

Risks

TUC 

e-bulletin

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MAGAZINE

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Risks is the TUC's weekly online bulletin for safety reps and others, read each week by over 15,000 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](#)

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

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Get trained, get organised, get safe!

Training trade union safety reps in the links between workplace safety and union organisation is a top priority for TUC. Liz Rees, head of TUC's education service, made this plain in a new interview with the trade union safety magazine *Hazards*. She said being a trade union safety rep is not just about what you know, it's about what you do – involving members, uncovering problems and, crucially, demanding action. "Safety rep training is the jewel in the crown of TUC Education," she said, adding: "We aim to provide everything a safety rep needs to know to represent their members effectively, and to assist and support in dealing with workplace problems, supporting members and organising for health and safety." TUC's courses are free to safety reps from affiliated unions and come with accreditation from the National Open College Network (NOCN) and the Institution of Occupational Safety and Health (IOSH). "During the past year, we have been working with the Qualification Curriculum Authority (QCA), the body that determines the adult education curriculum for the UK, to pilot their new qualification framework, which is based on the kinds of credits we have been making available to reps for more than 10 years," Liz Rees said. "This means that during 2008, safety reps who attend TUC courses will be achieving formal qualifications at three levels – awards (short courses), certificates (Health and Safety Stages 1 and 2) and diplomas (TUC Certificate in Safety and Health, now the TUC Diploma in safety and health)." According to Rees, health and safety remains the most popular of all the online training offered by TUC.

- [Don't be a safety nerd, Hazards, Number 102, pages 20-21, 2008](#), including a [listing of TUC health and safety courses](#). [Unionlearn website](#).

Workers need mental health support

A new TUC guide is intended to help employers and unions support people with mental health problems at work. TUC says every organisation in Britain is affected by mental distress and ill-health in the workplace, and at any given time one in six workers will experience depression, anxiety, or stress-related problems. And it says simple steps - including the prevention and early identification of mental health problems - can promote the mental well-being of staff and help employers save money by cutting down on days lost to sick leave. TUC general secretary Brendan Barber said: "Hundreds and thousands of people at work face ignorance, prejudice and stigma because of mental health problems. Even more - who are both able and willing to work - cannot get a job because of discrimination by employers, even though this is illegal under the Disability Discrimination Act." The TUC leader added: "This report provides union reps with the information they need to help people with mental health problems keep their jobs and develop their careers. It will help unions work out how to make adjustments in the workplace for people with these health problems, and help employers keep their valuable and skilled staff."

- [TUC news release](#). Representing and supporting members with mental health problems at work [[pdf](#)].

Injured then sacked by 'cavalier' council

A Scottish roadworker who was fired by a "cavalier" council after taking time off sick after a workplace injury has won an unfair dismissal and disability discrimination claim. GMB member James McGrath, 52, was awarded more than £25,000 compensation by an employment tribunal. He suffered the injury while cutting a line in a road surface in May 2004, the incident leaving him unable to lift anything heavy or walk far. He suffered extreme pain and had to take medication for depression. At a series of review meetings with managers at East Dunbartonshire Council, Mr McGrath indicated he could not return to his job as a roadworker but could perform light duties. However, he was advised there were no light duty jobs available. When his entitlement to full sick pay ended, he asked that his employment be continued through leave of absence without pay. Instead, the council dismissed him on grounds of continued incapability. Mr McGrath, whose case was supported by GMB, argued the council had failed to meet its obligation to consider alternative employment. The tribunal held Mr McGrath's dismissal was unfair, as the council had failed to follow the correct procedures. It also ruled his dismissal amounted to less favourable treatment related to disability and that he had been subjected to disability discrimination. Judge Michael MacMillan said: "It seems to us that the approach was cavalier, to say the least." Mr McGrath was awarded a total of £25,507 compensation, including £10,000 for injury to his feelings.

- [Clydebank Post](#).

