

Risks

TUC 

e-bulletin

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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 17,000 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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Union News

RMT launches global Eurostar cyber-picket

Rail union RMT has launched a global campaign in support of Eurostar cleaners who are locked in a bitter dispute with their employers - the Carlisle Group - over pay, threatened redundancies, the introduction of finger printing machines and the victimisation of a union representative. Last week the Eurostar cleaners took part in a rock-solid 48 hour strike, the union says, with a noisy picket line taking their message out to the travelling public. This week, RMT has linked up with international website LabourStart to launch a global email campaign targeted at Eurostar and calling on the company "to intervene in the dispute and demand that their cleaning contractors pay their staff the London Living Wage, scrap the Orwellian finger printing machines and start treating the cleaners with the respect that they deserve." Within hours of the online campaign kicking off, Eurostar's top bosses had been flooded with thousands of protest emails. Bob Crow, RMT general secretary, said: "Eurostar is a global brand and it makes perfect sense for us to launch a global trade union campaign in support of our members here in London fighting for justice." He added that the company "cannot ignore the actions of their cleaning contractors, the Carlisle Group, which have forced our members into a campaign of industrial action. The cleaners voted 100 per cent to strike which is a measure of how angry they are. RMT is determined to use every means at our disposal to win the fight for justice and respect for the Eurostar cleaners including a global cyber picket to shine a spotlight on the appalling way that this group of workers is being treated."

- [RMT news release.](#)
- [Show your support the global Eurostar cleaners campaign](#) – it only takes a few seconds.

Injured fitter forced to retire early

A fitter who was forced to give up his job following an accident at work has received a substantial sum in compensation. Unite member Stanley Gibbons, 66, from Dagenham in Essex, was left with a damaged left shoulder after being forced to carry out heavy manual work despite warning his employer he suffered from a frozen shoulder, a condition which leaves the shoulder painful and stiff. After the warnings Mr Gibbons damaged his shoulder during two separate incidents in May and June 2005 when he was involved in work with heavy machinery in his job for European Metal Recycling Ltd (EMRL) in Dagenham. After the second injury Mr Gibbons was forced to retire on medical grounds. He can no longer play golf or do anything that needs the use of both his arms. In a Unite-backed compensation claim, lawyers successfully argued that Mr Gibbons should have been placed on light duties after suffering from a frozen shoulder in 2004. EMRL admitted liability and settled the claim out of court. Mr Gibbons said: "I had told my employer about my frozen shoulder but I was never given the option of working on light duties. My workload remained the same as it always had been but my shoulder wasn't up to it." He added: "I decided to pursue compensation because I had missed out on three years of income and pension." Unite regional secretary Steve Hart commented: "Employers need to make sure that where heavy lifting work is involved that their employees are physically fit enough to cope with the demands of the job. Mr Gibbons's frozen shoulder meant he wasn't up to the job and when he told his employer about his injury he should have been given a role that was less demanding but, in fact he was ignored."

- [Thompsons Solicitors news release.](#)

Recycling trip led to pain and cost

A bin man who seriously injured his shoulder while collecting rubbish for recycling has received £57,000 in compensation. UNISON member Alan Shambrook, 55, tripped on a raised paving slab in July 2005, while working for Stevenage Borough Council. The council worker was collecting recycling boxes when he fell badly on his left knee, shoulder and elbow. He had to have two operations on his shoulder, take 15 months off work and has been left unable to do a number of activities, including heavy lifting and swimming. The grandfather was awarded compensation from Hertfordshire County Council at Luton Crown Court. Mr Shambrook said the "extremely painful" injury has changed his life dramatically, adding: "I also had to stop my recycling duties and take a lesser-paid job driving a road sweeper, which has hit me financially." UNISON regional secretary Greg Grant said: "This accident could so easily have been prevented. Sadly, he will continue to suffer as he is unable to do things he took for granted before, like playing with his grandson. And he has been forced to take a job that pays him less."

