

Risks

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

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- [South West, Wales Scotland Southern and Eastern East and West Midlands Northern Yorkshire and Humberside](#)

Risks is the TUC's weekly online bulletin for safety reps and others, read each week by over 8,500 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](#).

ACTION

The boss did it with a heavy weight in the study...

Researchers are appealing for organisations to take part in a major study to discover the best ways to reduce work-related musculoskeletal disorders (MSDs). The HSE backed research team is hoping to speak to companies planning to make changes between now and August 2004 to reduce MSD risks. These changes could include training initiatives or alterations to the workplace or tasks. Principal researcher for the study, Zara Whysall of Loughborough University, said: "By helping companies assess employees' knowledge, attitudes, beliefs, and intentions - factors that are crucial to the successful uptake of interventions - participation will help improve the effectiveness of their initiatives to reduce the risks of MSDs."

- [Loughborough University news release](#). **Organisations interested in participating in the research should contact [Zara Whysall](#), telephone 01509 228481.**

Obituaries

Hugh MacGrillen and John Todd

Hugh MacGrillen and John Todd, both long-time union and safety activists, died this month. Hugh MacGrillen worked as an advice and training worker at the union-supported London Hazards Centre (LHC) for 15 years. Colleagues will remember Hugh for his sharp intellect, wit, political acuteness, the knowledge of a qualified chemist, editorial skills and a long and deep involvement with, and commitment to, the trade union movement. During a lengthy stint as London regional secretary of the union MSF, now Amicus, he supported grassroots safety work. In the 1970s he was a nationally ranked chess player in the UK and a national champion in Ireland. John Todd was a veteran TGWU activist and chairperson of Clydeside Action on Asbestos. An ex-lagger, he campaigned for asbestos victims and for controls on asbestos for over three decades, despite suffering throughout from asbestosis himself. In a 1999 article, Laurie Flynn, a reporter with *The Guardian*, recalled his thoughts on hearing of Europe's plans to ban white asbestos. "My first thought when I read the news was of John

Todd, the Glasgow union leader who together with his colleagues staged a strike which directly inspired the 1969 Asbestos Regulations in Britain. The dispute highlighted just how many of their fellow workers were getting sick and produced enough pressure for the government to ban blue and brown asbestos."

- **Hugh MacGrillen: [safety and union activist](#) and [chess champion](#).**
- **Laurie Flynn on [John Todd](#) and other asbestos campaigning heroes.**

UNION NEWS

TUC concern on new crime victims proposal

The TUC has warned that changes to the injury compensation scheme for victims of crime must not discriminate against those injured in workplace crimes. Commenting on the Home Office consultation, "Compensation and support for victims of crime," TUC general secretary Brendan Barber expressed concern at a proposal to switch responsibility for criminal injuries compensation payouts for workplace victims to employers and away from the government fund: "Any improvement to support for victims of crime is welcome," Barber said. "But the TUC is concerned about any moves to treat differently people who suffer injury due to crimes at work and proposals to degrade arrangements for train drivers who suffer trauma when witnessing suicide." Hugh Robertson, TUC's head of safety said: "The consultation paper starts off by saying that the current scheme is one of the best in Europe. Why then should they be looking at cutting it? We would like to see any fund that is set up to be additional to the existing scheme, and for more money to be made available for preventive measures." He added: "The TUC has asked for an urgent meeting with the minister to discuss our concerns."

- **[Home Office news release](#) and [summary of the proposals. Compensation and support for victims of crime \[pdf format\]](#). The consultation period ends on **29 March 2004.****

New bid to control gangmasters



The Transport and General Workers' Union (TGWU) has joined forces with Labour MP Jim Sheridan to tackle the abuse of workers by the unregulated

"gangmasters" who recruit and supply labour to the farming and horticulture industries. The union is backing a Private Members' Bill tabled by the West Renfrewshire MP and drafted with TGWU assistance which would force gangmasters operating in agriculture to obtain licences. According to TGWU, deregulation of gangmasters in the 1990s has resulted in weak voluntary codes that leave gang workers at risk of injury, excessive hours, low pay and intimidation. It also means that the government and the authorities cannot keep track of gangmasters' activities. "Since I moved the Private Members' Bill there has been a growing consensus and momentum for change plus increasing support for action from all sides of the food and farming industries in particular," said Jim Sheridan. TGWU general secretary Tony Woodley said voluntary measures had failed and added: "Abuses of health and safety, exploitation through low pay and criminal acts of intimidation are being reported on a regular basis. We believe the time has come for legislation which will introduce licensing and enforceable regulation." The Bill is scheduled to have its second reading in the Commons on 27 February.

