

Risks

TUC 

e-bulletin

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**HAZARDS
MAGAZINE**



**Asbestos -
The hidden killer**

Hazards at Work

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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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Contents

Union News

Hands up for toilet breaks at work
CWU welcomes dangerous dogs move
The smell of grease paint – and dead mice
Overwork stress costs worker his job
Rail workers back action on safety
Guards keep trains safe
Agreement leads to safer needle rules
'Revolving door' contracts hurt charity workers
Jolting pastries caused back injury

Other news

Blacklister is beyond reach of tribunals
Contractor fined for failing to provide toilets
Business told to make it quieter
Roads continue to kill off the record
Builder fined after putting lives at risk
Lorry builder fined after worker crushed

International News

France: 'Radical change' after telecom suicides
Global: Body repeats call for an asbestos ban
Global: Greenpeace adds to Samsung pressure
USA: BP fined again for 'wilful' safety breaches

Events and Courses

TUC courses for safety reps

Useful Links

Union News

Hands up for toilet breaks at work

Employers should not be able to penalise staff for using the toilet in work time and should provide decent, clean lavatories, the TUC has said. The union body is calling for a change in the law to bring workplace loos into the 21st century. Back in 2003 when the TUC first launched its Gotta Go campaign, research revealed that across the UK many workers had no access to toilets or had to use dirty, poorly maintained ones. Others were docked pay for needing to use the loo, and had to ask if they could be excused to spend a penny. TUC says six years on it seems the situation has barely changed. A new TUC report, 'Give us a (loo) break', cites examples of staff having to put their hands up to use the toilet, record the number of times they nip to the loo each day or travel a mile to pee. The TUC report is critical of employers who still believe that employees should go to the loo in their own time. Others plan work schedules that take no account of toilet breaks or where toilet use is frowned upon. And the report points to the case of a female firefighter who had to change her tampons in the back of a fire engine while her male colleagues stood guard outside. As a result of union pressure, a number of brigades have now introduced mobile welfare vehicles which have separate women and men's toilets. Other staff are based in workplaces where the toilets are closed at night, or have given up their own time and come in at the weekend to replenish the soap and paper towels in their poorly stocked loos. TUC deputy general secretary Frances O'Grady said: "Employees should be free to go to the toilet in work time, and not have to raise their hands for permission as if they were back in school, or have their employers keep notes on how long or how often they go for. And when staff do get the loo, they have the right to expect clean, well-ventilated facilities."

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

CWU welcomes dangerous dogs move

A government consultation aimed at strengthening the Dangerous Dogs Act has been welcomed by the postal workers' union CWU. Under the government proposals, dog owners could be required to take out third party insurance and to have their dog microchipped. Ministers are also considering introducing New Dog Control Notices for misbehaving animals, dubbed "Dogbo" orders by the press. The government move comes after a long-running and broad-based campaign, spearheaded by CWU. CWU national safety officer Dave Joyce had presented the union case to prime minister Gordon Brown and to ministers from Defra and the Home Office. "The government's proposals now pave the way for a legal framework which will hold to account irresponsible, reckless owners of dangerous animals," he said. "This will now hopefully apply when postmen and women, as well as other workers such as telephone engineers, go onto private land and enforcers will have new powers to issue Dog Control Orders - a bit like dog ASBOs - to help prevent attacks." CWU general secretary Billy Hayes commented: "Not only is there a pressing need to tackle what is a serious and growing social problem in our communities - attacks on members of the public and even young children from within dog owners' own families - there has also been a frightening increase in attacks on public service workers." He said the extension of the law to cover attacks taking place on private property would "provide urgently needed legal protections for workers who have to enter private premises in the course of their duty."

- [Defra news release](#) and [Dangerous dogs consultation](#). [CWU news release](#). [BBC News Online](#).

