

# Risks

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HAZARDS  
MAGAZINE

ASBESTOS  
HSE RISK MANAGEMENT

Editor: [Rory O'Neill](#) of [Hazards](#) magazine. Comments to [Owen Tudor](#)  
We've extended the deadline for responding to the Second **Risks**  
Reader Survey! **Complete the survey [online now!](#)**

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**Risks** is the TUC's weekly online bulletin for safety reps and others, read each week by over 6,000 subscribers and 1,500 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.

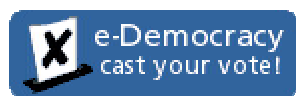
## ACTION

### **Will your MP speak up on safety crimes?**

The TUC wants you to lobby your MP to back the Friday 31 January second reading of Lawrie Quinn's Health and Safety (Offences) Bill 2003 to introduce more severe penalties for safety crimes ([Risks 88](#)).

"Ask your MP if he or she is going to turn up to support this bill to crack down on cowboy bosses," said TUC's Owen Tudor. "Make sure they know you care about workplace safety and corporate accountability, and that you care how they vote."

- [Find your MP](#) – you only need to know your postcode
- **New!** [Lawrie Quinn's article on the bill](#)
- [Health and Safety at Work \(Amendment\)](#) debate in Hansard, 7 January 2003
- [TUC briefing](#) on Lawrie Quinn's ten minute rule bill. [Lawrie Quinn MP](#) website and [background document](#) on the bill
- [Centre for Corporate Accountability](#) and the [Hazards/TUC deadly business guide](#)



### **e-democracy Day, 20 January 2003**

The TUC is campaigning for e-democracy. It wants the government to allow union members to use new technologies to vote in union elections. "Having more voting options would be a boost to union democracy, allowing more people to take part in elections, as well as helping to save time and money," says TUC. "We're making 20 January e-Democracy Day, to put our claim to the government."

- Click [here](#) to see how you can help

## UNION NEWS

### **World safety expert takes up first TUC university chair**

A top expert on workplace safety has become the first ever TUC sponsored university professor. Professor David Walters is the TUC

Chair of the Working Environment at Cardiff University. The link up between TUC, Wales TUC and Cardiff University School of Social Sciences will see Professor Walters focusing on the role of unions and union safety reps in health and safety, accident prevention in small firms, and the development of rehabilitation policies - all areas in which Professor Walters is a world expert. Announcing the appointment, TUC general secretary John Monks said the partnership "is a historic step forward for the trade union movement and academia. In a world where evidence-based policy rules, Professor Walters will play a crucial role in demonstrating the positive impact union safety reps have on health and safety. The TUC believes in investing in higher education, because finding out the truth is the first step towards making the working world a better place." Professor Huw Beynon of Cardiff University added: "Professor Walters will work alongside colleagues committed to examining ways in which the working environment can be improved and industrial injury and disease reduced. These issues are particularly important in Wales." Professor Walters has many years experience as a trade union and occupational hygiene educator, and helped create the London Hazards Centre.

- [TUC news release](#). [BBC News Online](#). [Western Mail](#). [Cardiff University news release with photos](#)

### **TUC and insurers say work health system needs rehabilitation**

Unions and insurers are demanding a clear lead from government on the development of workplace rehabilitation services to reduce the £14 billion annual cost of work-related ill-health. The call, to come at a joint Association of British Insurers/TUC conference on 28 January 2003, follows a joint consultation last year that found rehabilitation services in the UK were "uneven and fragmented" ([Risks 58](#)). John Parker of the Association of British Insurers said: "This consultation confirms that workers, their families, employers, and British industry are all paying a high price for workplace injuries, because of the piecemeal approach of getting injured and ill workers back to work." Brendan Barber, TUC general secretary elect, said: "Rehabilitation is the missing link in welfare to work - it's the last piece of unfinished business in creating the welfare state. Unions and insurers often don't see eye to eye over compensation, and we will continue to fight our corner. But where insurers and victims have the same interests, unions will be enthusiastic partners for change - and rehabilitation is one of those issues." The groups say they support many of the proposals put forward in a government Green Paper, *Pathways to work* ([Risks 81](#)).

