

Risks

issue no 147 – 12 March 2004



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

CONTENTS

- [Union news: **Big Brother is a big bother at work**](#) * [Smoking should be classed as killer work chemical](#)
- * [Ukrainians face harsh conditions in the UK](#) *
- [TGWU tops £1.5 billion in compo payouts](#) * [Don't let employers be gender blind](#) * [Stressed out council staff want to quit](#) * [Hoon will consult union on journalist safety](#)
- [Other news: **Workers "forced to pay for toilet breaks"**](#) * [UK in the dock over work breaks law](#) *
- [Job rehabilitation pilot needs more recruits](#) *
- [Safety service for small firm Scots](#) * [Tackling stress to reduce sickness absence](#) * [NHS staff pay high price for dedication](#) * [Smoke ban "would save thousands"](#)
- [International news: **Australia: Work strain – no body should put up with it**](#) * [European Union: Work accident rates "remain very high"](#) * [Greece: Unions act on work burn-out dangers](#) * [USA: Bar ban brings massive drop in smoke exposures](#)
- [Resources: **Got enough Hazards?**](#) * [Worker's Memorial Day update](#)
- [Events and courses: **TUC courses for safety reps**](#)

Risks is the TUC's weekly online bulletin for safety reps and others, read each week by over 9,100 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](#).

UNION NEWS

Big Brother is a big bother at work



Snooping employers are jeopardising both productivity and their workers' health. "Stop snooping," a new report in the TUC backed *Hazards* magazine, says that new technologies and the lack of privacy rights at work mean bosses can monitor employees constantly and secretly. Companies in the UK and abroad are eavesdropping telephone calls, measuring toilet breaks, monitoring emails, internet use and computer work and using CCTV, hidden cameras, smart cards and tracking devices to keep an eye on work activities. The report adds that the largely unregulated rise in drug, alcohol and health testing of employees is being used to "weed out" unsuitable staff or applicants. Concern about the growing trend to snoop on staff has led the TUC to call on Information Commissioner Richard Thomas to beef-up a planned code on work health and privacy ([Risks 135](#)). Brendan Barber, TUC general secretary, commented: "Big Brother bosses do not get the best out of employees... The positive step to tackle this needs to be toughened up to make sure tests are only used when absolutely necessary." *Hazards* editor, Rory O'Neill, said: "If employers want to know what their staff are doing they should ask them. Consultation and participation are not dirty words, they are the key to a productive workplace."

- [TUC news release](#). **Hazards magazine's "Stop snooping" report and reports on [drug and alcohol tests](#) and [genetic screening at work](#). [TUC WorkSmart guide to monitoring and internet policies](#).**
- [BBC News Online](#). [Reuters](#). [Ananova](#). [Femail.co.uk](#). [Manchester Evening News](#).

Smoking should be classed as killer work chemical

The TUC is calling for tobacco smoke to be classified as a "hazardous chemical" under European law and restricted in workplaces, including

bars and restaurants, like other dangerous substances. Brendan Barber, TUC general secretary, said: "Tobacco smoke is a killer and should be treated as such in the workplace. Making work smoke-free would save thousands of lives and do absolutely no harm to the economy." TUC points out that the European Commission has a legal obligation to examine the health effects of hazardous chemical agents and levels of workplace exposure using the latest scientific research (under Council Directive 98/24/EC). It says it has written to the EU Commissioner for Employment and Social Affairs asking for action under this obligation, including limits on exposure to tobacco smoke at work – and it wants it listed as an occupational carcinogen. The TUC says that the evidence clearly shows that failure to treat tobacco smoke in a similar way to other dangerous chemicals leads to the deaths or incapacity of many thousands of workers across the EU from lung cancer, emphysema, bronchitis and asthma.

- [TUC news release](#). "[Smoking bans are good for business](#)," TUC backed *Hazards* magazine report challenging bogus arguments against smoke free workplaces.
- [TUC smokeatwork website](#). [Hazards smoking webpages](#).