The smell of grease paint – and dead mice

The vermin problem in London's ageing theatres is "running out of control", a survey by actors' union Equity has found. Three quarters of theatre actors and stage managers reported regular infestations in their workplaces, including rats, mice and fleas. One actor responding to the Equity investigation commented: "I had tiny bite marks on my lipstick recently when I left the lid off." Another reported: "'Mice, mice, mice. Quite often there is an unpleasant smell which usually turns out to be a dead one.'" Christine Payne, the general secretary of Equity, said she expected bad news, but was shocked by the responses. The union surveyed actors and stage managers separately, but the responses were the same. "These findings mean that tonight over 600 actors and stage managers will go to work knowing that they will probably see and smell vermin, both living and decomposing, in their workplace," Christine Payne said. "I accept that many West End theatres are old and difficult buildings to manage, but this is running out of control. These appalling conditions must come to an end." The respondents said backstage areas were mostly clean and tidy, but there were complaints that only half the theatres have a clean area for preparing the food and drink that actors have to consume on stage in many shows. Few performers had access to a green room for relaxing, or to prepare food for themselves between shows. The survey was completed by nearly 350 performers and stage managers in 24 different theatres, many of them featuring world-famous shows.

- [Equity news release](#). [The Guardian](#).

Overwork stress costs worker his job

A university worker who had to work 65 hours a week has received £110,000 in compensation after he had to give up work due to stress. Mark Bannister, 49, worked as a programme manager at Staffordshire University where he was responsible for organising courses for international students. After the suicide of one colleague and no action to replace members of staff who left, Mr Bannister's workload increased markedly. Although he had a history of anxiety and depression and despite complaining about the excessive workload, nothing was done to alleviate the pressure. Mr Bannister, who had worked for the university for 10 years, was signed off sick in September 2007 and is still too ill to return. In a union-backed compensation case, the university denied liability but settled the claim out of court. UCU general secretary, Sally Hunt, commented: "Members of staff being forced to pick up colleagues' work is a real worry in higher education at the moment with 15,000 jobs at risk. Universities should be warned that we will be coming down hard on any that follow Staffordshire's example in their treatment of Mr Bannister." Warinder Juss from Thompsons Solicitors, the law firm brought in by the union to act for Mr Bannister, said: "Despite Staffordshire University being aware of Mr Bannister's previous medical history and despite his complaints about the workload nothing was done to ensure he was coping. Stress cases are difficult to prove but here Mr Bannister was ignored and felt he had no

choice but to work excessive hours and the damage to his health followed.”

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

Rail workers back action on safety

Network Rail maintenance workers have voted overwhelmingly in favour of industrial action over safety, their union RMT has said. The RMT members voted 77 per cent for strike action and by 89 per cent for action short of a strike “over plans by the company to axe up to 1,500 safety critical jobs and to rip up national agreements on working practices,” says the union. It has called on Network Rail chair Rick Haythornthwaite to re-open talks on the maintenance cuts plans. RMT general secretary Bob Crow said: “RMT members were faced with a stark choice in this ballot. They could either sit back and wait for these cash-led maintenance cuts to lead to another major disaster on Britain’s railways or they could vote to take action to stop the attack on rail safety. They have overwhelmingly voted to take action. Nobody should be under any illusions about just how determined RMT members are to win this dispute and to stop this reckless gamble with rail safety.” He urged the Network Rail chair to “respond to our request for meaningful discussions aimed at ensuring that the staffing levels required to deliver a safe rail system are maintained.” Earlier this month, the Office of Rail Regulation (ORR) called for “a significant change in attitudes and behaviours throughout” Network Rail, after examining its plans to restructure maintenance work ([Risks 446](#)). The findings, which confirmed concerns raised by RMT and TSSA, also led to a warning from the Institution of Occupational Safety and Health (IOSH). IOSH president John Holden said “it’s absolutely vital that any possible weaknesses in the implementation of the new programme should be highlighted and challenged, so we whole heartedly support the ORR in raising its concerns over the health and safety implications of the changes.”

