

Risks

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**HAZARDS
MAGAZINE**

 **back pain**

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

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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](#)

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UNION NEWS

Unions fight off attack on criminal injuries payouts

A TUC-led campaign to defend a scheme that compensates victims of violent crime has been successful ([Risks 151](#)). Home Secretary David Blunkett said on 14 June he had been persuaded by approaches from TUC ([Risks 139](#)), unions and business groups that he should not switch responsibility for payouts from the government-run Criminal Injuries Compensation Scheme (CICS) to employers when the crimes occur at work. The campaign to maintain the scheme has been vigorously supported by shopworkers' union Usdaw, which feared payouts to its members would drop under a proposed tariff scheme, and rail union ASLEF, which objected to plans to exclude train drivers who witnessed suicides from the scheme ([Risks 156](#)). TUC head of safety Hugh Robertson said the TUC had met with ministers and Home Office officials on a number of occasions regarding the proposals and added: "The Home Secretary has accepted our argument that victims of workplace violent crimes should not be treated like second citizens. Frontline staff face an unacceptable risk of violence and abuse – at the very least they should expect equal treatment under government compensation rules." John Hannett, general secretary of Usdaw, said: "The government is to be applauded for listening to our concerns and acting on them." And a spokesperson for ASLEF said: "The trauma or damage caused from witnessing a suicide can affect drivers and their families for years. We are very pleased that ministers have listened to our concerns."

- **Responses on the scheme from the [Home Secretary and his parliamentary under secretary Paul Goggins](#), Hansard, 14 June 2004. [Usdaw news release](#). [ASLEF news release](#). [More on CICS](#).**

Workers organise over snack factory safety

Workers at a snack factory supplying major UK supermarkets are organising to improve safety standards. Every day there are three to four accidents in Katsouris Fresh Food's three north London sites, says GMB branch secretary Hiten Vaidya. GMB shop stewards and GMB organiser Tahir Bhatti drafted in union reps from the neighbouring GMB-organised food factory, Noon Products to assist the campaign. At

a packed meeting at the Brent Indian Association's centre, workers from Katsouris' 1,200-strong predominantly Asian workforce catalogued safety concerns. After one 20-year-old's foot was severely scalded at work "the company nurse told him to wait in the canteen where he remained in agony from midday until 5.30pm when I collected him and drove him to casualty," said GMB's Hiten Vaidya. The Health and Safety Executive (HSE) has served five improvement notices on Katsouris "but these have made little difference," GMB organiser Tahir Bhatti said. "Workers are forced to get the place clean and tidy before the inspectors' visits and that's the only way they know the HSE is coming." Noon Products safety rep R Murliharan told the meeting: "We had no safety shoes or first aid facilities before the union got involved. There weren't enough breaks from the cold areas and like Katsouris no information was provided in the languages spoken by the workforce... There are now first aid facilities in every area. The company provides information and training in Punjabi and Tamil. We've also negotiated proper sick pay and two weeks extra leave."

- [Daily Hazard](#).

Pilots defeat plan to impose longer working hours

Airline pilots have won a remarkable victory in their campaign against a Europe-wide increase in their working hours, following a decision by ministers to block the proposals ([Risks 160](#)). Transport ministers from the European Union's 25 member states unexpectedly rejected plans to raise the maximum length of a shift in the cockpit from 12 to 14 hours and to cut rest times between flights. Britain's transport secretary, Alistair Darling, favoured the change but was outflanked by five other countries, which successfully argued for a rethink. The UK pilots' union, BALPA, cited a study of 55 fatal accidents by the US federal aviation authority which concluded that crews were six times more likely to crash after 13 hours on the flight deck. Commenting on the decision, BALPA chair Mervyn Granshaw, said: "We in BALPA and all other pilot organisations in Europe fought a tremendous campaign to have the proposals set aside for expert analysis. We have said the proposals as they stand are positively dangerous." Jim McAuslan, general secretary of BALPA, said: "Clearly, the issue is still alive and our energy will now be directed towards a positive and continuing campaign to secure harmonisation but at a safe and scientifically proven level." More than 100 pilots from 20 countries demonstrated outside the ministers' meeting in Luxembourg. The plans will be sent

back to a committee for amendment.

