

Risks

TUC 

e-bulletin

Number 431 – 7 November 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 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](#)

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

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Paper industry yes/no safety campaign

Unite and paper manufacturers have linked up to campaign for better safety throughout the industry. The union and the industry's employers' organisation, the Confederation of Paper Industries (CPI), say their 'Say yes, Say no' campaign aims to tackle the "unacceptably high level of serious machine accidents" in the sector. They say over the last two years there have been several deaths and a number of very serious injuries in paper mills, corrugating plants and recovered paper operations. The new joint initiative, launched at CPI's health and safety conference this week, calls on the industry to "Say No" to unsafe tasks. It stresses saying "No" means not taking risks, not doing dangerous work, not cutting corners and not putting production before safety. Unite and the CPI are also calling on the industry to "Say Yes" to making the industry safer. They say "Yes" means acting on health and safety complaints and queries, working together on risk assessments and safe systems of work, reporting near misses, conducting joint accident and incident investigations, undergoing joint health and safety training, and recognising that good health and safety is good for business. Unite assistant general secretary, Tony Burke, said: "This campaign will seek to educate our members on this very serious issue. Health and safety of workers should not be taken lightly and we will fight to ensure all our members are safe at work and are up-to-date with health and safety legislation. The current health and safety guidelines for these workers is not working especially in an era that encourages greater participation on health and safety issues."

- [Unite news release](#). 'Say yes, say no' campaign immediate action guidelines [[pdf](#)] and campaign poster [[pdf](#)].

Top bookie backs out of safety pact

High street betting chain Ladbrokes has reneged on a deal designed to protect frontline staff from assaults. The bookmaker had reached an understanding with the union Community to reduce levels of lone working. But the union says Ladbrokes has now "torn up" the agreement and will institute a policy of mandatory single staffing up to 12.30pm each day. Community says the company's announcement on 28 October pre-empted discussions planned for a 5 November ministerial roundtable involving betting shop, trade union and government representatives. Community regional director Christine Hardacre said: "This is a disgraceful move by Ladbrokes which places staff at risk of verbal and physical abuse. Levels of anti-social behaviour in betting shops are at an all time high. A recent survey of our members found that 4 out of 5 have faced verbal abuse in the past month while levels of physical assault have also been rising." She added: "Mandatory single staffing in a working environment full of aggressive and abusive customers places staff at risk and leaves no doubt that Ladbrokes are putting profit before people. By making this announcement during roundtable discussions, Ladbrokes are walking away from an industry wide effort to increase staff safety in betting shops and proving that the only real voice calling for greater protections for betting shop workers is the Community Union."

- [Community news release.](#)

Thugs target journalists with death threats

Tough and urgent action is needed in response to violence, intimidation and death threats targeting journalists covering far right demonstrations, media union NUJ has said. NUJ general secretary Jeremy Dear was speaking out in the wake of specific email threats against photojournalist and investigative reporter Marc Vallée and video journalist Jason N Parkinson. The emails came after verbal threats and intimidation aimed at photographers covering a march by the English Defence League in Leeds last weekend and other EDL protests this year. Professional journalists covering the events have filed reports with the NUJ detailing physical violence, including one being punched in the head, verbal threats, and attempts to seize cameras and smash equipment. The union says it is to file complaints to the police. Jeremy Dear said: "These are not idle threats made by kids - these are direct, named threats made by individuals who can be traced - in one case an individual already convicted of stabbing someone. They are designed to silence the media and stop photographers showing the true nature of the protests and protestors. The police must act now before a journalist is killed or seriously injured."

