



Responsible Care®

WORKING IN PARTNERSHIP THROUGH RESPONSIBLE CARE®

SOCIAL DIALOGUE IN THE EUROPEAN CHEMICAL INDUSTRY

Social Dialogue in the European Chemical Industry

European Social Dialogue is a unique and indispensable component of the European social model, with a clearly defined basis in the EC Treaty. It refers to the discussions, consultations, negotiations and joint actions undertaken by the Social Partner organisations representing the two sides of industry (management and labour).

Source: EU Commission, DG Employment, Social Affairs & Equal Opportunities



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Introduction by the Social Partners

The Social Partners in the European chemicals sector devote considerable efforts to ensuring high standards of occupational health and safety (OHS) for employees. With the latest Working Programme of the Sector Social Dialogue Committee “Chemical Industry” (2007-2008) the scope of their OHS activities was extended to some important downstream sectors that use chemicals in their processes.

Nevertheless, we recognise that there is always room for improvement. Together with OHS improvement, we also strive for responsible management of chemicals. We can maximize our efforts by working together as the Social Partner organisations representing management and labour at European and national level.

Such cooperation can lead to improvements in a number of areas such as OHS particularly in some of the newer member states in Central and East Europe, in small and medium-sized companies, and for downstream users of chemicals.

Workers and employers of the chemical industry undertake various joint activities to continuously improve the health, safety and environmental performance of their sector. The best example is their wide ranging cooperation on the chemical industry’s unique voluntary performance



initiative, Responsible Care, and its leading product stewardship practices.

In 2003 the European Chemical Employers Group (ECEG), the European Mine, Chemical and Energy Workers’ Federation (EMCEF), and the European Chemical Industry Council, Cefic, signed a Memorandum of Understanding on Responsible Care. EMCEF and ECEG have worked closely with chemical employers and trade unions of member states on a range of initiatives, some of which are covered in this report.

For example, trade union representatives work with their colleagues in the Czech chemicals association on verification of company Responsible Care implementation to assure real performance improvements are being achieved; in France the partners cooperate on a Responsible Care initiative to improve contractor safety; education and training on agrochemicals use is aimed particularly at seasonal migrant workers in Southern Europe.

Responsible Care has proved complementary to the ongoing dialogue of the Social Partners and to specific EU projects targeting improvement in health and safety at the workplace. It is hoped that the practices and experiences shared in the following pages can be taken up by other EU member states and that wider cooperation under the Responsible Care initiative will help build trust between the Social Partners, offer examples to other industry sectors, and prove an effective means of achieving continuous performance improvement throughout the chemicals sector, as well as its contractors and customers.

We would like to express our grateful thanks to all those who have contributed to this publication.

Lutz Mühl
Secretary of the Board
ECEG

Reinhard Reibsch
General Secretary
EMCEF

› *The European Chemical Employers are organised through national employers federations into a body called the European Chemical Employers Group (ECEG). European chemical trade unions are organised through the European Mine, Chemical and Energy Workers’ Federation (EMCEF). The two organisations committed to a formal Social Dialogue at the end of 2004. Three key areas of cooperation cover Industrial Policy (including REACH, restructuring, employment and others); Responsible Care and health and safety; and education, training and life long learning.*

Message from the EU Commission

“The Social Dialogue between management and labour in our industries is essential to the European Social Model. The joint promotion of occupational health and safety by the chemical industry Social Partners on European and national level has turned out as a big success and this path should be followed further. With Responsible Care, the chemical industry is running a unique initiative for continuous improvement on environment, health and safety as well as on stakeholder dialogue. I hope many people inside the chemical industry and beyond can learn from the good practices reported in this brochure, because we always have to look for further improvements.”

Vladimír Špidla, EU Commissioner for Employment, Social Affairs and Equal Opportunities



'The Responsible Care Global Charter calls for industry to listen, engage and work with people to understand and address their concerns and expectations; to cooperate with governments and organisations in the development and implementation of effective regulations and standards, and to meet or go beyond them; and to provide help and advice to foster the responsible management of chemicals by all those who manage and use them along the product chain. The Social Dialogue provides the two sides of industry, management and labour, with an effective means of delivering on this important commitment.'

