

Risks

TUC 

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**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

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Unionised workers are happier workers

Unions can help prevent staff feeling stressed and de-motivated by new working practices and reduce the number of staff quitting their jobs, according to a new report from the TUC. The publication comes in the wake of recent international scandals linking the recession, job insecurity and company restructuring to a deterioration in staff health and well-being ([Risks 414](#)) and to an increased suicide risk ([Risks 447](#)). 'The road to recovery' highlights ways in which unions are helping businesses and employees recover from the recession. It says that as well as giving staff an opportunity to raise concerns at work unions are better at resolving conflicts, with the level of employment tribunal claims in unionised workplaces (1.3 claims per thousand staff) less than half that of non-unionised workplaces (2.9 claims per thousand staff). The report says that by giving staff a voice at work, employees are less likely to feel de-motivated by changes to working practices. It cites research showing that unions can reduce 'quit rates' in both the public and private sectors - staff in unionised workplaces are less likely to quit their job than in non-unionised workplaces. This positive effect is more pronounced in workplace where unions have higher membership and active reps. TUC general secretary Brendan Barber said: "By giving staff a voice at work they can help to resolve conflict and reduce the number of people quitting work. Conflict between unions and employers will always generate the headlines. But behind the scenes, many employers are working closely with unions to modernise their workplaces and recover from the recession."

- [TUC news release](#). The road to recovery, Touchstone Pamphlet, TUC, March 2010 [[pdf](#)].

Tory safety opt-out will be a 'scoundrels' charter'

Campaigners and unions have dismissed Tory plans to "privatise" safety enforcement as a "scoundrels' charter." Under Tory proposals firmed up this week by shadow business spokesperson John Penrose, certain businesses would be allowed to carry out their own safety audits and refuse access to Health and Safety Executive (HSE) inspectors ([Risks 435](#)). But construction union UCATT and campaign group Families Against Corporate Killers (FACK) said that the proposals were "extremely dangerous" and would lead to more workplace deaths. Alan Ritchie, general secretary of UCATT, said: "This proves that the Tories cannot be trusted with workers' safety. If implemented this will effectively end independent safety inspections and will lead to a greater number of workers being maimed and killed at work." A Conservative Party policy paper, 'Regulation in the post-bureaucratic age', says firms would "be able to arrange their own externally audited inspections" and if they passed would "be able to refuse entry to inspectors [from the Health and Safety Executive]." FACK spokesperson Hilda Palmer said: "This is a scoundrels' charter. It won't work and is based on entirely flawed models from the US and previous Tory administrations. This is the system which led to Enron, Madoff and now Lehman's." She added: "We need to get back to basics. Strict and fair enforcement and increased roles for trade union safety

reps. Everything they are planning to do is extremely dangerous and will be a waste of yet more money and even more lives. People must be made aware of what the Tories are trying to do. They must vote for their lives or they might not live to regret it."

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

Royal Mail 'got off light' after work death

Royal Mail got away with a "paltry fine" following the horrific death of a member of staff. Postal union CWU was speaking out after the company's prosecution by the Health and Safety Executive (HSE) last week on charges relating to the death of employee Colin Smith, who was crushed behind a lorry ([Risks 447](#)). Royal Mail was fined £90,000 and ordered to pay £42,529 costs. CWU national health and safety officer Dave Joyce said: "I give a degree of credit to the employer for changing its plea to guilty in this case, but the truth is Royal Mail got off light! When you consider the Postal Regulator fined Royal Mail £11.5 million a few years ago for not delivering enough letters on time, this fine is paltry on an organisation with a £9,560 million turnover and fines like this are no deterrent or incentive to improve safety management and place little value on a lost life." He added: "The victim's grieving family were devastated by the accident and their loss is immeasurable. News of this low fine will no doubt add further to their grief." The company should listen more closely to CWU safety reps, he added. "I'll be seeking discussions and some assurances from Royal Mail on this," Dave Joyce said. Campaigning magazine *Hazards* this week criticised HSE for failing to effectively publicise the Royal Mail prosecution. A news release was only distributed to regional press and was not listed on the HSE website. In a letter to HSE, the magazine said other cases involving no injury and much smaller penalties are listed on the HSE website and have been publicised nationwide. Royal Mail vehicle services is featured on HSE's website as an example of effective management practices.

