

# Risks

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

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**Risks** is the TUC's weekly online bulletin for safety reps and others, read each week by over 9,500 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

### **TUC safety representatives survey**

The TUC is conducting a survey of trade union safety reps – and for your convenience it can now be completed online. The survey is designed to provide the TUC and individual unions with information about their safety reps, their needs and experiences. TUC and unions can then do more to help safety reps and ensure their views are better reflected in public policy debates and the work of the Health and Safety Commission. The results will be published and used to campaign for better safety standards at work, including more rights for safety reps. Answer as many questions as you can - but if they seem irrelevant to your experiences, ignore them. If you experience any major problems with this form, please let the TUC safety department know. And if you really don't want to fill out the survey online, there are old fashioned paper copies being distributed by many unions and they are inserted in the forthcoming issue of *Hazards* magazine.

- [TUC online safety reps' survey](#). For further details see the [TUC website](#) or [email the TUC safety department](#).

## UNION NEWS

### **No justice yet for dead and dying workers**

The TUC has expressed concern at government stalling on the promised corporate killing law. Speaking at a Centre for Corporate Accountability (CCA) conference at TUC's London HQ, TUC deputy general secretary Frances O'Grady called on ministers to bring to justice those employers who, through negligence and a callous attitude to health and safety, put the lives of their workers and members of the public at risk. Frances O'Grady said: "The government promised legislation on corporate manslaughter to make bosses more accountable for their health and safety crimes, but despite proposals published last June, we've seen nothing more. So long as there is no Bill on corporate killing, and the fines for safety breaches remain disappointingly low, the message to employers is that workplace safety is not a high government priority." She called for more resources to allow the Health and Safety Executive (HSE) to pursue dangerous employers. "In nine months from April to December 2003, 132 people were killed, compared to 126 for the same period the previous year. This comes at a time when both the HSE and local authorities have

seen their safety budgets cut. Fewer resources means fewer inspectors and fewer inspectors means more employers are getting away with health and safety crimes." CCA's David Bergman said even the as yet unimplemented UK government proposals are eclipsed by better laws already on the books in Canada and elsewhere.

- [TUC news release](#). [CCA news release](#). **More on corporate safety crimes from the [Centre for Corporate Accountability](#) and [Hazards magazine](#).**

### **Over 3,500 deaths; not one jail term**

Leaders of construction unions TGWU and UCATT have called for an end to the "outrage" of workplace deaths – and for prison terms for dangerous negligent employers. George Brumwell, UCATT general secretary, told a Workers' Memorial Day rally of building workers at the new Wembley Stadium construction site no construction employer has been jailed since the introduction of the Health and Safety at Work Act. "Thirty years, 3,500 deaths and not one employer sentenced," he said. "We still do not have a law on corporate killing. The continued delay is inexcusable." Jack Dromey, TGWU deputy general secretary, said workers in construction are seven times more likely to be killed at work than other industries, with small fines no deterrent to bad employers. "The current law, in effect, allows unscrupulous or disinterested directors to get away with murder. We believe that hearing the clunk of the cell doors behind the first jailed director will result in immediate changes to safety practices on sites. The law has to change." The unions called on the Labour government to honour its commitment to introduce a corporate killing law.

- [TGWU news release](#) and [corporate killing webpages](#). [UCATT news release](#). [BBC News Online](#). [Hazards deadly business webpage](#).

### **Preventing driving deaths at work**

TUC is demanding action on one of Britain's most hazardous jobs – driving for a living. It says every year over 1,000 workers are killed in work-related road accidents and 7,500 suffer serious injury. A new "safer driving pack," launched on the 28 April Workers' Memorial Day, aims to encourage employers to take their responsibility for employees on the road more seriously. Official statistics put the annual cost of

workers killed or injured on the roads at a massive £3.5 billion. TUC general secretary Brendan Barber said: "Tired, stressed drivers with too many drops to make in too little time are not going to be particularly safe drivers. Bosses have a real responsibility for the safety of their roving staff and reducing unrealistic and unmanageable workloads for their drivers must become a top priority. Because many work-related road accidents are treated like any other road accident, many employers are never called to account." He added that an apparent upturn in workplace deaths "comes at a time when we are seeing less enforcement of safety laws and a reduction in the level of fines handed out to bosses committing health and safety crimes. This can only have a detrimental effect on all workplace accidents."

