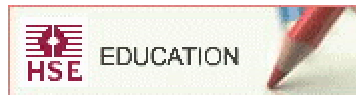


Risks

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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 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

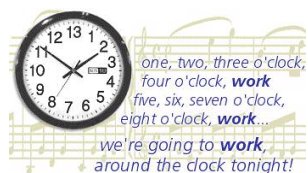
The time is right for a new bank holiday



The autumn half-term, the national saint's days of England, Scotland and Wales, and New Year's Eve are the most popular choices for the three new bank holidays sought by TUC, according to the results of an online vote on the TUC's world of work website. The TUC believes that bosses are wrong to say we cannot afford extra time off. A TUC analysis shows the UK economy could quite comfortably absorb the creation of three new public holidays to bring the UK into line with the EU average of 11 days a year. More than four in ten (41 per cent) of the 19,469 people who voted online in the WorkSMART poll said that a Monday in late October would be their most preferred date for a new bank holiday. Commenting on the poll results, TUC general secretary Brendan Barber said: "In the past, bosses have wildly exaggerated the costs of introducing more bank holidays, but our calculations suggest that the UK can well afford to bring in extra days. If we all were able to take a few extra days off work, rather than losing out, employers would benefit from less-stressed, more contented, productive staff." He said the TUC welcomed Labour's July national policy forum agreement that the law should be changed so that bank holidays are taken in addition to annual leave, in line with the rest of Europe. "But we want the government to go further and introduce three extra public holidays, he said. "It would be a real vote winner."

- [TUC news release. WorkSMART "Bank holiday idol" vote. Send a WorkSMART postcard – they're sometimes funny, they're sometimes rude, they're always free.](#)
- **BBC News Online.**
<http://news.bbc.co.uk/1/hi/business/3603852.stm>

Working all hours leads to all round problems



Many shop managers and supervisors, under pressure to meet targets and boost profit margins, regularly work excessive hours that put their health, safety and family lives at risk, says shopworkers' union Usdaw. It is working with its managerial section Sata to build a case to present to government on ending the UK's "opt-

out" from the working week ceiling in the working time regulations. The UK stands alone in adopting a policy allowing workers to opt-out of the EU's maximum 48-hour week. Usdaw says its members, particularly managers and supervisors, feel pressured into opting-out. As part of the evidence Usdaw will submit to a government consultation exercise ([Risks 163](#)), the union is now canvassing thousands of Usdaw/Sata members in managerial and supervisory positions. John Hannett, Usdaw general secretary, said: "The regulations have provided more than enough opportunities, loopholes, opt-outs and exclusions to sustain the long hours culture in the UK. We have to tackle this long hours culture, because it damages lives and puts health at risk." He added: "The 48-hour limit on the average maximum working week was not plucked out of thin air. It was based on extended study of long working hours and accidents. This demonstrated that the risk of having and causing accidents due to tiredness increased at a faster rate for all time worked above 48 hours."

- [Usdaw news release](#). Related information: [TUC "It's about time!" campaign against the UK opt-out and the Hazards worked to death news and resources webpages](#).

Union calls for protection for journalists

The National Union of Journalists (NUJ) is urging every national newspaper editor to give freelance journalists in war zones the same protection as staffers. It says the need for such protection was highlighted by the abduction and release of James Brandon, a freelance for the *Sunday Telegraph*, in Basra in August. NUJ general secretary Jeremy Dear is a member of the board of the International News Safety Institute, an organisation created by journalists' unions and major media employers. He wrote to editors with the message: "It is vital that news organisations treat the issue of journalists' safety with ever greater care and urgency." He asked for meetings with editors to discuss the work of INSI and their possible participation in and support for the work. According to INSI the death toll of media workers in the Iraq conflict has now reached 49. INSI director Rodney Pinder said: "Newspapers have an obligation to provide all people who work for them with proper safety training. We suspect there is a temptation for news organisations to employ freelancers or outsiders because they don't feel they have the same responsibility to them. We would argue that they do."

- [NUJ news release](#). [INSI website](#).

Attacked for refusing an under-age sale



Shopworkers' union Usdaw has renewed its call for a nationally recognised proof of age scheme, as further evidence emerges that refusing under-age sales is a major trigger of attacks on workers. New research from trade magazine *Independent Retail News* reveals 52 per cent of local grocery stores were victims of crime during the last 12 months for refusing an under-age sale - a rise from 43 per cent recorded during the previous year. In most cases, this amounted to serious verbal abuse, but also included attacks and injury to workers. Usdaw general secretary John Hannett said: "It is a sad fact that many shopworkers go to work in fear of being attacked or abused - whether they work in a big supermarket or smaller grocery store. There is clear evidence that shopworkers are often bullied, intimidated, threatened and, in too many cases, physically attacked, when they refuse an under-age sale." The union leader added: "The absence of a nationally recognised proof of age scheme is putting shopworkers at risk. Shopworkers are rightly expected to uphold the law and refuse sales to those customers who aren't old enough - but they should not be expected to put themselves in any danger."

