

Risks

TUC 

e-bulletin

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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 18,000 subscribers and 1,500 on the TUC website. To receive this bulletin every week, click [here](#). Past issues are [available](#).

Editor: [Rory O'Neill](#) of [Hazards](#) magazine. Comments to the TUC at healthandsafety@tuc.org.uk

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Union News

RMT concern at 'rigged' rail injury figures

Rail union RMT is demanding an urgent government investigation into allegations Network Rail has "rigged" injury figures to hit performance targets. The union says it fears a culture of non-recording of incidents is rife at Network Rail (NR) and is directly linked to the senior management bonus culture. The annual report of the Office of Rail Regulation says while safety overall on the railways is improving, "there are concerns about track worker safety - the past year was marked by three worker fatalities, and safety in terms of overall harm got worse last year." Concerns were also raised about an upturn in "harm" to passengers. ORR director of railway safety, Ian Prosser, told Rail magazine that Network Rail may be under-reporting up to 500 legally reportable 'RIDDOR' incidents a year. Rail managing editor Nigel Harris commented: "NR safety plays an important part in the criteria on which half dozen executives have just been paid £2.4m in bonuses - including a 100 per cent of salary bonus to outgoing CEO Iain Coucher, who received £1.4m. If Prosser's compelling suggestion that up to 500 accidents a year causing those involved to need three days off work are going unreported, then there's an equally compelling case for those bonuses to be clawed back in their entirety. Safety is too important to be subject to anything other than diligent and accurate reporting." RMT general secretary Bob Crow said he had written to transport secretary Philip Hammond "demanding an urgent investigation into the under-reporting of serious accidents at Network Rail. Not only is it a scandal that Network Rail executives pocketed £2.4 million in bonuses in the same year that three workers died on the tracks but there is now overwhelming evidence that safety data is being rigged to hit performance targets. That requires a full and open investigation."

- [ORR news release](#) and [The ORR Health and Safety Report](#). [RMT news release](#). [Rail magazine](#).

Old schools equal more asbestos problems

Unions and asbestos groups have warned there will be "hidden consequences" of the government's decision to scrap the Building Schools for the Future programme, saying there is "a real and increased risk" of children, teachers and support staff being exposed to asbestos fibres. The Northern TUC Asbestos Campaign Group says many older school buildings contain asbestos, and adds as these buildings fall into disrepair the risk of asbestos exposure increases dramatically. The group warns that many schools have spent little on maintenance because they believed they would be part of the new schools building programme. Northern TUC regional secretary Kevin Rowan said: "Many schools in the region are in a terrible state of disrepair. Teachers, governing bodies, pupils and parents have been waiting desperately for new building work to take place, to allow them to enjoy working and learning in a decent, safe and healthy environment. Now they continue to face risks of serious and potentially fatal hazards due to the lack of investment in the maintenance and improvement of their schools." He added: "The government must make funds available now, to all schools who need it, to secure a better and safer environment for children, teachers and school staff alike." Mick Lyons, who is the region's representative on the national executive of teaching union NASUWT, added: "Asbestos in schools is a ticking time-bomb. Over 190 colleagues have died through asbestos exposure across the country so far, with the unfortunate spectre of many more to come." He added: "Schools are meant to be a place of security and

education, not fear of ill-health and bringing the legacy of grave mistakes made pre-1970s into the 21st century.”

- [Northern TUC news release](#). [Asbestos Exposure in Schools website](#).

