



Risks Newsletter



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Risks is the TUC's weekly online bulletin for safety reps and others, read each week by over 12,000 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](#).

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UNION NEWS

Five million work a day a week unpaid

Nearly five million employees worked on average an extra day a week in unpaid overtime in 2005 according to a TUC analysis of official figures. If each employee worked all their unpaid overtime at the beginning of the year, the TUC estimates they would have worked for free and would not start to get paid until Friday 24 February 2006 – this year’s ‘Work Your Proper Hours Day’. The TUC’s analysis of the government’s latest Labour Force Survey found that 4,759,000 workers, or 19.4 per cent of employees, worked an average of 7 hours 24 minutes in unpaid overtime each week. The TUC research shows employers are starting to tackle the UK’s long hours culture. The percentage of people working at least an extra hour a week unpaid has fallen slightly, and is now at its lowest level since 1992. TUC general secretary, Brendan Barber, said: “Millions are still putting in up to an extra day a week for free, but there are now some welcome signs that some employers are beginning to realise that endless hours of unpaid overtime are often a sign of an inefficient workplace and not something to celebrate.” He added that in smart workplaces, people work fewer hours. “The run up to ‘Work Your Proper Hours Day’ is a great opportunity for bosses to show staff that they want to start tackling their long hours culture. And on the day itself managers can say thanks for their staff’s hard work by taking them out for a coffee or a cocktail.”

- [TUC news release](#) and regional breakdown [pdf]. [Work Your Proper Hours Day](#).
- [BBC News Online](#). [BBC Scotland](#). [BBC Wales](#). [Daily Telegraph](#).

TUC calls on bosses to listen to hearing alert

The TUC has teamed up with RNID to ask Britain’s 28 million workers and their managers to ‘break the sound barrier’ and take the charity’s new telephone hearing check by calling 0845 600 55 55. The RNID initiative is aimed at the four million people in the UK who could benefit from wearing a hearing aid, but who currently do nothing about it. TUC general secretary Brendan Barber said: “Many older workers are struggling to get by at work either because they are too ashamed to admit to their hearing loss or because they have no idea what to do about it. Many may also be reluctant to advertise it for fear that their employers may treat them less favourably as a result. But good bosses know that it makes sense to do all they can to help employees be as productive as possible at work and so most will I’m sure be keen for their staff to take RNID’s hearing check.” RNID chief executive John Low said: “Both noise induced and age related hearing loss can take a real toll on people’s confidence in the workplace. RNID’s telephone hearing check is a simple and non-intrusive way of finding out whether digital hearing aids and practical changes to your work environment could help you stay in work.” He added: “Simple solutions such as amplified telephones and loop systems for hearing aid users can make the world of difference to someone with a hearing loss and enable employees to perform at their best.”

- [TUC news release](#). [The Guardian](#).
- [RNID ‘Breaking the sound barrier’ website](#). Take the five-minute hearing check by ringing 0845 600 55 55.

Amicus secures huge payouts for injured workers

A foundry worker who lost his right arm at work in 1985 is now facing amputation of his left arm as a result of a second industrial injury at the same firm. His union Amicus has secured a £1,450,000 compensation settlement. Amicus member Jeff Smalley, 63, had his right arm

amputated five years after an injury in 1980 at James Maude and Company of Forest Town in Mansfield. His left arm is due to be amputated on 24 January as a result of complications linked to a November 2001 incident where a sandblasting machine exploded next to him, causing shoulder injuries. In both cases the injuries led to Regional Complex Pain Syndrome. Amicus director of legal services, Georgina Hirsch commented: “This is an absolutely tragic case and no amount of money will ever make up for Mr Smalley's loss. The outcome of this case does however highlight the support Amicus can give to its members in cases of injuries at work. The settlement reflects the expert support and representation provided by the union’s solicitors which Amicus members can rely on.” In a second case settled by the union, a Nissan employee, 46-year-old Mike Gregg, was awarded an out-of-court settlement of £85,000 as a result of a neck injury sustained at work. The machine operator was injured when attempting to push a stillage (storage frame) with a defective castor. The injury accelerated pre-existing degenerative changes in his neck, forcing his retirement on ill-health grounds. Amicus regional officer Dave Telford commented: “Without the backing of Amicus Mr Gregg would have been at the mercy of the 'no win no fee mob'. Thanks to Amicus Mr Gregg will receive the full amount without a percentage of the settlement going to the lawyers.”

