

Risks

TUC 

e-bulletin

Number 393 – 14 February 2009

**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](#)

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

Contents

Union News

Sharp increase in the working wounded
STUC calls for 'massive' work health move
Unite 'appalled' by teen injury fine
Six figure payout for assaulted teacher
Electric shock for council worker
Driver injured unloading his lorry
Old diseases stalk new workplaces
Agreement averts rail strike ballot

Other news

Depression follows illness to work
Inquest narrative spells out neglect
Grieving mum's safety warning
Worker killed in second incident
Slips, trips and falls are no joke
Employers must prove they did enough
Payout for fired flea bitten whistleblower
Pesticide is an unnecessary killer

International News

Global: 'Callous indifference' to media killings
South Africa: Mine audit exposes lack of action
USA: Toxic firm wants to be left alone

Resources

Safety reps' guide to noise at work
ACTU nanotechnology seminar papers

Events and Courses

TUC courses for safety reps

Useful Links

Sharp increase in the working wounded

A quarter of workers (24 per cent) who thought they were too ill to work at some point in January still turned in, research for the TUC has found. The YouGov poll found a big majority of these struggled in because they did not want to let down their work colleagues. The TUC says the poll paints a very different picture of sickness absence to the caricature that British workers are always taking bogus sickies and stay home at the first sign of a sniffle. The poll suggested more than half the workforce (57 per cent) had gone to work when too ill during the last year. Only one in eight (12 per cent) said they have never gone to work when too ill. The figures reveal an unhealthy trend. The TUC asked similar questions in a 2004 poll, when one in five (19 per cent) said that they had been to work in the preceding month when too ill to do so. One in four (25 per cent) – twice as many as in the latest poll – said they had never been to work when too ill. In the new poll, concerns about letting down colleagues or landing them with extra work topped the reasons workers trooped in sick. More than one in four (29 per cent) said that the recession will make them more likely to go to work when ill. TUC general secretary Brendan Barber said: “Too often we are told that British workers are always taking bogus sickies or taking time off at the first sign of a sniffle. But the truth is that we are a nation of mucus-troopers who struggle into work even when we are too ill because we do not want to let colleagues, clients or our employer down.” He added: “While this is admirable, it is not always the best thing to do. Coughs and sneezes still spread diseases, and the worst thing you can do to your workmates is pass on your illness.”

- [TUC news release](#).

STUC calls for ‘massive’ work health move

There must be a ‘massive’ expansion in publicly-provided occupational health services, the Scottish Trades Union Congress (STUC) has said. The call comes in the first in a series of STUC policy papers aimed at addressing the challenges of the current recession. ‘Occupational health in Scotland’ argues that greater access to occupational health services could help end the “unacceptable level of workers falling into economic inactivity following periods of ill-health and to increase the number of workers being rehabilitated back into the workplace.” STUC general secretary Grahame Smith said: “During previous recessions we witnessed massive increases in the number of workers becoming incapacitated, many of whom were never to work again. We need a step change in public provision so that government ambitions to support people into work can be realistically achieved. Unfortunately comprehensive occupational provision is still the exception rather than the rule, and services to smaller employers and their workers are particularly sparse.” He said businesses should take action, adding that occupational health services were affordable. “Scottish Courts provide comprehensive occupational health provision aimed at early intervention, rehabilitation and supporting workers in the workplace,” Mr Smith said. “They estimate the cost of providing this service at £80 per member of

staff per annum, a cost that we believe most businesses could afford.”

- [STUC news release](#) and full report, Occupational health in Scotland [[pdf](#)].

