

Risks

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Risks is the TUC's weekly online bulletin for safety reps and others, read each week by over 8,000 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

A workplace emergency

A GMB member needs your backing as he faces court action for speeding while driving an ambulance on a medical emergency. Mick Ferguson, a senior ambulance officer, was transporting a liver from St James Hospital, Leeds to Addenbrooke Hospital in Cambridge, where the organ was required for transplant. Road conditions were clear and traffic was minimal. Mr Ferguson deployed the blue lights on his vehicle and drove at a speed that he considered safe but necessary to ensure the organ was delivered in time for the waiting patient and transplant team. Mr Ferguson, who has a 36-year unblemished employment record and a clean driving licence, could lose his job if convicted of speeding. A GMB petition is calling on the government to clarify the law on transportation of human organs. The petition adds: "We, the general public, understand the absurdity of this legal action and fully support Mike Ferguson and the GMB in their campaign."

- **Emergency action: [Sign the GMB petition now!](#)**

UNION NEWS

Work is no place for genes prejudice



The law needs to be changed to prevent employers from refusing people jobs on the basis of genetic test results, campaigners have warned. TUC has teamed up with GeneWatch UK and the British Council of Disabled People (BCODP) to call for legal measures to block genetic discrimination at work. A new GeneWatch report, *Genetic testing in the workplace*, reveals that genetic tests cannot accurately predict which workers will suffer future disability or illness. Despite this, many employers wish to use genetic test results and many research projects are seeking to identify people who are "genetically susceptible" to workplace hazards. It adds that workplace hazards affect everyone - not just people with "bad genes" - so the remaining workers would still be at risk. The report warns that the Disability Discrimination Act would not protect some workers who have no symptoms but have adverse gene test results. TUC general secretary Brendan Barber said: "We want the government to make sure everyone has an equal right to succeed at work, whatever their genetic inheritance. We should be promoting opportunities for all, not penalising people because of their genes."

- [TUC news release](#). [GeneWatch news release](#). *Genetic testing in the workplace, a report by GeneWatch UK* [[pdf format](#)] was published on the day the [Human Genetics Commission](#) (HGC) met to consider the government's response to its recommendations on genetic discrimination
- **Employers' viewpoint: *Testing times: Directors' views on health testing at work***. Institute of Directors, August 2000 [[pdf format](#)]
- **Workers' viewpoint: [Hazards magazine's gene screen webpages](#)**

No safe grounds for disability discrimination

Over the next year the TUC is to train 35,000 trade union reps to ensure that employers do not use health and safety as an excuse to discriminate against disabled workers. In its major contribution to the European Year of Disability, the TUC wants to crack down on employers who give bogus safety reasons for not employing disabled workers or preventing them from doing certain types of work. Announcing the courses at a National Back Exchange Conference this week, Disability Commissioner and TUC policy officer Richard Exell said: "There are enough unemployed disabled people who want to work to fill all the empty jobs in the UK. They are able to work but unscrupulous employers are preventing them from doing so on bogus safety grounds. From this month union reps will be prepared to challenge these discriminating employers and ensure that disabled employees can work and work safely."

- [TUC news release](#). [Startups.co.uk](#). [HR Gateway](#). [Personal Today](#)
- [European Agency disability year webpage](#)
- **Government guidance on [disability discrimination law](#)**

Shop refit caused asbestos cancer

A former Woolworths employee has been awarded a "substantial" five figure sum after being diagnosed with the incurable asbestos cancer mesothelioma, which he believes resulted from exposure to dust during a major shop refit. Deputy store manager Roger Ricketts, 59, received the payout from Sun Alliance, Woolworths' insurer. Mr Ricketts' case is one of several uncovered in a *Yorkshire Post* investigation which has revealed a new wave of asbestos victims, people who had no noticeable contact with the deadly dust and who

never knew they were at risk. Mr Ricketts' solicitor, Paul Webber, of Irwin Mitchell, said: "This is a case where Mr Ricketts was exposed to asbestos in very unusual circumstances. He was a deputy store manager. Asbestos was heavily used in buildings in the 1960s, and regrettably Mr Ricketts' case shows that not only those working directly with asbestos were affected." HSE this week urged employers to take a precautionary approach to prevent asbestos exposures during maintenance work.

