

# Risks

TUC 

*e-bulletin*

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**HAZARDS  
MAGAZINE**



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The hidden killer**

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**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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### **Train drivers deliver RSI breakthrough**

A court judgment has paved the way for train drivers across Britain to claim compensation for an industrial injury that can leave their hands permanently disabled. The decision at Swansea County Court concerned members of the train drivers' union ASLEF who contracted Carpal Tunnel Syndrome (CTS) as a result of the cramped, awkward conditions in train cabs. Three of the 50 Arriva Trains Wales drivers at the Camarthen depot developed the condition, linked to repetitive wrist action. In the ASLEF backed compensation case, Arriva Trains Wales denied liability saying the injuries were not caused by working conditions. As a result, the union pursued the claim through the courts. ASLEF argued the symptoms were caused by repetitive work, adopting awkward wrist postures and operating brake and power controls in cramped conditions. The members, Paul Studholme, Gary Thomas and Barry Rogan, had complained of inadequate seats with little or no adjustment and no arm rests. Following a five-day trial, his Honour Judge Vosper found all three members suffered from CTS and he ruled it was work-related. He said Arriva Trains Wales had failed to assess the drivers' working conditions for risks to health and safety or to put preventive measures in place. Paul Studholme, 43, discovered he suffered from CTS in 2004. He said: "It is a great relief that the judge has supported our argument. CTS forced me to go on the sick for a number of months and as a result I became depressed. The fact that three of us in the same depot all developed this condition shows that more should have been done to improve our working conditions." The three affected drivers will share over £22,000 in damages. ASLEF's general secretary Keith Norman said: "This is a fantastic result for our members and sets a precedent for all train drivers across the country who suffer from CTS."

- [ASLEF news release](#). [Thompsons Solicitors news release](#). [BBC News Online](#). [Wales Online](#). [The South Wales Evening Post](#).

### **Disruptive pupils depress teachers**

A quarter of primary school teachers suffer mental health problems after dealing with disruptive pupils, according to a survey by the teaching union ATL. The union says its findings paint a challenging picture of classroom life for teachers in UK primary schools, with many suffering loss of confidence, stress, and even physical harm because of disruptive pupils. Overall, more than three quarters of teachers say their jobs are more difficult as a result of disruptive pupils and almost two-thirds have witnessed physical aggression from their pupils, the union found. Over a quarter of the 1,078 teachers surveyed (26.5 per cent) said they had suffered from mental health problems and one in six (16.7 per cent) physical harm as a result of dealing with a pupil. ATL general secretary Dr Mary Bousted said: "Teachers are telling us that children are becoming aggressive or highly disruptive in class at younger ages. It is making it even harder to teach primary children. Schools need to have consistent behaviour policies, but it is equally important that parents support these policies. More and more teachers tell us that they are having to set-up parenting classes as some parents are struggling to deal with their children's behaviour." She added:

"Teaching is a challenging and rewarding job, but if teachers have to battle with difficult behaviour in class other pupils' learning is disrupted and teachers lose the enjoyment."

- [ATL news release.](#)

### **Most Ladbrokes staff fear lone working**

The majority of Ladbrokes staff are "worried" or "very worried" about working alone, research for betting shop union Community has found. The union survey was prompted by Ladbrokes' unilateral decision to introduce periods of mandatory single staffing, reneging on an earlier agreement to ensure all single staffing was undertaken voluntarily. This policy took effect on 1 December. Community says lone working exposes staff to a greater risk of anti-social behaviour such as verbal and physical abuse and armed robbery. The new policy mandates a minimum three hour single staffing period on Sunday, historically the highest risk day for armed robbery due to the volume of cash held on premises, and through other points in the week. The Community survey found 56 per cent of respondents have already been scheduled to work alone and many are still waiting to hear how they will be affected. Over two-thirds (68 per cent) of surveyed members indicated that single staffing makes them worried, with nearly half declaring they are "very worried" by the prospect of lone person working. Community regional director Christine Hardacre said: "Ladbrokes are placing their staff at risk of verbal and physical abuse as well as violent armed robbery. We have seen rates of anti-social behaviour skyrocket in the last five years, and now Ladbrokes are forcing their staff to face this abuse with no care for their employees. Ladbrokes have to put people before profit."