- Amicus news releases on [amputation](#) and [neck injury](#) payouts.

Union tots up schools compensation

More than £180,000 has been paid out to education workers in Scotland who have been victims of attacks or industrial accidents, Scottish teaching union EIS has revealed. Legal costs took the total bill for local authorities and educational establishments to almost £250,000 in 2005. Ronnie Smith, EIS general secretary, said the figure was “very worrying”. He added: “While the compensation figure is slightly less than last year the number of incidents is still far too high.

This shows more still needs to be done in our schools, colleges and universities to ensure the safety and well-being of teaching staff.” A total of 20 claims have been paid out to EIS members in the last year, ranging from £750 to £80,000 – this for a worker who received a serious facial injury when a starting handle flew off an engine. Another EIS member received £50,000 in an out-of-court settlement for psychiatric injury. Mr Smith said: “Occupational stress is a major problem facing teachers and lecturers.” He described the payout as a small but significant victory for the union. Most payments were for people who had slipped while at work, an issue Mr Smith said could be avoided. He added that as well as the financial price involved in settling the claims, there were other costs such as providing cover while an employee recovered from injury and the strain on the NHS.

- [EIS news release](#). [BBC News Online](#). [Glasgow Herald](#) on the stress payout.

CWU calls for action after latest vicious assault

Postal workers’ union CWU is calling for swift action to deal with the “growing menace” of assaults on postal delivery staff. Speaking after a vicious assault left a Bradford delivery worker requiring hospital treatment, CWU national health and safety officer Dave Joyce said: “This is yet another incident of violence against our people in an ever growing list of motiveless assaults and which emphasises the need for action. Violence at work – assaults, threats and abuse of postmen and women - is totally unacceptable and Royal Mail have a legal health and safety duty of care to take action to tackle this problem.” The December attack left the worker with a double fracture of the skull and a fractured cheekbone. Three weeks prior to this attack another postman was stabbed while carrying out his round in Halifax and in November thugs attacked a Nottingham delivery postman who sustained serious injuries including a broken jaw. “Not enough is being done to ensure workers' safety at a time when assaults are on the increase,” said Dave Joyce. “We want

Royal Mail to take more interest in tackling work-related violence and aggression.” He added: “We’re calling for the creation of a ‘staff charter’ which would remind our members, managers and the public that it is not part of a postal worker’s job to be physically or verbally abused at work and as we’ve previously stressed, we want formal adoption of a zero tolerance policy as the only option, stating that violence against postal staff will not be tolerated.”

- [CWU news release.](#)

Union concern about compensation proposals

Public sector union UNISON is warning that changes to the Criminal Injuries Compensation Scheme (CICS) could result in public sector workers like Lisa Potts, who was badly injured protecting a class of four-year-olds from a machete attack, receiving no compensation. The government’s Green Paper, ‘Rebuilding lives: Supporting victims of crime’, published in December 2005, proposes that those who suffer criminal violence should get compensation from their employer and not the state. In personal injury cases involving violence, where the employer may argue successfully they cannot be held to account for unforeseeable acts of violence, the union currently channels claims through CICS. UNISON says changing this system will mean that public sector workers would not receive any compensation for a violent attack. Dave Prentis, UNISON general secretary, said: “Public sector workers should not have to face the threat of violence, but if the unthinkable happens it is only right that they should receive compensation for their physical and psychological pain.” He added: “The provision of wider practical support to victims is welcome, but we cannot accept financing this by restricting access to compensation.”

