

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](#)

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Teaching stresses leave staff 'suicidal'

The pressures piled on teachers are so severe some staff have considered suicide, research for the union NASUWT has found. Its survey found a lack of support from schools and their management teams was leading to stress, burnout and depression. The survey report, based on interviews with teachers and school managers, reveals teachers that are suffering from a range of stress related symptoms including heart palpitations, lack of sleep, eating problems and depression. The stress was caused by factors including bullying school management, a 'tick-box culture', targets and difficult pupils, the survey found. NASUWT general secretary Chris Keates said: "This hard-hitting report is designed to put the spotlight on the issue of mental health which is often swept under the carpet. Teaching is widely recognised as one of the most stressful occupations but a healthy workforce is central to delivering healthy outcomes for pupils." She added: "The research commissioned by the NASUWT highlights the need for access to support, counselling and specific health interventions for the workforce. The research also confirms the need to tackle the root causes of stress in schools, such as the impact of the high-stakes accountability regime on the wellbeing of school leaders, teachers and other staff." The 2009 conference of teaching union NUT heard teachers in England and Wales have a 40 per cent greater risk of suicide than the general population ([Risks 410](#)). And a 2008 report from the trade union safety journal *Hazards* documented a series of cases of teachers taking their own lives as a result of overwork and stress.

- [Politics.co.uk](#). [Hazards occupational suicide webpages](#).

'Gross dereliction' on school asbestos menace

A failure to tackle effectively the problem of asbestos in schools amounts to a 'gross dereliction' of the duty of care to staff and pupils, teaching union NUT has said. General secretary Christine Blower told the union's conference this week that the number of teachers dying from asbestos related cancer "has increased year on year with a total of 178 teachers dying from mesothelioma since 1980. These figures however, are only the tip of the iceberg as there are no figures for children." She added: "While the government's policy to refurbish or rebuild schools will ensure that some schools are based in an environment that is suitable for teaching and learning, it is imperative that it should be the case for all schools. It is completely unacceptable that pupils and school staff's lives are put at risk by school buildings. This is not an insurmountable problem - we know what is causing the deaths and we know what should be done." She said NUT was 'delighted' the government has agreed to set up a steering group to look at the next steps to tackle the problem "and hope that this will mean we can finally rid schools of this menace, keeping children and teachers safe from asbestos related disease. Schools are a special place because they contain children. It is a gross dereliction of duty to them and other staff that this silent killer is allowed to remain in schools due to a lack of political will."

- [NUT news release.](#)

Court blocks rail safety strike

Rail union leaders are set to rebalot thousands of rail workers over industrial action in a row over safety, jobs and working practices. More than 5,000 signal workers and 12,000 maintenance staff across the rail network were due to stage four days of industrial action this week ([Risks 447](#)), but the action was halted at the high court, which backed a Network Rail call for an injunction. Rail union RMT has indicated fresh ballots will be held, raising the prospect that strike action could take place as early as next month. The Transport Salaried Staffs Association (TSSA), which called off a related strike this week, is also planning to rebalot its members. RMT general secretary Bob Crow said: "Our dispute with Network Rail remains alive. The fight to defend 1,500 safety-critical jobs out on the tracks, and safe working conditions for both our signals and maintenance staff, will not be kicked aside by one highly political court ruling." He added: "Last week 1,200 track workers at rail company Jarvis were dumped on the dole in another move tied in with Network Rail's £5 billion cuts programme and the government have not lifted a finger to help those men and women. Those staff should be replacing dangerous sections of track on our railways, not queuing up at the benefits office."

