

# Risks

TUC 

*e-bulletin*

Number 439 – 16 January 2010

**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](mailto:healthandsafety@tuc.org.uk)

## Contents

### Union News

*Over five million worked for free*  
*Bullied hospital worker had breakdown*  
*Dog attack led to plastic surgery*  
*Cold spell shouldn't mean freezing workers*  
*Insurers defeated over plaques law*  
*Official sums wrong on pleural plaques*  
*Some asbestos diseases are compensated*  
*RMT says train operator breached contract*  
*Don't axe safety critical rail jobs*

### Other news

*Is your OHS OK?*  
*Shock at work deaths penalty proposals*  
*Four figure fine for four finger loss*  
*Fine after aircraft painter fell off plane*  
*Small fine after serious telehandler injury*  
*Shoplifting is not a victimless crime*  
*Workers 'robbed of life and compensation'*

### International News

*Bangladesh: Eight workers die in shipyard blast*  
*Global: Olympics run the risk of labour abuses*  
*South Korea: Ex-Samsung workers seek cancer justice*  
*USA: Better enforcement equals fewer mine deaths*

### Events and Courses

*TUC courses for safety reps*

### Useful Links

### **Over five million worked for free**

Over five million workers across the UK gave away £27.4 billion in unpaid overtime in 2009, a TUC analysis of official statistics has found. The TUC study shows that 5.07 million people regularly worked unpaid overtime in 2009, a decline of 168,000 since 2008. Staff who did unpaid overtime worked an average of 7 hours 12 minutes a week for free, worth £5,402 a year - the highest amount since records began in the late 1990s - and an increase of £263 since 2008. With many employers and staff agreeing to reduce hours in order to avoid job losses, the reduction in working time has had a knock on effect on the number of people working paid and unpaid overtime, the TUC said. If everyone who worked unpaid overtime did it from the start of the year, they would start getting paid on Friday 26 February. The TUC has declared this day Work Your Proper Hours Day. TUC general secretary Brendan Barber said: "Bosses should use Work Your Proper Hours Day to thank staff for the extra effort they are putting in to help their business through the recession. But millions of people are still working far too many hours and often they are not even being paid for it. This long hour's culture causes stress and damages people's health." He added: "Most employers are understandably focused on fighting their way through the recession. But they shouldn't forget that working cultures such as pointless presenteeism - which keeps people at their desks for no good reason - is not just bad for staff but bad for business too."

- [TUC news release. Work Your Proper Hours Day. The Independent. Personnel Today.](#)

### **Bullied hospital worker had breakdown**

A bullied NHS manager, who suffered a nervous breakdown after being harassed over a three year period, has been awarded £150,000 in compensation. Nanette Bowen, a 55-year-old UNISON member from Llanelli, had been employed at the Price Phillip Hospital for 28 years and had worked her way up the ranks from porter to information manager, reporting directly to the chief executive. In 2000 Eric Lewis became her boss, when Llanelli and Dinefwr Trusts merged to become Carmarthenshire NHS. Mr Lewis made sexual innuendos towards her and was regularly aggressive when challenged. Over the next three years her responsibility for hiring staff was removed, she was not allowed to pass on information to staff without his consent and had to fill in a daily form for him to monitor her work. The harassment caused Mrs Bowen, who was the main breadwinner in the family, stress and panic attacks. She was signed off sick and, on one occasion, she was rushed to hospital with a suspected heart attack. Last year, Swansea County Court found Carmarthenshire NHS Trust liable ([Risks 396](#)). Dave Prentis, UNISON's general secretary, said: "I am sure that Mrs Bowen would rather have her job and her health." He added: "Mrs Bowen has been left unable to work and support her family, is too scared to leave the house to socialise and the NHS has lost a skilled and dedicated member of staff. Workers should be treated with respect, not forced to take time off, or leave their job, because it is making them ill. Employers need to encourage staff to

“speak out about bad behaviour, to make sure that bullies are banned from the workplace.” Mrs Bowen said: “The Trust failed to support me, but hopefully my case will make other workers more likely to speak out.”

- [UNISON news release](#). [BBC News Online](#). [Morning Star](#).