- [CWU news release](#). [Royal Mail vehicle services case history](#) on the HSE website.

Ambulances need intensive care

Worn out ambulances are putting ambulance crews and patients at risk, the union GMB has warned. The union says many Yorkshire Ambulance Service vehicles are in a poor state, with 250,000 miles being a low mileage for the overworked and ageing fleet. It traces the problem back to a system introduced in 2002 under which ambulances used in the accident and emergency service are leased in two ways. The chassis are leased for 6 years and the patient saloon boxes are leased for 12 years. Jon Smith, GMB's regional officers for drivers and paramedics in Yorkshire Ambulance Services, said: "Many of the ambulances used are now noisy, uncomfortable and can be dangerous with incidents of doors falling off whilst on the road, heaters commonly failing and ill-fitting doors letting in water and road spray." He added: "Many of the chassis are worn out and unreliable with 250,000 miles being a low mileage

with many in excess of this. The boxes on these vehicles have been modified a number of times to try to make them fit for purpose. As the boxes are leased for 12 years they are taken to Ireland, removed, refurbished and refitted onto new chassis. When they come back they still are noisy and uncomfortable and will very soon show their age again." He said older ambulances were not being replaced, creating a vehicle shortage, so faulty vehicles taken out of service at one location are put back into service at other stations before the repairs are carried out. "This has meant that vehicles en route to emergencies have failed and have had to have a second vehicle sent to carry out the detail thus causing a delay and potential fatal risk to the patient," he said. "This has also created a potential risk to the safety of the crew, the patient on board and the public in general."

- [GMB news release](#).

Sellafield worker gets radiation flashbacks

A Unite member who was exposed to dangerous radiation while working for a nuclear power station and who had time off with related flashbacks and depression has received £4,500 in compensation. The 38-year-old from Workington, whose name has not been released, was exposed to alpha radiation in his job as a process worker for Sellafield Limited in Cumbria in January 2007. If inhaled or digested, alpha radiation can cause cancer, chromosomal changes, kidney damage and, in high dosages, lethal radiation poisoning. Although an alarm system warned all the employees working in the area to evacuate after material was released to the atmosphere, a worker carried the radioactive waste into a secure area where workers were then exposed. The men were unable to leave the contaminated area until they had been tested for radiation exposure. The tests showed that the men had traces of radiation on their clothes but none were found to have inhaled it. The member returned to work straight away but after two weeks began to suffer anxiety and flashbacks. He was diagnosed with depression and had to take three months off work and take anti-depressants for six months. Approaching three years after the incident, the affected worker started a union-backed compensation claim. Unite regional secretary Davey Hall said: "It took our member a long time to come to terms with his exposure to radiation and when he was ready to talk to the union there was limited time left to start a claim." Hazel Webb from Thompsons Solicitors, the law firm brought in by the union, added "by admitting liability Sellafield acknowledged the unacceptable and very serious consequences the men faced that day." In December 2009, Sellafield Ltd was fined £75,000 and £26,100 costs after two contract workers inhaled radioactive material in an 11 July 2007 incident at the Sellafield Nuclear Licensed Site in Cumbria ([Risks 436](#)).

- [Thompsons Solicitors news release](#).

