

Risks

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**HAZARDS
MAGAZINE**

 'Construction Safety
HSE - Have your say?'

Editor: [Rory O'Neill](#) of [Hazards](#) magazine. Comments to [Owen Tudor](#).
EUROPEAN WEEK OF HEALTH AND SAFETY AT WORK: 14-20 OCTOBER
If you have information about what is happening locally or in your branch, send it to tuc@worksafe.org.uk Details of what is happening are on the [TUC website](#).

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Risks is the TUC's weekly online bulletin for safety reps and others, read each week by over 5,000 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.

ACTION

European week for health and safety

The TUC is urging safety reps to give their workplaces a stress 'MOT', and register for the TUC/UK National Work Stress Network conference on 14 October, get involved in other European week events and tell the TUC about them.

- [TUC stress MOT](#)
- **TUC/UK National Work Stress Network conference** [agenda](#) and [registration form](#)
- [Calendar](#) of union events and [other events](#)

UNION NEWS

GPMU serves up stress-banana split as Euroweek recipe

Print and paper union GPMU has already said members should get seriously agitated about stress for the 14-18 October Euroweek on health and safety – and now it says they should also “go bananas” about trips and falls. The union, together with the industry's Paper Federation, is supporting a *Going bananas!* campaign on preventing slips, trips and falls in paper mills. Campaign packs recommend that all mills should: Whip up a slips, trips and falls (STF) team; sample their STF information; cook up an action plan; dish out campaign publicity in their mill; and serve up some action. It says GPMU safety reps should be actively supporting the campaign.

- [GPMU going bananas guide](#) and [Euroweek stress release](#)
- **Also new:** [UNISON – health and safety week inspection day update](#)

Victimised rail safety rep wins sacking case

A train driver and RMT union safety rep whose demotion to ticket inspector sparked a rail strike has won his claim for unfair dismissal. Greg Tucker, 47, said he was victimised by South West Trains for his

union activities and demoted after exceeding a train speed limit by 7mph. Mr Tucker was accused by the company of 'serious safety lapses.' This week an employment tribunal in Croydon, south London, ruled that Mr Tucker was unfairly dismissed and criticised some of the evidence against him for being 'implausible'. The tribunal also agreed that Mr Tucker had been singled out for his trade union activities and that his errors had not posed any danger. Mr Tucker said: "It has taken well over a year, but I have been completely vindicated by this ruling. I expect the company to reinstate me as a train driver." General secretary of the RMT Bob Crow said: "The company has made a habit of targeting union activists for disciplinary action and it is clear that they need to review their whole approach to industrial relations and get us back on a more sensible footing." In January, RMT members staged a two-day strike in protest at Mr Tucker's demotion, costing the company an estimated £9 million.

- [The Guardian](#), [The Independent](#) and [London Evening Standard](#)
- *Hazards* magazine [online victimisation guide](#)

Bullied teacher gets six figure payout

A teacher who says his health was seriously affected after being bullied for years by his former headteacher before being sacked has been awarded £230,000 compensation. Swansea teacher Alan Powis, 53, has agreed to an out of court settlement from Neath Port Talbot council. Mr Powis was sacked in 1997 on grounds of gross misconduct, after five years of bullying by Sheena Ball, the former head of Coedffranc Junior School in Skewen. The decision - one of the largest awards made for bullying - was welcomed by NUT Cymru regional secretary Gethin Lewis: "He had support from his union, family and local paper, but nothing from the governing body... and nothing from the education authority. The award reflects that his health has been damaged, all that Alan and other teachers would want is to stay in teaching and be properly treated and not have vindictive people putting them through disciplinary procedures which are unsupported by the facts of the case." Mr Lewis added the size of the settlement related largely to compensation for personal injury and the damage to his health from a breakdown.

- [BBC News Online](#)

Fatigue kills - so cut driver hours, say unions

UK transport workers including bus and truck drivers are to join the 15

October worldwide *Fatigue kills* union day of action to highlight the dangers of fatigue in the road transport industry. The co-ordinated Transport and General Workers' Union information and recruitment drive is intended to raise the profile of the TGWU, encourage more transport workers to join and to provide information on the European Working Time Directive on the 48-hour working week. The worldwide campaign is coordinated by the global union umbrella group the International Transport Workers' Federation. It says it expects this year's even to be even better than in 2001, when over a quarter of a million workers in 65 countries participated.