- [UNISON news release.](#) [Criminal Justice System news release.](#)

Work pressures could jeopardise air safety

Airline safety could be a risk as carriers increase the pressure on ground staff. GMB member Colin Auger was suspended from work at Stansted Airport for accidentally causing thousands of pounds of damage to a Ryanair Boeing 737 800 series. He had driven the passenger steps into the jet causing damage to a wing. His work record was previously unblemished and had never been involved in an accident before. Other GMB members working on the ramp at Stansted believe there are a disproportionate number of accidents involving Ryanair aircraft because of the 25 minutes turnaround time demanded by Ryanair, barely half the time allocated by other airlines for similar craft. GMB organiser Gary Pearce said: “It’s for Ryanair to look again at the 25 minute turnaround time required on their contract which causes that ground support staff to have to rush and so accidents are much more likely.” Alaska Airlines pilots raised similar concerns last month after a jet was forced to make an emergency landing in Seattle. A ramp worker hit the fuselage of a plane with baggage loading equipment, but did not report it for fear of disciplinary action. The crease in the fuselage blew open in mid-air, causing the plane to depressurise. The pilots’ union said lower wages for workers had led to more turnover and a newer, less experienced workforce. In a cost-cutting move, unionised workers were replaced last year with contract workers from UK firm Menzies Aviation. Alaska had 17 ramp problems in 2003, and only 15 in 2004. The number jumped to 72 in the first 9 months of 2005.

- [GMB news release.](#) [NW Cable News.](#)

NUMAST warning on North Sea rescue vessels

Seafarers’ union NUMAST has warned that lives could be put at risk by the use in the North Sea of foreign emergency response and rescue vessels that do not comply with industry guidelines. The

union says it has now raised the issue with the Evacuation, Escape and Rescue Advisory Group, whose members include the Health and Safety Executive and the Maritime and Coastguard Agency. NUMAST senior national secretary Allan Graveson said the union had secured assurances that such vessels would not be used as an alternative to existing vessels, but to cover a shortfall caused by the current high level of activity in the UK sector. "It was also acknowledged that minimum standards must be met, and this should be provided for in charter parties and by adequate policing by the regulatory authorities," he said. There are around 120 emergency rescue vehicles working in the North Sea, employing more than 3,000 seafarers. The union has also raised concerns about an "influx" of UK flagged vessels that are foreign-owned and foreign-crewed, citing problems with communication, crew competency and excessive hours.

- NUMAST news releases on [rescue vessels](#) and [foreign-owned/crewed vessels](#).

Union action to highlight corporate manslaughter



UK train drivers will use a global day of action on rail safety to increase pressure for a corporate manslaughter law. ASLEF says its "central demand" on corporate killing will be the UK focus for the International Transport Federation's Day of Action on Safety on 27

March 2006. ASLEF general secretary Keith Norman said: "It is eight years since the government promised it would legislate to make corporate manslaughter a crime which is precisely what it is." He added: "There is a growing suspicion that New Labour has become more concerned about protecting its rich friends than providing the public and transport workers with protection they desperately need." The

union leader said that bosses that put profits before safety should face the courts. "It is desperately unjust that senior managers who have put budgets before safety walk away from deaths at work without a care in the world," he said. "If the policies of senior managers have contributed to a death at work, they have contributed to manslaughter. I have said before, corporate manslaughter only differs from other crimes in that it is not punished." Events will take place at London's Paddington station and at other venues around the country.

- [ASLEF news release](#). International Railway Workers' Action Day poster [[jpeg](#)].

OTHER NEWS

Corporate manslaughter law 'cheats victims'

Two powerful committees of MPs have demanded significant changes to the government's long-overdue bill on corporate manslaughter, and warned that as currently drafted it could even make things worse for the victims of accidents at work. The home affairs and work and pensions select committees have joined forces to analyse the controversial legislation, which Labour first promised before the 1997 general election, but which was only published, in draft form, in 2005. The former minister and chair of the home affairs committee, John Denham, warned that if his proposed amendments are not incorporated into the bill, victims' relatives would "feel cheated of justice in future." Speaking on the 20 December 2005 publication of the committees' joint report, he said: "The reform of corporate manslaughter law is long overdue. The new bill must be introduced this year, but it must take into account our recommendations if relatives of victims are not to feel cheated of justice in the future." The report warns that the bill, as currently drafted, may let some big firms off the hook and create "perverse" incentives to treat health and safety less seriously, by allowing senior directors to delegate decisions on health and safety to more

junior staff in order to avoid the danger of prosecution. And it might mean large corporations escaping prosecution over a death at one of a number of factories or sites, while a smaller company with only one factory would find itself in court over an identical incident. The report also urges the government to introduce an additional offence of “secondary liability for corporate manslaughter” to be used against individuals personally responsible for the organisation's failing. The committee also called for a broad range of possible penalties for those found guilty of corporate manslaughter, to allow courts to reflect the individual circumstances of the death. In November, government ministers said the bill would “absolutely” be published in the current session of parliament ([Risks 234](#)), a demand made by the joint report. The government now says there is insufficient parliamentary time and the bill will not now appear in the 2005/06 parliamentary session.

