

Risks

TUC 

e-bulletin

Number 445 – 27 February 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

Contents

Union News

Government acts on asbestos illness
Mixed verdict from asbestos victims
UCATT says victims have been 'abandoned'
Leaked Tube staffing plan raises alarm
Project to help vulnerable site workers
Former Lucas worker seeks cancer help
Faulty brakes and faulty bosses caused crash

Other news

Work killers could be forced to advertise crimes
Serial offender trumpets safety 'milestone'
Boss fined for unsafe work on roof
Property developer faces the courts
Flawed evidence denied asbestos victims
Compensation law moves forward in Scotland
Tower crane registration scheme becomes law
Hole in ship was plugged with a rag
Unexploded bombs left at recycling centre

International News

Australia: Payout after skin cancer death
Europe: Green capitalism can be just as deadly
Mexico: Widows seek justice for 65 mine deaths
USA: Campaigners attack Walmart's sick policy

Events and Courses

TUC courses for safety reps

Useful Links

Government acts on asbestos illness

The Ministry of Justice has announced a range of measures to support people who have been exposed to asbestos. This follows a government consultation on how best to respond to a Law Lords' ruling of 17 October 2007, which decided pleural plaques – an asbestos-related condition – did not cause damage that should qualify for compensation. The government decision bars new claims for condition – only those whose unresolved claims were opened before the 2007 ruling will qualify for "extra-statutory" payments of £5,000. The failure to reverse the Law Lords' ruling has been met with disappointment by personal injury lawyers and unions. However, other measures have been well received, including the creation of an Employers Liability Tracing Office to help people who develop an asbestos-related disease to trace the relevant insurer and obtain full compensation. The government statement also indicated that after completion of an ongoing consultation, an Employers' Liability Insurance Bureau (ELIB) would be created to act as "a fund of last resort" for sufferers of asbestos-related disease who cannot trace the insurance records needed to gain compensation. There would also be increased upfront payments for sufferers of the aggressive and fatal asbestos cancer mesothelioma and their dependents. The government also said it would expand research on asbestos diseases, adding its support to £3 million funding to be provided by the insurance industry. Secretary of state Jack Straw said: "We are firmly committed to supporting people with asbestos related diseases and intend to build on and extend the measures which we have already introduced in this area." TUC general secretary Brendan Barber said the pleural plaques decision was "disappointing" and was an issue the unions would not let drop. He added, however, "the other measures announced will be of real benefit to those who develop a disease as a result of exposure to asbestos" and "will help make a real difference."

- [Ministry of Justice news release](#) and [statement from Jack Straw](#). [DWP news release](#). [TUC news release](#).

Mixed verdict from asbestos victims

Asbestos victims' organisations and personal injury lawyers have given a mixed verdict on the government's moves on pleural plaques and asbestos compensation and research. Tony Whitston, chair of the Asbestos Victims Support Groups Forum, commented: "We are terribly disappointed that the government will not ensure that a payment is made to all pleural plaques sufferers. However, we wholeheartedly welcome the government's initiatives to significantly improve compensation for asbestos victims, especially mesothelioma sufferers, which will make a significant difference to many asbestos victims." He added: "We have also wholeheartedly welcomed the government's consultation on setting up an employers' liability insurance fund of last resort. We welcome the decision to seek ways in which to support research, but we are disappointed that the government have not agreed to fund a National Centre for Asbestos-Related Diseases at this time." Ian McFall, head of asbestos policy at trade union law firm Thompsons Solicitors commented: "On behalf of our clients we are disappointed the government has decided not to overturn the House of Lords

judgment although we recognise that at least some people with pleural plaques will get something." He added: "The commitments to the long cherished ideals of a national centre for medical research and a positive move on ELIB are as welcome as they are overdue. It is essential that ELIB is a guaranteed insurance fund of last resort to protect all injured workers, not just those who have asbestos-related disease."