Call for full inquiry into death of a cadet

A seafarers’ union is calling for an urgent inquiry into the death of a cadet on a British-registered ship. Nautilus International is calling for the UK government to ensure there is a “full and transparent” inquiry into the death of a South African cadet on the containership Safmarine Kariba and subsequent allegations of rape and harassment. General secretary Mark Dickinson said the case should serve as “a wake-up call” to the international shipping industry. “The reports are deeply shocking and extremely serious and it is imperative that every effort is made to investigate and learn from this as a matter of urgency,” he added. Transnet cadet Akhona Geveza died on 24 June after falling overboard from the containership off the coast of Croatia. South African newspapers subsequently reported claims that she had told a colleague she had been raped by the ship’s Ukrainian chief officer. Other Transnet cadets were quoted making allegations of male and female rape, pregnancy and bullying and harassment. “It is essential for the shipping industry and for the UK register that no effort is spared to establish the truth of the allegations and – if true – to ensure that appropriate action is taken,” Mr Dickinson said. He said research by Nautilus a decade ago revealed serious problems of sexual harassment in shipping. As a result, the union developed equal opportunities policies with the UK Chamber of Shipping and these had subsequently been taken up across the European Union. The union said it was writing to the UK transport minister and home secretary to highlight the need for Britain to play a leading role in the criminal and accident investigations.

- [Nautilus news release](#).

Oil giant Total must be probed

Multinational Total should face an independent probe into serious safety lapses, the union GMB has said. The union says it is demanding a “full independent safety investigation” into the oil giant’s safety record following the death on 29 June of 24-year-old Rob Greenacre at Lindsay Oil Refinery ([Risks 464](#)) and the £6.2 million fines and costs penalty on the company on 16 July after it admitting failing to protect workers and the public at the Buncefield oil depot site that exploded in 2005 ([Risks 466](#)). GMB lead organiser Phil Whitehurst said: “Total have to be held to account over the death of Rob Greenacre, who went to work one morning safe and sound and was tragically killed whilst working on Total's property and under their current Permit to Work system which should have protected him and his colleagues from this type of incident. Two others workers were injured as well which is also unacceptable in such a safety controlled industry working with such volatile substances.” The GMB officer added: “The Lindsey Oil Refinery is currently up for sale but the word on the site is that it will be like trying to sell an old banger at a prestige car auction the plant is so

lacking in investment and potentially dangerous." A Total spokesperson said: "Lindsey Oil Refinery is a modernised refinery; we annually invest millions of pounds in renovation and maintenance of existing equipment and the building of new projects to meet future demands. We have a large team of professional inspectors that are continually monitoring the condition of our equipment to ensure its safe operation."

- [GMB news release](#). [Grimsby Telegraph](#).

Other news

Most rigs are working beyond design life

More than half of the UK's offshore oil and gas installations "have exceeded their original design life or soon will," the Health and Safety Executive (HSE) has warned. The watchdog said a new inspection programme of installations on the UK continental shelf is underway "to ensure that ageing infrastructure does not adversely affect safety." Many of the ageing platforms are expected to remain operational for the foreseeable future. HSE says its inspectors will check safety management plans to ensure that ageing is taken into account. Launching the 'Ageing & Life Extension Inspection Programme' at a seminar for senior industry managers, unions and policymakers in Aberdeen, HSE head of offshore safety Steve Walker said: "We are very clear that if installations are going to be used beyond their original anticipated design life then operators need to look to the future and anticipate inevitable consequences. This is a priority for us." He added: "Ageing offshore installations run the risk of deterioration, which can have serious consequences for installation and asset integrity. This is not acceptable. The safety of 28,000 workers is dependent on systems and structures being in good working now and in the future. We will be seeking evidence and reassurance that operators are properly considering ageing and life extension as a key and distinct part of their asset integrity management plans." The HSE offshore chief said: "The industry and unions are fully behind this programme," which will run until September 2013. "They appreciate that well maintained, safe and efficient plant and equipment are vital to ensure the long term future of the UK offshore oil and gas industry."

- [HSE news release](#).

