

Risks

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**HAZARDS
MAGAZINE**



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 10,000 subscribers and many more on the TUC website. To receive this bulletin every week, click [here](#). Past issues are [available](#). This edition contains [Useful links](#) [TUC courses for](#)

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UNION NEWS

TUC "grave reservations" about rail safety switch

The TUC has warned that rail safety could suffer after the government said it is to switch rail safety regulation from the independent Health and Safety Executive (HSE) to the Office of the Rail Regulator. Commenting on the Rail White Paper published on 15 July, TUC general secretary Brendan Barber said: "Many of the proposals in the White Paper should see improvements for all those who work and travel on our railways. But the government's decision to snatch safety responsibilities from HSE is not a sensible one." He said TUC has "grave reservations" about the switch, which "goes against the clear recommendation of the Cullen report and can only put safety at risk. Financial and safety regulation do not mix." He added: "Until now passengers and rail employees have felt reassured that safety has been in the hands of an independent body. Train companies moan that rail safety standards are too high and too restrictive, but I'm not sure that the families of the victims of Potters Bar or Ladbroke Grove would agree. I urge ministers to think again, give the HSE more money to do its job properly, and help make our railway safety record the envy of Europe." HSE union Prospect has described the move as "disastrous" and HSC also said it was disappointed with the decision. "It is our firm belief that safety regulation should be independent of its industry and that any regulator should have teeth to be able to enforce measures where necessary," said HSC chair Bill Callaghan.

- [TUC news release](#). [HSC news release](#). [Prospect news release](#). [BBC News Online](#).

Safety cutbacks as HSE bosses pocket thousands

Some board members at the Health and Safety Executive have pocketed five figure pay rises while slashing HSE's costs and imposing pay cuts on their staff. Inspectors' union Prospect says it will continue a work-to-rule after management announced it was imposing its 2003 pay offer, worth 1.7 per cent to the most experienced staff and nothing to specialist grades. "Members are incensed that the HSE Board, whose own pay increases for the same period topped five figures in some cases, have imposed pay cuts on nearly a third of staff," said Prospect negotiator Richard Hardy. He said the industrial

action had "already begun to bite into HSE's workload." The action by Prospect members would not, however, affect the day-to-day safety of workers or the public, the union said. HSE announced this week that in 2003/4 it had "achieved savings valued at £12.7m for the year, equivalent to 6 per cent of total administrative costs." HSC chair Bill Callaghan commented: "HSE had a successful year with a number of targets exceeded."

- [Prospect news release.](#)

Europe must speed up working time reforms

Europe's trade unions are urging the European Commission to act now to ensure workers get the protection they are supposed to receive from the 1993 Working Time Directive. Top European trade union body ETUC says it is disappointed the EC has failed to ensure workers get their working time safety rights and says it "regrets" the intransigence of Europe's employers. "It now seems that the European social partners have totally opposite views on why and how the Working Time Directive should be amended," said ETUC general secretary John Monks. "We are also very concerned about pressure from some member states to dilute the general principles of the legislation." Latest figures from the Organisation for Economic Cooperation and Development (OECD) show Britons work 100 extra hours more each year than workers in other European countries and have fewer holidays. TUC general secretary Brendan Barber said: "Unions across Europe are united in wanting better working time rights. Workers in the UK would gain the most from any move by the European Commission to crack down on excessive hours. Long working hours are clearly bad for health."

- [ETUC news release.](#) [Personnel Today.](#)
- **Related information:** [TUC It's about time! campaign](#) and [Hazards worked to death webpages.](#)

RMT fears for safe Tube staffing

Rail union RMT says plans to abandon minimum safe staffing levels on the London Underground could leave Tube users and workers at risk. The minimum staffing levels were introduced as a safety measure after the 1987 Kings Cross tube station fire in which 31 people died. RMT says they will be abolished in this parliament unless the deputy prime minister and the Mayor of London step in. The plans are in the

Regulatory Reform (Fire Safety) Order 2004, currently being scrutinised by a committee of MPs. RMT regional organiser Bobby Law said: "The RMT union is deeply unhappy at this backdoor attempt to get rid of these vital safety standards in the name of deregulation." He added: "RMT calls upon the deputy prime minister and London's mayor to stop this and to maintain the standards set after 31 people lost their lives at Kings Cross."

