

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

Korean union leaders jailed for compo demo

Three representatives of the Korean Metal Workers Federation were arrested on 19 July 2003 for participating in a demonstration calling for repetitive strain injuries to be recognised under South Korean law as compensable occupational diseases. They have been in jail since their arrest. According to Cathy Walker, health and safety director of Canada's autoworkers' union CAW: "The charges against them are 'special obstruction against the special duty of the police'." She adds that their trial starts on Monday, 1 September. The prosecution is seeking a three-year jail term. "Needless to say, anything that could be done on this urgent matter would be very greatly appreciated by the Korean Metal Workers Union and the imprisoned union leaders," says Walker.

- **If you or your union can offer any support, email the [Korean Metal Workers Federation](#)**

UNION NEWS

Union exposes bully Beeb

Bullying is rife at the BBC, according to a union survey. In a nationwide survey of broadcasting journalists 87 per cent of those who said they had experienced bullying worked for the corporation. The survey was carried out by the journalists' union NUJ. BBC staff told the union they had endured bullying by managers for periods ranging from four months to an astonishing 15 years. Several said things were so bad they'd had to leave their jobs. Virtually all said the BBC's procedure for dealing with complaints was totally inadequate. The findings were published in a 12-page booklet, *NUJ targets the bullies*, launched at a special session of the Edinburgh TV Festival. Broadcaster Helen Reed, who collated the responses and is a leading light in the anti-bullying campaign, won an employment tribunal for unfair dismissal against the BBC after being bullied out of her job ([Risks 50](#)). "This shows my experience is far from unique," she said. "And it's just a sample of members who were not too frightened to fill in the form. Multiply it through the BBC and it's a serious problem." NUJ's broadcasting organiser Paul McLaughlin said: "Bullying is a serious concern in many workplaces and is prevalent in the media. As a public organisation, the BBC should lead by example and agree an independent procedure with the union to restore our members' faith and help to eradicate this scourge in our industry."

- [NUJ news release](#), including links to the NUJ targets the bullies report online. [The Independent](#)

OTHER NEWS

Workplace exposures double lung disease risks

Exposure to airborne pollutants at work doubles the risk of developing certain serious and common lung disorders, whether or not you smoke. Research published in the September issue of the *European Respiratory Journal*, suggests approaching a third of all chronic bronchitis and emphysema cases might be linked to workplace exposures. The broad-ranging study covered over 2,000 subjects chosen from a pool of 40,000 individuals selected randomly from all over the United States. It concludes that chronic bronchitis and emphysema cases, or chronic obstructive pulmonary diseases (COPD), are twice as frequent in subjects who have been exposed to toxic airborne substances in the workplace, regardless of whether or not they smoke. According to the researchers, 20 to 30 per cent of COPD cases may be attributable to occupational exposure. The researchers conclude: "While smoking remains the predominant cause of COPD, our results show that the workplace environment plays an important role too. So clinicians and public health policymakers must also take workplace conditions into account when establishing preventive strategies." In the UK, general union GMB has won compensation for welders with COPD. After long-running union campaigns, UK miners have been awarded common law and government compensation for the condition.

- **L. Trupin and others. *The occupational burden of chronic obstructive pulmonary disease*, *European Respiratory Journal*, vol.22, pages 462-269, September 2003, see: [ERJ news release](#). [USA Today](#)**
- **DTI webpage on [COPD compensation for UK miners](#)**

Widow overcomes death certificate to get payout

The widow of a Northumberland miner who died after decades suffering with lung disease has received £49,250 compensation from British Coal. The award was made despite no respiratory diseases being recorded on her husband's death certificate. The miner, who is not being named, worked underground at various pits in Northumberland for 31 years. For the majority of the time he worked in haulage and later as a coal mining deputy for British Coal. He was forced to leave his job at the early age of 45 because of respiratory

problems, and died at the age of 74 leaving a widow and three children. The family's legal representative, Sarah Tagg of law firm Irwin Mitchell, said the case was unusual as respiratory disease was not identified as a cause of death. "However, once the respiratory specialist reviewed both the medical evidence and British Coal records, he was able to confirm that the deceased did in fact suffer from chronic bronchitis and emphysema, and that emphysema had contributed to his death," she said.