- [Yorkshire Post](#). **Earlier Yorkshire Post story on the [new wave of asbestos victims](#). Also see: HSE sounds out asbestos compliance**

HSE rig complacency attacked by global unions

International unions have criticised the HSE for failing to heed union safety warnings at an oil platform where two workers were killed this month ([Risks 124](#)). A conference organised by global union federations ITF and ICEM in Aberdeen, involving offshore unions from 17 countries, condemned HSE's failure to act ahead of the double fatality on the Brent Bravo rig. It backed UK unions who said HSE had "failed to listen to union warnings in March this year and even said that there was 'no imminent cause for concern and no immediate risk'." The international union bodies said they will be asking UK health and safety minister Des Browne to appoint independent experts to investigate the fatalities. ICEM general secretary Fred Higgs said: "Such a public inquiry is the only way in which remedial actions can be taken to prevent such disasters." HSE this week served a prohibition notice stopping work on the rig. Work was halted initially after Keith Moncrieff, 45, and Sean McCue, 22, were killed. The latest shutdown came after a further dangerous incident while HSE inspectors were on the rig investigating the original accident.

- [ICEM Update](#). [Sunday Mail](#). [The Scotsman](#). [The Press and Journal](#)

Respect for shop workers day "an astounding success"

Shop workers' union Usdaw says its 17 September National Respect for Shop workers Day was a huge success, all the way from the High Street to Downing Street. In addition to over 100 grassroots events, 50 MPs attended a campaign briefing in London. Prime minister Tony Blair met reps and victims of retail crime at 10 Downing Street. Home secretary David Blunkett unveiled a special notice at a London Co-op store stating that violence and abuse will not be tolerated. These

notices will be displayed in all 3,000 Co-operative Group stores. Similar posters were also displayed across the UK by Sainsbury, Safeway, Kwik Save, Somerfield, Littlewoods, TJ Hughes and many local Co-op societies. "The day was an astounding success," said Usdaw deputy general secretary John Hannett. "There is no doubt that the public is now more aware of the issue of violence and abuse towards shop workers. We will seize this initiative and build from it to make sure the retail workplace is a safe place to work."

- **Usdaw on the [campaign success](#) and [MSP support](#). [icSouthLondon](#)**

OTHER NEWS

Call for work road risk action

Driving as part of your job presents risks that employers must address, the HSE has said. New, free HSE guidance on work-related road safety, aimed at any employer, manager or supervisor with staff who drive or ride a motorcycle or bicycle at work, has been prepared in conjunction with the Department for Transport and alerts employers and the self-employed to their responsibilities under health and safety law. It contains advice on managing work-related road safety and on integrating it into existing health and safety arrangements. Production of new guidance was a key recommendation of an independent work-related road safety task group, set up by the government and the Health and Safety Commission in 2000 as part of the government's overall road safety strategy. The task group estimated that up to about one third of all road traffic incidents, about 1,000 deaths a year, involve someone who is at work at the time. TUC and unions have been at the head of the campaign for action on work-related road risks ([Risks 73](#)).

- **[HSE news release](#). Copies of *Driving at Work: managing work-related road safety* (HSE Ref. INDG382) are available free from [HSE Books](#) or on the HSE website [[in pdf format](#)]. Task group report: [Reducing at-work road traffic accidents – final report](#). [The Western Mail](#)**
- **[Occupational Road Safety Alliance \(ORSA\)](#)**

BT trailer death leads to national action

The death of a BT engineer in Aberdeen has prompted a nationwide safety blitz. Donald McAndrew, 46, died in hospital after he was hit by

a half-tonne trailer, prompting the company to take the entire UK fleet of cable recovery trailers out of service. Mr McAndrew - who worked with BT for 19 years - died after he was crushed by a trailer. It is understood he was clambering out of a manhole when the vehicle rolled on to him. A BT spokesperson said: "The accident is still being investigated. All of the type of trailers involved have also been removed from service." The company, BT union CWU and the HSE are conducting investigations into the tragedy. An HSE spokesperson said: "Our investigations are ongoing and once complete, a report will be sent to the procurator fiscal at Aberdeen." A Grampian Police spokesperson said the force would also send a report to the procurator fiscal, who will determine if any charges should be brought.

