

# Risks

issue no 224 – 17 September 2005



HAZARDS  
MAGAZINE

Join the  
Risk Debate HSE

Editor: [Rory O'Neill](#) of [Hazards](#) magazine. Comments to the TUC at [healthandsafety@tuc.org.uk](mailto:healthandsafety@tuc.org.uk).

## CONTENTS

- [Union news: RSI a major pain for workers and bosses, say physios](#) \* [Shock over substandard ships](#) \* [Union alarm over rise in jobcentre violence](#) \* [Shift policy putting firefighters in danger](#) \* [Eurostar's strikebreaking threatens security](#) \* [CWU rep wins Safety Rep of the Year](#)
- [Other news: North Sea must speed up safety improvements](#) \* [Man jailed for warden spit attack](#) \* [HSE gets to bottom of ladder "ban"](#) \* [Workers "need mental health help"](#) \* [Top safety boss wants directors to be responsible](#) \* [Call for action on dangerous ambulances](#) \* [Warning for 'square-eyed' workers](#)
- [International news: Australia: Smokers can sue for asbestos disease payouts](#) \* [China: Unions condemn Disney's Mickey Mouse standards](#) \* [Global: Unions protest at Canada's asbestos exports](#) \* [Global: Workers face danger from "savage capitalism"](#) \* [USA: Jury awards \\$15 million for popcorn lung](#)
- [Resources: Safety reps' guide to apprenticeships](#) \* [Revamped HSC workers' webpages](#)
- [Events and courses: TUC courses for safety reps](#)

**Risks** is the TUC's weekly online bulletin for safety reps and others, read each week by over 11,000 subscribers and 1,500 on the TUC website. To receive this bulletin every week, click [here](#). Past issues are [available](#). This edition contains [Useful links](#) [TUC courses for safety reps](#)

[Disclaimer and Privacy statement.](#)

## UNION NEWS

### **RSI a major pain for workers and bosses, say physios**

The number of employees suffering from potentially debilitating work-related upper limb disorders is on the increase, physios' union CSP has warned. It said official statistics showed a "massive" 448,000 British workers now suffer from repetitive strain injuries (RSI), a jump of 52,000 since 2001/02. Workers most likely to be affected were in the health and social work sector, followed closely by those in construction and manufacturing. Rates were also rising among those employed in the communications, transport and education industries. A total of 4.7 million working days were lost through RSI in 2003/04, the official figures showed. CSP said employers can put simple procedures in place to protect both workers and businesses, reducing sick leave and staff turnover rates. CSP advises that three simple steps can protect workers: Risk assessments for each staff member; early reporting of symptoms and access to appropriate help; and ensuring employees are able to organise their work and take regular breaks. Hugh Robertson, head of health and safety for the TUC, said the increase in the number of cases of RSI was worrying, especially as the problem could so easily be prevented. "You would expect after so many years of awareness of the causes of RSI that numbers would be going down. The fact they are going up shows employers' cavalier disregard for employees' safety and their own legal responsibilities," he said.

- [CSP news release](#). [The Guardian](#). [BBC News Online](#).
- [TUC guide to avoiding RSI](#).

### **Shock over substandard ships**

Officers' union NUMAST has voiced concern at a second case in a week of a ship being detained in a UK port with crew members suffering substandard conditions. The Maritime and Coastguard Agency held the Georgian-flagged general cargoship Berkan B in the port of Ipswich after the crew – who had not been paid for three months - were found to be living on bread and olives. The 1984-built vessel was also found to have a number of serious safety defects. MCA surveyor Peter Walley commented: "The ship was in a poor condition, living and working conditions were particularly poor with no fresh provisions on board. The local chaplain from the Missions to Seaman is liaising with the

crew and the International Transport Workers' Federation have been informed of the non-payment of wages." Earlier in the week, MCA highlighted the case of a Liberian-flagged tanker, Oil Ambassador, detained in the Port of London after an inspection revealed cockroaches onboard, a dirty galley, rotten provisions and widespread deck corrosion. NUMAST general secretary Brian Orrell commented: "It is shocking that such conditions are being found on ships in the 21st century and it underlines the need for the industry and regulators to intensify the efforts to eradicate the unfair competition that such vessels present."

- [NUMAST news release](#). [MCA news releases on the Berkan B and the Oil Ambassador](#).

