

Risks

TUC 

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**HAZARDS
MAGAZINE**



**Asbestos -
The hidden killer**

Hazards at Work

updated second edition
now available

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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Primark cannot be allowed to 'cut and run'

Working conditions in Manchester factories supplying clothing to UK retailers, including Primark, represent the import of third world conditions into British workplaces, the global trade union representing workers in sector has claimed. Commenting on abuses of safety and employment law revealed by a BBC and Observer investigation, Neil Kearney said: "Nothing can excuse this disgusting exploitation of vulnerable workers which is more reminiscent of 1909 rather than 2009!" The general secretary of the Brussels-based International Textile, Garment and Leather Workers' Federation (ITGLWF) added "the three villains of the piece are the UK government for dismantling effective oversight of workplace conditions, TNS Knitwear and Fashion Waves - the two employers - for grossly exploiting and endangering the lives of their workforce and Primark and other retailers for paying their suppliers prices which preclude decent work and then ignoring the resultant sweatshop consequences including slave wages, excessive hours, dangerous working conditions and other labour scams." He added: "Primark claims that these two factories were audited twice in the past year and as recently as December. Missing these sweatshop conditions suggest that either the auditors were blind or Primark simply doesn't have the management capacity or the will to ensure a clean supply chain." He said that the company should not ditch the sub-standard suppliers, but should instead make sure all its suppliers clean up their acts. "Primark need to know that 'cut and run' is not an option this time. They must keep these orders in Manchester, work with TNS Knitwear and Fashion Wave to remedy the problems and ensure that every worker involved is identified and paid all the earnings, including overtime, out of which they have been cheated since taking up employment with the two companies." Mr Kearney also called on the UK government to strengthen its oversight of working conditions, saying "these factories are not alone in mugging and endangering the lives of workforce. Effective labour and factory inspectorates are urgently needed to protect workers across the UK and root out sweatshop conditions."

- [ITGLWF news release](#). [BBC News Online](#). [The Observer](#).

NUJ action call after Gaza deaths

UK journalists' union NUJ has joined with journalists' unions around the world to call on the United Nations to investigate the targeting of media by Israeli forces in the Gaza Strip. In a letter to the UN secretary general, Ban Ki-moon, the NUJ said the UN should take action against Israel where it has violated international law and a Security Council resolution on protection of media in conflict zones. The International Federation of Journalists (IFJ) last week reported that five media staff had died as a result of Israeli action in Gaza in the preceding days. In the letter to Ban-Ki Moon, NUJ deputy general secretary Michelle Stanistreet said: "Israel is violating international law, ignoring its own Supreme Court and showing contempt for the United Nations by defying its obligations under Resolution 1738 to protect journalists in conflict zones." She added: "We believe these unprecedented actions by the government of Israel, which prevent journalists doing their job and which seek to

intimidate and endanger the lives of media staff, are contrary to international principles of human rights and media freedom. Journalists across the world see this as an attempt to stifle the truth and to manipulate media to tell the story from the Israeli side which is unacceptable." The letter calls on the UN "to investigate the actions of the Israeli government and to take whatever action is appropriate to ensure that the Israel authorities abide with international law. There must be an end to targeting of journalists and media institutions and journalists must be allowed unfettered access to Gaza." The call for a UN investigation and urgent action was backed this week by the International News Safety Institute (INSI). IFJ has launched an appeal for humanitarian assistance to support the families of media victims.

- [NUJ news release](#). [IFJ news release](#). [INSI news release](#).

Watchdog told to talk to food workers

Foodworkers' union Usdaw has welcomed a new Health and Safety Executive (HSE) inspection strategy that puts worker involvement on the must-do list for HSE inspectors. Newly issued inspection guidelines for the sector put overall management of health and safety at the top of the priority list, with inspectors told to inquire about the level of director and board level leadership and the extent of worker involvement. According to Usdaw: "The worker involvement issue means that HSE inspectors should be talking to health and safety reps when they visit your factory to check that there is a good working relationship between management and the reps and that reps are being consulted on health and safety matters." The union adds: "Other topics that inspectors may focus on will depend to some extent on what your factory does but they could include migrant workers, slips and trips, falls from height, machinery safety and health issues such as dermatitis, noise and vibration or asthma from exposure to flour or other dust."