- [NUJ news release.](#)

Bullies cost probation officer his job

A probation officer was bullied out of a job he had held for 16 years. UNISON member Dominick Lee, 54, who has been awarded £83,000 for being unfairly dismissed, was sacked by the probation service in London in July 2007. In February 2006, he was given just three days notice that his court-based job no longer existed. He was told he would be transferred to a desk-bound role. Mr Lee complained to his bosses that the sudden transfer was 'collective bullying', but was suspended from his job in December 2006. He was sacked seven months later, when an internal disciplinary hearing found that his failure to move jobs amounted to gross misconduct. UNISON backed Mr Lee's case and took the claim to a Croydon employment tribunal. The tribunal ruled that Mr Lee's dismissal was unfair, and that the decision to transfer him, then dismiss him for not changing jobs, was unreasonable. Mr Lee was awarded the maximum compensation, and an additional award, because his employer refused an order from the court to reinstate him. Dominick commented: "The bullying meted out by my manager, and the lack of intervention from other managers, forced me out of a job I had worked in for 16 years. I loved working in the probation service, but there is no way I should have been made to put up with such poor treatment. I would advise anyone else in my position to get help as soon as possible, before things get out of hand." UNISON is calling on employers to root out the workplace bullies, as part of its Bully Busters campaign. Dave Prentis, UNISON general secretary, said: "UNISON has launched a Bully Busters campaign to challenge the culture of intimidation that is making many workers' lives a misery. We know that too many people are

suffering in silence - it is time to stand up, be heard, and ban the bully."

- [UNISON news release](#) and [bullying and harassment webpages](#).

Bullies target disabled workers

More than a third of disabled workers are currently being bullied, according to a UNISON poll. The new statistics, released at UNISON's annual disabled members' conference, reveal 35 per cent of the members surveyed said they suffered at the hands of bullies over the past six months, with 22 per cent saying that the problem is continuing. Many believed that their disability was the reason they were bullied or harassed. The union says its findings add weight to a key demand of its Bully Busters campaign, which is urging the government to revise the current Dignity in the Workplace Bill to include an anti-bullying policy to be enforced by employers. UNISON general secretary, Dave Prentis, said: "These figures amount to a huge number of staff suffering in silence at the hands of bullies, while employers turn their back on the issue. Many people do not realise that a drip feed of bullying behaviour can be as devastating as a major incident." He added: "Serious mental and physical illness is a common result for victims of bullying and this can have a serious effect for disabled workers. We need clear, enforceable bullying legislation to change attitudes now. UNISON is committed to banning the bully and it is important for disabled people to know that joining a union, especially during turbulent economic times, is crucial."

- [UNISON news release](#).

Redundant drivers tell supermarket to deliver

Supermarket giant Morrisons is holding back cash owed to three former drivers who lost their HGV licences on health grounds. A GMB demonstration outside the company's Camden store this week set out to highlight the failure of Morrisons to honour the agreement, with shoppers urged to make representations to the store's manager. GMB members Rob Jordan, Alan Snelling and Charles Chalk all lost their HGV licences in 2004 on medical grounds and subsequently lost their jobs. The union says they are entitled to compensation of up to £6,000 each, but have so far received nothing. The three former drivers were originally employed by Safeways supermarket at its Aylesford depot. In 2005, their employment - and related contract terms and conditions - was transferred to Morrisons, who made all three redundant in January 2006. An agreement pre-dating the Morrisons takeover entitles the men to an insurance payout of up to £6,000 in the event of the loss of their LGV driving licence due to accidental bodily injury, sickness or disease occurring or manifesting itself during the period of cover, the union says. GMB regional officer Brendan Kemp said: "The members have provided medical evidence in support of their claims but Morrisons has failed to respond at all. GMB and employers for good reasons set up schemes such as this to look after drivers who are no longer adjudged fit to drive HGV vehicles. We want

Morrisons to attend to this matter, to honour a written agreement and pay our members what is owing to them.”

- [GMB news release](#).

