Finding the formula for chemical safety

Workers in the chemical industry face a two-fold challenge: protecting their health and protecting their jobs. Efforts to clean the industry from harmful products will be leading to change that may affect jobs. A «just transition» is the best option. It will facilitate environment-friendly production while cushioning the adverse effect of conversion.

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Today, we may all be carrying in our bodies about 250 chemicals that did not exist before 1945.

People have benefited greatly from the new products of the chemical industry worldwide. Diseases have been cured or prevented. Food supplies have been protected. New materials have spawned new technologies and new ways of living.

But there is a downside. Environmental exposure to harmful chemicals has increased sharply. And if the general public is affected, how much more so are the industrial workers whose jobs bring them into daily contact with powerful, often dangerous substances?

Workers in the chemical industry itself face a twofold challenge: protecting their health and protecting their jobs. The chemical industry often gets a bad press – sometimes justly, sometimes not – and its future is sometimes called into question.

When job cuts loom, the instinctive response is to keep every product line running for as long as commercially, politically and environmentally possible. However, this approach
may not be in the best interests of industrial workers themselves. What happens if the health threat from a product becomes too great, and governments suddenly slam on the brakes? Jobs vanish overnight, without any long-term planning for replacement jobs or accompanying measures. Inevitably, social tensions result. Asbestos and CFCs are cases in point.

The alternative is a “just transition”, as advocated by the global union federation that represents chemical workers.

In chemicals as in other sectors, change is bound to happen, argues the International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM).

Certainly, everything is pointing that way.

By 2003, the European Union (EU) is likely to have 32 major chemicals listed for strict new controls – and in some cases for outright bans. At the world level, a treaty now being finalized will mandate the phase-out of 12 Persistent Organic Pollutants. More of these “POPs” may be brought under the treaty later.

And chemicals topped the agenda at the ministerial forum of the UN Environment Programme in Cartagena, Colombia, this February. UNEP's background report to the conference suggests a number of key action areas, including action to improve developing countries' ability to deal with chemicals and the issues surrounding them, the promotion of cleaner chemical production and a shift from "highly toxic chemicals to those with lower toxicity or non-chemical alternatives". The Cartagena forum proposals will form part of UNEP's input to the UN “Earth Summit” in Johannesburg later this year.

So the best way forward, the ICEM says, is to plan well ahead and to provide a full safety net for the workers who are likely to be affected by change. This “just transition” will facilitate environment-friendly production while cushioning the adverse social impacts of that change.
Seen in this light, the interests of environmentalists and of industrial trade unionists become much more compatible. And indeed, there is some evidence that the two groups now have more in common that they did twenty years ago. Misunderstandings still occur, notably when particular chemicals are demonized. There are also some cultural barriers. The green movement did not, by and large, originate in the industrial working class. As a result, its grasp of industrial realities is not always firm. But dialogue can and does take place.

**Responsible care**

If chemical workers are concerned about the industry's future, chemical companies are no less so. The big chemical firms know that their future “licence to operate” will depend on their persuading governments and the public that chemical production is reasonably safe. Not only that. They must also prove that the whole life of each chemical product – from its production, through its transport, to its end use and its final disposal – does not pose unacceptable risks.

“Responsible Care” is the slogan under which chemical companies worldwide have set out to improve their environmental performance and their health and safety record, both within the workplace and beyond.

This programme is unlikely to succeed without the full involvement of chemical workers. Hence the important global union-employer talks that began in February 1999, initially under the aegis of the ILO.

A meeting of the world's governments, chemical employers and chemical unions decided to establish a formal dialogue on Responsible Care between the ICEM and the employers' International Council of Chemical Associations (ICCA).

Among the ILO meeting's conclusions:
Internationally comparable systems of performance indicators should be developed and maintained to track chemical enterprises' performance on workplace health and safety and on environmental protection. Workers and their representatives should be involved in the development and use of these systems.

Workers and their representatives should be actively involved in identifying training and education needs and in designing and implementing training programmes.

The meeting's detailed agreed principles for worker involvement seemed to offer new hope for Responsible Care and the industry's other "voluntary initiatives". The thinking was that careful monitoring by chemical workers and their trade unions, from the workplace right up to the global level, could give more real substance to these programmes and so boost their credibility.

Things moved on from there. A series of negotiations between the ICEM and the ICCA produced a draft agreement that was ready for signature in 2001.

Then the blow fell. At the last minute, the US chemical manufacturers' association, the ACC, refused to endorse the agreement. This surprise decision was apparently at the behest of two anti-union American corporations.

So there is still no global union-management agreement on Responsible Care. The ICEM has not given up, however. It was angered by the ACC’s stance, but so were most of the world's chemical manufacturers. The ICEM is still likely to sign agreements on Responsible Care with chemical associations – initially at the national level in most chemical-producing countries except the US. In Europe, one agreement may cover most of the continent. The hope is that the agreements can be globalized in the near future, when US chemical companies catch up with thinking elsewhere.
Global agreements

Meanwhile, the ICEM is also building strong health, safety and environment provisions into its global agreements with individual multinational companies.

Occupational health and safety is a particularly suitable topic for these agreements. In the short to medium term, globally standardized wage rates are not feasible, and probably not desirable. But on health and safety, there is no practical or moral reason why a company should not immediately apply the same high standards in all its operations worldwide.