TUC works for vulnerable workers

A government minister has seen a groundbreaking TUC-run project that is providing vulnerable workers in London's East End with badly needed employment advice. Minister for employment relations Pat McFadden met with local workers at the TUC's Vulnerable Workers Project (VWP) this week. VWP, based in Whitechapel, is a £400,000 project funded by the Department for Business (BERR). The pilot, which started preparatory work in April last year before being launched in November, focuses on workers in the cleaning, security and building services sectors working in the City of London and Tower Hamlets. It offers support, advice and training for workers experiencing problems, and free training on employment rights for local employers. Already hundreds of workers have turned to the project for help. Pat McFadden said the government has brought in employment rights on topics including health and safety, the minimum wage and flexible working. He added: "Most employers do the right thing and implement these rights fairly, but there are dark corners of the labour market where rogue employers try to exploit people, so it's vital we enforce the law to protect vulnerable workers' rights. That's why we're doubling the number of agency inspectors to investigate abuses and boosting penalties for those who break agency laws or don't pay the national minimum wage." TUC general Secretary Brendan Barber said: "The VWP has heard

from workers in London who are working excessively long hours, have no contract of employment, are receiving low pay or are not being paid for all the hours they work, and are not getting any health and safety training. Unions are keen to help workers stop rogue employers from using an ignorance of UK employment law or a poor grasp of English or as an excuse to treat people badly.”

- [TUC news release](#) and [Commission on Vulnerable Employment](#). [TUC Vulnerable Workers Project](#).

UCATT calls for big safety reforms

Major improvements including an overhaul of the building industry's Construction Skills Certification Scheme (CSCS) is needed, according to UCATT leaders. Delegates at the construction union's conference in Perth last week unanimously endorsed a resolution demanding that all five-year CSCS skills cards should be at a minimum skill level of NVQ2. Trade paper Contract Journal reported UCATT delegates said the current touch-screen health and safety test is inadequate and should be replaced with a return to a one-day training course. And they called for an end to the loophole that requires employers to support the renewal of skills cards. UCATT delegates queued to make well-informed criticisms of the Health and Safety Executive's (HSE) approach to site safety. In questions to Stephen Williams, HSE chief inspector for construction, they attacked what they saw as the HSE's poor performance and its failure to support additional rights for worker safety representatives. They were angered to learn that the HSE had cancelled the £1m worker safety adviser scheme, despite HSE having an underspend of £12m last year. Contract Journal reported other resolutions passed included a renewed demand for an extension of the Gangmasters Licensing Act to cover construction and a call for the International Workers' Memorial Day to become a bank holiday.

- [Contract Journal](#). [CSCS website](#).

Yet another meso widow

The widow of a Unite member has received over £115,000 in compensation after her husband died from the asbestos-related cancer mesothelioma. The grandmother of one, who does not wish to be named, received the damages after her husband was exposed to asbestos while working for Young, Austen & Young heating engineers in Sussex. He was 76 when he died. He worked as a trained engineer and pipe fitter in boiler houses in new developments. He was regularly exposed to asbestos used to lag pipes. His wife said it was important to her husband to claim compensation for his disease. “He felt strongly about claiming compensation and after he died I decided to carry on his claim,” she said. “He was concerned about me and wanted me to have security once he was gone.” Unite's South East regional secretary Jennie Bremner said: “Mesothelioma has affected the lives of so many of our members who were not provided with protection from asbestos.” Thompsons Solicitors fought the case on behalf of Unite. The law firm's Ann-Marie Wilson said: “Mesothelioma is a cruel,

painful and degrading illness. Compensation can never bring back a loved one but it can provide a sense of justice for the families affected. It is important asbestos victims and their family members obtain proper compensation from the insurers of the companies who caused the disease.”