BP's Tony Hayward gets his life back

He's the casualty of the Deepwater Horizon catastrophe least likely to elicit sympathy. BP announced this week that beleaguered chief executive Tony Hayward, recently described in a US newspaper as the most hated man in America, is to go "by mutual agreement" on 1 October. He will be replaced in the top job by Bob Dudley, whose American accent is expected to be less galling to US ears. Hayward – whose high profile gaffes included telling CNN, as the oil lapped the Gulf coast, "I'd like my life back" – will at 53 qualify immediately for a £600,000 annual pension, a £1.045m pay off in lieu of notice and a multi-million portfolio of company shares. He will be given a place on the board of BP's Russian offshoot as a consolation prize and will retain his seat on BP's global board until

30 November. Commenting on the decision to step down, Hayward said: "The Gulf of Mexico explosion was a terrible tragedy for which - as the man in charge of BP when it happened - I will always feel a deep responsibility, regardless of where blame is ultimately found to lie." He added: "We have now capped the oil flow and we are doing everything within our power to clean up the spill and to make restitution to everyone with legitimate claims." This includes less celebrated casualties of the Deepwater Horizon explosion, notably the 11 rig workers who died, whose dependants are between them unlikely to receive "legitimate" recompense totalling anything like the lifetime supply of BP cash Hayward is to enjoy. His pension pot already is valued at about £11m. When Hayward took over the helm in 2007, he told journalists his number one task was to focus "laser-like" on safety and reliability. The company on 27 July laid a marker on its response to possible criminal action, saying BP did not believe it was "grossly negligent" in regard to the oil disaster.

- [BP news release](#). [Robert Peston's BBC blog](#). [The Guardian](#).

Benefits change forces most back to work

A controversial new system for assessing whether the sick and disabled are capable of working has seen more than threequarters of benefit claimants either told to get a job or abandoning their claim. Department for Work and Pensions (DWP) figures published this week reveal nearly four out of 10 (39 per cent) of the 686,500 applicants for Employment and Support Allowance (ESA) have been judged able to work since the replacement for Incapacity Benefit was introduced in October 2008. A further 37 per cent stopped their claims before their assessments had been completed. Only six per cent of ESA claims (or 40,100 cases) from October 2008 to November 2009 were judged to have such severe disabilities that they were eligible for payments of at least £96.85 a week and exempted from work programmes. A further 14 per cent (or 96,700 cases) were judged unable to hold down a full-time job and received at least £91.40 a week, but were forced to take part in work schemes. One in three of those judged fit for work appealed against the decision and four in 10 appeals (21,200 cases) resulted in victory for claimants. Employment minister Chris Grayling - who is also the safety minister - said he would push ahead with Labour's plan to reassess all Incapacity Benefit claimants under the new system from October. However, campaigners believe the new system is flawed. A spokesperson for Citizens Advice Bureau told The Independent: "We have grave concerns about how the work capability assessment for the ESA is working. We have seen cases where medical evidence has not been taken into account. Seriously ill and disabled people are being found fit for work."

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

Brum car worker injured by robot

A Birmingham automotive firm has been fined after lax safety controls led to an employee being struck by a manufacturing robot running on auto, leaving his voice box damaged and almost

paralysing him down one side of his body. Dura Automotive Body and Glass Systems UK was fined £30,000 and ordered to pay £20,000 costs in a Health and Safety Executive (HSE) prosecution. Birmingham Crown Court heard how, on 6 May 2008, Michael Brewer was struck while trying to repair a fully-automated industrial robot. As part of the repair, Mr Brewer wanted to see the operating cycle of the machine. However, a solid guard fully enclosed the robot so he couldn't see through it. Mr Brewer decided to view the robot from inside the guarded area while it was operating. While in this dangerous zone, the robot struck him in the throat, causing the damage to his voice box and nerves on one side of his body. HSE's investigation found the company had a system of work for accessing the machine that required the machine to be put in manual before entering, rather than on the full automatic cycle. However, this was not adequately supervised and failed to account for a need to view the operating cycle for the machine from outside. Viewing the operating cycle from inside the guarded area had become common practice. HSE found the risk assessment the company had produced was not sufficient as it had failed to address the risks from maintenance operations or the risks posed by the industrial robots when working within the guarded area. HSE inspector Edward Fryer said: "This is a prime example of a company failing to address the risks relating to maintenance work." He added: "There was a culture of violation in this factory and it is very sad that it took an almost fatal accident for the company to identify this. Keeping the robot on the automatic cycle in these circumstances could very well have resulted in automatic death." Mr Brewer's injuries mean he will not return to work.