- [TGWU news release](#) and [TGWU gangmasters campaign](#).
- **Check to see if your MP is signed up to Jim Sheridan MP's [Gangmasters Early Day Motion, EDM 423](#) – if not, ask why not. [Find your MP](#) - you only need to know your postcode**

Firefighters pour cold water on fire safety bill

The Fire Brigades Union (FBU) has condemned the government's Fire and Rescue Bill as "window dressing" intended to cover-up planned fire service cuts. The union believes any good measures in the bill will be outweighed by new local "integrated risk management plans" which FBU says will slow fire service 999 response times, reduce the number of firefighters attending calls and reduce the emergency equipment initially dispatched to calls. FBU general secretary Andy Gilchrist, responding to the announcement by fire and rescue services minister Nick Raynsford, said: "Some good ideas are simply used as window dressing for a cuts programme. Nick Raynsford is leading the rush over the cliff of modernisation without pilot-testing a single proposal." He added: "A listening government would try out new ideas not rush into them without knowing whether they will work or not. This headlong dash is dangerous folly and would never be attempted in any other public service. You cannot have significant cuts in an already

overstretched service without the lives of firefighters and the public being put at risk.”

- [FBU news release](#). [ODPM news release](#). [Fire and Rescue Services Bill](#).

Union condemns “appalling” site deaths rate

Construction union UCATT has condemned an “appalling” upturn in the number of sites deaths. It says eight construction workers have been killed in the last month - a time when most of the industry stops working for up to two weeks for the holidays. UCATT adds that latest official fatality figures show that since April 2003, 54 construction workers have died. UCATT general secretary George Brumwell commented: “This is appalling news at the start of the year and underlines the need for more to be done to address the causes of poor health and safety on our construction sites. UCATT has invested significant resources to try and address these problems by setting up our Health and Safety Adviser Network, which aims to improve communication between workers and employers and raise the profile of health and safety amongst employers where there is no union safety rep.” He added: “We need to develop a culture where workers and employers alike Think Safety, Believe Safety and Dream Safety so that safe working practices become second nature.” The eighth construction fatality in the last month occurred at the Wembley Stadium development on 15 January.

- [UCATT news releases 15 January and 7 January](#). [UCATT Health and Safety Adviser Network](#).

Rescue bid for dumped lifesaver

A helicopter search and rescue hero who has saved hundreds of lives from his Shetland Isles base has been “dumped” without compensation after work-related injuries stopped him doing his usual job. John Boulton, 47, a member of a search and rescue helicopter crew with Bristow, is to sue the company which he said “unceremoniously dumped” him once the injuries he sustained over the years made it impossible for him to do his job. Crew members are frequently injured when dropped on cliff faces and bounced on decks. Under an agreement between Bristow and the British Airline Pilots' Association (BALPA), John’s union, injured workers qualify for a compensation

package of four times their annual salary if they become unfit to fly. The company, however, is refusing to pay. As well as losing his job and being denied his compensation package, John will be homeless as the company has said it will evict him. John has been involved in many heroic rescues. One case recounted at a court hearing involved a crashed helicopter in mountainous seas, and resulted in the whole court - lawyers, reporters, the public and police – standing and applauding his courage.

- [BALPA news release.](#)

Do not give drunks a licence to violence

Worried shopworkers fear proposed changes to Scotland's liquor licensing laws could spark a huge rise in violence and abuse towards retail staff. Retail union Usdaw says the number of violent incidents will surge upwards if shops and supermarkets are allowed to sell alcohol beyond the current 10pm evening cut-off point. In a submission to the Nicholson Committee's review of Scotland's licensing laws, Usdaw says it opposes the extension of licensing hours in retail off-sales premises. It argues that retail industry research has revealed a 50 per cent increase in the number of violent attacks against shopworkers in the UK since 1999, with over half of these incidents attributed to the abuse of alcohol and drugs. Bill Connor, Usdaw general secretary, commented: "Shopworkers in Scotland have genuine fears for their safety if licensing hours are extended in shops and supermarkets. No-one should go to work in fear of being attacked, threatened or abused. Usdaw calls on the Scottish Executive to thoroughly investigate the impact on shopworkers of any extension to off-sales licences."