- [Thompsons Solicitors news release.](#)

Energy worker gets cancer payout

A retired power station worker has received £120,000 in compensation after developing an incurable asbestos cancer. Lionel Waldrige, 78, from Ipswich, was awarded the damages from energy firm E.ON Plc after he was diagnosed with mesothelioma. He was exposed to asbestos while working as a maintenance fitter at Cliff Quay Power Station in Ipswich during the 1960s. “I had no idea when I was working with asbestos that it would lead to this. I thought the dust was just a nuisance rather than a hazard,” he said. Lionel turned to his union, Unite, to pursue a compensation claim. “I feel like they have robbed the children and my wife of me. My father lived until he was 96 and I thought I was going to as well,” he said. “I was fit and we led an active life until I became ill. The money does not make up for everything we have lost, but it does give us a sense of justice.” Ann-Marie Wilson of Thompsons Solicitors added: “In the past many employers failed to take the necessary safeguards to protect their workers from the effects of asbestos dust and now people like Lionel and his family are paying the price. It was important to Lionel that his claim was dealt with quickly during his lifetime so that he knew his family would be provided for financially.”

- [Thompsons Solicitors news release.](#)

Other news

‘Asbestos warning’ on nanotubes

Carbon nanotubes might be as harmful as asbestos if inhaled, according to a study. A paper published this week in the scientific journal Nature Nanotechnology reports that animal studies indicate that these long and very thin carbon molecules could cause mesothelioma, a cancer previously associated almost exclusively with asbestos exposure. “The problem of asbestos was caused when it was released into the air, if it was handled inappropriately or incorrectly. Carbon nanotubes could do the same,” said Andrew Maynard, chief science adviser to the Project on Emerging Nanotechnologies in Washington DC and one of the authors of the study. “With this information, we should assume the worst, we should think of them as asbestos. But more research might relax that point of view.” The carbon nanotubes hype bears remarkable similarities to the sales pitch more than a generation ago for asbestos – miracle fibres that are stronger than steel but lighter than plastic. They can be found in products from concrete to tennis rackets and bicycle frames. Researchers, led by Professor Kenneth Donaldson at the University of Edinburgh in the United Kingdom, examined the potential for carbon nanotubes to cause lung

inflammation and lesions in mice indicative of a mesothelioma risk. "The results were clear," he said. "Long, thin carbon nanotubes showed the same effects as long, thin asbestos fibres." He added that if inhaled "there is a chance that some people will develop cancer - perhaps decades after breathing the stuff." He added that the present study only tested for fibre-like behaviour and did not exonerate carbon nanotubes from damaging the lungs in other ways. "More research is still needed if we are to understand how to use these materials as safely as possible," he said. Dr Anthony Seaton, a co-author of the study, said: "The Health and Safety Executive in the UK needs to take appropriate measures to ensure that people are not being exposed to these things in the air." A US report last month said new nano products were reaching the market at a rate of three to four a week.

- Craig A Poland and others. Carbon nanotubes introduced into the abdominal cavity of mice show asbestos-like pathogenicity in a pilot study. [Nature Nanotechnology](#). Online 20 May 2008. doi:10.1038/nnano.2008.111 [[abstract](#)]
- [The Project on Emerging Nanotechnologies news release](#). [Science Daily](#). [Scientific American](#). [San Francisco Chronicle](#). [The Guardian](#). [ABC News](#). [BBC News](#). [Friends of the Earth nanotechnology project](#). [Project on Emerging Nanotechnologies](#).