Unite ‘appalled’ by teen injury fine

Print union Unite has said it is dismayed at a “derisory” £12,000 penalty imposed on a Blackburn firm after a young worker was injured. East Lancashire Box Company was fined at Hyndburn Magistrates Court earlier this month for safety offences that saw a 16-year-old’s fingers crushed. The firm was also ordered to pay costs of £3,451. Health and Safety Executive (HSE) inspector Matthew Lea told the court that the teen was cleaning a slow-moving roller using a cloth wrapped around his hand. The cloth became entangled in the top roller, dragging his hand into the machine, breaking a finger and causing crush injuries to two of his fingers. He added that the company had no risk assessments or safe operating procedures for any of their machines and the procedure used to clean the printer roller posed a risk to their employees’ safety. Unite assistant general secretary Tony Burke said: “This is a disgraceful situation. The HSE report says there were no risk assessments or safe operating procedures at the company. They have broken legislation in employing a sixteen year old in an industrial undertaking and he appears to have been left unsupervised on dangerous machinery.” He added: “The fine and costs awarded are nonsense. Company’s who ignore health and safety procedures should face much stiffer penalties. As for employing a 16-year-old in an industrial undertaking, this is appalling. Companies who break laws in this way should face much heavier penalties than a £12,000 fine.”

- [HSE news release](#). [Print Week](#).

Six figure payout for assaulted teacher

A teacher who was assaulted by a pupil has been awarded £280,000 after suffering physical and mental injuries that will stop her ever returning to teaching. NASUWT member Sharon Lewis, 31, was attacked in 2004 while working as a special needs teacher at Woodlands School, Aspley, Nottingham. A 13-year-old boy jumped on her and put her in a headlock, compressing her spinal chord and damaging nerves around her shoulder. She also suffered post-traumatic stress disorder and has been told she will never be able to teach again. She continues to be withdrawn and has constant physical pain in her neck and back, making day to day activities very difficult. The pupil involved has a record of violent behaviour and had previously attacked another member of staff. The £280,000 payout from the Criminal Injuries Compensation Authority (CICA) was secured with union support. NASUWT said without the benefits of her union membership Sharon would not have been able to afford the legal advice and medical testimony required to secure the six figure settlement, but would instead have received a payout of no more than £1,000. Chris Keates, the union’s general secretary, said: “I would like to think that lessons can be learned

from Sharon's experience but unfortunately our casework shows they will not. Every day some teachers are at risk because pupils who have a history of violence and aggression are not properly risked assessed and preventative measures are not put in place." She added: "Regrettably there is still a culture in some schools, particularly where pupils have serious behavioural problems, that being assaulted is all part of the job. No one should ever have to go to work with the expectation of being assaulted."

- [NASUWT news release](#). [BBC News Online](#). [The Times](#).

Electric shock for council worker

A council worker who was seriously injured after a faulty machine failed to spot buried cables has been awarded a £6,000 payout at Manchester County Court. UNISON member Anthony Briars, 36, lost his sight for several days and suffered burns to his face and arm as a result of an electric shock. The Oldham Metropolitan Borough Council worker also developed Post Traumatic Stress Disorder after the incident in September 2006. He had been digging a hole in the pavement for street lamps to be fitted, but had not been provided with a plan of the area and the equipment he used to check for wires was faulty. The father of two said: "My kids burst into tears when they saw my face. It was one of the hardest things I've ever had to go through and a very frightening experience." He added: "Since the accident the council has made a number of changes to the equipment, but this did not happen immediately." Ray Short, UNISON's head of local government for the north west, said: "We welcome the compensation from the council, where he still works, however he should never have been put in this situation in the first place. We would urge businesses to make sure they are abiding by health and safety regulations, by making sure equipment is maintained in an efficient state, is in good working order and is in good repair." Michelle Farrell, from Thompsons Solicitors, who represented Mr Briars for the union, added: "Electrical maintenance is vital in the workplace to ensure highly dangerous accidents like this do not occur. Mr Briars could easily have been killed. Fortunately his injuries are not life threatening but the psychological effects of the accident continue to have a dramatic effect on the quality of his life."

- [UNISON news release](#). [Thompsons Solicitors news release](#).

