

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 16,000 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](#)

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Action

What difference do you make?

We all know why safety reps do what they do – because they want to make full use of the union effect to make workplaces healthier and safer. Most safety reps do the job quietly, without any fuss. But now's the time to speak up. The TUC wants to know how you've made a difference, whether it is negotiating safer chemicals or processes, improved manual handling or equipment, or better consultative procedures so workers know what's going on and management gets to benefit from workers' knowledge – anything you've done wearing your safety rep's hat you are proud of. If you've hard evidence of improvements – for example, fewer accidents or less work-related sick leave – better still. The more evidence TUC has to show just how good safety reps really are, the stronger the case for more reps and more reps' rights. And TUC is not looking for just the world's best initiatives – lots of small improvements add up to a lot less suffering at work. And that sounds just right to us.

- What difference do you make? [Email the TUC health and safety department.](#)

Union News

Language classes make workers safer

Refuse workers in Brighton are being given English lessons in a union-backed initiative that has led to a dramatic improvement in safety. So many of the 400 staff at Brighton and Hove City Council's Hollingdean depot were being injured that bosses and union officials teamed up to run the language classes. As a result of the training, the accident rate has plummeted. Classes were started in the rubbish, recycling and street sweeping department last September after a survey revealed over a third of the workers had problems writing in English and over a quarter had some numeracy problems. The Skills for Life programme, run by the council's Cityclean team and the union GMB union, has now earned the organisation a place in the finals of the National Training Awards 2008. Cityclean and GMB worked with Sussex Downs College to provide two basic English courses and a GCSE in the subject. The classes have led to fewer accidents and near misses, a big improvement in form filling and an increase in morale and job satisfaction, the council said. Gillian Marston, of Cityclean, added: "The literacy classes have helped staff feel happier at work, more confident and motivated." Richard Warren, the GMB branch education officer, said: "We are proud of what's happening at Cityclean with Skills for Life."

- [National Training Awards news release.](#) [The Argus.](#)

Campaign against 'terrorising' journalists

A national union campaign against the "terrorising" of journalists by police has gained European support. The European Federation of

Journalists (EFJ) has said it is backing efforts by the National Union of Journalists (NUJ) to defend journalists covering protests and demonstrations. A nine minute NUJ video, 'Press freedom: Collateral damage,' tackles the issue of police surveillance and harassment of bona fide journalists who document political dissent. "The film is a frightening account of the techniques and methods of the police and intelligence services over the last few years," said EFJ president Arne König. "In fact, what it shows is not only the increasing restrictions on media freedoms and civil liberties, such as denied reasonable access and no respect for protection of sources. In fact, it witnesses the increasing aggressive targeting and surveillance of press photographers and journalists by the police. And this is not a British problem only, it is a European one, which is recognised by journalists and civil liberties organisations and must be confronted vigorously." On the video, NUJ general secretary Jeremy Dear said the union was acting against the increasing "intimidation, harassment, threats and obstruction" of journalists just doing their job. He added: "We want to see an end to this intimidation and breaches of the law." The Metropolitan Police recently reached an out-of-court compensation settlement with photojournalist and NUJ member Marc Vallée, who was injured by police while covering a protest and who produced the video ([Risks 346](#)). NUJ had issued proceedings against police commissioner Sir Ian Blair for battery (assault) and breaches of the Human Rights Act. The police refer to these incidents as "collateral damage."

- [NUJ news release and video.](#) [IFJ news release.](#) [Marc Vallée, photojournalist.](#)

Union refuses to touch danger ship

Boatworkers at the Port of Liverpool last week refused to work in what they believe are potentially hazardous conditions. The navy vessel HMS Intrepid is due to be scrapped at the port, however the Unite members are angry at Peel Holdings, the firm undertaking the dismantling operation. They say there has been a lack of consultation and are concerned health and safety standards are insufficient to guarantee the safe dismantling of the old navy vessel. The union says "we must ensure that all naval vessels are dismantled to the highest health, safety and environmental standards in order to protect our members' safety." Speaking last week, Unite senior regional industrial organiser Tony McQuade said: "Our members have expressed safety concerns and are totally refusing to touch this ex-naval vessel. There has been no consultation or risk assessment for workers handling this vessel when it arrives for scrapping in Canada dry dock today." He added: "We are extremely disappointed that Peel Holdings have given no consideration to workers' safety. We are demanding that they are more open about plans to scrap HMS Intrepid on our doorstep." He said if old navy vessels are to be dismantled on Merseyside, "a full consultation should take place to ensure workers, people of Merseyside and the environment are protected."

