

# Risks

TUC 

*e-bulletin*

Number 433 – 21 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](#)

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## **RMT members were on the blacklist too**

Members of a third trade union have been revealed as being victims of the infamous construction industry blacklist. In February, officials of the Information Commissioner's Office raided The Consulting Association. They discovered secret files on some 3,200 workers in the construction industry that had been maintained on behalf of building firms for vetting purposes. The organisation was industry run. Union health and safety activity appears to be one of the main reasons workers were added to the blacklist. A report in Tribune magazine says of the 238 files released so far, most have been on members of UCATT and Unite – but now it turns out that some RMT members were blacklisted as well. Steve Hedley, an RMT official, obtained his 15-page file which records how he was sacked from working on the Channel Tunnel project – and couldn't get work for three months afterwards. He said: "There is also reference to a general RMT file and other individual RMT members have received their files." The news comes as the first employment tribunal hearings arising from the blacklisting scandal reach court. It is believed 23 workers have filed around 80 different cases against the biggest names in the construction industry. The tribunals will be heard together and an initial case management discussion takes place on 24 November in Manchester. This will help decide the scope and the timings of the hearings. Those bringing the case are planning a demonstration to coincide with the hearing. The government says it plans to introduce new rules outlawing blacklisting "as soon as possible." Draft regulations put out to consultation earlier this year were criticised as seriously inadequate by unions and campaigners.

- [Tribune magazine](#). [Blacklist blog](#).
- Event: [Manchester TUC 'Fighting the Blacklist' meeting](#), 7.00pm, Monday 23 November, Mechanic's Institute, 103 Princess Street, Manchester M1 6DD (entrance Major Street).

## **UCATT protests against the blacklist**

Construction union UCATT will hold a demonstration in support of victims of blacklisting outside of Manchester Employment Tribunal on 24 November. A tribunal will be hearing the initial cases of blacklisted construction workers. UCATT general secretary Alan Ritchie said: "Hundreds of construction workers had their lives ruined by the blacklisters. Many of them were forced out of the construction industry. This is the first opportunity workers have had to win justice from the construction companies who blacklisted them." The union says "much of the information contained on the blacklist related to a worker's union membership. In particular workers who had taken on the role of a health and safety representative or had been a whistleblower on dangerous sites were targeted." George Guy, regional secretary for UCATT's north-west region, said: "A large number of UCATT's activists in the North West were blacklisted, these workers deserve justice. Everyone involved in blacklisting must be brought to book." The union says because of the absence of an explicit blacklisting law, Ian Kerr, the boss of blacklisting organisation The Consulting Association, was charged only with data protection offences. The former Special Branch

officer pleaded guilty and was fined £5,000, a penalty described by the Information Commissioner Christopher Graham "as simply inappropriate". He added: "Here's a blatant example of a business making a lot of money by trading in people's data, which I believe parliament could stop if we activated a custodial sentence for the worst offenders."

- [UCATT news release](#). [Blacklist blog](#).
- Protest: 9.30am, Tuesday 24 November, Manchester Employment Tribunal, Alexandra House, 14-22 Parsonage, Manchester M3 2JA.

### **Getting a handle on location safety**

Theatre, film and event production union BECTU is calling on employers in the industry to improve safety on location. It says its fresh appeal has been prompted by persistent concern at risks arising from the absence of handrails on facilities vehicles. The union says on location, facilities such as hair and make-up, costume and wardrobe, and changing and toilet facilities are usually housed in lorries or caravans that have several steps up to the door. Several members have been injured in related falls, it says. The union is asking members to email it photos of facilities vehicles without handrails. It adds that safety managers at the BBC have acknowledged to BECTU that some vehicles do not have the required handrails. BECTU national officer Anna Murray said: "BECTU has been asked to supply information on any such instances so that the reasons for such failures can be addressed. Members should also ensure that all incidents and near-misses around vehicle steps are recorded properly." The union says it is also getting reports of accidents occurring when people are getting into and out of the cabs of these vehicles. It says: "Could this be the result of cutbacks and of the increased pressure on staff to multi-task?"

- [BECTU news release](#).