### **Dog attack led to plastic surgery**

A postwoman who was scarred for life after a vicious dog attack has been awarded £70,000 in an out-of-court payout. The CWU member, whose name has not been released, was delivering post to a farm in February 2007 when a German Shepherd dog attacked her. The dog attempted to bite her face and as she attempted to protect herself, she suffered severe hand injuries. Her ring finger being almost completely torn off by the animal. “It was usually on a leash but even then, we always said that if it ever managed to escape, it could kill us,” she said. Her injuries were so severe that she had to be transferred from her local hospital to receive specialist plastic surgery. “Luckily my hand looks ok now,” she said, “but I’ll never be able to bend my finger properly and it is also difficult to grip with it.” CWU says NHS statistics show the number of patients attending hospital emergency departments after a dog attack has risen by more than 40 per cent in the past four years. The union estimates that some 6,000 of these are postal workers attacked in the course of their duties. CWU national health and safety officer Dave Joyce commented: “Whilst welcoming this significant victory in relation to personal injury compensation, it does emphasise the importance of the ongoing CWU Biteback campaign which continues to fight for tougher laws to protect postal and other workers and members of the public from dangerous dogs.” He added: “There must be changes in the law and the Dangerous Dogs Act 1991 must be amended so that it is the behaviour of dogs, rather than a particular breed, that is punished. It is the deed, not the breed.” The CWU is part of a coalition campaigning for new laws giving the police and local authorities the power to issue control orders – ‘Dog ASBOs’ - on owners of dogs that are a threat before an attack takes place.

- [CWU news release](#).

### **Cold spell shouldn’t mean freezing workers**

Just because the weather has turned cold, doesn’t mean the workforce should too, according to the union GMB. John McClean, the union’s national health and safety officer, said: “GMB has had a large volume of calls from members and the public regarding the law on temperatures at work. Employers are obliged by law to heat inside workplaces for sedentary workers to a minimum of 16 degrees celsius (63F) and for those who undertake physical work to a minimum of 13 degrees celsius (58F).” He said if the temperature drops below these levels “the employer is obliged by law to bring in additional heaters to raise temperatures to the legal minimum requirements.” He added: “For those working outside the employer is obliged to undertake a risk assessment and where necessary

provide appropriate thermal clothing and regular breaks for hot drinks. Those exposed to risks of falls in slippery conditions may need to be redeployed to suitable alternative work if gritting cannot be done or if the ice cannot be removed. Many GMB members in refuse collection and street cleaning for example have been moved to work with gritting teams.”

- [GMB news release](#).

### **Insurers defeated over plaques law**

Insurance giants have lost a legal bid to overturn a Scottish law which allows victims of an asbestos-related condition to claim damages. Unions and asbestos campaigners welcomed the Court of Session ruling supporting the pleural plaques law that came into force in Scotland last June. A 151-page written ruling from Judge Lord Emslie, rejecting the legal challenge from Axa, Norwich Union, Royal & Sun Alliance and Zurich Insurance to the Damages (Asbestos-related Conditions) (Scotland) Act 2009, said he did not accept that the insurers' complaints come anywhere near the standard of “irrationality” needed to invalidate an Act of the Scottish parliament. The law in Scotland reverses a House of Lords ruling that people with pleural plaques could not seek compensation. Harold McCluskey, chair of Clydebank Action on Asbestos, said: “This is great news for the victims of pleural plaques. It is absolute rubbish to say that pleural plaques doesn’t affect victims.” STUC general secretary Grahame Smith commented: “This is a victory for those suffering from asbestos related conditions, for those who represent them, and for the Scottish parliament which acted so swiftly to ensure that the Damages (Asbestos-related Conditions) (Scotland) Act 2009 was passed.” Unite Scottish secretary John Quigley said the ruling “is a victory for people, not profit, and we will use this as a launching pad in the campaign for legal parity across the rest of the UK.” GMB senior organiser for Scotland, Jim Moohan, said he hoped the ruling “brings an end to the insurers of the companies putting forward completely inhumane challenges” to the right to pleural plaques compensation. UCATT general secretary Alan Ritchie also welcomed the ruling, adding: “The British government must now move swiftly to restore full compensation to all pleural plaques sufferers. Pleural plaques victims must not be trapped in a postcode lottery about whether or not they receive compensation.”