- [RMT news release.](#)

Unions call for action on child labour

Child labour abuses worldwide must be stamped out, a top UK union official has said. Kevin Rowan, regional secretary of TUC's northern region, was speaking as trade unionists met with a Guatemalan delegation. Despite signing two ILO Conventions in 2001 on the worst forms of child labour, many children in Guatemala – 28 per cent - are still forced to work in dangerous and high risk jobs. Twelve hour days, 6 days a week are common. Kevin Rowan said: "The abuse of child workers and the violation of their rights is absolutely abhorrent and should be stamped out." He added that "the abuse of child labour isn't just a Guatemalan issue, it happens on a global basis, although to varying degrees. Even in 2004 we still have serious issues to combat in the UK as for the majority of young people in the country part-time employment is a feature of their lives - as many as 2.6 million 11-15 year-olds have or have had a job. Many of these children work more than the legal limit of 2 hours per day and 1 in 10 works more than 5 hours despite the fact that it is illegal for children under 13 to work."

- [TUC news release.](#) Related information: [IPEC, ILO's programme on the elimination of child labour.](#)

Health fears at job centre

Fleetwood JobCentre has been forced to close because of health fears. Staff refused to work in the building following a spate of serious illnesses, including brain tumours, cancers and heart problems. The union PCS says it is concerned the illnesses may be linked to contamination stemming from the site's former use as a scrapyards and gas works. Local paper *The Gazette* says experts warned in 1999 that parts of the site had potentially dangerous contamination. PCS national officer Nellie Takla-Wright said: "The problem is linking the illnesses to the site and we are seeking medical evidence because it is easy

enough to prove they have the illnesses but the difficulty is proving a link." A DWP spokesperson said there would be an independent review of the risks and added that no staff would be returning to the site, which was due to be replaced by a new office in 18 months. Staff are now working at other offices and Job centres in the area.

- [The Gazette.](#)

Shops need help to tackle crime and attacks

Store managers and owners, who are struggling to cope with high levels of retail crime and attacks on their staff, are largely unaware that help is available through local Crime and Disorder Reduction Partnerships (CDRP), a survey by shopworkers' union Usdaw has found. A UK-wide survey carried out in June 2004 by Usdaw revealed that only 30 per cent of store managers knew that a CDRP existed in their local area, while only 15 per cent had actually been contacted proactively by their CDRP. However, of those who had been contacted, nearly 90 per cent reported that the CDRP had been helpful and supportive to them. Usdaw is calling for better links to be forged between each CDRP and shop managers in local areas, and for MPs to co-ordinate retail crime reduction activities between local councils, police, employers and shopworkers. John Hannett, Usdaw general secretary, said: "We must ensure that workers get better protection and improved safety."

- [Udaw news release.](#)

OTHER NEWS

Chancellor kills off civil servants

The July decision by Chancellor Gordon Brown to axe 100,000 civil service jobs and to clampdown on sick leave for those left behind could have deadly consequences. The Whitehall II study, which monitors the health of a large group of UK civil service staff, found chronic job insecurity had a drastic impact on health and concluded the effects were not totally reversed when the job threat abated ([Risks 48](#)). A summary report of the ongoing study published last week concluded: "Jobs should be made as secure as possible to reduce the burden of ill-health in the workforce and reduce health service use" ([Risks 164](#)). And a paper on part of the Whitehall study published in the *British Medical Journal* last year concluded "short term absences may

represent healthy coping behaviours," with workers less likely to end up on the long-term sick list. PCS general secretary, Mark Serwotka, said on top of job cuts "the Chancellor's announcement on clamping down on sick absence comes as a double whammy." He added: "We cannot rule out industrial action in the face of such a serious attack." Other studies have shown that major downsizing leads to permanent, debilitating and possibly life-threatening health problems in those that survive the jobs cull, including twice the rate of heart disease ([Risks 145](#)) and that workers pushed out the door early have a greatly increased risk of stroke ([Risks 162](#)).