- [RMT news release.](#) [TSSA news release.](#) [Morning Star.](#) [Stronger Unions blog.](#) [Herald.](#)

Serious injury on fan mended with string

A scaffolder lost his leg after falling onto an industrial fan which had not been properly repaired after an earlier incident. Unite member Terry Ledger, 43, was dismantling scaffolding at Coryton Oil Refinery in Essex when he fell through wire caging and his left leg became caught in the moving blade of an industrial fan. The caging, used to protect the fan, had been damaged in an earlier accident but had only been repaired using a piece of string. Mr Ledger hadn't been warned about the danger. His leg was so badly injured it was amputated below the knee and he now uses a prosthetic limb. After a Unite-backed legal fight lasting almost five years his employer, Vange Scaffolding and Engineering, now known as Deborah Scaffolding, agreed to a 'substantial' compensation payout. The company had already been prosecuted by the Health and Safety Executive (HSE) for safety breaches relating to the incident. Terry Ledger said: "I feel a great deal of anger towards my employers for allowing this accident to happen. It has left me struggling to deal with the physical and mental consequences of the loss of my leg." Guy Langston, regional officer at Unite, said: "Deborah Scaffolding was prosecuted as a result of Mr Ledger's accident and fined £20,000. However, whilst they have lost money our client has lost his livelihood and lives daily with the consequences of an entirely foreseeable and entirely preventable accident. The safety standards on site were lamentable."

- [Thompsons Solicitors news release.](#)

Work chemicals linked to breast cancer

Occupational exposure to certain chemicals and pollutants before a woman reaches her mid-30s could treble her risk of developing cancer after the menopause, a new study suggests. Women exposed to synthetic fibres and petroleum products during the course of their work seem to be most at risk, according to the paper, published in the 1 April issue of Occupational and Environmental Medicine. The researchers base their findings on more than 1,100 women, 556 of whom were diagnosed with breast cancer in 1996/7 in Montreal, Canada, when aged between 50 and 75 and who had gone through the menopause. The other 613 women, who were matched for age and date of diagnosis, had a range of other cancers, and were intended to act as a comparison group. An expert team of chemists and industrial hygienists investigated the women's levels of exposure to around 300 different substances throughout their employment history. After taking account of the usual factors associated with an increased risk of breast cancer, the analysis indicated a link between occupational exposure to several substances. Compared with the comparison group, this risk peaked for exposures before the age of 36, and was magnified with each additional decade of exposure before this age. This resulted in women occupationally exposed to acrylic fibres running a seven-fold risk of breast cancer, while those exposed to nylon fibres almost doubled their risk. Exposure to polycyclic aromatic hydrocarbons, found in petroleum products, before the age of 36, tripled the risk for women whose tumours were responsive to both oestrogen and progesterone. The authors concede that their findings could be due to chance, but say they are consistent with the theory that breast tissue is more sensitive to harmful chemicals if the exposure occurs when breast cells are still active - in other words, before a woman reaches her 40s. And they point to the rising incidence of breast cancer in developed countries, a trend in which environmental and workplace factors are thought to have a role.

- F Labreche and others. [Postmenopausal breast cancer and occupational exposures](#), Occupational and Environmental Medicine, volume 67, pages 263-269, 2010. [Business Week](#). [HESA news report](#).

Dramatic rise in dangerous sites

There has been a 20 per cent increase in the number of construction sites requiring enforcement action after HSE inspection blitzes. Nearly one in four of the construction sites visited by the Health and Safety Executive (HSE) during March 2010 failed safety checks, compared to one in five in an equivalent blitz last year ([Risks 406](#)). In the latest inspection push, inspectors from HSE carried out checks at 2,014 construction sites and on the work of 2,414 contractors across Great Britain as part of an intensive inspection campaign aimed at reducing death and injury in one of Britain's most dangerous industries. A total of 691 enforcement notices were issued at 470 sites, with inspectors giving orders for work to be stopped immediately in 359 instances for either unsafe work being carried out at height or where sites lacked 'good order'. In the March 2009 blitz, inspectors visited 1,759 refurbishment sites during March and checked on 2,145 contractors. HSE took

enforcement action on 348 sites where serious safety risks were discovered - the equivalent of almost 20 per cent of all sites visited. Commenting on the 2010 blitz, Philip White, HSE's chief inspector for construction, said: "While it is encouraging that many small construction firms have got their act together and are giving health and safety the priority it needs, the fact that our inspectors needed to take enforcement action on almost a quarter of sites, and on a similar proportion of contractors, is a matter of serious concern."