- [BALPA news release, campaign background and evidence. The Guardian.](#)

UNISON compensation victory will hurt all dangerous bosses

A massive £354,000 compensation award won by public service union UNISON means employers can no longer use ignorance of health risks as a legal defence. UNISON member Alison Dugmore, 37, was forced to give up nursing in 1997 after experiencing asthma, skin problems and anaphylactic attacks - the most severe form of allergy - as a result of an allergy to latex, used in surgical gloves. Once sensitised, contact with colleagues wearing latex gloves, or even latex-laden dust, could trigger the reaction. UNISON's Appeal Court victory established an important legal precedent. UNISON general secretary Dave Prentis commented: "This has consequences not only for the NHS but for industry as a whole, because employers will no longer be able to argue that they did not know that a substance was harmful." Ms Dugmore, from Baglan, south Wales, won her case against Swansea NHS Trust at the Appeal Court in London in November 2002 ([Risks 81](#)), but the compensation sum has only just been agreed. It comprises £240,000 for personal injury, loss of future earnings and loss of pension. The extra £114,000 represents "punitive interest" - reflecting the fact that she had offered to settle the case with her employer earlier in the proceedings. The Trust was refused leave to appeal the decision or the amount of compensation.

- [UNISON news release. BBC News Online. Related information: Latex Allergy Support Group.](#)

Shopworkers says "enough is enough"

Shopworkers are going to tell the shopping public "enough is enough," says retail union Usdaw. This is the message shopworkers will deliver next month as the union steps up its campaign to improve workplace safety. Usdaw says a shopworker is attacked or abused every minute of the working day, but adds: "Such is the regularity of incidents - it is not uncommon for staff to suffer attacks or abuse on a daily basis - many shopworkers don't report them. Sadly, some now regard it 'part of the job'." As part of the union's "Freedom from fear" campaign, Usdaw is to run a Respect for Shopworkers Week to run from 5-11 July 2004. Usdaw members, officials and supporters are organising street

events, petitions and other activities across England, Wales, Scotland and Northern Ireland. The union will also release the results of a UK-wide Usdaw survey of shops, which will provide new statistics on retail crime. John Hannett, Usdaw's general secretary, said the union's aim "is to raise awareness of this disturbing issue, and also to gain greater respect for an important section of the workforce. One in 10 of all workers is employed in retail, so they have a pivotal role in local communities and local economies. They should not go to work in fear of being a victim of violence, threatening behaviour or abuse."

- **Usdaw [news release](#) and [Freedom from fear campaign](#).**

OTHER NEWS

Formaldehyde definitely causes cancer in humans

Formaldehyde, a chemical to which an estimated 1 million European Union workers are exposed at work, definitely causes cancer in humans, officials say. The International Agency for Research on Cancer (IARC) has upped its assessment of the chemical to "Group 1". Previous evaluations, based on the smaller number of studies available at that time, had concluded that formaldehyde was probably carcinogenic to humans, but new information from studies of persons exposed to formaldehyde has increased the overall weight of the evidence. Based on this new information, an expert working group has determined that there is now sufficient evidence that formaldehyde causes nasopharyngeal cancer in humans, a rare cancer in developed countries. The move follows protracted arguments between the chemical industry – which played down the link – and health advocates, who argued the commonly used industrial chemical should be subject to stringent controls. Formaldehyde is used mainly in the production of resins that are used as adhesives and binders for wood products, pulp, paper, glasswool and rockwool. It is also used extensively in the production of plastics and coatings, in textile finishing and in the manufacture of industrial chemicals, and as a disinfectant and preservative, formalin, used in labs and embalming.

