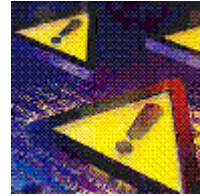


Risks

issue no 60 – 29 June 2002



Editor: [Rory O'Neill](#) of *Hazards* magazine. Comments to [Owen Tudor](#).

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Risks is the TUC's weekly online bulletin for safety reps and others, read each week by over 4,000 subscribers and 1,000 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 statement](#). The TUC website lists future health and safety events in [What's On](#) – [new events](#) are covered below.

UNION NEWS

UK near bottom of the league on job security

UK plc is a world leader – in job insecurity. A new TUC report shows it comes second only to Korea when it comes to job insecurity among major industrialised countries. TUC says that people at work in Britain know they are easier and cheaper to sack than in many competitors. TUC general secretary John Monks, said: "Our report explodes myths about globalisation. One myth is that it makes jobs insecure in developed countries, or that insecurity is a price that must be paid for economic growth. Yet the figures do not bear this out. There are big differences between comparable countries. And this can only be due to differences in employment rights, culture and comparative economic performance." Studies have linked job insecurity to high levels of workplace sickness absence, strain injuries, stress, heart disease, depression and other health problems.

- [TUC news release and Globalisation: Myths and realities report. Ananova. More on better, safer ways to work: Hazards getalife! webpages](#)

Wales TUC calls for rehabilitation action

The Wales TUC has issued a call to employers, government and unions to use rehabilitation to bring thousands of sick and disabled workers back into the Welsh labour market. A recent study by the London Re-insurance Market Association showed that a paraplegic injured through work stood a 50 per cent chance of returning to work in Scandinavia but only a 30 per cent chance in the UK. In Wales the situation was twice as bad as for the UK overall, with just 15 per cent getting back to work. David Jenkins, general secretary of the Wales TUC, said: "Today in Wales, four people at work will suffer an injury or develop an illness so serious that they will never work again. They will contribute to the 1.1 million working days lost because of work related illness in Wales. And Wales has a significantly higher percentage level of economic inactivity due to long term illness or disability than the rest

of the UK." He added: "The radical approach is to avoid and prevent workplace injuries and illness in the first place and where injury or illness arise, to get people back to work and this requires rehabilitation."

- [TUC news release](#). **Wales TUC briefing: [Employment retention and rehabilitation](#)**

Safety boss backs union site safety drive

Britain's top safety boss has condemned the construction industry's "appalling" safety record and backed construction union UCATT's site safety priorities. Bill Callaghan, chair of the Health and Safety Commission, told UCATT's conference: "The construction industry has a reputation for being confrontational, risk tolerant and reluctant to change. And it has an appalling health and safety record." He also backed union "roving reps", the new worker safety advisers taking to workplaces as part of a national pilot in construction and other industries ([Risks 38](#)), saying they "will help shape the future of health and safety consultation arrangements." The safety boss added that enforcing the law remained a key aspect of the approach, adding: "We want strong, visible management commitment and directors and managers who demonstrate by what they do, not what they say, that safety comes high on their agenda." He said HSE would be looking at the role of sub-contracting and agency labour, an issue high on the list of UCATT's safety concerns.

- **HSE [news release](#) on continuing construction blitz**

Unions threaten court action over rail maintenance

Rail unions are threatening to take legal action against the HSE over the issue of rail maintenance. They are angry that HSE's didn't insist Railtrack brings maintenance work in-house instead of giving it to contractors. The move - believed to be unprecedented - follows concern about safety of rail maintenance in view of accidents, including the recent derailment at Potters Bar. Rail unions RMT and ASLEF claim the HSE acted unlawfully in failing to insist Railtrack considered bringing rail maintenance back in-house. Solicitors for the two unions have told the HSE that unless it reverses its decision to accept Railtrack's safety case on rail maintenance within 14 days, they will seek a judicial review.

- [Ananova](#)
- [HSE challenges Paddington legal action by Thames](#)

[Trains](#)

Chancellor urged to put money into easing teacher workload

Teaching union NUT says it will continue to press for an overall limit to teachers' working time. A feature in the union's journal says if workloads are to be reduced the Chancellor, Gordon Brown, must allocate additional resources in the spending review. Teaching unions ATL, NASUWT and NUT have been campaigning together for workload reductions, saying overwork is causing a teacher recruitment and retention crisis.