- [PCS action briefing and news release](#). [Treasury news release](#). [The Guardian](#). [BBC News Online](#).

HSC consults on major accident site rules

The Health and Safety Commission (HSC) has published an online consultative document containing proposals on changes to the regulations covering Britain's most hazardous industrial sites. It says the proposed amendment to the Control of Major Accident Hazards Regulations (COMAH), prompted by an EU-wide directive, takes into account recent industrial accidents and the results of HSC-backed research on carcinogens and environmental risks. HSC chair Bill Callaghan said: "This is a balanced proportionate response to recent major incidents in Europe broadening the scope of the Directive and increasing the number of activities subject to this legislation." All EU member states are obliged to implement the changes by 1 July 2005. TUC will be raising a number of concerns about the changes proposed by HSC. TUC head of safety Hugh Robertson says that although the EC directive prompting the changes requires "consultation with personnel within the workplace" in a sector that is heavily unionised, the HSC draft makes no mention of safety reps or trade unions. He added that TUC and a number of unions "have also raised concerns that HSC's new found enthusiasm for online-only consultations can result in many safety reps and others having no chance to contribute."

- [HSE news release and online consultation document](#). **Comments on HSC's proposals should be emailed to HSE no later than 1 October 2004.**

Safety standards "not sufficient" as three die

Three men drowned in a slurry tank this week because not enough had

been done to make the job safe. Timothy Bartram, Graham Morris and George Barnes died in the incident in Thetford, Norfolk, when they were overcome by fumes in a 12ft slurry tank. It is believed Mr Bartram became overcome by the fumes when he opened a hatch on top of the tank. Mr Morris and Mr Barnes tried to rescue him, but were also overcome by fumes. A fourth man, Daniel Willimott, managed to escape from the tank. The men were preparing to spread chicken waste on wheatfields near Thetford when tragedy struck. Prohibition notices were issued by the Health and Safety Executive (HSE) on Thetford company Enviro-Waste, for whom the men worked. HSE inspector Paul Carter, who is leading the investigation, said: "We are of the opinion safety arrangements were not sufficient to control the risk and prevent such a tragic accident that arose on Monday morning. We have served on the company prohibition notices stopping any unsafe access to their remaining seven slurry tanks."

- [East Anglian Daily Times](#). [EPD24](#). [BBC News Online](#). [HSE news release](#).

Government has a "moral duty" to ban smoking

Doctors' organisation BMA says the government has a "moral duty" to ban smoking in public places. In its response to the government's "Choosing health" consultation, the BMA challenges the prime minister's recent suggestion that tackling public health crises could lead to a "nanny state." Dr Peter Tiplady, chairman of the BMA's public health committee, said: "Sometimes the Pontius Pilate state - where the government washes its hands of responsibility - is a greater danger than the nanny state. The government says it's concerned about individual freedoms, but what about the rights of the three million workers who are regularly exposed to second-hand smoke?" In Japan this week, 36-year-old office worker Masahiro Kawamura became the first person in the country to be awarded compensation for health problems stemming from passive smoking at the workplace. His employer was ordered to pay 50,000 yen (about £250) in damages.

- [BMA news release](#) and [full response](#). [Asahi Shimbun](#).

HSC says Euro plan could hurt safety enforcement

The Health and Safety Commission (HSC) has echoed TUC, union and safety campaigners' concern that a proposed Euro law could

undermine safety enforcement continent-wide ([Risks 160](#)). The Euro plan, part of proposals in the "Directive on services in the internal market," could stop national enforcement agencies enforcing safety laws for some foreign companies based on their turf. HSC Chair Bill Callaghan said "health and safety standards risk being seriously undermined by the plan." He added: "The country of origin approach threatens health and safety standards and offends the principles of good regulation." HSC says it is very concerned about the impact on victims and bereaved families. If people are seriously injured or killed by a temporary service provider, country of origin would mean huge uncertainties about whether enforcement and prosecution was possible, it says. Derek Simpson, general secretary of Amicus, has also said the proposals are "unacceptable." He added: "UK health and safety standards are hard won and this Directive threatens to dilute those high standards and compromise British workers and public safety without any redress to UK law or regulatory bodies." He criticised the DTI's "wholehearted" support for the directive.