### **Union alarm over rise in jobcentre violence**

Attacks against Jobcentre staff have risen by 62 per cent since jobs were cut in the department 18 months ago, civil service union PCS has said. Some centres were fast becoming like the "Wild West" because of the "alarming" rise in violence, the union said. An internal document highlighted incidents included workers being punched, kicked and threatened with an axe. PCS blamed job losses for the rise in assaults. There were 329 physical assaults in Jobcentres in England, Wales and Scotland last year, compared with 203 in 2002, the union said. Around 11,000 government posts have been axed at the Department of Work and Pensions and thousands more will go over the next few years in an overhaul of the civil service. PCS general secretary Mark Serwotka said: "This report lays bare the increasingly violent environment staff are having to work in and it is no surprise that there has been an increase in serious incidents as the axe falls on jobs." He added: "Due to job cuts, some Jobcentres are now more like the Wild West as some of the most disadvantaged in society take their frustrations out on staff because they can't access the services they rely on. Staff suffering from assaults are low paid, with many facing losing their jobs, and it is deeply disturbing that they are increasingly expected to put up with physical violence."

- [BBC News Online](#). [The Guardian](#).

### **Shift policy putting firefighters in danger**

Firefighters' union FBU has said the "badly managed" introduction of an untested and untried shift system in the West Midlands is placing

public and firefighter safety at risk. It said at one point last weekend the fire service could only provide one-third of its normal fire fighting capability, with only 20 fire engines available to fight fires in the West Midlands. The union said undertakings made in the risk management plan had already been broken by the poor management of a controversial shift system which removes 13 appliances at night. It added that the "debacle" left large areas of the West Midlands without any fire cover, while other appliances had been sent out, under threat of disciplinary action, with one firefighter short. An FBU statement said: "We believe this action compromises the health and safety of firefighters which in turn affects public safety. We demand that the Fire Authority urgently reviews the fire cover within the West Midlands area, because if the weekend's events continue we have serious concerns regarding the safety of the public and our members alike."

- [FBU news release](#).

### **Eurostar's strikebreaking threatens security**

Security of passengers and baggage at Eurostar's UK operations has been seriously undermined by the strikebreaking tactics of security sub-contractor Chubb, rail union RMT has warned. The union said a letter to Eurostar from the Department for Transport's Transec security body, "reveals that the use of poorly trained scabs resulted in an alarming fall in the efficiency of crucial counter-terrorist x-ray baggage checks during the August Bank Holiday strikes." The efficiency of electronic bag checks undertaken at Waterloo plummeted to less than half the usual level. Although figures for Ashford were not available, said the DfT letter, they were "probably much lower". The letter also drew attention to "shortfalls in the initial training of relief staff" and expressed concern that "the time for training remains limited" and that "it will be difficult for the relief staff to maintain the required security standards". RMT general secretary Bob Crow commented: "Chubb are gambling with people's lives in a futile and vindictive attempt to undermine lawful industrial action." He added: "We warned that the use of managers and scabs hastily recruited in Hungary and rushed through an inadequate training course would seriously compromise its passenger-screening operation, and that is exactly what has happened" ([Risks 222](#)).

- [RMT news release](#).

### **CWU rep wins Safety Rep of the Year**

Barry Gapes, a BT safety rep in London for communications union CWU, has been named TUC Safety Rep of the Year 2005. Together with the BT, he developed an information card on the dangers of asbestos for European health and safety week in October 2004. The card had an original print run of 1,700 for the field service engineers in London and East Anglia. However, demand for the card was so huge across the whole country that BT ended up producing 39,000 copies. Commenting on the union rep of the year awards, presented this week at TUC's Brighton Congress, TUC general secretary Brendan Barber said: "The fantastic work done by union reps in branches up and down the country is helping to improve the lives of millions of people every year. The time, effort and work these people put in to help their colleagues often belies the time and resources they have available. I am delighted that they have been recognised in this way and I am sure conference delegates will join me in recognising their fine achievements." CWU general secretary Billy Hayes commented: "I share the delight in the news that a CWU safety rep has won the award and my personal congratulations go to Barry because by its nature, CWU members' work can often be a hazardous occupation." He added that union safety reps "undergo a great deal of training and play a vital role in helping to safeguard CWU members against the risks they encounter every day in their work environment."