Ukrainians face harsh conditions in the UK

The government needs to make it more difficult for unscrupulous employers to mistreat migrant workers, says the TUC. "Gone west: Ukrainians at work in the UK," a report for the TUC by Stepan Shakhno, a Ukrainian student who is also chair of the European Youth Parliament in western Ukraine, is based on interviews with Ukrainian migrant workers working in construction, food processing and agriculture – hazardous sectors well-known for their use of migrant labour. Although official figures are not available, estimates put the number of Ukrainians working in London as high as 40,000, with possibly up to 100,000 Ukrainians in the UK as a whole, according to Mr Shakhno. "It is easy to condemn these people but we shouldn't forget they have been compelled by force of utter need to leave their family and friends," he said. TUC general secretary Brendan Barber said: "Certain parts of our economy are now heavily dependent on migrant labour, and anyone coming here to work should be treated fairly and paid decent wages. But sadly for many, working in the UK often means harsh treatment, poor wages, excessive hours and appalling living conditions."

- [TUC news release. The Guardian. Ananova.](#)
- "Gone west: Ukrainians at work in the UK", £10 from [TUC Publications](#).
- Related information: [How to strengthen protection of migrant workers and members of their families with international human rights treaties](#) - A do-it-yourself kit by The International Catholic Migration Commission, January 2004

TGWU tops £1.5 billion in compo payouts

The Transport and General Workers' Union says the £80 million in accident and injury compensation won by the union last year for individual members has taken the total won since the union was founded to over £1.5 billion. It says this alone is a clear indication of the benefits for working people of being in a trade union, whatever the size of the workplace. Tony Woodley, TGWU general secretary, said: "All the monies which have been won have gone to the individual members and we are justly proud of that. This is a real contrast with others working in the field, particularly many of the so-called 'no win, no fee' firms who make deductions, sometimes substantial ones, from settlements." He added: "Of course, everyone prefers not to have an accident at work. However, these figures demonstrate the value of being in the TGWU should that happen. That we have won over £1.5 billion since the TGWU was formed demonstrates the core work that the union does is important to our members and will continue to be an excellent reason for people to join." In 2003 the TGWU was involved in 13,380 cases which led to total settlements of £80,885,643. Of these cases, 1,009 involved compensation amounts of over £10,000.

- [TGWU news release](#).

Don't let employers be gender blind

General union GMB is urging safety reps to raise the profile of women's health and safety within their workplaces. A new briefing issued on International Women's Day, 8 March, points to recent European reports that highlighted problems with the current health and safety system and the big gaps in knowledge about women's health and safety ([Risks 141](#)). GMB warns that women face a "double dose" of hazards from paid and unpaid work plus the effects of "emotional labour," the added stress of the caring jobs overwhelmingly undertaken by women. It adds that whilst men are more at risk of

accidents at work, women tend to be more at risk of work related ill health. GMB also points to the TUC's "Working through the change" report on women and the menopause, another neglected issue with health, safety and welfare implications at work ([Risks 96](#)).

- [GMB news alert and full briefing \[pdf\]](#)
- [Hazards women and work hazards webpage.](#)

Stressed out council staff want to quit

Almost a third of council staff are seriously considering quitting their jobs, according to a UNISON survey. Low morale and high levels of stress, compounded by poor pay and conditions, were also prompting a further third to think about leaving local government. UNISON's *Perceptions at work: Women and Men in local government* survey found women are the least likely to climb up the career ladder, despite representing threequarters of the local government workforce. Four in five feel their job has become more pressurised in the past year, and almost all find the work stressful, with a third saying it is "highly stressful." More than one quarter say they have sustained injuries at work, or have incurred health problems caused directly by their working conditions.

- [UNISON news release. The Guardian.](#)

Hoon will consult union on journalist safety

Defence Secretary Geoff Hoon has pledged to consult journalists' union NUJ on the protection of journalists working in war zones. In a meeting with union officials and MPs on March 9 he said the union was leading the debate on journalists' safety in Britain and he would support its call for stronger protection in international law. NUJ said it greeted Geoff Hoon's remarks as an advance in its campaign to prevent the targeting of media workers. Last year's invasion of Iraq by Anglo-American "coalition" forces saw an unprecedented level of attacks on journalists, with 17 killed in the three-week military campaign - seven of them by US troops. Pressed by the NUJ to support a move to make the targeting of media workers a war crime, Geoff Hoon said: "I don't have any difficulty with that." He would not accept that UK forces had any obligation to protect journalists reporting independently from war zones but did agree that targeting should be outlawed. NUJ general secretary Jeremy Dear commented: "It was very positive to get the chance to state what our concerns are and what government needs to

do. We are now going to keep up the pressure to win a safer environment for journalists who have to cover wars.”