- [ABI news release](#). [DWP Pathways to work consultation](#). The ABI/TUC seminar, with keynote speaker Nick Brown MP, the minister for work, will be held at The Barbican Centre, Silk Street, London, EC2Y 8DS on 28 January 2003. For further information/reservations, contact: [Angela Nolan](#), telephone 020 7216 7613

### **TUC says EU chemicals strategy could export risks and jobs**

The TUC has warned that European Commission proposals for a radical overhaul of chemical regulations could export jobs and risks to less developed countries, benefiting no one. The TUC slammed proposals to prioritise chemicals for testing on the basis of the volume produced rather than the danger posed by the chemicals. Following months of internal wrangling, EU Environment Commissioner Margot Wallstrom, who has been at odds with Industry Commissioner Erkki Liikanen over the proposals, said some details of the "extremely controversial" plan were still to be finalised, but her basic approach of ensuring all chemicals are tested for environmental and health impacts will remain.

- [TUC briefing on the New EU Chemicals Strategy](#)
- European Commission [news release](#) and [background paper](#). [Planet Ark](#). [Environmental News Network](#)
- Other EC action on hazardous chemicals: Commission Directive bans arsenic in wood treatment for consumer applications - [news release](#) and [briefing](#)

### **Accident prone stretch of railway "renationalised"**

One of the most treacherous stretches of railway track in Britain will in effect be renationalised, unions say, with Network Rail taking direct control of maintenance from engineering firm Amey. The not-for-profit successor to Railtrack announced it would take over responsibility for work on the 197-mile stretch of line running west from London to Reading and Oxford that includes the site of the Ladbroke Grove rail disaster ([Risks 20](#)). Bob Crow, general secretary of rail union RMT, said the move "should be the first step in bringing all rail maintenance back in-house, where it belongs." He added that since rail privatisation "we have seen the disastrous consequences of fragmentation, and the obscenity of dozens of contractors, subcontractors and agencies putting profits first," with the industry's safety culture sacrificed. Mick

Rix, general secretary of the train drivers' union ASLEF, said: "This is welcome news, particularly if it is a first step towards the complete reintegration of railway maintenance under Network Rail and the end of the disastrous fragmentation of the responsibility which has been a cause of so many accidents." White collar rail union TSSA echoed the call for an end to contracting. Network Rail said it expected to take "one or two" more regions back in-house.

- [RMT news release](#). [TSSA news release](#). [The Guardian](#). [BBC News Online](#)

## OTHER NEWS

### **Workplace concern over passive smoking cancer risk**

A group of UK charities has launched a campaign to reduce workers' exposure to secondhand smoke. The group includes Cancer Research UK, Marie Curie Cancer Care, Action on Smoking and Health (ASH), QUIT and No Smoking Day. A study commissioned by the groups found that more than 12 million UK workers – over half the workforce - are concerned about the risk of developing lung cancer due to passive smoking at work. Over a quarter were "very concerned." TUC general secretary elect Brendan Barber said: "The Health and Safety Commission's draft ACoP on passive smoking would address the needs of smokers and non-smokers alike. All we are saying is that employers need to think sensibly about how to manage the risks of smoking in the workplace, and should take the needs and views of their workers into account. These figures show just how worried workers are, and how important it is to end the uncertainty and confusion, which benefits no one." As part of the clean air campaign, an online survey is asking British workers to identify industries where smoking is a problem.

- [ASH news release](#). [Join Together.org](#)
- **Complete the ASH lung cancer month survey - [how does smoking affect you at work?](#)**

### **Man dies in 350ft plunge at Sellafield nuclear plant**

A contract worker has died after falling 350ft down the middle of a chimney at the Sellafield nuclear plant in Cumbria. Father-of-two Neil Cannon, 36, was working for subcontractor PC Richardson on a job to decommission the giant Windscale chimney. It is understood that Mr Cannon was lowering metal joists when he was pulled out of his harness and fell. The HSE has confirmed it is also conducting an

investigation into the death. Workers who were decommissioning the Windscale chimney downed tools and walked off as a mark of respect after the incident. Peter Kane, Sellafield's GMB union convenor, said the mood on site was very subdued and workers were deeply shaken.