- [HSE news release](#).

Firm fined after trainee's quarry plant plunge

A quarry operator has been fined £30,000 after a 30-tonne wheel loader vehicle driven by a trainee overturned and slid almost 16ft down a sand stockpile. Humberside Aggregates and Excavations Ltd was also ordered to pay £10,590 in costs after pleading guilty to three separate breaches of the Quarries Regulations 1999. Beverly Magistrates Court heard that an employee, who does not wish to be identified, was being trained as a wheel loader operator at North Cave Quarry, Humberside Aggregates and Excavations Ltd's sand and gravel extraction and processing facility. On 30 October 2009, he was transporting sand from a stockpile when the access ramp edge on which he was driving gave way, which caused the machine to overturn. It plunged almost 16ft because there were no edge protection barriers in place. The trainee lost consciousness, suffered concussion and was hospitalised for two days. The Health and Safety Executive (HSE) prosecuted Humberside Aggregates and Excavations for failing to assess, identify and minimise potential risk, and for ultimately failing to protect the worker. HSE inspector Richard Noble said: "This accident could have been avoided had sufficient edge protection been put in place at minimal cost, which has been the standard within the quarrying industry for many years." He added: "Quarrying remains one of the most dangerous industries to work in. Since 2000 more than 3,000 workers have suffered an injury reportable to HSE and 24 people have been killed."

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

Worker loses leg in paving machine

A Somerset construction firm has been fined £10,000 after a worker's foot was crushed under a paving machine, leading to the amputation of his lower leg. Taunton Magistrates Court heard that Alan Seviour, who worked for John Wainwright & Co Ltd as a delivery driver, was carrying out relief road work on 29 August 2008. As he cleared material from the front of the surface paving machine, his foot became trapped and crushed between a speed bump and a bar at the front of the machine. The damage to Mr Seviour's right foot was so severe that he had to have his lower leg amputated. He still works for the company as a driver, but has to use a specially adapted van. John Wainwright & Co Ltd pleaded guilty to a criminal breach of safety law, and was fined £10,000 and ordered to pay £8,015 in costs. HSE inspector Annette Walker said: "Although the surface paver is a slow-moving machine, it is not safe for anyone to work in front of it while it is in motion as it can be noisy, making communication difficult." She added: "Mr Seviour suffered life-changing injuries because the machine was in motion and the driver had limited forward visibility because of the way the machine was designed. In fact the driver did not know Mr Seviour was trapped until he was told to reverse off him." She said the incident could have been avoided "if John Wainwright & Co had put the right systems in place to ensure the safety of all people working with or near this machine."

- [HSE news release](#).

Site firm 'ignored' falls warnings

A major construction company that ignored a series of warnings has been fined for failing to protect its workers from falls on a site in South Wales. Gee Construction Ltd, the principal contractor on the site in Caerphilly, had previously received stop work notices from the Health and Safety Executive (HSE) because of working in height breaches. An inspector who visited the site on 22 October 2009 found unguarded lift shafts on the first and second floors and inadequate edge protection to prevent workers from falls - one of the main causes of deaths in the construction industry. At Caerphilly Magistrates Court the firm pleaded guilty to a breach of the work at height regulations and was fined £10,000 and ordered to pay costs of £4,514.25. It had previously received two prohibition notices for work at height breaches in 2008 and 2009. HSE inspector David Kirkpatrick said: "As principal contractors, the company was responsible for the safety of everyone on the site. It had previously received warnings from HSE and its own safety consultants about safely working at height, but clearly this advice had been ignored." He added: "Fortunately, despite the increased risk no-one was injured on this site, but this case must serve as a warning to companies of the need to ensure working at height is properly managed."