### **Prison walkout in bullying protest**

Up to 200 prison officers at Liverpool Prison walked out on 18 November in protest at "continued bullying and harassment" by senior management. Their union, the Prison Officers' Association (POA), said the dispute relates to unresolved issues that have persisted since one of its members took a complaint to an employment tribunal. The September tribunal was brought by a prison officer at Liverpool Prison. The union says both the governor and deputy governor of the prison were heavily criticised by the tribunal judge. A POA statement said since then, POA members at the prison "have been subjected to what they describe as 'continued bullying and harassment' by the senior management at the establishment." It added the walkout was prompted by a 13 November decision by the deputy governor to transfer a worker who had made a complaint about him. The POA members ended their unofficial protest the same day. Commenting ahead of the return to work, Brian Caton, POA general secretary, said: "The

membership of the POA stand fully behind the Liverpool Branch for standing up to management in the face of a management team who appear unable to command the respect of their staff and who have resorted to running their prison on threats and intimidation.”

- [POA news release](#). [BBC News Online](#) and [update](#).

### **Beef up meat inspection says union**

More meat inspectors should be employed to protect the safety of the food we eat – and more protection should be provided to the workers doing the job. The call comes from the union UNISON, which says meat hygiene regulations should be tightened up and the number of meat safety inspectors working in abattoirs should be increased. The union warning comes as the UK food safety watchdog indicated it was going to slash funding for meat inspections. Simon Watson, UNISON’s national officer for meat hygiene inspectors, said recent revelations about “dirty” meat being sold to consumers showed the meat industry and the Food Standards Agency (FSA) need to take firm action. “More safety inspectors will help, but the culture of bullying and intimidation in abattoirs, that prevents them from doing their jobs properly, must be stopped. Meat safety inspectors come under huge pressure from abattoirs to keep meat production lines moving fast. If an inspector slows the line, to determine whether a carcass is fit to eat, the industry loses money. Inspectors need support to blow the whistle on health and safety violations, without fear of being victimised.” He added: “Allowing abattoirs to police themselves on aspects of meat safety has failed. We need to beef up powers for independent meat safety inspectors, so the public can be sure that animals sent for slaughter are clean and dry. The meat industry would lose millions if they wait for a national food safety scare to hit the headlines before taking action.” UNISON says FSA is “moving towards allowing the meat industry to police itself, with independent inspectors playing an audit role. This, UNISON believes, will severely compromise public safety and confidence in meat.”

- [UNISON news release](#). [Meat Trade News Daily](#).

### **Action call on self-employed site deaths**

Construction union UCATT has called for action by the Health and Safety Executive (HSE), after an analysis of the watchdog’s statistics revealed a sharp rise in fatalities in self-employed site workers. The union says figures supplied by HSE show the number of self-employed site workers killed increased from 19 to 20, in contrast to a sharp drop in the number of fatalities to employees in the industry, down from 53 to 33. UCATT general secretary Alan Ritchie said: “UCATT has repeatedly argued that self-employed workers are at greater danger of being killed and injured at work. The latest figures underline this fact.” The union adds the problem in the industry is compounded by “bogus” self-employment, where workers who should have the legal rights that come with direct employment are wrongly assigned self-employed status. Mr Ritchie

said: "UCATT has long argued that resolving the issue of employment status is vital to tackling the high number of deaths in the construction industry. The self-employed and the bogus self-employed are more exposed to dangerous working practices, have no employment rights and are unlikely to be protected by independent safety reps. The HSE needs to recognise these facts and take appropriate action to better protect construction workers." UCATT says the overall reduction in deaths is primarily due to the recession, which has resulted in a marked decline in construction output, resulting in thousands of construction workers losing their jobs.

- [UCATT news release](#). [HSE construction injury statistics](#).