- **[IARC news release](#). [Confined Space on the new cancer rating for formaldehyde](#) and on [the response from the Bush administration and the US chemical industry](#). [The Age](#).**

Secondhand smoke causes cancer – period

Secondhand smoke causes cancer – and the evidence is so compelling the International Agency for Research on Cancer (IARC) says it “puts a final stop to all controversies fuelled at various degrees by the tobacco industry.” IARC’s *Monograph on tobacco smoke and involuntary smoking* was prepared by a scientific working group of 29 experts from 12 countries, which reviewed all published evidence related to tobacco smoking and cancer, and which concluded both smoking and exposure to secondhand smoke should be classified as “Group 1” carcinogens, definitely causing cancer in humans. IARC, a World Health Organisation agency, says non-smokers are exposed to the same carcinogens as active smokers, adding “even the typical levels of passive exposure have been shown to cause lung cancer among never smokers. Secondhand tobacco smoke IS carcinogenic to humans.”

- [IARC news release](#). **IARC Monographs on the evaluation of carcinogenic risks to humans, volume 83, Tobacco smoke and involuntary smoking. Section on involuntary smoking.**
- **Related resources:** [TUC SmokeatWork.org website](#) and [Hazards smoking news and resources](#).

“Overwhelming” support for workplace smoking ban

Four out of five people support the idea of a ban on smoking in the workplace, the largest poll of public attitudes on the issue has found. A workplace ban would in effect outlaw smoking in most public places, and similar laws have been introduced in countries including Ireland, Norway, Canada and New Zealand. The Mori poll of more than 4,000 people, by the charity Action on Smoking and Health (ASH), found 80 per cent supported a workplace ban. Deborah Arnott, director of ASH, said: “This poll is the most authoritative and largest conducted on the proposal for a smoke-free law. It shows overwhelming public support for such a law, after its success in Ireland, New York and elsewhere. The poll sends the government a clear message. The public wants action to end secondhand smoke at work.” The government is under increased pressure to ban public smoking, despite the reluctance of health secretary John Reid to introduce legislation. He infuriated health campaigners by suggesting that their backing for a ban was merely an “obsession of the learned middle classes.” Last week, the prime minister Tony Blair said he would be considering over the next few

months whether to introduce a public smoking ban ([Risks 160](#)).

- [Independent](#). [ASH news release](#). [BBC News Online](#).

Ex-office worker dies from asbestos cancer

A health conscious pensioner died after developing the asbestos cancer mesothelioma decades after breathing in asbestos from the clothes of shipyard workers. Alison Corbett worked for just seven years in the offices of a shipyard more than 40 years ago and was in daily contact with labourers. South Tyneside Coroner's Court heard how Mrs Corbett had started work at St William Grey Ship Builders in Hartlepool when she was 16 and finished when she was 23 before moving to the region to get married. Coroner Terence Carney said: "From the age of 16 to 23 she worked in the offices at the shipyard and was exposed to asbestos, probably from the men who worked there, who would walk into her office. I am satisfied this had led to cancer associated with asbestos." After the inquest, Mrs Corbett's husband, James, said his wife's death was "devastating," adding: "You don't expect someone to die 40 years after finishing a job. It must have been from when the shipyard workers came into the office to query wages and suchlike." A verdict of death due to an industrial disease was recorded.

- [Newcastle Chronicle](#).

Safer workplace? Just want the doctor ordered

Workers make fewer visits to their GPs and see improvements in workplace safety after receiving occupational health advice in their doctor's surgery, a new report has found. An HSE-backed evaluation of GP-based occupational health services in Sheffield and London conducted by researchers from the University of Central England, concluded "there is a definite need for occupational health advisory services such as these." The report adds that the approach would also benefit from "more support for people and engagement of other agents in the workplace such as liaison with workplace safety advisers. More formal cooperation with workers' trade union representatives or safety representatives would be a natural progression of this." It says that up to six months after first being advised, "participants reported observable changes in workplaces. Such changes included more workplace visits and demands made by health and safety inspectors, new and increased number of safety committees, and actual changes in how health and safety was organised in the workplace. In the

months after receiving advice, participants reported a significantly reduced number of total workplace hazards." GP-based occupational health projects were the brainchild of local union safety reps and health campaigners in Sheffield.