- [Court of Session opinion on the Judicial Review](#). [Unite news release](#). [GMB news release](#). [UCATT news release](#). [Thompsons Solicitors news release](#). [Irwin Mitchell Solicitors news release](#). [ABI news release](#). [The Herald](#). [STV News](#). [Daily Mirror](#).

### **Official sums wrong on pleural plaques**

Construction union UCATT has demanded urgent answers after discovering the government's liability for pleural plaques victims is a fraction of what had previously been claimed. The union says the government’s fear of footing a high compensation bill is the “principal reason” behind the lengthy delays in announcing a decision on pleural plaques compensation. The government has said

for months that a decision was imminent, but there has been no movement so far. Ministers say compensation would cost £35 million a year - but UCATT believes the true cost could be only £10m, which general secretary Alan Ritchie branded "a drop in the ocean." Most of the government's liabilities relate to former nationalised heavy industries such as shipbuilding, steelworks and the railways, in which the government has not had any involvement for many years. Mr Ritchie said: "Pleural plaques victims deserve justice and the long delay in announcing whether the government will restore compensation to pleural plaques victims is entirely unacceptable. The government's own liabilities are just a drop in the ocean compared to the billions spent on bailing out the banks." While the government's liabilities would be modest, the insurance industry could be hit hard by a decision to allow pleural plaques compensation - and it has been lobbying hard against any move to reinstate the right to payouts. UCATT's Alan Ritchie said: "The government's attitude on pleural plaques is deeply frustrating. We have attempted to make constructive proposals to ensure that compensation can be restored to victims. Unfortunately, it appears that the government is paralysed on the issue and unable to make a decision." The government has not so far responded to the union's proposals.

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

### **Some asbestos diseases are compensated**

While the insurance industry fights to stop pleural plaques being compensated and the government fights the urge to make a decision, other asbestos related conditions are attracting payouts - thanks to union legal services. A former plasterer, who worked for Chester College, has received £45,000 after developing pleural thickening. The provisional settlement will allow UNISON member Anthony Martin, from Blacon, Cheshire, to re-open the claim at any point, if he goes on to develop an asbestos-related cancer. The 65-year-old grandfather, who struggles to breathe and walk, was exposed to asbestos while working as a trained plasterer at Chester College, now Chester University. Mr Martin said: "I try not to let my disability affect my day-to-day life, but it does leave me breathless. I know that there is a risk I could get cancer and I try to push that to the back of my mind, I am trying to deal with it the best I can." Unite member Reginald Lamming, 77, from Enfield, Middlesex was diagnosed with the fatal cancer mesothelioma caused by exposure to asbestos while working as a labourer and joiners' mate for Eastern Electricity at its New Southgate depot from 1952 until 1954 and then again from 1956 until he retired in 1993. Following his diagnosis in June 2009 he contacted Unite, whose legal advisers secured the undisclosed settlement within six months. Mr Lamming's son, Paul, said: "The whole family has been devastated by my dad's diagnosis and found it difficult to come to terms with. It was very important to my dad to claim compensation during his lifetime."

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

## **RMT says train operator breached contract**

The First Scotrail franchise contract with the Scottish government should be investigated in the light of evidence of potentially unsafe staffing levels, rail union RMT has said. The union says it believes there have been "regular and repeated breaches" of a key clause which stipulates that in the interests of public safety all services must run with two members of staff present at all times. Examination of staffing sheets by RMT officials has uncovered evidence that for the period from December 2009 through to early January 2010, looking at just one depot on one route where First Scotrail have removed conductors, four hundred separate services ran with the train not staffed at all by a ticket examiner or only partially staffed, in clear violation of the contract. The union has written to Scottish transport minister Stewart Stevenson raising its concerns and calling for a "full and independent audit of the entire franchise." Bob Crow, RMT general secretary, said: "Despite clear contractual obligations to ensure that there are two staff on all trains at all times there is now overwhelming evidence that First Scotrail are repeatedly breaching their agreement with the Scottish government on a massive scale without financial penalty." He added: "We have warned repeatedly that if First Scotrail are allowed to axe the guards, who are safety trained and have to be present for the service to run, they will see it as a green light to operate without ticket inspectors and to smuggle in one person operation through the backdoor. We have caught them red handed doing just that."