- [HSE news release](#) and [equivalent 2009 HSE release](#).

Directors' duties on the back burner

The government has said it will not act on two key recommendations of a report into fatalities in the construction industry. The 30 March DWP response to Rita Donaghy's report into construction deaths, published a week before parliament was dissolved ahead of the general election, accepted 23 of the 28 recommendations of the report, but only said it "would look further" at the report's call for statutory safety duties on company directors and at the extension of gangmaster licensing to the construction industry. The response said the government fully accepted 23 recommendations, including support of Common Minimum Standards throughout publicly funded construction projects; mutual recognition between pre-qualification schemes; and support for greater worker participation. A DWP news release said the government "will look further at the recommendations to introduce more legal duties on company directors and to extend licensing regulations to the construction industry." The response did acknowledge that voluntary approaches to director safety responsibility, including a Health and Safety Executive (HSE) backed Institute of Directors initiative that has run for over two years ([Risks 392](#)), had not been demonstrated to be effective. It noted "in the absence of sufficient evidence that behaviours have changed significantly, the government does accept that the options for further reform should be looked at." Alan Ritchie, general secretary of the construction union UCATT, welcomed the government's acceptance of the majority of the recommendations. He added, however: "It is essential that statutory directors' duties are established, in order to ensure that rogue bosses who ignore safety laws leading to the death of a worker, can be properly identified and punished." A recommendation to the government from HSE on the case for voluntary or statutory directors' duties is now months overdue ([Risks 437](#)).

- [DWP news release](#) and [full response to Rita Donaghy's report](#). [UCATT news release](#).
- [One Death is too many – Inquiry into the underlying causes of construction fatal accidents](#), the Donaghy report, 8 July 2009. [TUC directors' duties briefing document](#).

TV footage helps convict fall death firm

Footage filmed for a TV documentary about medics has been used to help secure a safety conviction relating to the death of 25-year-old construction worker Balwinder Kumar. London firm Regentford

Ltd was fined £250,000 after being convicted of safety offences, following an eight day trial at Croydon Crown Court. The firm was also ordered to pay costs of £71,603.01. The Health and Safety Executive (HSE) investigated the death of employee Balwinder Kumar (also known as Binder Singh) on 24 February 2005. The mason and plasterer was re-pointing brickwork when he fell from scaffolding at the rear of a building. He suffered severe head injuries in the first storey fall, was taken to King's College Hospital and died on 1 March 2005. When HSE went to investigate, the scaffolding Mr Kumar had been standing on had been removed. During the investigation it emerged that a BBC television crew filming the documentary 'Trauma', had been accompanying the medical staff who attended the site, and HSE obtained footage showing scaffolding in very poor condition with insufficient guard rails and an inadequate working platform. HSE inspector Nigel Evans said: "The footage from the documentary crew showed that the scaffolding was totally inadequate for the job in hand. We will use all evidence at our disposal to prosecute employers who fail to manage health and safety risks properly. Mr Kumar needlessly lost his life on a small construction site, and it is these smaller sites where a significant proportion of fatalities in the industry occur each year."

- [HSE news release](#) and [scaffolding guide](#).

Corus gets its third fine in a month

Corus ended March as it began – in the dock for safety offences. On 31 March, the steel giant was fined £10,000 following an explosion in a 75-metre-tall steel chimney in Scunthorpe. It was the firm's third prosecution of the month. 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](#)). On 12 March, Corus UK Ltd was fined £100,000 and ordered to pay £9,908.50 costs after a worker escaped with minor injuries after the crane he was operating at Aldwarke Steel Works in Rotherham overturned ([Risks 448](#)). In the latest incident, Corus pleaded guilty at Scunthorpe Magistrates' Court to two separate health and safety breaches for failing to remove flammable gas from the chimney before undertaking hot repairs, and for not carrying out a proper risk assessment. Magistrates heard that the chimney, known as a flarestack, required welding to put right earlier repair work on the structure. However, the stack wasn't adequately isolated from the live gas system when the welding took place, meaning traces of extremely flammable gas were present inside. The gas ignited during the work and almost blew the flarestack in half. In addition to the £10,000 fine, Corus UK Ltd was ordered to pay £6,155 in costs for breaching the Dangerous Substances and Explosive Atmospheres Regulations 2002. After the hearing HSE inspector Helen Berry commented: "It was sheer good fortune that nobody was killed or seriously injured by the explosion. We could so easily be talking about a catastrophic incident given the size and scale of the structure." She added: "There were clear breaches relating to safe working and risk assessment, and it's disappointing that a major employer like Corus failed in this regard and endangered the lives of workers."

