

# Risks

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

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**Risks** is the TUC's weekly online bulletin for safety reps and others, read each week by over 7,500 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

### **Is your MP supporting more safety resources?**

Mick Clapham MP is calling on the government to provide more, not fewer, resources to the HSE. An Early Day Motion sponsored by Clapham, the Labour MP for Barnsley West and Penistone, and supported by HSE union Prospect and TUC says: "That this House is concerned to learn that the HSE is facing a 10 per cent cut in funding over the next three years; is further concerned that it will impact detrimentally on workplace safety by causing the retirement and non replacement of 50 staff this financial year, from the Field Operations Directorate and will probably cut 5,000 workplace inspections each year; and calls upon Her Majesty's Government to meaningfully revitalise the safety and health at work agenda by doubling the number of field inspectors so that each workplace can be inspected at least once every five years and new workplaces can be visited in their first year, supported by more investment in scientific research and policy expertise to back up the HSE investigations into deaths and injuries at work."

- **Check to see if your MP is signed up to Michael Clapham MP's [Revitalised prospects for health and safety](#) Early Day Motion (EDM 1424) – if not, ask why not. [Find your MP](#) - you only need to know your postcode**

### **HSE wants your strategic thoughts**

The HSE is calling on "everyone involved in the world of work" to have a mosey at its health and safety plans for the next 10 years. HSE deputy director general Kate Timms said: "*Strategic Thinking – work in progress* represents a new departure for HSE in sharing and seeking comment on HSE's strategy development process at an early stage." She added: "The paper asks big questions about the future of the health and safety system. If we are to concentrate resources on key areas for improvement, some tough choices need to be made as to where the resources are taken from." The TUC is urging unions to use this opportunity to press the HE to give safety reps a central role in health and safety, and also to register concerns about the lack of action on women and rehabilitation. TUC's Owen Tudor said: "we want workforce involvement, participation and consultation to become as central a feature of the British health and safety system as risk assessment, and that will only be achieved if safety reps become a central element of the HSE's strategy."

- [HSE news release](#). **Strategic thinking – work in progress [pdf format]**. Copies can be ordered from [HSE strategy](#), Strategy and Intelligence Division, 8NW, Rose Court, 2 Southwark Bridge, London, SE1 9HS. The closing date for responses is **13 August 2003 – send your response to your union as well.**

## UNION NEWS

### **Union action call as Scottish farm deaths soar**

Farming union TGWU Scotland says an increase in deaths on Scottish farms is “extremely worrying” and has called for new rights for union safety reps to tackle the problem. Latest figures from the HSE show 11 deaths at work occurred in the sector in Scotland last year. This is a significant increase on the previous year, when there was a record low of two fatalities. TGWU Scotland’s Jimmy Farrelly commented: “The statistics support our union’s argument that we need a real commitment from government to tackle the issue of the health and safety of workers in this sector, particularly through the introduction of a legal right of trade union roving safety reps to gain access to workplaces, issue improvement notices and challenge working practices endangering the health of workers.” He added that it was “high time” the government introduced a corporate killing law.

- [TGWU news release](#). [HSE news release](#). [The Scotsman](#)
- [TGWU corporate killing campaign](#). [TUC/Hazards deadly business webpages](#)
- **More on [roving safety reps](#) and [union improvement notices](#)**

### **Barclays banks on more Unifi roving reps**

Banking union Unifi and Barclays have agreed to extend a “revolutionary” union regional safety reps’ scheme ([Risks 53](#)). Two new full-time health and safety reps are to be added to the nationwide initiative, developed under a “partnership agreement,” taking the total number of roving Unifi safety reps to seven. Kevin Armstrong, who ran the pilot for the scheme, said the development “allows the team to work even more effectively with Barclays to deliver the highest standards of health and safety. The health and safety reps scheme is delivering real benefits for staff working with the bank in the spirit of partnership in very challenging times.” Jacquie Hill, group health and safety manager for Barclays, commented: “I am delighted that we

have been able to increase the team. All of the reps are totally committed to the safety and health of staff and this is partnership at its best.”

