

# Risks

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HSE RISK MANAGEMENT

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**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

### **Keep workers' safety centre!**

The London Hazards Centre (LHC) needs your support to ensure its survival. Its core funding from the Association of London Government (ALG) is under threat – and without it, the union-backed centre would not be able to continue in anything like its present form. A second application to the ALG grants committee will be considered in April 2003 – its first bid was turned down on a technicality. LHC says it needs help now from unions, community organisations and other supporters based in the capital. It says: "We would like you to write to or email the councillor for your locality and inform him/her of the important work of the Centre, the large number of people who benefit from it and the necessity of having our grant maintained. Please send us a copy of your letter/email." A list of councillors on the grants committee and their full email and contact details are available on the LHC website.

- **[LHC funding appeal](#) including full contact details for grants committee members. If you need any more information [email](#) or telephone the Centre for a briefing. Tel: 020 7794 5999**

### **Tell us again what you think of Risks**

*Risks* hopes to provide high quality and up-to-date news and information, and to stimulate activity on health and safety issues. The TUC's health and safety online weekly has now appeared 85 times, without a break. The number of email subscribers has just about reached 6,000, with thousands more reading *Risks* online or forwarded by colleagues. The first *Risks* reader survey a year ago helped us to find out more about our readers, and to identify improvements that could be made ([Risks 73](#)). It also showed that *Risks* readers had become e-activated on health and safety. Now we hope a second survey will show us what has changed with you, and what we need to change. Responses to the survey will be collated on a non-attributable basis, and any personal information will be deleted before any use is made of the figures. The TUC wants to hear from all readers, not just the safety reps at whom the bulletin is aimed.

- **[Risks online health and safety survey, No.2](#) – please complete the online survey and return it by**

**Sunday 12 January 2003 at the latest**

## FEATURE – Holiday special

### **The workSMART answer to cold feet and hot love**

The answers every employee is seeking to Christmas headaches at work can be found on TUC's new workSMART website. A festive log-on to the workSMART guide will gift you the seasonal solutions to problems ranging from cold feet in the office, to hot love in the stationery cupboard, from taking bribes to taking holidays. And there's information on the sanity clause that should be invoked before anyone opts for workplace tipping or the traditional xmas encounter with the photocopier. TUC general secretary elect Brendan Barber said: "Christmas should be a time of goodwill at work but this time of year brings its own problems. The TUC workSMART guide to surviving Christmas at work will help everyone get through the festive season."

- [TUC news release. workSMART guide](#)
- **The question every trade unionists is asking this Christmas – is there a new boss at TUC's HO HO HQ? [Find out more on Brendan Barber, TUC's incoming chief](#) and spread some seasonal cheer online with our [TUC e-cards](#), designed by top political cartoonist, Steve Bell**



### **Killer party balloons blow up in Tories' faces**

A campaign by Welsh Tories in defence of potentially lethal party balloons has blown up in their faces. Officials at the National Assembly had said, sensibly, that foil not latex balloons should be used at office parties because "someone may be latex allergic and a severe reaction could be caused." But Conservative assembly member Jonathan Morgan described the move as "absurd", adding: "I'll happily have balloons in my office - I don't know of anyone with a latex allergy." Conservative AM Alun Cairns added his gift of festive cynicism, described the ruling as "red tape gone mad". But Felicity Williams, assistant general secretary of the Wales TUC, indicated the Tories' breathtaking ignorance bordered on deadly balloon-acy: "The comments by Alun Cairns and Jonathan Morgan display a lack of

understanding for an issue that has ended careers, brought misery to hundreds of workers in Wales, and is costing employers millions in compensation payouts." She told *Risks*: "Latex allergies can kill people and the decision to protect staff and members of the public by not allowing latex in the building is a very sensible precaution and not about removing Christmas cheer. Good health and safety practices are all too readily talked down as 'red tape'. It is that lack of understanding that has wasted the careers of too many people and one the Wales TUC is determined to end."