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

Watchdog 'interventions' at major waste firms

Major waste and recycling firms are to be the target of "central interventions" by the Health and Safety Executive (HSE) in a bid to address the sector's appalling health and safety record. HSE says it is acting after its first targeted waste programme "arrested the rising accident rate and brought about a small reduction" but adds "the accident rate is still high (typically 4 times the all industry average for all injuries to workers and typically 9 times the all industry average for fatal injuries to workers)." It says the interventions will "be undertaken to assess the safety management systems of national waste management and recycling companies who undertake waste and recycling collection services," with the following firms targeted: Biffa Waste Management Limited ([Risks 367](#)); European Metal Recycling Limited ([Risks 378](#)); Enterprise Limited; May Guerney Recycling (aka ECT Recycling); SERCO Limited; Shanks Waste Management Limited; Sita UK Limited; Veolia Environmental Services Limited ([Risks 414](#)); Verdant Group plc; and Viridor Waste Management Limited ([Risks 271](#)). A number of these firms have recent prosecutions for serious safety breaches. An HSE Sector Information Minute (SIM) notes: "If examination of the overall safety management system through the topics inspected provides (in the inspector's judgement) sufficient evidence to indicate a breach of legislation, then the need for any enforcement action should be considered in accordance with the Enforcement Management Model (EMM) and normal operational considerations should apply." It adds that inspectors should consider "director leadership" and "worker engagement" when assessing the safety performance of the firms.

- [Central interventions by lead inspectors to national waste management and recycling companies](#), HSE Sector Information Minute (SIM). [Green jobs, safe jobs blog](#).

Waste company fine after near fatal fall

A West Midlands waste management firm has been fined £12,000 after a guard rail gave way and a new worker fell nearly three metres, narrowly missing a crushing machine. AB Waste Management Ltd pleaded guilty to a breach of the Provision and Use of Work Equipment Regulations 1998. The firm was also ordered to pay £1,836 in costs. Walsall and Aldridge Magistrates Court heard the worker, who was on his second day in the job, was cleaning a crushing machine when a guard rail gave way, and he fell almost three metres to the ground. The victim's spine was broken in two places in the 16 June 2009 incident, and he also suffered several deep cuts to his head that required skin grafts. Doctors told him he was lucky to be alive. Following the case, Health and Safety Executive (HSE) inspector Gardabil Singh Tiwana said: "The worker was seriously let down by his employers who failed to maintain the safety measures that were supposed to protect him. The employee could easily have been killed if he'd fallen into the crushing machine when it was in operation." He added: "It's all very well installing a guard rail and other precautions, but if they're not maintained and repaired properly then they are useless. All companies need to ensure guards supplied for their work activities are fit for purpose

and if the machine has a maintenance log, that the log should be kept up to date.”