Agency workers to get equal rights

Temporary and agency workers will receive the same rights as permanent staff after 12 weeks under an agreement this week between the government, the CBI and the TUC. The business secretary, John Hutton, said the deal, which is the culmination of a lengthy dispute between employers and unions, would achieve the government's twin objectives of "flexibility for British employers and fairness for workers." After 12 weeks in work, temporary and agency workers will qualify for the same pro-rata pay and conditions as full-time workers. The TUC said the deal represented a breakthrough after six years of deadlock and paves the way for a European Directive to deliver equal treatment rights for agency workers after the qualifying period. TUC general secretary Brendan Barber said the agreement "is a victory for union campaigning. The issue of agency workers has been crying out for attention for far too long. Too many agency workers in the UK face unfair treatment and injustice. The agreement now opens the door to the much stronger legal protection that agency workers deserve, as our Commission on Vulnerable Employment so graphically highlighted." Construction union UCATT cautioned that some workers in the industry will still miss out, as a result of "bogus self-employment." UCATT general secretary Alan Ritchie said: "Despite the proposed new legislation construction will remain the most casualised industry in Britain." He called on the government to extend the Gangmasters Licensing Act to construction and to abolish the Construction Industry Scheme (CIS), the legal loophole allowing self-employed status for workers who are effectively employees but without requiring employers to provide the related employment rights.

- [BERR news release](#). [TUC news release](#). [UCATT news release](#). [UNISON news release](#). [GMB news release](#). [Usdaw news release](#). [CWU news release](#). [Community news release](#). [CBI news release](#). [The Guardian](#). [BBC News Online](#).

Agency worker loses a finger

A Staffordshire fence manufacturer has received a £2,000 fine after an agency worker's finger was cut off by an unguarded saw. The Fence Factory Ltd was also ordered to pay costs of £2,645 at Stafford Magistrates' Court after admitting a safety breach. The case followed a Health and Safety Executive (HSE) investigation when an agency worker suffered the loss of his index finger and damage to his little finger while using an unguarded circular saw to cut lengths of timber. Speaking after the case, HSE investigating inspector Wayne Owen said: "Allowing machines to be operated without suitable and appropriate guards is ignoring basic safety principles, an act which cannot go unpunished. When operating such machines the level of danger to the operator and other persons nearby cannot be overstated. A high-speed revolving blade, that is sharp enough to slice through wood, is an obvious risk. It is for this reason that extra care must be taken to ensure that the operator is well trained and that the saw is well maintained and properly used." The HSE investigation found that the company had failed to carry out a suitable and sufficient risk assessment of the machine. This would have identified the need for guarding and suitable training.

- [HSE news release.](#)

Tesco fined £25,000 for lift injury

Supermarket giant Tesco have been fined a total of £25,000 after a faulty lift in a Sheffield store knocked an employee unconscious. The incident happened when the hydraulic arm of a scissor lift struck the employee on the head - four days after it had been reported as defective by a council safety inspector. But despite the defect being reported, the lift was still in use. Although the hydraulic arm had been tied down and a 'do not use' sign had been stuck on it, this was not in place at the time of the incident. Tesco admitted breaching health and safety legislation at Sheffield Magistrates Court. The firm was fined £20,000 for failing to protect the safety of their employees and £5,000 for allowing a defective lift to be used without a thorough examination. Both fines were the maximum allowed in a magistrates court and the supermarket was told their discount for entering a guilty plea was not having the case sent to Crown Court, where fines are unlimited. Full court costs were awarded to Sheffield Council, who brought the case. Ian Ashmore, Sheffield Council's head of environmental regulation, said: "Michelle Garrigan, the investigating officer, highlighted that the lift was found to be defective four days before the accident occurred. A lift engineer had wanted to condemn the whole lift and carry out the repair work there and then." He added: "Unfortunately, a decision was taken that the lift wouldn't be taken out of use and a temporary sign and strapping was put on, which soon started being taken off and on to make it easier to use the lift. This ultimately resulted in the accident."

- [Sheffield Star.](#)