- [Asbestos Forum news release](#) [pdf]. [Thompsons Solicitors news release.](#)

UCATT says victims have been 'abandoned'

Construction union UCATT has expressed disappointment after the government 'abandoned' the majority of pleural plaques victims in England and Wales. The union was speaking out after justice secretary Jack Straw confirmed on 25 February the government would only compensate pleural plaques victims who had lodged a legal case prior to a 2007 Law Lords decision to bar compensation. Pleural plaques sufferers who had not previously lodged a legal case or people who develop pleural plaques in the future will not be able to claim compensation. Both Scotland and Northern Ireland, by contrast, have introduced legislation reinstating the right to compensation for the condition. UCATT general secretary Alan Ritchie said: "The government's decision is disappointing, most pleural plaques victims are being abandoned. It is simply wrong that an accident of geography will mean that pleural plaques victims in England and Wales will be barred from receiving compensation but those in Scotland will be free to claim full compensation." The union said the government was wrong to base its decision on evidence supplied by an expert in air pollution, not occupational diseases like pleural plaques. Other moves announced by the government were welcomed by the union, including support for asbestos research, the creation of a register for workers exposed to asbestos, measures to speed up compensation claims and to increase upfront payments for victims of mesothelioma and a renewed government's commitment to establish an Employers' Liability Insurance Bureau (ELIB).

- [UCATT news release.](#)

Leaked Tube staffing plan raises alarm

London Underground (LU) has formulated secret plans to axe hundreds of jobs, rail union RMT has warned. It says the move would "devastate" Tube safety. RMT says the internal LU management report, 'Minimum Staffing Levels' calls for "hacking back" staffing levels to the "absolute bare bones" introduced in the aftermath of the Kings Cross fire in 1987 which claimed 31 lives. Legislation passed in 1989 in the wake of the fire introduced stringent and wide-ranging firefighting and precaution measures including minimum staffing levels. The union says the measures introduced in 1989 "were critical in ensuring that no fires compounded the tragedy" of the July 2005 London bombings. It adds staff on that day were described as "heroes" for the role they played in saving lives and getting London moving again. RMT general secretary Bob Crow said: "Despite all the election promises

from Boris Johnson that he would not cut back on operational staff and ticket offices the truth of what is going on behind closed doors at LUL and TfL [Transport for London] is starting to emerge and it is clear that the cash-saving measures under discussion would devastate tube safety." He added: "RMT is committed to fighting these plans and we will continue to alert the London travelling public and tube workers to the scale of the attack that is being cooked up for the Capital's transport system in secret meetings."

- [RMT news release. The Independent.](#)

Project to help vulnerable site workers

Construction union UCATT has launched a project to provide assistance to construction workers facing exploitation or forced to work in dangerous circumstances. The Vulnerable Workers Project, which will run for two years throughout England, is funded by the government's Union Modernisation Fund. UCATT says "initial key priorities" are to help groups who are particularly vulnerable including young workers and apprentices, agency workers, migrant workers and workers coming into contact with asbestos. Alan Ritchie, general secretary of UCATT, said: "Construction is a highly casualised industry, its very nature means that many workers are vulnerable either to poor employment conditions, low pay or injury. The new Vulnerable Workers Project will be a unique resource in providing help and assistance to workers when they most need it." The UCATT-run project is working with other "partners", including the Health and Safety Executive, advice and job centres, personal injury solicitors and trade union colleges.