### **Civil servants bullied in Wales**

Bullying is widespread in the civil service in Wales, with most of the victims dissatisfied with the response from their employer, research for the union PCS has found. Over 1 in 4 (26.4 per cent) civil servants working in Wales has been bullied at work and 44 per cent have experienced negative behaviour on at least a weekly basis, according to the independent survey by the Glamorgan Business School's Centre for Research on Workplace Behaviours (CRWB). The initial findings show over a third (39 per cent) of members with a long term health condition has been bullied and that 41 per cent of respondents have witnessed bullying in the workplace. The CRWB study surveyed 728 members of PCS in Wales. The research found bullying tends to be top down. Less than 10 per cent of those bullied are satisfied with the way the matter was dealt with by their employer. PCS general secretary Mark Serwotka said:

"Departments and agencies need to address bullying quickly by working with unions to ensure dignity at work and anti-bullying policies are in place, as well as ensuring adequate training for managers and supervisors." CRWB's Hazel Mawdsley, commenting on the preliminary findings, said: "It is particularly worrying that those with some long-standing physical or psychological conditions reported more bullying. Further analysis will help us understand these trends and facilitate the development of effective anti-bullying prevention and intervention strategies."

- [PCS news release](#).

### **College lecturer deafened by work**

A college lecturer has been left with permanent damage to his hearing after being exposed to excessive noise at work. UCU member Malcolm Hipkin, 65, received undisclosed damages after he was diagnosed with noise-induced deafness and tinnitus. He was exposed to excessive noise while working at Gateshead College during the 1960s and 70s, where he lectured in motor vehicle body work. He was often in the workshop for eight hours at a time teaching classes of students how to use pneumatic impact chisels. Mr Hipkin worked for the college for 41 years but has now retired. He was advised by the UCU health and safety rep at the college that his hearing loss was likely to be as a result of his work. Mr Hipkin

said: "People told me for a number of years that I was going deaf but I didn't believe them. We weren't provided with hearing protection and the room wasn't sound-proofed but we were being exposed to the noise over a long period of time most days." UCU general secretary Sally Hunt said: "This case shows how occupational deafness can affect those working in a number of different industries. Employers must be aware of their responsibilities to ensure their staff are given the correct hearing protection to avoid exposure to excessive noise."

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

### **Firefighters welcome Buncefield guilty plea**

Firefighters have welcomed the guilty plea by oil giant Total UK to safety and environmental charges relating to the Buncefield oil depot explosion in December 2005. Their union has warned, however, that cutbacks could affect the ability of firefighters to respond to future incidents. The Buncefield explosion rocked Hertfordshire, causing widespread damage and leaving 43 people injured. It was the largest European peacetime fire. Firefighters' union FBU says more than 1,000 firefighters attended the blaze from 33 fire and rescue services from across the country, working "in extremely arduous and hazardous conditions to put the fire out and limit the effects on the environment." Herts FBU secretary Tony Smith said: "It was a miracle that no one was killed by the blast and subsequent fire and we believe it is significant today that one of the parties involved has pleaded guilty to the charges." Four other companies - Hertfordshire Oil Storage, British Pipeline Agency, TAV Engineering and Motherwell Control Systems 2003 - pleaded not guilty to similar charges. A trial date was provisionally fixed for 14 April 2010 at St Albans Crown Court. Total is not expected to be sentenced until trials are held for the other companies. FBU's Tony Smith said: "Firefighters face great risk attending incidents like the one at Buncefield and at the same time our funding is constantly cut. How can we guarantee that we will be so successful in dealing with these incidents in the future when there will be less firefighters with less training, equipment and support?"

- [FBU news release.](#) [Buncefield investigation webpage.](#) [The Ecologist.](#) [BBC News Online.](#)

### *Other news*

#### **Campaign calls for zero lead exposures**

Workers must have "zero exposure" to lead, a prominent safety campaign has said.

The Construction Safety Campaign's (CSC) London annual general meeting last week voted unanimously for the use of lead to be banned, a ban on lead imports and for zero exposure to lead at work. The vote followed a Hazards magazine report this month that warned tens of thousands of UK workers were being exposed to lead levels that could cause serious chronic health problems ([Risks](#)

432). Following the report, the Health and Safety Executive (HSE) withdrew its "misleading" lead at work guide. Tony O'Brien, national secretary of CSC, said: "Construction workers are at risk in old buildings from lead in pipes, paint, windows, roofing materials and elsewhere. Demolition and salvage workers recovering the metal are also at risk. We say there is now no reason not to use safer alternative materials to lead. We also say workers must be fully protected if they have to work on lead which is already in our homes and workplaces." He added: "The CSC insists the HSE urgently reviews its current unhealthy standards in the light of these shocking revelations and adopts our agreed, healthier, position." The campaign said it is also concerned that 'green industries' involved in recycling lead could be leading to a sharp increase in the number of workers exposed to lead. Global lead production has increased by 18 per cent between 2003 and 2007, the latest year for which figures are available. Increasing use of lead in the electronics industry, in product manufacture and in batteries, has been credited with the increase.

