

WRITTEN QUESTION P-5864/08
by H el ene Flautre (Verts/ALE)
to the Commission

Subject: Application of the directives on the protection of health at work

On 11 October the author of this question met the striking employees of the construction and public works firm Griallet at Montreuil (Seine-Saint-Denis, France). These workers were exposed to asbestos and lead over a period of several years, during work demolishing buildings. Griallet's 19 manual workers went on strike on 22 May 2008 and have been occupying the firm's depot since then. Their demands relate, in particular, to the fact that their employer, Mr Griallet, never informed them about the fact that highly carcinogenic products, such as lead and asbestos, were present on the various sites on which they worked (all of them in the  le-de-France region), that they received no specific training and that none of the equipment needed was provided. This has been confirmed by the French Works Inspectorate. The occupational physician who has met the workers has confirmed their exposure to lead and asbestos in the course of their work. He has certified that 10 Griallet employees have a lead level of more than 100 µg per litre of blood. However, despite the fact that the matter has been referred to the Works Inspectorate, nothing has been done to follow it up.

In addition, the workers have testified that Mr Griallet made use of unauthorised asbestos dumps on several occasions, which poses an environmental problem and a major public health problem. Waste containing asbestos was crushed and mixed with rubble so as to save on the cost of treating hazardous waste.

Such practices are evidently a breach of Council Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work¹, and in particular of Articles 4, 6, 7, 10, 11, 12, 12a, 12b, 13, 14, 15, 16 and 16a thereof, and also of Council Directive 82/605/EEC of 28 July 1982 on the protection of workers from the risks related to exposure to metallic lead and its ionic compounds at work², and in particular Articles 2, 3, 4 and 10 thereof. The Griallet case is not an isolated one. Similar practices have been reported in connection with the following firms: SANIR/PLMT (Pavillons-sous-Bois, Seine-Saint-Denis), Alpha Service (Le Bourget, Seine-Saint-Denis), SYCTOM (Romainville, Seine-Saint-Denis). BMS (Nanterre, Hauts-de-Seine) and Metal Couleur (Bonneuil-sur-Marne, Val de Marne). There are now widespread environmental and labour law abuses in many demolition firms in the  le-de-France region.

What initiatives with regard to the French authorities is the Commission likely to take in order to ensure stringent monitoring of employers' obligations in connection with the protection of health at work? Can the Commission envisage a referral to the Court of Justice of the European Communities to ensure compliance with the application of Directives 83/477/EEC and 82/605/EEC?

¹ OJ L 263, 24.9.1983, p. 25.

² OJ L 247, 23.8.1982, p. 12