Driver injured unloading his lorry

A Yorkshire delivery driver who was never given training in lifting heavy loads has received £3,300 in compensation after suffering a groin strain. Karl Liversidge, 42, from Castleford, was off work for six weeks after suffering the lifting related injury. His boss refused to help him to unload ten 180 kilo fences from a truck. The GMB member was working for Nicholls Fabrications as an HGV driver. He and four colleagues had loaded the heavy fences on to a flatbed vehicle for delivery at a local park. When Karl asked his employers how he would unload the fences at the other end he was told there would be two people to help him. His supervisor refused to send a

colleague despite the fact it had taken five people to load each fence onto the truck. At the delivery location Karl slipped while helping two other men to unload the fences, suffering the strain. As well as missing work for six weeks, he was also unable to undertake his hobby of cycling for over nine months. After receiving union advice, an original offer of £2,500 compensation was upped to £3,300. Karl now works for another employer as an HGV driver. On his first day in the new job he was given manual handling training. GMB regional secretary Tim Roache commented: "On this occasion this employer's attitude to health and safety was appalling. Members who have an element of manual handling in their job must be trained correctly in how to keep themselves and others safe. There are no short cuts to making sure employees are safe in the workplace."

- [Thompsons Solicitors news release](#).

Old diseases stalk new workplaces

It doesn't matter whether you work in a new service sector job or an old manufacturing industry, diseases that should be firmly a thing of the past continue to cause harm. A Unite member who worked as a customer service adviser for Barclaycard in Northampton received a £25,000 payout after she developed a work-related upper limb disorder. The member, whose name has not been released, developed tenosynovitis after a computer system failed at work and she was required to manually record all calls for a period of about five weeks. Despite complaining to her team leader and the IT department about her injury, no steps were taken by Barclaycard to change her duties. Another Unite member, this time a plater with the hydraulic components manufacturer Parker Hannifin plc, received a "substantial" payout after he developed occupational dermatitis which forced him to give up his job. During the course of his daily work in the plating department the man, whose name has not been released, was exposed to chromates which are classified as irritants and skin sensitisers under the Chemicals (Hazard Information and Packaging for Supply) Regulations 2002. The allergic dermatitis affected his hands, the soles of his feet, his legs and other parts of his body.

- Rowley Ashworth Solicitors news releases on the [RSI](#) and [dermatitis](#) compensation settlements.

Agreement averts rail strike ballot

A ballot of more than 2,000 RMT members working for Northern Rail was cancelled last week after emergency talks reached agreement on a raft of issues including sick pay and the victimisation of a safety rep. RMT lifted the ballot threat after the company pledged to adhere to its policy of paying average wages to staff on sick leave after being assaulted at work, agreed to honour disciplinary and other existing procedures, and re-instated a sacked RMT health and safety rep ([Risks 392](#)). "Northern Rail has stepped back from the brink and this is a victory for common sense," RMT general secretary Bob Crow said. "We have reached agreement on a

complex set of issues at the heart of what had threatened to be a major dispute, and it is gratifying to be able to say that we will not now be balloting our members. Our members and their talks team are to be congratulated, and we hope the agreements reached will help to improve long-term relations between Northern Rail and RMT.”

- [Hull Daily Mail](#).

Other news

Depression follows illness to work

Individuals returning to work following absence due to a physical condition such as back pain, cancer or heart disease are at risk of mild to moderate depression, researchers have found. But they say those who do become depressed worry about telling their employers. 'Returning to work, the role of depression', published by the Mental Health Foundation, details the findings of a research study carried out by Loughborough University. The researchers compared the return to work experiences of individuals with heart disease, back pain and cancer to individuals with depression and anxiety. They found almost half (45 per cent) of those with a physical condition experienced mild to moderate depression but were more worried about telling their employer about their mental health issues than their cancer or heart disease. The study found that while most line managers were initially supportive when a person returned to work, they were not aware of the long-term effects of a serious physical illness or condition upon an employee's ability to work and on their mental health. There was a consistent lack of follow-up by occupational health, line managers and human resources on employees' general health and psychological well-being after returning to work. Andrew McCulloch, the chief executive of the Mental Health Foundation, commented: "This research shows that managers are willing to help but they often lack the knowledge or skills required." The report calls for managers, occupational health and employees to work together both before and after an employee returns to work. The government's welfare strategy calls employers to assist workers with mental health problems to return to work.