- [CSC news release](#). [Green jobs blog](#).

### **New harassment and violence guide**

Employers, unions and the government joined forces this week to promote new guidance on preventing harassment and violence in the workplace. The guidance, which follows a Europe-wide agreement between employers' organisations and unions, aims to give practical help and support to firms and their employees. It signals the first time the employers' organisation CBI, the Partnership of Public Employers (PPE) and the Trades Union Congress (TUC) have come together to provide guidance on harassment and violence in the workplace. Speaking at the launch, employment relations minister Lord Young said: "By making sure that employers understand their obligations and workers understand their rights we can promote a better workplace culture. This guidance is another step in the right direction and is the product of employers and unions working together with government and the relevant agencies." TUC deputy general secretary Frances O'Grady commented: "No one wants to be harassed or attacked at work. People who suffer violence or harassment deserve all our support. It would be far better if things weren't allowed to go wrong. So unions are committed to working with employers to make workplaces better and safer, and to make sure that people at work are treated with respect."

- [TUC briefing and links to guide](#). [BIS news release](#). [Preventing workplace harassment and violence – joint guidance implementing a European social partner agreement](#).

### **UNISON slams NHS attack figures**

Health service union UNISON has said the number of attacks on NHS workers remains too high and must be tackled. The union was commenting on NHS violence figures released this week by NHS Security Management Services (SMS), showing only a small dip in

the number of recorded assaults. Over 150 attacks on NHS staff are carried out every day, the figures show. Over a 12-month period in 2008/09, 54,758 people working in UK hospitals, ambulance services, primary care trusts and mental health services reported an assault, according to the SMS statistics. Karen Jennings, UNISON's head of health, said: "The decrease in the number of incidents is tiny, compared to the huge number still taking place - 54,758 in the past year - and this is only those who report it." She added: "These appalling attacks not only affect the victim, but the health of their colleagues and the patients around them. We need more sanctions and a national system put in place for reporting assaults." She said staff "need to know that something will be done if they are attacked. If prosecutions are not possible, they need to know that sanctions and measures are being put in place to prevent the attack happening again." The SMS figures show that last year, physical assaults on 941 people in the NHS led to prosecutions against the attacker.

- [SMS news release](#). [UNISON news release](#). [Nursing Times](#).

### **Reports slam 'collapse of enforcement'**

Britain's health and safety enforcement regime is in serious decline, two new reports suggest. The inspection trend, with Health and Safety Executive field inspector numbers and inspections undertaken dipping markedly in recent years, has fallen dramatically and taken enforcement action down with it. It is a situation described by criminal law experts Steve Tombs and Dave Whyte as the "collapse of enforcement". In a paper in the *British Journal of Criminology*, they note: "Investigations and inspections have fallen at an unprecedented rate as political and resource pressures have taken their toll on the day-to-day work of the inspectorate; the percentage falls in enforcement activities, already from low absolute levels, can hardly be described as anything other than a collapse." The paper adds: "The extent of this decline would simple not be sustainable in most other areas of law enforcement - imagine the efforts of a Chief Constable, for example, to defend declines in investigations of violent interpersonal assault, or falls in prosecutions of apprehended burglars, where these certainly would be represented as a collapse in enforcement, which, no doubt would cause a political furore." In a second report, figures obtained by *Hazards* magazine show that in 2007/08, just 7.3 per cent of the 32,810 fatal and major injuries - or fewer than 1-in-every-13 - reported to the Health and Safety Executive (HSE) resulted in an investigation by the watchdog. For major injuries alone, the chance of an HSE investigation was lower still, with just 6.5 per cent investigated. HSE told the magazine it now spends more time on "frontline activity", up from 184,843 person days in 2006/07 to 209,242 in 2007/08. But this lumps in with inspection and enforcement work the resources spent on activities including "preparation for and attendance at agricultural shows, lectures, and other awareness-raising activities" and "standards-setting work".