Jean Paul Peres,
Cefic Chairman, Responsible Care

THE INTERNATIONAL COUNCIL OF CHEMICAL ASSOCIATIONS' RESPONSIBLE CARE INITIATIVE

Responsible Care is the global chemical industry's unique initiative to drive continuous improvement in performance. It achieves this objective by meeting and going beyond legislative and regulatory compliance, and by adopting cooperative and voluntary initiatives through dialogue with its stakeholders. Particularly important is the dialogue with employees and their representatives at company and trade union level.

Responsible Care is an ethic and a commitment that has evolved over more than two decades. Product stewardship – Responsible Care applied to products – is an essential component of the initiative.

In 2006, the International Council of Chemical Associations (ICCA) launched the Responsible Care Global Charter. The Charter goes beyond the original elements of Responsible Care. It focuses on new and important challenges facing the chemical industry and global society, including the growing public dialogue over sustainable development, public health issues related to the use of chemical products, and the need for greater industry transparency. It commits industry to enhance the management of chemical products worldwide through product stewardship, and to champion and facilitate the extension of Responsible Care along the chemical industry's value chain.



Case studies from around Europe

CZECH REPUBLIC

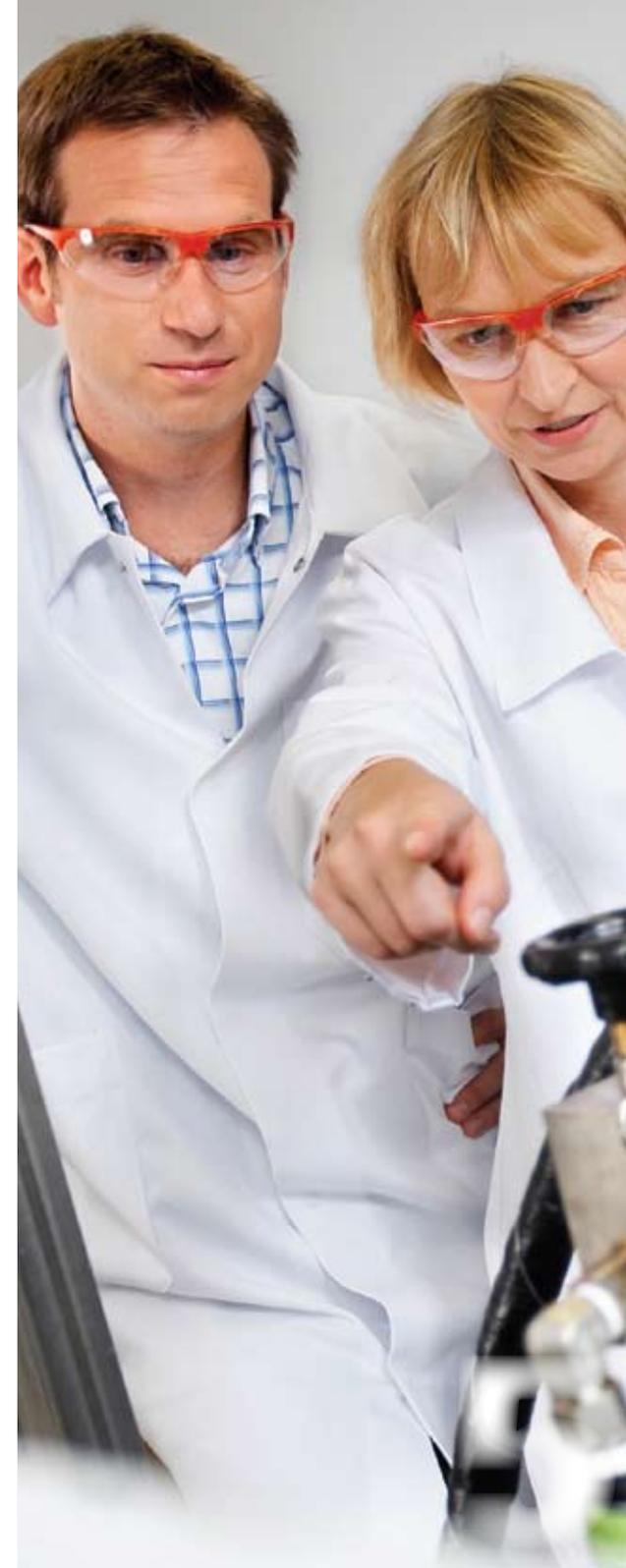
The Association of the Chemical Industry of the Czech Republic, SCHP ČR, and the Trade Union Organisation of the Energy and Chemical Industry Sector, ECHO, have cooperated on a range of issues since the foundation of the SCHP ČR in 1992.