- [NUT newswire](#)

Beating bullying together

It may feel like there's nowhere to turn, but if you're affected by bullying a good place to start might be your union, says civil service union PCS. It has adopted a three pronged approach to tackling the problem. First, the union negotiates with employers to ensure effective policies and procedures are in place for dealing with complaints. Second, it offers training and support for both members and representatives to raise awareness of the issue. Third, the PCS network of trained branch representatives provide members affected by bullying with guidance and support. PCS says that nationally just 6 per cent of workplaces have an anti-bullying policy, adding this figure is higher in unionised offices. The union has a stress hotline available to bullied members.

- [PCS View](#) and [PCS bullying guide](#)

Amicus says mobile phones should be handled with care

The new mega-union Amicus is warning members to "go easy" with mobile phones, pointing to new research findings suggesting mobiles could be harming our health. Chris Ball, Amicus working environment secretary said the new evidence "should make people exercise care in their use of these devices." He added that "they can add to stress, pose serious dangers when being used wrongly by vehicle drivers, and there is this worrying possible link with brain cancer. It all adds up to a very clear sign saying, 'handle with care.'"

- [Amicus-MSF news release](#)

OTHER NEWS

Payments stalled for Cape's asbestos victims

UK multinational Cape plc has failed to meet the deadline for payment of the first instalment of a £21 million compensation payout to 7,500 South African sufferers of asbestos-related diseases. The company was due to hand over the first £11million of the settlement by the end of June ([Risks 33](#)), but has blamed a major financial restructuring exercise for the delay. Company chairman Paul Sellars, however, stressed that the company was committed to the settlement agreement and was optimistic the company would "raise the cash to meet its obligations in terms of the settlement agreement". Sellars also said there was "no need for concern". London lawyer for the victims Richard Meeran of Leigh Day and Co said the delay was frustrating for the victims and everyone else who had worked for the settlement, but added the settlement "was and still is in the best interests of both parties," as court action could be prohibitively expensive and counter-productive as it might drive Cape into bankruptcy.

- [Business Day](#)

Do you have information on the Potters Bar railway accident?

Mike Weightman, chair of the Potters Bar HSE Investigation Board, is calling for information to assist the Health and Safety Executive investigation into the Potters Bar train crash ([Risks 53](#)). He says the investigation is seeking to establish what happened and why, learn the lessons, prevent a recurrence, and put breaches of health and safety law before the courts. Weightman writes: "If you wish to provide information I would be grateful if you could provide it as soon as possible to assist the work of the Investigation Board, particularly for any matters that may impinge upon safety considerations." He adds that HSE will share information with the British Transport Police.

- [HSE appeal letter](#). Contact the [HSE Investigation Board Secretariat](#) or phone Les Philpott on **0207 717 6939**.

Rail travel better for passengers, worse for workers

The rail industry achieved its best ever safety figures last year, it has been revealed – but the number of rail workers killed or assaulted rose. Assaults were up by a third and rail worker deaths were the highest level in a decade. The figures show safety on the national rail network improved by 23 per cent compared with 2000-01. The Rail

Safety statistics reveal the number of reported assaults on rail staff rose by 34 per cent and the death of four track workers was the worst annual figure since 1992-93. Railway Safety's policy and standards director Aidan Nelson said: "We are increasing our efforts to build wider partnerships to counter those who obstruct the railway, vandalise it or see fit to assault passengers and staff. We must all work together to tackle what is probably the single greatest threat to railway staff." Mr Nelson said further action was needed to make the railway "a safer place on which to work". The figures are for the period up to the end of March, so did not cover the Potters Bar disaster.