- Steve Tombs and David Whyte. *A deadly consensus: Worker safety and regulatory degradation under New Labour*, British Journal of Criminology, 2009; doi: 10.1093/bjc/azp063 [[abstract](#)] [[full paper pdf](#)]. [Escaping scrutiny](#), Hazards magazine, Number 108, October-December 2009. The new issue of [Hazards magazine](#) is out now.

- [Thinking Allowed](#). BBC Radio 4 programme examining white collar crime and punishment. The 11 November issue deals with workplace safety crimes.

### **Liability insurance dodger fined £1,000**

A Cambridgeshire retailer has been fined £1,000 for failing to have compulsory insurance to protect his employees. The case prompted the Health and Safety Executive (HSE) to remind all employers about the need for insurance and warn that it will take action against those who fail to protect their staff – uninsured staff could find they are not eligible for compensation or benefit payouts if they suffer work-related injury or ill-health. Dipak Kumar Kantial Solanki, who owns Melbourn Stores in Melbourn, was asked to produce a current Employers' Liability Compulsory Insurance (ELCI) certificate when an environmental health officer from South Cambridgeshire District Council visited the store in April 2009. Mr Solanki failed to present a certificate and he was issued with an ELCI "notice to produce" by the HSE. Despite this, Mr Solanki still failed to present the document. All employers who are required to have an ELCI certificate must produce a copy if requested to do so by an HSE inspector. Earlier this month, Mr Solanki pleaded guilty at Cambridge Magistrates' Court to two charges of failing to have insurance. HSE inspector Andrew Saunders said: "This case should serve as a warning to all employers about how seriously HSE takes this issue. Employers' Liability Compulsory Insurance is designed to protect employees and ensure they are covered if there is an accident in the workplace. Failing to have this insurance potentially leaves members of staff doubly vulnerable in the event of an accident or ill health."

- [HSE news release](#).

### **Director fined for serial safety crimes**

A businessman from Northamptonshire has been fined £60,000 after ordering a worker to clean a moving machine that trapped and mangled his arm, leading to its amputation. The injured worker's replacement also suffered arm injuries in a near identical incident 14 months later. Paul Richard Llewellyn James, 58, pleaded guilty to two criminal safety offences. The charges, brought by the Health and Safety Executive (HSE), related to both incidents. Mr James was also ordered to pay £17,500 in court costs. The court heard that Mr James was a director of James Environmental Ltd when both incidents occurred at the company's premises in Islip. Mr James put the company into voluntary liquidation three days after the case was committed to the Crown Court. The first incident occurred on 26 August 2006 when employee Zeke Mabbutt was instructed by Mr James to put his hand, while the machine running, between the belts of an unguarded conveyor and scoop out the rubber debris that was sticking to a roller. His right arm was drawn in by the belt and was crushed as it was forced around the roller. His injuries were so severe the arm had to be amputated just below the shoulder. A second incident occurred at the premises on 3 October 2007 when Mr Mabbutt's replacement at the firm, Danny Bedford, was injured in a near identical fashion. Although Mr

Bedford did not lose his arm, he is still undergoing operations on the limb. In sentencing Mr James, Judge Charles Wide QC said: "It is perfectly clear to me from accidents suffered by Mr Mabbutt and Mr Bedford that you had a slap-dash approach to safety. These very serious matters amount to cost-cutting for profit." At Northampton Crown Court on 10 November, Mr James was fined £60,000 and ordered to pay costs of £17,500.