- Returning to work, the role of depression – [webpage](#), [full report](#) and [executive summary](#). [BBC News Online](#).

Inquest narrative spells out neglect

The family of Mark Wright, a father of two who died after an explosion at Deeside Metals in 2005, has been left devastated after an inquest this week returned a narrative verdict. Mark's widow, Andrea, and parents Dorothy and Douglas Wright, who are founder members of Families Against Corporate Killers (FACK), hoped the inquest jury in Macclesfield would return a verdict of unlawful killing. Instead, the narrative verdict detailed the journey of the aerosols from Mold-based Jeyes, via haulier Ray Morgan, to Deeside Metal where Mark was told to crush them in a baling machine. The verdict spelled out a catalogue of departures from safe working

practices that together led to Mark's death. The 37-year-old died after receiving 90 per cent burns and inhaling high temperature gases after the explosion, which was caused after a spark ignited a vapour cloud of flammable material released while the aerosols were compressed. Cheshire coroner Nicholas Rheinberg told the jury that, to return a verdict of unlawful killing, they must unanimously agree and be satisfied beyond all reasonable doubt. Instead, the narrative verdict said the canisters had been unmarked, transported without supporting documentation, handled at the scrapyard by untrained staff, and accepted at the scrapyard on the basis of unsubstantiated verbal assurances from the haulier. After the inquest, the family's solicitor, Liz Graham, released a statement saying: "The verdict means that the jury were not satisfied that there was enough evidence to indicate that, beyond all reasonable doubt, the death was unlawfully caused. Although the family are disappointed at this, they understand that there may still be prosecutions against those who were directly responsible for Mark's health and safety at work." The statement added: "The family hopes that their long fight to uncover the truth will give hope to other families whose loved ones have needlessly had their lives cut short, due to unsafe systems at work." Mr Rheinberg will be making use of Rule 43 of the Coroners' Rules, which allows him to make reports to prevent future deaths. FACK members held a vigil outside the court at the start of the inquest. A commentary this week in the Daily Mirror's 'Investigate' column notes: "This tragedy again shows that legally binding health and safety duties should be imposed on company directors – so someone faces the music when rules are broken."

- [Daily Mirror](#). [Chester Chronicle](#). [Daily Post](#). [Families Against Corporate Killers \(FACK\)](#).

Grieving mum's safety warning

A Keighley mum has said her son would not have died at work if safe and suitable equipment had been available. Judith Allen was speaking after a Bradford jury returned a verdict of accidental death at the inquest for 23-year-old construction worker Steven Allen. He died when his head became trapped in a "scissor-grab" machine. The incident at JB Bentley's waste recycling plant in Bradford occurred when he pulled a fallen wooden pallet from a Probst SG 80 machine, and its jaws clamped around his head. The three-day inquest heard evidence that workers on the site had not been trained to use the machine, had not read the manual for it and were using it to carry prohibited materials. It was also revealed that a chain restricting how far the machine jaws could close was broken and none of the workers on the site had realised its significance. Steven's mother Judith Allen, a member of Families Against Corporate Killers (FACK), said: "Accidental death does not cover what happened to Steven. I am glad we were able to ask the questions we wanted to and the serious failings in the system have been shown. Steven loved working for JB Bentley and would have done anything for them." She added: "I would like to see more care shown towards workers and the correct health and safety and training. It is my opinion that if the correct equipment was used and they knew what they were doing this would not have happened."

- [Telegraph and Argus](#).