- [Community news release.](#)

### **Rail luxury for chiefs, dole for workers**

Rail union RMT has blasted senior Network Rail chiefs "for holding meetings in the five star opulence of London's Langham Hotel while multi-billion pound cuts have left 1,500 essential safety maintenance staff facing the sack." The Network Rail board met at the luxury hotel on 2 December and RMT believes the job cuts package was one of the items under discussion. Bob Crow, RMT general secretary, said: "While 1,500 emergency track maintenance staff face the prospect of being slung on the dole this Christmas, their Network Rail bosses are strutting around in the five star luxury of the Langham Hotel." He added: "The top bosses at Network Rail are making multi-billion cuts to the rail infrastructure with the maintenance jobs of RMT members in the firing line. At the same time they are paying out wads of cash to enjoy the opulence of the Langham Hotel. Our members are furious and will not take this insult without a real fight." RMT members, carrying banners emblazoned with the unequivocal message 'Cuts cost lives – safety first', lobbied the Network Rail board meeting.

- [RMT news release.](#)

### **Injury forces change career**

An electrician who has been forced to change his career after he suffered a serious injury at work has received £50,000 in compensation. Unite member Paul Merrell, 50, was forced to give up his 35-year-career after he slipped, seriously damaging his arm, while working for Premier Foods International. He was fixing a machine in March 2006 and slipped on a clear residue which had accumulated underneath. He fell on his right wrist, suffering extensive nerve damage. Paul attempted to work for several months but his condition became worse and he was diagnosed with "regional pain syndrome". His condition means he only has limited use of his hand and can no longer work as an electrician because he is unable to grip tools. He was medically retired and will never be able to work at his trade again. "I decided to claim compensation because I felt strongly that Premier Foods International should have had stricter health and safety procedures," he said. "The last few years since the accident have been a real struggle for me and my family. I've received counselling but I still feel very angry that my trade has been taken away from me in this way." Unite's Steve Hart said: "What looks on the face of it to be a simple slipping accident led our member having to permanently change his career. Basic steps taken by the employer would have avoided this accident."

- [Thompsons Solicitors news release.](#)

### **Lifesaving work becomes work losing injury**

A paramedic has received a £200,000 payout after suffering debilitating injuries in a fall while attending an emergency call. UNISON member Michael Kirkham, 58, had to take early retirement as a result of injuries sustained when his bulky work equipment caught on a door handle in March 2003. A 23-year veteran in the ambulance service, Mr Kirkham had complained to his bosses about the safety risks of carrying 60lbs of emergency equipment in huge bags, which were brought in to replace rucksacks. He now suffers constant neck and back pain, has to use an electric wheelchair when outside the home and has become reliant on his wife for 24-hour care. UNISON general secretary Dave Prentis said: "The ambulance service should have listened to the safety complaints of employees, rather than risk their health. They should not have waited until a dedicated worker lost his health, before making changes." Michael Kirkham said: "I am pleased that my case has caused the ambulance service to change the bags and avoid further injury." But he said it was not just his health that had been adversely affected by the injury. "The accident also put a lot of pressure on my marriage, as I couldn't do anything for a long time," he said. West Midlands Ambulance Service NHS Trust admitted liability and settled the claim out of court.

- [UNISON news release.](#)

## **Chemical causes permanent eye damage**

A factory worker has received £100,000 in compensation after being left with permanent eye damage when a corrosive chemical dripped onto his face. The GMB member from Bradford, whose name has not been released, has been left with reduced sight in his right eye following the incident in November 2005 at Ciba Speciality Chemicals Ltd. The injury occurred when sodium hydroxide, a powerful alkali, leaking from a broken pipe and dripped onto his eye, causing permanent corneal damage. His eyelid turned inwards and he needed surgery to remove the hair follicles. The 59-year-old, who already suffered from poor sight in his left eye since birth, now suffers from excessive dryness in the injured eye and he can no longer safely drive at night. Ciba Speciality Chemicals admitted liability and settled the claim out of court. Tim Roache from the GMB said: "This accident was caused by the employer failing to introduce a robust inspection programme to make sure its pipes were maintained. All employers, particularly those working with dangerous chemicals, must ensure they take all the necessary steps to keep their employees safe." Michael Disken from Thompsons Solicitors, the law firm brought in by GMB to act in the case, said: "Sodium hydroxide is a dangerous and highly corrosive chemical. A burn to the eye causes permanent damage and can cause blindness. Our client was fortunate he has been able to recover some of his sight, but that does not make up for the fact that he must now live with this disability for the rest of his life."