The agreements secure the right of the ICEM and its member unions to monitor companies' global performance on the issues covered, and to raise any alleged breaches of the agreements with corporate headquarters management. This is the crucial difference between global agreements and companies' own codes of conduct. And, as the agreements specifically refer to the relevant ILO Conventions, they are an important additional means of securing compliance with those standards.

For chemical safety, obvious touchstones in future ICEM agreements will be ILO Chemicals Convention, 1990 (No. 170) which deals with safety in the use of chemicals at work and the Prevention of Major Industrial Accidents Convention, 1993 (No. 174).

One concern here is the disappointing ratification rate for these two standards. By the end of 2001, Convention No. 170 had been ratified by only nine countries: Brazil, Burkina Faso, China, Colombia, Mexico, Norway, Sweden, the United Republic of Tanzania and Zimbabwe. For Convention No. 174, only seven countries had signed up: Armenia, Brazil, Colombia, Estonia, the Netherlands, Saudi Arabia and Sweden.

As may be seen, most chemical-producing countries have yet to ratify. ICEM-affiliated unions worldwide will be pressing governments to sign as soon as possible.
The right to know

Of course, in order to tackle chemical hazards, full information is needed about existing chemicals and about new ones being launched on to the market. To improve chemical safety, countries really have to adopt comprehensive systems for chemical classification and labelling. This was recognized by the ILO as long ago as 1952, when it began a study of the classification and labelling of dangerous substances.

Until recently, however, information on the full range of chemicals has been surprisingly difficult to obtain. A number of programmes are now tackling this deficit.

In 1992, the UN Conference on Environment and Development (the 'Earth Summit') identified the harmonization of classification and labeling of chemicals as one of its priorities. It declared that “a globally harmonized hazard classification and compatible labeling system (GHS) including material safety data sheets and easily understandable symbols, should be available, if feasible, by the year 2000”.

A coordinating group was set up to achieve this GHS. The work was overseen by an Inter-Organization Management Committee whose members include all the appropriate UN agencies (such as the ILO) and the OECD. The ICEM has been fully involved in this harmonization work, whose main principles are that:

- the overall level of protection offered to workers, consumers, the general public and the environment should not be reduced as a result of harmonizing the classification and labeling systems;

- the hazard classification process refers only to the hazards arising from the intrinsic properties of chemical elements and compounds, and mixtures thereof, whether natural or synthetic;
• harmonisation means establishing a common and coherent basis for chemical hazard classification and communication, from which the appropriate elements relevant to means of transport, consumer, worker and environment protection can be selected;

• the scope of harmonization includes both hazard classification criteria and hazard communication tools, e.g. labeling and chemical safety data sheets (see below);

• changes in all existing systems will be required to achieve a single globally harmonized system; transitional measures should be included in the process of moving to the new system;

• the involvement of concerned international organizations of employers, workers, consumers, and other relevant organizations in the process of harmonization needs to be assured;

• the comprehensibility of chemical hazard communication tools, by the target audience, e.g. workers, consumers and the general public needs to be addressed;

• test data already generated for the classification of chemicals under the existing systems, should be accepted when reclassifying these chemicals under the harmonized system;

• a new harmonized classification system may require adaptation of existing methods for testing of chemical substances and mixtures;

• in relation to chemical hazard communication, the safety and health of workers, consumers and the public in general should be ensured while protecting confidential business information, as prescribed by the competent authorities.

The “Harmonised Integrated Hazard Classification System for Chemicals and Mixtures” has now been published by the OECD. ¹ Together with various other documents – including an
ILO-led one on Hazard Communication Tools – it will form the GHS. In December 2002, the GHS is expected to be formally adopted. For the moment, it will not be legally binding on governments, but it may well become a legal requirement at a later date.

An OECD task force is continuing to work on global classification systems for hazard classes not covered by existing systems (aspiration hazards, water-activated toxicity, respiratory tract irritation and narcotic effects). Once agreed, these will be added to the GHS.

In the workplace meanwhile, access to basic information about chemicals has already become much easier, thanks to the International Chemical Safety Cards. These are issued by the International Programme on Chemical Safety (IPCS), in cooperation with the European Union. Each card summarises essential "shopfloor" health and safety information on a specific chemical used in workplaces. The IPCS is a joint activity of the United Nations Environment Programme (UNEP), the ILO and the World Health Organisation (WHO). Through cooperation with various national safety organisations, the cards have been translated into a growing number of languages.2

The future of chemical safety, and thus of the chemical industry, depends on information and dialogue. Both will have to be freely available – not least to the industry's workers and their unions.

At the same time, safety will have to be pursued throughout a product's life-cycle, right up to its disposal. Somewhat unfortunately, the industry calls this the "cradle-to-grave approach".

Trade unions, too, must insist on safety throughout the cycle, and this is a good issue for labour solidarity across sectors. The ICEM, for instance, is cooperating with the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) on safe use of pesticides, and with the International Transport Workers' Federation (ITF) on the safe transport of hazardous materials.
Safety or jobs? Environment or employment? If we plan properly now, we will not have to choose.

For the chemical industry, openness is the best formula – and the safest reaction.

Notes
1 The full text is available from the OECD website at http://www.oecd.org/ehs or from OECD Environment Directorate, Environment, Health and Safety Division, 2 rue André Pascal, 75775 Paris Cedex 16, France. fax: +33 1 45 24 16 75. E-mail: ehscont@oecd.org
2 A list of these languages, with onward links to the cards themselves, is online at http://www.cdc.gov/niosh/ipcs/icstart.html#language.