One in 10 shopworkers physically assaulted

One in every 10 shopworkers has been physically assaulted at work, a survey by shopworkers' union Usdaw has found. The union poll also reveals that nearly one in three shopworkers (29 per cent) has experienced verbal abuse in the last month and one in three (32 per cent) has been threatened in the last year. Usdaw general secretary John Hannett said: "Customers can get very frustrated over long queues or if the item they want is out of stock and they take it out on the shopworker." He said its 2-6 November 'respect for shopworkers' action week, included events nationwide where Usdaw members asked shoppers to pledge to 'keep their cool at Christmas'. The campaign is also lobbying MPs for more police and community support officers patrolling the streets and the use of monitored CCTV to protect customers and staff. John Hannett added that another flashpoint for abuse is when customers are asked to prove their age. "Usdaw members tell me that they've been hit, sworn at and threatened for refusing to serve alcohol and other age restricted products to a customer," he said. "We want customers to be aware that shopworkers are under a lot of pressure to police the law on age-related sales and can be individually fined if they get it wrong. They are just doing their job so please carry ID when buying age-restricted goods. And even if things don't go as smoothly as you would like, please show shopworkers respect and keep your cool at Christmas."

- [Usdaw news release](#) and [Freedom from Fear campaign](#).

Ignored warning led to injured hand

A hospital worker needed surgery on her hand after a laundry contractor ignored her requests to repair defective equipment. UNISON member Rita Stone received a £7,000 compensation payout after her hand got stuck when she was moving cages full of linen out of the hospital lift. The injury was caused by the wheels of a cage suddenly locking, then the lift door closed on her hand. The laundry manager from Milton Keynes had previously reported the faulty cages to the hospital's laundry contractor, who had failed to take action to replace them. The injuries Mrs Stone sustained meant she had to undergo a series of painful operations after she developed a cyst on her wrist, leaving her with a scar. Her employer, the Royal Free Hampstead NHS Trust, admitted liability and settled the claim out of court. Rita has since retired, after working in the Trust for more than 20 years. She said: "I would like to send a message to the hospital trust, that they should be more aware of health and safety. If staff raise concerns then they should be taken seriously, and improvements should be made to equipment and working practises when necessary. When I told the contractors about the faulty laundry cages they did not listen, and I paid the price with a long standing injury." Anita Rattan from

Thompsons Solicitors, who represented Rita for the union, said: "This accident shows how even simple operations like wheeling a trolley into a lift have the potential to cause harm if the equipment being moved in and out is not kept in good working condition. Mrs Stone was very worried about being trapped."

- [UNISON news release.](#)

Head bang led to chronic headaches

A woman suffered severe chronic headaches for years after being concussed when she was hit on the head by faulty equipment at work. GMB member Kay Holt, 28, was forced to give up her job for Wilkinsons Hardware Stores' distribution centre near her home town of Worksop as a result of the November 2007 injury. The warehouse worker was building a roll cage, a type of large trolley with shelves used for moving stock, when the top shelf fell and hit her head. She was diagnosed with post concussion syndrome, which left her with chronic headaches and fatigue. Kay was able to return to work four weeks after the injury, but later found her condition was so bad that she couldn't work and she was dismissed on the grounds of ill-health. Solicitors brought in by GMB to act for Kay found there had been previous complaints about the roll cage and similar incidents had happened to two of Kay's colleagues. Wilkinsons admitted liability and agreed a "significant" settlement out of court. GMB regional secretary Tim Roache said: "Wilkinson's failure to take heed of previous accidents with these roll cages was unacceptable and Kay has paid the price for that failure. Thankfully the GMB has been able to get some compensation for our member's pain and distress, but with a bit of basic health and safety this accident could have been avoided."

- [Thompsons Solicitors news release.](#)

Bin lift led to bad back

A waste lorry driver who needed surgery after he suffered two slipped discs caused by lifting heavy bins has received a "significant" out of court payout. Unite member Les Webb, 49, was off work for seven and a half months following the 2006 incident while working for Viridor Waste Management in Plympton. The company removes clinical waste from hospitals and other establishments. Les was attempting to load a 720-litre bin of waste when he felt severe pain in his back. An MRI scan revealed he had suffered from two slipped discs, a trapped nerve and a laceration to a muscle in his back. He needed surgery to put his discs back in place and was bedridden for weeks. He was eventually able to return work on light duties and is now back full time. Viridor Waste Management admitted liability and settled the claim out of court. Les said: "I decided to pursue compensation because I was concerned about my colleagues. Some of the bins we move are extremely heavy and more needs to be done to make sure this doesn't happen to someone else. Since the accident we have been given lifting training which has helped significantly." Unite's Laurence Faircloth commented: "Back injuries can be painful and

debilitating. Employers must ensure staff are trained in lifting techniques or work out ways to avoid situations like the ones faced by Les.”

