

Risks

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**HAZARDS
MAGAZINE**

ASBESTOS
HSE RISK MANAGEMENT

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



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CONTENTS

- Action: Hazards 2003 Conference financial appeal
- Feature: latest workplace statistics: TUC outrage at "sickie nation" * GMB calls for a stress law
- Union news: TUC welcomes compo scheme reviews * safety reps road test HSC permissioning policy * UNISON hits out at HIV tests "overreaction" * UCATT rep is construction's No.1 worker
- Other news: campaign forces inquest after bridge deaths * inquest says commercial diver was unlawfully killed * killer soup cooker had a broken safety system * RSI: the arm in pulling pints * change to asbestos ban * HSE says employers should help pregnant women * local authorities must improve safety enforcement
- International news: China: families held to block mine deaths compensation call * Global: getting the news home safely * smoking campaign spreads like wildfire * rules save lives, says WHO * USA: union and green group court toxic wood block
- Resources: UnionSafe web resource
- Events

Risks is the TUC's weekly online bulletin for safety reps and others, read each week by over 5,500 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

Hazards 2003 Conference financial appeal

The Hazards Conference, the premier national event for UK trade union health and safety reps and campaigners, will be held in London in September 2003 and is seeking sponsors. The organisers say sponsorship for the conference, which has TUC backing, is essential not simply to keep costs down but to pay wages of the conference organisers in London and Manchester, where both Hazards Centres face uncertain futures because of changes in local authority grant allocation. To help protect this unique resource for union safety reps, explore sponsorship from every level within your union, from workplace level, to region, to national office.

- [Hazards Conference 2003 appeal](#). **Print off and use sponsorship leaflet [[pdf format](#)]. More on the [Hazards Campaign](#). To get involved as a steward or workshop leader contact [Margaret Sharkey](#) at the London Hazards Centre. Donation cheques should be made out to *Hazards 2003* and sent to John Bamford at Greater Manchester Hazards Centre, 23 New Mount St, Manchester M4 4DE**

FEATURE: Latest workplace statistics shocker

TUC outrage as stats expose a "sickie nation"

Deaths at work have fallen, major injuries have levelled off but sickies are soaring as Britain's workers wilt under the workplace strain. Commenting on new official statistics showing an estimated 40.2m days are lost last year to illness and injury, TUC general secretary John Monks said: "Britain is becoming a 'sickie nation' because of the stresses and strains of the modern workplace. If strikes were causing the loss of 40 million days a year, there would be howls of outrage and immediate legislation. But justified outrage about work-related illness and injury seems to come only from trade unions." He added: "Employers need to wake up and take action to make the working

environment safer and less stressful, and the government needs to deliver the resources to help employers prevent injuries and ill health and get people back to fitness and back to work, with more money for the HSE a top priority." The latest HSC figures show that 249 people were killed in work-related accidents around Britain in 2001/02, 43 fewer than 2000/01, and there were 27,477 major injuries, 47 fewer than 2001/02.

- [TUC news release](#). [HSE news release](#). [HSE 2001/02 statistics summary and highlights](#). [BBC News Online](#). [Western Daily Mail](#)

GMB says there is twice the reason for a stress law

The number of people suffering from stress and stress related conditions caused or made worse by work has more than doubled since 1990, says general union GMB. Pointing to new official HSC figures, showing more people complaining of stress than back problems, GMB says it is time there was legislation to force employers to take action on stress. The estimated prevalence of stress and stress related conditions in 1990 was 829 cases per 100,000 workers, compared to 1,700 per 100,000 in 2001/02. GMB health and safety officer Kim Sunley commented: "It is clear that the 'carrot' approach of providing advice and information including the HSE's guide on stress has failed to reduce work related stress. At the very least we need an Approved Code of Practice and an enforcement 'stick' to make sure it is applied." The GMB call has been echoed by the independent London Hazards Centre which added a new law should be "vigorously enforced so the number of people affected is drastically reduced – and quickly." HSC's figures show that last year 13.4m lost work days were attributed to stress, anxiety or depression and 12.3m to musculoskeletal disorders. Over the 12 months, there were an estimated 265,000 new cases of stress.