- [Thompsons Solicitors news release](#)

## **Cash firm pays out for back injury**

A GMB member who was forced to continue lifting heavy objects after he damaged his back, leading to further injury, has received £13,500 in compensation. Alan Titley, 62, from Atherstone in Warwickshire, suffered the permanent injury as result of his work for G4S Cash Services UK in Coventry. Mr Titley, who worked for the firm from 2002, first hurt his back in June 2004 while lifting bags of coins weighing up to seven kilo in the firm's cash service centre. He was off work for six weeks. When he returned he was put on a different job. However, he was still required to lift heavy objects and asked his management to move him to a job where he did not need to lift. He said he was told to continue his work or leave the company. In February 2005 he suffered a slipped disc caused by the repetitive nature of the work. He never recovered from the injury and was forced to leave the firm. Mr Titley is now semi-retired and requires constant pain relief. "I had asked them to move me to a job where I could avoid further injury, but was basically told to get on with it," he said. "That decision means I will suffer from back pain for the rest of my life." GMB regional secretary Joe Morgan said: "This case shows that proper risk assessments are vital and should not be completed just to tick the box. Consideration should be given to the task and the risks involved for the worker. Experts should be hired to assess the safety of a job where appropriate."

- [Thompsons Solicitors news release](#).

## *Other news*

### **Cameron's myth-fuelled attack on safety**

David Cameron has been accused by the TUC of creating a Conservative policy on health and safety that "seems to consist of little more than a medley of Daily Mail headlines." In a speech this week, the Conservative leader called for an end to the UK's "over-the-top" health and safety culture, saying it had created a "stultifying blanket of bureaucracy, suspicion and fear." He told a Policy Exchange conference there are often "noble" intentions behind safety laws, but added: "I think we'd all concede that something has gone seriously wrong with the spirit of health and safety in the past decade." He said he had asked former Conservative trade secretary Lord Young "to lead an extensive review on this subject for the Conservative Party," adding: "He has a track record of deregulation and cutting bureaucracy... And he will look at everything from the working of the Health and Safety Executive, to the nature of our health and safety laws, litigation and the insurance industry." TUC general secretary Brendan Barber commented: "People expect political parties to develop policies based on facts, not on half-truths and myths culled from newspaper headlines." He added: "The idea that employers are being over-zealous in their application of health and safety regulation is simply not true. The reality is exactly the opposite - last year 246,000 people were injured at work. Neither does the UK have an excess of regulation - there were more than twice as many health and safety regulations and laws 35 years ago than there are now." David Cameron's speech included one line that could not be blamed on the Daily Mail, the Tory leader noting "trade unions remain a bulwark against most abuse happening".

- David Cameron's speech to Policy Exchange [[pdf](#)]. TUC news release and [Stronger Unions blog](#). [The Guardian](#). [The Times](#). [BBC News Online](#). [The Express](#). [The Telegraph](#).

### **STUC issues Cameron a safety challenge**

The Scottish Trades Union Congress (STUC) has challenged Conservative leader David Cameron to visit Scotland and meet families who have lost a loved one as a result of a neglect for health and safety in the workplace. Grahame Smith, STUC general secretary said the Tory leader's speech to the Policy Exchange, calling for curbs on safety regulation, was "deeply offensive" to the injured and bereaved. "David Cameron has sent a chilling message to the working people in the UK that any future Conservative government will attack the health and safety laws that trade unions have spent decades fighting for," he added. "This is not about draconian legislation. This is about the failure, or unwillingness, of employers, community groups and others to grasp the very basics of our health and safety system. We have witnessed what poor regulation has done for our finance sector and the economy. We do not want to see this attack on health and safety legislation having a similar catastrophic effect on human lives. Our economy will recover. Individuals killed at work and their families never recover

from the consequence of poor health and safety regulation." Mr Smith concluded: "We would say to David Cameron if you want to learn about the true consequences of health and safety failures read Hazards magazine and come to Scotland and meet families who have lost loved ones due to health and safety failures by employers. Don't subscribe to the trivial nonsense which is churned out by sections of the media." An ongoing 'deadly business' investigation by Hazards magazine has exposed how Tory plans to deregulate health and safety "would make a bad situation much, much worse." The magazine has challenged the supposed "burdens" argument put forward by the Conservative leadership and the business lobby, saying the figures ignore the far greater benefits for business and the wider community of operating safely.