- [TUC news release](#). [CWU news release](#).

## OTHER NEWS

### **North Sea must speed up safety improvements**

The oil industry is not working fast enough to meet its own North Sea safety targets, the Health and Safety Executive has warned. Speaking at the Offshore Europe exhibition in Aberdeen, Taf Powell, the head of HSE's offshore division, urged the industry to review its activities. "The industry is very good at analysis and audit but some are less effective in following that through," he said. "Action is needed now by all players to tackle the fundamental issues offshore. This year's safety statistics are frustratingly flat, and while I'm confident the industry is heading in the right direction, the pace of change is not fast enough and action is needed." He pinpointed as key areas investment in ageing infrastructure and the working environment, investment in people to sustain the skills and experience vital for safe operation, and improved management of human resources and technical innovation. "I have genuine concerns that immediate commercial forces and the

relationship with safety and long-term sustainability need examining," he said. Gary Luquette, president and managing director of Chevron and chair of the industry's Step Change in Safety leadership team, admitted that when it assessed its safety drive last year, its members realised they had "lost the plot". A young worker on Nexen Petroleum UK's Scott platform was badly injured this week. There was a mass evacuation of the same rig earlier in the week after gas was detected on board. An HSE improvement notice had been served on the platform in June.

- [HSE news release. The Herald. Press and Journal.](#)
- [The Offshore Safety Statistics Bulletin 2004/05. Step Change in Safety.](#)

### **Man jailed for warden spit attack**

A man who spat at a traffic warden when he was told his tax disc was out of date has been jailed for 56 days. Dennis Samms, 42, spat in the warden's face and drove his car at him in Manchester, the city's magistrates heard. Samms pleaded guilty to assaulting John Hallhouse, 24, after his saliva was tested with a DNA testing "spit kit". Similar kits have recently been issued to bus and rail staff ([Risks 119](#)). Deputy district judge Jack McGarva said it was a serious offence. He told Samms the parking attendant was a person serving the public, and that his actions had put his victim in a state of fear and distress. A DNA swab was taken from dried saliva deposits on Mr Hallhouse's clothes and was used as evidence against Samms. The judge said half of the sentence should be served within the community. NCP, which operates the city's traffic wardens, introduced DNA testing kits to protect staff from assaults. About 80 members of staff at the depot have been trained to use them. Tim Cowen, director of communications for NCP, said: "We welcome this sentence. It demonstrates that the courts are prepared to take these issues seriously, and it sends out the right message to a minority who feel that it is acceptable behaviour to assault parking wardens who are just doing their job." After a trial in three cities, NCP has said it will now roll out the spit testing kits nationwide.

- [NCP news release. BBC News Online.](#)

### **HSE gets to bottom of ladder "ban"**

The latest in a string of wacky stories about supposed burdens of

safety laws is doing the rounds – a claim that new regulations to prevent falls will mean a ban on window cleaners' ladders. The story, covered on BBC's flagship Newsnight programme last week, was declared "a myth" by the Health and Safety Executive (HSE). It said sensible risk management was the key to securing compliance with health and safety regulations, including the Work at Height Regulations (WAHR). Ian Greenwood, head of HSE's falls from height programme, said: "These regulations do not ban ladders but say they should be used only when all other safer alternatives for work at height have been ruled out. A risk assessment must show that the task is low risk and of short duration, or that there are site features that mean other equipment is not appropriate. If so, then ladders can be used." It is now becoming routine for tabloid scare stories to accompany any new safety measures. When the noise regulations were recently revised, there were entirely fanciful claims it would lead to a ban on bagpipes. And last week an attempt to introduce a Europe-wide law to protect outdoor workers from the real and growing problem of skin cancer failed ([Risks 223](#)) after a tabloid outcry including this unsurprising contribution from *The Sun*: "Busty barmaids across Britain are putting on a united front after EU killjoys ordered them to cover their cleavages."