- [TUC news release](#). **TUC leaflet: Work-related road safety [pdf]**.

### **Call centre "Big Brother" health warning**

Call centre workers are suffering anxiety and depression as a result of "Big Brother" type monitoring of telephone calls and emails. Call centre union UNISON said its survey of workers in Scotland suggested 67 per cent had had their calls monitored by employers, 82 per cent had emails studied and 62 per cent their PCs monitored. The study suggested some workers who found out about the surveillance felt depressed, stressed or wanted to find another job. More than 70 per cent of respondents suffered from anxiety, 17 per cent from depression and 52 per cent of call centre staff stated that they had considered resigning. UNISON's Scottish organiser for utilities Dave Watson has urged a rethink. He said: "We have been concerned for a number of years that surveillance of staff in Scotland's contact centres was becoming more invasive. However, even we had not anticipated the intolerably high levels of unwarranted monitoring of staff that this survey revealed." The findings suggested call centre employers were routinely ignoring principles set out in the Employment Practices Data Protection Code.

- [UNISON Scotland news release](#) and [privacy survey](#).
- [BBC News Online](#).
- **More on [workers' privacy and health](#).**

### **Usdaw's got the measure of retail violence**

Retail union Usdaw is taking action against shop violence and it to

undertake one of the biggest surveys ever into the scale of violence, threats and abuse suffered by UK shopworkers. The union will hold a National Respect for Shopworkers Week from 5-11 July 2004. Events are scheduled to take place across England, Wales, Scotland and Northern Ireland. At the start of the week, Usdaw will reveal the results of a week-long survey to be carried out by workers in some of the UK's biggest retail companies. This survey will encourage shopworkers to record all incidents of physical assaults, threats of violence or verbal abuse that take place over one seven day spell in May. John Hannett, Usdaw general secretary elect, said: "While the official statistics themselves paint a shocking picture, it is astonishing to know that the true picture is much worse. Usdaw's survey will give us a clear idea of the real scale of this disturbing problem." Home Secretary David Blunkett, addressing the Usdaw annual delegate meeting, said he wants employers to give workers additional leave to train and volunteer as special constables as part of a drive to tackle retail crime and promote community safety.

- **Usdaw news releases on [the survey](#) and [special constables](#).**

### **Union diary saves knife attack busman**

A union diary stopped a knife blow aimed at the heart of a Glasgow bus driver. TGWU member Robert Jamieson, 40, said: "I'd be dead if I hadn't been carrying my diary. It took the force of the attack." The knifeman lunged without warning in a daylight attack after Robert stopped the bus to let him off. He tried to kick down the door of the driver's cab, slashed at Robert with the blade, then tried to stab him through the heart. The knife pierced the cover of Robert's TGWU pocket diary and tore through his shirt and jacket. But the pages of the book slowed the blade down so much that the dad of two escaped with minor cuts. "I bring the diary with me every day to write down my shifts," said the shaken driver. "Without it, my kids would have been left without their dad. It's something I can't come to terms with." Robert went straight to the police to report the attack and he was back at work within two days. He has been attacked 20 times in six years in the job and had to take time off at Christmas after a brick was thrown through his windscreen. He said: "It's a real problem for every driver. There are attacks all the time but a lot don't get reported." In April, TGWU urged the courts to take a tough line on bus driver attacks ([Risks 153](#)).

- [Daily Record. TGWU news release.](#)

### **Violence is not part of the job**

UNISON wants tough new penalties to tackle the day-to-day violence faced by health workers across the UK. A series of motions at UNISON's health conference in Glasgow, backed up by distressing tales of violence and abuse, called for better training, regular risk assessments and tougher penalties. Speaking after the debate, Karen Jennings, UNISON head of health, said: "It was very harrowing listening to these terrible stories of violence inflicted on our members, it's not part of anyone's job and it must be stopped." She added that members had made it clear "they want more legal protection. They want a new law which would mean that anyone found guilty of an assault on a public sector worker would get the same tough penalties currently reserved for attacks on the police, and we will be campaigning hard to make sure they get it."