- [NUJ news release.](#)
- [International News Safety Institute.](#)

OTHER NEWS

Workers “forced to pay for toilet breaks”

Factory workers have been told by bosses they will have to pay back wages for the time they spend on visits to the toilet and cigarette breaks, a union rep has said. Amicus organiser Carole McFarlane said she could understand staff being carpentered or even subject to disciplinary proceedings for taking unauthorised breaks but the docking of wages was “outrageous.” Managers at electronics factory TItems in Blyth, Northumberland, took action after monitoring a number of staff who they believed were taking unauthorised breaks from the shopfloor. Amicus has called a meeting with managers at the factory to try to get the financial penalties lifted. The incident is the latest in a series of dirty dealings about loo breaks at work. Last year, a TUC/Hazards “bag bogs” campaign revealed that employers were exploiting a loo breaks legal loophole to block their staff from going to the loo when they wanted. A Birmingham cash and carry firm, Giro Food Ltd, was fined £40,000 plus costs last month by magistrates after environmental health officers found a staff restroom and washrooms in a poor condition.

- [The Scotsman. Environmental Health News.](#)
- [TUC/Hazards “Give us a break” website.](#)

UK in the dock over work breaks law

The European Commission is taking the UK government to the European Court of Justice for allegedly failing to enforce a directive that entitles employees to breaks at work. It accuses the government of neglecting its working time rules, which unions say has cost staff millions of hours of leisure time. A commissioner said the issues were “rest periods” and “undeclared working time” in the EU Working Time Directive. The union Amicus first raised the issue with the EC about four years ago. It said existing UK regulations encouraged employees not to take breaks at work, which are required by law. The law states employees should have breaks during the day as well as between each week or fortnight and longer breaks over the course of the year. The union says the government has failed to protect as many as three million white collar workers from companies pressuring employees to

do extra work at home. "While we welcome the legal action we would have rather the UK government had chosen to apply the Working Time Directive by agreement," an Amicus spokesperson said. "However, we have waited too long and there is now clearly no alternative."

- [BBC News Online](#).
- [TUC's "It's about time" campaign](#). [TUC WorkSmart guide to working hours, holidays and breaks](#).

Job rehabilitation pilot needs more recruits

The government is urging trade unions to encourage members to sign up for the Job Retention and Rehabilitation Pilot, which celebrates its first anniversary on 1 April. By November last year the study was falling behind its recruitment targets, with just 1,000 workers signed up out of a target of 7,500. The pilot, which hopes to assist those off work because of sickness, injury or disability to retain and return to their jobs, has been arranged by the Department for Work and Pensions, the Department of Health and the Health and Safety Executive (HSE). It covers seven areas: Birmingham, Greater Glasgow, Newcastle, north Tyneside, Sheffield, Teesside and west Kent. TUC has been calling for better rehabilitation services for all workers. In 2002 it said urgent action was needed to end the "£14 billion workplace injuries drain" ([Risks 64](#)). A new TUC briefing says: "Unions operating in the pilot areas may well know of members who could benefit from participating. The programme is voluntary, and signing up does not affect a person's rights to benefits or other health services." HSE is currently developing advice for employers on workplace rehabilitation.

- [TUC briefing on the Job Retention and Rehabilitation Pilot](#). [People Management](#).
- **More details about the pilots are available from the project team: [Gayle Trinidad](#), Job Retention and Rehabilitation Pilot (JRRP), Cathedral Court, Vicar Lane, Sheffield S1 2EX. Tel 0114 259 5595.**

Safety service for small firm Scots

The Scottish Executive has created an organisation devoted to providing health and safety support to small and medium sized firms (SMEs) in Scotland. These companies employ 51 per cent of the country's workers - and 60 per cent of these firms in Scotland have

little or no access to occupational health or safety provision. Safe and Healthy Working was created last year and is a free and confidential service available to all SMEs and their employees throughout the country. It aims to provide access to high quality occupational health and safety guidance to put them on a more equal footing with bigger corporations. It claims to be the first service of its kind in Europe and has been developed to respond to the particular needs of SMEs which might have as few as five employees. A Safe and Healthy Working survey of small to medium-sized firms found that the issues least likely to be acted upon, despite being aware of the risks, included psychosocial hazards and long working hours.

