

Topic: Revision of the “Asbestos at Work” Directive (2009/148/EC)

Brief description and main aims:

Good occupational safety and health, including protection of workers from exposure to carcinogens, is top priority for the European Commission.

The European Commission considers that improved protection of workers exposed to asbestos will be important in the context of the green transition (*Renovation Wave*), which is at the heart of this Commission’s agenda, and of the recovery from the effects of COVID-19. Indeed, occupational exposure limit values (OEL) on asbestos play an important role in the renovation of buildings.

The current binding OEL for asbestos is 0.1 fibres/cm³ as an eight-hour time-weighted average (TWA). The European Commission considers that the existing OEL should be amended in order to take account of the most recent knowledge, scientific development and technical progress.

This is why, in a proposal published on 28 September 2022, the European Commission suggests lowering the existing OEL by 10 times, to 0.01 fibres/cm³. In a Communication, the European Commission proposes a series of complementary measures to be taken (e.g. mandatory screening of buildings, better waste treatment, guidance, financial support and an awareness-raising campaign).

In parallel, the European Parliament had contributed to this issue, with a legislative own-initiative report by MEP Nikolaj Villumsen (Left-DK). Amongst the various recommendations, the European Parliament namely advocated for a drastic lowering of the OEL for asbestos, to 0.001 fibres/cm³.

Why FIEC is dealing with this topic:

Asbestos is a key occupational carcinogenic agent which has been used worldwide for decades in building. Although this substance is no longer in general use in the EU, there is a substantial legacy problem due to its presence in many older buildings that are likely to be renovated, adapted or demolished over the coming years.

These works present a potential risk that workers will be exposed to asbestos, and it is important that it is carried out in a controlled way by suitably trained workers and under the proper supervision of their employers.

This is currently an important topic, not only under Union action on prevention and the protection of workers but also due to the EU-wide need to improve the thermal insulation of the built environment and enable energy savings, in line with the *EU Green Deal* and the *Renovation Wave* initiative.

However, most EU Member States have already implemented strict measures in this field and FIEC is worried that a further lowering of the OEL at EU level will become unrealistic for construction companies to comply with.

Actions and key dates:

- 11/02/2021** → FIEC contribution to the European Commission's social partners' consultation (1st phase) on the protection of workers from risks related to exposure to asbestos at work
- 20/09/2021** → FIEC contribution to the European Commission's social partners' consultation (2nd phase)
- 27/09/2021** → Adoption of Villumsen report in the EMPL Committee
- 22/10/2021** → Joint Press Release: "*FIEC and EBC call for realistic occupational exposure limit on asbestos and strong accompanying measures*"
- 28/03/2022** → FIEC contribution to the EC call for evidence on protecting workers exposure to asbestos
- 28/09/2022** → Revision proposal by the European Commission
- 08/12/2022** → Adoption of Council General Approach
- 08/12/2022** → FIEC [Position Paper](#) on the revision of the *Asbestos at Work* Directive
- 03/02/2023** → [Joint Statement](#) by FIEC and EBC
- 20/04/2023** → FIEC [Press Release](#) on "*Unrealistic proposals from the European Parliament*"
- 26/04/2023** → Adoption of Trillet-Lenoir report in EMPL
- 10/05/2023** → Endorsement of the mandate for negotiations of the European Parliament in plenary.
- 05/06/2023** → Joint [Press Release](#): "*FIEC and EBC call for a pragmatic approach with a realistic and implementable framework*".
- 27/06/2023** → Provisional agreement between the Council and the European Parliament
- 19/07/2023** → Approval of the agreement by the COREPER
- 03/10/2023** → Approval of the agreement by the European Parliament