- [The Press and Journal](#)

HSE sounds out asbestos compliance

The HSE is investigating progress towards compliance with a new law on asbestos, due to take effect on 21 May next year. A questionnaire on the HSE website is inviting "dutyholders" to say how they are getting on with complying with the duty to manage asbestos and if anything is hampering their efforts. HSE has been encouraging dutyholders to start work well in advance of May 2004 and to introduce a precautionary approach to maintenance work in their buildings – before work starts, checking whether the premises contain asbestos, or alternatively, assuming materials contain asbestos and taking the necessary precautions. Tracy Phillips of HSE's asbestos policy unit, said: "The clock is ticking and the duty to manage is now only eight months away. I would urge dutyholders to respond to this questionnaire. The information provided by them will help us to make the duty to manage successful and contribute to our aim of preventing around 4,700 asbestos related deaths that would otherwise occur."

- [HSE news release](#). **The quickie questionnaire, to be completed by 31 October, covers awareness, action planned or taken, and barriers to compliance.** [HSE asbestos webpages](#)

New warning on cancer drug dangers

The HSE is warning workers of the need to observe stringent safety procedures when handling highly dangerous cancer drugs. A free information sheet aimed at the health and veterinary workers who handle the "cytotoxic drugs" – also known as antineoplastic, anticancer or chemotherapy drugs – says they should be aware of serious long

term risks if they are not handled in a safe manner. Will Pascoe from HSE's health services unit said "people handling such drugs need to be aware that some of these compounds are mutagenic and carcinogenic." He added: "Employers need to make sure that employees are aware of the risks and agreed control measures are being maintained."

- [HSE news release](#). **Copies of *Safe handling of cytotoxic drugs, MISC615*, are available from the HSE Medical Sciences Unit on 0151 951 4863 or on the HSE website [in [pdf format](#)]**

Government criticised for workplace smoke stance

Calls for legal protection from passive smoke risks at work are being backed by safety and medical organisations. Ian Foulkes of the Chartered Institute of Environmental Health (CIEH) has called on the government to demonstrate its commitment to public health by abandoning its support for a voluntary approach. "We urge the government to face up to its responsibilities and support European Commissioner for Health, David Byrne, in his bid to ban smoking in all workplaces including bars, cafes and restaurants," he said. Dr Bill O'Neill, Scottish secretary of doctors' organisation BMA, urged ministers to back legislation and called on the Scottish Executive to disassociate itself from a UK government-backed voluntary charter, already under attack from TUC and health campaigners ([Risks 105](#)), after a further survey confirmed it wasn't working, with almost 40 per cent of businesses - including more than 70 per cent of bars - saying they allowed smoking throughout. This week, EC health commissioner David Byrne repeated his view that smoking controls should be introduced under EU-wide safety laws ([Risks 123](#)).

- [CIEH news release](#). **BBC News Online on [BMA Scotland](#) and the [EU ban moves](#). [The Irish Times](#)**
- **TUC's European [SmokeatWork](#) website and [Hazards smoking webpages](#)**

INTERNATIONAL

Australia: Workplace bullies leave three dead

Workplace bullying has claimed the lives of three workers in one Australian state in the past twelve months, a psychologist has claimed. Meddwyn Coleman told a Bendigo Trades Hall Council forum that workplace bullying lay behind the suicide deaths of three workers in

the state of Victoria. She added that for the first time in 25 years she is starting to see suicides that are related to workplace bullying. In one instance an apprentice became seriously depressed following repeated "hazing" or initiation rituals that made him look like an idiot and set him up to fail. Eventually he took his own life. The tragedy was compounded when his sister killed herself because of his death. A study this week in the journal *Occupational and Environmental Medicine* warned there was a "strong association" between workplace bullying and depression, mental illness and, possibly, cardiovascular disease. Bullying and stress has been linked to suicides in Australia, the UK and elsewhere.