- [UCATT news release.](#)

Former Lucas worker seeks cancer help

A Lancashire cancer survivor is urging his former work colleagues to come forward to provide information about his exposure to chemicals at work. Terry Burns, 51, from Burnley was diagnosed with bladder cancer in 2005. A high proportion of sufferers are known to develop this particular cancer as a result of chemical exposures at work. Terry, the North West political officer for the union Unite, is calling for his former work mates at Lucas Aerospace to come forward to help piece together information about his working conditions. He was employed as a technician by the aircraft systems manufacturer at sites in Burnley from 1978 to 2000. His job included degreasing parts with a special chemical. Terry said: "I never expected to be diagnosed with cancer. I have always been fit and healthy. I have never smoked but when the consultant mentioned the cancer was likely to have been caused by chemicals I decided to find out if that was the case." He added: "I had an operation in 2005 and fortunately at the moment the cancer is being held at bay." Marion Voss of Thompsons Solicitors, who were brought in by Unite to provide legal advice, said: "Exposure to certain chemicals can increase the risk of bladder cancer. Fortunately Mr Burns' condition is being treated at present."

However, it's important that we trace his former workmates so we can build up a more accurate and complete account of his working environment and history of chemical exposure." Work substances linked to bladder cancer include arsenic, solvents, aromatic amines, petrochemicals and combustion products, metalworking fluids and mineral oils. Ionising radiation is also a possible occupational cause.

- [Thompsons Solicitors news release](#). Anyone who worked with Mr Burns at Lucas Aerospace from 1978 to 2000 and who may have useful information should contact Marion Voss on 08000 224 224.

Faulty brakes and faulty bosses caused crash

A GMB member who had complained about defective brakes on his work van has received a payout after the vehicle subsequently crashed. Michael Ross, 46, had asked his employer, AMEY, to check the van's brakes on three occasions but was told each time that there was nothing wrong with them. In June 2009 his brakes failed and he crashed into the back of another car as he was driving the van back to the depot. Mr Ross, who is a local government highway response driver for AMEY, was left with whiplash injuries. However, his employer's response to the crash was not to check the brakes but to start disciplinary action because he crashed the van. At this point Mr Ross decided to break the firm's procedures and asked the company fitter to look at the brakes himself. He found that two of the discs had completely seized and that this was the cause of the crash. Mr Ross said: "I knew there was something not quite right with the brakes but every time I brought it up with my supervisor I was told they had been checked and there was nothing wrong with them. After the accident, when I knew because I had been there that the brakes had caused the crash, I decided to take matters into my own hands. The fitter found the brakes were faulty and fixed them straight away." Ged Caig from the GMB said: "It sounds like a sick joke that AMEY tried to discipline our member after he was involved in a crash due to dodgy brakes that had been reported faulty on three occasions."

- [Thompsons Solicitors news release](#).

Other news

Work killers could be forced to advertise crimes

Companies convicted of corporate manslaughter could be forced to take out adverts publicising their conviction as a result of measures that came into effect earlier this month, the justice ministry has said. Courts will now be able to hand out publicity orders to firms and public bodies where gross corporate health and safety failures caused a person's death. Companies can already be hit with an unlimited fine or be forced to improve safety in the workplace. Justice minister Maria Eagle said: "Corporations can already be convicted of corporate manslaughter - making them face up to the consequences of health and safety failures. Fines hit irresponsible companies in their wallet, but public image is also extremely important. Forcing corporations and organisations to publicise their

conviction will be a powerful deterrent, making them think of the reputational as well as financial risk of not taking their health and safety responsibilities seriously." The government says the "innovative" new publicity orders, thought to be the first of their kind to be introduced in the UK, could compel companies to inform shareholders, customers and - in the case of local authorities, hospital trusts and police forces - local people of the conviction, giving details of the case, the fine imposed and the any remedial work they have been ordered to do. The publicity order could require the company to put a statement on its website or make an announcement in a newspaper. Hugh Robertson from the TUC welcomed the proposals but said they did not go far enough. "Publicity orders have been successful in other countries but there must be court control over the contents of any adverts, and victims' groups should have the opportunity of contributing to what is said," he said. "However, they are not an alternative to other forms of justice such as corporate probation and disqualification of directors".