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

Mental health tests planned for police

Police forces in England and Wales are considering regular checks on the mental health of officers performing stressful duties. A Home Office working party is looking at the possibility of periodic interviews or questionnaires to see if officers are coping with the mental strain of their work. Officers who routinely carry guns, work undercover or investigate paedophiles are among those who, it is thought, would be priorities for the regular medicals and who if found to be stressed would be entitled to professional help. Chief superintendent Mike McAndrew of the Police Superintendents' Association said: "What happens now is the responsibility rests with the individual and their line managers and that's a real problem as line managers aren't trained to recognise stress." He added: "They also have professional responsibility for the individual so individuals will be concerned about confidentiality if they go to their line manager with problems which may affect whether they continue to do a job which may cause them stress, but which they enjoy doing." He said the proposal had resulted from government concern about occupational health in the police, and in particular the high level of sickness among officers.

- [Police Superintendents' Association. The Guardian. BBC News Online](#)

Prisons are bad for mental health of staff and inmates

Prison life is damaging to the mental health of both prisoners and prison staff, according to new research. A study published in the 30 August edition of the *British Medical Journal* concludes that factors which cause stress in prisons need to be fully understood so that policy makers can attempt to address the mental health problems facing both prisoners and prison staff. The paper notes: "The uniformed staff considered that stress was the most important thing affecting their health at work; an important aspect of this was fear of violence." Low

staffing was also highlighted in the study as a cause of stress. A report from the Prison Reform Trust, published earlier in August, revealed high levels of sickness absence in prison staff. *A measure of success* says the average staff sickness rate over the last year was 14.7 per cent, against a target of 9 per cent. It adds that the Prison Service has not managed to meet its key performance indicator on staff sickness since it was introduced in 1999. The prison officers' union POA says sickness levels among prison officers are the highest in the public sector.

- **Jo Nurse and others. Influence of environmental factors on mental health within prisons: focus group study, [British Medical Journal](#), vol.327, pages 480-483, 2003. [Prison Reform Trust news release \[word file\]](#) and [A measure of success report \[pdf format\]](#). [Personnel Today](#)**

Safety and productivity go hand in hand - official

Safer workplaces are better managed and have higher productivity, an official report has concluded. The HSC/E submission to a Work Foundation panel of inquiry on work and enterprise concludes better health and safety management is a key factor in improving productivity. In its introduction to the detailed submission, HSE/C says health and safety "has not figured enough in the productivity debate" and adds "creating better work environments and preventing harm from work are key means of improving productivity. Accidents may cause damage to plant and halt processes. Accidents and ill health lead to temporary or permanent losses of productive human capacity. The skill base suffers." The submission, which includes case histories and UK and international references, adds: "The range of damage inflicted by work is wide. People die, are disabled, diseased or discomforted by their work. Most of this harm is preventable and the means of preventing it are well established."

- **[Full HSE submission. The Work Foundation work and enterprise panel of enquiry](#)**

Companies fined over quarry death

Two companies have been ordered to pay more than £380,000 in fines and costs following the death of a truck driver whose vehicle plunged into a Cornish quarry tip. Driver Denis le Bretton, 57, was behind the wheel of a 50-ton truck when it flipped over backwards in the February

2001 incident. China clay company Imerys and quarry products company Aggregate admitted breaching health and safety regulations relating to the operation of the tip. Ordering them both to pay £175,000 fines and £15,860 each in costs, the Recorder Michael Fitton said there was no criticism of Mr le Bretton's driving or his vehicle. Mark Bishop, for Imerys said: "Imerys accepts the accident occurred because there was a failure between them and Aggregate Industries to ensure there was adequate protection at the edge of the tip."