- [Latex allergy links – latest balloon stories. Yellowbrix.com](#)
- [Latex allergy support group](#)

### **Enjoy Christmas – but don't be a victim of crime**

Expert advice on how to stay safe at work during the Christmas shopping spree has been issued to more than 7,000 activists in the retail union Usdaw. Special information packs sent to Usdaw reps across the UK as part of the union's *Freedom From Fear* campaign aim to help them tackle violence and abuse against shopworkers ([Risks 83](#)). Usdaw deputy general secretary John Hannett said: "Our members work harder than ever during the festive period, but so do the organised gangs of shoplifters and opportunist thieves, who try to cash in under cover of crowded shops and while staff are over-stretched." He added that consideration from customers was also important: "Our own research has also shown that every day problems like long queues, stock shortages, and crowded shops can trigger aggressive behaviour among customers who often take out their frustration on shopworkers. This is unacceptable and I appeal to the shopping public, whatever the cause of their frustration, to show respect to shopworkers."

- [Udaw news release](#)

### **Steelworkers strike over Santa affair in Scrooge company**

About 800 BHP steel workers in Victoria, Australia have walked off the job after an employee was reprimanded for telling his colleagues Santa would not be visiting this year. The employee emailed workers at the BHP Steel plant, condemning BHP's Bah-Humbug Policy decision not to distribute Christmas hampers to workers for the first time in a decade. He received a written warning for breaching a company policy, which only allows email to be used for 'legitimate business purposes.' Speaking after a stopwork meeting voted unanimously for a 24 hour

strike, Australian Workers' Union (AWU) national secretary Bill Shorten warned that if workers thought complaining would jeopardise their jobs they would be unlikely to speak out about issues such as unsafe work practices. He said BHP "is creating a culture of silence, a bad culture, a dangerous culture. If workers aren't encouraged to give bad news it might have tragic consequences. What if a worker wanted to make adverse comments about safety?" AWU has requested a meeting with BHP Steel to discuss the email policy.

- [Sydney Morning Herald](#)

## UNION NEWS

### **Government "squandering billions on compensation," says TUC**

The government is cutting back on health and safety expenditure, yet "squandering billions on compensation", the TUC has said. The TUC warning comes as latest official HSE reports show Britain is becoming a 'sickie nation' ([Risks 84](#)) and doing much worse than previously thought on meeting workplace prevention targets. TUC says the work compensation bill is now over £2bn a year, eight times the amount spent on HSE. TUC general secretary John Monks said: "Now is not the time to cut back on the HSE, but that, amazingly, is what ministers are planning to do." He added: "We are squandering billions on compensation every year, while cutting back on prevention. Unions will of course continue to fight for fair compensation for victims, but they and we would far rather that their injuries and illnesses were prevented in the first place." TUC says HSE's funding allocation through to 2005/6 will not keep pace with inflation - resulting in a cut in real terms of nearly 10 per cent - and does not take account of new responsibilities. It adds that local authorities have lost a third of their inspectors in the last five years ([Risks 81](#) and [Risks 84](#)). TUC wants to see an increase in the number of HSE and local authority inspectors, government support for roving safety reps appointed by unions to visit small workplaces, and more free HSE guidance for small firms.

- [TUC news release](#). [HSE news release](#). [Latest HSC/E reports and statistics](#). ***Health and safety targets – how are we doing? (a supplement to the HSC Annual Report and HSC/E Accounts 2001/02), MISC489, will be available free from early January from [HSE Books](#). Available now online in pdf format***

**Unions back fire law rethink**

The TUC has welcomed government proposals that will bring Britain's fire safety laws in line with other workplace safety legislation. In a submission to a government consultation document, TUC backs five key changes. It wants to see: Adequate resources for fire safety inspections, so that goal-setting fire safety regulations don't become ineffective self-regulation; an enhanced role for union workplace safety reps, "who should be consulted automatically and involved in a partnership for prevention with employers and the fire authorities"; legal status for the government's guidance on fire safety risk management; no exemption from the duty to record the significant findings of fire safety risk assessments for firms with fewer than five employees; and an end to crown immunity for the government over fire safety on its own premises. TUC adds that it endorses the more detailed comments made in an earlier submission by the Fire Brigades Union.