- [RMT news release.](#)

## **Don't axe safety critical rail jobs**

A 27 January rally and lobby of parliament will call for Network Rail to abandon plans to axe nearly 1,500 safety-critical maintenance jobs. The RMT lobby will take place under the banner 'Cuts Cost Lives'. RMT general secretary Bob Crow said: "The severe cold snap has reinforced RMT's argument that you cannot cut corners when it comes to rail maintenance. If anything we need more staff to cope with these periods of pressure and there is no doubt that if Network Rail bulldoze through this jobs massacre it will cause service disruption on a massive scale." The union leader added: "The planned 1,500 job cuts also represent a lethal gamble with rail safety. Inspection and maintenance frequencies will be hacked back and it will create the poisonous cocktail of conditions that will jack up the risk of another Hatfield, Potters Bar, Paddington or Grayrigg disaster on the tracks. At a time when there is a political consensus that we need to expand and modernise the rail network it is madness to be hacking back on the maintenance crews that we depend on to keep the railways safe." Mr Crow said: "RMT will fight the rail jobs massacre all the way and we will shortly announce a timetable for a ballot for industrial action. A combination of trade union, political and public pressure can stop the planned axing of 1,500 safety-critical rail maintenance jobs in its tracks."

- [RMT news release.](#)

### **Is your OHS OK?**

You might feel lucky to be covered by an occupational health service when you go to work, but is the system really up to scratch? Well, now you can check as the UK has introduced the first ever OHS performance standards. The voluntary standards, which it is intended will be accompanied next year by an accreditation scheme, have been developed by the Faculty of Occupational Medicine (FOM) in consultation with a wide group, including trade unions. FOM says the new system aims "to define the standards and minimum requirements that will apply to occupational health services that participate in the UK voluntary accreditation scheme and to provide occupational health services with a framework for quality assurance." The standards are organised in six categories: Business probity; information governance; people; facilities and equipment; relationships with purchasers; and relationships with workers. FOM says it will be encouraging all occupational health services – in both the NHS and the private sector – to familiarise themselves with the standards, and to work towards complying with them during 2010. "This is an important development for occupational health," said FOM president, Professor David Coggon. "We have worked hard to make sure the standards are practical and proportionate and we believe that they have the potential to improve occupational health services significantly in the UK." TUC is urging trade unions to road test their OHS against the standards, to make sure they meet and preferably improve on these minimum standards. The standards on "relationships with workers" require that "an OHS must ensure that workers are treated fairly" and "an OHS must respect and involve workers". Unions say the best systems allow full union involvement in the design and operation of an OHS. TUC head of safety Hugh Robertson said: "While the TUC welcomes standards in this area it recognises that these are minimum standards but the next step must be to develop some form of accreditation. However no standards will be of use to the vast majority of workers who have no access to occupational health services of any kind and the priority for government must be the extension of coverage."

- [FOM news release](#). Standards for Accreditation for Occupational Health Services [[pdf](#)].
- [TUC guide for safety reps on confidentiality and medical records](#). [Hazards guide to getting the most out of your occupational health services](#).

### **Shock at work deaths penalty proposals**

Not linking fines with turnover is a "gross undermining" of the Corporate Manslaughter and Corporate Homicide Act 2007 (CMCHA), trade union law firm Thompsons Solicitors has warned. It says one of the main reasons behind the legislation was public disquiet at large companies who had killed workers receiving minimal or no sentences. New proposals fail to address this concern, the law firm says. A Sentencing Guidelines Council (SGC) consultation proposed only a minimum £500,000 fine, with no link to turnover. Mick Antoniw of Thompsons said: "We called for a flexible deterrent with teeth, what we have got is a sledgehammer. This looks tough but won't be effective. The minimum fine approach

will close down some companies and be peanuts to others. Allowing the courts to levy a penalty based on 5-25 per cent of turnover and proper use of Remedial Orders would have been a proper deterrent. This positively encourages the small employer who is cavalier about health and safety and would be bust by a £500k fine to carry on regardless and won't put a dent in the profits of a big company which doesn't care." He added: "Remedial orders are one of the most significant changes in health and safety penalties yet they warrant barely a mention. They are a potentially powerful new tool which gives virtually unlimited power to the courts to intervene in the operation of a company and seek positive improvements in health and safety and yet the SGC has left the courts to grapple with them unaided."