- [HSE news release](#) and [full response to the DTI consultation](#). [Amicus news release](#).

Dangerous omission on accident investigation

The Health and Safety Executive (HSE) has published new guidance on how to investigate accidents and incidents, including near misses – but knows the law still doesn't require employers to conduct investigations. A consultation three years ago found wide support for a duty to investigate ([Risks 14](#)), but the findings were discounted. HSE says the new guidance, which was prepared in consultation with industry, unions and health and safety professional bodies, is intended as a first step in introducing organisations to the benefits of carrying out investigations and the methods by which accidents should be recorded, investigated and the findings acted upon. The four steps featured in the guidance are: gathering information; analysing information; identifying risk control measures; and devising and implementing an action plan. According to TUC's Hugh Robertson: "We are disappointed that there is still no explicit statutory duty to investigate accidents, despite widespread support for this when the HSC consulted on the issue in 2001."

- [HSE news release](#). **Investigating accidents and incidents - a workbook for employers, unions, safety representatives and safety professionals,**

HSE, ref. HSG245, £9.50 from HSE Books.

Dads' work linked to brain tumours in their kids

Children fathered by men who have been exposed to polycyclic aromatic hydrocarbons (PAH) at work have a greatly increased chance of developing brain tumours, researchers have found. The researchers used occupational data to estimate parental PAH exposure during the five years before the children's birth. The data came from population-based studies carried out in seven countries, and compared 1,218 cases of childhood brain tumour and 2,223 matched "control" children without cancer. Paternal occupational PAH exposure increased the odds a child developing any type of brain tumour by 30 per cent, the researchers report in the *American Journal of Epidemiology*. Maternal occupational exposure to PAH during pregnancy was rare, according to the investigators, and no significant association was found between maternal occupational exposure and any type of childhood brain tumour.

- [Reuters Health.](#)

INTERNATIONAL

China: Deadly hazards face captive workforce

Rural workers are conscripted to long hours in China's factories. The work is hazardous, the accommodation squalid. Some literally work themselves to death. Others, seeing no way out, kill themselves. According the US auto union UAW's *Solidarity* magazine, China has the highest rate of workplace injuries, illnesses and fatalities ever recorded. The article cites International Labour Organisation reports that claim 460,260 Chinese workers died in 2002 due to work-related diseases or workplace accidents. It adds that it's not just the Chinese who are losers. In a petition filed with the US trade representative in March, national union federation AFL-CIO — backed by the UAW — argued that the brutal oppression of Chinese workers is a violation of US trade laws and drives down standards in the US too. The AFL-CIO called for tariffs on Chinese goods, a binding agreement with China on labour issues, and a moratorium on new World Trade Organisation agreements until all member countries agree to respect workers' rights.

- [UAW Solidarity magazine.](#) **Related information:**

[China Labour Bulletin.](#)

DR Congo: Fatal collapse of illegal uranium mine

Part of a uranium mine has collapsed in eastern Democratic Republic of Congo, killing at least nine people. The Shinkolobwe mine was officially closed earlier this year but people still mine there for cobalt, used in mobile phones. Some 30 miners were underground when the roof collapsed on Friday, 9 July. "When I arrived, I found that six of the clandestine miners had been pulled out safe and sound, but others still remained trapped in the ruins," Mwema Teli, a safety official for the Congo government mines agency, told the Associated Press news agency. Because of poor communications in DR Congo, news of the collapse only reached the capital, Kinshasa on Monday. In March, a BBC journalist found some 6,000 people working illegally at the mine, even though it had officially been shut down.