- [UNISON news release.](#)

Slow down gets speedy solution

A rail safety hazard has been remedied after the train drivers' union ASLEF instructed its drivers to slow down for safety's sake. The union had advised drivers to approach the New Barn Occupational Crossing in the Barnham, West Sussex, at no more than 30mph. The instruction was revoked by the union after Network Rail felled the trees that were causing poor visibility. ASLEF's Roy Luxford, the union's secretary with rail firm Southern, visited the site with the local ASLEF health and safety representative and confirmed the problem had been resolved. "The clearance work has been carried out and we are satisfied that there is no longer a safety hazard," Roy said. Initially, neither ASLEF nor Southern could get a satisfactory response from Network Rail about the safety problem. However only days after ASLEF imposed its own 30 mph limit Network Rail turned out at the crossing in force and remedied the problem.

- [ASLEF news release.](#)

Asbestos victim's video legacy

A man who died from asbestos cancer has left a campaigning legacy. Alan Clark from Hartlepool died from mesothelioma in August, but before his death made a video plea to the government, urging it to restore compensation to pleural plaques sufferers. The 'Hope' video was shown at the TUC conference this week. Alan was

diagnosed with pleural plaques nine years ago after many years of working with asbestos as a thermal insulation engineer, or lagger, on various industrial sites in Teesside. He was diagnosed with mesothelioma in early 2009. On the video, he talked candidly about his exposure to asbestos and how his father had also died from mesothelioma. Alan, who was 59 when he died, said: "When I was diagnosed with pleural plaques I panicked. It felt like my death certificate had been signed and I knew it would only be a matter of time before I was told I had mesothelioma. I worried about it ever since." He added: "I am living proof that pleural plaques can lead to mesothelioma and I want the government to take what has happened to me into consideration. Pleural plaques sufferers should be compensated for the damage to their lungs and the worry of the death sentence hanging over them. They should receive that compensation quickly." GMB regional secretary Tom Brennan said: "This moving video symbolises the trade union campaign for justice for asbestos victims. Alan's story is heart wrenching. Tragically, far too many of our members have suffered in the same way. His tale is a reminder of what the fight for compensation is about and we will not back down until we have justice." Alan Ritchie, general secretary of construction union UCATT, said: "It is essential that we use all forms of communication and campaigning techniques to illustrate the devastating effect pleural plaques can have on the quality of victims lives. The government must understand that if they want to be seen as the champions of social justice then they must restore full compensation and identify which insurers and which companies were liable for their injuries."

- [Thompsons Solicitors news release](#). [Unions Together](#). [Hartlepool Mail](#). [Northern Echo](#).

Other news

Asbestos kills more than roads – confirmed

The Advertising Standards Authority (ASA) has confirmed that more people are killed by asbestos each year than die on Britain's roads, but has criticised a Health and Safety Executive (HSE) radio advertisement for not making clear the HSE asbestos deaths figure – 4,000 deaths a year – is in part an estimate. HSE expressed its "deep disappointment" at the ASA adjudication, where it upheld the solitary complaint about its 'Asbestos: The hidden killer' awareness campaign. Steve Coldrick, HSE's asbestos programme director, said: "We are obviously very disappointed with the decision by the ASA to uphold this sole complaint made against our award-winning campaign, but we do consider it to be only on a technicality. This campaign is clearly in the public interest and we are now looking to seek an independent review of the adjudication." TUC described the ASA ruling as "unfortunate". TUC general secretary Brendan Barber said: "We know from research the HSE has carried out that the campaign has not only raised awareness of the dangers asbestos poses but it has also changed the behaviour of many of those who have seen the materials. The ASA ruling, while unfortunate, does not change the fact that asbestos is the number one occupational killer and that every case of exposure is avoidable with the correct safety procedures." Mr Barber added that the TUC was "surprised" by the ASA judgment "as the HSE fatalities figures have always been regarded as overly cautious and if all premature deaths caused by asbestos are included the figure would almost certainly be much higher. We hope that the HSE will continue to run hard-

hitting campaigns like this." Almost threequarters of tradespeople who saw or heard the HSE campaign said that they had already taken more safety precautions or planned to take them.