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

Union action call after shootings

An armed attack on a security van in which a guard and a member of the public were seriously injured has prompted a renewed call from the union GMB for action to protect cash handling staff. The security guard, who is a GMB member, was shot in the leg during a raid at Tesco in Tring. The 46-year-old man from Harrow, who works for Group Four Securicor (G4S), was ambushed as he made a delivery to a cashpoint at the supermarket. A 33-year-old shopper who intervened was also shot in the leg. GMB national secretary Gary Smith commented: "GMB sends its best wishes to our G4S member in hospital and our thanks to the passer-by who tried to help and was also shot." He added: "The news of these shootings triggers once again the need for all the agencies concerned, security companies, the police, local authorities, the Security Industry Association and not least of all ourselves to act to stop these crimes. We have made progress but it is still not enough. Working people should have the knowledge that their employer will make sure that they are safe at work. That working systems in the security industry stop these attacks."

- [GMB news release](#). [The Gazette](#).

CWU rep is TUC safety rep of the year

CWU safety rep Chris Wesson was named as TUC safety representative of the year 2008 at last week's TUC congress in Brighton. The award was presented by government minister Harriet Harman. Chris, a member of CWU's Birmingham engineering branch, was the third CWU rep to claim the accolade since 2005. CWU national health and safety officer Dave Joyce commented: "This is fantastic news for the union, demonstrating the quality and professionalism of our safety reps and the strength of our safety organisation within the CWU." Speaking earlier, CWU general secretary Billy Hayes said "my personal congratulations go to Chris because by its nature, CWU members' work can often be a hazardous occupation. Dedicated safety reps like Chris 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. This accolade is just reward for their efforts."

- [CWU news report](#).

Other news

Report calls for focus on 'good work'

A package of policies designed to create more 'good jobs' is needed to create healthier, more worthwhile jobs, a new report has concluded. The Work Foundation's 'Good work' report says the quality of employment has an impact on health, life expectancy and life chances. It adds that the government cannot make serious progress towards the reduction of health inequalities unless it has policies to improve job quality for the most disadvantaged. The thinktank says work is better for health and life expectancy than

worklessness, but it is only really good for us if it is 'good work'. Too many people are trapped in a 'revolving door' of bad, short-term jobs and joblessness, it says. Lead author David Coats said: "The 'rights and responsibilities' rhetoric is fair enough, but what's missing from politicians is any sense of what good, sustainable jobs are and how to go about creating them." He added: "The UK is not the worst performer on all measures of job quality in Europe. But we are still extraordinarily tolerant of the large numbers of jobs we have that are characterised by routine, monotonous work, tight managerial control, and excessive working hours. To allow this to continue is bad for business, bad for government and bad for people at work." Recommendations in the report include: The abolition of the individual opt-out from the Working Time Directive over a four year period; strengthening the information and consultation legislation to grant workers' representatives the authority to address questions of work quality and work performance; more widespread use of the Health and Safety Executive's stress management standards; and imposing new reporting requirements on publicly listed companies to include detailed information about health and safety performance, the incidence of illness, job satisfaction and autonomy and control data, within annual reports.

- [The Work Foundation news release](#). ['Good work': Job quality in a changing economy \[pdf\]](#).

Insecure jobs have more health problems

Workers who do not have job security develop more physical and mental health problems compared to their full-time counterparts. Research conducted by Dr Carles Muntaner from the Centre for Addiction and Mental Health (CAMH) in Toronto confirmed that job insecurity can lead to anxiety and depression, which can then cause cardiovascular and other physical ailments. The findings are included in last month's World Health Organisation (WHO) 'Closing the gap' report on health inequalities ([Risks 371](#)). Muntaner's concluded mortality (death rate) is higher among temporary workers compared to permanent workers. Workers with precarious employment status are also three to four times more likely to develop some form of mental illness, the report said. And workers who have high-demand but low-control jobs that offer few rewards are at greater risk for depression, anxiety disorders and substance abuse problems. "On average, these types of employment conditions give a lot of flexibility to the employer but create a huge amount of insecurity, psychological anxiety and symptoms of depression among the workers because they don't know when they are going to lose their job or when they're going to find another one," Muntaner, the psychiatric and addictions nursing research chair at CAMH, told press. The anxiety and depression that temporary workers may develop can then lead to a variety of physical ailments, such as heart problems and compromised immune systems, Muntaner said.