- [BBC News Online](#)

RoSPA Scotland calls for team approach to safety

RoSPA is calling on Scotland's businesses to adopt a "team approach" to tackling work-related accidents and ill-health, which are costing the Scottish economy over half a billion pounds a year. The safety organisation says every year in Scotland there are over 12,000 injuries connected with work and about 174,000 people suffer health problems they believe are caused by their jobs, leading to 2.2 million lost working days. Roger Bibbings, RoSPA occupational safety adviser, said "little can be achieved unless everyone in an organisation is fully committed to health and safety and is working together as a team." Businesses also need to form health and safety partnerships with contractors, suppliers, insurers and trade unions, RoSPA said. Speakers at the congress include Lewis Macdonald MSP, deputy minister for enterprise and lifelong learning and Ian Tasker, health and safety officer at the Scottish TUC.

- [RoSPA news release](#) and [RoSPA Scotland Congress webpage](#)

INTERNATIONAL

Australia: Workers stand together in sit-down protest

Postal workers have vowed to take Australia Post to court if it refused to allow elderly and disabled counter staff to sit down while they serve customers. The company was ordered to pay \$250,000 (£102,000) to Sydney postal worker Sarah Daghlian in July after the Federal Court ruled she had suffered indirect disability discrimination when managers took away the stool she had used for 11 years. Ms Daghlian had osteoarthritis and was forced into medical retirement after being banned from using the stool to relieve a sore back and legs. Communications Workers Union state secretary Joan Doyle said the ban was discriminatory. Despite this ruling Ms Doyle said Australia Post

had refused to back down and was now planning to introduce counters that staff could not sit behind. She said about 50 Melbourne workers used seats because of injuries or conditions - from varicose veins to flat feet - caused or aggravated by hours of standing. The workers turned up to work in January to find their chairs had been thrown in the trash, she said.

- [The Herald Sun](#). [The Age](#)

Australia: TV union gains overtime safety clause

Television company workers in Australia will be able to refuse overtime on safety and other grounds under new union-negotiated contract clauses. Union CPSU says the nationally-negotiated Television Industry Award will give members greater say in their working hours. The new contracts say an employer may require an employee to work reasonable overtime at overtime rates but adds "an employee may refuse to work overtime in circumstances where the working of such overtime would result in the employee working hours which are unreasonable," including where there is "any risk to employee health and safety" or where the work would unreasonably impinge on "the employee's personal circumstances including any family responsibilities." During the first Gulf War in 1991, UK TV union BECTU warned that long hours were causing exhaustion and pushing workers towards nervous breakdowns.

- [CPSU news release](#)

Australia: Unions want a role in substance use at work

Unions in Australia are warning that workplace drugs and alcohol policies should be introduced only in consultation with unions. The New South Wales Labor Council says its submission to an official "alcohol summit" in the state will raise concerns about employers unilaterally imposing policies, ignoring guidance agreed by unions, police and official safety and health agencies. It says unions "do not support employees turning up for work under the influence of alcohol or drugs" and support initiatives to minimise the harm caused by alcohol and drug misuse. Unions do object, however, to drug and alcohol tests introduced under some policies that provide no information "on when the substance was last ingested, nor if the person was under the influence of the substance at that time." It adds: "The Labor Council is of the clear view that unless the employer has a sound basis to suspect that a person is under the influence, or is impaired by a substance, then the employee has the right to refuse to undergo this

test." It says it has developed a factsheet on assessing impairment, which can result from alcohol ingestion, drug usage, medications, disturbed sleep, excessive working hours and fatigue. TUC called in December 2001 for UK employers to work with unions to introduce sensible drugs and alcohol policies ([Risks 33](#)).

- [UnionSafe](#). Union guidance on [sensible drugs and alcohol policies](#)
- **The TUC guide *Drunk or disordered* guide [ISBN 1 85006 616 7] is available price £15 (£4.75 to union members) from [TUC Publications](#), tel: 020 7467 1294**

Denmark: Don't pay the price for stress

A union organisation in Denmark has pulled together case histories on workplace stress prevention - and has found successful "preventive efforts paid off" for companies. LO Denmark, the country's national union federation, says: "We lack concrete experiences that might help contribute to shedding light on how to prevent and solve stress-related problems," so it commissioned research "to examine how 10 Danish pioneer companies have managed and prevented work-related stress." LO found the best companies adopted a "holistic" approach, adding: "The pioneer companies work continuously on creating a good working environment - including a good psycho-social working environment - rather than focusing very narrowly on removing work-related stress." LO says: "Another important result of the survey is that the companies' preventive efforts are actually profitable," with lower stress and sickness absence and "increased job satisfaction, lower staff costs, higher productivity, higher quality products and a number of other advantages to both the workplace and to the individual employee."