- [GMB news release](#). [LHC news release](#)
- [UK National Work Stress Network](#)

UNION NEWS

TUC welcomes compo scheme reviews

The TUC has welcomed two government reviews of the employers' liability insurance system. The Department of Work and Pensions will head a multi-department investigation of Employers' Liability Compulsory Insurance (ELCI), while the Office of Fair Trading will

undertake an investigation of the whole liability insurance market, including ELCI. Minister for Work, Nick Brown said: "We will be working closely with all stakeholders on this review that will report to Ministers in Spring 2003. We will continue to work closely with insurers, brokers and businesses to ease the existing pressures in the meantime." The reviews follow complaints that firms were facing "crippling" ELCI premiums to insure against workplace accident and disease claims ([Risks 82](#)). TUC general secretary John Monks said: "Liability insurance does need reform, but not at the expense of victims. Employers have got away with insurance on the cheap for far too long, and workers and consumers have picked up the tab as victims or taxpayers." He added that reform is necessary and should benefit everyone – policyholders, especially small firms, insurers and victims. "But this will only happen if business gets its act together and improves its record on prevention and rehabilitation."

- [TUC news release](#). [DWP news release](#). [OFT news release](#). [EEF news release](#)

Safety reps road test HSC permissioning policy

The TUC has called in top experts to advise on a major safety policy – two groups of safety reps who road tested the policy on TUC courses. In its response to a draft HSC policy statement on "permissioning regimes" – extra-stringent operational stipulations laid down for some of the most hazardous work processes like rail, oil and chemicals - the TUC called for greater openness, and clearer responsibility for implementing safety cases. TUC says the safety rep test revealed a need for more illustrative examples and for extra training for safety reps engaged in implementing permissioning regimes, sometimes jointly with line managers.

- ***Permissioning: open and accountable?*** [TUC response to the draft HSC policy statement on permissioning regimes](#). [HSC's Draft Policy Statement on Permissioning Regimes, Consultation Document CD 185](#)

UNISON hits out at HIV tests "overreaction"

Press reports that the government may start testing NHS staff for HIV infection in 2003 have met with dismay from health service union UNISON. Suggestions that a consultation paper in the new year will detail plans for a testing programme for all new health service staff,

"would not just be completely unnecessary but represent a serious overreaction," the union has warned. June Chandler, UNISON national officer for health, commented: "Any move to impose pre-employment HIV testing for new recruits to the NHS would be a waste of NHS resources and would cause unnecessary stress and anguish to all those undergoing tests. There is no known case of a patient in the UK being infected by an HIV health worker. The risk factor is very low. Only a limited number of NHS jobs involve the possibility of transferring a blood-borne virus to a patient." UNISON adds that as 18,000 workers are recruited into the service each year, "testing every new recruit would present NHS employers with an expensive and very time-consuming burden."

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

UCATT rep is construction's No.1 worker

A union rep has won a top industry safety award after being nominated by workmates. Pat Dowling, a rep for construction union UCATT, was named "No.1 worker 2002" at the third annual Working Well Together 4Cs Awards. He was nominated by workmates at the Bovis site at Paternoster Square, London. One commented: "Pat is always thinking of his fellow workers. Building sites would be a lot safer if there was someone like Pat on each of them." Awards were presented in four main WWT categories – co-operation, communication, competence and commitment – the 4Cs.

- [HSE news release](#) and [WWT news release](#). **The WWT campaign helpline is 0845 27 27 500**
- [UCATT](#)

OTHER NEWS

Campaign forces inquest after bridge deaths

Legal action by victims' rights advocates has forced a coroner to hold an inquest on a man who fell to his death with three other workers in a gantry collapse on the Avonmouth bridge. Avon coroner Paul Forrester had previously ruled that a hearing was unnecessary because the companies involved had been prosecuted by the HSE. But legal action by the family of 24-year-old Paul Stewart has now forced the turnaround. Mr Stewart's father, George Stewart, started legal proceedings at the High Court to force the coroner to hold an inquest. Clare Collier, from the Public Law Project, which acted for Mr Stewart, said the coroner's original decision not to hold an inquest was unlawful.

David Bergman from the Centre for Corporate Accountability, said an inquest would give the families the opportunity to determine whether decisions by the HSE not to prosecute any individual managers or directors were correct. In November 2001, Yarm Road Ltd and Costain Ltd, were ordered to pay a total of £1m after pleading guilty to health and safety offences ([Risks 30](#)). CCA and unions GMB and TGWU supported the campaign for an inquest. The TUC has recently called for all deaths at work to be investigated by public inquests ([Risks 83](#)).