- [Usdaw news release](#). [HSE food industry priority topics](#).

Widows get six figure asbestos payouts

The families of two union members who died of the asbestos cancer mesothelioma have received six figure payouts. UNISON helped the relatives of Southampton teacher Terence Dugdale fight for compensation after he contracted mesothelioma. The family was awarded £240,000. The 60-year-old left behind six children and his wife Frances, who is warning others of the workplace hazard. She said: "Terence was very practical and wanted to make sure the children and I were looked after financially." She added: "We had no idea what mesothelioma was before Terence was diagnosed, but now the disease has taken him from us. As a family we now feel it is important to let people know how much pain and distress it causes." Mr Dugdale was exposed to asbestos while working as an apprentice gas fitter for National Grid, between 1963 and 1968. He also worked as a housing maintenance inspector for Southampton City Council from 1973 to 1975. Phil Wood, UNISON South regional secretary, said: "It is only right that asbestos victims and their families are compensated for their suffering and financial hardship. However, the money will never make up for the death of a much-loved family member and is a warning to employers regarding the

long-term effects of workplace hazards." In a second case, the widow of a Unite member who worked as a fireman on locomotives has been awarded £100,000 following his death from mesothelioma. The man, whose name has not been released, began work in 1943 for Great Western Railways in Shrewsbury which later became British Rail. His first job for the company at the age of 15 was to clean the locomotives before use which often meant disturbing the asbestos lagging in the casing of the boilers in the engines. The claim was settled within two weeks of trial.

- [Thompsons Solicitors news release](#). [Rowley Ashworth Solicitors news release](#).

Chocolate worker gets lung scarring

A Unite member working as a maintenance engineer for a part of the food giant Cadbury Schweppes has been awarded £20,000 after developing asbestos-related lung scarring. The worker, who has not been named, worked at the Fry's factory in Keynsham near Bristol for 36 years. He would often be required to repair steam valves, cutting away the asbestos lagging that covered the pipes near the valves. The member was initially diagnosed as suffering from pleural plaques and asbestosis. A medical expert commissioned by lawyers acting for the union diagnosed the member as suffering from 40 per cent lung disability attributable to his asbestosis. A medical report for Cadbury Schweppes, however, put the level of disability at only 15 per cent. Richard Johnson of law firm Rowley Ashworth, who acted for the worker on behalf of Unite, said: "This case was unusual in having such a significant difference of opinion between the medical experts as to the level of disability caused by asbestos. Had the case not settled it would almost certainly have proceeded to trial with the support of Unite. The member, conscious of his underlying poor health was reluctant to proceed further and we followed his instructions to accept the offer."

- [Rowley Ashworth Solicitors news release](#).

Double trouble leads back to compo

The union Unite is warning employers to make sure their manual handling procedures are safe after a member was forced to give up work after suffering a series of serious back injuries. Sean Wilson, 43, is in severe pain as a result of the injuries sustained while working for Sealed Air Limited based in Royston, Hertfordshire. He received a five figure payout with the help of his union. He first injured his back in 2004 while he was helping to fix a machine with a colleague. As he was lifting a heavy object he slipped on the oily floor. Sealed Air Limited denied liability. The soft tissue injury was aggravated when he lifted a 25kg bag from above head height in February 2005. The company admitted liability for this injury and agreed to settle on both. Sean suffered a third injury to his back in June 2005 which resulted in him having to leave his job. No claim was made for this injury. A medical consultant found Sean suffered from degenerative changes in his spine which were aggravated by the accidents. He said Sean would have been able to work for a further two and a half years if he had not been injured. Unite regional secretary Andy Frampton commented: "Manual handling injuries can result in a number of different conditions which can,

like in Mr Wilson's case, have the potential to leave someone permanently disabled and out of work. We are pleased we have been able to help Mr Wilson receive compensation for his hardship." Helen Templeton from Thompsons Solicitors, who provided union-backed legal advice, added: "Both accidents highlight the importance for employers to take steps to ensure their employees don't suffer injury whilst carrying out manual handling activities. The employer's failure to take reasonable steps in this case meant that the client's employment was terminated on ill health grounds 2½ years earlier than would otherwise have been necessary."

