safety and that of others who may be affected thereby to ensure their health and safety. This training is particularly necessary at the moment of the recruitment, and when there is a change in the function or a change of the function, the introduction of new work equipment or a change in the type of work equipment or the introduction of new technology.

This training must be adapted to changing risks and the emergence of new risks and it should be repeated as determined by the risk assessment.

The working conditions of many employees are radically changing due to the emergence of an information society, increasing global competition, greater awareness of consumer concerns, structural changes in companies, and the new production technologies used in the various European extractive industry sectors.

Consequently, the skills and know-how acquired at the beginning of a career can prove insufficient to meet modern job requirements without continuous and life-long learning and training.

Hence, greater importance should be attached to continuing professional development in the future. Without solid, life-long vocational training, employees are at risk of becoming progressively less capable of meeting future job requirements safely. It will therefore be necessary to create and to develop training initiatives and to introduce and maintain modules for continuing professional development.

4. Occupational risk prevention

Employers and employees commit to taking all the necessary steps and measures to identify and assess the risks to which employees are exposed at their workplace. Employers will adequately inform employees of the known and existing occupational hazards and are encouraged to adopt the appropriate measures to prevent them while also taking into account the necessity, appropriateness, feasibility and potential usefulness of such measures.

The employer shall have included into his Safety & Health Document the procedures to follow in case of emergency. All the employees shall be informed and trained on these procedures. In case of serious and imminent danger, the employees who are unable to contact the competent member in the hierarchy have the right to leave the workplace; but they also have a “duty to report” and the report to be recorded. Thus, once they have taken the necessary and possible safety measures, they should inform their immediate superior of the risk encountered and its severity, before taking any further action.

5. Teaching safety awareness in schools

The compulsory safety training given to young workers by vocational and technical education institutions in some European countries may not exist or is not of a sufficiently high standard in numerous countries (see “OSH in the school curriculum: requirements and activities in the EU Member States,” published by the European Agency for Safety and Health at Work in September 2009).

The extractive industry sectoral social dialogue social partners believe this should become a bedrock value of school education for entry into professional life. The Member States should be encouraged to revise their technical and vocational education programmes, and to include basic health and safety training. Without such training, it is difficult for employers to assign activities to young employees without being held personally responsible, which can ultimately prevent young people in search of work from finding a job.

6. Health and safety management in the extractive industries

6.1 General corporate policy

Not only should workplace safety be an integral part of production management, but it should be an element of highest priority at all company levels. The leading industry companies have

already recognised and adopted this principle, thereby recognizing their social responsibility in terms of work place health and safety.

Accidents lead to the damage of the safety and/or health of employees, difficulties in production, and undermine the global efforts of employees as well as the company image.

Ultimately, these accidents and their effects on employee health can prove extremely damaging in terms of direct and indirect costs for employers and for the various social protection systems operating in different countries.

6.2 Awareness-raising tools

Awareness campaign and internal communication

Occupational health and safety concerns all on-site personnel, regardless of their status.

It also affects the site environment. This is why it is important that, firstly, a general awareness campaign for employees reminds them that the safety policy is first and foremost established for their own health, safety and well-being.

The safety culture should be a core value of any group's or company's social policy, and it should also be included in investment projects. The chief advocate of corporate health and safety culture and core values should be the Owner, Chief Executive, Executive Chairman of the Board, or equivalent company top leader.

Secondly, a campaign should remind them that everyone, especially the management, has a duty to work towards enforcing the highest possible realistic safety, health and environmental standards within the company.

This means developing an active communication policy focused on occupational health and safety. Campaigns should be conducted to raise awareness of accident-related risks. And the themes of these campaigns should arouse and promote interest in all company employees. For some, the European Agency for Safety and Health at Work's awareness campaign can also be used as an additional and targeted communication tool.

7. Cooperating with workers

As has already been the case for a long time in numerous countries, the "health & safety policy" should be developed with the help of worker representatives who, as a result of being

in direct contact with and understanding the risks and hazards encountered at the different sites, can make important contributions.

Health and safety documents have to be understood by all company employees and by contractors and subcontractors alike. These should be sufficiently clear and concise, and communicated in ways that can be readily understood. Health and safety issues should be covered by a full PDCA cycle (Plan–Do–Check–Act).

Objectives should be established, implemented, reviewed and adapted to address any failings as part of a continuous improvement process.

8. External communication and cooperation

“Safety communication policies” could also be developed externally to the company, primarily with regional workplace safety officials and also with educational institutions responsible for youth training.

9. Best practice recommendations for companies

Extractive industry workplace health and safety should be based on management and best practice principles. Over the years, the industry has produced numerous collections of best practices both in Europe and worldwide, addressing issues either horizontally or by specific themes.

One of the largest collections of best practices can be found on the Minerals Industry Risk Management Gateway (MIRMGate) website: www.mirmgate.com. Advice on sub-sectors and a wide range of specific machine-related issues is also available on the ‘Safer by Design’ pages of the www.safequarry.com site.

10. Training

Health and safety initial and continuing training should be adapted to each department, job function and task. Continuing professional development on health and safety for workers throughout their working lives should be considered imperative and a company priority.

Special supervision of inexperienced workers by experienced employees is an imperative (e.g. in the form of work shadowing and mentoring).

There are often discrepancies between perceived and actual risk, influenced by observers' impressions (e.g. underestimation of actual risk, overreaction to minor risk). Group discussions often reveal significant variations in individual perceptions, and accurate risk assessment – when well communicated – improves overall workplace behaviours.