- [RMT news release](#). [TSSA news release](#).

Guards keep trains safe

Train operating companies up and down the UK have been asked to confirm they will retain the safety critical role of train guards. The call, in a letter from rail union RMT, comes as the union launches a new ‘Keep the guard on the train – keep the train safe’ campaign. The initiative aims to highlight “the crucial role that guards play in maintaining rail safety and also aimed at ensuring that the public are fully aware of the importance of retaining the guards.” The letters to train operators seeks a “concrete” assurance there will be no extension of driver only operation (DOO) and guarantees that guard’s will remain in complete control of powered door operation. RMT says these measures are established features of longstanding collective agreements on the safety critical role of train guards. Bob Crow, RMT general secretary, said: “We are simply demanding that existing agreements with the train companies on the safety critical role of guards on our trains are not diluted or undermined as part of

the drive to pump up profits. We have already seen efforts by Southeastern Trains and First Scotrail to bulldoze through driver only operation and the axing of the guard. We are giving the train operators until 20 April to respond positively to this approach from RMT and we are launching an information campaign aimed at ensuring that the travelling public fully understand the role that the guards play on their trains.”

- [RMT news release](#).

Agreement leads to safer needle rules

UNISON has welcomed a new Europe-wide law to help protect health care workers from the agony of needlestick injuries and infections. The directive gives legal teeth to a framework agreement reached by European trade union and employers’ organisations in June last year, which included guidance for training, support and prevention of needlestick injuries ([Risks 410](#)). It will make the use of safe needles routine across the EU, which will help stop injuries from used and dirty needles. UNISON says up to 100,000 UK health workers are injured in this way every year, and it is estimated 1 million injuries occur Europe-wide. UNISON head of health, Karen Jennings, who led the EU negotiations for the unions, said: “This directive is a breakthrough for health workers, who live in fear of infection and injury from dirty needles. Safer needles cost little more than their dangerous alternatives, and backed up with training, support and prevention, this guidance will make a real difference to the safety of health workers and patients. UNISON has fought long and hard to bring in safer needles and we will continue working with hospitals and managers, to make this directive part of day-to-day life for health workers.” Carola Fischbach-Pyttel, general secretary of European Federation of Public Service Unions (EPSU), said: “This is a major breakthrough.”

- [EPSU news release](#). [PSI news release](#). [UNISON news release](#).

‘Revolving door’ contracts hurt charity workers

More than 90 per cent of voluntary sector staff feel their well-being is being undermined due to the financial crisis facing charities. The survey results from the union Unite, which has 60,000 members in the not for profit sector, were announced ahead of a 9 March lobby of parliament about the sector’s future. The survey shows that the way contracts are awarded in the voluntary sector – short-term with the emphasis on cost-cutting – is having a detrimental effect on the sector’s 750,000 employees and the services they deliver to clients and service users. The current funding structure had a negative impact on clients or service users, said 85 per cent of respondents to the Unite survey. They were even more clear on the impact of their own welfare. A shocking 91.8 per cent said it has a negative effect on the “well-being (eg. physical and mental health, dignity at work, health and safety, and development in the workplace)” of themselves or their colleagues. Members reported low staff morale, high levels of stress and anxiety, frustration at the short-term nature of contracts, and experienced colleagues leaving

as a result of the pressure as well as reduced and stretched services for vulnerable clients. Rachael Maskell, Unite's national officer for the sector, said: "The shocking results of our survey show a sector hit by a short-term 'revolving doors' contract culture which is having a serious adverse affect on employees' health and well-being."