- [Thompsons Solicitors news release](#).

More negligence leads to more payouts

A dodgy ladder, an unsafe work method and a faulty machine have led to injury payouts to members of the union Unite. A maintenance electrician for Powertrain at its defunct Rover Longbridge plant was awarded over £33,000 for injuries he sustained whilst assisting in the dismantling of the site. He had been asked by the administrators to stay on to help dismantle electrical equipment to be shipping to China. A ladder gave way, resulting in him falling 15 foot onto a concrete floor, causing fractures to his jaw and elbow. A storekeeper for Wrightington, Wigan & Leigh NHS Trust was awarded £38,520.82 for an injury he sustained to his shoulder when he was clearing out the storeroom ready for a refit. The member was asked to empty shelves in the stores and as he lifted a box of A4 paper the plastic heat-crimped tie around it snapped, causing the box to fall. He lost his balance, his shoulder striking the corner of the shelving units, causing a tear to the rotator cuff of his shoulder. The movement in this shoulder has been restricted as a result and he experiences ongoing pain and discomfort. The member was forced to retire early as a result of the injury. In a third case, a worker at Scott Sankey Diecastings in Bilston was awarded £15,000 after his hand was injured in a faulty machine. He was working on a die casting machine which was missing two out of the four pins securing the strap (a steel bar) to hold the die in place. The member was attempting to insert a new pin whilst holding the load in place. As he did so the load fell and landed on his left hand, breaking his left index finger. The injury has left the member with a deformity in his hand and he now faces the risk of arthritis in later years. Compensation offers of first £7,500 and then £10,000 were rejected, the Unite member subsequently agreeing to accept a £15,000 payout.

- Rowley Ashworth Solicitors news releases on the [Powertrain](#), [NHS Trust](#) and [diecasting](#) settlements.

Other news

Second five year plan for deadly waste

A waste industry voluntary charter seeking to improve the sector's horrific injury and fatality rate over five years has been launched. The Health and Safety Executive (HSE) says the number of fatal incidents in the waste and recycling industry remains more than 10

times the national average and reportable accidents are more than four times the national rate. HSE chair Judith Hackitt this week welcomed a Waste Industry Safety and Health (WISH) forum pledge to commit participating organisations to improve these statistics by signing a five-year charter to reduce the reportable accident rate by 10 per cent per year over five years. WISH members include waste management and recycling organisations, trades unions, local authorities and government departments. HSE chair Judith Hackitt said: "It is heartening to see a strategic forum such as WISH commit to reducing the level of workplace accidents and ill health in their sector. This charter will bring WISH member organisations together to share best practice and to focus on a positive, common goal. I am confident that WISH will achieve this." WISH chair Chris Jones, the risk management and compliance director with Cory Environmental, said: "The waste and recycling industry has been a dangerous place to work but by coming together to form this partnership we believe we can make a real difference." A previous five-year partnership plan kicked off in 2004 ([Risks 126](#)), but was a conspicuous flop. In 2006, HSE warned there had been a massive upturn in waste injury deaths ([Risks 256](#)). And in October last year, commenting on the launch of latest workplace injury figures, HSE chair Judith Hackitt admitted that injury rates in the waste and recycling industries remained a "particular concern" ([Risks 380](#)). Last month waste management giant Sita UK was fined £180,000 after a worker was killed in a baler ([Risks 387](#)).

- [HSE news release](#) and [waste website](#).