- [STUC news release. Hazards deadly business special investigation.](#)

### **Unions berate 'confused' Conservatives**

Unions and campaigners have accused the Tories of being "confused" on health and safety and having a poor understanding on the issues. Responding to Conservative leader David Cameron's proposals on reducing the 'burden' of health and safety, Health and Safety Executive (HSE) union Prospect has said it is important not to confuse petty bureaucracy with vital regulation designed to save lives. Prospect negotiator Mike Macdonald said: "There is a world of difference between petty bureaucracy enacted under the label of health and safety and HSE regulation designed to prevent deaths in the workplace," adding "confusing the two continues to perpetuate a negative image of health and safety regulation and masks the bigger picture: as the figures for 2007/08 show 32,810 employees were exposed to fatal and major injuries at work." UCATT general secretary Alan Ritchie said: "The Conservatives must not play politics with the safety of workers in their quest for votes. By trivialising the issue of safety the Conservatives are deflecting attention away from reality. Many workers, especially construction workers, are regularly placed in danger because there are simply too few inspections and too little enforcement activity on construction sites." Families Against Corporate Killers (FACK) spokesperson Hilda Palmer was scathing. She said: "Cameron is completely bankrupt and his comments are absolute populist nonsense." She added: "As far as FACK is concerned he obviously has no understanding at all of the issue. All the models the Tories are proposing come from America where they have been shown to have failed."

- [Prospect news release. UCATT news release. FACK news release. Morning Star.](#)

### **Government announces blacklisting plans**

It will be unlawful for trade union members to be denied employment through blacklists under plans outlined this week by employment relations minister Lord Young. He said the new law will ban employers from blacklisting workers for their trade union membership or activities. Commenting on the publication of the government's response to a public consultation held over the

summer, Lord Young said: "Blacklisting someone because they are a member of a trade union is totally unacceptable. There is already legal protection against the misuse of people's personal details. We will now strengthen the law by introducing new regulations to outlaw the compilation, dissemination and use of blacklists." The minister added: "The government is determined to stamp out this despicable practice and our legislative proposals are a proportionate and robust response." The regulations will: make it unlawful for organisations to refuse employment or sack individuals as a result of appearing on a blacklist; make it unlawful for employment agencies to refuse to provide a service on the basis of appearing on a blacklist; and enable individuals or unions to pursue compensation or solicit action against those who compile, distribute or use blacklists. The regulations will be tabled for consideration by parliament as soon as possible, the minister said, adding they need to be debated and approved by each House before they can be implemented.

- [BIS news release](#) and full government response to the blacklisting consultation [[pdf](#)]. [Blacklist blog](#).

### **Unions welcome 'overdue' rules**

Unions have given a qualified welcome to new regulations intended to outlaw the blacklisting of trade unionists. The laws, which need parliamentary approval before taking effect, were announced on 2 December by employment relations minister Lord Young. Alan Ritchie, general secretary of UCATT, said: "Blacklisting is a disgraceful, underhand practice. Until early this year most major construction companies were involved in the blacklisting of workers. The introductions of laws, which are designed to prevent blacklisting, are welcome and long overdue. Never again must the lives of workers and their families be ruined because of blacklisting." The union said it will explore with sympathetic backbench Labour MPs if the regulations can be strengthened when they are debated in the House of Commons. Mr Ritchie, said: "UCATT will be working with members of parliament in order to ensure that when the blacklisting regulations are finally introduced they are as robust as possible." The new rules were also welcomed by Unite. The union's assistant general secretary, Les Bayliss, added: "The government must now make it a priority to bring robust regulations into effect. Too many construction workers have suffered victimisation at the hands of unscrupulous employers and it is right to stamp out this practice for good." Unite said it had already issued claims on behalf of blacklisted members, under the Trade Union and Labour Relations (Consolidation) Act 1992. UCATT is also supporting tribunal claims.