Worker killed in second incident

A construction worker was killed on a Doncaster construction site on the day he returned to work after a previous injury, a court has heard. Michael Broughton had just started his first day back at his job after four months off recovering from injuries sustained in another workplace incident, Doncaster Crown Court was told. He suffered a fatal head injury when a hose discharging concrete from a pumping machine developed a blockage and suddenly whipped across to where he was standing. His family, from north-east Lincolnshire, have already received a compensation payment from his employer, UCS Civils Ltd (formerly Universal Construction Services Ltd). The company pleaded guilty safety offences and Pochin Plant Ltd, a nationwide provider of truck-mounted concrete pumps, also admitted a safety breach. Each was fined £40,000. Pochin was ordered to pay a further £45,000 in prosecution costs, and UCS £31,600 costs. The judge, Recorder Andrew Campbell QC, said Mr Broughton's parents had suffered stress-related illnesses because of the length of time before the case came to court but they did not seek punishment, only expressing the hope no-one else suffered the same. The judge said the fines would have been higher if both defendants did not already have a culture of safety and because they were operating in a far from healthy economic climate. After the hearing, Health and Safety Executive (HSE) inspector Rob Cooper said: "The precautions that should have been adopted were as simple as to ensure that no-one stood close to the end of the flexible delivery hose until concrete was flowing smoothly from it - something which would have not added any significant cost or time to the work."

- [HSE news release](#). [The Star](#).

Slips, trips and falls are no joke

A Health and Safety Executive (HSE) campaign is setting out to reduce the toll of slips, trips and falls at work. HSE says together they were responsible last year for 61 deaths and more than 14,000 serious injuries in British workplaces. Launching the second phase of the Shattered Lives campaign this week, the watchdog is encourage employers, in consultation with their employees, to "take action". Marcia Davies, head of HSE's injury reduction programme, said: "People often view slips, trips and falls as trivial incidents, even comical but they are no joke to those who suffer major injuries, a lifetime of disability, time off work and in the worst cases death." She added: "We want to raise awareness of how these incidents can happen and how they can be easily avoided by taking common sense actions and precautions at no or little cost. If you spot a hazard in your workplace deal with it, don't assume that somebody else will. The lives of workers and their families are shattered by the serious consequences of these types of accidents. Simple measures introduced by businesses can make a positive difference to safety in the workplace." HSE says fatalities and serious injuries arising from slips, trips and fall incidents cost British society an estimated £700 million last year. It has launched STEP, a free interactive learning package that provides practical guidance to help tackle slips, trips and falls at work.

- [HSE news release](#), [slips and trips tool](#) and [shattered lives campaign](#).

Employers must prove they did enough

The Court of Appeal has said employers must not only undertake risk assessments, they must make sure they take the necessary action to reduce risks. It ruled that when hospital employee Donna Egan was injured using a mechanical hoist to move a patient, the burden was on the employer to prove that it had taken appropriate steps to reduce any risk to the lowest reasonably practicable level. This overturned an April 2008 decision at Salford County Court denying Ms Egan damages. In the original case the nurse had contended Central Manchester and Manchester Children's University Hospitals NHS Trust was responsible for the injuries she suffered in 2003 because it failed in its duties under the manual handling and work equipment regulations. She had been using the mechanical hoist to transport a disabled patient into a bath when the wheels jammed, causing the hoist to stop suddenly. Lady Justice Smith said it was clear the judge in the earlier case had failed to take proper account of the duty on employers under regulation 4(1)(b)(ii) of the manual handling regulations to reduce risk to "the lowest level reasonably practicable." She said the judge should have done so because the requirements of that regulation were separate from and additional to the requirement, under regulation 4(1)(b)(i), to carry out a suitable and sufficient risk assessment. No risk assessment had been carried out, so the judge ought to have focused on that regulation which imposed a duty to take positive action to reduce risk, the appeal court judge said. As the employer had been in breach of its duty to reduce the risk, it was primarily liable for the injury and should pay damages.

- Egan v Central Manchester and Manchester Children's University Hospitals NHS Trust before Lord Justice Sedley, Lord Justice Keene and Lady Justice Smith, Judgment December 15, 2008. [The Times](#). [WLR Daily](#). [Manual Handling Operations Regulations 1992](#).