- [ASA adjudication](#). [HSE news release](#) and [Hidden killer campaign](#). [TUC news release](#).

Asbestos death toll 'under-estimated'

The Health and Safety Executive's estimate of 4,000 asbestos related deaths a year falls well short of the real toll, campaigners and health experts have said. HSE's use in radio advertisements of the figure, based largely on the combined mesothelioma and lung cancer toll attributed to the disease, was criticised by the Advertising Standards Authority (ASA) for not making clear it was an estimate. The mesothelioma figure is taken from officially confirmed and registered deaths. However, there is no equivalent register of occupational lung cancer deaths, so the asbestos contribution is an estimate based on the proportion of all lung cancers the safety watchdog believes could be attributed to work. Consultant thoracic surgeon, John Edwards, commended the HSE campaign and said the safety watchdog's figures are "an underestimate, if anything". He said: "It is a fact that at least 4,000 people are dying a year from asbestos-related cancer in the UK. Evolving evidence suggests that this is an underestimate and that consequentially it is of utmost importance that we minimise future exposures to asbestos, as well as identify problems in those people who have previously been exposed." Laurie Kazan-Allen, coordinator of the International Ban Asbestos Secretariat (IBAS), said she was "appalled" by the ASA's ruling. She added: "When mesothelioma and asbestosis deaths are added to fatalities caused by cancers of the lung, larynx, ovary and stomach – other cancers now linked to asbestos exposure – the huge price paid for the country's failure to act on the asbestos danger becomes apparent."

- [IBAS statement](#). [The Guardian](#). [Marketing Week](#). [SHP Online](#).

Peat firm fined after agency worker death

A horticulture firm has been fined £23,300 following the death of an agency worker in southern Scotland. Colin McCourt, 55, of Annan, died at the Nutberry Moss Works in Eastriggs in January 2008 when a tip bucket he was welding moved and crushed him.

Humax Horticulture Ltd, of Godalming, Surrey, admitted safety breaches. Mr McCourt died on 31 January last year while carrying out repairs at the Annandale site. At Dumfries Sheriff Court, Humax admitted breaking health and safety legislation. Health and Safety Executive (HSE) inspector Jean Edgar said: "Workplace risks need to be managed by employers, irrespective of how wages are paid and who pays them. Employers who take on agency staff to plug a temporary gap in their workforce should not provide any lesser standard of health and safety protection for these people than they would for their own employees." She added: "Incidents can happen when inadequate information and instruction is provided to such workers. It may result in a failure to take the correct action to

control risks relating to the work in hand, as shown by this tragic death.”

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

Chlorine damaged trainee doc’s throat

A trainee doctor who was exposed to dangerous levels of chlorine at the Hilton Hotel while working in a part time job has received a £1,000 payout. Stephen Barratt, 28, received the damages after he suffered from a burnt larynx when working as a deputy gym manager at the LivingWell Health Club, part of the Hilton in Sheffield. The Hilton denied liability for his exposure, but settled the claim out of court. Stephen said he was exposed to chlorine that had leaked from a pipe in the pool’s plant room. The chlorine burnt his larynx leaving him unable to talk properly for two days. He also found it difficult to breathe for several days and suffered from a cough for almost two weeks.

He said the incident left him unable to fully concentrate on his studies for four weeks. “Studying as a trainee doctor I know just how dangerous exposure to chlorine can be,” he said. “I am lucky that my symptoms were fairly mild. However they still had an impact on my studies because I was struggling to talk and breathe. I decided to claim compensation because I wanted to make sure the leak was fixed. The money will go a long way to help me with my studies.” Teresa Marriott from Thompsons Solicitors said: “Mr Barratt was exposed to dangerous levels of chlorine whilst at work and as a result his health and studies have suffered. Additionally by bringing this claim he has been successful in highlighting some real health and safety concerns at the Hilton.”