- [LO Denmark](#)
- **You think stress is good for you? [Hazards magazine says think again](#). [UK National Stress Network](#)**

Global: Modern management makes work more dangerous

Modern management trends are making workplaces more dangerous, according to international research. A review of 190 studies from 23 countries has led a team of Australian researchers to conclude: "Of those studies about 80 per cent show a clear deterioration in occupational health and safety associated with downsizing, job insecurity, outsourcing, the use of temporary workers and those sorts

of changes." Professor Michael Quinlan of the University of New South Wales said the study showed that over the past 20 years the changing nature of the workforce has led to a more dangerous working environment. He added: "Companies need to get their act together in that regard and unions need to become more active in this issue." He added the regulatory regimes designed for 1970s workplaces with high levels of unionisation and secure employment were not suited to the current situation.

- [Yahoo](#)
- [How bad has it got? See the latest global figures](#)
- [Health and safety not for hire - new guide from Australian union AMWU on labour hire/agency labour health and safety](#)

Global: ICEM's women's committee sets safety priorities

International union federation ICEM is to set global priorities for women's health and safety. The annual women's committee meeting of ICEM, the umbrella group for unions representing over 20 million members in the chemical, mining and energy sectors, has established a seven member working group to prepare health and safety proposals to go to the June 2004 ICEM executive committee meeting. The working group includes Val Burn of UK union TGWU. ICEM general secretary Fred Higgs said the ICEM women's committee strength will depend on it developing vibrant strategies and committees regionally and on the national level.

- [ICEM Update. More women and work hazards](#)

South Africa: Xstrata denies obligation to dying miners

Xstrata Coal says it had no moral or legal obligations to three former asbestos miners who are dying of lung cancer. The statement came as lawyers said they intended to start proceedings against the company for damages for the workers, who are dying from mesothelioma, an asbestos cancer. Xstrata Coal's corporate affairs general manager, Marc Gonsalves, said the company had consistently indicated that it had no legal or moral obligations to the ill former miners, and had "no plans to meet or discuss the matter" with a lawyer for the asbestos disease victims. He added: "Xstrata is not a callous company and takes its social involvement and corporate responsibility extremely seriously. These do not extend to this case." Xstrata Coal, previously known as Duiker Exploration, controlled and managed Wandrag Asbestos Mining Company in the Kuruman area of Northern Cape. *Risks* revealed last

week that impoverished former Wandrag miners dying of asbestos disease are having to forgo health care and pain-killing medicine ([Risks 120](#)).

- [Business Report](#)

Spain: Workers at refinery threaten strike over safety fears

About 1,500 sub-contracted workers at Spanish oil company Repsol YPF have said they will go on strike if it does not agree to new safety measures. The move comes after the Puertollano refinery was hit by an explosion and fire on 14 August, killing six people. Union UGT said in a statement: "This incident has uncovered shortcomings in resources, organisation and information." Local media said firefighters had criticised Repsol in a report for deficiencies in coordination and resources. The plant will stay off-line until a commission of experts and workers' representatives discovers the cause of the explosion. Juan Carlos Pardo, a union delegate on the commission, said the investigation could take weeks.

- [Financial Express](#)

USA: In space, no-one can hear you complain

Nasa has been accused of complacency and suffering from safety "blind spots" in a damning final report into the Columbia shuttle disaster seven months ago ([Risks 92](#)). Independent investigators attacked the organisation's flawed safety procedures, finding that those were as much to blame for the calamity, in which seven astronauts died, as technical faults. Without reform, "the scene is set for another accident", the report warned. A "self-protective" culture at the heart of the organisation meant Nasa managers accepted increasing risks. Safety concerns expressed along the chain of command in Nasa failed to reach top managers, the report found. "Nasa had conflicting goals of cost, schedule and safety," Maj-Gen John Barry told reporters. "Unfortunately, safety lost out." The report said the agency discouraged dissenting views on safety issues, which created "blind spots".