- [Centre for Corporate Accountability news release and supporting documents. BBC News Online. Newcastle Evening Chronicle](#)

Inquest says commercial diver was unlawfully killed

A commercial diver who drowned in Canary Wharf was unlawfully killed, an inquest jury has ruled. Gary Miller, 36, was working for specialist contractor Arkal Limited when the incident happened on 8 November 2000. After the verdict coroner Dr Andrew Reid said he would ask the police and the Crown Prosecution Service to "look at the file". Specialist diving consultant Dr John Bevan had earlier told St Pancras Coroner's Court that he believed Mr Miller's mask had been incorrectly assembled and the suit he had been wearing was "not ideal" as a left-hand crutch-strap was missing and another was taped on. A statement from Mr Miller's family said: "Gary was let down by his diving team, who were in effect his life support system, which contributed to his death." The statement added: "He was then let down in death by the 'system' which is supposed to be there to protect workers. We cannot find words strong enough, which describe the additional pain and anguish that has been forced on our family on trying to ascertain the truth."

- [BBC News Online](#)

Killer soup cooker had a broken safety system

A factory worker from Deptford died after half a tonne of red-hot spinach soup exploded, a coroner's court has heard. Zachariah Conteh, aged 34, suffered severe burns after soup shot from a pressure cooker containing the Thai broth. His widow, Lamrana Conteh, has announced she plans to sue the New Covent Garden Soup Company, where Mr Conteh, originally from Sierra Leone, was working. Mr Conteh had been about to add extra ingredients to the soup, which was bubbling at about 105 degrees, West London Coroner's Court heard. Engineering tests after the incident found a safety system that should have warned

him of the danger of opening the hatch was broken, and the soup sprayed in his face. An accidental death verdict was recorded.

- [This is local London](#)

The arm in pulling pints

A bar worker has been diagnosed with repetitive strain injury - after pulling more than 150,000 pints. Samantha Croft, 34, went to the doctor's after suffering shooting pains in her right arm. She was referred to a physiotherapist who pin-pointed the cause straight away. She told *The Sun*: "I've worked in the licensing trade all of my life, but I never knew it would have this sort of affect on my health. The ache in my arm gradually got worse over the years till I couldn't stand it any longer." TUC's Owen Tudor commented: "The strain injury risks to bar workers are well known and are far from inevitable. Whether you are pulling pints, pushing patients or plucking poultry, your employer should ensure you do not end up popping painkillers."

- [The Sun](#)
- [RSI Association](#)

Intentional change to the asbestos ban law

The HSC is looking to make modifications to Britain's asbestos ban laws to bring them in line with European Union standards. The HSC amendments propose that the import prohibition be amended to apply to crude, fibre, flake, powder and waste asbestos and to any product to which asbestos has been "intentionally added." The current prohibition applies to any product containing asbestos, whether it is introduced intentionally or not.

- [The proposal to amend the Asbestos \(Prohibition\) Regulations \(1992\)](#), HSC consultative document **CD186. Comments should be sent to your union or to [Owen Yorath](#), HSE Asbestos Policy Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS by 28 February**

HSE says employers should help pregnant women

New HSE guidance tells employers how to ensure pregnant women have a safe and healthy experience at work – and warns employers they could get hammered by a tribunal if they don't. *New and expectant mothers at work, a guide for employers* gives detailed

advice on the possible risks to new and expectant mothers and tells employers how to carry out the legally-required risk assessment to identify potential hazards. HSE's Colleen Bowen said: "New and expectant mothers are entitled to a change in working conditions, should be offered suitable alternative work, or if that's not possible, suspended from work at the same rate of pay if risks to her or her child's health and safety have been identified." She added that HSE would investigate complaints and take action where necessary. Equal Opportunities Commission statistics found that in 2001, out of 1,434 potential tribunal cases involving pregnancy-maternity related discrimination, 1,387 involved some breach of health and safety legislation.