- [Ananova](#)

HSE seeks to halt rail crash claim

The HSE has asked the High Court to halt Thames Trains's multi-million damages claim against it over the Ladbroke Grove crash. HSE wants Mr Justice Morland to strike out the case on the basis that there are no reasonable grounds for bringing it or that it would constitute an abuse of process. It is alleged, in written submissions before the court, that HSE failed to exercise its powers to review modification of the infrastructure and accepted an assertion by Railtrack that the installation of electrical equipment had resulted in a negligible effect on signalling. It is also alleged that the HSE failed to ensure that any adequate risk assessment was carried out. An HSE investigation into the crash, which killed 31, was highly critical of Thames Trains, Railtrack and HSE's own railway inspectorate, prompting a reorganisation of rail safety enforcement ([Risks 20](#)). In January, TUC's John Monks condemned the Thames Trains legal moves against HSE as "wasteful and irresponsible" ([Risks 35](#)).

- [TUC's January 2002 criticism of Thames Trains for "abdicating responsibility for safety on the railways"](#)

More workers want smoking controls

The proportion of people in favour of smoking restrictions at work has risen 5 per cent to 86 per cent, according to a new survey from the Office for National Statistics. The ONS report presents the results of a survey on smoking behaviour and attitudes carried out in 2001. Over two-fifths of the respondents (47 per cent) who were in work said that smoking was not allowed at all on the premises where they worked. This was slightly higher than the 44 per cent reported in 2000, and nearer the 1999 figure of 48 per cent. Support for smoking restrictions

has been increasing since 1996. The percentage in favour of restrictions at work rose from 81 per cent in 1996 to 86 per cent in 2001; in restaurants, from 85 per cent to 87 per cent; in pubs, from 48 per cent to 50 per cent; and in other public places from 82 per cent to 85 per cent.

- [ONS press report/summary \[pdf format\]. Smoking related behaviour and attitudes 2001, Series OS no.18 ONS \(free\), ISBN 1 85774 503 5 – check ASH website](#)
- [Pope bans smoking](#)

Stressed Britons "turn to drink"

British people spend more money on alcohol to help them cope with work and other stresses than any of their European counterparts, according to a survey. The survey results portray a Europe populated by uptight individuals, looking for ways to wind down. Andrew Russell, the report's author, said: "Work and commuting are the two most stressful activities in consumers' lives and both of these are set to increase." Commenting, TUC's Owen Tudor said: "Turning to drink isn't the answer to stress. Employers need to reduce the stress in the first place."

- [BBC News Online. Hazards advice on workplace drink and drugs policies](#)

Road safety? It's just a matter of luck

The government relies on "luck" as its safety policy for company car drivers, according to a hard-hitting report from the House of Commons Select Committee on Transport. The scathing report - which supports demands made in November last year by TUC ([Risks 29](#)) - compares and contrasts the health and safety procedures adopted by the government to protect staff in the workplace and to protect employees when driving on business. In the workplace, said the report, employees must undergo a high standard of training with regular updates. On the road, employees pass the driving test and most then receive no training updates. At work, vulnerable people are taken care of. On the roads, vulnerable people are expected to take care. And, the report continued, law enforcement at work is "strict" while on the roads it is "by luck." The powerful Select Committee also calls on the Government to provide the HSE with the resource to play a full part in the implementation of the recommendations of the Work-related Road

Safety Task Group (WRRSTG). Last week the HSC said the HSE did not have the manpower either to investigate road accidents involving at-work drivers or to enforce employers' duty of care to at-work drivers - two of the key recommendations of the WRRSTG. "Crashes which occur while drivers are working are very common and deaths caused in this way are probably the largest single cause of work-related fatalities," said the Select Committee report.

- **Select Committee Report. [TUC's June 2001 submission on work-related road traffic incidents](#)**

INTERNATIONAL

Australia: Oz workers more likely to be injured

Australian workers are three times more likely to die at work than their British counterparts, a union conference in Melbourne has heard. *Risks* editor Rory O'Neill told over 1,000 health and safety representatives attending a Victorian Trades Hall Council conference that modern workplaces present a myriad of new hazards to workers. He accused the Victorian Employers Chamber of Commerce and Industry (VECCI) of hypocrisy over their support for drug testing of workers and rejection of industrial manslaughter legislation. "What are they scared of? We don't want to imprison all corporate managers, just those whose negligence kills workers," Mr O'Neill said. He added that evidence from the UK, Australia and worldwide confirmed that union workplaces are safer workplaces.