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

RESOURCES

Workplace violence in the health sector

Global service sector union federation PSI and the ILO, International Council of Nurses (ICN) and the World Health Organisation (WHO) have, as part of a Joint Programme on Workplace Violence in the Health Sector, published *Framework guidelines for addressing workplace violence in the health sector*. The organisations say workplace violence is a global problem affecting all sectors, but the health sector is at major risk. Violence in this sector may represent a quarter of all violence at work, and more than half of health workers may be affected.

- [PSI World News. Full report: Framework Guidelines for addressing workplace violence in the health sector](#)

Union workplace smoking initiative

Unions continue to formal alliances with public health and other bodies to develop workplace initiatives to prevent the harmful effects of exposure to tobacco smoke. The latest to come to *Risks'* attention is US organisation "workSHIFTS", Stopping Harmful Impact from Tobacco Smoke in the Workplace. The initiative "is a programme of the Tobacco Law Center, working in partnership with the University of Minnesota Labor Education Service and the labour community to provide education, training, and technical assistance to Minnesota workers about the health risks and economic consequences associated with exposure to tobacco smoke in the workplace."

- [WorkSHIFTS](#)
- [Find out about other similar initiatives. TUC passive smoking website](#)

US safety resources

The US government's health and safety research body NIOSH has published new resources online. A new website topic page provides details on asphalt fume hazards. And a young workers factsheet "summarises available information about work-related injuries among young workers, identifies work that is especially hazardous, and offers recommendations for prevention."

- [NIOSH asphalt fumes topic page](#) and [NIOSH alert: Preventing deaths, injuries and illnesses of young workers](#)

EVENTS AND COURSES

TUC courses for safety reps

COURSES FOR SEPTEMBER TO DECEMBER 2003

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

Hazards Conference, 5-7 September

The Hazards Conference will be in London. Margaret Sharkey at the London Hazards Centre is the coordinator of the London end of the organisation. You can contact her via e-mail at margaret@lhc.org.uk or on 020 7794 5999.

Asbestos and the law conference, Liverpool, 16 September

Merseyside Asbestos of Victims Support Group is organising an "Asbestos and the law" conference, to take place in Liverpool on 16 September 2003. Speakers include UK and international medical and legal experts.

- [Further details](#) and [application form](#). **Other enquiries to Merseyside Asbestos of Victims Support Group, Unit 3, Oriel Close, Water Street, Liverpool, L2 8UQ (marked "asbestos conference")**

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. The HSE's Euroweek action pack can be ordered [online](#) at HSE's Euroweek website or by calling 0800 085 0050, and the European Agency [website](#) has resources and background information too. [Future years' themes](#) have also now been decided.

Corporate safety crimes conference, Glasgow, 23 October

Ministers from the Scottish Executive and Westminster, Crown Office officials, trade unions, employer organisations, the Health and Safety Executive, lawyers, academics and bereaved families will be among the speakers at a Centre for Corporate Accountability "Safety and corporate criminal accountability" conference in Glasgow on Thursday, 23 October 2003. CCA says it is Scotland's first major conference on

the issue.

- **[Further details and registration](#). Standard fee, £30.
Lawyers, businesses and government bodies, £50.
Unwaged, £10**

IIAC public meeting, Glasgow, 18 March 2004

The Industrial Injuries Advisory Council (IIAC), the body that advises the government on which accidents and diseases should qualify for industrial injuries payouts, is giving members of the public a chance to find out about its work. A day of presentations and structured workshops at the 18 March 2004 meeting in Glasgow will: Describe the process of "prescribing" occupational diseases – picking the ones that get added to the list; seek opinions about new issues of concern in occupational health; and will provide an opportunity to contribute ideas on IIAC's future work programme. IIAC says individual cases or claims cannot be discussed at the meeting, however.

- **Admission free, by ticket only. To apply for tickets or to get further information, contact [Neil Davidson](#), IIAC Secretariat, tel. 0207 962 8066. [IIAC website](#)**

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](#).

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

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