- [HSE news release.](#)

Coffee break saves a worker's life

A rubber manufacturer has been fined £10,000 after a Manchester worker narrowly escaped death in a factory explosion. Dave Lomas, 56, was returning from a coffee break when he saw a five-foot iron girder fly through the factory, smashing his workstation into pieces. He would normally have been at his desk at the time of the explosion but on 19 February 2008, the day of the explosion, had left it earlier than usual to make a drink. Trafford Magistrates' Court heard that an autoclave - a high-pressure machine used to manufacture rubber rollers - at Moseley Rubber Company Ltd exploded after not being properly maintained. The force of the blast shot an iron girder across the factory and lifted the cement sheet roof off the building, which then fell back into place, bending all the internal roof supports. Dave, who worked as a machine operator in the factory, suffered injuries to his chest and arm in the explosion. The factory closed down following the incident and Dave has been unable to return to work. He said: "It just happened that, on that day, I'd got to work ten minutes earlier than normal so had set up my machine and gone to make a coffee before the explosion. I was walking back to my workstation when the force of the explosion blew me back about 15 feet. If I'd got to work at my usual time then I'd have been killed without a doubt. The girder would have cut me in half." The company pleaded guilty to two breaches of the Pressure Systems Safety Regulations 2000 by failing to arrange a routine inspection of the machine and by failing to maintain it. It was ordered to pay a maximum magistrates' court fine of £10,000 for the two offences and an additional £8,153 towards the cost of the prosecution. The Health and Safety Executive (HSE) also issued a total of 12 prohibition notices when HSE inspector Matt Greenly visited the factory as part of the investigation, banning the use of other machines that had also not been inspected.

- [HSE news release.](#)

Machinery firm fine £3,000 for repeat offences

A Cornish firm that continued to use dangerous machinery after a series of warnings from the Health and Safety Executive (HSE) has been fined £3,000 and ordered to pay £3,419.50 costs. Specialist boring equipment manufacturer Rigibore Ltd pleaded guilty at Camborne Magistrates' Court last week to breaches of the Provision and Use of Work Equipment Regulations 1998. The court heard HSE inspectors visited the Hayle site in December 2008 and found machinery without safety guards or an automatic power cut off device to stop their operation in the event of someone getting dragged in. The company had previously been served with an improvement notice following safety concerns about machine guards. While Rigibore Ltd initially complied with this notice other offences were later committed. Speaking after the hearing, HSE

inspector Jo Fitzgerald said: "It's extremely disappointing that after complying with an improvement notice, Rigibore was again found in breach of health and safety regulations during a later visit. Rigibore Ltd put its employees at serious risk of having their hands or arms caught in machines, which could have caused all manner of horrific injuries. The company had not managed health and safety as they should have and standards of machinery safeguarding were completely unacceptable."

- [HSE news release.](#)

Fruit firm fined for Polish worker abuse

A Scottish fruit farm where workers were forced to live in appalling conditions has been ordered to pay more than £26,000 to two fruit pickers. David Leslie Fruits was told to pay the cash to Polish students Tomasz Kowal and Michal Obieglo for withholding wages and racial discrimination. A tribunal in Dundee heard David Leslie had an "arbitrary and discretionary" approach to paying workers. He was also accused of frightening and humiliating his staff. During their time at the farm they lived among 200 workers in cramped metal cabins with no running water or lockers for personal belongings. Workers were also expected to drag a sledge half a mile, unpaid, before spending between 10-11 hours a day in fields picking fruit. When Mr Kowal and Mr Obieglo asked Mr Leslie to clarify their rate of pay, they were threatened then sacked. They were only reinstated when other workers, who relied on their translation abilities, said they would go on strike. When the pair presented a 145-name petition calling on Mr Leslie to pay fair wages and to give them the minimum wage, they were accused of stealing fruit, told to collect their belongings and escorted from the farm by police. Judge Hosie said the men's experience was a "nightmare", with the workers fearing they could be stranded and homeless in a foreign country and "even imprisoned for an offence which had been fabricated." The judge added: "They were treated appallingly, without any common decency or respect, and left frightened and humiliated." Tomasz Kowal commented: "I wouldn't treat a dog the same way he treated us. He should be locked up, ordered to pay a huge fine and his business shut down immediately."