- [The Scotsman. Safe and Healthy Working website.](#)

Tackling stress to reduce sickness absence

Local government employers have accepted that tackling stress at work by creating better jobs is the key to reducing sickness absence. The Employers' Organisation for local government (EO) says its guidance aims to reduce the 34.6 per cent of sickness absence caused by work-related stress. Tracey Connage, assistant director of best practice at the EO, said: "Effective stress management techniques will always tackle the real sources of stress in the workplace. Inflexible work patterns and arrangements, bad job design, poor communications, interpersonal conflicts, inappropriate recruitment and selection decisions and hostile work cultures should be addressed. Reactive measures will only be short-term solutions where structural issues are at the root of problems."

- [Employers' Organisation.](#)

NHS staff pay high price for dedication

One in six NHS staff have faced physical violence while trying to carry out their duties, according to an official survey of over 200,000 health service workers. And 37 per cent said they'd been harassed, bullied or abused at work in the last 12 months. That constant threat of violence and a heavy workload are factors in the high stress levels that affect no fewer than 40 per cent of those who responded. Threequarters (75 per cent) say they work longer than their contracted hours on a routine basis, while 20 per cent had suffered an injury or illness as a result of moving or handling patients, needlestick accidents, falls, or exposure to dangerous substances. Commenting on the findings of the

Commission for Health Improvement (CHI) survey of NHS staff, UNISON head of health Karen Jennings said: "The results of the survey mirror many of the issues we've been campaigning about for years." She added that "this reflects the serious staff shortages that many trusts face. We need long-term, family friendly solutions to make careers in the NHS more attractive to more people."

- [Department of Health news release](#). [Commission for Health Improvement news release](#). [UNISON news release](#). [The Guardian](#). [BBC News Online](#).

Smoke ban "would save thousands"

A ban on smoking in public places would save more lives than are lost every year in road accidents, say campaigners. On No Smoking Day, 10 March, campaign director Ben Youdan said a ban in all workplaces - including bars and pubs - would save 4,800 lives a year in Britain. A new private member's Bill to restrict smoking in public places was introduced in the House of Lords on no smoking day. The Bill would prevent any employee from being contractually obliged to work in a smoking area. It would also give statutory backing to no-smoking areas in enclosed public places, including bars, pubs and restaurants and would allow the government to set maximum permitted exposure levels to environmental tobacco smoke for both employees and members of the public. Mr Youdan estimated that a workplace ban - a move supported by unions, public health bodies and campaign groups - would lead to 500,000 people giving up the habit, and would have four times more impact on current smoking levels than last year's tobacco advertising ban.

- [No Smoking Day news release](#). [ASH news release](#). [BBC News Online](#). [BBC News Online Scotland](#). [Sky News](#). [Ananova](#). [No Smoking Day website](#).

INTERNATIONAL

Australia: Work strain – no body should put up with it

Work strain could contribute to as many as 4,000 new injuries every week in Australian workplaces, top union body ACTU has warned. Launching a national campaign to reduce "work strain," ACTU President Sharan Burrow said: "There is an emerging body of research that links work strain to an increasing incidence of headaches, chronic

muscle tension and pain. The research shows that work strain worsens existing musculoskeletal disorders and creates other health problems.” ACTU says risk factors are excessive workloads, long hours, job insecurity, and a lack of control over one's work in combination with physical aspects such as lifting and carrying loads, poor posture, and exertion. The ACTU’s national health and safety campaign, “Work strain causes real pain - no body should put up with it,” calls for: Better safety laws dealing specifically with work strain and psychosocial hazards as well as to provide accurate national data on workplace injuries; action from employers and harsher penalties for those putting employees at risk of injuries or illness; and for “workers and union members to speak out about work strain and to seek compensation for a work-related injury or disease.”