- [Draft Corporate Manslaughter Bill: Home Affairs and Work and Pensions – First report.](#)
- [The Guardian.](#) [BBC News Online.](#) [IOSH news release.](#) [IoD news release.](#) [CBI news release.](#) [Thompson Solicitors news release.](#)
- [Hazards deadly business webpages.](#) [Centre for Corporate Accountability.](#)

WHAT THE UNIONS SAY

"This report provides even more evidence, if it is needed, that the liability of individuals for companies' health and safety is imperative in raising standards. We urge the government to accept this report and bring an amended Corporate Manslaughter Bill before Parliament as soon as possible. We also want a parallel move in the Scottish Parliament, so that Amicus members have the protection of similar corporate killing laws wherever they work. Unless individual managers feel the real heat of the law against them, we do not think company behaviour on health and safety will change. The

government now has the chance to turn up the heat, and we urge them to do it."

[Amicus general secretary Derek Simpson.](#)

"The government should listen to the voice of MPs who have scrutinised this draft bill and made it clear that the original proposals need strengthening. Workers and families expect this government to make robust and effective changes in the law, so we welcome the Select Committees' proposals and urge government to act. If the death and accident toll in Britain's workplaces is to end, directors must be directly accountable for health and safety. We particularly welcome the proposal to remove Crown immunity for the offence of corporate manslaughter, and a tighter definition of any exemptions. MPs are right to say that change must be forthcoming in this Parliament, eight years after government announced its intention to legislate. Make the law tough, swift and effective - families and workers should not have to wait any longer."

[TGWU general secretary Tony Woodley.](#)

“At last the lawmakers are starting to take the corporate law breakers seriously. These proposals can make a real difference and GMB members want to see real change, and justice for those who are killed and maimed at work. These changes should not delay the Bill any longer and the GMB want to see a Bill with teeth enacted before the end of this parliamentary session.”

[GMB acting general secretary, Paul Kenny.](#)

Asbestos payout slashed for smoker's widow

A court has ruled that a Devon worker was "negligent" for smoking and has cut his widow's asbestos disease compensation payout. Beryl Badger was told that husband Reg, a boilermaker at Devonport military docks, had been warned about the risks of smoking. Asbestos was partly to blame, but Mr Badger's smoking was also implicated in his death from

cancer in 2002, aged 63. The High Court cut the compensation of £149,000 against the Ministry of Defence (MoD) by 20 per cent. Mr Justice Burnton said in the course of his work, Mr Badger was exposed to asbestos dust and fibres, which were causative of the cancer that killed him. But he also smoked and that too was causative of his cancer, the judge said. He added that Mr Badger could not be criticised for starting to smoke at the age of 16, as at that time, in 1955, the connection between smoking and serious ill health was not widely accepted. But he said after warnings appeared on cigarette packets in 1971 “it was reasonably foreseeable by a reasonably prudent man that, if he smoked, he risked damaging his health.” Mrs Badger will now receive £122,000. Adrian Budgen, a personal injury specialist at the solicitors Irwin Mitchell, said: “It’s an unhelpful precedent. It will result in greatly reduced damages in a lot of cases. That’s very sad and unfortunate.” He said smokers did not know the extent of the additional risk they faced, as there is a massively increased cancer risk for asbestos workers who smoke, more than 50 times higher than for of a non-exposed non-smoker.

- [The Times](#). [BBC News Online](#). [Planet Ark](#).