- [Workers Online. ACTU bullying campaign](#)
- **M Kivimäki and others. *Workplace bullying and the risk of cardiovascular disease and depression*, Occupational and Environmental Medicine, volume 60, pages 779-783, 2003 [abstract]**
- [Hazards magazine on work-related suicides and bullying factsheet \[pdf format\]](#)

Canada: Labour reps quit safety council

Union reps on the Workplace Health, Safety and Compensation Commission in New Brunswick, Canada, have quit, claiming the government favours corporate profits over workers' safety. Members of the New Brunswick Federation of Labour say the provincial government doesn't listen to union concerns when writing legislation. The board is in charge of promoting a safe and healthy work environment, and providing services to employers, employees and injured workers. It also advises the government on what legislative changes are needed to ensure workers' safety. Federation spokesperson Jean-Marie Nadeau said the union body, which represents 31,000 workers across the province, has grown tired of the province's failure to act on board recommendations designed to improve workplace safety. "The bottom line is the government creates a forum to make a decision and then they don't respect the decision," Nadeau said following the resignations on September 22 of Bob Davidson and John Murphy from the commission. "It's a question of respect," he added.

- [CBC News. New Brunswick Telegraph-Journal/Canoe](#)

Canada: Come in sick, win a prize

A Canadian health authority is offering workers a chance to win Can\$300 (£134) if they don't call in sick for six months. Vancouver Coastal Health Authority is running the contest to cut staffing costs. Public sector union CUPE has condemned the contest as "absurd and dangerous" and "only a small part of an unhealthy cost-cutting agenda." The health authority is bent on reducing a Can\$175 million (£78m) budget deficit by cutting staffing costs. Any of the 27,000 employees of the authority is eligible to enter the raffle if they don't call in sick during the six months between September 15 and March 15. Health care workers say encouraging sick people to go to work in hospitals, nursing homes and care facilities will inevitably put patients at risk. "In light of the SARS episode and infectious disease experts predicting SARS will come back ([Risks 102](#)), it's appalling that a health employer will encourage people to risk making other people sick," said Deb Niemi, a nurse and union rep. She added that the authority should be addressing concerns raised by health care workers about stressful working conditions.

- [CUPE news release. Vancouver Sun/CanWest](#)

Europe: Work diseases under attack

The European Commission is calling on European Union member states to take action to prevent occupational diseases and to ensure sufferers are adequately compensated. "Occupational diseases blight the lives of sufferers," said Anna Diamantopoulou, Commissioner for employment and social affairs. "We are recommending that member states not only take preventive measures, but support the Commission in the collection of data to allow us to have a clear picture of this problem for the whole of Europe." The European Commission is also extending its "schedule" of recognised occupational diseases. It says the latest moves are in line with the increased emphasis on the prevention of occupational diseases outlined in the *Community strategy on health and safety at work 2002-2006*. "Member States are also invited to draw up quantified national objectives with a view to reducing rates of recognised occupational diseases, and to promote an active role for national health care systems, particularly improving diagnosis," says the Commission.

- [EC news release. Text of the recommendation, including the European Schedule of Occupational Diseases \[available in pdf format\]. Community Strategy on Health and Safety at Work 2002-2006](#)

Global: World Bank “still pushes pesticides”

The World Bank has been accused of promoting the use of pesticides in the developing world, despite commitments to stop the practice. The North American office of the Pesticides Action Network (PANNA) says “safeguard policies” agreed by the World Bank in the late 1990s and intended to protect the environment and vulnerable populations have not been put into practice. It says it has “found widespread violations of the Bank's pest management policy and identified a number of projects in which farmers reported pesticide poisonings and deaths in their communities, as well as wildlife loss and contamination of natural resources.” A PANNA report uncovered a number of World Bank projects that had financed pesticide purchases for use by untrained farmers. There are recent signs that the World Bank may be receptive to criticism. Global union federation ICFTU welcomed this week a new commitment by the World Bank's private sector lending arm, the International Finance Corporation (IFC), to include respect for fundamental labour rights as a condition of future IFC loan agreements.