- **The evaluation of occupational health advice in primary health care, RR242, HSE, 2004 [[pdf](#)]. More on [SOHAS](#), the Sheffield project. The [SOHAS "1st Stop Database"](#) on work and health.**

Workplace deaths lead to jail terms

Members of the public whose irresponsible acts contributed to the deaths of two workers have been jailed. Liane McPherson, 22, from east London, who threatened a cab driver shortly before he died of a heart attack, has been jailed for five months. She was found guilty at Wood Green Crown Court last month of threatening to shoot Brian Twohey. Judge Kenneth Zucker the actions of McPherson and a friend, Sharon Roberts, led to the death of 57-year-old Mr Twohey in February 2003. He said: "Had it not been for the stress, Mr Twohey would not have died. But neither of you could possibly have been aware of Mr Twohey's condition." Roberts, 24, received community service for non-payment of a fare. In a second case, Karl Lacey, 18, has been jailed for killing a rail guard who died trying to put out a fire started by the youth. Lacey, who was convicted in May after denying the offence, was found guilty of the manslaughter of Philip Cable, 60, who had been overcome by fumes. Mr Cable helped the train driver and another guard to put out the blaze but he suffered an asthma attack after inhaling fumes from the burning cushions. Lacey, who was 16 at the time of the offence, was ordered to serve four years' youth custody. Judge David Paget told Lacey: "To start a fire on a train is extremely serious, reckless and irresponsible. You caused the death of a brave man whose devotion to duty in putting out the fire cost him his life."

- **BBC News Online on the deaths of [Brian Twohey](#) and [Philip Cable](#).**

Charges possible over rail deaths

Two men arrested in connection with the deaths of four rail workers in Cumbria earlier this year could face charges, prosecutors have said. The rail workers died after they were hit by a flatbed trailer which rolled down a slope at Tebay in February ([Risks 144](#)). Three men were

arrested, but one was later released without charge. The Crown Prosecution Service will now consider the case after it reviews the results of an investigation into the accident by British Transport Police. The men who died were Chris Waters, 53, of Morecambe, Colin Buckley, 49, of Carnforth, Darren Burgess, 30, of Carnforth, and Gary Tindall, 46, of Tebay. They were working on maintenance for the West Coast main line near Tebay when the wagon came loose at a yard. A Health and Safety Executive investigation into the incident found the trailer's brakes were "not functional." Rail union RMT has called for a public enquiry into the incident and into safety management across the whole industry. It says contracting out of maintenance work is putting lives at risk, with deaths now running at a 13-year high.

- [BBC News Online.](#)

INTERNATIONAL

Bangladesh: Scrapped ship's deadly gas leak wreaks havoc

Toxic gas leaking from a ship being scrapped in one of Bangladesh's notoriously hazardous shipbreaking yards ([Risks 137](#)) has been linked to the death of a worker and illness affecting hundreds of people, forcing many from their homes. It is believed the ship-cutting contractor at the Chittagong yard died as a result of inhaling the unnamed pungent gas. Journalists attempting to cover the leak were stopped by security guards, who denied there had been a leak. The *Daily Star* says this is the latest in a sequence of hazardous incidents in the region's shipbreaking yards. An editorial says: "Once again the people and the environment in Chittagong are exposed to toxic hazards emanating from a shipbreaking yard. Only last year, a similar incident in the same area affected animal and plant life. In June 2000 as many as 40 workers were killed in two separate incidents of fire in ships that were being dismantled." It says the ships are around 30 years old and laden with hazardous materials including asbestos and heavy metals. Global union federation IMF has launched a campaign to organise workers in South Asia's burgeoning shipbreaking sector, starting with yards in India ([Risks 119](#)).