- [Ministry of Justice news release.](#)

Serial offender trumpets safety 'milestone'

A company that says it is the UK's leading waste and recycling firm and that parades its environmental and safety credentials has been a serial safety offender over the last five years. Veolia ES (UK) Ltd's latest brush with law saw it fined £130,000 this month after employee David Ives, 56, was killed when a 1,100-litre recycling bin fell on his head ([Risks 444](#)). Health and safety magazine *Hazards* charges that while no mention of the conviction appears on the Veolia website, "the company is less reticent when it comes to boasting about its safety successes." Just two weeks before the fatality conviction, a Veolia news release noted: "Veolia Environmental Services, the UK's leading recycling and waste management company has achieved a major milestone in its environmental and safety performance. The company has achieved ISO 9001, ISO 14001 and OHSAS 18001 certification for all its 350 sites across the UK." HSE's prosecutions database reveals that Veolia (ES) had was fined for serious safety breaches that resulted in injuries to workers in both 2006 and 2007, one relating to serious fall injuries and the other to exposure to acid fumes. The safety watchdog's enforcement notices database reveals it was issued improvement notices on seven occasions in 2008, once in 2007 and on six occasions in 2006. HSE's prohibition noticed database shows violations at Veolia ES were so serious that HSE put an immediate stop to work once in 2008 and on three occasions in 2006, at different Veolia sites.

- [Hazards 'green jobs, safe job' blog.](#)

Boss fined for unsafe work on roof

A roofing firm boss has been fined £4,950 after putting himself and two of his employees at risk of falling more than seven metres from a building. The Health and Safety Executive (HSE) prosecuted Dean

Paul Shaw, 44, trading as Streamline Guttering and Cladding, of Kirby Muxloe, Leicestershire, for allowing work to take place on a roof without adequate safety equipment to stop him or his workers falling. Mr Shaw was also ordered to pay costs of £1,314.40 at Loughborough Magistrates' Court after pleading guilty to breaching three regulations of the Work at Height Regulations 2005. The breaches happened when the three men were working on the roof of a seven-metre-high building between 8 December 2008 and 16 January 2009. The three workers accessed the roof by a mobile tower at the front of the building, however they were also working on the back of the building, which had no tower or scaffolding in place. The court heard that by not providing adequate safety equipment, Mr Shaw failed to ensure that the installation of new guttering was properly planned, did not provide appropriate supervision and failed to prevent, as far as reasonably practicable, any person falling a distance liable to cause personal injury. Prosecuting, HSE inspector Mhairi Lockwood said: "All three workers were walking across the roof - which also had fragile roof lights - to work on the back of the premises where there was no protection to stop them from falling. There was also a sharp palisade fence below which could have caused horrific injuries if anyone had fallen on it."

- [HSE news release](#) and [Shattered Lives campaign website](#).

Property developer faces the courts

A Bradford property developer has been fined £10,000 for serious safety failings that endangered the lives of workers on a refurbishment project in Hull. HQ Leisure Limited pleaded guilty at Hull Magistrates Court to one breach of the Health and Safety at Work Act 1974, two breaches of the Construction (Design and Management) Regulations 2007 and three breaches of the Work at Height Regulations 2005. Magistrates heard that inspectors from the Health and Safety Executive (HSE) found a number of safety problems that could have caused a serious injury or a fatality at a site on Albion Street, Hull, in October 2007, where a row of four-storey terrace buildings was being converted into 28 apartments. In addition to the £10,000 fine, HQ Leisure was also ordered to pay £10,000 costs. Following the hearing, HSE inspector Stephen Hargreaves commented: "HQ Leisure Limited blatantly disregarded the importance of a safe working site, leaving their workers on Albion Street at risk of serious injury or even death. Many people are killed on construction sites every year, and suitable planning and risk management is vital to prevent unnecessary risk. That clearly didn't happen on this occasion and there are a number of simple, practical measures that could and should have been taken by HQ Leisure Ltd."

- [HSE news release](#).