Waste firm wastes a teen's life

A teenager lost his life after a Bradford waste firm removed essential workplace safeguards and left the worker in "a desperately dangerous situation", a court has heard. Associated Waste Management Ltd (AWM) was fined £75,000 following the death of 18-year-old employee Kristopher Dixon. He was crushed to death by a reversing container wagon at the company's tip at Valley Road, Shipley, in April 2007. AWM was sentenced last week at Bradford Crown Court after earlier pleading guilty to one charge in the magistrates court. It was also ordered to pay £10,000 costs. Michael Elliker, prosecuting for the Healthy and Safety Executive (HSE), said Mr Dixon, a yard labourer, had his back to the reversing container truck when it knocked him down and ran him over. The court heard the wagon's reversing alarm had been removed and there was no banksman designated to guide the lorry backwards. Recorder Miller said two failures had fatally aligned to create "a desperately dangerous situation." The judge added: "This young man's death has had a very devastating effect on his family and their desolation will continue indefinitely." After the case, Kristopher's half brother, Darren Dixon, 37, said the family blamed the tragedy for the early death of Kristopher's mother Julie Dixon, who died of breast cancer eight weeks to the day after her son was killed. After the hearing, HSE inspector Paul Robinson said: "This incident was all the more tragic because it was avoidable. If the risks had been assessed, equipment been properly maintained and if appropriate safeguards had been put in place it might never have happened." He added: "If work on the site had been properly planned to ensure separation between employees and manoeuvring vehicles, and the movement of vehicles had been properly supervised, this young worker may still be alive today."

- [HSE news release](#). [Telegraph and Argus](#). [Yorkshire Post](#).

Small fine after unsafe skip injures worker

A Luton waste management firm has been fined almost £6,000 for potentially fatal safety violations that led to a worker suffering head injuries. The worker, whose identity has not been disclosed by the Health and Safety Executive (HSE), was injured when the doors of a rear loading skip fell off. F & R Cawley Ltd was fined a total of £5,900 and ordered to pay £2,131 costs at Luton Magistrates' Court last week. The firm admitted breaching the Provision and Use of Work Equipment Regulations 1988 and the Management of Health and Safety at Work Regulations 1999. The employee was injured on 7 December 2006, as the skip was being emptied. As the skip was being lifted, its large metal doors, each weighing 14 kilos, came loose at the hinges and fell off. One struck and cracked the pavement and the other hit the employee in the head, causing a four inch cut. He was taken to hospital and was off work for five weeks. An HSE investigation found the skip doors had been removed and refitted during a refurbishment. The firm's welders had not been given instructions on the safe refitting of the doors. The company had no monitoring system to ensure this problem was picked up before the skip left the workshop. HSE inspector Graham Tompkins said: "This was a foreseeable accident that had the potential to cause serious and even fatal injuries. It was easily preventable through simple communication and a basic monitoring system to ensure the safety critical instructions had been adhered to. HSE will not hesitate to take action against those who fall short of the law in such a way."

- [HSE news release](#).

Anger over bakery death findings

The family of a lorry driver crushed to death in Glasgow has criticised a fatal accident inquiry into his death for failing to identify who was to blame. Graham Meldrum, 40, died after being struck by a faulty tail lift on his truck while unloading at an Allied Bakery plant in the city in July 2005. Sheriff Sean Murphy QC said better training and vehicle maintenance could have prevented his death. Mr Meldrum's family, however, said the sheriff did not go far enough and has demanded company directors be held responsible. In a written judgment, Sheriff Murphy said: "Defects in the maintenance system operated by Allied Bakeries contributed to the cause of the accident." He added: "I am satisfied that in each case the defect had existed for some time prior to the date of the accident. The tail lift was in poor condition with a number of broken, defective or missing parts. The body of evidence indicates that Mr Meldrum had not been properly trained to use the type of lift he was expected to use. He was not trained in what to do if it failed in some way to operate correctly." The sheriff said if the firm had taken reasonable precautions "the accident which resulted in the death might have been avoided." Mr Meldrum's widowed partner, Karen Thomson, said the sheriff should have made clear who was to blame for his death, saying that he "failed to highlight sufficiently

the apparently deliberate decision by Allied Bakeries not to repair crucial safety features on the tailgate over a period of many years." She added that the sheriff "almost completely ignored the responsibility of ABF/Allied Bakeries senior management to ensure proper health and safety standards were in place." A statement from the Meldrum family said Allied Bakeries was "guilty of criminal negligence, or worse of deliberately and criminally downgrading the safety critical work in order to maximise profits." In November 2007, ABF Grain Products Ltd, formerly Allied Bakeries, admitted three health and safety breaches. TNT Logistics admitted a single breach. ABF Grain Products Ltd was fined £19,500 and TNT Logistics fined £14,000 ([Risks 331](#)).

- Graham Meldrum Memorial Campaign [website](#) and statement [[pdf](#)] and [YouTube webpage](#). [BBC News Online](#).