- [International road transport day of action, 15 October 2002](#) news and resources page

Interfish fingered for 'workhouse' compensation

Three workers victimised after refusing excessive working hours in a Plymouth 'workhouse' have received compensation. The Transport and General Workers' Union, who backed the employment tribunal case against fish processor Interfish Limited, praised the "three brave members who stood up for their rights not to work more than 48 hours a week under the Working Time Regulations." The tribunal heard that when the three refused to work excessive hours of up to 69 hours a week, they had shift changes imposed upon them and had their already low hourly rate cut. The tribunal ordered compensation to cover the losses in wages they had endured over the preceding five months. Dave Springbett, regional industrial organiser for the TGWU in Plymouth, said: "The Victorian workhouse still exists in Plymouth... I believe Interfish Limited should be named and shamed as Plymouth's, and possibly the region's, worst employer."

- [TGWU news release](#)

Retail union and industry fight shop violence

Shopworkers' union Usdaw is joining forces with the government and employers' group the British Retail Consortium (BRC) to combat the rise in retail crime. More than 19,250 retail workers were physically attacked last year with an additional 28,000 verbally abused or threatened, according to BRC's most recent retail crime survey ([Risks 65](#)). Usdaw general secretary Bill Connor, chairing a special fringe meeting at the Labour Party conference, said: "Retail crime is an issue that affects the whole of the community. With more than 2.5 million people employed in the sector, this is an issue of huge importance to workers and consumers alike." He added: "Last year robbers used

guns, knives, iron bars and sledgehammers to terrorise and injure shopworkers. This is an intolerable situation and we are all determined to take the crime out of retail and restore safety to the workplace." Bill Moyes, BRC director general, said: "Retail crime is a priority not just for employers, but employees, which is why we have worked closely with Usdaw to demonstrate that retail crime is not 'victimless'." Usdaw believes proper policies and prevention measures are essential ([Risks 32](#)).

- [USDAW](#) and [BRC](#) news releases

OTHER NEWS

Calls for corporate killing in Queen's Speech

The Centre for Corporate Accountability has obtained a 10 September 2002 letter from the Home Office to private sector bosses and to unions asking them for their 'assessment of the potential effect' of introducing a new offence of corporate killing. CCA director David Bergman commented: "We are pleased that the government is at least now undertaking an impact assessment of the proposed legislative changes." The TUC this week challenged claims that the Home Office letter meant Home Secretary David Blunkett was backtracking on the corporate killing law. In a letter to the *Financial Times* TUC general secretary John Monks said: "Under the proposals the Home Office is working on, which the Trades Union Congress very much hopes will be in this year's Queen's Speech, it will be easier to convict directors who have caused someone's death... We do not want scapegoats. We want accountability. That is the way to ensure that employers give more emphasis to preventing people being killed or injured in the first place." CCA said it was five years ago this week the government promised a new corporate killing law, adding: "Since then, there have been over 1,500 work-related deaths and the Southall, Paddington and Potters Bar rail crashes."

- [CCA press release](#), including text of Home Office letter and details of company manslaughter convictions.
- **Financial Times - John Monks' [letter](#)**

Company guilty after roadworker deaths

Two Wearside roadworkers who were killed while putting out traffic cones on the A1 were not properly supervised, a court has ruled. Traffic Management North East has been ordered to pay fines and

costs of £18,000 after Anthony Corkin and Kevin Barker died on the roadside at Leeming in North Yorkshire. An Asda lorry ploughed into the back of their flat bed truck in the early hours of 9 August 2000. "£18,000 doesn't seem a lot for my husband's life," said Mr Barker's widow, Shiralee. "But to be honest, I've got three kids to look after and I'm just trying to get on with my life as best I can without Kevin." In a separate case, Asda driver Brian Smith was jailed for two years at Teesside Crown Court for causing the two deaths by his dangerous driving. Last month, US safety enforcement agency OSHA issued guidance on roadworker safety ([Risks 71](#)).

- [Sunderland Today](#)

One in four workers "suffer bullying"

Nearly a quarter of all employees claim to have been bullied at work during the last year, a report has said. And one in 12 of the 3,500 employees surveyed said that they were the victims of regular at-work bullying. The survey by Mercer Human Resources Consulting, found workers in the public healthcare sector were the most at risk of bullying. Dr Patrick Gilbert, head of research at Mercer, said that if these findings were applied to the UK workforce then "over 1.5 million workers could be the victims of repeated bullying at work." However, the Department of Trade and Industry, responding to the survey, said bullying was "hard to define" and therefore "a difficult concept to place into workable legislation."