Flawed evidence denied asbestos victims

People killed by asbestos diseases have been wrongly denied compensation because the courts have relied on flawed medical evidence, a landmark case has shown. Lawyers representing

asbestos widow Della Sabin said the decision in the High Court in London will help thousands of asbestos sufferers and their families claim compensation. Pauline Chandler of law firm Pannone LLP said she was "absolutely delighted" with the judgment in the case brought by Della, 76, whose husband Leslie died from asbestosis. The judge said the minimum threshold for the number of asbestos fibres in the bodies of asbestos disease victims determined to have died of asbestos disease had been set too high. Former British Rail worker Leslie had started the claim against his ex-employer, British Rail, in 2004. He had been exposed to asbestos between 1958 and 1962 when he worked for British Rail as a lorry driver, where one of his jobs was to drive loads of hessian sacks full of raw asbestos to a Turner & Newall asbestos plant. He died on 10 May 2006, aged 78, leaving his widow Della to carry on the fight for justice. Lung tissue samples were found to contain 7 million asbestos fibres, below the 20 million fibre level typically considered necessary for an asbestos disease diagnosis. However, Pauline Chandler sought expert advice from a US pathologist at Duke University, North Carolina, who said in the 40 years after Leslie's asbestos exposure a large number of the fibres, as many as 28 million, would have "cleared" from his body. The judge said that the asbestos level of 20 million fibres was "set too high, probably significantly too high" and found in favour of Mrs Sabin and awarded her £100,000 in compensation.

- [Pannone LLP news release.](#)

Compensation law moves forward in Scotland

A Labour MSP said he is "delighted" to have won cross-party support for his proposed shake-up of compensation laws for wrongful deaths in Scotland. Bill Butler has put forward a Member's Bill aimed at speeding up the process of paying compensation to victims of disease and accidents, including those caused by or related to work. He said a total of 34 MSPs from the Labour, Tory, Liberal Democrat and Green parties had given their support to his proposals. That means his Damages (Scotland) Bill can move forward and be considered by the Scottish parliament. Expressing his "delight" at the progress, Mr Butler, MSP for Glasgow Anniesland, said: "The Scottish parliament should always be on the side of victims and their loved ones. I am hopeful that this cross-party support will continue as the Bill makes its way through the parliament and allow us to change the law to help bring these cases to a swifter resolution." The proposals are based on Scottish Law Commission recommendations published in September 2008. If passed, the changes will remove the need to go to court in some cases where liability has been admitted, allowing victims' relatives to be compensated quicker. The Bill will also take away the need for courtroom debate on living expenses. Campaigner Joe O'Neill, of the Clydebank Asbestos Group, said: "This is welcome news for the people we represent. Too often protracted legal proceedings place undue strain on families and I would urge all MSPs to get behind these proposals and ensure that justice can be accessed as quickly as possible."

- [Bill Butler blog. The Herald.](#)

Tower crane registration scheme becomes law

A new law to improve the safety of tower cranes on construction sites was laid before parliament this week, paving the way for the start of a statutory registration scheme. The regulations, developed by the Health and Safety Executive (HSE) after a high profile campaign by safety activists and unions, will come into force on 6 April. They include a register of conventional tower cranes, set up in response to increasing concern about crane safety. HSE says eight people have been killed in incidents involving tower cranes since 2000, including one member of the public, and more have been injured. Health and safety minister Lord McKenzie said: "It's completely unacceptable that lives are put at risk because of unsafe tower cranes. The new register will encourage high standards of safety on site and give the public confidence that these huge machines are being operated responsibly." HSE chair Judith Hackitt said: "In developing these regulations we have taken a common sense and proportionate approach to the registration scheme, building on valuable consultation with industry. The register will help us all – regulators, the industry and government – deliver improved safety performance." The new regulations place a 'duty to notify' on the employer. Employers will have to notify the HSE of relevant information, including the site address and the name and address of the crane owners. HSE will have to be notified within 14 days of a thorough examination of the crane, which must be carried out following installation or re-installation on a site before it can put into service. Unions have welcomed the law, but have said the notification window is too large and too few types of crane are covered by the rules.