- [PANUPS. ICFTU news release](#)

Ireland: More workers quit due to stress

Job stress is driving Irish workers to quit, a workplace stress authority has warned. Maurice Quinlan, director of the EAP Institute, says many companies do not know they have a legal obligation to protect their employees from stress, overwork, bullying and trauma - and of the cost involved if they do not. He says UK workers have been awarded six figure compensation payouts, and a pharmaceutical rep in Ireland received €250,000 (£173,000) in compensation after suing an employer for work overload. “Employers must recognise that they have a duty of care to their employees to protect them from stress and work overload,” Mr Quinlan said. “If your employer overloads you with work, you suffer an injury and come back to work and nothing has changed then you can sue your employer. The fact that we live in a long hours culture and stress is an accepted part of employment is not a valid excuse.”

- [Irish Examiner](#)
- [TUC It's about time! campaign](#) and [Hazards worked to death web resources](#)

USA: Chip makers “must have known” of cancer risks

Attorneys in a major Silicon Valley cancer cluster lawsuit against IBM have uncovered a "corporate mortality file" in which IBM tracked the deaths of more than 30,000 workers - and the lawyers claim the company knew its electronics workers were dying of cancer more often than normal. The IBM death records were reviewed by a medical expert hired by former IBM workers ahead of a court case starting this week. The analysis by Boston University epidemiologist Richard Clapp concludes: "By 1975, IBM must have known their manufacturing employees had significantly increased death rates due to cancer and must have known that through the next two decades." He says data suggest that IBM workers were much more likely to die from cancers of the breast, blood and lymph than the general population. The case is being followed closely by campaigners in Scotland's Silicon Glen, where there has also been concern about cancer and other risks ([Risks 122](#)). The HSE launched a special investigation of the semiconductor industry after it found raised cancer rates among women who worked at the National Semiconductor plant at Greenock. It served 12 legal notices forcing other companies in Scotland to remedy breaches found by inspectors.

- [Sunday Herald](#). [Reuters](#). [San Jose Mercury News](#). [San Francisco Chronicle](#)
- [International Campaign for Responsible Technology](#). More on [safety campaigns in Silicon Glen](#)

RESOURCES

Union resources for Euroweek

Unions UNISON and GMB have issued new resources for the dangerous substances-themed European Health and Safety Week, which runs from 13 October. A special UNISON webpage includes details of its national inspection day (15 October), new guidance on hazardous substances and asthma, posters, pointers for branches and member and safety rep recruitment material. GMB's latest *Health and safety matters* briefing gives safety reps ideas for activities during the week.

- [UNISON Euroweek webpage](#) and new [asthma information sheet](#) and [hazardous substances information sheets](#). [GMB health and safety matters](#). [TUC Euroweek webpage](#)

Electrical safety at work

The HSE has introduced a new electricity zone on its website. HSE says each year it received about 1,000 reports of accidents at work involving electricity. Around 30 of these are fatal. Most of these fatalities arise from contact with overhead or underground power cables. The new webpages include online copies of free leaflets and links to other resources.

- [HSE electricity webpages](#)

Reproductive health

The US government's workplace safety research body, NIOSH, has created a new reproductive health web resource. It includes a searchable database, reproductive health updates and reports (in English and Spanish), alerts and useful links.

- [NIOSH reproductive health webpages](#)

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](#)

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.

Dangerous substances conference, 16 October

Sheffield Occupational Health Advisory Service (SOHAS) is organising a one-day conference for employers, trade unionists, health and safety managers and occupational health professionals. The event, to run on 16 October as a contribution to European safety week, will include a talk on the HSE's policy on risk assessment and dangerous substances at work and workshops on work related asthma, managing asbestos in

premises, dermatitis and skin disease, work related cancer and substitution of dangerous substances. Cost £30, including refreshments and lunch. Venue to be announced.

- [Further details](#) and [online booking form](#)

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

Construction Safety Campaign AGM, 8 November

The Construction Safety Campaign's 2003 AGM and national meeting is to be held in Liverpool on 8 November. Key issues are corporate killing, asbestos risks, employee consultation and roving reps. Further details from CSC, PO Box 23844, London, SE15 3WR, [email](#) or phone 07747 795954.

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](#).

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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