- [Unifi news release](#)

### **Union shock at “disgusting” Jarvis decision**

A rail union has condemned the choice of the company at the centre of the Potters Bar train crash investigation to replace track in the area. Jarvis has been selected by Network Rail as the “preferred bidder” for the contract to replace track in the London North East Region - which includes Potters Bar in Hertfordshire. Bob Crow, general secretary of rail union RMT, said: “I find it astonishing and disgusting this decision has been made while the criminal investigation is still underway.” He added: “It is an insult to all those people who died and were injured at Potters Bar.” Seven people were killed and 76 people were hurt in the Potters Bar train crash on 10 May last year. Repeated claims by Jarvis that sabotage could be to blame for the crash have been dismissed in two HSE reports into the accident ([Risks 108](#)). The latest, published last month, concluded poor maintenance and management failures were to blame, prompting train drivers’ union Aslef to call for Jarvis “to be thrown out of the industry.”

- [The Independent](#). [BBC News Online](#). [Ananova](#)

### **Nurses face excessive hours**

Hospitals in Glasgow are failing to comply with European Union laws that limit the number of hours nurses should be working, their union has warned. UNISON says some overworked staff are working more than one shift a day, with others working for up to 14 hours in one shift. Cathy Miller, UNISON branch secretary for the north of the city, claimed the problem was widespread and would take serious action to solve. “Nurses are working excessive hours,” she said. “The problem is there is no system for monitoring hours worked... We have had cases of people doing 14-hour shifts and nurses not having the required 11 hours between shifts.” Hospital bosses have now set up a working group with unions to tackle the problem and devise new methods to allow nurses to cut their hours. Scottish Socialist MSP Carolyn Leckie has asked the Scottish Executive what it intends to do about the problem. Concern in US hospitals about risks to nurses and patients caused by staffing shortages and overwork has led unions to launch a “safe staffing” campaign, and has won safer staffing legislation in some areas.

- [Evening Times](#)
- [US safe staffing campaign](#)

### **Break free work is no picnic, says union**

Most UK workers have no time for a lunch break, a new survey has found. The ICM poll, commissioned by civil service union PCS to mark the launch of its work-life balance campaign, found over half the UK workforce (57 per cent) take less than 30 minutes for their lunch break at work, the legal minimum for an average working day. Almost two-thirds (62 per cent) of those surveyed said they skipped lunch or lunched at their desk at least once a week, with one in five saying they did this every day. Mark Serwotka, PCS general secretary, commented: "The survey findings confirm what we already knew – long hours working in Britain is reaching epidemic proportions. British workers take shorter lunch breaks, less holiday and work far longer hours than our European counterparts." Speaking ahead of a massive PCS lunchtime picnic in a London park to launch the union campaign, he added: "A half an hour lunch break is the legal minimum for an average working day, but shockingly over half the UK workforce take less than this. Twenty per cent never take a lunch break at all. This sort of work pressure is not healthy for the employee and it is not healthy for business."

- [PCS news release](#). [The Scotsman](#). [Sky News](#)
- [PCS OurTime work-life balance campaign](#). [TUC Changing Times website](#). [Hazards Get-a-life! union resources](#)

## OTHER NEWS

### **TUC tells bosses to give us a rest**

The TUC has told UK business bosses they are obsessed with making workers accept longer hours, and should give us all a rest. The call came after Digby Jones, director general of the bosses' organisation CBI, urged the government to support a continued opt-out from parts of the EU-wide working time law, which means British workers have the worst working hours protection in Europe. CBI claims if Britain came in to line with the rest of the EU, there was likely to be a "significant or severe" impact on business. TUC general secretary Brendan Barber dismissed the business "obsession" with longer hours, and said that 2.5 million UK workers want fewer hours, even if it means less pay. He added: "Many workers simply don't get a choice whether or not to work long hours - some feel bullied into staying late,

for others the workplace culture means that leaving on time is seen as letting the team down." Excessive hours lead to health problems, stress and higher accident rates, he said, concluding: "The government must stand firm against this employer onslaught and act to stop exploitative bosses from squeezing even more out of their overworked staff by refusing to renegotiate another opt-out when the current one expires later this year."