Firm fined over electric shock to worker

A Birmingham train repair firm has been fined £75,000 after a train technician suffered a severe electric shock. Christopher Harris, an agency employee for Maintrain Limited, was working on a faulty carriage in February 2007 when he received the shock from a cover used to protect the train axles. The jolt threw the technician 4ft in the air. The train, which should have been isolated, was electrified at the time. He suffered significant muscle damage to his chest, had burns to his hands, and required treatment to his legs resulting in his being off of work for two months. Maintrain, which was taken over by National Express in December 2007, pleaded guilty before Birmingham magistrates in November to two safety offences. The case was remitted to the Crown Court for sentence. In addition to the fine, the company was ordered to pay £8,584 costs. The prosecution was brought by the Office of Rail Regulation (ORR). An investigation by its railway inspectorate found inadequate risk assessment by the company and a failure to implement safe systems of work. Commenting on the case, principal railway inspector Darren Anderson said: "This was a serious incident and shows the importance of proper planning and implementation of safe systems of work. It should be noted that, had all axle covers been removed from the train, the full voltage of 25,000 volts could have passed through the worker. It is therefore only through luck that the consequences of this incident were not even more serious."

- [ORR news release](#). [Birmingham Mail](#).

UK workers take the least sick leave

UK workers take less sick leave than their European counterparts, a major survey has found. With sickness absence averaging just 5.5 days per year, UK workers take far less time off than the European average of 7.4 days. The 'Pan-European health and benefits report' by human resources consultancy Mercer surveyed nearly 800 companies across 24 European countries. It found only workers in Turkey, with an average of 4.6 days sick leave a year, were less likely to go sick. According to the survey, the highest absence rate was reported by respondents in Bulgaria, Portugal, Norway and the

Czech Republic. After Turkish workers, workers in the UK and Spain (5.7 days) had the lowest average absence rates. In a comparable US survey by Mercer, respondents reported a similar rate of sickness absence to the UK, at 5.1 days. Relatively few workers in the US receive sick pay, however, and workers there have some of the weakest employment protection in the developed world.

- [Mercer survey summary](#). [Personnel Today](#).

Do you want an apple from the boss?

A council is giving its staff two free pieces of fruit a day to see if it makes the workforce fitter. Durham County Council has embarked on the scheme as part of the EU-funded ISAFRUIT project. Workers participating in the 'Fruit at Work' scheme will be monitored by researchers at Newcastle University and the Technical University of Denmark. The project, which will run for six months, is the first of its kind in the UK. The trial is seeking to recruit 500 volunteers employed by Durham County Council. Half the volunteers will receive two free pieces of fruit a day while the control group will initially continue with their normal diet. The researchers will monitor weight, blood pressure and waist size, sickness absence, staff morale and overall productivity. Dr Phil Wynn, the council's senior occupational physician, said: "The County Council is keen to pursue a broad agenda promoting workplace health and well-being support for its staff. The 'Fruit at Work' project is an element of this and will help determine whether this is an effective workplace intervention meriting long-term implementation." Hugh Robertson, TUC Head of health and safety said "A short-term study would not be able to make meaningful conclusions, as it would be impossible to separate out the impact of a minor dietary change from other health influences and variables, however if employers seriously want to improve the health of their staff they should look at improving working conditions, and ensuring that all staff have the opportunity for a proper lunch break with proper nutritional food available.

- [Newcastle University news release](#). [ISAFRUIT project](#).

Work stress increases caesarean births

Women who stop working at least a month before their baby is due are four times less likely to have a caesarean delivery because they are less tired and anxious, research has found. In the study, published in the January issue of the journal *Women's Health Issues*, researchers led by Dr Sylvia Guendelman from the University of California surveyed more than 400 women. Only women who gave birth to single babies with no congenital abnormalities were included. Previous studies have shown that women who get less than six hours' sleep a night are more likely to choose or accept instructions to have a caesarean, while those who experience "occupational strain" report higher levels of swollen hands and legs and pre-eclampsia, which often leads to surgical intervention. A second study, published in this month's *Paediatrics* journal and also led by Dr Guendelman, found that women who took less than six weeks off work after giving birth were four times

more likely to be unsuccessful in establishing a breastfeeding routine, while those who took less than 12 weeks off were twice as likely as other mothers to fail. About 82 per cent of the 770 women in the study had a breastfeeding routine, but 23 per cent stopped in the month before returning to work, 29 per cent during the first month after returning and another 20 per cent in the second month. In the UK, the Management of Health and Safety at Work Regulations require that the impact of work factors on nursing mothers must be taken into consideration by employers.