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

Railway unions call for more staff to head off attacks

Rail unions have called for better staffing levels in a bid to combat rising violence on the railways. The demand comes as the annual report of the British Transport Police (BTP) reveals that in the 12 months to March 2004, 8,727 episodes of violent crime were reported - up 14 per cent year on year. Reported physical attacks on railway workers have seen a sharp increase. On London Underground, violence against staff accounts for a third of all reported assaults, which are up 29 per cent on the previous year. Rail union RMT called for the return of guards to all trains and more station staff to help stem the rising tide of attacks on staff. "We need adequate staff on every station all the time they are open and a guard on every train, including on the Tube," RMT general secretary Bob Crow said. "For too long rail employers have cut staff simply to save money, and the price has

been an increase in assaults and abuse against our members." ASLEF acting general secretary Keith Norman said "the increase in assaults is a problem that demands a systematic approach involving adequate staffing of stations, passenger areas and trains."

- [RMT news release](#). [ASLEF news release](#). [British Transport Police news release](#). [BBC News Online](#).

Runaway wagons highlight rail risks

Lessons have not been learned by Network Rail following the Tebay rail tragedy earlier this year, rail union RMT union has warned. General secretary Bob Crow says people could have died in two runaway vehicle incidents at the same site in Stockport on the 5 and 17 August. Four people died when they were struck by a runaway truck in Tebay, Cumbria, in February ([Risks 144](#)). RMT is urging Network Rail to bring track renewals back in-house "for safety's sake." Union general secretary Bob Crow said: "It is shocking to learn so soon after the deaths of four of our members in February's Tebay disaster that there have been two more runaway incidents this month, in Stockport." He added: "After the Tebay tragedy we called for an inquiry into safety standards in the fragmented, privatised rail industry. So far we have had no inquiry, but the runaway incidents have kept on happening. It seems that safety is still taking second place to profit." The union leader concluded: "The most efficient way for Network Rail to gain proper control over the assets and skills needed for the renewal of the infrastructure is to follow its own lead and bring track renewals back in-house, as it has already done with maintenance." Two men are still on bail as part of a police inquiry into the Tebay deaths.

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

RMT calls for suspension of dangerous "Tube privateer"

Tube maintenance contractor Metronet should be suspended and its maintenance work taken back in-house, the union RMT has said. The union call came after Metronet was found to have been the principal cause of the 11 May White City derailment. The report concluded the company had failed to comply fully with safety measures laid down by London Underground following last October's Camden Town accident. "A company that fails to comply with explicit safety instructions put in place after one derailment and as a result causes another should not be allowed to continue operating on the network," RMT general

secretary Bob Crow said. "Tube workers and the travelling public expect their safety to be taken seriously. The private firms involved in the Public Private Partnership are in it primarily to make money, and that is the one thing they have proved themselves to be good at. We were lucky that there were no serious injuries at White City - now we need to see some action so that further preventable accidents do not take place."

- [RMT news release. Evening Standard.](#)

OTHER NEWS

Tories target compensation and safety laws

The Conservatives are proposing to roll back human rights law in a move that could restrict access to compensation and lead to the loss of some workplace safety protections. In an attack on "compensation culture," shadow home secretary David Davis said public bodies such as hospitals and schools pay out billions a year in unjustified claims. In the opening lines of an article in *The Spectator* he cites as a waste of public money the case of a teacher awarded £55,000 after slipping on a chip. A court had found that her employer had failed to properly assess and act to prevent a foreseeable risk ([Risks 136](#)). Davis adds: "We need to think about how to limit liabilities on company directors and charity trustees, how to 'sunset' health and safety legislation and how to end the distorting effect of discrimination law, which positively encourages claims on the basis of race and sex." The attack comes despite a major Better Regulation Taskforce investigation which concluded this year that "compensation culture" was a "damaging myth" ([Risks 159](#)). Tom Jones, a partner at personal injury law firm Thompsons, said the issue had been resurrected as part of "a very clever campaign by the insurance companies to wind people up. It is about them seeking people to question the legitimacy of people claiming at all, and attacking the levels of compensation." He added: "There isn't some great ferris wheel chucking fivers out. Whether it is a chip you have slipped on, or asbestos gets in your lungs, they have failed to take reasonable care."