Quick-thinking worker saves school kids

A UNISON member's quick action saved school kids from being crushed by a collapsing climbing frame in a Midlands school. Julie Belcher, 49, was injured by falling wall bars in the incident. She was working as a teaching assistant at Hartlebury Church of England Primary School, in Hartlebury, in 2007, when the faulty frame fell off the wall in the sports hall. She grabbed the bar to protect the six pupils standing nearby, but the bars landed on her thighs. She was left with severe bruising and swelling, whiplash to her head and shoulders and suffered from insomnia and nervousness. Mrs Belcher was off work for seven weeks, while she underwent physiotherapy. Her left thigh has never fully recovered and it was recommended that she have plastic surgery to remove the lump that remains. A £10,000 compensation payout was settled against Speller Metcalfe Ltd, the firm that failed to secure the climbing frame to the wall. UNISON general secretary Dave Prentis said: "This accident must have come as a shock to Julie and if it wasn't for her quick thinking and selflessness some of the children may not have survived." He added: "Safety must come first in schools and that means making sure equipment is regularly checked and maintained." Mrs Belcher said: "It is shocking that the builder who put up the climbing frame must have known that it would fall so easily and injure somebody. I had six young children pulling out the equipment with me, who would have died if it had fallen on them."

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

Airport worker hurt in make-up bust-up

A security worker on the receiving end of a vicious passenger attack at Heathrow Airport which led to her giving up her job has received an undisclosed sum in compensation. PCS member Margaret Needs, 57, was working as a security supervisor for BAA when she was attacked in 2006. Whilst supervising passengers as they went through security to departures a customer became angry when her liquid makeup was confiscated under international travel safety rules. The passenger attacked Mrs Needs' colleague and when she stepped in to try and help her fellow worker the passenger punched her in the face and tried to strangle her. Mrs Needs had to take 10 days off work and needed extensive counselling after the incident. She eventually felt forced to leave her job in January 2007. A union-backed compensation claim was settled after BAA admitted liability. Mrs Needs said: "I was given no training in how to deal with aggressive passengers despite the increased passenger tension caused by heightened anti terrorist security. My nerves have been destroyed by this attack. Even after six months of counselling I am still anxious in enclosed places and among people I don't know." Paul Smith, PCS negotiations officer for BAA, said: "People are naturally fraught at airports and staff should be trained to help them handle hostile members of the public not only to ensure their own safety but the safety of the thousands of passengers they deal with every day."

- [Thompsons Solicitors news release](#).

Foot injury costs engineer his job

A Unite member who was forced to give up his job after he suffered a serious foot injury at work has received £210,000 in compensation. The 55-year-old, from Retford in Nottinghamshire, spent a year in rehabilitation learning how to walk after he suffered a complex fracture to his right foot following the incident at Cottam Power Station. The member, whose name has not been released, had been a mechanical engineer for more than 30 years. He was employed by Loyal Grove Ltd, who were contracted to provide labour for a refurbishment of the power station being undertaken by EDF Energy on behalf of Alstom Power Ltd. He was dismantling and maintaining a turbine when he tripped over an unguarded sight glass, used to monitor the flow of oil through the station's generator, which was sticking six inches out of the ground. He needed two operations to his foot and spent six weeks bedridden in traction. He then had to spend a year in rehabilitation learning how to walk again. He now walks with a limp and can no longer work in heavy industry. Lawyers brought in by the union settled the compensation claim against Alstom Power and EDF Energy after proceedings were issued. Neither firm admitted liability but Alstom paid 80 per cent of the compensation and EDF 20 per cent. Adrian Axtell, the Unite regional secretary, said: "This case shows just how important every aspect of workplace health and safety is. A failure to guard a tripping hazard led to our member not only having to relearn how to walk but giving up his job as well. Employers ignore basic health and safety at their peril."

- [Thompson Solicitors news release.](#)