Bad move could lose key HSE staff

A cost-cutting move to shift the Health and Safety Executive's (HSE) HQ from London to Bootle is causing a recruitment and retention crisis for the beleaguered safety watchdog. A news report from the Chartered Institute of Environmental Health (CIEH) notes: "For a body that is struggling to keep its staff and to recruit new ones, the Health and Safety Executive's move from London to Bootle could not have come at a worse time." It says the shift of 320 jobs out of the capital is due to be completed by September 2009, but is one reason "why morale at the executive is extremely low and why staff are leaving in droves, particularly from London. In the last 12 months, 228 staff have left the executive and it has only managed to recruit 37." The article adds: "The turnover rate is rising and now stands at 7.3 per cent. But in some departments the loss rate is catastrophic – almost a third of the Legal Adviser's Office left last year and a fifth of the Local Authority Unit and communications teams." Insiders say HSE work combining legal and regulatory experience has meant workers can easily find other work, a number moving seamlessly to the Ministry of Justice. An internal HSE report warns that nearly 100 staff could retire each year for the next three years and states: "If staff shortages in certain areas are not addressed business delivery could be compromised and it will become increasingly difficult to maintain the red line of 1,283 inspectors." It warns of a loss of "corporate knowledge and memory" and states that it will become increasingly difficult to attract specialist staff, echoing comments made by HSE unions. The CIEH article concludes: "The HSE has little hope of recruiting the 400 new staff it estimates it will need next year. If the current low morale and escalating flight of policy specialists and frontline inspectors continues, health and safety will undoubtedly be compromised."

- [CIEH news](#).

Dead at 50 from T&N's asbestos

A widow's seven year wait for compensation for her husband's death has finally come to an end after she received a six figure payout. The unnamed woman from Bolton received £218,000 from the trustees of Turner and Newall (T&N). It is one of the biggest payments received by family members of those who have died from exposure to asbestos at T&N's factories across the country, with many settlements a fraction this size ([Risks 356](#)). Her husband died aged 50 from the asbestos cancer mesothelioma in August 2001 after being exposed to asbestos as a 16-year-old apprentice at T&N's Wigan factory. He worked weaving belts for brake pads at the plant, known as TBA Industrial Products Limited. His wife said he wanted to pursue compensation because he was angry that he was never given protection against the dangers of asbestos. "He was shocked when he was diagnosed but he had always had a suspicion that working with asbestos would catch up with him," his widow said. "He was very angry and he wanted T&N to pay for the loss of his life." When her husband died she took up his fight for compensation. But she was left with a seven year wait after all compensation claims against the company were frozen in 2001 when T&N's US parent company, Federal Mogul, went into a

'bankruptcy-of-convenience'. A trust was subsequently created to pay UK compensation claims, but settlements are generally a small fraction of the amount due. For decades, Turner and Newall was a leading lobbyist against more stringent asbestos regulations.

- [Thompsons Solicitors news release](#).

Court rules asbestos causes lung cancer

A High Court ruling has confirmed the lung cancer and asbestos link. Although it has long been accepted asbestos causes lung cancer, proving the link in court has been difficult because, unlike mesothelioma, the condition can be caused by a wide range of other factors, including smoking. The new ruling involves the case of John Joseph Shortell, who died of lung cancer on 8 July 2006 aged 74. The defendant was his former employer, BICAL Construction Ltd. It is believed this is the first case successfully contested in court, establishing that exposure to asbestos caused lung cancer in a worker without pre-existing asbestos disease. Other cases have been settled out-of-court, so not establishing a legal precedent. Electrical joiner Mr Shortell – who had also smoked until the age of 53 – had been exposed to asbestos for the majority of his working life at a number of power stations. He was working closely with ladders as they handled asbestos. Judge Mr Justice Mackay ruled that the exposure to asbestos more than doubled the claimant's risk of developing lung cancer and the fact that Mr Shortell smoked, he said, did not impact on the negligence and breaches of duty that the defendant showed over many years. Personal injury lawyers believe the case will have huge implications for lung cancer sufferers throughout the UK who have been exposed to asbestos. Roger Maddocks of law firm Irwin Mitchell commented: "Although the claimant was an ex-smoker, his employers repeatedly breached their duty of care towards him by exposing him to asbestos during his work and the claimant's contributory negligence, by reason of his past smoking habit, was rated at only 15 per cent. It is the first such case ever to succeed on behalf of a lung cancer sufferer who did not also have asbestosis."