- [UNISON news release.](#)

### **Speed traps cost ambulance staff dear**

Health emergency staff on high speed mercy missions are facing stress and job threats as a result of electronic speed traps. UNISON says ambulance trusts have been forced to employ extra administrative staff just to deal with the mountain of paperwork generated by speeding tickets. A motion at the union's health conference in Glasgow warned that scarce resources are being wasted and staff threatened with fines and the fear of losing their licence, because they are caught speeding answering 999 calls. The union's head of health, Karen Jennings, said it was "unacceptable" that ambulance drivers have to live with the threat of losing their licences, and possibly their livelihood, just for doing their job. "All ambulance drivers are trained to an advanced level to drive safely and faced with an emergency they know that minutes can make the difference between life and death," she said. "Only if a driver is recklessly causing danger to other users should a prosecution even be considered." UNISON is calling for recognition that in order to respond to category A calls in the target time of eight minutes, ambulance emergency vehicles have to breach urban and rural speed limits.

- [UNISON news release.](#)

## OTHER NEWS

### **Safety rules OK say bosses, workers and the public**

The public and employers give their “overwhelming support” to the existing health and safety standards and laws governing British workplaces, a survey has found. The MORI survey published by the Health and Safety Executive (HSE) found three out of four employers say safety requirements benefit their companies, with more than four out of five positive about the role played by HSE. Justin McCracken, HSE deputy director general, said: “This survey confirms a high level of support for health and safety - from those who face the risks and those who create them.” He added: “It is also a strong vote of public confidence - from employers, employees and citizens - in HSE and the work we do alongside local authorities to promote sensible health and safety and to save lives.” Over 60 per cent of employers believe health and safety requirements save them money in the long term, the poll found, while only 14 per cent think health and safety law seriously hampers their business. Nearly 60 per cent say that observing health and safety law defends them against unjustified compensation claims. The poll found 85 per cent of employers who have had contact with HSE staff rate them as helpful. Among employees, 70 per cent said they were fairly or very concerned about workplace safety, ahead of food, medicine, toy, public transport and home safety, and topped only by road safety.

- [HSE news release](#). ***Attitudes towards health and safety: a quantitative survey of stakeholder opinion*** by MORI Social Research Institute [[pdf](#)]

### **Firms agree Potters Bar liability**

Network Rail and the rail maintenance company Jarvis have accepted legal responsibility for claims brought over the Potters Bar rail crash. In a joint announcement the two firms said accepting liability would provide “comfort and assistance” to victims of the May 2002 crash. A Jarvis spokesperson added the move did not mean the firm was to blame for the accident, which killed seven people and injured 76 when a train derailed at Potters Bar station in Hertfordshire in 2002. The crash was caused by a faulty set of points, operated by Railtrack (now Network Rail), and maintained by engineering firm Jarvis. A Network Rail spokesperson said that the companies “hope that by formalising the liability issue, those affected by the tragedy will gain some level of

comfort and assistance.” Bob Crow, general secretary of rail union RMT said: “This is a nonsense. How can they accept liability without accepting responsibility?” HSE said a final report into the incident would not be produced until the end of current criminal investigations ([Risks 149](#)). Jarvis said at the time that vandalism could have been to blame, but subsequent HSE interim reports found lack of maintenance and not sabotage was to blame ([Risks 108](#)).

- [Jarvis news release](#). [Network Rail news release](#). [BBC News Online](#). [Channel 4 News](#).

### **Major companies, major accidents, minor penalties**

Companies with annual turnover running to hundreds of millions are continuing to face relatively trivial fines for serious safety offences. In April, John Laing Services Limited was fined a total of £175,000 and ordered to pay £40,000 costs followed the 1995 deaths of construction workers Anthony Fear and Roy Anderson on a central London site. Car manufacturer Ford was fined £50,000 for two “preventable” accidents at their Leamington foundry. One employee Mauro Passalacqua was off work for six months after his foot was crushed between a tilting furnace and a platform while maintenance worker Geoffrey Bennett suffered burns after falling 12ft into warm slag. Ford pleaded guilty to four charges under health and safety laws and Leamington magistrates handed the firm maximum fines for all counts. Ford also had to pay the Health and Safety Executive £2,385.52 costs.

- [HSE news release](#). [Leamington Spa Today](#).