- [Inspect to protect, consult to prevent: TUC response to the Consultation Document \[pdf format\] on the Reform of Fire Safety Legislation issued by the Office of the Deputy Prime Minister.](#)  
[FBU detailed response](#)

### **Six figure payout for overwork stress**

A young financial adviser for Pearl Assurance has obtained six-figure compensation for work-related stress. The Amicus-MSF member routinely worked 75 hours per week as a financial adviser over several years with dwindling back-up and support from his employer, says the union. The man, in his mid-thirties and who has not been named, suffered a nervous breakdown as a result. "Having recovered, he returned to work only to be faced with the same workload and lack of support which had originally caused his illness," says the union. "He suffered a second nervous breakdown and was unable to continue in his employment. He is now attempting to re-build his life at a vastly reduced salary. The union supported the member's personal injury claim and we were able to achieve a six-figure sum in settlement based on his second breakdown." Amicus-MSF says it "is campaigning to reduce stress and overwork in the workplace by encouraging employers to inform and consult with union health and safety representatives and conduct risk assessments for employees exposed to a stressful working environment."

- [Amicus-MSF news release](#)
- [UK National Work Stress Network](#)

### **GPMU wins payouts for printers**

Print union GPMU has won massive compensation settlements for two members injured at work. A printing machine assistant who will never work again after his hand was crushed by a machine has received a £650,000 compensation payout. The man, who worked for Quebecor Printing (UK) in Corby, part of the world's largest printing company, had his left hand crushed when a winding machine malfunctioned as he attempted to remove a piece of paper. The union also secured £120,000 compensation for a member who was badly injured after falling backwards off a printing press at Acorn Web Offset Ltd in Yorkshire while trying to adjust a top ink duct.

- [GPMU news release](#)

### **"Are you afraid of work?" asks PCS poll**

A website poll to find out about violence at work is to record the problems experienced by members of civil service union PCS. The poll is made up of five questions taken from the British Crime Survey. It asks members about their fear of physical attack, verbal abuse and threats at work, and the affect of this on their health. In November 2002 PCS released results of a survey into Jobcentre and benefits workers' experiences of violence of work ([Risks 78](#)). The results when compared to the British Crime Survey made shocking reading, said the union: 76 per cent of benefits and jobcentre staff in constant contact with the public were worried about physical attack, compared to an average of only 14 per cent of workers surveyed by British Crime Survey. Results of the PCS poll will be published in January 2003.

- [PCS news release](#). Also see the [PCS poll](#) and [safety at work campaign pages](#)

### **Filipino nurse murdered in Oldham**

A Filipino nurse has been murdered in nursing accommodation, leading to calls for better security. Debbie Remorozo, 26, a member of UNISON's Oldham health branch, was found by colleagues at her flat in Oldham, Greater Manchester. She had been working as a staff nurse at the Royal Oldham Hospital. "The union and Oldham Health Trust are devastated by the news," said UNISON branch secretary Terri Evans. "Debbie was a lovely, conscientious colleague and our thoughts go out to her family and to the Filipino community in the UK." Remorozo was part of the second batch of nurses to come to Oldham from the

Philippines, where there is a surplus of trained nurses. "The safety of the staff is of concern to the trust and the union as is the safety of all trust employees," said Evans. Oldham Health Trust is now working with police to ensure the safety of other nurses at the Summervale House nurses' accommodation where Remorozo was killed. Police are appealing for witnesses, who may have seen or talked to Remorozo before her death on Sunday 16 December, to come forward.