- [BBC News Online](#) and [FT.com](#). *Hazards* magazine's [workplace bullying factsheet](#) [pdf format]

Workers demand smoke-free workplaces

Britain's workers say their right to a smoke-free working environment far outweighs the right of people to smoke. The 6-to-1 ratio in favour of this basic right is revealed in a new survey for Action on Smoking and Health and comes on the second anniversary of the government receiving formal advice from its own experts to control passive smoking at work with a legally-enforceable approved code of practice (AcoP). Marsha Williams of ASH said: "Two years of government dithering hasn't changed people's basic understanding that they have a right to work in a smoke-free environment." Backing calls for a new code, TUC health and safety specialist Owen Tudor said: "The health and welfare arguments for protecting people from passive smoking at work are compelling and well established. Many of our union members represent the people most affected by passive smoke - those

employed in pub, bar, club and restaurant sectors. Without the ACoP they have little protection." Recent evidence shows the tobacco and hospitality industries have been using a "smoke and mirrors" deception to defend their bad habit ([Risks 56](#)).

- [ASH news release](#)

US lawyers halt cash for asbestos victims

General union GMB has called on prime minister Tony Blair to help hundreds of dying workers win justice. An emergency debate at Labour's Blackpool conference heard that thousands could die without a penny in compensation after US lawyers pulled the plug on a £10 million payout. The Washington Chemicals factory, part of the T&N group, employed more than 1,500 people and made asbestos for use in shipyards, schools and hospitals. Compensation claims were frozen when US parent company Federal Mogul put itself into administration last year ([Risks 63](#)). In Britain £70 million in assets were recovered and £10 million of that earmarked for former workers at the Washington factory and three other UK plants. But that has been blocked by a committee of US creditors who want all the cash. GMB Northern regional secretary Kevin Curran said: "This delay is unacceptable. The workers from Turner and Newall don't have time on their side, they are dying... the government needs to act to change the insolvency laws to prevent this type of situation ever happening again."

- [Newcastle Evening Chronicle](#)

Streaming video checks out in schools

A 'Check it out' safety video for school teachers produced for HSE and using a streamed video from the internet is proving popular, its producers say. StreamCity says within the first two weeks of the campaign 54 per cent of people clicking through from the strategically placed banners on the HSE website viewed the video, with 37 per cent watching it for the full four minutes plus. Five per cent of viewers forwarded the link to a friend. The video was produced to raise awareness of risk for students aged 14-18 on work placements and to guide teacher-led discussions. Dave Greene-Taylor of StreamCity said: "The HSE is leading the way as far as government departments are concerned by adopting this new technology in order to maximise how its messages are delivered and received."

- **See the [Check it out video](#). Related information:**

[HSE's <re> - risk education - webpages](#), giving information for teachers on health and safety as part of the National Curriculum

Safety is a top training priority for employers

Safety training has been pipped by communication skills and IT training as the top training priority for employers. The annual Training Trends survey by Capita found that 47 per cent of businesses rated communication skills as the most important area of training for staff while 42 per cent said IT training was the most crucial. Health and safety followed with 41 per cent, ahead of customer care (34 per cent) and business and finance. The research also found that small firms with fewer than 25 staff spent around £400 per head on training compared to just £350 per head by larger firms.

- [Personnel Today](#)

Two pints of lager and a packet of ear plugs, please

New research on noise risks to workers in pubs and clubs has found "there is a definite potential for harm to employees." It adds "it is not possible to establish the number of individuals whose hearing will be impaired as a result of this noise exposure." The HSE-backed researchers found the industry "has often not taken action to reduce the volume level of the music because of their perception for the need to maintain a commercially viable business based on a fundamental demand to provide a venue which offers loud amplified music." They call for clear guidance so local authority safety inspectors can enforce the Noise at Work Regulations 1989 and to help owners of pubs and clubs to comply with the law.

- [Summary and full report \[in pdf format\]](#)

INTERNATIONAL

Afghanistan: The short life of child workers

In Kabul, with a population of two million, more than 37,000 children live in conditions of extreme poverty, according to Afghan non-government organisation Oceana. Many of the city's children take on numerous small jobs to earn money, weaving rugs to sell to foreigners or wandering through traffic jams selling newspapers to drivers. The fall of the Soviet-backed government in 1992 and its replacement by first the Mujahedin and then the Taliban led to the closure of modern,

well-equipped factories, and an increase in workplace risks.

- [Mail and Guardian](#)

Global: IFJ reports a “blood-stained” year for press freedom

The death toll among media staff this year has topped 50, the International Federation of Journalists has said. “It is another bad and blood-stained year for press freedom,” said Aidan White, general secretary of the IFJ, which is calling for urgent action by media employers to support safety programmes to reduce the risks to their staff working in dangerous zones. “The human cost of covering the conflict story is already too high,” said White, “This is one area where the authorities, media organisations and journalists' groups need urgently to work together.” The IFJ, the world's largest journalists' group, has been carrying out urgent safety training work for journalists and media staff in war-torn regions this year. Recent journalist deaths have included British film-maker Roddy Scott in Chechnya, Issam Tilawi, a Palestinian journalist, shot allegedly by an Israeli army sniper while covering a peaceful protest in Ramallah, and Americo Viafara Valencia, an independent producer gunned down in Colombia.