The main risk factors primarily involve the interaction between man, machinery, environment and work organisation.

11. Health and Safety inspections and audits

A site's health and safety depends on the consideration that is given to the proper evaluation of the risk factors and to the implementation and maintenance of actions to minimize, and where possible, to eliminate the risk.

The purpose of these inspections is in particular to check compliance with regulatory safety requirements and to achieve safety improvements relating not only to equipment but also to the organisational structure and behaviours (92/104/EEC, Art. 1.9).

It is important to have personnel competent in health and safety who know the site well, which means they should also be monitored, receive peer review and receive training in health & safety throughout their careers, as well as being properly supervised.

Audits should be designed to assist the avoidance of dangerous situations and accidents.

12. Security pass

A "security pass" could be a document – bilingual if necessary – containing personal data about its holder, including medical clearances, the training required for each position, courses followed and certifications issued by training institutions.

13. Machine design factors relating to human-machine interaction

The following example is one to be promoted.

SAFER BY DESIGN is voluntary guidance recommending core safety requirements for loaders, bulldozers, excavators, dump trucks, crushers and mobile installations.

It is intended to complement (not replace) national, European and international standards. Contributed to by industry stakeholders, in particular manufacturers, users, standard makers, regulatory authorities, trade unions and trainers, it is a clear demonstration of what should be

demanded by ‘user’ companies of machine manufacturers, and of what “healthy and safe engineering design” really should be.

14. Contract staff

Increased recourse to contract staff and outsourcing, used by companies as a more flexible form of personnel management, has led to an even greater influx of external personnel.

When hiring external (or contract) staff, even greater attention should be paid to health and safety; potential risk should be addressed. It is worth noting that in many Member States contract employees are legally responsible for their own workers and their training, which makes it challenging for extractive companies to monitor contractor accident-related data.

Good health, safety and training management practices call for close cooperation between employers and the contract workers concerned.

In most EU Member States, it is difficult to monitor the general situation because there is not enough information on the incidence and causes of accidents involving extractive operations where contractors are involved.

The SSDCEI encourages all employers to consider arrangements for health and safety training for contract workers and in all cases to ensure that all contract workers are given adequate site introduction and instructions prior to starting work on site. It is also recommended that health and safety issues be included in contracts. Where possible, future tenders should take into consideration a contract company’s record of occupational health and safety performance.

15. Medical precautions

Employers should take adequate measures to protect the health of employees exposed to challenging and exceptional working conditions.

These measures should comply with regulations and national practices. Employers should allow employees to undergo preventive medical check-ups.

In this respect, employers should also give employees the opportunity to evaluate their health by taking pre-employment medical tests and whenever they change their position within the company to determine any pathological effects that may be attributed to work in this sector. In

combination with pre-employment medical checks, post-employment medical tests will allow medical changes to be determined during a specific employment period. It should be noted, however, that personal non-occupational life-styles can have a significant contributory effect. In all cases, specialist occupational health advice should be sought.

Medical check-ups should be given to employees already experiencing work-related illness to determine possible consequences, current work skills and the possible need for transfer to another position more compatible with their state of health. Appropriate medical treatment should also be given to employees with work-related injuries. All this should be in accordance with the best available standards of labour and insurance provisions of the Member States.

16. Employees' rights and obligations

Employees should use the resources at their disposal, particularly their personal protection equipment, correctly. They should use (and, as appropriate, wear) the protection facilities for the purpose for which they were designed. Employees should be positively encouraged to inform immediately their superiors of any incidents, hazardous working conditions or minor accidents that they may have either met with or witnessed, without fear of recrimination or loss. Employers should act on this information and provide a solution as soon as possible. Such information should be communicated promptly also with a view to informing employees and their representatives.

17. Follow-up and evaluation

17.1 Harmonising definitions and terminology

The need for linguistic adjustment and well-defined "target" groups of employees in preparation for the future has already been clearly established. As one study has shown, definitions of young and inexperienced workers differ among Member States and among industries. Hence, it would be preferable to harmonise these target group concepts in a bottom-up approach to implement special measures consistently.

Although current definitions do not necessarily prevent action from being taken, harmonising concepts would make it easier to introduce best practices and would make follow-up and benchmarking more effective.

17.2 Harmonisation and statistical validity

European health & safety statistics are not sufficiently harmonised, and this makes it difficult to monitor and compare “target” groups of employees. Member States define occupational accidents according to different criteria, which makes follow-up difficult, but it must not prevent us from implementing and communicating best practices.

To ensure the measures adopted are not at odds with reality. European statistics should be broken down into “target” groups of employees. This is not always the case¹. National statistics are not detailed according to well-defined “target” groups of employees either. Causes of accidents for these groups are not systematically analysed, although this would be preferable to ensure that the most appropriate measures are taken.

A Europe-wide harmonisation of statistics should be sought from and implemented by Eurostat.

18. Monitoring Future Progress

Following the adoption of this statement, the European social partners involved undertake to deliver regular progress reports on the recommended measures, as well as a three-yearly report on their implementation and their impact on the work of the Social Dialogue Committee for the Extractive Industry (SSDCEI).

End.

Brussels, 6th September 2012



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¹ The fact that there are no extensive harmonised European statistical data detailed by “target” groups of employees may make it more difficult to monitor them and to perform useful comparisons.