- [UCATT news release](#). [Unite news release](#). [Blacklist blog](#).

### **Government accepts insurers have failed**

Campaigners have welcomed a government proposal that may close a loophole that denies compensation to many victims of workplace diseases and their families. After a government review, work and

penions minister Lord McKenzie accepted many employees did not have access to the compensation they deserved, especially in cases where conditions, such as occupational cancers like mesothelioma, may take many years to develop. In a forward to the government's report, the minister said the performance of the existing voluntary system for tracing employers' liability insurers, operated by the insurance industry, was "unacceptable." Overall, only 45 per cent of enquiries resulted in the voluntary scheme identifying the responsible insurer who would be liable for the compensation payout. Tony Whitston, chair of the Asbestos Victims Support Groups Forum, said: "It is hardly surprising that Lord McKenzie has lost patience with the tracing scheme, which has had 10 years to improve its performance. Every year's grace given to this hopeless tracing scheme, means that hundreds more asbestos victims die uncompensated and insurers reap the rewards of the failure of the tracing scheme which they run, and which has provided such benefit to them. We are calling on Lord McKenzie to act now to legislate for an Employers' Liability Insurance Bureau." David Urpeth of personal injury law firm Irwin Mitchell said: "Compensation is not a windfall but necessary funds to allow struggling victims, and their families, come to terms with what happened, and start to rebuild their lives. Therefore, this proposal to simplify the process and potentially introduce an Employer's Liability Insurance Bureau could not be more welcome to us, or the victims of injury and illness that we represent."

- DWP review [[pdf](#)]. Asbestos Forum news release [[pdf](#)]. [Irwin Mitchell news release](#). [Independent on Sunday](#).

### **Firm fined after lung disease outbreak**

A Yorkshire company has been fined £20,000 after an outbreak of lung disease caused by metalworking fluids. Health and Safety Executive (HSE) inspectors described the case as "shocking". Barnsley Magistrates Court heard the entire 380-strong workforce at Koyo Bearings (Europe) Ltd was exposed to a hazardous mist during everyday operations. The firm, which makes parts for the automotive industry and which pleaded guilty to safety offences, was also ordered to pay £15,280 costs. The court was told that between 12 December 2007 and 8 May 2008, employees were exposed to the metalworking fluid mist from more than 100 machines. HSE found no measures in place to contain or extract the mist. Prolonged exposure is a long-established cause of occupational asthma and extrinsic allergic alveolitis (EAA), which can lead to emphysema and permanent lung damage. HSE said that since 2005 there had been 15 reported cases of these illnesses in employees at the firm, which is part of the Japanese-owned JTEKT Corporation. HSE indicated it was the second largest outbreak of the metalworking fluid related occupational lung disease in Britain. An outbreak at the now defunct Midland's firm Powertrain in 2004 affected over 100 workers, and its thought to be the world's largest single example ([Risks 309](#)). Commenting on the Koyo case, HSE inspector Mark Welsh said the "verdict shows that the working practices at Koyo Bearings (Europe) Ltd were inadequate and dangerous. We found that a combination of employees breathing in metal working fluid mist, along with no filter system and inadequate training, resulted in the entire workforce at being put at risk." The court also ordered Koyo Bearings to pay a separate £15 victim surcharge, the proceeds of which will be spent on services for

victims and witnesses. HSE faced strong criticism after deciding not to prosecute in the Powertrain case ([Risks 255](#)).