- [Thompsons Solicitors news release](#).

Other news

Docs say fit notes plan is 'unrealistic'

Government plans to introduce GP 'fit notes' instead of sick notes may be unrealistic, say researchers. A survey of 440 GPs in Nottinghamshire found few currently took any responsibility for managing the work issues of patients with back problems. Considerable training and a change in culture will be needed for GPs to take on a role where they advise on the work a patient can do, the paper in the journal *Family Practice* concluded.

The researchers from Nottingham University send a postal questionnaire to 441 GPs, and received responses from 54.7 per cent. The majority of GPs responding (76.8 per cent) reported that they did not take overall responsibility for managing the work problems of patients arising from low back pain. Few 'mainly agreed' that they initiated communication with employers (2.5 per cent) and/or therapists (10.4 per cent) regarding their patients' work. Two-thirds said therapy and rehabilitation to help patients with low back pain with work problems should be provided by local authorities. The paper concludes: "The results of this study demonstrate that most GPs do not readily engage in vocational rehabilitation and do not initiate contact with employers or other health care practitioners regarding patients' work problems. Thus the current government expectation that GPs are able to successfully manage this role may be unrealistic; considerable training and a change in the GPs' perception of their role will be required." Study leader Carolyn Coole, a research occupational therapist, said: "It is going to be difficult for them in terms of the amount of knowledge they will need about a person's job and to give advice that the employer understands." A Department of Health spokesperson commented: "We believe that GPs are well placed to provide appropriate advice, which the employer, who understands the demands of their workplace, can then use to decide whether or not they can safely facilitate the employee's return to work." This suggests the one person left of the discussion will be the patient themselves. Research published this year found workers off sick with back pain and who were involved in identifying potential barriers to their return to work get back on the job much quicker ([Risks 415](#)).

- Carol Coole, Paul J Watson, and Avril Drummond. Work problems due to low back pain: what do GPs do? A questionnaire survey, *Family Practice Advance Access*, published on 26 October 2009, doi:10.1093/fampra/cmp074 [[Abstract](#)]. [BBC News Online](#).

New warning on Britain's biggest work killer

Britain's biggest workplace killer could blight another generation of building workers unless urgent action is taken to tackle asbestos risks. The Health and Safety Executive (HSE) says "around a quarter of the 4,000 or so people dying from asbestos-related diseases each year in Britain are tradesmen such as joiners, electricians and plumbers. About twenty lose their lives each week." It says across Britain, more than 35,000 people died from the asbestos-related cancer mesothelioma between 1977 and 2007 - and the numbers dying are increasing. Latest annual figures show that 2,156 people died from the disease in 2007 alone, up five per cent on the previous year. HSE's new £1.2 million, month-long 'Hidden killer' campaign sets out to warn Britain's 1.8 million building trades workers about the dangers they face. Steve Coldrick, HSE's asbestos programme director, said: "With this campaign we can educate today's workforce about the risks and what action they need to take to protect themselves from this deadly dust. If tradesmen are not sure whether there is asbestos present where they are working they should stop and check." TUC general secretary Brendan Barber said: "Asbestos has posed a long running threat to generations of British workers, many of whom have faced an early death because they were not told about the hidden killer in their workplaces. Asbestos cannot be written off as a 20th century problem, a legacy from our industrial past." He added: "We owe it to the memory of those whose lives have been cut short to get the message through to today's workers, and that's why we are backing the HSE campaign."

- [HSE news release](#), [podcast](#) and [Hidden Killer](#) webpages. [HSE Scotland news release](#).
- For a free HSE asbestos information pack see the [Hidden Killer](#) webpages or call 0845 345 0055.