- [Irwin Mitchell news release](#). John Shortell (executor of the estate of John
- Joseph Shortell deceased and litigation friend of Eileen Shortell) v BICAL construction Ltd (sued as successor to BIC Construction Ltd), in the High Court of Justice (Queen's Bench Division), Liverpool District Registry, Case No: 7LV30059, 28 April – 1 May 2008.

Stressed BBC worker killed herself

A senior BBC executive has become the latest victim of work-related suicide. Kari Boto, 53, killed herself after feeling "isolated and under-supported" in her job, an inquest has heard. She was found immersed in the sea on 27 June last year - three days before her BBC contract had been due to expire. The inquest into her death, held last week at Ipswich Crown Court, heard Mrs Boto, who had worked at the BBC for 30 years, had suffered high levels of

stress and anxiety after being head-hunted into a new role as a Director of Information at the BBC World Service Trust, which she took up in October 2006. Her husband Tom Boto told the inquest his wife was "crying for help but no one at the BBC would listen". He said: "She felt the job was impossible to do. She felt there was a lack of basic infrastructure and a lack of management support." He had earlier said "rotten work practices" and bullying had contributed to her suicide. In recording a suicide verdict, Dr Dean said it was apparent Mrs Boto's health had deteriorated after taking up her role with the BBC World Service Trust. He said: "There were clearly difficult situations on the work front but there were also significant affects of the problems at work on her state of mind and her own sense of psychological condition at that time. It's apparent, and strikingly apparent, that she was somebody who, despite her undoubted ability, was clearly very badly affected psychologically by what was happening at that particular time." A report this year from Hazards magazine cited international evidence linking about 1-in-20 suicides to workplace factors. This would suggest around 250 work-related suicides in the UK each year ([Risks 345](#)).

- [Evening Star](#). [Mail on Sunday](#). [Hazards work-related suicides webpages](#).

A dangerous case of compost lung

A retired council worker had half a lung removed after developing a disease caused by inhaling fungal spores released by rotting vegetation. He believes the condition may have been caused by exposure to compost. The link between fungal spores and lung disease is well established – farmers' lung and mushroom worker' lung are long-recognised and debilitating occupational diseases – but Robert Stendall's condition was different. The 59-year-old needed emergency surgery after a fist-sized ball was discovered in his left lung. It was feared to be cancer but it was only after surgeons removed half the organ they discovered the growth was aspergilloma - a fungal 'ball' caused when spores germinate inside the lung and grow. He now gets tired easily and struggles to do physical tasks which previously were easy. The condition is usually benign, but sometimes can cause bleeding and more serious health problems.

- [Barnsley Chronicle](#).

International News

Australia: Union launches asbestos probe

An Australian union has organised the largest asbestos survey and research programme to ever be undertaken at a single work site in the country. The Australian Workers' Union (AWU) says the Cement Australia site at Railton, Tasmania, contains asbestos building products and the company's predecessor on the site, Goliath Cement, manufactured and distributed asbestos-containing materials between 1947 and 1986. This has prompted an extensive survey and research programme, as well as an accelerated removal programme, agreed between AWU and Cement Australia. AWU Tasmanian branch secretary, Ian Wakefield, said when removal

work started “we identified a wider concern for not just present and past employees of the site, but for the community,” prompting the new research. “To fully address this concern we felt it was necessary to work with Cement Australia to undertake crucial research into asbestos and its relationship with this community,” he explained. “For the first time ever, in such a study in Australia, a professional occupational health and safety (OHS) historian, Dr Beris Penrose, has been appointed, making this a very significant project.” Commenting on the project, Dr Penrose said: “It is good that a historian has been included on a research team. Scientific studies tend to examine slices of life. An historical overview can put those slices into a continuum of human activity. Essentially, it's a bit like going from a series of still lives to a movie.”

- [AWU news release](#).