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

Resources

Get your TUC safety diploma online

You've done the courses, got the experience and you've still got a hankering to learn more. If so, you might want to consider the TUC Diploma in Occupational Health and Safety. TUC says: "This online course will help experienced safety reps develop their understanding of health and safety principle and practice. The course gives learners the opportunity to question the development and function of health and safety law, discover how to build trade union organisation for health and safety and tackle some of the health, safety, welfare and environmental problems that workers currently face." Places are available on the course starting in September.

- Course and application details for the [online course for the TUC Diploma in Occupational Health and Safety](#).

Research on mental health in teaching

A research report that found the pressures piled on teachers are so severe some staff have considered suicide, has been made available online. The survey for teaching union NASUWT found a lack of support from schools and their management teams was leading to stress, burnout and depression ([Risks 451](#)). The survey report, based on interviews with teachers and school managers, reveals teachers 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: "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 well-being of school leaders, teachers and other staff."

- [Teachers' Mental Health: A study exploring the experiences of teachers with work-related stress and mental health problems - Research report for the NASUWT. Related NASUWT news release.](#)

International News

Australia: Too many fatalities on the waterfront

Workplace safety on Australia's waterfront must be overhauled to stem the mounting death toll among stevedoring workers, unions have warned. Three deaths and a spate of serious injuries and near misses in a little over six months is not good enough and suggests that waterfront deregulation has had a detrimental impact on safety, said Ged Kearney, the new president of national union confederation ACTU. At memorial services on 23 July, unions around Australia joined their colleagues in the Maritime Union of Australia (MUA) in remembering the waterside workers who have

been killed on the job in recent years. Ms Kearney said the waterfront remained one of the most dangerous workplaces in Australia, despite major productivity improvements. "The growing death toll among stevedoring workers – eight in the past seven years – has to be stopped," Ms Kearney said. Ms Kearney said the ACTU backed the MUA's call for an urgent and high-level national stevedoring safety task force to investigate what needs to be done to improve waterfront safety. "Every worker should be able to go to work at the beginning of the day secure in the knowledge that they will return to their family unscathed," Ms Kearney said. "We need to lift workplace health and safety standards for all workers, not reduce them." MUA national secretary Paddy Crumlin said wharf workers and seafarers were in shock and the ceremonies would give them a chance to express their sorrow.

- [ACTU news release](#). [MUA news release](#).

China: Electronics industry labour abuse revealed

Workers in China's burgeoning electronics sector are enduring poor labour and safety standards in the country's deregulated Special Economic Zones (SEZs), a new report suggests. The labour standards report released by risk intelligence and rating firm Maplecroft, says with increasing unionisation, worker protests and management initiative, wages and working conditions are being addressed, with some positive results albeit with cost implications for business. It points to Foxconn, the world's largest electronics contract manufacturer, which employs 800,000 workers in China. The firm resorted to installing nets around a major facility after 10 workers jumped to their deaths ([Risks 452](#)). Every month employees at the firm would sign a "voluntary overtime affidavit" waiving the 36-hours a month legal overtime limit, so that they could earn a living wage. An international outcry led to the company increasing pay rates ([Risks 459](#)). According to Maplecroft's report, the SEZs are well-known for their ability to attract foreign investors because of tax incentives and a large pool of cheap labour. However, it says SEZs are also subject to a prevalence of labour rights violations due to weak enforcement. This can be attributed to underfunded, untrained and sometimes corrupt local labour departments not having the resources to monitor workplaces properly, the Maplecroft report said. "China is rated extreme risk in Maplecroft's Working Conditions Index and is ranked 7th [most risky] out of 196 countries," said Maplecroft labour rights expert, Monique Bianchi. A Foxconn plant in India was temporarily shutdown this week, after some 250 workers fell sick. Spraying of pesticide could be the reason, and local authorities were investigating the incident, the Taiwanese company said in a statement.