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

### **Ship repair firm fined over death**

A ship repair company in Cornwall has been ordered to pay more than £105,000 in fines and costs for safety breaches after a man was crushed to death. John Datson, 51, died in August 2006 at Falmouth Docks after being struck by a crane platform while he was standing between it and the base of the crane. A&P Falmouth admitted breaching safety and lifting regulations. It was fined £85,000 and ordered to pay costs of £21,500 at Truro Crown Court. Mr Datson, a painter, was engaged in moving the work platform towards a ship. The platform was suspended by chains from a crane and Mr Datson and other dockside staff were helping the crane driver to guide the platform towards the ship. The platform got stuck on the base of the crane and Mr Datson and a colleague had to free the platform. It came loose, crushing him. He died of his injuries on site. A&P Falmouth Limited pleaded guilty to failing to introduce a safe system of work, especially with regard to the provision of sufficient information, instruction, training and supervision for employees using lifting equipment. Speaking after the hearing, HSE inspector Barry Trudgian said: "A&P Falmouth Limited had experienced previous unsafe incidents with cranes and had undertaken some training but crucially had not excluded untrained employees from lifting. After this tragic accident 40 people were excluded from lifting until the appropriate training had been given. If Mr Datson had received the proper training or had been appropriately supervised, it is unlikely that this terrible tragedy would have happened."

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

## *International News*

### **Bangladesh: Workers killed in peaceful protest**

Global union confederation ITUC and the UK's TUC have strongly denounced the killing of three workers on 21 October in Tongi, near Bangladesh's Dhaka airport. Workers of the Nippon garments factory were dismissed without receiving their salary and other benefits for the last month of work. The police opened fire against the workers, while they were protesting against the dismissal at the gate of the factory. Reports suggest at least three workers were killed and 50 others wounded. "The fact that police opened fire against striking workers is totally unacceptable," said Guy Ryder, ITUC general secretary. "As Bangladesh has ratified ILO Conventions 87 and 98 on the right freedom of association and the

right to collective bargaining, it should ensure that workers can go on strike without fearing for their lives!" In a letter sent to the Bangladeshi authorities, the ITUC is urging prime minister Sheikh Hasina Wajed to take all necessary measures to ensure that an independent investigation into the killing is conducted and to end the climate of fear in the country. Last week, TUC general secretary Brendan Barber wrote to the Bangladesh High Commission in London to "strongly condemn" the police action. The letter to Dr M Sayeedur Rahman Khan, the High Commissioner for Bangladesh, added: "This incident will, no doubt, tarnish the image of your country, add to the growing tension in industrial relations and further aggravate the difficulties that the garments industry in Bangladesh is confronted with." It continued: "We urge you to use your influence with the authorities to ensure that an impartial inquiry is held into the death of the workers concerned, that those responsible for the killings are brought to justice without delay and that all Bangladeshi workers are allowed to exercise their legitimate right to protest."

- [ITUC news release](#). [TUC letter](#).

### **Global: Lead poisoning set to rise**

Widespread lead poisoning will result from the planned distribution of a billion computers to developing countries by technology companies and charities, according to a new study. "The lead from batteries needed to power these computers will result in environmental contamination and harmful exposures unless some commonsense safeguards are taken," said Perry Gottesfeld, co-author of the study published in the *Journal of Cleaner Production*. "Our research concludes that emissions from the lead batteries needed to power these computers will exceed 1,250,000 tons in the next decade," added Mr Gottesfeld, who is the executive director of Occupational Knowledge international (OK International) of San Francisco. "Ironically these efforts to narrow the 'digital divide' will increase lead emissions and offset any gains in educational achievement unless efforts are taken to reduce emissions from battery manufacturing and recycling," he said. The study, 'Plans to distribute the next billion computers by 2015 creates pollution risk,' says India alone is expected to gain 150 million new PC users by 2015 and most will utilise lead batteries for primary or backup power, or both. The increased production of computers and other electronic equipment has been credited with the recent global rise in lead production, which increased by 18 per cent between 2003 and 2007. Over half of refined lead used worldwide is already recycled, creating a potentially enormous occupational disease risk in a notoriously hazardous industry.

- Christopher R Cherry and Perry Gottesfeld. Plans to distribute the next billion computers by 2015 creates pollution risk, *Journal of Cleaner Production*, volume 17, pages 1620–1628, December 2009 [[pdf](#)]. [OK International](#). [Green jobs blog](#).