- [Thompsons Solicitors news release](#).

Smoking bans 'cut heart attacks'

Bans on smoking in public places including workplaces have had a bigger impact on preventing heart attacks than expected, a study has shown. Smoking bans cut the number of heart attacks in Europe and North America by up to a third, according to the study, which included evidence from smoking bans in Scotland and Ireland. This “heart gain” is far greater than both originally anticipated and the 10 per cent figure recently quoted by England's Department of Health. Dr James Lightwood, of the University of California at San Francisco, led the Circulation study that pooled together 13 separate analyses. His team found that heart attack rates across Europe and North America started to drop immediately following implementation of anti-smoking laws, reaching 17 per cent after one year, then continuing to decline over time, with a 36 per cent drop three years after enacting the restrictions. Dr Lightwood said: “While we obviously won't bring heart attack rates to zero, these findings give us evidence that in the short-to-medium-term, smoking bans will prevent a lot of heart attacks.” The report notes: “Passage of strong smokefree legislation produces rapid and substantial benefits in terms of reduced acute myocardial infarctions, and these benefits grow with time.” A number of the

studies considered the impact of smoking bans on the health of bar and restaurant workers.

- [BBC News Online](#). [Medpage Today](#).
- J Lightwood and S Glantz. [Declines in acute myocardial infarction following smokefree laws and individual risk attributable to secondhand smoke](#), Circulation. Published online 21 September 2009.

HSE warning after crane collapse fine

The Health and Safety Executive (HSE) has warned tower crane suppliers to make sure staff are adequately trained when carrying out high risk operations. The warning followed the prosecution this week of Select Plant Hire Company Ltd at the Old Bailey. The case related to a June 2007 crane collapse in Croydon in which a crane driver suffered severe injuries. The company, based in Dartford, Kent, pleaded guilty to a series of safety breaches and was fined £100,000 and ordered to pay costs of £33,196.45. The court heard that on 2 June 2007, the jib of a tower crane owned and operated by Select Plant Hire toppled backwards and became detached from the mast. The jib together with the driver's cab fell through the air, crashing onto the roof of the Croydon Park Hotel. Crane driver John Young was trapped on the roof for over an hour before rescue services were able to get him down. He suffered extensive injuries, including three compression fractures of the spine, a fractured lumber vertebrae, two broken ribs and a fractured skull. Two years on, Mr Young has been unable to return to work and is still suffering from his injuries. HSE inspector Amanda Huff commented: "This incident was avoidable and was caused by inadequate training of the team asked to extend the height of the crane. This is a high risk operation and it is essential that operators have the right type of training."

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

Worker left in double jeopardy

Three employers have been prosecuted after a worker received an electric shock from an overhead cable and subsequently fell from the roof on which he was working. Thomas Bates was working on the construction of a poultry shed directly under a 11kV overhead line at a farm at Rhiew Banc, Bwlch y Ffridd, Newtown when the incident occurred on 7 March 2006. He was carrying metal roofing material, which either contacted the power line or came in close proximity to it. The electric shock resulted in burns to his body and he collapsed and rolled off the roof, falling around 2.5 metres to the ground below. The three employers all pleaded guilty to a safety offence at a hearing last month at Welshpool Magistrates' Court. John Bowler Ltd, the principal contractor, was fined £16,000 and ordered to pay £5,408.40 costs. Harlow Bros Ltd, the building supplier, was fined £16,000 and ordered to pay costs of £6171.60. Philip James Bates – the father of Thomas Bates – was subcontracted to build the shed and was fined £12,000 with costs of £2,062.40. HSE inspector Chris Wilcox the injured man "was fortunate to survive a shock from an 11kV overhead power line, let

alone the subsequent fall from the shed roof." He added: "This incident was entirely avoidable. There should have been thorough risk assessments carried out by the employers in this case, and suitable precautions taken. There was also no edge protection around the edge of the roof, so there was clearly a much higher risk of falls from height." Nationally, around 1,000 electrical incidents at work are reported to HSE each year and about 25 people die of their injuries.