- [HSE news release. Today Online.](#)

### **Workers "need mental health help"**

Employers should do more to help support workers who are suffering from mental health problems, according to a new report. The British Occupational Health Research Foundation (BOHRF) said counselling could help staff to stay in work. One in four people in the UK develop mental health problems each year, costing the economy £11.6bn in lost working days. Unions said the report was welcome as employers were doing "very little" to help staff with mental health problems. The report, carried out by the Sainsbury Centre for Mental Health on behalf of the research charity, said employers should develop policies to help workers with mental health problems, such as depression, panic attacks and stress. The UK is one of the few countries in Europe which does not have a law requiring employers to have an occupational health policy in place. Report author Bob Grove said: "Too many people lose their jobs when they experience mental health problems. This review shows that employers can do much to prevent that happening and to reduce sickness rates among their staff." Hugh Robertson, TUC's head of health and safety, welcomed the report and

added: "Most employers are doing very little in this area. They don't know what to do if someone is off work, whether to contact them or not, so often they don't."

- [BBC News Online](#).
- [Hazards worked to death webpage](#) and [getalife webpages](#).

### **Top safety boss wants directors to be responsible**

A massive 85 per cent of health and safety professionals want a new law on corporate manslaughter. The Value of Health and Safety 2005 report, produced by safety specialists' organisation IOSH, found respondents believed the way to tackle work-related fatalities was the use of penalties that reflect the gravity of the offence (69 per cent), with half the respondents saying the likelihood of conviction should increase. Commenting on these findings, IOSH president Lawrence Waterman said IOSH supported the government's draft bill on corporate manslaughter, but added "company law needs to be developed so that directors are clearer about their individual and corporate responsibilities. We'd like to see health and safety clearly identified as part of corporate governance the way managing finance is." The survey also found "worrying" levels of neglect of occupational health by safety professionals, with most spending less than a quarter of their time on work-related health issues. And when asked what factors had a "considerable influence" on health and safety policy at their company, more cited media profile and reputation (55 per cent), and commercial considerations (49 per cent), than cited pressure from insurance companies (38 per cent).

- **IOSH news releases on [corporate manslaughter](#), [neglect of occupational health](#) and [safety policy influences](#).**

### **Call for action on dangerous ambulances**

The Centre for Corporate Accountability (CCA) is calling for the Scottish Ambulance Service (SAS) to be prosecuted after a damning report from safety inspectors. The Health and Safety Executive (HSE) found the service was failing to do enough to ensure staff could cope with violence and aggression. The service was also criticised by HSE for doing too little to tackle the problem of stress. Its report was the result of a detailed inspection by 10 HSE inspectors that took place

during a two week period in November 2004 and which found "endemic failures" requiring inspectors to issue seven improvement notices. HSE found the service had failed to carry out "suitable and sufficient" risk assessments and that this failure was "compounded by a lack of specific competence and a failure to provide adequate resources for health and safety." In a rare move, HSE issued notices against two named individuals including the ambulance service's human resources director. The Centre for Corporate Accountability (CCA), which obtained the report, has written to the procurator fiscal in Glasgow to ask if any prosecutions will be made. CCA is assisting a former paramedic who suffers from post-traumatic stress disorder which he claims has been brought about by his experiences and lack of support. CCA's Bethan Rigby said the failures "were clearly very extensive and had put the health and safety of employees at unacceptable risk."

- [CCA news release](#). [BBC News Online](#). [icScotland](#). [The Scotsman](#).

### **Warning for 'square-eyed' workers**

British adults spend are spending up to 53 hours during a working week watching TV or staring at a computer screen, according to a survey of 2,750 people by the Eyecare Trust. The survey of the time people spent in front of a screen, and attitudes to eyecare, was carried out to mark National Eye Week. The survey also found that 40 per cent were unaware that they could have a free eye examination from their employer if they regularly used a computer monitor in their job. According to Eyecare Trust, an "astonishing" 63 per cent of us admit to regularly leaving work with a terrible headache, while 53 per cent suffer from tired or strained eyes. Eyecare Trust chair Iain Anderson said: "As computer use in the workplace and the home continues to rise so do the number of people complaining of eyestrain. It's vital that computer users visit their optometrist for regular eye examinations and follow a healthy eyecare regime. 'Screen fatigue' – sore, itchy, irritated eyes or temporary blurring of your vision affects up to 90 per cent of VDU users." Research this year linked VDU work to an increased risk of glaucoma ([Risks 183](#)).

- [Eyecare Trust news release](#). [National Eye Week](#).
- [Hazards guide to computer vision syndrome](#).