- [CBI news release](#). [BBC News Online](#). [Ananova](#). [Sky News](#). [Personnel Today](#)
- **CBI report: The Working Time Directive and the individual opt out** [[pdf format](#)]

### **Unfair bosses can break your heart**

Unreasonable and unfair bosses are more than a pain at work - they can also pose a significant threat to your health. A study has shown that unfair bosses can drive up their employees' blood pressure, increasing their long-term risk of a heart attack or stroke. A team from Buckinghamshire Chilterns University College carried out tests on 28 female healthcare assistants (HCAs), who were asked to score the interpersonal style of their supervisors, including whether their bosses encouraged discussion and whether they were perceived as unfair. The researchers then took the readings from blood pressure monitors worn by the HCAs every 30 minutes for 12 hours over three working days. Blood pressure readings in one group when it was working for a boss they considered to be unfair. The systolic reading rose by 15 mg Hg, and the diastolic reading by 7 mm Hg. An increase of 10 mm Hg in systolic and 5 mm Hg in diastolic blood pressure is associated with a 16 per cent increased risk of coronary heart disease and a 38 per cent increased risk of stroke. There were only tiny changes in the blood pressure of the other group. The researchers, writing in the journal *Occupational and Environmental Medicine*, argue that their findings provide clear evidence that show a boss who is perceived as being unfair can cause stress, and undermine the health and wellbeing of their staff.

- **Nadia Wager and others. *The effect on ambulatory blood pressure of working under favourably and unfavourably perceived supervisors*, *Occupational and Environmental Medicine*, vol.60, pages 468-474, 2003** [[pdf format](#)]. [BBC News Online](#). [Reuters Health](#). [New Zealand Herald](#). [CBC Online News](#)

### **Assaults on rail staff soar**

Fed-up passengers are taking their frustrations out on rail staff, a safety report has revealed. There was a 24 per cent increase in physical and verbal assaults and threats on rail staff in 2002-03, the Rail Safety and Standards Board (RSSB) found. In Scotland the situation was worse still, with a shocking rise of 62 per cent in physical and verbal assaults. The board's annual report says that safety on the national rail network, improved by 9 per cent compared with 2001-02. But the board said progress had to be seen against the backdrop of the May 2002 Potters Bar rail crash which claimed six lives and in which more than 70 people were injured. The board's safety strategy and risk controller Bill Robinson said: "The challenge facing the industry is to maintain continuous improvement in health and safety in an increasingly difficult investment climate." Aslef Scottish secretary Kevin Lindsay said the last assault figures were "a disgrace."

- [RSSB news release](#) and [links to full reports](#).  
[Edinburgh Evening Times](#). [Sky News](#)

### **Motorists face fines for hand-held mobile use**

Drivers spotted using a hand-held mobile phone at the wheel could face penalties of up to £1,000, the government has announced, in a move welcomed by the TUC. Road safety minister David Jamieson said the new offence will take effect from 1 December 2003, adding: "Our decision to introduce this new offence will make the roads safer for us all. Missing a call won't kill you - an accident quite possibly could." Initially offenders will be subject to a £30 fine, which can be increased to a maximum fine of £1,000 if the matter goes to court. The government says research has demonstrated that if you drive and use a mobile phone you are four times more likely to have an accident. TUC's Owen Tudor said: "The Government has listened to the points unions put forward, and the summary of views makes clear how much weight the TUC had on this issue." The move has also been welcomed by safety organisations and the Association of British Insurers. However, the TUC backed a RoSPA warning to drivers against a switch to hands-free phones, which are just as dangerous.

- [DfT news release](#). [Ananova](#). [ABI news release](#).  
[RoSPA news release](#)
- **Background reports:** [Mobile phones and driving - proposal for an offence of using a hand-held mobile phone while driving](#), [DfT consultation](#). *The risk of*

**using a mobile phone while driving, RoSPA report for DfT [[pdf format](#)]. Also see: [Sweden: Hands-free phone not safer for drivers](#)**

## INTERNATIONAL

### **Australia: Bullying on the rise**

A whopping 85 per cent of Australian employees say they have either been personally bullied or have seen others bullied at work, according to a new study. The Health Works survey of more than 325 human resource and occupational health and safety professionals found just 12 per cent reported no bullying in their current workplace, with fewer than half (47 per cent) of all businesses having a written policy for bullying in the workplace. "Workplace bullying is becoming more and more prevalent. In fact, we've found that up to half of all employees will experience some type of bullying during their working lives," says Ken Buckley, CEO of Health Works. He added: "Bullying occurs at all levels of the organisation and can directly have an effect on the victim's health and wellbeing such as severe stress, anxiety, panic attacks, sleep disturbance, depression, concentration difficulties and raised blood pressure."