- [Press and Journal.](#) [Daily Record.](#) [BBC News Online.](#)

Recession leads to depression

The number of people suffering stress, anxiety and depression because of redundancies, job insecurity and pay cuts owing to the recession is soaring, a study has found. Worries about the effects of the downturn have produced a sharp rise in people experiencing symptoms of common mental health conditions, according to the report, by academics from Roehampton University and the children's charity Elizabeth Finn Care. The incidence of depression has jumped by between four and five-fold as unemployment, cuts in hours and concern about security of tenure have become common, the report found. Among people who have lost their jobs in the last

year, 71 per cent have suffered symptoms of depression, 55 per cent has suffered from stress and 52 per cent experienced symptoms of anxiety. Among those who had experienced a drop in salary or cut in their hours or days, 51 per cent said they had experienced symptoms of depression, 48 per cent said the same for anxiety and 45 per cent experienced stress symptoms. Dr Joerg Huber, principal lecturer at Roehampton University, said: "What makes our findings worrying is the high percentage of people reporting symptoms of depression, anxiety and stress. This applies even more to those who have lost their job or experienced a major loss of income." Recent reports have linked recession-related job insecurity and pressures to problems including increased suicide, heart disease and others problems ([Risks 414](#)).

- [Elizabeth Finn Care news release](#). [The Guardian](#). [GMTV](#). [Daily Express](#).

Want to be an HSE inspector?

Want to see what life is like on the other side of the Health and Safety Executive (HSE) clipboard? While now's your chance. The safety watchdog is on a recruitment drive, and who better to do the job of an inspector than a trained, experienced trade union safety rep? An HSE webpage give information about the trainee inspector jobs and how to apply. It notes: "Whatever your background you need to be committed to improving health and safety in the workplace. You will have a degree or an equivalent professional/academic qualification, preferably in a science or engineering related subject. However, exceptional non graduate applicants, who can successfully provide evidence that they have shown a strong commitment to learning and proactively sought development opportunities will also be considered."

- [HSE trainee inspector vacancies alert](#) and [HSE trainee inspector vacancies webpages](#). [More on the application process](#).

International News

France: Talks after suicides shock Disneyland

Union representatives and managers have been in talks over the working environment at Disneyland Paris after three workers killed themselves in the last eight weeks. The most recent suicide was that of a Eurodisney chef, who was found hanged at his home over a week ago. The worker, reported to be in his 40s, was due to start back at work after a prolonged period of sick leave. The trade union that represented the man has described the working conditions at the popular theme park as "humiliating." Force Ouvriere says the chef had told colleagues he wanted to leave his job because he was struggling with demands to "increase figures with fewer resources." Eurodisney has denied the claims - and its management said the suicide was not work-related. Trade union representative, Mary Lyn Lesueur, acknowledged the man's personal problems contributed to his death but insisted that, "it's certain that there is a real management problem at Disney." The death of the chef followed the suicide of a 30-year-old chef de partie (line cook) on 21 February. He threw himself under a train. His death came a day

after another worker threatened to kill himself at the attraction park after it was announced he was to be dismissed. At the beginning of February, an employee killed himself for what the company called "personal reasons." The French government approved Eurodisney's approach to work-related stress just days before the first suicide.

- [Sky News](#). [The Independent](#). [The Sunday Times](#). [More on occupational suicides](#).

USA: Killing people at work is not fine

US unions and the US Chemical Safety Board have condemned the oil industry's cavalier approach to safety after another workplace tragedy. The United Steelworkers (USW) said it was "incredible" that the response of oil industry trade associations to the Tesoro refinery explosion and fire on 2 April was to brag about their safety record. The disaster in Anacortes, Washington State, killed five and severely injured two others. "It is obvious that this industry still has not learned from other refinery disasters and near-misses," said USW vice president Gary Beevers, who is in charge of the union's oil sector. "They are more concerned with their image than taking appropriate action on safety." In weekend newspaper reports, American Petroleum Institute (API) officials said the industry isn't getting the credit it deserves when it comes to health and safety. They cite OSHA injury and illness rates for the sector that have dropped in the last decade. National Petrochemical & Refiners Association officials also bragged that the industry has a lower injury rate than the US manufacturing sector as a whole. "It's incredible this industry brags about its safety record just after five more people were killed in a refinery explosion," said USW president Leo W Gerard. "The problem is the injury and illness rates the trade associations cite are misleading and do not give the full picture of health and safety within the refining sector. The recordable injury rates that OSHA collects measure items like slips, falls, sprains and fractures, not poor safety practices that lead to incidents like explosions and fires. There's a difference between a sprained ankle and an explosion that kills five people." The union said it was "angered" by the industry groups "dragging out these injury and illness rates every time there is a major incident." According to Gary Beevers, the industry should be concentrating its efforts on addressing systemic safety concerns, where production is put before safety. "The API would be better served if it addressed these issues and others like it that exists in every refinery across the country, instead of spending millions of dollars on PR that tries to fool the American people that everything in their refineries is fine," Beevers said. "Five more people dead does not equate to everything is fine." John Bresland, chief executive of the US Chemical Safety Board (CSB), echoed the union concern. He said: "The CSB has eighteen ongoing investigations. Of those, seven of these accidents occurred at refineries across the country. This is a significant and disturbing trend that the refining industry needs to address immediately."