- [UNISON news release](#)

## OTHER NEWS

### **Fines follow after fireball deaths**

Two cleaning subcontractors have been convicted of safety offences after two workers died in a horrific explosion, but have been found not guilty of manslaughter. Cleaners Glenn Whalley and Antony Redfern died two years ago when a massive explosion rocked a city gym. Norman Cliffe, the boss of Nightingale Cleaning, the company that employed the victims, was cleared of manslaughter charges, but fined £5,000 and ordered to pay £100 costs after admitting two health and safety offences. Another cleaning company manager, Justin Amos was also cleared of manslaughter but admitted one health and safety breach. He was fined £2,500 with £100 costs. Mr Whalley and Mr Redfern, who had not been trained in the safe use of chemicals, poured gallons of paint thinner provided by Cliffe onto the floor in a bid to remove surplus grout. After they switching on a floor scrubber the room ignited into a fireball. Addressing the defendants, Judge Pitchers said: "Your actions did not amount to gross negligence. Folly and negligence of an ordinary kind, yes, but not gross negligence." Investigating officer detective constable Peter Deighton said: "The whole essence of the matter is the need for employers to ensure they have a duty of care to their employees whoever they may be." Main contractor Simons Construction Ltd was fined £40,000 and ordered to pay £20,000 costs for health and safety offences.

- [Nottingham Evening Post](#)

### **Firm fined after overworked driver dies in crash**

A delivery company owner has been fined £2,500 for breaches of health and safety regulations after a driver who was suffering from exhaustion was killed in an accident. Gary Couser, 19, died instantly when his car ran off the road after hitting a pile of stones. It is believed he had fallen asleep as a result of working a series of shifts

lasting more than 16-and-a-half hours. The company had required the new recruit to work a series of long shifts between 3 September and 18 October 2000, driving all over Britain. Una Johnston, a director of Glenhire, of Markinch, Fife, was fined £2,500 after she admitted failing to ensure the health and safety of her employee by letting him drive excessive hours without appropriate rest breaks. After the hearing, Mr Couser's mother said she was 'disgusted' at the outcome. Last week, a fatal accident inquiry in Perth heard how van driver Allan Preston, 27, veered off the road near Dalguise after a 10-hour shift. He crashed into a car driven by Lewisman Ronald Grant, 68. Both men died.

- [The Scotsman. The Daily Record](#)
- [Occupational Road Safety Alliance](#)

### **Government acts to protect some young workers**

New measures to protect around 40,000 workers aged between 16 and 17 from working excessive or unsociable hours have been introduced. The new regulations, to come into effect on 6 April 2003, place limits on the working hours of those between minimum school leaving age and their eighteenth birthday. The move is intended to end the working time directive temporary opt-outs negotiated by the government. Under the new measures, working time for young workers will be limited to 40 hours a week, eight hours in any one day, and will prohibit night working between 10pm-6am or 11pm-7am. Employment relations minister Alan Johnson said: "It is important that they get the protection they need whilst maintaining flexibility in the labour market." Some sectors, including hospitals or similar establishments, agriculture, retail trading, hotels or catering businesses, bakeries, fisheries and postal or newspaper deliveries, are exempted. The measures however fall far short of those TUC believes should have been introduced. TUC said the government had grossly over-estimated the costs of protecting all young workers ([Risks 71](#)).

- [DTI news release. The government response to the consultation on ending the young workers' opt out](#)

### **HSE points to rail improvements**

Latest statistics show railways improved their safety performance in 2001/02, the only year in the last five when there were no train crashes involving multiple fatalities. HSE's new director of rail safety, Alan Osborne commented: "This is the first reporting period since 1998/99, for example, when there were no train incidents causing

multiple fatalities." The HSE annual report on railway safety covers the period 1 April 2001-31 March 2002. Noting an overall improved safety performance, the new rail safety boss also added a note of caution. "The Potters Bar derailment in May, in which seven people died, is a reminder that we cannot afford to be complacent," said Osborne. "Nevertheless, there were improvements in 2001/02 - and these were against a significant rise in passenger and freight mileage. Fatalities (excluding trespassers and suicides) were down 18 per cent - from 39 to 32; total injuries to passengers and staff were down 8 per cent and total train incidents fell by 5 per cent, from 1,801 to 1,704."