Payout for fired flea bitten whistleblower

A woman who was dismissed from her job as a waitress after raising health and safety concerns has won an unfair dismissal claim. Maria Moon, 46, was sacked from her job at Hafan y Môr holiday centre in Pwllheli, Gwynedd. A tribunal accepted that she had been sacked because she raised health and safety issues after suffering flea bites in the chalet where she lived. She had been appointed to work in a new coffee shop at the site - which was formerly owned by Butlins. She told a tribunal the chalet she shared with another employee had a broken shower, damp coming through the walls and soiled mattresses. After waking up one night feeling feverish and scratching herself, she went to the doctor and was told she had infected insect bites that were probably from rat fleas. The chalet was fumigated but Ms Moon was asked to move back in 48 hours later. She was dismissed in May 2008, allegedly because management found that the coffee shop was overstaffed. The tribunal ruled however that although there was overstaffing no-one else was seriously considered. It was far more likely, the tribunal

said, that her dismissal was triggered by her having raised health and safety issues.

- [BBC News Online](#).

Pesticide is an unnecessary killer

The argument that the highly toxic herbicide paraquat is necessary for crop production has been shown to be nonsense by a union-backed report. 'Goodbye paraquat', produced by the global food and agriculture union federation IUF and a Swiss-based environmental group Berne Declaration (BD), is based on questionnaire responses from more than 40 major producers of bananas, tea and palm oil, crops which traditionally have been big users of paraquat. The report shows that producers of bananas and tea have moved away from reliance on paraquat. On palm oil it found that producers were equally divided into paraquat users and non-users but that there was also a clear preference amongst palm oil buyers for palm oil produced without paraquat. "Paraquat is a major health hazard for our members in agriculture," said IUF general secretary Ron Oswald. "We welcome the news that some leading food producers are opting out of using toxic pesticides like paraquat. This attitude should become the norm in agricultural production and governments must recognise and support this by banning paraquat." The global union says the survey results show that in the palm oil, banana, and tea sectors paraquat-free production is not only desirable but also economically viable. Statements by Syngenta, the leading producer of paraquat in the UK and worldwide, to the effect that the highly-toxic herbicide is indispensable, are clearly untenable, the report shows. IUF and BD are urging governments to come forward and ban paraquat use across the board. The herbicide lost its approval in Europe in 2007. IUF says in many developing countries the product is still sold in great quantities despite the lack of sufficient protection for users.

- [IUF news release](#) and Goodbye Paraquat report [[pdf](#)].

International News

Global: 'Callous indifference' to media killings

This year could be the deadliest year yet for journalists, the International Federation of Journalists (IFJ) has warned. A wave of killings in the first days of 2009 have undermined hopes that the falling death toll recorded in 2008 might be the first sign of a change in the recent upward trend in media deaths. "The welcome relief brought about by the decline in the killings of journalists in 2008 has been short lived," said IFJ general secretary Aidan White at a press conference last week to launch 'Perilous assignments: Journalists and media staff killed in 2008'. "Ten colleagues died in January alone and from all regions of the world either in targeted killing or as a direct result of their work," he said. IFJ recorded 109 deaths of journalists and media staff in 2008, marking a decrease from the 2007 all time record of 175 deaths. According to the report, Iraq remains the most dangerous country despite a substantial drop in media casualties from 65 in 2007 to 16 last

year. The other danger zones were Mexico and India, with 10 deaths each. The global union says the culture of impunity for crimes against journalists and the systematic failure to respect their rights deny them the protection they are entitled to in their work, especially during armed conflict. "The recent conflict in Gaza provides a powerful example of the dangers facing journalists. Media personnel and installations were targeted by Israeli military, causing casualties, including two fatalities in January and extensive damage to property," said IFJ's White. "Israel must be held accountable for the violations of international law and the international community, including the European Union, must enforce effectively provisions for the protection of journalists and media staff, especially Resolution 1738," a United Nations resolution on the protection of journalists in conflict zones.

- [IFJ news release](#). Perilous assignments: Journalists and media staff killed in 2008 [[pdf](#)].