- [News and Star](#)

### **Postal worker temporarily blinded in postbox prank**

A postal worker was left temporarily blinded after dog faeces was pushed into a postbox he was emptying. Roger Morris developed the toxicara bug following his contact with dog mess that had been left in a postbox in the village of Swinford. The 56-year-old member of the Communication Workers' Union Leicestershire branch became ill three days after collecting the mail when the infection caused his eyesight to deteriorate as he drove home from work. With his eyesight severely affected, Roger was forced to stop his car and call his stepdaughter, who was able to collect him. Blood tests confirmed he was suffering from toxicara and he was given a course of antibiotics. Leicestershire CWU branch secretary Mark Greenhill said: "Dog mess and used needles are typical of the kind of hazardous waste dumped in post boxes these days. Caution is required when making collections, especially after dark. Royal Mail appears too stingy to pay out for torches but we do advise collection drivers to request a sturdy pair of gloves from their delivery office manager if they do not have a pair already."

- [CWU news release](#)

### **Stress standards to put pressure on employers**

Employers will have to meet challenging new standards on stress being introduced before the end of the year. *Personnel Today* magazine reports that HSE is to introduce work-related stress audits in its routine health and safety inspections by the end of 2003, and will ultimately have the power to fine organisations failing to meet minimum standards. Employers will be required to carry out a risk assessment that identifies the stress hazards, and who might be harmed and how, the report says, and must then develop and follow through an action plan. A pilot project will be introduced in the spring, to be followed by a final consultation exercise. TUC's Owen Tudor said: "enforcement action on stress is long overdue. Stress should be treated like any other hazard at work, and workers should be protected from it by the HSE."

- [Personnel Today](#). Also see **Europe: is action on stress next?**

### **Asbestos victims demand justice**

Campaigners say insurers and asbestos giant Turner and Newall should stop wrangling and start paying. They say that while the asbestos multinational and its insurers are arguing over who should cough up compensation to asbestos victims, people are dying. Royal and Sun Alliance and Lloyds wrote employers' liability insurance for the company between 1972 and 1995, but say the insurance excluded asbestos diseases. The argument is due to continue before the High Court on 23 January. Asbestos victims, their families and support groups have organised protests to highlight their plight. The TUC supports these protests. Demonstrations will take place on 23 January outside Royal and Sun Alliance's Liverpool HQ, and outside the High Court on the Strand, London.

- **Background from the [British Asbestos Newsletter](#).  
Liverpool demonstration: Head office Royal and Sun Alliance, 12 noon, Thursday, 23 January 2003.  
Contact: [Tony Whitston](#). London demonstration:  
Royal Courts of Justice, The Strand, 10am,  
Thursday, 23 January 2003. Contact: [London Hazards Centre](#)**

### **Bid for justice for injured armed service personnel**

Thousands of ex-servicemen injured in the line of duty before 1987 could win the right to sue the Ministry of Defence if a House of Lords case succeeds. Alan Matthews, 64, is asking five law lords to reinstate a high court ruling ([Risks 38](#)), overturned by the court of appeal, that his human rights were breached by a 1947 law giving civilians, but not service personnel, the right to sue the MoD over deaths or injuries caused by negligence. The law was changed in 1987 to allow servicemen the same right to sue for compensation, but not retrospectively. Mr Matthews' solicitor, Peter Mitchell of Bond Pearce in Exeter, said many thousands of claims hinged on the outcome of the hearing, including victims of post-traumatic stress disorder. He added: "If we win then we would hope to move swiftly to a settlement for Alan to compensate him for his exposure to asbestos and the anxiety and stress he has had to endure since 1999, when he was first diagnosed with plaques on his lungs."