- [BBC News Online.](#)

Global: Aid workers face burnout and violence

US government agencies are only just beginning to address the mental health problems confronting aid workers who have faced stress, violence and burnout in Kosovo, Iraq, Afghanistan and other global hotspots. In the wake of recent attacks on workers in Afghanistan and Iraq, there is a growing need for support services in the field - and when workers return home - health officials said. "In the last five to 10 years, our work has... become much more dangerous," said Dr Barbara Lopes Cardozo, a psychiatrist and epidemiologist. "When people are killed, it is horrible for the families and friends but it also affects the whole aid community. People feel much more vulnerable and it has an effect on their mental health." Though there has been little research on the topic, Cardozo said, a recent study reported about 10 per cent of aid workers are diagnosed with post-traumatic stress disorder, while 30 per cent show some symptoms of the illness, such as anxiety, flashbacks and trouble sleeping.

- [Chicago Tribune.](#)

USA: Safety alliance angers steel unions

The US steelworkers' union USWA has expressed astonishment that government safety watchdog OSHA and several steel industry trade

associations have formed an “alliance” on safety without any union involvement. “OSHA and the industry both need help,” USWA president Leo W Gerard said, “but they’re not going to find it from each other. The trade associations have opposed every OSHA standard that applies to the steel industry. So far as we know, they have no full-time professional safety staff.” He added that steel companies were shedding their own safety staff. “At this point, most large steel plants have more full-time union safety representatives than management safety personnel. And the union has a bigger headquarters safety and health staff than most or all steel companies. If they were really interested in safety, they would have turned to the men and women who make these plants run.” The union leader concluded: “Apparently, OSHA’s political bosses and the industry trade associations are more anti-union than they are pro-safety.”

- [USWA news release](#). [OSHA news release](#). [Confined Space](#).

USA/Ireland: US exports contentious safety programme

A highly contentious US alternative to safety enforcement based on voluntary safety agreements with companies has been exported to Ireland. US government health and safety agency OSHA says the health and safety agencies in Ireland and Northern Ireland announced last month the development of pilot Voluntary Protection Programmes (VPP). OSHA administrator John Henshaw said: “We believe our VPP programme is a roadmap to safety excellence and we're excited that Ireland's leaders want to model their recognition programme after our VPP programme as a way to continue to enhance workplace safety and health.” In the US the system has been strongly criticised by unions because signing up frees companies from safety enforcement and guarantees lower penalties even where firms are found guilty of safety offences. And the US is a questionable model for good safety practice. It has a poor workplace safety record by international standards. Almost 6,000 workers die each year in workplace accidents, a death rate far exceeding that in the UK.

- [OSHA news release](#). **Related information:**
[Commission Impossible](#) - why self-regulation and voluntary scheme are a bad idea in the US, UK and elsewhere.

RESOURCES

New database on pesticides and alternatives

Pesticides campaign group PAN UK has launched a new pesticide research database, www.pesticidelibrary.org. The database cites over 6,000 articles, reports and books relating to the health and environmental effects of pesticides, and alternatives to their use. The resource is searchable and includes a photographic database. This is a great tool for any safety rep concerned about pesticides and safer ways to do the job, whether they work in agriculture, horticulture, pest control or encounter pesticides in any other job.

- [Pesticidelibrary.org](http://www.pesticidelibrary.org).

Safety of workers with disabilities

Health and safety should not be used as an excuse for not employing or not continuing to employ disabled people, says a new European Agency factsheet. It adds that a workplace that is accessible and safe for people with disabilities is also safer and more accessible for all employees, clients and visitors. The Agency adds that that safety and disability legislation should be used to facilitate the employment of people with disabilities, not exclude them. A TUC report last year also said safety should not be used as an excuse to discriminate against workers with disabilities ([Risks 125](#)).

- [European Agency news release and factsheet \[pdf\]](#).

EVENTS AND COURSES

TUC courses for safety reps

COURSES FOR SEPTEMBER TO DECEMBER 2004

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

UK National Work Stress Conference, 20 November

An application form for the 20 November UK National Work Stress Network conference is now available online. Speakers at the Birmingham conference will include TUC safety officer Tom Mellish, HSE stress person Steve Lee and legal experts.

- [Online conference application form](#).

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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