### **Forcing poorly workers in to work is sick**

Encouraging workers to leave their sick beds and struggle in to work is a costly mistake, according to a study. Workers who come in sick cost their employers an average of \$255 (£144) each per year, say researchers from Cornell University in the USA. Sick employees have difficulty concentrating, work more slowly and have to repeat tasks, bogging down productivity, according to the study, published in the April edition of the *Journal of Occupational and Environmental Medicine*. They also get their co-workers sick, but those costs were not counted in the study. Economists refer to slack productivity from ailing workers as “presenteeism,” and the Cornell study said it may cost employers even more than absenteeism due to illness. Ron Goetzl, director of Cornell's Institute for Health and Productivity Studies, said

his study shows presenteeism "is a very large category of expenses, even exceeding the costs of absenteeism and medical and disability benefits, and part of the problem is that employers have not yet fully recognised the financial impact it can have on their business." TUC revealed in January that three out of four UK workers had turned in at work when they were too ill ([Risks 140](#)).

- **Ron Z Goetzel and others. Health, absence, disability, and presenteeism cost estimates of certain physical and mental health conditions affecting US employers, *Journal of Occupational and Environmental Medicine*, volume 46(4), pages 398-412, April 2004 [[abstract](#)]. [Yahoo News](#). [Union guidance on sickness and presenteeism](#).**

### **Late arriving driver hours law welcomed**

The TUC and the Transport and General Workers Union (TGWU) have welcomed the government announcement of how the Road Transport (Working Time) Directive will be put into practice in the UK. Graham Stevenson, the TGWU national organiser for transport, said: "Frankly it was a scandal that transport workers were excluded from the original working time directive." He said the union "welcomes the emphasis that the government has placed on collective agreements as a starting point for implementing the regulations at a local level. That has to be the right way forward." He registered a note of caution, however, saying the TGWU had argued "for a reduction in hours with no loss of pay. The directive does say self-employed drivers will not come under the new regulations until 2009 and our message to employers and the government is not to try to use this as a loophole." TUC general secretary Brendan Barber said: "Tired drivers are a hazard to themselves and other road users and the new regulations will have a positive impact upon the UK's road safety record." He added: "It's also good news that the regulations are to be drafted in such a way so as to allow unions to change the detail by working closely with individual companies to draw up agreements that suit both drivers and employers."

- **[TGWU news release](#). [TUC news release](#). [DtT news release](#) including a summary of the new provisions. Resources: [Hazards of overwork](#).**

### **Strategic plan for print rolls off the presses**

Major printing industry bodies and print union GPMU have launched the first ever industry-wide consultation on the sector's future direction. The draft strategic plan for the industry, *A world class printing industry - building competitiveness and profitability* - has been published jointly by the BPIF, Vision in Print, the Print Education Forum and GPMU. The draft sets out the organisations' view of the six key issues facing the industry, and a three-year plan for how they believe the industry should respond to those issues. Among the key priorities are "improving safety, health and environmental performance" and "developing and embedding a culture of partnership in the workplace." BPIF chief executive Michael Johnson said: "The only companies that will survive will be those who take a look at themselves and ask how they can improve." Among measures highlighted in the draft are TUC training for GPMU safety reps and "developing and maintaining networks of employers, trade unions and also of colleges and other training providers."

- [BPIF news release](#). **A world class printing industry - building competitiveness and profitability** [[pdf](#)].

## INTERNATIONAL

### **Brazil: New offensive against asbestos**

Mining, production, sales and use of asbestos should be banned, the Brazilian Ministry of Labour and Employment has confirmed. If the prohibition is implemented, it will be a personal victory for Fernanda Giannasi, labour inspector and one of the most prominent activists against asbestos in Brazil ([Risks 145](#)). But a legislative bill has still to be drafted - and it is expected to meet stiff resistance from the private sector. The Ministry of Labour set up a technical group in March, giving the team 90 days to draw up a detailed map of the production and use of this cancer-causing fibre in Brazil. The report is to help a commission with representatives from six ministries to define the terms of the asbestos ban. Last year, SAMA (Sociedade Anonima Mineracao de Amianto), the only producer of the mineral Brazil, exported 140,000 tons of chrysotile (white) asbestos, two-thirds of its output. The Ministry of Labour's director of safety and health, Virgilio Cesar Alves, said: "The elimination (of asbestos) in Brazil could be gradual." Brazil could see a surge in asbestos-related illnesses between 2005 and 2015 because production intensified in the 1970s, he said.