- [Bangladesh News. Daily Star. IMF shipbreaking campaign.](#)

Europe: Agreement calls for better call centre jobs

Unions and employers signed an agreement aimed at promoting "quality employment" in call centres across Europe. New guidelines were drawn up after months of talks involving the European Commission. The guidelines include measures to tackle stress and give workers decent training. The two sides said the guidelines should help give workers greater job satisfaction and career development. "We hope these guidelines will banish forever any sweatshop images of these centres," said Neil Anderson of union organisation UNI Telecom, which struck the agreement with employers' organisation ETNO. "This agreement will force the sweatshop companies to improve - or lose their staff to the better companies. There are many good employers in this industry and we want to spread the message of quality jobs and quality service."

- [UNI news release. The Scotsman.](#)

Global: Canada will fight asbestos trade controls

The Canadian government has confirmed it will try to block a global agreement that aims to curtail trade in deadly chrysotile (white) asbestos. Lobbying led by the Canadian government and asbestos industry bodies succeeded last year in blocking the addition of chrysotile to the list of Prior Informed Consent substances covered by the Rotterdam Convention. It has now said it will try and repeat the manoeuvre at the follow up meeting, scheduled for 20 to 24 September 2004. The announcement by federal minister Denis Coderre was hailed as a "victory" by Gérard Binet, an MP with the ruling Liberal party in Quebec, home of Canada's last remaining asbestos mines. As an election looms, the government is keen to court the crucial Quebec vote – and asbestos is a hot issue in the province. Binet said: "It is great news for the industry!" He added: "Canadian expertise, as well as its commitment with regards to a considered use of chrysotile, are recognised everywhere in the world and I am delighted by the statement reiterated by our government!" However, the global union umbrella group ICFTU says all forms of asbestos must be banned, with "just transition" programmes introduced to provide work and training for displaced workers.

- [Chrysotile.com. Campaigners' guide to PIC and asbestos.](#)
- **Related information:** [Ban Asbestos Canada.](#)
[International Ban Asbestos Secretariat.](#)

Global: ILO acts on commercial fishing perils

The International Labour Organisation (ILO) is to take action to improve the safety and working conditions of some 35 million people who work in the global fishing sector. Commercial fishing is Great Britain's most dangerous job, according to a 2002 study, with a death rate 50 times higher than other jobs ([Risks 67](#)). ILO, the international labour standards body, says it is to beef-up its conventions covering the industry. "It is clearly important that no fisher slips inadvertently through the protective net of the Convention," ILO director general Juan Somavia said. "For the 35 million fishers in the world -most of whom are now excluded from coverage by existing labour standards- it will mean conditions of work that will enable them to continue to earn a living in decent conditions and in safety." If adopted following further discussions next year, the new standards would extend the coverage of ILO standards to more than 90 per cent of the world's fishing workforce. According to ILO estimates, fishing and related occupations are among the most dangerous of all work.

- [ILO news release.](#)

USA: Workers' advocates call for work deaths action

The death of a Chinese immigrant construction worker in New York has triggered new calls for stiffer criminal charges against unscrupulous contractors. According to a *Newsday* count, the 44-year-old immigrant who friends identified as Jian Quo Shen, killed when a concrete wall collapsed on him on 7 June, was at least the 14th such worker killed since Mexican labourer Eduardo Daniel Gutierrez drowned in wet cement in November 1999. "It's a recurring story," said Brian McLaughlin, president of the New York City Central Labor Council. "Nothing has been done. What's more alarming is the appearance that there is even more and more evidence of workplace tragedies." The list of the dead also includes several Mexicans, a Brazilian, an Ecuadoran and a Jamaican. Latinos make up the majority of construction's day labourers – casual labourers recruited at street corners and pick-up points. Susan McQuade of the New York Committee for Occupational Safety and Health (NYCOSH) said while the official safety enforcement agency OSHA has focused on training programmes, what was really needed was stricter enforcement and larger fines and penalties. "Without strict enforcement, there's no onus on the contractor," she said. The maximum penalty for an OSHA violation is six months in jail. City fines are capped at \$2,500 (£1,370) for some types of violations

and \$5,000 (£2,740) for others, but the actual fines often are substantially lower.