- [CAMH news release](#). [Science Daily news release](#). [CTV.ca](#).

Bootful of cement causes burns

An Oxford building company has been fined £500 after one of its employees sustained burns to his legs after wet concrete poured into his Wellington boots. On 23 March 2007 the employee of O'Brien & McIntyre LLP was standing in wet concrete, levelling it for the foundations of a new house. The wet concrete poured over the top of his Wellington boots and contaminated his clothing, resulting in chemical burns to his lower legs. The Health and Safety Executive (HSE), who investigated the incident, said the situation was aggravated by a lack of suitable washing facilities on the site. In addition to the fine, O'Brien & McIntyre LLP was ordered at Stratford upon Avon Magistrates' Court to pay £150 prosecution costs. The firm had pleaded guilty to breaching the Control of Substance Hazardous to Health Regulations 2002 (COSHH). Speaking after the case, HSE prosecuting inspector Tony Woodward said: "Wet cement can cause burns; these often take months to heal and in extreme cases need skin grafts or can even lead to amputation. Exposing employees to substances that are hazardous to health ignores basic safety principles." He added firms should be aware of the risks posed by cement and said: "The lack of available washing facilities on a building site, in this day and age, is totally unacceptable." Commenting on the penalty, the inspector said: "Fining a company is not necessarily the greatest punishment or deterrent but, particularly in the construction sector, a company competing for work and needing to declare that it has been prosecuted for breaching health and safety legislation is very likely to have a distinct disadvantage over one with a clean record and those placing contracts can check for prosecutions on the HSE website."

- [HSE news release](#). [Contract Journal](#). [HSE enforcement database](#).

Boss escapes jail for silica use

A company boss whose firm used deadly silica despite the process being banned for 58 years has received a £26,000 fine but has escaped jail. Andrew Thomson, trading as Thomson Sandblast, of Great Harwood, was also ordered to pay £24,000 costs and was told that magistrates had considered a custodial sentence. The Health and Safety Executive (HSE) investigated the company after receiving a complaint that sand containing free silica was being used for the dry sand blasting of vehicles. Blasting of articles using sand containing free silica has been banned since 1950 and can lead to silicosis, which is progressive, irreversible and can continue to develop after exposure ceases. It is also a known cause of occupational cancer and autoimmune diseases. The firm was issued an HSE prohibition notice on 29 June 2006, requiring an end to sandblasting without adequate breathing protection for workers. When inspectors revisited the firm in February 2007 they found the notice had been ignored. HSE principal inspector Dorothy Shaw commented: "When the premises were visited the general conditions were found to be poor. Vehicles were being dry blasted using what was suspected to be sand in a building that was not fully enclosed or had a filtered extraction unit. The respiratory protection equipment being used was in poor condition putting employees at risk from silicosis, which is a chronic obstructive, pulmonary disease characterised by breathlessness and a chronic cough." She added: "The dry blasting of vehicles with sand containing silica and the non

compliance of enforcement notices are regarded as very serious matters by the HSE. When passing sentence on Mr Thomson, the magistrates commented that there had been a complete disregard for health and safety and that they had considered a custodial sentence."

- [HSE news release](#). [Lancashire Telegraph](#). [Global Unions cancer campaign](#).

Trust fined for hospital shock

A hospital trust has been fined after a cleaner suffered severe injuries from an electric shock suffered as he operated a steam cleaner. East Sussex Hospitals NHS Trust pleaded guilty at Hastings Magistrates' Court and was fined £8,000 and ordered to pay costs of £8,466.71 for breaching the Electricity at Work Regulations 1989 and the Management of Health and Safety at Work Regulations 1999. The prosecution followed a Health and Safety Executive (HSE) investigation at the Conquest Hospital in St Leonards-On-Sea after the worker was injured. He required surgery, and he is now unable to use his right hand. He also suffers severe headaches, deterioration in his eyesight and numbness to his face, which has had a substantial impact on his life. Despite the manufacturer's instruction clearly recommending the use of a Residual Current Device (RCD) with the steam cleaner, the Trust failed to supply an RCD. This device cuts the flow of electricity and mitigates the harm caused by an electric shock. HSE inspector Liz Smith said: "An effective means to protect against the effects of an electric shock is to provide an RCD, which is cheap and widely available, and may save a life. If the Trust had provided an RCD, the victim would not have suffered such significant injuries, which have affected his life." She added: "Hospitals need to assess the risks from all electrical equipment, but particularly equipment that is used in a wet environment, and put in place suitable measures, such as RCDs, to protect their employees, as a way of reducing the risk of incidents like this happening."