- [UnionSafe](#). [UnionSafe bullying factsheets](#). [Health Works survey findings and bullying guide](#). [Sydney Morning Herald](#). [The Age](#). [ACTU bullying campaign](#)



### **Australia: No smoking law must go further**

Hospitality workers in Tasmania have welcomed a new state government report recommending a total ban on smoking in Tasmanian bars and gaming areas (casinos and arcades). The official review found almost 9 out of 10 submissions (89 per cent) supported a total ban on smoking in enclosed areas. In 2001, the Tasmanian government banned smoking in areas where food is served, promising to review the legislation after 12 months. "The report acknowledges that the current laws do not protect the health of workers and customers in bars and gaming areas," said David O'Byrne, LHMU Tasmania secretary. "The report also recognises there is no evidence of the hotels/gaming industry moving towards banning smoking and therefore to safeguard the health of hospitality workers the government must legislate to ban all smoking in bars and gaming areas." O'Byrne added that the state government "must support its own department's recommendations, it must take action to protect hospitality workers as they are the only

workers in Tasmania subjected to such health hazards.”

- [LHMU news release](#). [Yahoo](#). **Union smoking resources: [SmokeatWork.org](#), [Hazards smoking webpage](#) and [SmokeFree'03](#), the union backed anti-smoking campaign in Australia**

### **Canada: No-smoking law beneficial, study shows**

Canada's first bylaw banning smoking in public places has not had the negative social or economic impact predicted by opponents, a study has found. Speaking at the Canadian Paediatric Society's annual meeting, researchers revealed that the legislation has greater public support and hasn't hurt local businesses since its implementation. The bylaw in British Columbia's Capital Regional District prohibits smoking on all public premises, including restaurants, bars, clubs, bingo halls and casinos, and was implemented on 1 January 1999. Dr Richard S Stanwick, chief medical health officer for the Vancouver Island Health Authority and the study's lead author, said: "When you get rid of smoking you don't see a drop in business." He added: "In fact, a number of bars that were struggling have picked up business. The bylaw has enabled a segment of society who didn't put up with smoke to go out more. But the real group to benefit from this is those working in the hospitality industry." The results also reveal that public support for the bylaw has increased - over 80 per cent of the population is in favour of it, up from around 60 per cent in 1996, with more than 50 per cent of the smokers polled being in agreement.

- [Reuters Health](#). **Union smoking resources: [SmokeatWork.org](#) and [Hazards smoking webpage](#)**

### **China: Deadly cost of industrialisation**

China's emergence as a major industrial power has been accompanied by a surge in fatal respiratory, circulatory, neurological and digestive tract diseases like those American and European workers suffered through the first industrial revolution. A *New York Times* report says China is not only re-creating the industrial transformation that brought prosperity to Europe, the United States and some east Asian nations. It is also reliving its horrors. Even by its official count, China already has more deaths from work-related illnesses than any other country or region, including the industrialised economies of the United States and Europe combined. Last year, 386,645 Chinese workers died of occupational illnesses, according to government data compiled by the International Labor Organisation. The statistics may understate the

situation in China's thriving east coast industrial centres, where tens of millions of low wage migrant workers produce the bulk of China's exports, without employment contracts, health care or union representation. Even those who discover they are ill while still working at the company that caused the disease are often denied compensation.

- [New York Times/San Francisco Chronicle. Latest ILO global accident statistics](#)

### **Sweden: Hands-free phone not safer for drivers**

Using any mobile phone while driving is dangerous, a Swedish study has shown. The National Road Administration (SNRA) tested 48 people in driving simulators, dividing them into two groups - one with and the other without hands-free mobile phone devices, both receiving test calls. The test revealed almost no difference in reaction time between the two groups. "It is the distraction of the phone conversation that is the problem," Ingemar Skogo, the SNRA director general, told Reuters. The Swedish findings were in line with a recent report in the *Psychological Science* journal, which suggested hands-free technology may not reduce the risk of accidents because a driver's attention, rather than problems with physically handling a cell phone, is a more important factor in safe driving.