- [HSE news release](#). ***Copies of Railway safety: HSE's annual report on the safety record of the railways in Great Britain are available from [HSE Books](#), price £17.95 or [free online in pdf format](#)***

#### **Demolition firm fined after worker's severe head injuries**

A demolition firm has been ordered to pay out over £17,000 after a worker suffered severe head injuries in a workplace fall. Lock Brothers (Plant Hire) Limited was fined £5,000 at the Old Bailey, London, and ordered to pay £10,000 compensation to the victim and costs of £2,450. Lorry driver Robert Pettigrove, 42, received serious head injuries in the 5 February 2002 incident, and has been unable to work since. He fell from an unprotected edge of the first floor of a building being demolished, landing in the basement 20 feet below. HSE inspector Neil Stephens said after the case: "This was an easily preventable accident. The risk to Mr Pettigrove was very clear and this sad incident was entirely avoidable. This case highlights that the construction industry must ensure it puts more effort into preventing falls from height. The risk of falling is well known in the industry, as are the measures needed to prevent falls."

- [HSE news release](#)

## INTERNATIONAL

#### **Australia: Work safety body calls for passive smoking ban**

The Australian government's National Occupational Health and Safety Commission has recommended that "exposure to environmental tobacco smoke should be excluded in all Australian workplaces" as soon as possible. It says the move is justified because World Health Organisation guidelines and medical and government reports in Australia have confirmed that passive smoking can increase cancer,

heart disease and asthma risks. Australian union federation ACTU and hospitality union LHMU has been at the forefront of a "SmokeFree '03" public health campaign to protect workers from passive smoking ([Risks 79](#)).

- [NOHSC news release](#). **Position statement adopted by NOHSC concerning Environmental Tobacco Smoke [pdf format]. [Background materials](#)**
- [Action on Smoking and Health](#)

### **Canada: Compensation culture myth is exposed**

The common perception that employees are milking the workplace compensation system has taken yet another knock. A national survey by researchers in Canada has found "a substantial degree of under-claiming", with about 2 out of 5 men eligible for work injury compensation not reporting the injury so not receiving any compensation. Despite "public attention on fraudulent over-claims," the findings suggest that on-the-job injuries might be underreported, according to Harry S Shannon and Graham S Lowe of McMaster University in Hamilton, Ontario. Writing in the December issue of the *American Journal of Industrial Medicine*, Shannon and Lowe conclude: "Policy makers should ensure that workers, employers, and physicians are aware of their obligations to report work-related injuries and illnesses."

- [Reuters Health](#). **Harry S Shannon and Graham S Lowe. *How many injured workers do not file claims for workers' compensation benefits?* *American Journal of Industrial Medicine*, vol.42, issue 6, pages 467-473, 2002 [[abstract](#)]**

## RESOURCES

### **New US website for US unions**

US union federation AFL-CIO has relaunched its safety website. It says: "This special AFL-CIO job safety and health website is designed to help all workers learn about their rights, to provide the latest job safety and health information and resources to union and non-union workers, local union safety representatives and job safety and health professionals." The site includes pages on ergonomics, compensation and Workers' Memorial Day. There's also a useful "toolbox" of resources for union reps to use at work.

- [AFL-CIO health and safety website](#). Also see the union supported [COSH safety campaigns website](#)

## 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!

### **ABI/TUC rehabilitation event, 28 January**

TUC and the Association of British Insurers (ABI) are to hold an all day rehabilitation seminar on Tuesday 28 January 2003. The event will be held at the Barbican Centre, Silk Street, London. Speakers will include the Hon. Nick Brown MP, minister for work, Owen Tudor from TUC, Professor Mansel Aylward, chief medical adviser to DWP, and John Parker from ABI. The purpose of the seminar is to identify and agree some actions to move forward rehabilitation in the UK. There will be a report back on responses to the *Getting back to work* consultation, jointly published by ABI/TUC in June 2002 ([Risks 58](#)). A registration form will be posted shortly.

### **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 100<sup>th</sup> 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](mailto: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/](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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