Involve workers, minister tells local authorities

Local authorities should make union and worker involvement a “key element” of their work programme, safety minister Lord Hunt has said. Launching the local authority phase of the Health and Safety Commission’s ‘worker involvement programme’ in December 2005, he told the joint LACORS (Local Authorities Coordinators of Regulatory Services) and Health and Safety Executive (HSE) national conference: “Local authorities are responsible for enforcement in over 50 per cent of work premises with almost half the employed workforce and the decisions you make on risk have a major impact.” Lord Hunt added: “Our ambitions for lower rates of injury and ill-health cannot succeed without the participation and vigilance of those who work with the risks and

their representative organisations, the unions. An actively engaged workforce is one of the foundations that supports good health and safety. I would urge workers to engage with their employer in pursuit of healthier and safer workplaces.” He called on all local authorities to “put worker involvement on their plans of work for health and safety activities for the coming year which, working through the partnership arrangements, will contribute enormously to making worker involvement a reality.”

- [HSE news release](#). [HSE workers’ involvement webpages](#).

Firm gets five digit fine for thumb injury

SmithKline Beecham plc has been fined £15,000 at East Berkshire Magistrates Court after a worker’s thumb was partially severed by machinery. The incident happened in December 2004 while agency worker Angus Pilcher was operating toothpaste package filling machinery at the company’s premises in Maidenhead. A Health and Safety Executive (HSE) investigation identified poor safety management on site - and a failure to change a system of work the HSE had previously described as unsafe. HSE inspector Sarah Page said “poor safety management failed to spot complacency and unsafe practices.” She added: “The company had had a similar accident three years before, but failed to pass on HSE guidance to the workforce. This meant some workers incorrectly believed it was OK to perform routine tasks inside a moving machine with the guard doors open; and that this practice was passed on to newcomers including Mr Pilcher.” SmithKline Beecham plc pleaded guilty and was fined £15,000 for safety breaches and ordered to pay £6,653.08 in prosecution costs. Parent company GlaxoSmithKline reported a before tax profit of £6.1 billion in 2004.

- [HSE news release](#).

Smoke plans “unworkable” say MPs

Plans for a partial ban on smoking in public places in England are “unfair, unjust, inefficient and unworkable”, an influential committee of MPs has said. The Commons health select committee, reporting on 19 December 2005, said a total ban is the “only effective means” of protecting public health. The Health Bill would allow smoking to continue in private clubs and pubs which do not serve food. Health minister Caroline Flint said this represented “a huge step forward for public health”. She added: “Even in the exempted bars and private members clubs bar workers will be better protected through the exclusion of smoking in the bar area.” But the select committee report presses the case for the ban on smoking to be extended to drink-only pubs and members-only clubs in an effort to protect bar workers and children from fumes. A partial ban would “widen health inequalities” and “be disputed in the courts”, the report said. The committee's chair, Labour MP Kevin Barron, said: “The current proposals fly in the face of medical opinion and will do nothing to protect those most at risk.” A UK-wide survey by campaign group ASH and Cancer Research UK found 72 per cent of respondents would support legislation to make all workplaces smokefree, including pubs and restaurants. Bans in Spain, Belgium and the Australian state Tasmania came into effect in the new year.

- [Health Committee press notice](#) and Smoking in Public Places [full report](#). [Department of Health news release](#). [BBC News Online](#). [ASH news release](#). [The Australian](#).

Court upholds welder’s \$1m Parkinson’s award

A US court has upheld a US\$1m (£580,000) compensation award to a welder who developed Parkinson’s disease he believes was caused by exposure to manganese in welding fumes. Defendants in the case included UK company BOC Group, which described the verdict as “an aberration”. The 5th Appellate Court upheld a

Madison County jury verdict, in what is thought to be the only successful welding rod trial ever litigated in the United States. Larry Elam filed suit against Lincoln Electric, Hobart Brothers and the BOC Group in July 2001 claiming the defendants were negligent in failing to investigate welding health hazards and providing adequate warnings. He also claimed they should be held strictly liable because of lack of investigation and adequate warnings ([Risks 135](#)). In his opinion for the court, Appellate Judge Richard P Goldenhersh wrote: “Contrary to defendants’ assertions, there is significant evidence in the record showing a link between Parkinson’s disease and manganese in welding fumes, and there is significant evidence supporting plaintiff’s claim that defendants breached their duty to investigate the health hazards associated with welding.” British firms BOC Group and Esab, part of Charter plc, are named as defendants in another welding fume case currently before the US courts ([Risks 220](#)). A litigation report on BOC’s website says as of 30 September 2005, there were 8,574 claimants in manganese-related cases in which BOC was a defendant.