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

### **Government lab done for cancer risks**

A government-run laboratory exposed workers to chemicals known to cause cancer without using any of the accepted health and safety controls. The Centre for Environment, Fisheries and Aquaculture Science (Cefas) in Suffolk last week accepted a Crown Censure for health and safety breaches, the equivalent of a prosecution for a government body. Investigations by the Health and Safety Executive (HSE) in October 2007 at the Cefas laboratory in Lowestoft identified failings in the assessment and control of arsenic compounds and potassium dichromate, a recognised cause of cancer. Inspectors also identified that Cefas had failed to provide sufficient health surveillance between 2005 and 2006. Attention was first drawn to the Cefas laboratory when a member of the scientific staff developed skin cancer which medics said could be linked to the use of arsenic compounds. This triggered an in-house investigation which prompted action to improve safety but led to a second incident when dust, possibly contaminated with the same arsenic compound, was released during the disposal of equipment. Cefas reported the incidents to the Health and Safety Executive (HSE) which served two improvement notices. It has been reported that the worker diagnosed with skin cancer had been successfully treated and there had been no other cases. HSE inspector Steven Gill said: "This case highlights the need for employers to properly manage hazardous substances and the need to protect the workforce through assessment, control and appropriate health surveillance for these substances. This applies to government agencies like Cefas as much as it does to any other employer." Cefas accepted the Crown Censure on the basis that while the investigation identified failings in the management and control of hazardous substances, there was no evidence of harm to any employee, nor was there evidence of a defined, identified risk. However, this caveat caused incredulity among workplace cancer experts. They said cancers caused by exposure to this sorts of chemicals takes many years to develop – it could be decades before there was any "evidence of harm to any employee", by which time they could have a potentially fatal case of cancer.

- HSE news release [[pdf](#)]. [Cefas news release](#). [Lowestoft Journal](#). [BBC News Online](#).

### **Scots criminals can't plead poverty**

Employers convicted of criminal offences in Scotland could soon be subject to full financial background inquiries to ensure they are punished correctly for serious offences. Under the existing system, businesses convicted in Scottish courts are effectively allowed to present their own version of their accounts. Campaigners suspect this leads to many escaping significant penalties, even for offences involving deaths, by misleading the courts about their financial

status. The new measures are part of the Criminal Sentencing (Equity Fines) Member's Bill proposed by MSP Dr Bill Wilson, which has now received the backing of the Scottish government and might now be incorporated in the Criminal Justice and Licensing (Scotland) Bill. Following a stage 1 debate on the proposed law last week, Dr Wilson said: "Evidence suggests that in half of all cases resulting in the conviction of a company, in which a fatality occurred and for which a fine was imposed, the value of the fine was £12,500 or less. A major reason for this is surely the fact that judges may be underestimating the size of fine a company can reasonably pay – companies can plead poverty and there is no mechanism for checking the facts." The MSP added: "Companies should not be able to flout legislation to boost their profits in the knowledge that can effectively set the level of their fines if they are convicted; killing people and destroying the environment should not be profitable."

- [Construction News. Proposed Criminal Sentencing \(Equity Fines\) Bill](#) and [Scottish Parliament Justice Committee report on the bill.](#)

### **Campaigners win a cranes register**

Construction union UCATT have welcomed confirmation from the Health and Safety Executive (HSE) that it intends to introduce a new statutory crane register from April 2010. The decision was made at last week's HSE board meeting. UCATT general secretary Alan Ritchie said: "A statutory tower crane register is a major step forward for construction safety. The truth is that there were many people in the industry who did not want to see a statutory register come into being. If it had not been for the campaigning of UCATT and the safety groups, the register would not have seen the light of day." Mr Ritchie, added: "UCATT would have liked the register to be more extensive and for the registration period to have been shorter. However the key issue was ensuring a statutory register was established. The operation of the register will be reviewed in the future and at that point we will seek to widen its scope." Announcing the new register, HSE construction chief Philip White said: "We have learnt a great deal from recent incidents and are working together with hirers, suppliers, manufacturers and stakeholders to ensure that anything we have learnt is acted upon." HSE said around 1,800 conventional tower cranes are thought to be operated in Britain, with around 1,300 in use at any one time. The watchdog said following ministerial approval, it plans to send out information to all duty-holders over the next few months. The new registration site is scheduled to be launched on 6 April 2010.

- [HSE news release.](#) [UCATT news release.](#)

## *International News*

### **Australia: Deaths go through the roof**

A series of deaths in young workers installing insulation to make homes "greener" has led to a government clampdown on dangerous contractors. The Australian government's Energy Efficient Homes Package has been dogged by safety concerns since the rebate

began in July, with accusations of inexperienced and unscrupulous operators rushing to cash in on the scheme. Unions had called for the scheme to be halted, until the shortcomings with training of workers and licensing of operators were addressed. Australia's federal government responded this week, announcing the introduction of new training and skill requirements and measures to name-and-shame sub-standard contractors. The move came the day after national union centre ACTU renewed its action call. Environment minister Peter Garrett said: "With revised terms and conditions allowing naming and shaming of deregistered installers, the industry is well and truly on notice - break the rules and you can expect swift, decisive and public action aside from any potential legal consequences you may face." ACTU president Sharan Burrow commented: "Unions have always supported the scheme, but we have become concerned by recent reports of accidental deaths during the installation of ceiling insulation. Following discussions with the government, we have suspended our call for the programme to be halted. Provided there is substantial improvement in safety standards and risk assessment, better training, and a bigger role for qualified tradespeople, the programme should go ahead."