- **[VTHC OHS rep website](#). More on the [union effect on workplace safety](#)**

Australia: Safety is a hot organising issue

A top union webzine has called for workplace safety to be an organising focus for trade unions. *Workers Online* editor Peter Lewis says occupational health and safety is currently a backwater, something divorced from the day-to-day activities of industrial negotiations and the forward looking organising agenda. "But talk to workers, and it's the issue at the forefront of their minds," he says in an editorial this week. He adds that a recent poll of members of the construction union CFMEU "found 71 per cent believed protecting workers' safety was an important union service - way ahead of wages and conditions." Lewis adds: "Where unionism is weak the safety rep structure provides a way in. Where unions are already strong these new structures are a way to engage members with campaigns that

actually mean something." He concludes: "Perhaps the time has come to mainstream work safety - recognise it's a hot issue for workers and therefore fertile ground for organising," introducing a new generation to trade unions.

- [Workers Online](#)

China: Coal mine explosion kills 115 miners

An explosion at the Chengzihe Coal Mine in Jixi city has killed 115 miners and injured another 24. The mine is managed by the government run Jixi Mining Corporation (JMC). The State Council has set up an investigation team into the Jixi disaster. Two earlier blasts in the mining city of Jixi had killed 31 miners and injured 43 others in April this year. A Jixi miner told *China Labour Bulletin* the introduction of privatisation and sub-contracting is the underlying cause, as mine operators pursue competitive profit targets. He said: "Those who are in charge of safety have far less power than those in charge of production." *China Labour Bulletin* adds: "The absence of worker representation, a result of monopoly union rights by the government-controlled All-China Federation of Trade Unions, as well as the employment of rural migrants as temporary contract workers, rules out the possibility of tripartite consultation and monitoring of mine safety."

- [China Labour Bulletin](#)

China: Government push safety reforms

China is to rush through legislation on work safety, official sources say. Xinhua, the official news agency, adds that the Ninth National People's Congress Standing Committee has noted that improvements in work safety should be supported by more investment. The draft safety law would establish legal liabilities for the use of out-dated techniques or equipment that endangered safety, together with better protective measures and training for workers. The draft also stresses the need for criminal proceedings against negligent employers.

- [Xinhuanet](#)

Tanzania: Search continues - at least 32 miners dead

Rescue workers continued their search for the bodies of at least 32 miners who died of suffocation in northern Tanzania after an air compressor failure in a tanzanite mine. The accident at Mererani was

caused by failure of an air compressor supplying oxygen to the pit, where tanzanite gemstones are dug out by small-scale miners. The tragedy follows an April 1998 incident where about 100 miners died and 21 survivors were rescued after torrential rains flooded 14 mineshafts in Mererani, where mainly small-scale miners eke out a living, mining gold and tanzanite. Tanzania's gold and platinum mines have also witnessed workplace tragedies in recent months.

- [Independent Online](#)

USA: £12.5m award in asbestos cases

A Manhattan State Supreme Court jury has awarded former New York Naval Shipyard employee John Matteson and the family of John Lustenring, a deceased maintenance mechanic for the Pfizer manufacturing plant in Brooklyn, a combined sum of \$19.5 million (£12.5m) for their pain and suffering. Both men had contracted the asbestos cancer mesothelioma.

- [Newsday](#)

USA: Sewer workers demand showers and laundry

Baltimore sewer workers have signed a union grievance demanding that the city provide laundry service and showers. Department of Public Works officials acknowledge the workers need showers and say they will seek funds to add them. Last week, in response to the grievance, they gave workers permission to use showers at a public works building. Daniel Kaufman, a national spokesperson for the AFSCME union called it "fairly rare" for sewer workers to be responsible for washing their uniforms at home, current practice in Baltimore. If workers do their own laundry, he said, it's usually in workplace machines.

- [Baltimore Sun](#)

Vatican: Holy smoke! Pope bans smoking at work

The Vatican will this week introduce a smoking ban. A law approved by Pope John Paul will ban smoking in nearly all closed spaces inside the 108-acre city-state as of 1 July. Violators, including cardinals and archbishops, can be slapped with a fine of 30 euros, about £20. Under the law, "no smoking" signs must be placed around the Vatican. The Pope, a non-smoker, signed the no smoking law on 4 June.