- [Madison St Clair Record](#). [BOC news release](#) and [litigation report](#).

Healthy workplaces strategy “won’t work”

The government’s healthy workplaces strategy ([Risks 230](#)) “lacks cohesion and will have little impact on the real issues affecting health and productivity,” according to a new report from The Work Foundation. ‘Healthy work: Productive workplaces’, produced with the London Health Commission, says problems such as sickness absence, dependence on welfare benefits and low pay have their root in bad jobs that give employees little voice and control. It says other issues that impact health and productivity include imbalances between effort and reward, bad management and poor job design. The report argues that employers must tackle the whole system and not just symptoms in isolation. It says initiatives to improve health and work are tackled by several different

government agencies and social partners who too often don't work together. According to report co-author David Coats: "If work is one of the major routes to both a healthier population and a more productive one then government must sort out the muddle of agencies by creating a clear strategic framework, transparent policy objectives and a route map that all can follow." His co-author, Catherine Max, added: "There is no debating the connections between employment and health - and, crucially, health inequalities. There are some laudable government initiatives, but what is urgently needed is strong political leadership to drive forward a truly progressive agenda - and a deeper understanding of how quality of life and economic growth can and should be mutually reinforcing."

- [The Work Foundation news release](#). Healthy work: Productive workplaces [[pdf](#)].
- Resources: [Hazards work and health webpages](#); Presentations from [Health, work and well-being: HSE/TUC seminar 5 December 2005](#); [CCOHS Bringing health to work web portal](#).

Government push on incapacity benefit reform

The government is seeking support for its controversial reforms for incapacity benefit. It says getting people off benefit and into work will ease deprivation and have a positive impact on health. A Green Paper on plans for changes to the benefit is due later this month. Unions, health and disability campaigners are concerned however that the move - which the government hopes will take at least one million people off incapacity benefit - could lead to harassment of genuine claimants. New work and pensions secretary John Hutton has written to 100 MPs - almost all Labour - in areas with the highest number of incapacity benefit claimants. The benefit is paid to around 2.7m claimants. Mr Hutton said he would handle the reforms "sensitively and carefully", adding: "I did not

come into politics to make poor people poorer." He said: "I do not believe we should accept a system that perpetuates hardship and denies people the opportunity to better their lives by accessing the world of work. The vast majority of people who start receiving incapacity benefit want to go back into work, but the system currently provides them with little help in doing so." According to the minister, incapacity benefit would be replaced with a "new system that gives genuine protection to people who truly cannot work, but properly assesses what people are able to do and gives them increased support to build up that level of capacity."

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

INTERNATIONAL NEWS

China: Workers pay deadly price for dusty trades

Thousands of workers in China are falling victim to deadly dust diseases, official figures have revealed. Pneumoconiosis - the group name for the diseases caused by dust scarring the lungs - is the most common occupational condition in China, with 440,000 sufferers, according to Ministry of Health figures. Qi Xiaohui, head of the ministry's disease control and prevention department, told a symposium late last year that 140,000 workers have so far died as a result of the condition. As well as the usual heavy industrial jobs associated with dust exposure - mining, construction and some engineering and foundry jobs - an "epidemic" of silicosis is now emerging in China's large jewellery sector. 'Deadly dust', a December 2005 report from Hong Kong-based workers' rights group China Labour Bulletin, warns that hundreds of thousands of mainland jewellery workers are contracting the condition, a deadly lung disease caused by the damaging crystalline silica dust produced in gem cutting operations. Staphany Wong, a CLB researcher, equated "getting the disease... to having a suspended death sentence."

Workers with silicosis have also been shown to have a higher risk of developing lung cancer.

- [Xinhua official news agency](#). [CLB news release](#). [Houston Chronicle](#). [The Standard](#). [Gemstone Campaign](#).
- Deadly dust: China Labour Bulletin Research Series: No.1 (2005) [[pdf](#)].