- **IFJ news releases on the [journalist death toll](#) and [on freelancers at risk](#)**
- [Support the IFJ safety fund](#)

DaimlerChrysler signs global safety pledge

Multinational auto industry giant DaimlerChrysler and the union umbrella group the International Metalworkers' Federation IMF have signed a global code of conduct. The new agreement includes this explicit health and safety clause: “DaimlerChrysler ensures health and safety at the workplace to a level no less than required by national legislation and supports the continuous improvement of working conditions.” There are now 20 union-multinational worldwide agreements, 14 with explicit health and safety clauses.

- [IMF news release](#) and [full agreement](#)
- [Full list of multinational-union global agreements with health and safety clauses](#)

South Africa: Lawsuit fillip for asbestos miners

A South African company has agreed to delay unwinding its business while it deals with a dispute with miners over asbestos-related

diseases ([Risks 55](#)). And mining company Gencor has agreed not to go ahead with plans to unwind the company before a court hearing in mid-November. Lawyers representing 1,600 former South African miners dying from asbestos-related diseases have taken legal action against the company. They fear that once the business is unwound, Gencor will cease to exist and it will not then have to pay compensation to former miners who worked in the asbestos mines in which the company had substantial holdings. Mark Berry of UK-based Thompsons Solicitors, which has been supporting the case, said: "We want justice for South African miners, as asbestos victims in the UK have had." The South African government's minister of minerals and energy, Phumzile Mlambo-Ngcuka, said the government was supporting the court case because of Gencor's "lack of co-operation" in dealing with ill-health compensation claims by miners.

- [FT.com](#), [BBC News Online](#), [Allafrica.com](#)

RESOURCES

Corporate crime and accountability newlinks

The Centre for Corporate Accountability has created web-based news pages with links to articles in UK national and local newspapers on subjects including work-related deaths, inquests and manslaughter prosecutions. The site is updated every two weeks.

- [CCA newlinks](#)

What the unions said, safely reported

This year's TUC congress debated a number of motions on health and safety. For a full report of the safety debate, see the [TUC website](#).

Working safely in small enterprises in Europe

The European Trades Union Congress's safety research arm, TUTB, has produced a guide to health and safety in small and medium-sized workplaces (SMEs) in Europe. The publication came out of a European union-employer seminar "which pinpointed the organisational failings and the conditions for improving workplace risk prevention and preventive health for workers in SMEs."

- **Working safely in small enterprises in Europe: Towards a sustainable system for worker participation and representation in health and safety in SMEs.** [Contents, summary and order form.](#)

Single copies are free

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!

Work-death Inquests: keep them public! 9 October

A seminar organised by the TUC, Centre for Corporate Accountability and Inquest to discuss the government's consultation on inquests, and the proposal to end automatic public inquests into work-related deaths.

- **Venue: TUC, Congress House, Great Russell Street, London WC1, 10:00am to 1:00pm, Wednesday, 9 October 2002. Free. [More information](#). Contact: [Sugar Munthali](#) at CCA on 020 7490 4494.**

TUC/UK Work Stress Network Conference, 14 October

The TUC will be holding a joint conference called *Tackle the hassle: strategies for stopping stress and beating bullying* with the UK National Stress Network on Monday, 14 October at TUC headquarters in London, to launch European Week for Health and Safety. An [agenda](#) and a [booking form](#) are now available.

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, and we have just launched the [TUC stress MOT](#) which can be used during the week or afterwards to identify the stress problems in your workplace! A [calendar](#) of union events and initiatives during the week is on the TUC website. 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.

"No Sweat" conference, London, 23 November

Union organisers from the MexMode (formerly KukDong) factory in Mexico are to speak at the No Sweat conference at the School of

Oriental and African Studies in London on 23 November. The KukDong factory produces for multinationals including Nike and Reebok. Nike tried to pull out of the factory after workers campaigning against poor workplace safety and employment conditions won union recognition. Registration £5 (discounts by negotiation), cheques payable to No Sweat. [More information](#). Email [No Sweat](#) or phone 07904 431 959.

Conference on Violence at Work, 2 December

Hosted by the TUC, this conference will be run by the Government Inter-Departmental Committee on Violence to Staff. For further information contact [Tom Mellish](#).

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 SEPTEMBER TO DECEMBER:

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

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What's new in the [HSC/E](#) and the [European Agency](#).

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