- [Unite news release.](#)

Jolting pastries caused back injury

A bakery delivery driver who damaged his back pushing pastries was forced to take almost a year off work. The member of bakery union BFAWU suffered the injury working for Peter Cathedral Bakers in Durham in May 2007. The 43-year-old, whose name has not been released, was pushing a stack of 20 baskets of savoury pastries to his delivery van when it was suddenly jolted by the rough edges on the concrete floor. The action caused him to seriously jar his back leaving him with severe lower back pain and discomfort. Lawyers brought in by the union argued that Peter Cathedral Bakers should have provided a wheeled trolley to stack the baskets to allow them to be moved more easily, something employees had requested in the past. The firm admitted partial liability and settled the claim out of court for £6,000. BFAWU officer Alan Milne said: "Employees had already complained about the lack of wheels to help them move baskets but nothing had been done to solve the problem. It should never have taken our member suffering an injury for this firm to act over this health and safety concern." Jane Guilliford from Thompsons Solicitors, the law firm brought in by the union, added: "A risk assessment would have highlighted the need to provide a set of wheels to move the baskets more easily. By having some common sense and awareness that this job could have been done in a much more efficient and safe manner would have prevented this member from suffering an injury."

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

Other news

Blacklist is beyond reach of tribunals

Campaigners have condemned the lack of protection given by UK employment law to many trade unionists falling victim of employer blacklists. They were speaking out after an 8 March written judgement from the first full-merits blacklisting Employment Tribunal found in favour of the company. Balfour Beatty did not deny using an illegally compiled blacklist to target the subcontracted bricklayer. Instead it used documents it had made available to disgraced and now shutdown blacklisting organisation The Consulting Association in its tribunal submission. While the judge, Mr BT Charlton, described blacklisting as "ghastly", he found in favour of the construction giant because while Balfour Beatty has sought the workers dismissal, it wasn't his actual employer – and the law only covers employees. According to campaign group the Blacklist Support Group: "In an industry where sub-contracting and

agency labour is widespread, this effectively allows the major multinationals such as Balfour Beatty, Sir Robert Mc Alpine, Skanska and Costain to blacklist workers who complain about safety or unpaid wages with impunity (as almost all labour is sub-contracted out)." A spokesperson for the group said: "The decision and the new Blacklisting Regulations are basically a get out of jail free card for the major contractors. The blacklisters can hide behind the fact that they sub-contract most of the labour on major projects to escape any kind of legal responsibility." He added the case showed the new blacklisting regulations "will not make an ounce of difference". Both labour law experts and campaigners indicated cases would inevitably end up going to the Europe Court of Human Rights, with the Blacklist Support Group spokesperson saying the practice "is a clear breach of Article 11 of the European Convention on Human Rights," adding: "We have suffered for many years: we are prepared to fight all the way." Construction union UCATT is also preparing a series of Employment Tribunal challenges.

- [Blacklist blog.](#) [Labournet.](#) [The Guardian.](#)

Contractor fined for failing to provide toilets

A Bridlington building firm boss has been fined for not providing adequate toilet and washing facilities for staff on a construction site. The Health and Safety Executive (HSE) prosecuted Bryan Ellis Brown, a partner in Bryan Brown & Son, of Flamborough, Bridlington, after finding problems on the site on 23 July 2009 which the firm then failed to remedy. Bridlington Magistrates Court heard a toilet unit was not plumbed in, and there was no water supplied to sinks in a cabin or adjacent toilet compartment at the construction site. Following the initial HSE inspection an improvement notice was served on Mr Brown, the principal contractor, requiring the provision of suitable toilet and washing facilities by 17 August 2009. On a subsequent site visit on 19 August 2009 it was found that the requirements of the improvement notice had not been complied with. A further site visit on 17 September 2009 found the problems were still not fully resolved. Bryan Ellis Brown was fined £2,000 and costs of £1,215 after he pleaded guilty to two health and safety breaches. After the hearing HSE inspector Geoff Clark said: "By failing to provide adequate welfare facilities on site, Bryan Ellis Brown subjected his employees to an unhygienic and potentially unsafe working environment. Having access to suitable welfare facilities is a basic human right for anyone engaged in any form of work, and to not provide those facilities is totally unacceptable."