Other news

Lead poisoning leads to fine

A company carrying out a massive restoration of a Scottish mansion has been fined £10,000 after workers were poisoned by lead paint. Several east European workers were found to have contracted lead poisoning which could affect their health for 25 years, while restoring the estate of Dutch construction billionaire Dik Wessels. He had commissioned specialist firm Blairish Restorations to undertake an £800,000 programme to revamp historic Findynate House at Strathtay, Perthshire. The property had not been fully redecorated since 1908. Fiscal depute Sally Clark told Perth Sheriff Court that workers on the project had not been told that the paint they were sanding down contained harmful lead. She said: "A large amount of dust got into the workers bodies by inhalation and ingestion. Beyond the provision of ineffective dust masks there was no attempt to control it by Blairish." Two of the men were hospitalised with abdominal pain, a classic lead poisoning symptom. A further five workers were examined and found to have suffered lead poisoning and the entire project was brought to a halt as the area was cleared. The dust was also spread to workers' homes, potentially endangering their families, from the workers' overalls. Blairish Restorations admitted failing to ensure staff were not exposed to risk from lead dust between March and August 2008 and as a result of the inhalation and ingestion seven people suffered injury to their health. Sheriff William Gilchrist fined Blairish Restorations £10,000. He said: "There was a serious lapse. The consequence of that failure was serious for a number of staff." Health and Safety Executive (HSE) inspector, Gary Stimpson, commented: "There may be a view that lead is an historic problem, which was dealt with a long time ago. This prosecution shows that

this is not the case. Those involved in renovating old buildings need to be particularly vigilant. Once dust or fume is generated from operations such as sanding, paint burning it easily enters the body through normal breathing or swallowing, where it accumulates causing debilitating symptoms." He said: "Exposure to Lead can result in significant and debilitating symptoms such as anaemia, nausea and constipation and even nerve, brain and/or kidney damage." HSE revised its advice on the dangers of working with lead last year after a Stirling University investigation found it greatly under-estimated health risks that could be affecting over 100,000 workers ([Risks 432](#)).

- [HSE news release. STV.](#)
- [Dangerous lead report](#), Stirling University/Hazards magazine, November 2009.

Vulnerable meat workers 'exploited'

An official inquiry has uncovered widespread mistreatment and exploitation of migrant and agency workers in the meat and poultry processing sector. The Equality and Human Rights Commission (EHRC) investigation found workers reported physical and verbal abuse and a lack of proper health and safety protection. The treatment of pregnant workers a particular concern, the EHRC found. The inquiry, which spoke to 260 workers, found physical and verbal abuse were not uncommon, with a fifth of workers interviewed reporting being pushed, kicked or having things thrown at them by line managers. Workers also reported being refused permission to take toilet breaks, and subsequently urinating or bleeding on themselves at the production line. A quarter of those interviewed said they had witnessed mistreatment of pregnant workers, such as the instant dismissal of agency workers who had announced they were pregnant. Pregnant women were also forced to continue to undertake work that posed risks to their health and safety, including heavy lifting and extended periods of standing. EHRC director general Neil Kinghan said: "While most supermarkets are carrying out audits of their suppliers, our evidence shows that these audits are not safeguarding workers and they clearly need to take steps to improve them. The processing firms themselves and the agencies supplying their workers also need to pay more than lip service to ensuring that workers are not subjected to unlawful and unethical treatment." He added: "If the situation does not improve over the next twelve months, the Commission will consider using its regulatory powers to enforce change where necessary." Unite deputy general secretary Jack Dromey commented: "Britain's supermarkets should hang their heads in shame." He added: "Supermarkets have driven down costs along their supply chain with tens of thousands of workers paying the price, suffering discrimination and unfair treatment."

- [EHRC news release](#) and report [[pdf](#)]. [Unite news release](#). [The Guardian](#). [BBC News Online](#).

Changing the job is best for backs

Action to change the workplace is necessary to secure an early return to work for people with chronic low back pain. A study published online this week in the British Medical Journal concludes those receiving a programme of integrated care, directed at both the patient and the workplace, return to work on average four months earlier than those receiving usual care. Researchers based in The Netherlands and Canada set out to evaluate the effectiveness of an integrated care programme in 134 patients with chronic low back pain. All patients were of working age and had been absent from work due to low back pain for almost half a year on average. Patients were randomly assigned to either usual care or integrated care. Integrated care consisted of adjustments to the workplace and a graded exercise programme to teach patients how to move safely while increasing activity levels. The main aim of the programme was to restore occupational functioning and to achieve lasting return to work for patients in their own job or similar work. The usual care group received normal pain treatment with usually little or no workplace involvement. Over the 12-month study period, patients who received integrated care returned to sustainable work after an average of 88 days compared with 208 days for patients receiving usual care, an average reduction of 120 days. The authors conclude: "This promising systems approach, directed to both the patient and the work environment, could have a great impact on the individual burden of low back pain."