- [Reuters Health. SNRA English language website](#)

### **USA: Compensation crisis is bad news for workers**

The cost of workers' compensation insurance in the US is increasing at the highest rate in nearly a decade, business and insurance bosses are claiming. The compensation system in the US, where workers are not allowed to sue their employers for damages, was created a century ago in an attempt to head off disputes over workplace injuries. It is the main source of compensation for injured workers and also covers related medical bills and lost wages. Calling for urgent reform of the system, insurers says they are losing money on workers' comp insurance and businesses say the only way to reduce their bills is to reduce their staff ([Risks 108](#)). Their lobbyists commonly highlight fraudulent injury claims by workers as a major problem. Critics say however that any fraud is far more likely to be perpetrated by employers, and blaming injured workers has a more sinister purpose. Jordan Barab, who runs the "Confined Space" health and safety website, says the winners are "insurance carriers who don't have to pay claims, and employers who don't have their premiums raised. The

losers? Workers and their families who bear the costs themselves; other workers, because the employer has even less incentive to make the workplace safe, and of course, taxpayers who ultimately end up paying the bills.”

- [New York Times](#) [registration required]. [Confined Space commentary](#), 24 June 2003

### **USA: Asbestos compensation fight heats up**

Business-supported efforts to peg back the USA’s spiralling asbestos compensation bill have come under a fresh attack from disease victims, unions, lawyers and environmental groups. This week a Senate committee edged towards an agreement on new legislation that would create a \$135 billion trust fund (up by \$27bn this week alone) aimed at ending lawsuits over asbestos exposure ([Risks 111](#)). Ahead of the latest discussions, asbestos victims and consumer and environmental groups including Friends of the Earth, unveiled a \$500,000 television ad campaign, backed in part by asbestos compensation lawyers. The advertisements, charging that the bill is a gift to industry that limits compensation for victims, appeared to be partly in response to recent television, radio and newspaper ads by a pro-business coalition calling itself Citizens for Asbestos Reform, urging Congress to act now to end the “asbestos litigation crisis.” Union leaders, who threatened to fight the bill unless changes were made, said they support a compromise on medical criteria which means more sufferers will be eligible for compensation. Critics warn, however, that the total size of the compensation pot must increase or thousands of victims will still lose out as the fund runs dry.

- [Planetark](#). [Bloomberg.com](#). [Minneapolis Star Tribune](#)

## **EVENTS AND COURSES**

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!

### **TUC courses for safety reps**

#### **COURSES FOR SEPTEMBER TO DECEMBER 2003**

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

### **Law enforcement and corporate accountability, 7 July**

Government ministers, MPs from all main political parties, trade unions, employer organisations, bereaved families and the Health and Safety Executive are all speaking at the TUC-Centre for Corporate Accountability 3rd joint conference on "Law enforcement and corporate accountability." Speakers include: Des Browne MP, minister for work; Brendan Barber, TUC; Janet Asherson, CBI; Anne Jones, Simon Jones Memorial Campaign; Neal Stone, HSE; Lord Falconer; Home Office minister; Patricia Peters, Institute of Directors; Tony Lloyd MP, chair, TU group of Labour MPs; Ross Cranston QC MP, former Solicitor General; and many more...

- [Registration/further details](#) for the **Law enforcement and corporate accountability conference, Monday 7 July, TUC, Congress Centre, Great Russell St, London WC1. Standard fee £25 (£40 for lawyers and businesses). Contact [Sugar Munthali](#) at CCA on 0207 490 4494**

### **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.

### **Get in on the ACTS, 17 October**

If you want to know more about the behind the scenes working of a top advisory panel on dangerous substances, you are being given your chance. The HSC's Advisory Committee on Toxic Substances (ACTS), an expert group that advises on "control of risks arising from the supply of or exposure to toxic substances at work," is to hold its first open meeting at HSE's London HQ. The 17 October open meeting will coincide with European Week for Safety and Health 2003, which this year takes the theme "prevention of risks caused by dangerous substances." Places must be booked in advance, no later than 15 August, by contacting the [ACTS Secretariat](#), HSE, Floor 7NW, Rose Court, 2 Southwark Bridge, London SE1 9HS. Tel: 020 7717 6780. Tell HSE your full contact details, your job title and organisation and details of any particular areas of interest you might have in ACTS work. [More information on ACTS](#).

### **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](#).

**Subscribe** to [Hazards](#) magazine, supported by the TUC as a key source of information for union safety reps.

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

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