- [HSE news release.](#)

Business told to make it quieter

An initiative has been launched to encourage manufacturers to make quieter machinery and businesses to use it, in a bid to reduce noise-related ill health in the workplace. The Health and Safety Executive (HSE) says 170,000 people in the UK suffer deafness, tinnitus or other ear conditions as a result of exposure to excessive noise at work. It says its 'Buy Quiet' campaign is about getting

everyone with an interest - manufacturers, suppliers, employers, unions, insurers and consultants - looking at what they can do to reduce the risk. HSE says it is particularly keen to foster closer relationships with manufacturers to see how noise reductions can be made at source. HSE noise and vibration inspector Sarah Haynes said: "Noise-related ill health can have a devastating impact on workers and their families, and Buy Quiet is about exploring ideas and sharing information about what can be done to reduce the risks." She added: "HSE will continue to engage with industry to raise awareness of potential benefits, both health and commercial, of low noise machinery production."

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

Roads continue to kill off the record

Road safety campaigners and industry representatives have challenged the government to start official reporting of work related road crashes. The call came after road safety minister Paul Clark told a road safety conference this month: "Work related driving remains a great concern to all of us involved in road safety because around 75 per cent of all work-related deaths are out on the road." He added: "Research tells us that up to a third of all road accidents involve someone who is driving for work. Our broad brush estimate is that this means some 800 deaths every year - about 15 every week." The minister also indicated that employer decisions could be behind some of these deaths. "I'm the first to recognise that businesses are facing big challenges in the current economic climate. But pushing employees who drive to work longer and harder isn't acceptable because their driving behaviour can be adversely affected," he said. However, when he was questioned at the event, organised by road safety charity Brake, about extending the at-work incident reporting system RIDDOR to include road death and injury, he said there were no plans to do so. Brake's Fleet Safety Forum is calling for the government to extend the RIDDOR system to require companies to report road death and injury. The call was supported by Brent Mitchell, of Balfour Beatty Utility Solutions. He said "not only should RIDDOR incorporate work related road crashes, but it should also be extended outside of work hours, to include driving to and from work." When HSE released its latest workplace fatality figures in October 2009 ([Risks 430](#)), it said: "Statistics show there has been a significant reduction in the numbers of people killed, injured or suffering work related ill-health from April 2008 to March 2009... Workplace fatal injuries fell from 233 in 2007/08 to a record low of 180 in 2008/09." However, as the minister indicates, the HSE is basing this on a small fraction of the work-related deaths total. Workplace deaths in marine and air accidents are not included in the HSE statistics either.

- [Paul Clark's speech to the Brake Fleet Safety Forum conference](#). [Brake](#).

Royal Mail fined over employee death

Royal Mail has been fined following the death of an employee who was crushed by a reversing HGV. Yard shunter Colin Smith, 57, was fatally injured in September 2006 at Royal Mail's Heathrow

Worldwide Distribution Centre (HWDC). At Reading Crown Court this week, Royal Mail Group Ltd was fined £90,000 and ordered to pay costs of £42,549.56 after admitting health and safety offences. The incident happened when a Royal Mail HGV driver was reversing his tractor to line up with a trailer unit parked at a loading bay at HWDC. After lining up his vehicle, the driver left his cab and walked to the back of the unit to complete the manoeuvre but found Mr Smith had been trapped between the tractor and the trailer. Mr Smith had been removing a lock from the trailer at the time and suffered fatal injuries. HSE inspector Karl Howes said: "This was a tragic accident which could have been easily prevented if Royal Mail had exercised proper control of vehicle activities at the Heathrow Distribution Centre. The company failed to adequately assess the risk to shunters working in the yard or to identify and rectify the unsafe system and this contributed to Mr Smith's death." He added: "In areas where vehicles are manoeuvring, employers have a legal duty to ensure that work can be done safely. Royal Mail's guilty plea demonstrates that they acknowledge the failings and since the accident they have put measures in place to prevent a recurrence."