- Ludeke C Lambeek and others. Randomised controlled trial of integrated care to reduce disability from chronic low back pain in working and private life, British Medical Journal, volume 340:c1035, published online 17 March 2010. doi:10.1136/bmj.c1035 [[abstract](#)].

Corus gets second safety fine this month

Steel giant Corus has found itself facing the courts on safety charges for the second time in a fortnight. On 1 March it was fined £5,000 after a worker was seriously injured while clearing a jam in the production line at its plant in Skinningrove, East Cleveland ([Risks 446](#)). Last week, Corus UK Ltd was fined £100,000 and ordered to pay £9,908.50 costs at Sheffield Crown Court after a worker escaped with minor injuries after the crane he was operating overturned. The mobile crane was being used at Aldwarke Steel Works in Rotherham on 4 September 2008 when the incident occurred. The court heard that although the crane had been fitted with 'safe working load' alarms following concerns over its stability, they were not switched on because the driver had not been trained on using them. When the crane became overloaded no alarms sounded and it overturned. After the hearing, where Corus pleaded guilty to safety charges, HSE inspector Geoff Clark said: "This is a serious health and safety breach by a company that globally employs tens of thousands of people which could easily have led to people being killed. The operator was extremely lucky to escape with only minor injuries." The combined March fines total will not make a significant dent in the multinational's coffers. The firm's website notes: "Corus is Europe's second largest steel producer with annual revenues of around £12 billion and a crude steel production of over 20 million tonnes." Last month it increased the price of many of its steel products by at least £50 per tonne.

- [HSE news release. More on the Corus safety record.](#)

Hammer firm hit with fine

A Solihull hammer manufacturer has been fined after an employee suffered severe injuries when his hand was caught in an industrial drill. Solihull magistrates heard Aaron Watts was working at the Shirley based Thor Hammer Company on 6 November 2008. Mr Watts was operating an unguarded pedestal drilling machine when the glove on his right hand became entangled in one of the rotating spindles of the drill. He suffered injuries to the back of his right hand and a deep laceration to the palm. His injuries were so severe that he was off work for a month. The firm pleaded guilty to breaching the Provision and Use of Work Equipment Regulations 1998 and was fined £2,500 plus £2,594 costs. Speaking after the 11 March hearing, HSE inspector Clive Neil said: "Once again we have an incident of an employee who suffered serious injury simply because there wasn't the necessary protection around the drill. Mr Watts is lucky he didn't lose a finger or worse. This offence is all the more serious because the company had received previous advice from HSE about the need to guard its drilling machines - and had even identified the need in its own risk assessment - but did not do it." The inspector added: "It would have cost far less than the fine handed out today to install the required protection. Only weeks before the offence the company received a quote to fit a suitable guard at a cost of only £165."

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

A quarter of sites fail safety inspections

More than a quarter of the construction sites visited in Greater Manchester during an inspection blitz last week failed safety inspections. Health and Safety Executive (HSE) inspectors carried out checks at 163 construction sites during two days of intensive inspections. They issued a total of 56 enforcement notices at 42 sites, either stopping work immediately or requiring improvements to be made. Some construction companies may now face prosecution. Nearly half of the enforcement notices concerned unsafe work being carried out at height. Other issues included dust, unsafe electrics and the general state of sites. HSE construction inspector Polly Tomlinson said: "The majority of the construction sites our inspectors visited had good health and safety procedures in place. But the other 42 sites are letting the rest of the industry down and putting workers' lives at risk." She added: "We will continue to make unannounced visits to sites, and take enforcement action when necessary, until the message gets across. It simply isn't worth taking risks to try and save money." The intensive inspections took place as part of a month-long initiative aimed at stopping dangerous practices on building sites across Great Britain ([Risks 446](#)).