- [Newsday](#). Related information: [NYCOSH migrant workers webpages](#) and [Hazards deadly business webpages](#).

USA: Safety watchdog's respirator expert had company ties

For 3M and other makers of cheap disposable respirators, Warren Myers' testimony to the US Occupational Safety and Health Administration (OSHA) was a ringing endorsement of their products. Research shows "no difference" in the way those masks shield workers from hazardous dusts and fumes compared with pricier masks with rubber-like face seals, the West Virginia University engineering professor told OSHA at a public hearing in January. What the OSHA panel wasn't told was that Myers, hired by OSHA as an expert witness for the hearings, had been a long-time 3M consultant. While he was not being paid by 3M when OSHA hired him as a consultant, he had served just five weeks earlier as a paid adviser for lawyers defending 3M against hundreds of thousands of lawsuits alleging that defects in the firm's first government-approved mask caused workers to get lung diseases. Myers' recommendation would enable employers to rely more extensively on the cheaper masks. The \$1 and \$2 masks are the biggest seller in 3M's respirator line. Bill Kojola, an industrial hygienist for the US national union federation AFL-CIO who attended the hearings, said he had no inkling of the researcher's 3M ties at the time and that the process appears to have been "tainted." Commenting on OSHA's use of Myers as an expert witness, he said: "It's kind of like the fox watching the chicken coop." He said unions had "serious concerns" that employers will use cheaper, less effective disposable masks if they are given a high protection factor.

- [Minneapolis Star Tribune](#).

EVENTS AND COURSES

TUC courses for safety reps

COURSES FOR JUNE TO DECEMBER 2004

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

Occupational diseases training day, Gateshead, 5 July 2004

Modern workers are exposed to a vast array of hazards and dangerous processes. These include allergens, biological agents, carcinogens, hazardous mineral and vegetable dusts and toxic chemicals. Exposure to dangerous substances can result in illnesses such as asthma, dermatitis, cancer, reproductive problems, birth defects and damage to vital organs such as the lungs, heart, kidneys and liver. A Northern TUC training day will give participants the opportunity to discuss: How effective proposed new Euro laws on the control of toxic substances will be; the impact the proposed law might have on the incidence of work-related health problems; if employees will have more influence on decisions affecting their work and work risks; and how working together has helped employers and employees tackle workplace health and safety problems.

- [Further details](#) and [online registration form](#). **Date and venue: Gateshead Civic Centre, 09:30am - 3:30pm, Monday, 5 July 2004. Fully accessible venue.**
- **Resources:** [The Hazards detective – what hurts at work and where](#). [Hazards tools for safety reps](#).

Justice for migrant workers conference, TUC, 12 July 2004

Recent events, notably the drowning of what is now thought to total 23 Chinese cocklepickers in Morecambe Bay, have highlighted the exploitation of migrant workers in the UK. The TUC is to hold a major conference on the issues that migration raises for the trade union movement, including the legal, economic and political background to the recent growth of labour migration, how to seize the organising opportunities, how to provide for the needs of migrant workers, and how refugees and existing black and ethnic minority communities may be affected. Keynote speakers will include David Blunkett - the home secretary, Trevor Phillips - chair of the CRE, and Brendan Barber - TUC general secretary. The conference aims to help unions develop policies on labour migration and discuss and exchange practical experience of assisting migrant workers. It will also lead to a special report, which will be presented to the TUC's congress in September.

- [Conference details](#), [letter from TUC general secretary Brendan Barber](#) and [TUC briefing](#). **Time and venue. 10.30am - 4.30pm, 12 July, TUC, Congress House London WC1B 3LS. More on**

[migrant workers' health and safety.](#)

USEFUL LINKS

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