- [HSE news release](#).

Firm fined after ignoring falls warnings

A Liverpool construction firm that ignored repeated stop work alerts relating to unsafe work at height, even after a serious injury to a site worker, has been fined £15,000. J&D Property Services Limited was also ordered to pay £5,000 in costs after pleading guilty to two breaches of safety rules. The prosecution at Liverpool Magistrates' Court followed a Health and Safety Executive (HSE) investigation of an incident on 28 July 2006 at a Liverpool construction site. A 22-year-old concrete layer employed by subcontractors R & J Concrete Flooring Limited was laying a concrete floor, when he fell four metres through a hole into the well of a lift shaft which had not been made safe. The investigation found that the lift shaft was not covered securely and the edges were inadequately protected. HSE construction inspector Sarah Wadham said: "HSE subsequently served a prohibition notice on J & D Property Services Limited requiring the company to put in place edge protection. On a further

site visit on 7 September 2006 a second prohibition notice was served requiring the company to stop work until measures had been taken to prevent a fall." She added: "The company failed to manage the site properly, sent an unsupervised apprentice to carry out work to protect the voids and exposed many workers to risks from falling through a lift shaft opening which was inadequately protected." She said the worker who fell "was seriously injured and lucky not to have been killed."

- [HSE news release](#) and [falls webpages](#).

International News

Australia: Trackers 'drive employees over edge'

Employers are fitting out company vehicles with invasive GPS tracking systems despite claims the technology unnecessarily invades staff privacy and contributed to the suicide of a telecommunications engineer last year ([Risks 311](#)). One such tracker, the GoFinder Reporter, sends employers detailed daily time sheets showing every stop made, parked time, driving time, distance covered, maximum speed and even an estimate of the amount of fuel used. Bosses can also log on to a website to view the current position of any of their vehicles at five-minute intervals. Similar 'spy in the cab' systems have been in use in British workplaces for some years. Privacy experts and unions say employers need good justification for snooping so closely on employee movements and even then do not require such highly detailed reports. They question whether employers switch off the tracking outside work hours. In March last year, Leon Dousset, a technician with Australian telecommunications giant Telstra for 32 years, killed himself. Friends and family said was due to Telstra's stringent performance targets and the installation of the GPS trackers.

- [Sydney Morning Herald](#).

Japan: Chinese 'slaves' injured in Japan

Female migrants from China's Hubei province who were discovered working in 'slave-like' conditions in a laundry in Japan have been injured after trying to escape. The three injured women, who worked 15 hours a day, seven days a week, were part of a group of six who went to Japan in late 2005 through a Chinese job agency and who believed they would be working in the garment industry as skilled seamstresses. However, press reports say after the workers complained to Technoclean management in August 2008 about low wages and long hours, they were threatened with dismissal and deportation. Trying to escape deportation, three of the women jumped from their dormitory and were subsequently hospitalised. Three of the six were forcibly deported while the injured three remain in hospital. There is uncertainty as to how the women were injured. The Shanghai Daily reported the women may have been beaten whereas other reports state the women were injured in their bid to escape. Press reports include allegations the workers' families were threatened by Dongchuang, the Chinese employment agency, after the scandal came to light.

- [IHLO news report.](#)

USA: Experts slam work cancer 'manslaughter'

The US authorities are doing little to protect workers from occupational cancer and as a result are "bystanders to industrial manslaughter", top experts have warned. Addressing a President's Cancer Panel meeting this week, Adam Finkel said tens of thousands were dying from occupational cancers each year. The former chief regulatory official of the Occupational Safety and Health Administration (OSHA), who is currently a professor of public health at the University of Medicine and Dentistry of New Jersey, said: "Should we be comfortable with 30 minutes' exposure in the workplace being equivalent to a lifetime of exposure in the community?" Workplaces may have up to 1,000 times the level of exposure to cancer-causing chemicals allowed in the general environment, under OSHA rules, he said. But even with weaker standards, little enforcement takes place because few inspections are done, he said. Finkel was one of 12 experts testifying before the panel. Fewer than 2 per cent of the chemicals in commercial use have been tested for their cancer-causing potential, Paul Schulte, a director of the National Institute for Occupational Safety and Health (NIOSH), told the panel. The levels of 'permissible exposure' set by national regulators are based on immediate, acute toxic reactions - not on long-term, cancer-causing effects, he said. Jeanne Mager Stellman, professor and chair of environmental and occupational health sciences at SUNY Downstate Medical Center, told the panel government policy and a "lack of the will to prevent occupational disease, death and disability" are responsible for the failure to control cancer-causing chemicals in the workplace. She said: "It is not a coincidence that the decrease in carcinogen-control regulations, studies and government publications corresponds to the rapid shrinkage of the United States' industrial workforce and their representation by trade unions." She concluded: "We hope that the resurgence of interest in this topic may be a harbinger to a new future in which we will not continue to remain bystanders to ongoing industrial manslaughter."