- [HSE news release](#).

Union anger over Tube job cuts

Rail unions have reacted angrily to a "lethal attack" on hundreds of jobs on London Underground. Both TSSA and RMT have pledged to fight what RMT described as a threat to safety, jobs and working conditions from planned cuts announced by Transport for London (TfL) and "expected attacks" from contractor Tube Lines. RMT general secretary Bob Crow, criticising TfL and London mayor Boris Johnson, said the move by the company to axe 800 jobs in ticket offices and on platforms bypassing agreed consultative procedures was "a disgrace". He added: "They are right to be ashamed of plans to turn our tube stations into a muggers paradise and they should be under no illusions that RMT will mobilise a public and political campaign, including a ballot for industrial action if need be, to stop these lethal attacks on jobs and tube safety." TSSA general secretary Gerry Doherty said the plan to axe 450 ticket office jobs broke an election pledge by the Mayor to keep them fully staffed at all times. "Boris Johnson has betrayed both staff and passengers with this announcement that he is to cut up to 800 jobs across the network. He gave a clear pre-election pledge that he would keep all booking offices fully open and fully staffed to protect the travelling public at all times. That promise was not worth the paper it was written on."

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

Union welcomes firefighting guide

Firefighters' union FBU has welcomed new guidelines on managing risks in fire emergencies. The Health and Safety Executive (HSE) agreed the new policy statement with FBU, the Chief Fire Officers Association (CFOA), and the government's Office of the Chief Fire and Rescue Adviser (OCFRA). HSE chair Judith Hackitt said: "We want to clear up any misunderstandings - a proper approach to health and safety does not prevent firefighters from doing their job." She explained: "Firefighters perform a unique and indispensable role. It is part of their job to intervene in dangerous situations to protect people and property. The law expects that they will themselves be protected as far as is reasonably practicable - but in fast moving situations they must exercise judgment about what is reasonable and what is not." She added she was "delighted" the new statement "has such strong support from fire service employers and unions." FBU national officer John McGhee said: "Firefighters face dangerous situations on a routine basis. No one wants to see them injured or killed while carrying out their work. In our profession health and safety is literally a matter of life or death. The FBU is glad to see that HSE recognises there is a balance between placing unacceptable expectations on firefighters and making sure they are trained and equipped to safely carry out the job they are expected to do - save lives."

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

Global: BWI calls for action on 28 April

Construction unions worldwide are to undertake national, local and workplace level activities worldwide this year, to mark International Workers' Memorial Day. The global union federation for the sector, BWI, says it is going to build on the success of previous years, when tens of thousands of construction union members in over 100 countries participated. Ten years ago BWI adopted the slogan 'Strong unions = safe jobs', which is echoed in this year's global theme for the 28 April event, 'Unions make work safer.' The union body says safety is a key priority because BWI members are among the hardest hit by fatal "accidents" and occupational diseases. Each year about one hundred thousand building workers are killed on site, and thousands more are injured or made ill because of bad and illegal working conditions. Tropical loggers have about a 1 in 10 chance of being killed over a working lifetime. "The BWI believes that trade unions must have the right of access to all workplaces to carry out their role of representing workers on health and safety and to provide external trade union support for workplace health and safety representatives," a BWI briefing says. "There is plenty of evidence to show that workplaces that are organised with trained trade union safety representatives are safer than unorganised workplaces."

- [BWI news update](#), briefing [pdf] and [action checklist](#). [TUC 28 April 2010 webpage](#) and [events listing](#). [Global Unions 28 April resources](#).