- [ACTU news release, Work causes real pain webpages and leaflet \[pdf\]](#).

European Union: Work accident rates “remain very high”

The European Commission says workplace accident rates in Europe “remain very high.” The *Improving quality in work: a review of recent progress* report says that while the incidence of accidents at work decreased between 1994 and 2000, there were still five million accidents in 2000 leading to 158 million lost working days. The report says around 350,000 workers were obliged to change their job due to an accident. Almost 300,000 workers were affected by varying degrees of permanent disabilities and 15,000 had to give up work. The report says a new *Community strategy on health and safety at work* focuses on the need to consolidate a culture of risk prevention and to combine better existing policies.

- [European Foundation briefing. Improving quality in work: a review of recent progress, COM \(2003\)728 final \[pdf\]](#). [Community strategy on health and safety at work \[pdf\]](#).

Greece: Unions act on work burn-out dangers

Unions in Greece are calling for action to prevent burn-out at work. Recommendations from the Greek General Confederation of Labour (GSEE) include information provision, work reorganisation and recognition of burn-out as an occupational illness, as well as proper implementation of health and safety regulations. A seminar co-

sponsored by the union body heard the main causes of “burn-out syndrome” are the manner in which work is organised, work intensification, longer working hours and misassignment of jobs to poorly trained or unsuitable workers. GSEE's proposals include: Providing “burn-out control” leaflets to all company staff; lowering the level of commitments undertaken by workers and encourage them to adopt realistic, satisfying goals; providing frequent training opportunities; decreasing working hours without loss of pay; training supervisors; and introducing a legal clause prohibiting dismissal of individuals suffering from burn-out, which should be recognised as an occupational illness.

- [EIRO briefing](#).

USA: Bar ban brings massive drop in smoke exposures

An investigation of the impact of New York's 9-month-old ban on bar room smoking has found bar worker passive smoking exposures have dropped dramatically. The state Department of Health is testing saliva samples from bar and restaurant workers in one of the first studies of the smoking ban's impact on the health of employees. The first two batches of saliva samples tested showed levels of cotinine - a nicotine byproduct - decreased by 85 per cent in just three months after the smoking ban went into effect, said Claire Pospisil, a state Department of Health spokesperson. Non-smoking hospitality industry workers participating in the study are voluntarily putting cotton swabs in their mouth for a few minutes every three or four months and then mailing the swabs in vials to the Health Department. The Health Department tests the swabs to determine the cotinine in the workers' saliva.

- [Syracuse Post-Standard](#).

RESOURCES

Got enough Hazards?



Sick of being harassed when you are sick? Look down on snooping at work? Interested in the global asbestos scandal, the dirty secrets of the microelectronics “clean” factories, or what the unions have to say on all the major safety issues, in the UK and worldwide? The latest issue of the TUC and union backed *Hazards* magazine is out now and covers all this and much

more – and is available to union reps at a fraction of the full price. *Hazards* relies on union support for its survival – so make sure your workplace, committee, branch and national union are subscribing. Donations are welcome too.

- [Hazards magazine](#). [Subscribe online](#). **Special features on [sickness absence](#), [privacy at work](#), [dirty secrets of the cleanrooms](#) and [Workers' Memorial Day](#).**
- Support Hazards! **To subscribe, donate or to get more information, email [Hazards](#) or [check out the website](#).**

Worker's Memorial Day update

New resources for Workers' Memorial Day, 28 April 2004, are pouring in. New posters are available from UNISON, the Hazards Campaign and the international building workers' union federation IFBWW. The Construction Safety Campaign, which last year paraded a horse drawn hearse through the City of London, will this year march on Wembley Stadium, the site of a work fatality earlier this year. TUC's online listing is packed with details of events nationwide.

- [Hazards Campaign webpage](#) and poster [[pdf](#)]. [TUC events listing](#). [UNISON WMD 2004 pages](#) and poster [[pdf](#)]. [IFBWW circular](#) and poster [[pdf](#)]. [Construction Safety Campaign event](#). [Workers' Memorial Day resources and news worldwide](#).

EVENTS AND COURSES

TUC courses for safety reps

COURSES FOR January to March 2004

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

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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