An important recent development is the signing of the Multilateral Cooperation Agreement in autumn 2007. This agreement covers Social Dialogue, occupational health and safety, environmental protection and Responsible Care.

The active participation of ECHO in the Czech Responsible Care programme has particular significance because it takes place at the company level – both at the implementation phase and at the assessment phase through participation in the Responsible Care National Assessment Panel. “This is a key part of the SCHP ČR programme involving verification of individual companies’ Responsible Care activities by a second party, thus helping ensure companies are fulfilling their commitment to the initiative including that of continuous performance improvement,” says Pavel Švarc, Chairman of the Czech association. ECHO also participates in the association’s periodical Joint Corporate Social Responsibility and Responsible Care Conference. “Our active involvement in the Responsible Care programme, particularly in the verification process, has enabled us to see the benefits of implementation by companies at first hand. Our cooperative efforts are leading to real improvements for workers in the Czech chemical sector,” adds Zdeněk Černý, ECHO Chairman.

The Responsible Care programme has played an important part in helping the Czech chemical industry achieve improvements in occupational health and safety. National laws are fully harmonised with EU legislation, while the Czech government programme “Safe Enterprise”, introduced as a national alternative to the OHSAS 18001 management system, covers all bulk chemicals production. Over the past ten years, a steady decrease has been registered in occupational illnesses, while the registered lost time injuries frequency rate has fallen by two-thirds over the period.

‘Our cooperative efforts are leading to real improvements for workers in the Czech chemical sector.’





FINLAND

The extent of Social Partner cooperation on Responsible Care in Finland is unique in Europe, and builds on a shared vision of developing health, safety and environmental issues. The four-way cooperation involves the Chemical Industry Federation of Finland, the Chemical Workers Union, the Union of Salaried Employees and the Federation of Professional and Managerial Staff, and aims to monitor and develop the practical implementation of the Responsible Care programme.

“Close cooperation between the Social Partners in Finland was a clear enabler in the mentoring process that introduced Responsible Care to neighbouring Russia”, says Aimo Kastinen, from the Finnish Chemical Industry Federation. In January 2005 four organisations signed a collaborative agreement on Responsible Care: the Chemical Industry Federation of Finland and the Chemical Workers’ Union of Finland on the one side, and the Russian Chemists Union and the Russian Chemical Workers Union on the other.

The agreement covers three main areas: to promote dialogue between the Social Partners both at organisation and company level; to foster good occupational and environmental safety practices; and to contribute to implementation of the international Responsible Care programme.

The Finnish organisations held joint Responsible Care seminars for their Russian counterparts and distributed information on the initiative. Company representatives from Finland also helped ensure that Russian firms understood the implications of signing up to Responsible Care and how it helps performance improvement. In late 2007, Russia was accepted as a member of the International Council of Chemical Associations’ (ICCA) Responsible Care Leadership Group.

➤ Finland’s **Safety 24 h** project is closely linked to Responsible Care, and aims to find solutions to safety issues in work places. The goal is to create new ideas and attitudes, locate practical tools and to make use of experiences – and above all, to share know-how. During the course of the year-long scheme launched in 2001, over 40 projects were implemented; its legacy includes an annual safety seminar and an extensive network of people with common aims. In 2003 the European Occupational Health and Safety Agency recognised Safety 24h in a competition involving best European practices, with the jury noting broad cooperation between organisations representing management and employees. In 2005 Safety 24h was partially integrated into the Responsible Care programme’s national-level collaboration.

FRANCE

The chemical industry has neither the resources nor the skills to do all the jobs that are necessary for its effective operation. Like many other industries, it needs the involvement of contractor companies to provide these resources and skills. In France the chemical industry is striving to ensure that activities delegated to contractors are carried out under the same health and safety conditions as its own employees, and do not involve shifting risks on to the contractor.