South Africa: Mine audit exposes lack of action

A presidential audit of mine safety in South Africa has revealed a failure to progress cases against those responsible for the industry's horrific fatality record. The National Union of Mineworkers (NUM) welcomed the release of the Presidential Safety Audit by the Department of Minerals and Energy (DME), but criticised the industry for using the report to misrepresent conditions as acceptable. NUM says the report revealed that 100 cases against mine bosses have not been progressed by the National Prosecuting Authority (NPA). The union is angered by what it sees as alarming evidence of a denial of justice. NUM general secretary Frans Baleni said it was "very worrying that the NPA can allow criminality to take place without any proper action." He also condemned the low penalties imposed in those cases that did reach the courts. "It is worrying that in cases where action has taken place, companies have been fined between R2,500 (£180) to R5,000 (£360) for negligently claiming the life of mineworkers." The long-awaited report describes worrying trends, including poor hazard identification and risk assessment processes, slow reporting of accidents and failure to submit occupational hygiene returns. NUM president Senzeni Zokwana said the union has zero tolerance for mine fatalities. "No condition should justify why a worker should lose a life," he said.

- [NUM news release](#). [ICEM news briefing](#). [DME webpage](#).

USA: Toxic firm wants to be left alone

A top journalist has attacked a major US flavouring firm for attempting to prevent federal health investigators from protecting workers. Seattle Post Intelligencer reporter Andrew Schneider, writing this week in his 'Secret ingredients' blog, notes: "At times like these I think I should change the name of my blog to 'Tales of the Absurd'." His comments refer to a year-long court battle between an Indianapolis flavour manufacturer and the government's top occupational health investigators. "The fact that

the company has gone to federal court to keep the federal health and safety wizards from protecting the workers from a sometimes lethal chemical strikes many as well beyond absurd," he writes. "At the heart of the dispute is the health of 200 workers at Sensient Flavors International and a chemical mixture that they use called diacetyl, which has killed several and sickened hundreds of workers in plants across the country that use the synthetic butter flavouring... On the other side of the courtroom are the feds - physicians, toxicologists and industrial hygienists - who work for the National Institute for Occupational Safety and Health." The researchers had earlier discovered a link between exposure to the flavouring and the often fatal condition bronchiolitis obliterans. "The fight with Sensient began almost a year ago when the local Teamsters union representing the plant's workers asked NIOSH, the worker-safety research arm of the Centers for Disease Control and Prevention, to inspect the plant, which it did. But when I interviewed Teamster health and safety officials last year they said the company had altered the production process while the feds were inspecting and taking air samples and that the investigators failed to get an accurate idea of the conditions." NIOSH asked to return to get more representative readings, but Sensient instead started a lawsuit to stop it having to go through the "highly invasive process" again.

- [Secret ingredients](#).

Resources

Safety reps' guide to noise at work

The TUC has published a safety reps' guide to noise at work. It provides information on the law and on what can be done to ensure employers do not put the hearing of their workers at risk. TUC warns that hearing problems caused by noise at work are an ongoing problem. Official estimates suggest 170,000 people in the UK suffer deafness, tinnitus or other ear conditions as a result of exposure to excessive noise at work. And over 1 million employees in Great Britain are still exposed to levels of noise that puts their hearing at risk.

- [Noise at work – a guide for health and safety representatives \[pdf\]](#).

ACTU nanotechnology seminar papers

Australian national union federation ACTU has made available online the papers from its seminar on occupational health and safety and nanotechnology. Documents include a presentation by Georgia Miller from Friends of the Earth (FOE), who provided an overview of issues relating to nanotechnology - what it is, where it's used and what the future might look like in a nanotechnology world. Tom Faunce from the Australian National University (ANU), a lawyer and medical doctor, covered the action of nano substances on the body, the toxicity of nanomaterials and some regulatory considerations. ACTU national health and safety officer Steve Mullins covered worker health and safety protections, the gaps in existing provisions

and the trade union response to nanotechnology. Other presentations dealt with carbon nanotubes - which have been compared to asbestos - and the regulatory challenges and gaps caused by nanotechnology.

- [ACTU nano seminar presentations.](#)

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

The person responsible for the Risks e-bulletin is Hugh Robertson
Email: healthandsafety@tuc.org.uk