- Sylvia Guendelman and others. Maternity leave in the ninth month of pregnancy and birth outcomes among working women, *Women's Health Issues*, volume 19, issue 1, Pages 30-37, January 2009 [[abstract](#)].
- Sylvia Guendelman and others. Juggling work and breastfeeding: Effects of maternity leave and occupational characteristics, *Paediatrics*, volume 123: pages e38-e46, January 2009 [[abstract](#)]. [Sydney Morning Herald](#).

Lead at work affects the brain in old age

People exposed to lead at work are more likely to exhibit damaged brain function as they get older, a new study has found. According to US researchers, both the developing brain and the aging brain can suffer from lead exposure. For older people, a build-up of lead from earlier exposure may be enough to result in greater cognitive problems after age 55, the authors say. Researchers followed up on the 1982 US Lead Occupational Study, which assessed the cognitive abilities of 288 lead-exposed and 181 non-exposed male workers in eastern Pennsylvania. The lead-exposed workers came from three lead battery plants; the unexposed control workers made truck chassis at a nearby location. Both groups were subjected to a battery of tests that evaluated psychomotor speed, spatial function, executive function, general intelligence and learning and memory. Writing in the January issue of the journal *Neuropsychology*, the researchers report that among the lead-exposed workers, men with higher cumulative lead had significantly lower cognitive scores. This association was more significant in the older lead-exposed men, of at least age 55. Their cognitive scores were significantly different from those of younger lead-exposed men even when the researchers controlled for current blood levels of lead. In other words, even when men no longer worked at the battery plants, their earlier prolonged exposure was enough to matter, the authors say. "Increased prevention measures in work environments will be necessary to reduce [lead exposure] to zero and decrease risk of cognitive decline," they conclude.

- [APA news release](#). Naila Khalil and others. Association of cumulative lead and neurocognitive function in an occupational cohort, *Neuropsychology*, volume 23, issue 1, pages 10-19, 2009 [[abstract](#)]. [Times of India](#). [EHS Today](#).

Euro MPs back pesticide controls

The European Parliament has voted to tighten rules on pesticide use and ban at least 22 chemicals deemed harmful to human health. The rules, which can only become law after they are approved by the 27 member states' governments, are opposed by the UK

government. The draft law would ban substances that can cause cancer or that can harm human reproduction or hormones. Any use of pesticides near schools, parks or hospitals would be either banned or severely restricted. Wholesale aerial crop-spraying would also be banned. Changes in the way pesticides are authorised for use on crops are part of an EU goal to halve the use of toxic products in farming by 2013. The proposals have already been scaled back after Europe's pesticides industry warned they would remove from the market products that had been used without problems for years. Euro MP and Socialist spokesperson on the legislation, Dan Jørgensen of Denmark, said: "We have made sure that the worst substances will be removed from the market. But we have also made sure that agriculture will in future have better and faster access to the pesticide products they need." He added the draft legislation "means the EU gives better protection to human health and the environment. It also bans cancer-causing substances and those that harm human fertility." The UK government, the Conservatives and the National Farmers' Union all oppose the new rules, saying they could hit yields and increase food prices.

- [European Parliament news release](#). [Group of Socialist MEPs \(PES\) news release](#). [BBC News Online](#).