- [HSE news release](#). [HSE new and expectant mothers at work webpage](#). [Equal Opportunities Commission helpline 08456 015901](#). [EOC guidance on pregnancy and maternity law](#). [European Commission guidelines \[pdf format\] on the assessment of workplace risks to pregnant workers, workers who have recently given birth or are breastfeeding](#)
- [Union sources on women's health and safety](#)

Local authorities must improve safety enforcement

Britain's top safety official has called on local councils to address a rising workplace injury rate, and has promised "positive action" against local authorities not making the grade. The call from HSC Chair Bill Callaghan comes as latest official figures show inspections, enforcement action and fines in the local authority enforced sectors of the economy continue to drop as workplace injuries rates show an upturn ([Risks 81](#)). Speaking at the HSE's Local Authority Enforcement Liaison Committee (HELA) annual conference, he said: "I challenge chief executives and leaders of councils to act now to reduce this decline in trained and competent staff allocated to health and safety, and to enable local authorities to play their part in reducing the number of deaths and injuries in the premises for which they are responsible." He said a programme started last year to monitor the local authorities' management of health and safety enforcement would continue, adding "if a council fails to reach the required standard, HSC will intervene. A report of this intervention would be presented to ministers and be made public. The HSC will take positive action." He said there would be a thorough review of all HELA activities.

- [HSE news release](#)

INTERNATIONAL

China: Families held to block mine deaths compensation call

The families of victims of a 6 December coal mine blast that killed 27 miners are being kept apart in an effort to block joint calls for compensation and action. The miners died when a fire ripped through an illegal single-shaft coal mine operated by the state-owned Wanbao Coal Mine in Taonan City, trapping 30 miners underground. *China Labour Bulletin* (CLB) reported that "in order to stave off any collective effort to seek compensation, the victims' families had been separately put up in local hostels and hospital wards by the local government and mine management." CLB says "the victims' families have the right to bargain collectively for compensation from the mining company, and it is absolutely abhorrent that they have been held in isolation from each other." It adds: "Wanbao Coal Mine has been eroded by the corrupt mine management in collusion with provincial government officials. The central government must undertake a thorough investigation into the problem, which has left the miners either unpaid or killed in unsafe working conditions."

- [China Labour Bulletin news release](#)

Global: Getting the news home safely

An unprecedented coalition of media companies, journalists, press freedom groups and international organisations has announced plans to launch a new global network to counter attacks on media and violence against journalists. The International News Safety Institute, based at the International Press Centre in Brussels, is the initiative of the world's largest journalists' group, the International Federation of Journalists (IFJ), and the International Press Institute, which represents editors and media executives. Aidan White, general secretary of the IFJ, said that already in 2002 some 65 journalists and media staff had been killed while on duty and hundreds more were affected by violence against media. "It is time for media to work together to reduce the risks and to confront those who threaten journalism around the world," he said. "This is a unique network of solidarity that that will provide practical assistance to journalists and media staff most in need anywhere in the world." He added that more than 80 organisations working for news safety had already signed up. The Institute will set international standards for safety training and equipment, expand risk awareness training, provide a clearing house

for safety information, and will lobby for industry and governments for more effective action to protect journalists.

- [IFJ news release. International News Safety Institute](#)

Global: Smoking campaign spreads like wildfire

Calls for action to end the passive smoking risk at work and in public spaces are spreading worldwide. In Germany, Marion Caspers-Merk, the government's "drug czar," said this week: "We want to create a climate in which non-smoking is the norm, and therefore more strongly limit smoking in public places and at the workplace." Italy's lower house of parliament has also approved a strict anti-smoking proposal. The new rules, which it is expected will be passed by the upper house, mean Italians who ignore smoking bans in public places and workplaces risk fines ranging from 25 to 250 euros (£16 - £160). The fine is doubled if the violation takes place in the presence of pregnant women or children up to 12 years old. Failure to enforce smoking bans results in stiffer fines, ranging from 200 to 2,000 euros (£129 - £1,290). In New York officials have approved new rules to ban smoking in most public places including bars, nightclubs and restaurants ([Risks 67](#)). A "Stop global tobacco" campaign is aiming to reverse US government support for the tobacco multinationals who have objecting to global smoking control rules.