“The way in which it has approached this is a good example of effective Social Dialogue which, on safety issues, has proved to be a transparent process with good consensus” notes Alain Pierrat, head of Responsible Care and sustainable development at national chemicals association Union des Industries Chimiques (UIC).

Industry’s approach involves a number of organisations which collectively signed an important agreement aimed at safety improvement in 2002. The agreement states that certain requirements must be met to both reinforce and improve safety at work. These requirements are specifically directed at contractors working on UIC member companies’ high tier Seveso sites and involves an auditing process that recognises approved contractors which are then listed on a database.

The agreement was ratified by the UIC together with several associated federations and four employee trade unions: Fédération Chimie Energie FCE-CFDT, Fédération Nationale du Personnel d’Encadrement des Industries Chimiques, Parachimiques et Connexes - CFE-CGC, Fédération Nationale des Industries Chimiques CMTE- CFTC, Fédéchimie - CGT-FO. It was subsequently extended by order of the Ministère du Travail (Department of Labour) at end 2003, meaning that any company covered by the Convention Collective Nationale de l’Industrie Chimique (the National Collective Agreement of the Chemical Industry) must abide by the terms of the agreement and use authorised contractors.

To become an approved contractor, registered auditors carry out an audit and, if successful, the contractor is awarded with a certificate. The certification is valid for one year or three years, depending on the quality of the management system implemented by the contractor. Currently, more than 2200 recognition certificates have been awarded to contractor companies throughout France covering a wide range of services, from maintenance to logistics and construction. As of March 31st 2008, there were 19 approved auditing firms.

From the beginning of the process, UIC has sought to limit the number of audits carried out on external companies through recognition of equivalent

processes implemented by other organisations. An example is the *Manuel d'Amélioration de la Sécurité des Entreprises* – Improving Safety Manual for Enterprises – a reference document used by a number of different industries. UIC and MASE contractor certifications merged in 2008.

GERMANY

A strong and long term relationship between the Social Partners in Germany has facilitated close cooperation on the industry's Responsible Care initiative. The Chemical Workers Union (now IG BCE), the German Chemical Industry Association (VCI) and the German Federation of Chemical Employers' Associations (BAVC) first reached an agreement on environmental protection more than 20 years ago.

Building on this agreement, the Social Partners IG BCE and BAVC founded an association known as GIBUCI – Gesellschaft zur Information von Betriebsräten über Umweltschutz in der Chemischen Industrie – a body tasked with providing regularly updated information to Work Council members about environmental protection, health care and safety at work in the chemical industry.

In 2001 IG BCE and BAVC reached another Social Partner Agreement and the role of GIBUCI was expanded to include training courses on in-plant environmental protection.

During the past two decades, GIBUCI has organised more than 145 seminars with over 3,700 participants. Responsible Care has been a key focus of these seminars, together with the general principles of environmental law, safety at work, and product responsibility and, more recently, the EU's REACH legislation. In addition, GIBUCI has organised conferences for representatives of the chemical industry, public authorities and politicians both at national and European level, addressing topics of wide-ranging importance to industry such as REACH.

Since 2000 IG BCE, BAVC and VCI have held regular meetings under the so-called Sozialpartner-Gremium Responsible Care (Social Partner Committee Responsible Care). The tripartite committee involves up to three members of each organisation and meets twice a year with rotating chairmen and venues.

Tomas Nieber, IG BCE's National Industrial Officer – Chemical, Oil and Gas, says: "All parties seek to work together to strengthen the framework for effective chemicals production and continuous improvement in the fields of safety at work,



health and environmental protection. The partners use these meetings as a joint forum to exchange experience, inform and discuss projects, and talk about current developments and strategies to promote Responsible Care."

Several computer-based-training courses on the whole range of Responsible Care issues have been developed by the social partners' Weiterbildungs-Stiftung – Foundation for Further Training – which are particularly aimed at small- and medium-sized enterprises.

In Germany the dual system forms the core of vocational education and training, and the chemical sector Social Partners are directly involved in designing the curricula. In a clear reflection of the importance of Responsible Care to the Social Partners, it has been made a compulsory part of training for chemical industry laboratory technicians and chemical technicians since the year 2000. This compulsory inclusion of a voluntary industry initiative in vocational education and training is unique in Germany.