- [The Guardian](#)

## INTERNATIONAL

### **Australia: The writing's on the wall for manslaughter law**

Unions in New South Wales are making a big claim for a corporate killing law. Massive billboards calling for the introduction of industrial manslaughter legislation into state law can now be found at key locations around Sydney. The billboards feature the body of "A Worker", with a toe tag stating the cause of death as poor occupational health and safety practices. The unions say one Australian worker is killed every 46 hours as a result of poor occupational health and safety practices. Peter McClelland, state president of construction union CFMEU, commented: "If you kill someone on the road and you are intoxicated you can go to jail. If you kill someone at work through negligence there should be the same standard applied - a range of options including prison and disqualification from being a company director." Wayne Phillips, state organiser of the manufacturing workers' union AMWU, said company directors should be charged with industrial manslaughter if they were aware of a safety problem, did not act and a worker died as a result. The unions say the current all-purpose manslaughter law does not work- no Australian employer has ever been prosecuted successfully for manslaughter.

- [Workers Online. Illawarra Mercury](#)

### **Australia: ABC bans smoking within 10m of work**

Australian broadcaster ABC has introduced a strict no-smoking policy at all its workplaces, stipulating that staff who want to smoke must do so at least 10 metres from the entrances to ABC sites. The policy, under which repeat offenders could be sacked, is intended to head off future passive smoking claims. Under the ABC rules, employees are barred from smoking even while driving company cars or, in the case of television crews, working in outside broadcast units. The policy also abolishes the designated smoking areas provided for under the previous policy and bans the sale of tobacco products on ABC sites. The Community and Public Sector Union criticised ABC for its "heavy handed" workplace smoking ban, saying it had not been consulted on what was "a significant change in policy" and this would be taken up with ABC management. Australia's unions have been key players in the campaign to protect workers and the public from passive smoking ([Risks 79](#)).

- **Sydney Morning Herald on the [ABC smoking ban](#) and the [CPSU response](#)**
- **More on [union-friendly smoking policies](#)**

### **Canada: Unions can win the deadly “rotten” workplace war**

Workplace deaths and injuries rarely make the news – and don’t think that is any accident. Gloria Bergen, writing in *CounterPunch* magazine, says: “The media plays a critical role in prolonging the theatre of war that takes place inside the workplace everyday.” She says that while a series of gruesome workplace fatalities went unmentioned, the Canadian media lapped up stories of house fires, car crashes, burglaries and troubled pets. “Is it possible that the Canadian media doesn't cover workers’ deaths because they don't want us to connect with other workers, to bond with, or relate to them? We can shed tears over the media story of the poor little mutt that was tied up in a backyard in the cold, or to the victim of a robbery but, don't feel sorry for those damn lazy workers. If they die on the job, it's their own stupid fault.” Bergen says the news blackout tells its own story. “To make workers’ health and safety an issue in the mainstream press would mean that workers could see the carnage, organise to change it, and overthrow the entire rotten system,” she says. “It was only after wildcat strikes by miners in Elliot Lake in 1976, that a Royal Commission was struck, which eventually led to Ontario's Occupational Health and Safety Act. If workers could fight back then over basic human rights and win, they can do it again!”

- **[CounterPunch](#). [Straight Goods](#). More on [the union effect](#)**

### **Europe: is action on stress next?**

The European Commission believes more action is needed to tackle workplace stress – and the TUC will tell it a directive would do nicely. In a consultation paper aimed at the ETUC and employers’ body UNICE the EC says it wants “to elicit the opinion of the social partners on the protection of the health and safety at work of workers from occupational stress.” It says stress is a costly problem, with 28 per cent of European workforce, 41million workers, suffering from workplace stresses in 2000, adding: “European workers are increasingly being exposed to occupational stress and there is a need for a Community initiative in this regard.” The Commission asks Europe’s employers and unions three basic questions: Does the “absence of measures in this area has an adverse impact on the protection of the safety and health of workers?” If so, should this

initiative be taken at the European level? And will voluntary measures be good enough, or is a Europe-wide stress law necessary? A TUC response to the consultation "will call for new EU laws on preventing stress at work, using Swedish laws as a model," says TUC's Owen Tudor. "However, if that does not happen, the TUC supports the negotiation of a framework agreement through social dialogue between employers and unions."