- [SUNY Downstate Medical Center news release.](#) [The Record.](#)
- Industrial carcinogens: A need for action [[pdf](#)]. [Contributions to the President's Cancer Panel are available on the CHE website.](#)
- [Global Unions zero cancer campaign.](#)

Resources

Sickness absence and disability discrimination

The TUC has published an online 'trade union negotiator's guide to the law and good practice' on sickness absence and disability discrimination. It says ignorance of the detail of the Disability Discrimination Act 1995 (DDA) remains widespread, adding that unions have reported that employers are continuing to get rid of disabled workers by using their sickness absence, capability or other procedures, without taking due account of the disability. The TUC guide says case law so far is not very helpful, "but the legal

obligation on employers to consider reasonable adjustments for disabled workers is a vital concept that can be used as underpinning for negotiating changes to absence procedures." In general, unions will be better advised to use the requirements of the DDA to resolve issues by persuading the employer to adopt progressive policies and procedures rather than going to tribunal, the guide says.

- [Sickness absence and disability discrimination: A trade union negotiator's guide to the law and good practice](#), TUC.

Safety reps in warehouses

Retail union Usdaw has produced a guide for safety reps working in warehouses. 'Distributing safety' says 10,000 work-related accidents in storage, warehousing and road haulage were reported to health and safety watchdog HSE in 2005/6. Over 1,700 of these accidents were classified as major injuries such as fractures and amputations. The main causes of deaths are being run over by workplace vehicles and falls from height. The union says it has over 20,000 members working in the sector. The guide contains guidance on slips and trips, manual handling, vehicle movements, lift trucks, falls from height, work in chillers and freezers, storage systems and welfare.

- [Usdaw news release](#) and [Distributing safety guide](#).

Revamped safety site for journalists

The International News Safety Institute (INSI) website has a new look and a new address. INSI, which is backed by unions and major media companies, was launched five years ago as the news industry's safety network, out of concern at the rising casualty toll amongst journalists and support staff around the globe. It says: "The site provides guidance for those covering international or local conflict, crime and corruption, natural disasters and disease. It contains news and feature articles related to risk awareness, safety, health and training. It has easy-access advisories for world trouble spots. It contains links to other helpful websites and more safety resources. And it will be updated constantly." The new address is: www.newssafety.org

- [INSI website](#).

Events and Courses

World Day for Decent Work seminar, Newcastle, 7 October

To mark 'World Day for Decent Work' on the 7 October, the Northern TUC is running a seminar in Newcastle. Internationally, the day will be marked by series of events focusing attention on the urgent need for a different approach to globalisation, with decent work at its core. At a local level, Northern TUC will be focusing on

the plight of the most vulnerable workers across the region and what trade unionists can do to tackle the issues of decent work.

- [World Day for Decent Work seminar](#), Newcastle, 12 noon to 4.00pm, 7 October, Centre for Life, Times Square, Newcastle NE1 4EP. [World Day for Decent Work](#).

Violence prevention conference, London, 3 November

Workers serving the public are subject to high levels of risk of physical assault, verbal abuse, and increasingly, non-verbal abuse (such as internet, text, email etc) while going about their daily duties. 'Protecting those who serve: Preventing violent and abusive attacks', a London conference organised in association with the unions UNISON and Usdaw, looks at prevention measures. The organisers say the conference gives delegates from all public facing organisations, whether public or private sector, the chance to meet together, discuss the issues, share experiences, hear expert speakers, learn from best practice case studies and to engage with a range of experts who can help transform the day's lessons into reality. They add the event, which includes speeches and breakout sessions, will leave delegates with practical knowledge which will be of benefit to themselves, their colleagues and their own organisation.

- Protecting those who serve: Preventing violent and abusive attacks, 3 November, QEII Conference Centre, London. [More information, including delegate fees \(20 per cent discount for trade union/voluntary sector\)](#).

TUC courses for safety reps

COURSES FOR SEPTEMBER TO DECEMBER 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

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