- [Thompsons Solicitors news release](#).

### **Four figure fine for four finger loss**

A plastics recycling company has been fined £2,500 after a worker had four of his fingers severed. Wesley Dickinson, 22, was trying to remove a guillotine jam at Centriforce Products Ltd in Liverpool when his fingers became trapped. Doctors reattached two of his fingers, but they have limited movement. The company, which admitted breaching safety regulations, said it regretted the accident in May 2008. Centriforce was prosecuted by the Health and Safety Executive (HSE) after the incident and last week was fined £2,500 by Liverpool magistrates and ordered to pay £2,438 in costs. HSE inspector Martin Paren said: "This incident has had a devastating impact on Mr Dickinson, who is only in his early 20s. He cannot return to his old job and will not be able to do manual work in the foreseeable future, due to the limited strength and movement in his right hand." He added: "The company should have had a guard on the guillotine to prevent workers from reaching the blade. An automatic mechanism should also have been in place so that the power was cut if the guard was opened. Instead Mr Dickinson wrongly assumed that a colleague had switched the guillotine off, and he had four fingers cut off as a result."

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

### **Fine after aircraft painter fell off plane**

An aircraft painting company has been fined after a worker fell from an aeroplane wing, breaking and dislocating both his elbows. Robert Lupton fell more than 20ft (seven metres) from the Boeing 777 plane he was working on at the company's Filton base. His employer, Air Livery, pleaded guilty this week to failing to take suitable and sufficient measures to prevent the incident, and was fined £2,400 and £9,162 costs. The Essex-based company, which has 12 employees and 38 contractors at Filton, is also paying compensation to Mr Lupton for his injuries, which have left him on disability benefits and unable to work since the incident on 10 October 2007. Bristol Magistrates' Court heard that Mr Lupton was working with colleague Nicholas Harrison to wrap the plane's left wing in plastic sheeting to protect it from paint stripper. To pull the sheeting tight Mr Lupton, 44, had to stand on the edge of the wing

– overstepping a black line marking where workers can safely stand without damaging the plane. As he stepped out on to the wing flap it gave way. There was nothing in place to prevent his fall, and he fell to the hangar floor below. Mr Lupton broke his left elbow so badly that the bone pierced the skin of his arm, and he also badly damaged the ligaments. Speaking after the case, Mr Lupton called Air Livery a “cowboy outfit.” He said: “We shouldn't have been working up there without scaffolding. I had no training and no supervision – we were just given a pamphlet. They would come to see if we were working, but not if we were working safely.”

- [Bristol Evening Post.](#)

### **Small fine after serious telehandler injury**

A construction company from Gateshead has been fined £4,500 after one of its workers was seriously injured when a forklift truck telehandler he was operating overturned. The Health and Safety Executive (HSE) prosecuted Meldrum Construction Services Ltd following the incident on 16 July 2008. The company pleaded guilty to safety offences and in addition to the fine was ordered to pay costs of £2,342.20. The court heard that Tom Lincoln, 39, of Dudley, Northumberland, was lifting roof trusses onto the roof of the development when the forklift truck telehandler he was operating overturned. The machine fell onto its side throwing Mr Lincoln against the machine's window and controls. Mr Lincoln was not trained to use the machine and was not wearing a seat belt when the incident happened. He suffered multiple fractures to his right arm, leaving him with limited mobility in his shoulder. He still requires medical treatment and is unable to return to his job. After the case, HSE construction inspector John McGill said: “Mr Lincoln has suffered long term injuries as a result of this serious incident. Meldrum Construction Services Ltd failed to ensure that Mr Lincoln had the necessary training to use the machine and had not reviewed its processes to ensure that unauthorised personnel did not have access to specialist machinery on site.” He added: “While the company had produced a risk assessment and a system of work for lifting the roof trusses, neither were sufficient, and had failed to identify the dangers that workers would face.”