- **Consultation of the social partners on stress and its effects on health and safety at work** [[pdf format](#)]

### **Nigeria: Union health and safety plan revealed**

Nigeria's unions have mapped out a strategy for tackling the country's "precarious" workplace health and safety. The move follows the 16 September 2002 factory fire at the West African Rubber Products (WARP) that killed at least 29 workers ([Risks 72](#)). The Nigeria Labour Congress (NLC) general secretary John Odah commented that safety would be a priority at its February delegate conference. He said: "The tragedy was more or less a wake up call for us at NLC as well as other social partners." The union leader said health and safety committees would be revived and there would be a new emphasis on trade union health and safety education. He added that the factory fire "has also drawn attention to the very deplorable state of our monitoring machinery," with the safety inspectorate "not able to carry out its basic mandate of seeing to it that factories owners uphold the health and safety standard." He said there were only 40 factory inspectors nationwide.

- [Vanguard](#)

### **USA: Compensation system needs intensive care**

California's creaking workplace compensation system is being reviewed. An opinion piece in the *San Jose Mercury News* says: "Creating a solvent and fair workers' compensation insurance system will be an essential but difficult job for the new insurance commissioner, John Garamendi. Wisely, he has taken a running start, forming a pair of task forces even before he took office 6 January. The two groups - one made up of insurers and the other of consumers: workers, employers and consumer advocates - began meeting in December." The report says Garamendi is ready to think big. "Eventually, he'd like to see California create a universal health care system that would include medical care following on-the-job injuries, so that employers only need to cover lost wages." It adds, however,

that a more immediate priority will be keeping the non-profit State Compensation Insurance Fund afloat.

- [San Jose Mercury News](#)

#### **USA: Deaths from accidents highest among poor**

Being of lower socioeconomic status increases the risk of dying from “external causes” such as car accidents, fires, poisonings, falls and homicides, especially for men, a new US study shows. Researchers found that men who fell into the lowest 25 per cent in terms of socioeconomic status were nearly three times more likely to die of such causes than men in the highest 25 per cent. A similar but less pronounced trend was also seen for women, according to the report in the January issue of the journal *Epidemiology*. The researchers estimated that 6 per cent of “external causes” deaths occurred at work. For men, the class-accidents relationship held for most causes of work-related accident deaths. In the US, deaths from external causes are the second leading killer of people younger than 75, and “merit special attention because most are potentially preventable,” noted Dr Kyle Steenland of Emory University in Atlanta, and colleagues. The investigators also found that blacks had a 74 per cent increased risk of death from external causes compared to whites, even after accounting for the effects of socioeconomic status.

- [Reuters Health](#). Kyle Steenland and others. Deaths due to injuries among employed adults: The effects of socioeconomic class, *Epidemiology*, vol.14, pages 74-79, 2003 [[abstract](#)]

## RESOURCES

### **How to complain about safety issues**

Feel you're safety concerns haven't been taken seriously? Well, the Centre for Corporate Accountability has produced a new guide to help individuals complain if they feel they have been let down by the HSE, local authorities, the police or the Crown Prosecution Service. The new web resource sets out how members of the public can complain about decisions made by government bodies on safety issues. It also explains how people can make a complaint to the Parliamentary Ombudsman and Local Government Ombudsman.

- [CCA "how to" guide](#). Also see the [Hazards whistleblowers guide](#)

## 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 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 Work Hazards Conference, 18-20 September**

The next European Work Hazards Conference, where union health and safety reps and union safety officers, specialists and advisers come together to discuss approaches and strategies, will be held in Copenhagen, Denmark, from 18-20 September 2003. [European Work Hazards Network](#)

### **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](#)**

**NEW COURSES FOR APRIL TO JULY 2003:**

**[North](#), [Yorkshire and Humberside](#)**

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

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