- [Udaw news release.](#)

OTHER NEWS

DTI study shows the need for work hours protection



More than a quarter of employees believe they are spending too long at work, according to the Department of Trade and Industry (DTI). The DTI surveyed 1,129 workers about measures that might help them balance their work and lives more effectively. It found 28 per cent felt they were working too much and eight out of 10 employees wanted more time with their friends and families. Trade and Industry Secretary Patricia Hewitt

praised employers for making "great strides" in helping workers to balance work and home lives since new flexible working measures were introduced in April last year. "Accommodating these interests and commitments will not only help workers stay healthy, but will also benefit the bottom line through reduced absentee rates and recruitment costs," Ms Hewitt said. TUC general secretary Brendan Barber welcomed the government commitment to work-life balance, but said if it wanted the workforce to remain healthy it should end the UK opt out from the working time directive, a health and safety measure. "The government cannot have it both ways," he said. "Either it continues to defend the UK's opt out from Europe's working time rules or it is on the side of people trying to balance the pressures of work with the rest of their lives."

- [DTI news release](#). [BBC News Online](#). [The Scotsman](#). [Sky News](#). [Personnel Today](#).
- **Unions and work-life balance guidance:** [TUC's Changing Times website and newsletter](#).
- [TUC It's about time! campaign](#) and [Hazards worked to death](#) and [get-a-life!](#) webpages.

Deadly danger for Britain's hidden Chinese workers

A fatal 24-hour shift at a Hartlepool microwave plant has highlighted the plight of migrants working long hours, under false names, for low pay. Zhang Guo Hua dropped dead after stamping the Samsung name on microwave ovens for 24 hours on end. An investigation by the *Guardian* has discovered that the dead man was one of a hidden army of workers from northern China, many of them without papers, toiling under conditions that few Britons would tolerate. Mr Tang flew to London from Beijing as a visitor and overstayed. He and his permitless friends and their wives have since been through the usual list of trades - cutting salads for Tesco suppliers in Sussex, fish processing in Scotland, packing flowers in Norfolk ([Risks 117](#)). The paper reports a co-worker who said they were recruited by a firm called Thames Oriental Manpower Management, which "charged us £100, got us the jobs, provided papers and gave us train tickets to Hartlepool." He added: "We had false identities, using photocopied work permits." Unions have highlighted the dangers facing migrant workers, particularly those employed in hotels, construction or on farms. Samsung announced this week it is to close its Teesside plant, with the loss of 420 jobs.

- [The Guardian](#). [BBC News Online](#).

Worker dies at Wembley stadium site

A construction worker has died and another has been injured in an incident at the site of the new Wembley Stadium. One man was declared dead at the scene of the 15 January accident and the other was taken to the Central Middlesex Hospital with leg injuries. Work across the site was suspended pending the start of an investigation. Two Health and Safety Executive (HSE) inspectors were sent to the site following the tragedy. Police said it was believed a platform collapsed without warning and fell about 100 feet, trapping the men underneath. A spokesperson for Wembley Stadium said: "We're trying to establish the full facts at the moment with the construction contractor Multiplex, who are in charge of the project overall." The Transport and General Workers' Union (TGWU) confirmed that both men involved are TGWU members. Bob Blackman, TGWU national secretary for construction, said: "We are deeply saddened by the news" and added: "Our thoughts and sympathies are with his family, friends and colleagues. The TGWU will co-operate fully with the HSE investigation into the causes of the incident."

- [BBC News Online](#).

Watchdog attacks farming fatalities

A government and Health and Safety Commission (HSC) campaign is to target farming fatalities and will call on all "stakeholders" to play their part. Speaking at an agriculture health and safety summit meeting last week, DEFRA minister Lord Whitty and HSC chair Bill Callaghan said a concerted effort was needed to prevent agricultural accidents and ill-health, one of HSC's priority areas for improvement. Bill Callaghan said: "Further advancements in health and safety cannot be achieved by enforcement alone; we need the active commitment of everyone involved in agriculture, to influence the work practices of British farmers." Lord Whitty told summit delegates: "Partnership is a key theme of the government's strategy to develop a sustainable agricultural industry. That is why DEFRA and HSC are working closely together on farm health and safety matters. We have also used the opportunity presented by the development of the strategy to build farm health and safety management into a range of DEFRA policies. A safe and hygienic working environment is one of the key principles for sustainable farming and food. We are determined to tackle the poor

health and safety record of the industry as it represents a threat to that sustainability.”