- [HSE news release.](#)

### **Shoplifting is not a victimless crime**

Retailers have reported a sharp surge in shoplifting during the recession – matched by an increase in violence against shop staff. The latest crime survey by the trade body the British Retail Consortium (BRC) shows thefts by customers jumped by a third between 2008 and 2009. The BRC's research found there were almost half a million thefts - almost one a minute - something they say costs their industry £1.1bn (\$1.7bn). At the same time, at least 22,000 staff nationwide say they have been targeted by customers. BRC's Stephen Robertson said the criminal justice system did not take store crime seriously enough. “Whatever the motivation, shoplifting is never victimless or acceptable. The cash costs are met

by honest customers who end up paying more and the human costs by shop staff who intervene." John Hannett, general secretary of retail union Usdaw, commented: "We agree with the BRC, who are also calling on employers to make sure anyone shoplifting or being abusive to shopworkers is penalised properly. These are not victimless crimes and it is important that people treat shopworkers with respect." He added that since the launch of the union's Freedom from Fear campaign in 2003, there had been a "significant reduction" in violence, threats and abuse.

- [BRC news release](#). [Usdaw news release](#) and [Freedom from Fear campaign](#). [UNI news release](#). [BBC News Online](#).

### **Workers 'robbed of life and compensation'**

Victims of industrial diseases are being denied their full payments, as benefits are clawed back, according to an article in the Independent. Campaigners have told the paper that victims of industrial diseases such as the asbestos cancer mesothelioma are being "robbed" of government compensation because of an "unjust and indefensible" loophole in the benefit system. The Industrial Injuries Disablement Benefit (IIDB) scheme was designed as a compensation payment, but thousands of sufferers are having most of the money clawed back because it cancels out means-tested benefits. Some have even reported they are worse off after receiving the payment as it is counted as an "income", causing pension credits and housing benefits to be taken away as well as access to free dental and eye care. "They've been robbed of their life and now they're being robbed of their compensation; it's just hugely insulting," Anthony Whitston, of the Asbestos Victims Support Groups Forum, told The Independent. "Sometimes we advise people not to claim it at all because they would simply be worse off," he said. According to the paper, around 200,000 people receive weekly payments from the government after being rendered disabled by their working lives; 70 per cent of these are victims of asbestos exposure and one in five also relies on other means-tested benefits. The average IIDB payment is £40.60 a week, but many never see this extra money because of the benefit system flaws. According to Anthony Whitston: "Those of us who advise asbestos victims on their rights to compensation are embarrassed and ashamed to have to explain how compensation is given with one hand and snatched back with the other. This adds insult to injury. It is unjust and indefensible."

- [The Independent](#).

## *International News*

### **Bangladesh: Eight workers die in shipyard blast**

Bangladesh's notoriously deadly shipbreaking yards have claimed eight more lives. The workers were burned to death on 26 December, when the ship they were dismantling exploded. The workers at the Rahim Steel and Shipbreaking Yard had been told the gas tanks on the massive Agate oil tanker had been cleaned. A

report from the US-based National Labor Committee says when the workers started to cut into a 40 foot long tank using blow torches, the sparks set off a massive explosion, engulfing them in flames. The fire burned out of control for several hours. Along with the eight workers killed, more than a dozen suffered serious burns. The Rahim Steel and Shipbreaking Yard claims to be the largest industrial steel complex in Bangladesh. In 2009, 25 shipbreakers were killed in Bangladesh, while a worker is seriously injured every day. The workers, some of whom are 14 and 15 years of age, are paid under 20 pence an hour to do some of the most dangerous jobs in the world. NLC says shipbreaking yards in the country continue to violate with complete impunity even the most rudimentary health and safety standards and labour laws.

- NLC's 11 January 2010 shipbreaking report [[pdf](#)] and [shipbreaking webpages](#). [USW news release](#).