"Responsible Care is a key element of the social partnership in the German Chemical Industry. The focus on training is an essential investment for our efforts to reach continuous improvements in the area of the environment as well as on health and safety," says Dr. Jochen Wilkens, BAVC/VCI.

**Social Dialogue
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ITALY

Since the 1970s, safety, health and the environment have been an important part of three-way discussions between chemical companies, the Italian chemical employers' association Federchimica, and the trade unions. After the launch of Responsible Care in Italy in 1992, those discussions continued as part of the programme. Around 180 companies with over 50,000 employees and more than 60% of the country's chemicals turnover participate in Italy's Responsible Care initiative.

Responsible Care has helped the Social Partners – Federchimica, FILCEM-CGIL, FEMCA-CISL and UILCEM-UIL – improve their dialogue process, providing them with examples of good practice, experience exchange and useful statistics. This has enabled the parties to define joint positions and reach agreements on different issues, often with a real influence at both national and local level. For example, dialogue under the Responsible Care umbrella was instrumental in enabling the Social Partners to reach an agreement with INAIL (National Insurance for Work Injuries and Illness) in July 2006. The significance of this agreement is that the Social Partners and an important public sector institute acknowledge the role of management systems and in particular the Responsible Care programme: under the agreement Responsible Care companies are eligible for a reduction on INAIL insurance premiums of between 5%-10% (depending on number of employees).

Direct trade union participation in the Responsible Care programme began in 2004 and was reaffirmed in 2006. Trade unions are actively involved in promoting Responsible Care with their members, and it is one of the main training topics for the Employee Representative at company level for Safety Health and Environment (RLSSA), jointly organised and conducted by the Social Partners at national level.

Today, trade unions are totally involved in Responsible Care at the national level: their representatives participate as observers in the Federchimica Responsible Care Steering Committee. Furthermore, trade union representatives participate in the annual Responsible Care Coordinators Conference and in the presentation of the Annual Responsible Care Report to the government, the media and other stakeholders. The trade unions are also directly involved in spreading the programme at regional level, attending for example the first Responsible Care local committee meeting in Tuscany.

Together, the Social Partners are now defining Responsible Care activities and guidelines with the aim of further developing the programme and of improving participation of employees and their representatives at company level.



The positive results of the social partners' cooperation are clear. Responsible Care is an important driver for companies to measure and thus continually strive to improve their performance in the key areas of safety, health and environmental management. Furthermore, through product stewardship activities, it enables the partners to extend the benefits to downstream users.

SLOVAKIA

The Slovak Republic's association for the chemical and pharmaceutical industries, ZCHFP, has worked closely with the trade union Chemia since its inception in 1991. As well as the workgroup covering collective bargaining, a second group set up by ZCHFP, WG Safety at Work, provides a direct interface with the trade unions. In recent years the issues of safety at work and occupational health have been included under the Responsible Care umbrella. Safety Committees now make regular inspections of the workplace, ensuring that safety regulations are adhered to; remarks or complaints are taken up by the committees and are reported both to trade unions and to management.

The Responsible Care programme has provided a useful tool to help ZCHFP with collection of national health and safety indicators of performance; these indicators

are presented at workshops and seminars, and discussed openly with stakeholders.

In April 2006 ZCHFP organised regional training seminars on the Responsible Care Global Charter and the EU chemicals legislation REACH, and the potential impact on the Slovak chemical industry. These training seminars were open to both company employees and representatives of trade unions.

Social Dialogue was highlighted as one of the main sessions during the Chemia 2006 Conference, jointly organised with trade unions. Presentations by trade unions' and employers' representatives offered insights into objectives and challenges, and helped achieve a common understanding through genuine dialogue. All sessions were open to trade union representatives with the aim of promoting understanding of the increasingly complicated business and legislative environment being faced by chemical enterprises.

"Importantly, their cooperation has helped the Social Partners recognise a common goal: satisfied employees in a safe workplace in prosperous companies," says Roman Karlubik, President of the Association of Chemical and Pharmaceutical Industry of the Slovak Republic.