USA: Mine tragedy exposes safety neglect

The deaths this week of 12 US miners in a West Virginia coalmining tragedy has focussed attention on the country's failing workplace safety regime. The men had been trapped in the Sago mine after an explosion on Monday. It is thought they died of carbon monoxide poisoning. One miner, Randal McCloy, 27, was rescued and is in a critical condition. Relief among relatives turned to anger after early reports that 12 miners had survived turned out to be "miscommunication". The mine was recently acquired by the International Coal Group (IGC), which has expressed an interest in purchasing the UK's remaining mines. "We're not going to get into the violation history or finger pointing," commented IGC's CEO Ben Hatfield. "That's in no one's interest at this point." Official government reports show the number of safety violations at the mine had risen rapidly over the past two years, and in 2005 inspectors called 96 of them "serious and substantial." Add reports of 11 roof collapses in the past six months, and a former top federal official at the federal Mine Safety and Health Administration (MSHA) said any mine operator should see a red flag. "That's a signal to you that says, 'You better do something at this workplace, before something bad happens,'" Davitt McAteer said. Democrat Congressmen George Miller and Major Owens called for immediate Congressional hearings into mine safety "to examine the events that led up to this terrible tragedy at the Sago Mine." The lawmakers also cited alarming statistics that show MSHA has been downsized by 170 positions since 2001. Congress has cut MSHA's

funding by \$4.9 million, in inflation-adjusted terms, for the 2006 fiscal year, compared with 2005. Moreover, Miller said, the Bush Administration has appointed numerous officials to the agency who have close ties to the mining industry. These officials, in the last five years, have rolled back a number of regulations aimed at improving mine worker safety, Miller said.

- [Confined Space](#). [MSHA news release](#). [Department of Labor statement](#). IGC statement [[pdf](#)]. [UMWA statement](#). [BBC News Online](#). [CNN](#). [The Guardian](#).
- [Confined Space](#), the world's first union-friendly health and safety "blog", has been nominated for a top award - you can support its nomination as [Labourstart's International Labour Website of the Year](#).

USA: School for corporate criminals

Major companies are employing sophisticated public relations techniques to spin away bad news – and safety is increasingly the reason they want a healthy gloss on unhealthy practices ([Risks 235](#)). US safety news report [Confined Space](#) has highlighted the case of the Buckley School of Public Speaking, run by Reid Buckley, which it says seeks to train corporate executives "about how to make lemonade out of the lemons of catastrophes." The Buckley School's website notes: "Have you ever grieved to see decent, gifted, hard-working people humiliated in public by jackasses? Have you been one of them?" It singles out one of the world's most devastating industrial tragedies as an example. "In 1984, a toxic gas leak in Bhopal, India killed nearly 3,000 people. The tragedy was terrible. So was the seeming incompetence of so many high Union Carbide functionaries, who were paraded before the camera. They appeared never to be able to get their stories straight. As Reid Buckley watched these decent men squirm and fumble, he thought how unnecessary that humiliation was. He began testing a workshop to teach executives how to express themselves with poise under duress. The result four years later was the

opening of the Buckley School.” It doesn’t mention that the company was liable for the disaster ([Risks 138](#)). Or that Union Carbide and its then boss Warren Anderson remain fugitives from homicide charges, so might have had good reason to squirm ([Risks 179](#)). And more considered estimated put the Bhopal death toll at nearer to 20,000.

- [Confined Space. The Buckley School.](#)
- [International Campaign for Justice in Bhopal. The Bhopal Medical Appeal.](#)

EVENTS AND COURSES

Revitalised or reversed conference, London, 18 January 2006

An Institute of Employment Rights (IER) conference, ‘Health and safety: Revitalised or reversed?’, “will assess the strengths and weaknesses of current and proposed legislation and suggest what more needs to be done if we are to reach the government’s stated aim of reducing death and injury and ensuring a safe and healthy working environment for all.” IER says the event will be of interest to health and safety practitioners, policy makers, personnel specialists, enforcement agencies, union safety reps and other trade unionists. Speakers include high profile MPs, union specialists, safety activists and academics.

- Health and safety: Revitalised or reversed?, 9.15am to 4.30pm, Wednesday 18 January 2006, NATFHE Centre, Britannia Street, London WC1. £75 IER subscribers and members, £90 trade unions, £220 commercial. Conference programme and booking form [\[pdf\]](#). For further details [email IER](#) or call 020 7498 6919.

COURSES FOR JANUARY TO MARCH 2006

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

USEFUL LINKS

- **Visit** the TUC 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](#).
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