- [HSE news release](#) and [agriculture webpages](#).

HSE pushes healthy handling on site

A Health and Safety Executive (HSE) enforcement blitz is to target dangerous manual handling on construction sites. HSE says inspectors will descend on sites across London and east and south east England during March 2004. Handling and using tools, materials and substances can result in fractures, strains, musculo-skeletal disorders (MSDs), dermatitis, cement burns, hearing loss, hand arm vibration syndrome and consequent long term disability, says HSE. Last year 25 per cent of major injuries in the construction industry were due to slipping or tripping while moving around construction sites. HSE’s chief inspector for construction Kevin Myers commented: “While developing cement dermatitis or vibration white finger is unlikely to kill someone, it can result in significant injury and ultimately force someone out of their profession. Effective controls on exposure to these occupational health risks can reduce or prevent injury and ill-health experienced by workers in the construction industry. We are now looking to clients, designers, planning supervisors and contractors to take account of these hazards well before work starts on site.”

- [HSE news release](#). [HSE construction webpages](#). A free, five-page guide is available [online](#) or from the [Healthy Handling Helpline](#) on 01582 444 248.
- **Can you help? An HSE backed study is seeking organisations that employ bricklayers, plasters or joiners to take part in a study investigating ways to reduce MSD risks on site.** [Further details](#).

No smoke without litigation warns campaign

Anti-smoking charity ASH is warning bosses that they face legal action if they fail to protect their workers from tobacco smoke. It says all employers should now be well aware of the health threat posed by passive smoking. In a letter to the hospitality trade, which has resisted attempts to introduce a ban ([Risks 108](#)), ASH warns the “date of guilty knowledge” – the date where no employer should be unaware of the potential health damage caused by passive smoking - has long passed. Because of this, any employer not taking steps to protect staff is

risking court action under workplace safety laws, says ASH. It has teamed up with trade union law firm Thompsons and plans to use the letters to the hospitality industry as evidence in any future court action. Deborah Arnott, ASH director, said: "The time is long passed when employers should have known that second hand smoke is bad for their staff, and bad for the general public. To make quite sure that they understand this crucial point - and the rising threat of legal actions that they now face - we have sent all the UK hospitality trade's leading employers a formal registered letter." The president of the Dundee Licensed Trade Association this week backed the ASH call. Jonathan Stewart said local licensees realise passive smoking is harmful.

- [ASH news release](#). [BBC News Online](#). [The Independent](#). [Sky News](#). [Evening News](#).
- **Union guidance: TUC [SmokeatWork](#) and [Hazards smoking websites](#).**

INTERNATIONAL

Australia: Negligent employers on notice say unions

An Australian union body has welcomed a Aus\$100,000 (£42,000) fine imposed on national retail chain Clints Crazy Bargains following a serious lifting injury to a female employee. Victorian Trades Hall Council's Nathan Niven said negligent employers should be on notice following the successful prosecution by the official safety enforcement agency, WorkSafe. "Thousands of Victorian workers suffer from largely preventable back, neck, shoulder and other musculoskeletal injuries each year despite the fact that employers are required under law to provide safe and healthy workplaces." The company was found guilty of failing to provide a safe workplace and failing to have a safe system of work for employees unpacking pallets in the storeroom. In March, Australia's national union federation ACTU will launch a national campaign, "Work strain causes real pain - No body should put up with it."

- [VTHC news release](#), [OSH Reps safety reps' website](#) and [corporate accountability campaign](#).

Australia: Government faces massive asbestos bill

Australia's federal government could face a Aus\$1 billion (£0.42bn) liability bill for lawsuits brought by workers suffering from the asbestos cancer mesothelioma, a new official report has warned. The amount is up sharply on previous estimates because of escalating payouts, the emergence of more cases than expected and a recent High Court case expanding the areas of government liability. The Australian National Audit Office report spells out the revised liability figure, putting it at Aus\$945 million (almost £400m). Defence and former transport workers - especially dock workers - are the most common litigants, having worked with asbestos in the 1960s and 1970s.