### **Global: Concrete action need on media murders**

There must be sustained and concrete international action to address the murder of journalists in peacetime and in war, an international forum has agreed. In a declaration adopted unanimously at the fourth World Electronic Media Forum (WEMF 4) in Mexico City, broadcasters noted: "Most journalists are killed not in war zones but in their own countries as they try to shine the light of the truth into the darkest recesses of their societies." The declaration, which will be put before the UN secretary general, the president of the UN Security Council, the UN High Commissioner for Human Rights and UNESCO, was drawn up after a presentation of the global situation by the director of the International News Safety Institute (INSI), Rodney Pinder. He recalled that more than 350 men and women in the news media had died trying to tell the story since WEMF 3 in 2007. "Governments are primarily responsible for the safety of all their citizens, including those in the news media," the declaration said. "They have a responsibility to protect those citizens, pursue their killers and ensure freedom of expression." Like its three predecessors - in Geneva (2003), Tunis (2005) and Kuala Lumpur (2007) - WEMF 4 was organised by the world's eight regional broadcasting unions.

- [INSI news release](#).

### **USA: Workers dare not report injuries**

More than two-thirds of injured or sick workers in the US fear employer discipline or even losing their jobs if their injuries are reported, a study from the official Government Accountability Office (GAO) has found. The GAO survey of more than 1,000 occupational health practitioners found a third of these health professionals reported being pressured by employers to provide insufficient treatments to workers to hide or downplay work-related injuries or illnesses. More than half of the practitioners said they were pressured by an employer to downplay an injury or illness so it wouldn't be reported to the Occupational Safety and Health Administration's (OSHA) official log that tracks workplace injuries and illnesses. AFL-CIO president Richard Trumka said the GAO report confirms what rank-and-file workers, local union safety activists and workplace safety professionals have long said. "Employer policies and practices that discourage the reporting of workplace injuries and illnesses are widespread and are undermining the safety and health of America's workers," he said. "These destructive and discriminatory practices must be stopped." AFL-CIO said the report also confirms the findings of its recent survey of local and national unions that found many employer "safety" programmes actually discourage reporting and recording of workplace injuries.

More than half of local union leaders surveyed reported there were safety incentive programmes, injury discipline programmes, absenteeism policies with demerits for injuries and/or post-injury drug testing policies in their workplaces and that these policies discouraged the reporting of workplace injuries by workers.

- Workplace safety and health: Enhancing OSHA's records audit process could improve the accuracy of worker injury and illness data, GAO report, published online 16 November 2009 [\[pdf\]](#). [New York Times](#). [AFL-CIO Now blog](#).

## *Resources*

### **TUC lone working guide**

A new TUC online publication, Lone working - A guide for safety representatives, provides a one-stop source on the issue. The guide covers the law, risk assessments, dynamic risk assessments – where workers make operational decisions based on the particular circumstances at the time – violence, working in remote areas, and homeworking. There's also an action checklist for safety reps, covering membership awareness, reporting, surveys and inspections and lone working policies and procedures.

- [Lone working - A guide for safety representatives](#), November 2009.

### **Sixteen deaths per day**

Every day in the US, 16 workers go to work and don't come home. It's an old story, that needs new approaches to ram the home the message that workplace deaths are unacceptable. A video from Brave New Films shines a spotlight on the weak deterrence and penalties provided by workplace safety laws. The maximum penalty for a serious violation that injures or even kills a worker is \$7,000, and \$70,000 for wilful and repeated violations. The average penalty for a serious Occupational Safety and Health Act (OSHA) violation is less than \$1,000, and the average penalty when a worker is killed is \$11,300. In the YouTube clip, David Uhlman, director of the University of Michigan's Environmental Law and Policy Program, notes that the maximum criminal penalty an employer faces for a wilful violation of safety laws causing a worker's death is just six months in jail. If that same employer goes out over the weekend and shoots a deer without a state permit and transports that deer across state lines, it's a five-year felony... The problem with our worker safety laws is not the rule; the problem is there are no consequences for breaking the rule." Unions and safety campaigners are now pressing for a Protecting America's Workers Act. Along with strengthening the penalties for OSHA violations for the first time in nearly 20 years, the new law would bring more workers under the protection of OSHA, protect workers who blow the whistle on employers that break the law and strengthen workers' safety rights.

- [Sixteen deaths per day, YouTube clip.](#) [AFL-CIO blog.](#)

## *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](http://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