Agencies in asbestos jobs blunder

Eleven employment agencies have been warned by the Employment Agency Standards inspectorate (EAS) after advertising for asbestos removal workers without properly checking the health and safety implications. ESA said it acted swiftly on a tip off that agencies were advertising vacancies for asbestos removal workers without having the proper Health and Safety Executive (HSE) licenses. The inspectors found that, although no workers had been placed yet, the agencies weren't taking the necessary steps to prevent risk to them. As a result of the breaches of the regulations governing agencies, the inspectorate issued warning letters. Failure of any agency to address the non-compliance could result in criminal proceedings or a possible ban from trading of up to 10 years, ESA said. Lord Young, parliamentary undersecretary at the Department for Business, Innovation and Skills (BIS), commented: "This operation shows that EAS act quickly and effectively to protect both agency workers and the public." He added: "A simple system for reporting abuses and giving advice and information to employers and workers is a critical part of that." Of the twelve agencies investigated, eleven were found not to have complied fully with the regulations. A total of 57 infringements were identified including failing to explore the health and safety implications of the advertised work with the hirer, failing to fully inform the applicant of the risks, and failing to check the identity, qualifications, experience and training of the worker they intended to supply.

- [BIS news release](#). [EAS webpages](#).

Director fined after asbestos exposures

Two businesses and a company director have been fined after workers in Manchester were exposed to potentially deadly asbestos fibres. Recon Packaging Ltd pleaded guilty to breaches of the control of asbestos regulations. It was fined £3,000 and ordered to pay £5,000 costs last week at Trafford Magistrates' Court. Industrial & Commercial Building Services Ltd (ICBS) and its managing director, Kevin Bennett, pleaded guilty to a breach of workplace safety law and of the Asbestos Licensing Regulations 1983. They were each fined £2,000. The court heard that ICBS employees came into contact with asbestos while demolishing part of the Recon Packaging recycling plant in early 2006.

Recon Packaging hired ICBS to carry out the work after the plant was severely damaged by fire in May 2005. The building included substantial amounts of asbestos but no site assessment was carried out, and ICBS was not licensed to remove it. HSE inspector Stuart Kitchingman visited the site on 13 April 2006. He said: "We took immediate action to stop the demolition, and were shocked that workers had been allowed to remove asbestos without the proper precautions being taken. Recon did not carry out any assessment to find out whether asbestos was, or was likely to be, present in its premises. If the company had, it would have found asbestos in large sections of insulation boards and some in coating sprayed on the building's steelwork." He added: "ICBS and Kevin Bennett should have made sure that the premises were free from asbestos before starting work. But they allowed workers to break up materials using hammers, crowbars and power tools, without wearing suitable protective equipment and without a licence."

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

Manslaughter fines could be smaller

A proposal that fines for corporate manslaughter should be related to a firm's turnover has been rejected by the Sentencing Guidelines Council (SGC). Guidelines put out to consultation by SGC say while corporate manslaughter fines will not be linked to either profit or turnover, they should "seldom" be below £500,000. They add fines may be accompanied by a publicity order, remedial order, or both. However, there is little detail on what, for example, a publicity order may entail, a point that is likely to attract comment in responses to the consultation – a mention in the company annual report might cause considerably less pain to a guilty firm than a prime time TV confessional advert. SGC chair Lord Judge, in a letter to consultees, said the Sentencing Advisory Panel's (SAP) original proposal for fines to be between 2.5 and 10 per cent of the offending organisation's annual turnover was rejected because it "could inadvertently risk an unfair outcome, was particularly difficult to apply to public and third-sector bodies, was likely to create a perverse incentive to adjust corporate structure to avoid the proper consequences of offending, and so did not provide the most effective way of assessing the level of fine across such a wide range of situations." Creative accounting could mean some companies

bury their profits and get away with minimal fines, the SGC's argument suggests. The SGC's document also covers work-related health and safety offences that result in a death. It says fines in cases where a causative link has been established with the death "should seldom be less than £100,000 and may be measured in hundreds of thousands of pounds, or more."