**INTERNATIONAL NEWS**

### **Australia: Smokers can sue for asbestos disease payouts**

An Australian state could be liable for more than Aus\$1 billion (£422m) in compensation for thousands of asbestos victims it abandoned because they were smokers. Thousands of people in New South Wales stand to benefit from a landmark NSW District Court ruling that opens the way for former smokers to be compensated for asbestos-related lung cancer. Judge Chris Geraghty awarded an undisclosed sum to the widow of a man who worked with asbestos at Cockatoo Island, in Sydney, for more than 20 years. Previously, smokers had been blocked from receiving compensation, because courts had held their lung cancer could have been the result of inhaling tobacco smoke. Judge Geraghty found that smoking actually made asbestos exposure even more dangerous. Australian Manufacturing Workers' Union state secretary, Paul Bastian, said blue collar workers - fitters, boilermakers, sheet metal workers, electricians and the like - were the most likely people to have smoked and been exposed to asbestos. "Cigarettes and asbestos are poisonous enough on their own," Bastian said. "But, together, they are a lethal cocktail. These people suffered horrible deaths and often left their families in poverty. This is a very welcome finding." A typical asbestos payout is about Aus\$200,000 (£84,000). Recent figures suggest over 1,000 workers a year could have missed out on compensation for asbestos-related lung cancer, although the true figure could be much higher still. Studies have shown smoking "potentiates" the effect of asbestos exposure, increasing the cancer risk massively.

- [Unionsafe](#). [Daily Telegraph](#).

### **China: Unions condemn Disney's Mickey Mouse standards**

Employees of the new Hong Kong Disneyland have complained about oppressive work rules, including a ban on drinking water in front of customers which means workers can go half a working day without fluids. Lee Cheuk-yan, general secretary of the Hong Kong the Confederation of Trade Unions (HKCTU), accused Disney of failing to care for its workers' health. Employees can only drink water during their 15-minute breaks, which come just once every four hours compared with every two hours for Disney staff in the United States, he said. "They have to wait until they rest. So they are only allowed to drink every four hours. Why can't they let them sip a bit of water? Hong Kong is such a hot place." Lee added: "You know their work is hard, they have to work in the rain and in the heat, but Disney doesn't

care about their health.” On the eve of the opening ceremony, local officials clashed with theme park management after they ordered health officers investigating food poisoning cases to remove their caps and badges. Hong Kong officials, angered that food inspectors were asked to take off their uniforms to avoid scaring clients, told Disney it was “not above the law”. The company faced accusations last month that Disney products were being produced by Chinese sub-contractors in “sweatshop conditions” ([Risks 221](#)).

- [Forbes.com](#). [BBC News Online](#).

### **Global: Unions protest at Canada’s asbestos exports**

Unions around the world protested on 9 September at Canada’s dangerous asbestos export drive. In the UK, protesters assembled outside Canada House in London to press the case for a ban on the production, export and use of asbestos. Jerry Swain, London regional secretary with the construction union UCATT, said: “Our lobby is calling for the ratification of the UN Rotterdam Convention, listing chrysotile [white asbestos] as a toxic product which cannot be exported to developing countries without their prior consent.” In Australia, there were protests outside Canadian consulates in Sydney, Canberra and Melbourne. CFMEU construction national secretary John Sutton said: “We have witnessed first hand the carnage and misery these products cause and will oppose any government that allows the trade to continue. We can not remain silent while a first world government bans the sale of asbestos to its own people, while profiting by dumping these products on developing nations.” In Japan, union protesters delivered a letter to the Canadian Embassy in Tokyo which noted “60 per cent of asbestos used in Japan is imported from Canada. We would like the export promotion policy to be terminated, given that the hazardous nature of white asbestos has been confirmed.”

- [CFMEU news release](#). [Japan Times](#). [Workers Online](#). [Nine News](#). [UCATT news](#).