### **Global: Olympics run the risk of labour abuses**

In the run-up to the Winter Olympic Games, to be held in Vancouver, Canada in February, an international coalition is calling on global sportswear companies to respect labour rights. The group has rated the commitments made by the major sportswear brands to eliminate sweatshop abuses in their supply chains. The ratings are based on the responses from companies including Nike, Adidas, Puma and others, to a series of demands put forward by the coalition on the eve of the 2008 Beijing Olympics. The coalition, which includes Canada's Maquila Solidarity Network, the International Trade Union Confederation (ITUC), the International Textile, Garment and Leather Workers Federation (ITGLWF), and the Clean Clothes Campaign is also posting a series of web ads accusing the brands that profit off the Olympics of engaging in a "race to the bottom" on wages and working conditions. The campaign is asking organisations and individuals to send letters to the sportswear brands, telling them, "It's time to up your game and start clearing the hurdles for workers' rights". ITUC general secretary Guy Ryder added that Olympic and other sporting authorities must also be seen to take a tough line in defence of labour standards. "Sporting authorities, including the International Olympic Committee and the authorities for individual sports, must make it compulsory that products which carry their logos are produced in decent conditions, with full respect for the rights of the workers making the products," he said.

- [ITUC news release](#). The company ratings and ads can be found on a new Play Fair Coalition '[Clearing the hurdles](#)' website.

### **South Korea: Ex-Samsung workers seek cancer justice**

A group of former Samsung Electronics workers and family members of deceased workers in Korea are suing a state labour welfare institute for failing to recognise cases of leukaemia they say were caused by work. If their bid is successful, they would be eligible for state compensation. The plaintiffs — three former assembly workers at the world's largest semiconductor producer and the

parents of three deceased employees — filed the suit with the Seoul Administrative Court, claiming they developed the cancers after exposure to toxic chemicals at worksites in Giheung and Onyang. The lawsuit came after the Korea Workers' Compensation and Welfare Service refused to compensate them, citing its own inspection report that concluded there were no leukaemia-inducing substances, such as benzene, at the worksites. Samsung said all its worksites are free of toxic chemicals. Park Young-man, the lawyer representing the plaintiffs, said: "We will try to prove that the assembly lines of the two factories were seriously contaminated with cancer-inducing substances including benzene at the time when the victims worked there. This is not only for the victims but also for the health of the thousands of employees now working at the same sites." Citing medical reports, the medical doctor-turned-lawyer said leukaemia is a rare disease that normally strikes two or three people out of 100,000. "Over the past 10 years, a total of 22 patients at the factories have contracted acute leukaemia. Of them, seven have already died. Given this, I'd bet there is something wrong with the factories," Park said. Ahead of the lawsuit, experts from Seoul National University conducted an on-the-spot inspection, the lawyer said, and found that cleaning materials contained benzene.

- [Korea Times](#).

### **USA: Better enforcement equals fewer mine deaths**

Mining deaths in the US fell to an all-time low last year, and two of the key reasons, said the Mine Safety and Health Administration ([MSHA](#)), are stronger enforcement of mine safety laws and the tougher mine safety rules passed in 2006 after a series of explosions, fires and other deadly incidents. MSHA figures show 18 coal miners were killed in 2009 and 16 workers in metal/nonmetal mines were killed - a drop from 2008's total of 53 deaths. Secretary of Labor Hilda L Solis commented: "No one should have to die for a job. Our nation's miners, like all workers, deserve jobs that allow them to provide for themselves and their families. No job is truly good unless it is safe." Joseph A Main, assistant secretary of labor for mine safety and health, said while the number of mine deaths was at a record low, they still "represent a tragic loss to the families and friends of the 34 victims." He said a key factor contributing to the record low number of deaths was enforcement of the Federal Mine Safety and Health Act of 1977 and continued implementation of the MINER Act, enacted by Congress in 2006. In 2009, MSHA assessed 173,000 civil penalties for violations of mine safety and health legal requirements. The dollar amount of assessed penalties totalled \$140.7 million in 2009. Twenty-five flagrant violations were assessed at a total of \$3.4 million. Main warned, however, that while safety had improved much work remains to be done on miners' health. MSHA launched a comprehensive programme last month to end new cases of black lung. Based on recent official data, cases of black lung are increasing among US coal miners ([Risks 389](#)). Even younger miners are showing evidence of advanced and debilitating lung disease from excessive dust exposure.

- [MSHA news release](#). [AFL-CIO Now Blog](#). [Charleston Gazette](#).

## *Events and Courses*

### **TUC courses for safety reps**

COURSES FOR JANUARY 2010 to MARCH 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