- [Sentencing Guidelines Council](#) news release [[pdf](#)], letter to consultees [[pdf](#)], advice [[pdf](#)] and consultation document on the guidelines [[pdf](#)]. The deadline for responses is 5 January 2010.
- [SHP Online](#). [Personnel Today](#).

Some businesses not keen on Tory plans

Conservative plans to pare back health and safety regulation may be less popular than the party hopes. A Tory Green Paper says an "earned autonomy" system would allow firms to arrange their own independent safety audits, with qualifying firms given the right to refuse entry to Health and Safety Executive (HSE) inspectors ([Risks 429](#)). But trade paper Construction News reports some industry sources have indicated they are concerned about how the auditing would work. The Federation of Master Builders (FMB) said more effective targeting of HSE inspections on building sites was "a better way forward" than allowing contractors to secure immunity through external audits. FMB director of external affairs Brian Berry told the paper: "Many construction firms already use external health and safety assessment, accreditation and audit providers as part of their prequalification procedures. Indeed, the practice is so widespread that the duplication and bureaucracy created by the construction health and safety accreditation industry has become an issue in itself." Mr Berry added that while these prequalification schemes did improve safety, yet another scheme may overload HSE with unnecessary paperwork. The Conservative proposals mimic a misfiring US voluntary protection programme, which is currently under official investigation for a series of serious failings, including allowing firms with poor safety records to operate outside the formal enforcement system with virtual impunity from official action.

- [Construction News](#).

Union dismay a voluntary ports code

A voluntary safety code will not be sufficient to introduce the improvements needed in Britain's ports, a union has warned. Nautilus had wanted the updated version of the ten-year-old Port Marine Safety Code, launched on 29 October, to be mandatory. The new code provides improved guidelines for ports on how to implement their safety management systems. But Nautilus believes that full compliance with the Code's requirements will never be realised until the document carries weight in law. A spokesperson told workplace safety magazine SHP: "We are extremely disappointed that the Code has not been made mandatory. There has been a series of accidents in ports around the UK, which, in our view, clearly demonstrate, without any shadow of doubt, the

failures of the Code to deal with some quite fundamental problems at ports across the country." Nautilus says the voluntary Code had failed to tackle the issue of vessel traffic services (VTS) – the industry equivalent of air-traffic control – and says the UK lags behind the rest of Europe on the issue. Announcing the new voluntary Code, transport Minister Paul Clark said: "With 54,000 people working at our ports, it's very encouraging to see tireless dedication to high standards across the industry, making ports safety here among the best in the world. When accidents do happen, the consequences can be very serious, but thanks to the professionalism of those who manage our ports this is now a rarity." He added: "This work is a great example of what the industry and the government can achieve by working closely together. I hope that by updating the Code, the industry will have an even clearer guide to port marine safety, enabling them to continue the excellent work they already do."

- [DfT news release](#). [SHP Online](#).

International News

Europe: Deregulation is a threat to safety

An action programme agreed by the European Commission last month as part of a 'Better regulation' campaign could undermine workplace safety, union safety specialists have warned. Measures that could be introduced under the programme include exempting certain small businesses from undertaking risk assessments, reducing workplace inspections and urging member states to introduce only the minimum requirements when transposing safety directives into national law. The Commission says it intends to secure around €650 million (£580m) a year in savings as a result of the changes to the health and safety system. Trade unions are critical, saying "on the pretext of reducing red tape" the deregulation obsessed European Commission is "undermining the rights of workers and consumers as well as the member states' possibility to enforce EU legislation." Laurent Vogel, director of ETUI's department of health and safety, commented: "We witnessed an operation that was very much like a ventriloquist's show", with the Commission setting up unaccountable, business-oriented groups to advise on deregulation, then claiming it is only acting on the independent advice given – advice it had commissioned from them in the first place.

- [HESA news report](#).