- [USW news release](#) and [Oil bargaining website](#). [CSB news release](#). [ICEM news report](#). [Seattle Times](#).

USA: Deadly mine had poor safety record

A huge explosion on 5 April has killed at least 25 miners in the worst mining disaster in the United States in more than a quarter of a century. As of 7 April, hopes were fading for four other workers still missing in the Massey Energy-owned West Virginia coal mine, which is operated by its subsidiary Performance Coal Co. Early reports have highlighted a poor safety record at the Upper Big Branch mine, and have criticised a Massey policy that puts production ahead of safety. According to federal records, the official mine safety watchdog MSHA cited the Upper Big Branch mine for more than 1,300 safety violations from 2005, with 50 safety citations in the last month alone. Upper Big Branch is one of Massey's biggest underground mines, with more than 200 employees, and it is not uncommon for big coal mines to amass hundreds of violations a year — and to contest many of them, as Massey does. But most big mines don't have as many serious infractions as Upper Big Branch, industry experts said. And Richard Trumka, president of national union body AFL-CIO and himself a former miner, said the tragedy "isn't just a matter of happenstance, but rather the inevitable result of a profit-driven system and reckless corporate conduct." He added: "Massey paid over \$1 million in fines in the past year alone — and has failed to pay hundreds of thousands of dollars more in fines that it is contesting." The tragedy is the worst in an American mine since 19 December 1984, when 27 workers died in a fire at the Wilberg Mine in Orangeville, Utah.

- [AFL-CIO statement](#). [National COSH news release](#). [UMW news release](#). [Democracy Now](#). [New York Times](#). [The Guardian](#). [West Virginia Gazette](#).

USA: Verdict highlights deadly biotech risks

A federal court's decision to make a \$1m plus payout to a sick biotech worker highlights the dangers faced by those employed in cutting edge industries. Becky McClain was awarded \$1.37 million by a US District Court last week after saying her serious health problems stemmed from being infected by an experimental virus while working at Pfizer Inc's Groton laboratories. Workers' rights organisations welcomed the verdict, in which Pfizer also was ordered to pay McClain's attorneys' fees. They said the outcome of the federal civil suit was a major milestone for biotech and nanotech workers everywhere. "If this could happen at the biggest drug company in the world, it could happen in other plants," said Steve Zeltzer, chair of the California Coalition for Workers' Memorial Day, a group that advocates for employees hurt on the job. "It's a vindication of the courage shown by Becky to confront the need to do a proper oversight of the biotech industry." McClain's lawsuit claimed her continued exposure to genetically engineered viruses had led to a condition that triggers periodic paralysis, joint pain and fatigue. The suit, argued during a three-week trial before Judge Vanessa Bryant, has been closely followed by unions, attorneys and members of the medical and research community because it is the first federal case involving a biotech worker who claims to have been harmed by a novel virus on the job. Becky McClain also claims she was victimised and fired by the company after raising health and safety concerns. Pfizer continues to deny all of the suit's charges and said today that the company is considering its options for appeal.

- [The Day](#). [New York Times](#).

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