Honduras: Drive-by killers target journalists

The International Federation of Journalists (IFJ) has expressed fresh concern over the media crisis in Honduras following three murders in two weeks targeting media. The killings of Joseph Hernández Ochoa, a former TV presenter on 1 March, David Meza Montesinos, a radio reporter who died on 11 March and fellow reporter Nahum Palacios Arteaga murdered three days later were carried out in drive-by shootings. "This spate of murders targeting journalists in Honduras shows the alarming level of increasing political violence in the country," said Aidan White, IFJ general secretary. "There is a disturbing trend of targeting of journalists in a cold-blooded series of planned assassinations." According to media reports, all three journalists were killed while driving their cars. Arteaga, 34, a radio reporter, was shot dead on Sunday 14 March in the coastal city of Tocoa. Montesinos, a veteran reporter for El Patio radio station, was killed as he was driving home in the town of La Ceiba. He had reportedly received death threats earlier over his coverage of the drug trade. Ochoa, a former television presenter, also died in a drive-by shooting which also injured a passenger in his car, fellow journalist Carol Cabrera. IFJ says journalists are victims of organised crime as the country struggles to restore political dialogue and law and order in the wake of last year's coup d'état. The global union body accused at the time the coup leaders of attacking journalists and closing media in Honduras. "Journalists are extremely vulnerable in Honduras as impunity is taking hold in the country," said White.

- [IFJ news release.](#)

USA: Green watchdog backs worker inspection role

The US government's environmental watchdog has accepted workers and union reps should be allowed to participate in official workplace safety inspections conducted under the Clean Air Act. The clarification came when the Environmental Protection Agency (EPA) agreed to take steps to institutionalise worker and union involvement in workplace inspections conducted in workplaces using extremely hazardous substances. It was prompted by a letter initiated by the New Jersey Work Environment Council. "The old procedure was a remnant of the last Administration's policy," said Terence M O'Sullivan, president of the laborers' union LIUNA. O'Sullivan co-signed the letter, along with a host of labour, environmental, health, occupational safety and health and advocacy organisations. "It is a positive sign that the EPA acted immediately to correct the problem after we pointed it out," said O'Sullivan. "Now, in chemical facilities where Laborers work, we expect the agency to make sure our members and business agents have the same opportunity to offer safety and health suggestions and help evaluate corrective measures as does management. Not only will this enhance our members' safety, it will help protect people who live or work near these facilities." EPA has used the Clean Air Act to target workplace safety breaches. In 2007, BP received a record fine under the law for safety and environmental breaches, including some relating to the 2005 Texas City refinery explosion in which 15 workers died ([Risks 330](#)).

- [Life Lines.](#) [Green jobs, safe jobs blog.](#)

USA: Dust disease settlement for 9/11 workers

New York City officials have agreed to pay up to US\$657.5m (£437m) to thousands of rescue and clean-up workers after 9/11. The settlement would compensate more than 10,000 plaintiffs who say they were made sick by dust at the Ground Zero site of the attacks. At least 95 per cent of the plaintiffs must approve the deal for it to take effect. The money would come from a federally financed insurance fund of almost \$1bn that the city controls. The toxic cloud from the collapsed World Trade Center towers contained particles of asbestos, lead, glass and cement. A claims adjudicator, chosen by the lawyers involved in the case, would decide on the validity of each plaintiff's claim and how much compensation they were entitled to. The announcement was made last week by the World Trade Center Captive Insurance Company, which was set up to handle the claims of those injured in the rescue effort. Some workers are expected to receive payments of only a few thousand dollars, while others could be in line to get more than \$1m, depending on their injuries. A number have already died of related conditions, including cancer. Campaigners say the payments could have been avoided if safety laws had been observed in the aftermath of the tragedy. "These exposures were largely unnecessary and avoidable," commented Joel Shufro, executive director of the union-backed New York Committee for Occupational Safety and Health (NYCOSH). "The City of New York, both as the

controlling entity at Ground Zero and as an employer of thousands of workers at Ground Zero, simply did not comply with applicable protective regulations for workers at the site.”

- [Representative Marilyn B Maloney news release](#). [NYC Mayor Bloomberg news release](#). [New York Times](#). [BBC News Online](#). [NYCOSH news release](#) and [9/11 advice webpages](#).

Events and Courses

TUC courses for safety reps

COURSES FOR APRIL 2010 to JUNE 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