- [HSE news release](#).

Builder fined after putting lives at risk

A Merseyside builder has been fined £1,500 after he and another man were spotted working on a pub roof in St Helens without safety equipment. The Health and Safety Executive (HSE) prosecuted Charles Molloy from Molloy Building Contractors after an inspector spotted the men on the roof of the Black Horse Hotel on 18 June 2009. St Helens Magistrates' Court heard that Mr Molloy, 64, had been hired to replace the ridge tiles on the top of the pub roof. But neither he nor the worker he employed wore harnesses, put up scaffolding or took any other safety precautions. Mr Molloy also ignored advice he was given about the way he was working by an environmental health officer from St Helens Council, a few days before HSE's visit. At St Helens Magistrates' Court he pleaded guilty to breaching the Work at Height Regulations 2005 and was fined £1,500 and ordered to pay £1,000 costs. HSE inspector Sandra Tomlinson said: "Mr Molloy apparently had little concern for his own safety, or that of those he employed, by working so precariously on a rooftop. When we visited the site and saw both men still working on the roof without safety equipment after previous warnings, we had no choice but to take legal action."

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

Lorry builder fined after worker crushed

A lorry trailer building company has been fined after a worker was crushed and seriously injured by more than two tonnes of metal. The Health and Safety Executive (HSE) prosecuted S Cartwright and Sons (Coachbuilders) Ltd following the incident in Broadheath near Altrincham. The company pleaded guilty to safety offences and was fined £15,000 and ordered to pay £18,315 costs at Manchester Crown Court last week. The court heard that David Jones was

helping to move a stack of 6.7 metre-long metal strips onto a trailer on 13 March 2008 when the incident happened. The stack and lifting beam, weighing a total of 2.2 tonnes, fell onto him from the forks of a forklift truck. Mr Jones broke his back in four places, 12 ribs and a shoulder blade, punctured a lung, bruised his heart and suffered stomach injuries. HSE inspector Richard Clarke said: "One of S Cartwright and Sons' workers was seriously injured because the company did not do enough to protect the safety of its employees. Mr Jones is still in constant pain and the incident could have killed him. The company regularly requires its employees to unload long stacks of metal strips, which are used to build the trailers for lorries. But, at the time of the incident, it did not provide suitable training or written guidance for its staff to handle long loads."

- [HSE news release.](#)

International News

France: 'Radical change' after telecom suicides

France Télécom's new management must move quickly "to take charge and encourage radical change" if it is to put an end to a suicide crisis, according to a study commissioned by the company. The team of Stéphane Richard, who formally succeeded Didier Lombard as chief executive on 1 March, has a "few weeks" to install a new style of leadership to address the crisis, according to an interim report from Technologia, a human resources consulting firm. In response to the 43 suicides among employees since January 2008, including eight this year, France Télécom has already stopped several practices identified as being particularly disruptive, like forcing employees to change jobs and closing work sites. In 107 separate recommendations based on 500 face-to-face interviews with France Télécom employees, the Technologia report calls for the company to implement a moratorium on reorganisations, closely monitor psychosocial risk factors and create an internal network of mediators to make the personnel department more accessible. France Télécom spokesperson Jean-Bernard Orsoni said the firm is now in negotiation with unions about the implementation of the report recommendations "but we don't have a magic wand that we can wave and just fix the problem in a few weeks."