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

Firm fined £80,000 for fall driver death

A portable building company has been fined £80,000 after one of its lorry drivers died falling from a cabin he was delivering. Keith Boulton died in January last year after the incident at a construction site in West Bromwich. The 58-year-old was working for the Aldridge depot of Mobile Mini UK Ltd, the UK wing of an American company that supplies temporary buildings and storage cabins. He had worked for the company since April 2007. Mr Boulton was attaching a crane to the top of a cabin on his lorry to lift it into place. However he fell 13ft as he attempted to climb back down the ladder. He died from head injuries the following day. He was not wearing a company safety harness or helmet, and the ladder he used was worn out and unstable, Wolverhampton Crown Court heard. The firm was sentenced this week after bosses had previously admitted breaching health and safety laws. HSE inspector Tony Woodward said: "Our investigation showed the company's systems were fundamentally flawed. There were safety procedures that were not followed, and those systems that were in place were so cumbersome that employees found them difficult to follow." He added: "To make matters worse, the company wasn't even checking to see if the staff were following the procedures they had put in place, with workers being allowed to use sub-standard equipment. For example, a ladder used in this incident was one of the worst I have ever seen." The firm, which the court was told had a turnover of £21 million, was also ordered to pay more than £8,000 in costs.

- [HSE news release](#). [Express and Star](#).

Port firm fined over worker's death

A port operator has been fined £266,000 after a worker at a Suffolk port was struck by a vehicle and died. Cargo handler Brian Vince, 60, was servicing a roll-on roll-off ferry at Ipswich when he was struck by a reversing trailer in 2007. Associated British Ports (ABP), the largest port operator in the UK, admitted health and safety breaches, at Ipswich Magistrates' Court. It was also ordered to pay costs of just under £75,000. The court heard Mr Vince was standing on a bridge, between the ferry and the quayside, coordinating vehicles on and off the ferry, when the incident happened. He died at the scene on 30 March. After the case, the Health and Safety Executive (HSE) said ABP was prosecuted for failing to ensure workers were not exposed to risk, and for failing to ensure a safe

system of work for the roll-on roll-off operation. HSE inspector Kaitav Patel said: "This is another example of a fatal incident that could and should have been prevented. The company had identified the risks to the ramp man, yet failed to prevent him being in a position of danger behind a reversing vehicle. Workplace transport is not specific to the docks industry and many other industries can learn lessons from this tragic incident. Employers in all industries must ensure that the interaction between moving vehicles and pedestrians in the workplace is managed properly."

- [HSE news release](#) and [road safety in the workplace webpages](#). [East Anglia Daily Times](#). [Ipswich Evening Star](#). [BBC News Online](#).

Official reminder to respect road workers

The Highways Agency is urging the public to show respect for the thousands of road workers whose safety can be jeopardised by bad drivers. The agency says each day more than 4,000 road workers - approximately one for every mile of the Highways Agency's network - put their trust in the hands of around 18 million other road users. Between 2003 and 2008, 11 roadworkers were killed and 104 were seriously injured while working on motorways and major A roads in England. Derek Turner, director for network operations in the Highways Agency, said: "Roadworkers work in a dangerous environment and deserve respect and consideration from drivers. Driving through half a mile of roadworks at 70mph takes just 10 seconds less than at 50mph - a 10 second saving which can put lives at risk. Speed restrictions, cones, barriers, signs are there for a reason - to protect our workers from danger and to keep road users safe. I urge all drivers to obey speed restrictions and pay close attention to safety when driving through roadworks."

- [Highways Agency news release](#) and [Respect our Road Workers' campaign](#).