Global: Around the world in a training daze

Fiona Murie has trained thousands of safety reps in locations from Tring to Timbuktu. She has got – literally - a world of experience. As director of health and safety for the Building Workers’ International, an umbrella group of unions in the sector with over 12 million members in 135 countries, she has worked with affiliates worldwide. “It is not so much about the technical knowledge, it’s about organising,” she said in an interview with Hazards magazine. “It’s about union building, having a trade union perspective, and undoing the brainwashing. Unions are about defending rights and having the capacity to defend conditions.” She said a key objective is taking reps beyond just acquiring technical knowledge to making safety “a central part of the organising strategy. We teach union reps to communicate with the workers and get them in the union. If you don’t have the members, you are not going to be taken very seriously by the boss.” BWI’s global drive to empower workers on safety issues through training has had some stunning successes, with unions in Uganda, Chile and Equador all recruiting thousands of the members last year in the follow up to training activities. “Over the past year, we’ve had complete safety stoppages of the forestry industry in Chile and the construction industry in Panama,” she added. “The unions realised there was no alternative but to challenge really lousy employment conditions. Action in both countries has resulted in new industry collective bargaining agreements, large increases in the official safety inspectorate, and tangible improves in health and safety.”

- [Hazards magazine](#). [BWI website](#).

USA: Court dismisses industry’s unsafe assumption

A well-resourced attempt by industry lobby groups has failed in a legal bid to keep a listing of non-statutory, non-binding chemical exposure limits under wraps. In a summary judgment, a federal judge in the United States District Court in Macon, Georgia dismissed the last of four counts in a lawsuit against the American Conference of Governmental Industrial Hygienists (ACGIH). The case was brought by the International Brominated Solvents Association (IBSA), National Mining Association (NMA), and other industry plaintiffs. Three other counts had been previously

dismissed in March 2005. The remaining count sought to use Georgia's free trade laws (the Uniform Deceptive Trade Practices Act (UDTPA)) to prevent ACGIH from publishing its Threshold Limit Values (TLVs) on the basis that they are "false and deceptive because they are not supported by credible science," and that "they disparage the goods, services or business of another by false or misleading representation of fact." In its ruling, the Court criticised the industry lobby's bid to "stifle" ACGIH, and stated that "ACGIH, a non-profit association comprised of a group of scientists that adopts workplace safety exposure levels, is more like an entity designed to promote ideas than one that engages in deceptive advertising in an effort to derive a financial benefit." ACGIH board of directors chair Lawrence M Gibbs commented: "This ruling confirms our long-held position that ACGIH has the right to publish its scientific opinions that make the workplace safer." The ACGIH standards considered so unpalatable by the industry lobby have been generally considered by unions to be unduly lax and overly influenced by industry.

- [ACGIH news release. The Pump Handle. DefendingScience.org.](#)

Resources

It's all about Hazards

The latest issue of Hazards magazine, every safety rep's favourite read, is available now. The new issue looks at just what it takes to get deadly employer behind bars – a lot of campaigning and strong union backing – and spells out just what safety reps need to do to 'Get justice'. There's also the usual mix of news, resources and photofeatures. Twenty years ago there were similar magazines in many countries for trade union safety reps; now all but Hazards have gone to the wall. Use it or lose it. The massively well-used and influential publication relies on union support and subscriptions to survive – so order copies for yourself, your workplace, branch or regional or national union office.

- [Hazards magazine, issue 102.](#)

Local exhaust ventilation online guide

A new Health and Safety Executive webzone provides basic guidance on local exhaust ventilation (LEV) – the equipment used at work to extract dust, fumes and vapours at source. There's sections for designers, installers and examiners of LEV, and for employers and employees. There's also guidance, links and a video.

- [HSE local exhaust ventilation webzone.](#)

Events and Courses

TUC courses for safety reps

COURSES FOR APRIL TO JULY 2008

- [Northern](#), [North West](#), [Southern & Eastern](#), [Yorkshire & Humber](#), [South West](#), [Midlands](#), [Scotland](#), [Wales](#)

Useful Links

- Visit the TUC 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