- [Reuters Health](#)

RESOURCES

TUC Education: Online courses for all union reps

Union health and safety and other reps can now get union training online. More than 30,000 union reps learn through TUC Education each year. Now the same high quality materials, the same tutor support, the same networking with other union reps, the same units of credit can be accessed online from the workplace, learning centre or from home. TUC online courses are aimed at those reps who would have difficulty accessing local colleges or who would prefer to learn online. All the union health and safety courses, including Stage 1, Stage 2 and the Certificate in Occupational Health and Safety, are available online. There is no fee for trade union reps attending these courses.

- [TUC details](#). More information from [Jackie Williams](#), TUC education and training officer, tel: 020 7467 1253 or complete the [online application form](#). You will be contacted with further information and course start dates

UNISON Health and Safety Organiser

The latest issue of *UNISON Health and safety organiser* features the result of UNISON's survey of traffic warden and parking attendant members on their experience of violence at work. It also includes articles on the trade union asbestos compensation victory, Health and Safety Week 2002, roving safety reps, compensation for safety reps and much more.

- [UNISON Health and Safety Organiser Issue 21](#) [pdf format]

HSE pack promotes duty to manage asbestos

The HSE has launched an *Asbestos risk management presenter's pack*, available free to HSE's "registered partners". It contains training material for events aimed at those affected by the proposed asbestos regulation when it is introduced in August 2002. The topics covered include: the hazards of working with asbestos; changes in asbestos law; the steps needed to comply with the new duty; and further advice and guidance. HSE says that under its new partnership logo a nationwide year long programme of events will be delivered through the "partner" network giving those with a duty under the new

regulation “an opportunity of gaining an early insight to their responsibilities.”

- **HSE [news release](#) and [asbestos campaign website](#)**

HSE videos

A catalogue of health and safety videos from HSE Books is available on the [HSE website](#) in pdf format.

EVENTS

Only newly announced events, events next week and very important events will be listed here in future. But there is a comprehensive listing of [health and safety events](#) on the TUC website – bookmark it for easy reference!

National Simon Jones Campaign film tour, 29 June to 11 August

Groups across the country have got together to organise a unique film tour highlighting the dangers of increasing casualisation in the workplace. The film *Not this time – the story of the Simon Jones Memorial Campaign* chronicles the death of Simon Jones on his first day as a casual worker - and the fightback. The 20-date film tour has its first British date at the Glastonbury festival on 29 June on the same bill as Billy Bragg and Mark Thomas.

- **Tour [dates](#)**
- **[Details](#) of how to get the video**
- **Simon Jones campaign [website](#)**

TUC/CCA Conference on safety law enforcement, 8 July

In January 2002, a coalition of trade unions, safety groups and families, bereaved from work-related deaths and disasters, came together around a series of demands for reform on safety, law enforcement and corporate accountability. This conference will explore this and the Government's agenda for reform. Registration costs £25.

- **[TUC/CCA conference details](#)**

Hazards 2002, National Hazards Conference, 6-8 September

The National Hazards Conference will be held in Manchester for the second year running. Further details from [Greater Manchester Hazards Centre](#). There is a [financial appeal](#) to keep registration costs down,

backed by the TUC.

European Week of Health and Safety 2002, 14-21 October

This year's week will take place in Britain from 14 October, on the theme of stress – there is a special [page](#) on the TUC website devoted to the week. Unions and union branches planning Euroweek activities should contact the TUC's stress week co-ordination team at [Worksafe](#), tel. 01535 664462, with details of what they are doing and what support they would like. More background: [European Agency](#) and [HSE](#) Euroweek webpages.

USEFUL LINKS

Visit the TUC http://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](#).

TUC courses for safety reps

COURSES FOR APRIL TO JULY:

[Wales](#), [Scotland](#), [North West](#), [Midlands](#), [South East and East Anglia](#), [South West](#)

COURSES FOR SEPTEMBER TO DECEMBER

[Midlands](#), [Scotland](#), [South West](#), [Wales](#),

For details of courses in the Northern, Yorkshire and Humberside regions, contact the [TUC Regional Education Officer](#)

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.