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

### **Global: Tetley's cup overflows with hypocrisy**

Tea maker Tetley cares for pregnant women. Its website says so: "At Tetley we want you to enjoy your pregnancy without it being stressful. That's why we've put together some tips on caffeine and pregnancy." But when it comes to picking the tea that goes into your cup, UK-based Tetley, a wholly owned subsidiary of India's Tata Group, seems less concerned. Women picking the leaves are being victimised after standing up for basic maternity rights and are now receiving state hand-outs normally reserved for the victims of natural disasters. Nearly 1,000 tea plantation workers and their families on the Nowera Nuddy Tea Estate in West Bengal are desperately hungry. Locked out, they've had just two days pay since August. They are being collectively punished for having protested the abusive treatment of Arti Oraon, a 22 year-old tea garden worker who was denied maternity leave and forced to continue work as a tea plucker despite being nearly eight months pregnant. IUF, the global union federation for the food sector, is seeking international support for the tea workers. It says Tetley is a member of the Ethical Tea Partnership (ETP), which commits the firm to respect international labour standards. "The extended punitive closure of Nowera Nuddy is a catalogue of violations of ILO Conventions," it says. "For daring to protest, these workers have been denied all wages and rations since early August."

- [IUF briefing](#).
- Online campaign: [Tell Tata and Tetley Tea to stop starving workers now!](#) The [Tetley Tea website](#) says "We'd love to hear what's on your mind" - so send the company a message online, or use the freephone number provided to give them a call: 0800 387227.

## **Global: Where do your gizmos go to die?**

You are staring right now at a computer screen, one of the gaggle of can't-live-without state-of-the-art electronic gizmos you cherish for a year or two then discard. Each new gadget is e-waste in waiting, and the waste from this disposable technology is, perversely, shockingly durable. According to the United Nations, 20-50 million tonnes of electronic waste is produced every year. Some is dumped, but increasingly it is destined for the virtuous-sounding fate of "recycling". But recent reports suggest the majority of the waste from both Europe and the US finds its way to developing nations, often in contravention of international law and often destined to be processed in brutal, deadly conditions. A report in the 'green jobs' blog published by global union federation ITUC and Hazards magazine, says the waste amounts to a major toxic headache. It warns that conditions in the e-waste recycling industry "are as distant from the cleanrooms where the products were created as the landfills – *dumps* – they might otherwise occupy." The report concludes "we continue to repeat the same old mistakes for the same old reasons. One study has already reported deaths in Chinese nanotechnology workers. It's probably only a matter of time before the price of nanoproduction, like asbestos and surely like the developing electronics waste crisis, is measured in lives, not money."

- [Green jobs blog](#)

## *Resources*

### **TUC guide to medical confidentiality**

The TUC has published an online guide to confidentiality and medical reports. It says employees are often examined by doctors at the request of their employer. This can be for a variety of reasons, such as a fitness for work assessment. A medical report can be requested if a worker is still at work but having problems because of a medical condition, has been off sick for some time, is preparing to return, or where consideration is being given to early retirement. Sometimes they are sought if adaptations may be required, for example if the worker is either disabled or requires temporary adjustments because of a medical condition. TUC says it "is important that employees know their rights to access to the information contained in any report. There should also be procedures in place to ensure that this happens. On the other hand procedures should ensure that there are no unnecessary delays in getting a report to the employer or pension fund." The guide outlines the legal position and gives advice on the measures unions and safety representatives should be seeking to protect members and to ensure they are aware of their legal rights. It summarises the varied laws relevant to medical confidentiality and the guidance governing the behaviour of medical professionals. There's also guidance on good practice and on dealing effectively with any concerns raised.

- [TUC briefing document.](#)

## *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