- **Smoking control news from [Germany](#), [Italy](#), [USA](#).**
- [Stop global tobacco web campaign](#)
- [Action on Smoking and Health](#)

Global: Rules save lives, says WHO

International legislation could do more to improve the prospects for global health, the World Health Organisation (WHO) has reported. Papers in the global health watchdog's latest bulletin "show how the law plays, or can play, an ever more important part in fighting lung cancer, infectious diseases, and environmental and other health hazards." Most of the global rules it highlights directly impact on workplace and environmental health and safety. The international convention on tobacco control "is a global response to a global menace," it says. The Stockholm Convention on Persistent Organic Pollutants, hailed as "a global public health treaty" when it was finalised last year, deals with common workplace chemicals. And the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

aims to limit the export of hazards to developing nations, where safety and environmental laws and enforcement are frequently more lax.

- [Bulletin of the World Health Organisation](#), vol.80, no.12, 2002

USA: Union and green group court toxic wood block

The Communications Workers of America has joined US environmental group Beyond Pesticides in a federal lawsuit to stop the use of the highly toxic wood preservatives chromated copper arsenate (CCA on "tanalised" timber), pentachlorophenol (PCP or penta) and creosote. CWA says it represents about 25,000 workers whose jobs in telephone repair, service and installation bring them into regular contact with poles treated with the chemicals. Court papers accuse the US Environmental Protection Agency (EPA) of failing to act to protect workers' health and the environment, despite "overwhelming data" showing the health risks. CWA president Morton Bahr commented: "Because of the EPA's failure to act, tens of thousands of workers are exposed daily to chemical wood preservatives that have debilitating effects on workers' long term health. This is a serious workplace issue that must be addressed." The three preservatives have been linked to a wide range of health problems, including cancers, birth defects, kidney and liver damage and neurological disorders.

- **News releases from [CWA](#) and [Beyond Pesticides](#).
The [Beyond Pesticides woodpreservatives programme](#)**

RESOURCES

UnionSafe web resource

[UnionSafe](#) is an excellent new union web resource from the Labor Council of New South Wales, Australia. The news content is largely Australia specific, but the resources and the approach have their uses anywhere. The site says it "is designed to make your job easier, whether you are a workplace safety rep, a union official or a trade union educator." It includes a sections on: workplace rights, risks and campaigns; the law and industry codes; and an educators section with the latest training materials, including a new Youth Safe package. The site is funded by WorkCover, the official safety agency in New South Wales.

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!

International RSI Awareness Day conference, 28 February

The RSI Association are holding a conference in Nottingham to celebrate international Repetitive Strain Injuries awareness day (the last day of February is the only non-repeating date of the year). Further details from the [RSI Association](#).

National No Smoking Day, 13 March

["No Smoking Day"](#), the charity behind a 13 March 2003 no smoking day, says there are around 13 million smokers in the UK and nearly 70 per cent are sick of smoking and want to stop. It is urging organisations and individuals nationwide to back the day.

Risks 100 conference, 4 April

A day-long conference celebrating the 100th issue of Risks which will be issued that day, addressing the themes that Risks addresses - union and international news, action and resources. Note the date for now - booking forms will be available in due course.

UK stress conference, 12 April

The UK National Work Stress Network's conference will take place on Saturday 12 April 2003 at Hillscourt Conference Centre, Rednal near Birmingham, sponsored by NASUWT. [Conference details and flier](#).

International Workers Memorial Day, 28 April

This year the theme will be corporate accountability for workers' health and safety. The TUC will be co-ordinating a series of events around the country. A background [briefing](#) on the 2003 theme is available on the [page](#) of the TUC website devoted to Workers' Memorial Day. Order a poster from the [TUC](#) (single copies free) or bulk copies at a good price from [Hazards](#)

Hazards Conference, 5-7 September

The Hazards Conference will be in London. Margaret Sharkey at the London Hazards Centre is the co-ordinator of the London end of the organisation. You can contact her via e-mail at margaret@lhc.org.uk or

on 020 7794 5999.

European Week for Health and Safety at Work, 13-19 October

The theme for the Week in 2003 will be 'dangerous substances' (EU Agency [press release](#)). The TUC will be stressing the hierarchy of control, and especially the need for substitutes and general toxic use reduction strategies. Key hazards dealt with will include asbestos, asthmagens and solvents. [Future years' themes](#) have also now been decided.

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 JANUARY TO MARCH 2003:

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

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