International News

Sri Lanka: Press freedom campaigner pays with his life

The International Federation of Journalists (IFJ) has expressed shock at the murder of Lasantha Wickramatunga, one of South Asia's leading journalists and press freedom campaigners, who was shot dead last week in a targeted assassination. Lasantha, editor in chief of the *Sunday Leader* in Sri Lanka, was shot on 8 January after his car was ambushed by two assassins on motorcycles. They blocked his car, used crowbars to smash the windows and shot him at a busy intersection in Colombo as he was driving to work. "This brutal attack and murder of a great fighter for press freedom strikes at the heart of democracy," said Aidan White, IFJ general secretary. IFJ fears that attacks on critical voices in media may increase following the Sri Lankan government's recent military successes against Tamil Tiger fighters. On 6 January, the studios and transmission facilities of the network Sirasa TV were attacked by armed men. This raid followed concerted criticism of the channel's broadcasts by officials in the Sri Lankan government and by state-owned media. IFJ says civil society and the media community in Sri Lanka should unite to agree an action plan to end the culture of impunity for attacks on media staff. "This latest tragedy underscores why the safety of journalists must become a top priority," said White.

- [IFJ news release](#) and [editorial predicting his death by Lasantha Wickramatunga](#). [IRIN News](#). [Morning Star](#). [BBC News Online](#).

USA: Deadly return of black lung disease

After years of decline, the rate of deadly 'black lung disease' in US coal miners had doubled and the debilitating condition is appearing in younger and younger miners, official research has found. The disease, a form of lung scarring, or pneumoconiosis, is caused by breathing in coal dust. It slowly robs victims of their ability to breathe. In September last year, when researchers from NIOSH - the US government workplace health research body - first reported the deadly trend, health care experts were puzzled by the possible cause. The basic facts suggest, as Mine Workers (UMWA) President Cecil Roberts said at the time, either the Mine Safety and Health Administration (MSHA) was not enforcing the safety rule that sets a limit on how much coal dust could be in a mine's atmosphere or the permissible level was too high, or a combination of the two. Other factors, however, are also likely to be at play. The condition is progressing faster and striking younger miners — those who have spent less time in the job, and who never worked in the bad old days before the federal law took effect. The NIOSH researchers have a couple of theories to explain this. Dr Edward Lee Petsonk, who has headed NIOSH's black lung programme for 10 years, says that increased production, by fewer miners, working longer hours is one likely cause. The current two milligram dust limit was set for an eight-hour shift and a 40-hour week but, Petsonk says: "Most miners now say they're working 60-hour weeks, and often 12-hour or 16-hour shifts." He explained: "If you work 50 per cent more, not only do you get 50 per cent more dust in, but you have a lot less time to cough it out. The effect on the lungs is greater than would be considered just from the increase of work hours." He added: "They are working hard, fast, and generating lots of dust," and "they're using very aggressive equipment" that also may produce more dust than older mining techniques. On top of that, soaring coal prices mean they are going after thinner seams, leading to high exposures to both coal dust and silica – a far more potent cause of lung-scarring.

- [AFL-CIO Now](#). [The Pump Handle](#).

USA: Murdered shopworker's family gets payout

The family of an African American woman who was stabbed to death at a Californian store has settled a workers' compensation claim against the retailer, which initially refused to pay benefits because the killing was allegedly racially motivated ([Risks 384](#)). The amount of the settlement wasn't disclosed, but it's "a number that we're very satisfied with," attorney Moira Stagliano said. She represents Carol Frazier, the mother of the Dollar Tree store victim Taneka Talley and guardian of Talley's 11-year-old son, Larry Olden. California state law entitles a dependent child to at least \$250,000 in workers' compensation benefits for a parent's job-related death. Talley, 26, was stabbed to death in March 2006 while stocking shelves at the Dollar Tree in Fairfield, where she worked full time as a clerk to support herself and her son. Tommy Joe Thompson, 45, was arrested later in the day and has been charged with murder. California law requires employers to pay benefits to employees or their survivors for all work-related injuries and deaths, regardless of whether the company was at fault. On-the-job injuries are not covered, however, if they arise from purely personal motives. In a statement, Dollar Tree said Talley had been "the victim of a despicable crime." The firm said it had relied on advice from others - an apparent reference to its insurers - that it was not

required to pay benefits. "While Dollar Tree was advised that the claim was not covered under the state workers' compensation law, we felt that payment of these benefits was the right thing to do for Taneka's son," the company said. "This matter has now been resolved to the satisfaction of the family."

- [San Francisco Chronicle](#).

Events and Courses

TUC courses for safety reps

COURSES FOR JANUARY TO MARCH 2009

- [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