International News

Australia: Bereaved families back strong laws

Family members of people who have died at work have joined with unions to lobby Australia's federal government over new health and safety laws. In a letter to the deputy prime minister, Julia Gillard, leaders of victim support groups in Victoria, New South Wales and South Australia warn of the "devastating effects" workplace deaths have on communities. They urge the government to introduce stronger health and safety protections to prevent more families suffering the heartbreak of workplace deaths and injuries. The letter says that proposed changes to workplace health and safety laws fall well short of providing world's best practice - the government is in the process of consolidating state-level laws into one over-arching federal law. Deanne May of Industrial Death Support in Victoria, whose son died at work, said there was "no excuse" for safety laws being weakened anywhere in Australia. But she added: "No one is listening." Jeff Lawrence, secretary of the national union federation ACTU, said: "The failure to protect the health and safety of employees has huge social and economic consequences. For

workers and their families, it destroys quality of life, restricts social and family activities, affects relationships and reduces job prospects and earning capacity. For businesses and the economy, poor health and safety leads to lower productivity through absences from work and higher healthcare costs for the whole community.” He added: “It is in all our interests to make sure Australian workplaces have the highest possible standards of health and safety.”

- [ACTU news release](#) and letter from victims’ groups [[pdf](#)]. [Sydney Morning Herald](#).

China: Not so green solar energy?

Solar panels, one of the most commonly touted solutions to the world’s climate woes, may have a less shiny record than first appears. Five years ago, mainland China’s production of polysilicon – the key component of solar panels – was negligible. Today, China is the world’s leading producer of the material and last year churned out 4,000 tonnes – 80 times as much as in 2004. Thirty-odd plants in China are producing ever increasing volumes of polysilicon – which is unhealthy news for many employees. Dr Dang Qingde, deputy head of the department of labour safety of the Centre for Disease Control in the city of Leshan in Sichuan, assessed the amount of toxic chemicals in the air at a polysilicon plant. Dang measured more than 10 poisonous substances, from ammonia to the lung-eating trichlorosilane, all at levels within the safe limits decreed by Beijing. However, he rated the workplace ‘highly hazardous’. He said: “A shiny polysilicon plant is like a shiny bomb. It may look clean and innocent, but you don’t want to have one in your neighbourhood.” Dang published his findings in an academic journal, despite opposition from the plant’s management, in the hope it would draw attention to health concerns in polysilicon production. A report last year warned instead of recycling a highly toxic byproduct of polysilicon production, silicon tetrachloride, Chinese companies were stockpiling the substance in drums or simply dumping it, rendering land infertile and exposing both workers and local communities to dangerous concentrations of chlorine and hydrochloric acid.

- [Green jobs, safe jobs blog](#).

Poland: Coal mine explosion kills 13

An explosion at a Polish mine last week killed 13 workers. The blast on Friday, 18 September occurred at a Katowicki Holding Węgłowy (KHW) company mine. The methane gas explosion followed by a fire at KHW’s Wujek-Slask mine in the coal-dominated Silesia region of southwestern Poland also seriously injured 18 other miners. A total of 40 miners were hospitalised following the explosion, which ripped through mine shafts 1,050 metres underground. The Polish government declared a two-day national period of mourning this week in response to the tragedy. A Polish website, Pracownik, reported that a miner at the Wujek-Slask colliery made a video last April, showing methane measurements over four times the levels that are considered safe. The video was aired on a Polish TV station

the evening of the blast. Mine safety activists in Poland hinted that any investigation must centre on whether or not methane reading instruments inside shafts had been tampered with in order to boost production.

- [ICEM briefing](#).
- [IUF news release](#) and [YouTube video report](#).

Events and Courses

European Health and Safety Week, 19-23 October

European Health and Safety Week runs from 19-23 October. The focus is again on risk assessment. Wednesday of the week – 21 October - is National Inspection Day. TUC webpages for both European week and the inspection day have been revised and updated.

- [TUC Euroweek](#) and [TUC National Inspection Day](#) webpages. TUC guides to inspections [[pdf](#)] and risk assessments [[pdf](#)]. HSE [Euroweek](#) and [inspections](#) webpages.

TUC courses for safety reps

COURSES FOR AUGUST to OCTOBER 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

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