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

Mexico: Copper mine dangers resurface

In the rush to get copper production from the Cananea mine back on world markets at time of major shortages of the metal, Grupo México is disregarding the safety of contract workers. The charge comes from ICEM, the global federation for mine and chemical

unions, which says there has been an undocumented rash of on-the-job accidents and injuries in the six weeks since federal police opened the mine in Sonora State for the company. The mine had been the subject of a lengthy blockade by Mexican mining and metal union SNTMMSRM, in a strike prompted by serious safety concerns ([Risks 460](#)). Concerns have re-emerged following a 16 July incident in which a sub-contract worker was hospitalised after a five-metre fall. Military police responded by securing the perimeter of the hospital, and not allowing anybody to enter. When the union tried to lend assistance to the injured worker, its representatives were turned away by "a violent and arrogant grenadier," according to a report. Workers at the mine say there have been 20 similar incidents since the mine reopened on 6 June. ICEM says this cannot be confirmed because safety reporting, if it exists, is never verified. "This non-transparency at a major copper recovery project is a pox on Grupo México and a pox on federal Labour and Interior Ministries, and on the State of Sonora, the latter governmental agencies that have all taken up reconciliation roles," says the global union federation. "The pitiful irony is that Grupo México and federal police used brute force to reopen the Cananea mine on 6 June, crushing a strike that began over health and safety in 2007. Now they are at breakneck pace, using disposable contract workers, to re-start Cananea at a time – during first quarter 2010 – that world copper supply fell short of refined usage."

- [ICEM news report.](#)

USA: BP's clean up safety claims queried

BP monitoring figures that show even the oil clean-up workers in the riskiest jobs in the Gulf of Mexico are generally having minimal exposures to hazardous chemicals have been queried by experts. BP's release of detailed sampling data, something urged by the official watchdog the Occupational Safety and Health Administration (OSHA), met with praise from some experienced industrial hygienists but failed to assuage critics who remained sceptical that worker exposures could be so low given the amount of oil and dispersants used to battle the leak. Eileen Senn, an occupational hygienist and long-time workplace safety official, pointed to 10 separate shortcomings in the quality of the company's data release, which OSHA said concentrated on workers with the heaviest potential exposures, including the move to sample for 11 chemicals when many more substances are potentially present in Gulf air. Senn also criticised the company's blending of samples taken where exposures were likely to be low - in areas where crude or dispersant was not nearby - with areas where exposure was more likely due to the presence of fresh oil. "Given the 200 million gallons of oil spilled, 10 million gallons of oil burned, and 2 million gallons of dispersant applied, BP couldn't possibly make a credible assertion that there is nothing for cleanup workers to fear in the Gulf air," she said. "They need the illusion of science to make their audacious claim seem believable." Another said the BP figures indicating low exposure levels implied the company was achieving an "occupational health magic trick" its safety management record suggested was beyond its capability.

- [New York Times.](#) [Labor Notes.](#) [Sciencecorps on the Gulf oil spill hazards.](#)

Events and Courses

European Health and Safety Week, 25-29 October 2010

To help unions and health and safety representatives promote health and safety week in October, the TUC has updated its website. In line with the theme of the week - maintenance work - TUC has produced an online guide on maintenance activities, including a safety reps' checklist. The TUC webpages for National Inspection Day, which falls on 27 October in 2010, will be updated in August.

- [Maintenance in the workplace: A guide for health and safety representatives](#), TUC, 2010. [TUC National Inspection Day webpages](#). European Health and Safety Week resources from [TUC](#) and the [European Health and Safety at Work Agency \(EU-OSHA\)](#), including an EU-OSHA safe maintenance guide [[pdf](#)].

Stress network conference, 27-28 November 2010

The National Stress Network's annual conference will be held in the West Midlands on the weekend of 27-28 November. The theme is 'Stress prevention to secure an effective workplace.' The organisers note: "Failure to prevent a high stress climate in the workplace should lead to enforcement and prosecution. Prevention is central to success. Cures are too late and ineffective."

- [National Stress Network](#) Conference 2010, 27-28 November, Hillscourt Conference Centre, Nr Birmingham. Further details and application form [[pdf](#)].

TUC courses for safety reps

COURSES FOR SEP 2010 to DEC 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 HSE and the European Agency.