France: More company concessions on suicides

France Télécom is preparing to set aside €1 billion (£90m) as part of a plan to end a spate of suicides amongst staff by offering older workers the chance to go part-time. The telecommunications giant, which has already suspended restructuring, said it may enable staff aged over 57 to work part time under a stress reduction programme. The part-time jobs would be made available on a voluntary basis to employees who felt that full-time work was

endangering their health. Gervais Pellissier, the company's financial director, said the measure would be provisioned in this year's accounts and added that a cost estimate of €1 billion "is not fundamentally far from our working hypothesis." Didier Lombard, the company's embattled chair, has been targeted by unions for introducing a blizzard of changes since privatisation in 2004. The unions have blamed performance targets, tough management and workplace mobility programmes for the series of suicides. The deaths have prompted the former state monopoly into a wide-ranging review of working practices overseen by Stéphane Richard, a former French government adviser who last month took over as deputy chief executive. Mr Richards, who is set to replace Mr Lombard as chief executive in 2011, admitted the group had "gone too far" in its attempts to supervise staff through the introduction "control tools."

- [The Times](#).

Mexico: Oil industry deaths and corruption exposed

Mexico's offshore industry is riddled with repression and corruption that is costing workers' lives, a report has charged. The report from global union federation ITF was launched at a major safety and industrial relations conference held in Mexico City last week. The human rights report, 'Campeche Basin, paradigm of labour exploitation', was written by campaigning journalist Ana Lilia Pérez. She said: "Safety standards in the industry, which is inherently a high risk activity, are intolerably bad, resulting in frequent serious accidents, for which responsibility is never attributed." Her investigation details a catalogue of unsafe practices, daily rip-offs and intimidation of those who challenge them. The report presents evidence that many workers are being sent onto rigs, tugs and support vessels without any safety gear or training, that those who are injured are receiving derisory pensions and that people are dying and their deaths are being covered up. The journalist had to go into hiding last year when a warrant for her arrest was issued, her editor arrested and the offices of Contralínea magazine raided following publication of her articles into corruption involving Mexico's state-owned Pemex oil company. ITF Americas regional secretary, Antonio Fritz commented: "Thanks to Ana Lilia Perez's bravery and continuing investigations we now have a clinical examination of how lives are being degraded, endangered and even lost in this richest of industries."

- [ITF news release](#).

USA: BP hit with largest ever safety fine

British multinational BP has been hit with the USA's largest ever safety fine. US labor secretary Hilda Solis announced on 30 October that the Occupational Safety and Health Administration (OSHA) had levied the largest fine in its history - \$87.4 million [over £53m] - against BP for failing to correct safety problems identified after a 2005 explosion that killed 15 workers at its Texas City refinery. Solis said the fines are the result of BP's failure to comply in

hundreds of instances with a 2005 agreement to fix safety hazards at the refinery. She said: "Let me be clear. This administration will not tolerate disregard of our laws. Employers have a legal and moral responsibility to protect their workers who ultimately are America's most important assets. The laws are designed to level the playing field for all businesses and ensure that workers in any economic climate are kept out of harm's way." In a stinging rebuke to the London-based multinational, she said: "Workplace safety is more than a slogan. It's the law. The US Department of Labor will not tolerate the preventable exposure of workers to hazardous conditions." OSHA issued 271 notifications to BP for failing to correct hazards at the Texas City refinery since the explosion. The agency also identified 439 "wilful and egregious" violations of safety controls at the refinery. Jordan Barab, acting head of OSHA, said the safety problems at BP are systemic. "There are some serious systemic safety problems within the corporation, specifically within this refinery as well. I think that just the fact that there still are so many life-threatening problems indicates they have a systemic safety problem at this refinery." BP already has pleaded guilty to federal charges related to the explosion and agreed to pay \$50 million, the largest criminal fine ever assessed against a company for Clean Air Act violations. Six months after the explosion, BP agreed to pay a \$21.3 million OSHA fine, then the largest in the agency's history. In 2002, it was the recipient of what was then a UK record safety fine of £1m, for offences at Scotland's Grangemouth refinery.

- [OSHA/Department of Labor news release](#) and [BP prosecution webpage](#). [New York Times](#). [AFL-CIO blog](#). [BBC News Online](#).

Events and Courses

TUC courses for safety reps

COURSES FOR NOVEMBER 2009 to JANUARY 2010

- [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