- [DWP news release](#).

Hole in ship was plugged with a rag

The UK Maritime and Coastguard Agency last week detained a 2,000 ton ship using a rag to plug a hole in its cracked hull. The Russian registered cargo vessel Baltiyskiy 110 has been issued with a Detention Notice due to failure to comply with merchant legislation in Fowey, Cornwall. An inspector took the action after a preliminary inspection identified the hole in the port side hull plating of a water ballast tank. The vessel was also in serious contravention of two other requirements of the International Safety Management Code. The Baltiyskiy 110 had sailed from two previous ports with this hull damage, with the company instructing the master to continue its voyages. MCA area manager Tony Heslop said: "This is a very serious breach of International Maritime Legislation and the vessel after inspection was detained. Our inspector will carry out a further detailed inspection of this with a surveyor from the classification society. The vessel will not be released from detention until all items found are rectified to the required International Standards."

- [MCA news release](#).

Unexploded bombs left at recycling centre

A Welsh council has warned people to be more responsible after an unexploded artillery shell, detonators and marine flares were dumped at its local authority recycling centres. Powys Council said it had been forced to call out Army bomb disposal experts and police three times during the last five months. The shell was left next to a skip at a recycling centre in Ystradgynlais. No-one was hurt but the situation could have been different with a "large number" put at risk, said the council. The first incident happened on 27 September 2009 at Ystradgynlais household waste and recycling centre, when the artillery shell was left by a metal skip. The police were called and it was taken away by the Army. Two weeks later on 9 October, detonators were left by a chemical waste bank at Machynlleth recycling centre. They were taken away and disposed of by a specialist contractor. In the latest incident, on 24 January 2010, a marine flare was discovered at Brecon household waste and recycling centre. The police were called and it was disposed of by the Army. Councillor Ken Harris, who is responsible for waste and sustainability on the council, said: "Not only is disposing of these dangerous items in this way putting a large number of people at great risk, the individuals responsible are breaking the law and could find themselves liable for prosecution under explosive and terrorism legislation."

- [Powys Council news release](#). [Green jobs, safe jobs blog](#). [BBC News Online](#).

International News

Australia: Payout after skin cancer death

A record six figure payout has been given to an Australian widow after her construction worker husband died at 43 from skin cancer. The family of construction worker Rohan Crotty – his 39 year-old wife Jo-Anne and four sons aged five and under – have been left in mourning after Rohan died in July last year within two years of being diagnosed with melanoma. He was a carpenter and plasterer by trade, but in the last years of his life became a CFMEU union organiser, helping to campaign for sun awareness programmes on building sites. While Rohan was receiving treatment in Melbourne towards the end of his life, fellow CFMEU officials and workmates came to his home fixing walls, fences, painting and building the boys a fort in the backyard. Mrs Crotty said: "I don't think enough is being done for sun awareness. I would like to carry on his legacy by organising a campaign bus that goes around to work sites and spreads the message about UV protection." CFMEU workplace health and safety manager Andrew Ramsay said the WorkCover payout was a landmark decision because there had been few settlements of this magnitude for melanoma in Queensland. "There is a real difference in the approaches between the civil construction and the building construction industries," Mr Ramsay said. "The guys who work on the roads wear long sleeves and heaps of protection but that is not happening so much on the building sites. We are trying to change this and what befelled Rohan highlights the urgency with which this needs to happen."

- [News.com.au](#).