- [Telecom TV.](#) [New York Times.](#)

Global: Body repeats call for an asbestos ban

Over 10 years after a global society of occupational medicine experts called for a worldwide asbestos ban, it has reiterated its call and said any further delay will carry a high cost in human lives. The Collegium Ramazzini, an international academic society that examines critical issues in occupational and environmental medicine, first made the ban call in 1999. It notes: "Asbestos is now banned in 52 countries, and safer products have replaced many materials that once were made with asbestos. Nonetheless, a large number of countries still use, import, and export asbestos and asbestos-containing products. And in many countries that have

banned other forms of asbestos, the so-called 'controlled use' of chrysotile asbestos is exempted from the ban, an exemption that has no basis in medical science but rather reflects the political and economic influence of the asbestos mining and manufacturing industry." It adds: "All countries of the world have an obligation to their citizens to join in the international endeavour to ban all forms of asbestos. An international ban on asbestos is urgently needed." The Collegium statement concludes: "The profound tragedy of the asbestos pandemic is that virtually all illnesses and deaths related to asbestos are preventable," adding: "If global use of asbestos were to cease today, a decrease in the incidence of asbestos-related diseases would become evident only two or more decades from now. The asbestos cancer pandemic may take as many as 10 million lives before asbestos is banned worldwide and all exposure is brought to an end."

- [International Ban Asbestos Secretariat.](#)

Global: Greenpeace adds to Samsung pressure

A global electronics giant embroiled in an occupational cancer scandal has been accused by Greenpeace of reneging on a promise to phase out toxic chemicals linked to cancer and other diseases. This week climbers from the environmental group scaled the Benelux headquarters of the Korean multinational Samsung, sticking the message "Samsung = Broken Promises" in giant letters onto the front of the building. In June 2004, Samsung was the first company to publicly commit to eliminate PVC – polyvinyl chloride, a well-established cause of occupational cancers - and brominated flame retardants (BFRs) from new models of all its products. In 2006 Samsung committed to phasing out BFRs from its products by the start of 2010 and in 2007 it committed to a deadline of end 2010 for the phase out of PVC. "Samsung's promises are proving to be as thin as its TVs, as it loses face and ground to competitors such as Apple, HP, Nokia and Sony Ericsson who have long delivered products free of these hazardous substances, proving that this can be done," said Greenpeace international electronics campaigner Iza Kruszewska. "If Samsung is serious about its green intentions, it needs to play catch up with competitors like Nokia and Sony Ericsson and Apple. People are becoming increasingly aware of the environmental impact of what they buy; Samsung needs to understand, what is good for human health, and for the environment is also good for the company's bottom line." A February report from the United Nations Environment Programme (UNEP) found that unless urgent action is taken, the e-waste crisis is set to worsen dramatically in developing countries. Union and safety campaigners this year warned a cancer cluster is affecting young workers exposed to toxic chemicals at Samsung in Korea ([Risks 446](#)). A petition calling for Samsung to accept responsibility, compensate victims and remedy the health and safety problems is being circulated worldwide.

- [Greenpeace news release.](#) [Green jobs, safe jobs blog.](#)
- [Sign the SHARPs petition urging Samsung to act on occupational cancer risks.](#)

USA: BP fined again for 'wilful' safety breaches

The US government safety watchdog has fined British oil giant BP PLC \$3 million (£2m), citing safety problems at its Toledo, Ohio, refinery. The move comes just four months after it imposed a record safety penalty on the company over its refinery in Texas ([Risks 431](#)). The Department of Labor's Occupational Safety and Health Administration (OSHA) said that it had cited the Toledo refinery, which is jointly owned by BP and Canada's Husky Energy Inc., with 42 alleged wilful violations and 20 alleged serious violations for exposing workers to safety hazards. The infractions stem from an OSHA investigation at Toledo that began last September. "OSHA has found that BP often ignored or severely delayed fixing known hazards in its refineries," Secretary of Labor Hilda L Solis said in a statement. "There is no excuse for taking chances with people's lives. BP must fix the hazards now." Last October, OSHA slapped an \$87 million fine on BP, the largest in the agency's history, for failing to correct safety problems identified after the 2005 explosion at Texas City. BP said it was disappointed that OSHA had chosen to characterise the majority of its audit findings as wilful. The US regulator defines wilful violations as those committed with indifference to employee safety and health, and with intentional disregard for the law.

- [OSHA news release](#). [Wall Street Journal](#). [BP's health and safety record](#).

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

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