### **Global: Workers face danger from “savage capitalism”**

An increasingly deregulated, cut-throat global trading climate is bringing back the deadly “savage capitalism” of the 19<sup>th</sup> century, a top US workers’ rights campaigner has warned. Garrett Brown told a seminar of US trades unionists that transnational corporations now roam the world looking for the most vulnerable workers and the most

compliant governments. Brown, who is coordinator of the Maquiladora Health and Safety Support Network (MHSSN), said over half of the world's largest economies are companies, not countries, with many multinationals contracting out their production. He added that debt, trade treaties, immigrant rights and union rights are health and safety issues. Safety was a crucial lever in improving workers' rights, he said, because "the cold, hard reality of the global 'savage capitalism' will be the greatest recruiter for unions offering real protections for workers. Health and safety issues have long been recognised as one key way to organise workers in their own defence. It is increasingly recognised and documented that there is a positive 'union effect' on workplace health and safety when there is a union on the job. In fact, one of the most important health and safety measures in any workplace is to have informed and active workers as part of a member-controlled union on site." Brown concluded: "I cannot promise you any immediate solutions, but the way forward for all of us is to be found in education, organising, solidarity and political action."

- [Garrett Brown's speech in full. Confined Space.](#)
- [More about MHSSN. Also see the Hazards working world and union effect webpages.](#)

### **USA: Jury awards \$15 million for popcorn lung**

A jury has awarded a former popcorn plant worker \$15 million (£8.2m) after finding that his exposure to butter-flavouring fumes led to his severe respiratory problems. The verdict brings to nearly \$53 million (£29m) the total amount awarded in the last two years against the makers of the popcorn flavouring, International Flavors & Fragrances Inc. and a subsidiary, Bush Boake Allen Inc. Four other plaintiffs reached confidential settlements with the defendants last year ([Risks 217](#)). The latest case was filed by Stephen McNeely, 35, a machine operator who filled popcorn bags with salt and butter flavouring. McNeely, who worked at the plant from 1989 to 2001, developed bronchiolitis obliterans, a rare, progressive lung disease that may require him to get a lung transplant. Diacetyl, the chemical responsible for the lung condition, is widely used in the UK as a flavouring in cheese and butter.

- [Kansas City Star. Food Production Daily.](#)

## RESOURCES

## **Safety reps' guide to apprenticeships**

The TUC has teamed up with the Learning and Skills Council to produce a safety reps' guide to safety for apprentices. The guide outlines how to ensure those on apprenticeship schemes and other trainees are provided with a safe environment and given adequate support and training. It says "in the past two years 10 young people on government funded learning schemes have been killed while undertaking work-based training. These deaths were all avoidable."

- [TUC news release](#). **Apprenticeships: A short guide for union safety representatives [pdf]**. For a print copy, email the [Learning and Skills Council](#), quoting stock number 604323.

## **Revamped HSC workers' webpages**

Health and safety minister Lord Hunt of Kings Heath launched the Health and Safety Commission's updated workers' webpages at TUC Congress this week. "The HSE recognises the importance of involving workers in successful health and safety risk management," said Lord Hunt, "I am delighted to launch these new webpages, developed in cooperation with the TUC, which are a rich source of information on health and safety for workers." HSC says the site now gives information and guidance to assist workers in becoming involved in health and safety decision-making, including case studies and a worker involvement assessment tool. It adds that there is also dedicated information for trade union safety representatives on their role in investigating accidents and ill-health, the provision of training and facilities for representatives, and guidance on handling data protection issues. "The Commission and the Executive value highly the work of safety representatives and are committed to our partnership with the trade unions, who share our belief in health and safety as the cornerstone of a civilised society," said Lord Hunt.

- [HSE news release](#). [HSC workers' webpages](#).
- **Guidance for safety reps: [TUC](#) and [Hazards](#) safety reps' webpages.**

## **EVENTS AND COURSES**

### **TUC courses for safety reps**

### **COURSES FOR SEPTEMBER TO DECEMBER 2005**

[Midlands](#), [Northern](#), [North West](#), [Scotland](#), [South East](#), [South West](#), [Wales](#), [Yorkshire and the Humber](#)

## USEFUL LINKS

**Visit** the TUC [http://www.tuc.org.uk/h\\_and\\_s/](http://www.tuc.org.uk/h_and_s/) website pages on health and safety. See what's on offer from [TUC Publications](#) and [What's On in health and safety](#).

**Subscribe** to [Hazards](#) magazine, supported by the TUC as a key source of information for union safety reps.

**What's new** in the [HSC/E](#) and the [European Agency](#).

[HSE Books](#), PO Box 1999, Sudbury, Suffolk CO10 2WA. Tel: 01787 881165; fax: 01787 313995.