Europe: Green capitalism can be just as deadly

If you are one of those employed in the rapidly expanding green jobs sector, don't assume your green employer is any less likely to exploit and endanger you. This is the message from Laurent Vogel, director of the European TUC's health and safety research arm, HESA. In an editorial in the latest issue of the organisation's Just Transition newsletter, he cites the case of Spanish multinational Gamesa, "one of the finest examples of green capitalism, certified, labelled, and making much of its commitments to the environment, its 'collaborators' – in other words its staff – and 'communities'. The company is posting enviable profits. Is it a success story for a win-win-win scenario?" The answer, it seems, is "no". According to Vogel: "On wind farms, upkeep and maintenance are outsourced. For example, Gamesa has hired the company Guascor to repair the blades at its wind farms. This involves injecting resin to seal the cracks, filing them down and then repainting them. Women were recruited from rural areas to do what the company described as 'rapid and well-paid work'." The real story is less rosy. "A few months after having started work, several women were showing symptoms of poisoning: irregular periods, nosebleeds, headaches and so on," writes Vogel. "Tipped off by the trade unions, the factories inspectorate investigated and discovered that these women were handling extremely dangerous substances and no protective measures whatever had been put in place. Seven women were advised by their doctors not to have children over the next two years because of the risk of birth defects!" He concludes: "Green jobs do not always involve such dramatic conditions, but private management of environmental protection activities does sacrifice working conditions for the sake of competitiveness."

- [The relative appeal of green jobs](#), [Just Transition](#) editorial, Laurent Vogel, February 2010. [Green jobs, safe jobs blog](#).

Mexico: Widows seek justice for 65 mine deaths

Families of coal miners killed four years ago in an explosion at the Pasta de Conchos mine in Coahuila, Mexico, have filed a US-union backed legal case in US federal court seeking damages from Grupo Mexico Inc. The lawsuit was filed by the United Steelworkers union (USW) on behalf of three widows whose husbands were among 65 coal miners killed in the disaster. The miners were trapped underground on 19 February 2006 when a powerful methane explosion rocked the mine in the early morning hours of an overnight shift. Only two bodies were recovered in the immediate aftermath of the disaster before Grupo Mexico called off the search, infuriating family members unable to bury their dead. The lawsuit alleges Grupo Mexico and the other corporate defendants failed and refused to take the necessary steps to prevent the disaster even though they were informed of unsafe conditions by the Mexican government and the miners themselves. The defendants also include Americas Mining Corp, wholly-owned by Grupo Mexico and based in Phoenix and Southern Copper Corp, a wholly-owned subsidiary of Americas Mining, also based in Phoenix. Since the disaster, numerous attempts by plaintiffs and Los Mineros, the union representing the Mexican miners, the miners themselves and the Catholic Church to try to force the Mexican government to

redress the problems which led to the mine disaster have failed. Similarly, attempts by the same groups to force the government to compel Grupo Mexico and its related firms to recover the bodies of the deceased miners from the ruins of the mine also failed. USW says Grupo Mexico and the Mexican government have waged a four-year campaign of repression and abuse of power against Los Mineros– Mexico's strongest independent union.

- [USW news release](#). [IMF news report](#). [Pittsburgh Post-Gazette](#). [Arizona Star](#).

USA: Campaigners attack Walmart's sick policy

Campaign group WakeUpWalmart.com and a coalition of supporters this week launched a national week of action against Walmart's "irresponsible" sick leave policy. Last year Walmart – the world's largest retailer – was on the end of critical press coverage when it was revealed it gave employees "demerits" that can lead to dismissal when they call in sick. Beatrice Parker, a former greeter at Walmart in Charlotte, North Carolina, felt compelled to resign due to Walmart's sick leave policy after suffering from a bladder infection caused by not being given bathroom breaks at work. She tells her story in a new video released by the campaign, a project of retail union UFCW. The campaigners say Walmart's policies and actions create a working environment where sick employees feel they are faced with a choice between spreading infections and keeping their job. They add Walmart deserves public demerits for sick leave policies that put the public at risk and make its employees sicker. The campaigners say Walmart is America's largest private employer and sets the standard for workplaces in the retail industry. Walmart "associates" – employees - should not be afraid of losing their jobs simply because they are too sick to help customers, they say.

- [UFCW news release](#) and related [WakeUpWalmart campaign video](#).

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 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