Subsequent meetings, including the Chemia 2007 Conference and another in February 2008, have enabled the dialogue to continue and helped the Social Partners move further towards achieving this goal.

SPAIN

Spanish chemicals association FEIQUE and the country's two leading trade unions have been involved in a Social Dialogue as a result of the National Chemical Sector Labour Collective Agreement dating back to 1977.

In January 2002, the organisations set up the so-called Observatory for the National Chemical Collective Agreement which aimed to extend the dialogue process, exchange information and reach agreement on issues not normally covered under the Collective Contract – including the area of health, safety and environment.

In October the same year, the Social Partners signed an agreement on Responsible Care. This agreement committed them to set up a working group in order to discuss the programme at national and international level including further development of performance indicators, Responsible Care information exchange and training for employees. The group also committed to enhance public communication of Responsible Care. A further important objective of the group is to ensure fast and effective communication related to major accidents at Responsible Care companies.

"The successful collaboration continues, and has been active across the

“Our industry should make good use of any tools that facilitate the successful co-operation between chemical industry employees and employers, particularly on issues of health, safety and the environment. I believe we should maximise the opportunities offered by Responsible Care and the Social Partner Dialogue initiatives. They can play an important role in extending the cooperative activities of management and labour, thereby helping maintain the European chemical industry's success on the global stage.”

Jean Pelin, President, ECEG



The examples of Social Partner Dialogue within the Responsible Care framework in this brochure are just a selection from among a wide range of activities being undertaken in these and other EU countries. The aim is to share these examples in order to spread and strengthen existing chemical sector efforts; and to encourage the Social Partners to foster Responsible Care through innovative approaches in order to achieve further progress.

various areas the parties committed to explore”, comments FEIQUE’s Jesus Soriano. During 2005 and 2006, workshops on Responsible Care were held in Tarragona and Huelva, the two largest chemical industry clusters in Spain. The events drew around 100 workers from different chemical sites to learn more about Responsible Care and in particular how they could work together with their companies on HSE improvements.

UK

Commitment to Responsible Care is a membership requirement of the Chemical Industries Association (CIA). Member companies follow the guiding principles and report on their performance. One of the key audiences – and indeed influencers – is the workforce and their representatives: the trade unions. At company or plant level every business will consult with their workforce on all health and safety matters. These consultations are regular and substantial. The involvement of all employees and representatives is vital to a strong health and safety performance. Process operators and all staff contribute to risk assessments. They have high levels of training in procedures, skills and understand any risks and controls associated with their jobs. Responsible Care is a fundamental part of both our health, safety and environmental, and employment relations culture.

At national level the CIA meets with trade unions in a consultative relationship built around seven issues:

- The health, safety and environmental agenda
- Competitiveness of the UK and European chemical industry
- Sustainable development
- Improvement of the skills base in the chemical industry
- Influencing and harnessing the European dimension
- The representation of the chemical industry to legislators and policy makers
- The promotion and encouragement of best practice in employment relations throughout the industry

“Health, safety and environment are at the top of the agenda. Joint advice is issued from discussions to member companies and workforces on appropriate issues, and there is regular feedback to CIA members and their workforces,” says CIA’s Chief Executive Steve Elliott.

It is an obligation under the Health & Safety at Work Act in the UK for employers to regularly communicate with, and consult with, employees on all health and safety matters. Environmental legislation, through Integrated Pollution Prevention and Control, also expects employers to make their operating staff aware of the hazards they could be presenting to the environment and how these are controlled.

FACTS & FIGURES*

In 2007, global chemicals Sales were estimated at €1820 billion. At €537 billion, the EU is the world's leading chemicals producing area with nearly 1.2 million employees in 2007, and twice that number indirectly; it is therefore a source of employment for about 4 million people.

The chemical industry is one of the EU's most international, competitive and successful sectors, embracing a wide field of processing and manufacturing activities.

The EU chemical industry comprises about 27,000 enterprises (data covering firms with no employees are excluded), 96% of which have fewer than 250 employees and are considered as small- and medium-sized enterprises. These account for 30% of sales and 37% of employment. Just 4% of the EU enterprises employ more than 249 people and generate 70% of total chemicals sales.

**excluding pharmaceuticals*



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