- [The Age](#). **More on the global asbestos campaign: [International Ban Asbestos Secretariat](#).**

New Zealand: Business warms to new safety laws



Safety laws introduced last year amidst strong opposition and dire warnings from New Zealand's business lobby, are proving a success. The legislation, which introduced union safety reps with legal rights, has so far seen 4,000 reps elected and over 2,500 trained. Business New Zealand executive director Anne Knowles admitted the worst-case scenario envisaged by employers had not been realised. She said a successful implementation programme, helped by an advisory group involving employers and unions, had helped, and added "it is important that all employees be involved and that there be a preventive culture." New Zealand Council of Trades Unions (NZCTU) president Ross Wilson said he was "well pleased" with the way the new laws had bedded in. Wilson also took a shot at those who had made negative comments about the laws. "Of course all of the dire predictions that were made haven't come to pass," he said. Labour Minister Margaret Wilson frequently referred to New Zealand's "appalling" workplace accident and death record as the reason for the law changes.

- [New Zealand Herald](#).
- **Safety rep resources: NZCTU [Worksafe Reps website](#) and [Unions talking safety campaign](#). [Hazards safety reps' webpage](#).**

Northern Ireland: UNISON condemns health service race hate attacks

Health service union UNISON is drawing up an action plan to combat race hate attacks against Belfast nurses. Health staff from ethnic minority groups, particularly Filipinos, have been subjected to racial abuse and attacks in south Belfast in recent weeks. One member had already fled her home. The union says all ethnic minority nurses in the area have been subjected to verbal abuse and many have suffered attacks on their homes. "Racism cannot be permitted to go unchallenged in this society," said UNISON Northern Ireland's head of organisation and development, Pam Dooley. UNISON is calling on the nurses' employer, Belfast city hospital, and the police to work with them to give protection to the workers and to all people from ethnic minority groups living in the region. "This is a profoundly racist society," said Dooley. "The sooner we face the fact and deal with it the sooner we will be free from it."

- [UNISON news release](#).

USA: Bush fires off belated safety alarm

US president George W Bush, in the wake of unprecedented press and public criticism of the government safety watchdog's policing of private industry's deadly safety violations, has called for closer scrutiny of safety standards in government workplaces and agencies. "Clearly, government agencies should strive to do more to improve workplace safety and health and reduce the costs of injury to workers and taxpayers," Bush said in a memo to federal executives. "Many workplace injuries are preventable." Bush directed Labor Secretary Elaine Chao to oversee a safe workplace initiative for all federal departments and agencies and to measure their performance in lowering work-related injuries and illnesses. The government's performance at policing dangerous employers in the private sector has recently been denounced as "an astounding record of failure" ([Risks 138](#)). "When workers die," a series of articles in the *New York Times*, revealed that the official safety enforcement body, OSHA, rarely prosecutes employers in the 100 plus fatalities it investigates each year where the employer is guilty of "wilfully" sending the worker into a dangerous situation. A report from international union confederation ICFTU this week accused the US government of "a serious record of continuing labour rights violations," including safety and union rights breaches.

- [Yahoo News](#). [ICFTU news release](#) and [report](#).

RESOURCES

Microwave News

Microwave News, the most comprehensive source on hazards of non-ionising radiation – the rays that zap you from mobile phones, phone masts, electrical equipment and power sources and VDUs – has relaunched its website, www.microwavenew.com. It says the site will be updated regularly with all the latest news and opinion on low- and high-frequency electromagnetic fields (EMFs).

- [Microwave News](#)

TGWU website

The Transport and General Workers' Union (TGWU) has launched a new, fully updated website, www.tgwu.org.uk. The union says the new look site is the first in the trade union movement to be awarded the Royal National Institute for the Blind's "See it right" logo, and conforms to level double-A of the World Wide Web Consortium's Web Accessibility Initiative. The site will regularly update news, events, and campaigns, and includes a revamped safety section including answers to frequently asked questions, together with information sources and contacts. Safety campaigns feature prominently on the revamped site, including the TGWU campaigns on corporate killing and on child labour on farms.

- [TGWU news release and new look website and health and safety pages](#), including details of the [TGWU corporate killing campaign](#) and [children on farms campaign](#) and [frequently asked questions](#).

EVENTS AND COURSES

TUC courses for safety reps

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