- [Tierramérica network](#). **More on international**

**asbestos campaigns from [Hazards](#) and the [International Ban Asbestos Secretariat](#).**

**Europe: European Union work accidents update**

Serious and fatal accidents at work have decreased steadily in the European Union but there is still one work accident every five seconds, according to new official figures. Between 1994 and 2001, serious accidents decreased by 15 per cent in the EU and fatal accidents by 31 per cent, says the report. In 2001, there were about 4.7 million serious accidents at work. When accidents with no absence from work or where the absence is up to three days are taken into account, the estimated total number of accidents at work was about 7.6 million, or one accident at work every five seconds. The report from Eurostat, the EC's statistical office, published on 28 April to coincide with Workers' Memorial Day, says that between 1998 and 2001 serious accidents decreased by 6 per cent in the EU and fatal accidents by 21 per cent. However, Sweden (+13 per cent), the United Kingdom (+10 per cent), Spain (+6 per cent) and Ireland (+5 per cent) all bucked the downward trend in serious accidents.

- [Eurostat news release](#). Eurostat, Population and Social Conditions, "Work and health in the EU - A statistical portrait". ISBN 92-894-7006-2, 30 EUR (exc. VAT). [Free on the Eurostat website](#).

**Global: Print workers take global safety action**

In an unprecedented, coordinated set of in-plant mass actions, workers employed at print multinational Quebecor World Inc in 13 countries have demanded safer jobs. At dozens of Quebecor World plants, workers delivered petitions to Quebecor plant managers calling on the company to sign a global agreement on core labour standards - including workplace safety and the right to form a union. The day of action came on 28 April, the internationally observed Workers' Memorial Day. Workers in Peru, Argentina, Colombia, Brazil, Mexico, France, Britain, Belgium, Spain, Sweden, and Finland were involved. Jerry Deneau, international secretary treasurer of North American print union GCIU, said: "This company is denying workers their basic human right to a safe job. Workers and their unions have been fighting for safe jobs for more than 100 years, and we will continue to take action until this company honours international labour standards wherever it

does business.”

- [GCIU news release. Justice@Quebecor campaign.](#)

### **Global: Work kills more than wars**

One death every fifteen seconds. Six thousand a day. Work kills more people than wars. A new briefing from the International Labour Organisation (ILO) says almost 270 million accidents are recorded each year, of which 350,000 are fatal. Many of these tragedies could be prevented, it says. “Work causes injuries, mutilations, sickness and, still all too often, death. Not by fate, but through negligence. Due not to the absence of standards, but to their violation. Not because of poverty, but because of the lack of preventive measures.” ILO estimates that 2.2 million people die from work-related causes every year; 750,000 women and 1.5 million men. ILO experts also point out that the statistics underestimate the real situation, given the lack of information and reporting in many countries. But by any standards, six thousand deaths a day - one every fifteen seconds - add up to more than the ravages caused by war each year. ILO adds that union action to promote health and safety must have helped save millions of lives. “Although trade union freedom is a vital factor in workplace safety, all too often it is still flouted,” it says.

- [ILO briefing. ILO Workers’ Bureau \(ACTRAV\).](#)

### **Taiwan: Unions want a role in injury probes**

Union organisations in Taiwan are urging official safety bodies to allow unions to participate in the investigation of occupational injuries, saying people who work in the field are most familiar with the work environment. “When Bureau of Labor Insurance (BLI) personnel came over to examine occupational injuries of truck drivers who are in our union, they informed the employers of the supposedly unannounced examinations and asked the employers perfunctory questions, which were totally unrelated to the actual work situations of these workers,” said Wang Chiu-yue, the head of the Federation of Taiwan Teamsters and Containers Trade Unions. Wang points to one case where a truck driver died of a heart attack while carrying out his job under extreme work conditions. “All drivers working for this trucking company work continuously for 16 to 18 hours per day, 10 days in a row, without having to log in their work hours. Frequently, many of these drivers did not get out of their trucks for several days in a row due to their

heavy workload." However the company denied the worker had been overworked. "Then, the BLI decided that his death was non-work related, and the case was closed," Wang said.

- [Taipei Times](#). Resources: [Taiwan Association for Victims of Occupational Injuries](#) (TAVOI).

## EVENTS AND COURSES

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

#### **COURSES FOR May to June 2004**

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

## USEFUL LINKS

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