- [Conservative Party news. BBC News Online on the Davis article and on the response. The Independent. The Daily Star.](#)

Work cancer kills tyre worker

Cancer causing chemicals killed a former factory worker before he could claim compensation. Thomas Avan was a worker at Dunlop's rubber plant in Coventry. He contracted bladder cancer because he worked with the cancer causing chemical, beta naphthylamine. It was banned in 1949, but large quantities were still used in the rubber industry, including while Mr Avan worked as a conveyor belt fitter. The widower was diagnosed with bladder cancer in 2001 and later developed secondary cancers. The cancer is relatively rare in the general population but workers in certain occupations, particularly in the rubber and textiles industries ([Risks 170](#)), have been found to have greatly increased risks caused by exposure to now-banned chemicals. Mr Avan started a compensation claim and his statement given to his legal advisers about his working conditions was read out at Warrington Coroner's Court. Dr Robert Ewing from Halton Hospital told the inquest he had experience of similar cases at Dunlop's Speke factory. Consultant Mr Robert Barnard told the inquest that there was "excellent" evidence of a link between the chemical and bladder cancer. Coroner Nicholas Rheinberg recorded a verdict of death by industrial disease.

- [Widnes World](#).

Airport bag weight limit imposed

Two UK airports have introduced baggage weight limits in a bid to reduce manual handling injuries to staff. People travelling through Edinburgh Airport will have to limit the size of each piece of luggage to 32kg (70 pounds) or less. A similar weight limit on individual pieces of luggage was introduced at London Heathrow in June. Passengers whose bags exceed the weight limit will be asked to repack their luggage into smaller units and bags will be available for those who need to repack. Edinburgh Airport managing director Richard Jeffrey said the change was intended to protect the airport's 300 baggage-handling staff. Some 40 per cent of all airport injuries reported to the Health and Safety Executive are manual handling injuries, mostly to airport staff handling heavy bags. Mr Jeffrey said: "We are committed to working with the airlines and handling agents to implement safe working practices airport-wide to help lessen manual handling injuries." An ILO report last year found musculoskeletal disorder are common among check-in workers and can lead to temporary or permanent disability, and can disrupt sleep and non-work activities. It found injury risks associated with semi-mechanised baggage systems

are comparable to those of industrial workplaces. Frequent bending, awkward postures, prolonged sitting, and pulling baggage provoke injuries even at fully mechanised check-ins.

- [BBC News Online. ILO reports on manual handling injuries in airport check in staff.](#)

Computer work damages your back

Slumping in front of a computer or the TV for hours at a time may damage important back muscles, a study has found. Australian researchers studied a group of 19 young men who spent eight weeks in bed. They found that the lack of movement weakened the muscles that support and protect the spine. The researchers said hours sat at a computer could have the same effect, adding the pain was as bad as having a physical injury. The study suggests that long periods of inactivity may be to blame. Researchers from the University of Queensland found that the support muscles of the men in the study were inactivated in a very similar way to those of lower-back pain patients. The research team say they have continued to monitor some of the volunteers for six months and their back muscles have still to recover, despite exercise.

- [New Scientist. BBC News Online.](#)
- **Related resource:** [Workstation checklists from Hazards.](#)

Manslaughter charges follow workplace deaths

Two bosses are facing manslaughter charges after workers were killed in separate incidents in February this year. Lewis Murphy was 18 when he died on 22 February, three days after a blaze broke out at the Anchor Garage in Peacehaven, where he was working. Garage manager Glenn Hawkins, 33, denies the charge. He was bailed at Lewes Crown Court and ordered to stand trial on 31 January 2005. Mr Hawkins also denies failing to ensure taking reasonable care of himself and others while at work. The prosecution follows a joint investigation into the incident by Sussex Police and the Health and Safety Executive. In a second incident, a man has been charged with the manslaughter of a Powys workman who died after falling 30 feet off a mobile platform. On 28 February, 40-year-old Mark Jones from Ludlow died after being crushed by a five-ton crane at a farm near Stourbridge. Wayne Davies, 34, appeared in court charged with manslaughter and

health and safety offences. Davies was granted bail and the case was committed to Stafford Crown Court for a hearing on 3 September. The incident was jointly investigated by the Health and Safety Executive and Staffordshire Police.

- **BBC News Online on the [Lewis Murphy](#) and the [Mark Jones](#) cases. [Shropshire Star](#).**
- **[TUC/Hazards deadly business webpages](#). [Centre for Corporate Accountability manslaughter webpages](#).**

HSE warning after spate of trench deaths

The Health and Safety Executive (HSE) says construction workers are dying because employers are failing to take simple measures to prevent trench collapses. There have been three fatal incidents since April where workers have been killed due to trenches collapsing on top of them. HSE says these could have been avoided if the appropriate safety measures had been taken. HSE's Nigel Thorpe said: "Trench collapses are entirely avoidable. Without suitable support, any face of an excavation will collapse; it's just a matter of when. The steeper and deeper the face, the wetter the soil, the sooner the collapse." He added: "Trenchless technologies are available which avoid many of the hazards of excavation, but if a trench is required modern proprietary systems allow the ground support to be installed without the need to enter the excavation." Teenager John Morton, a trainee builder, died in July after he was buried under tonnes of rubble on a Sheffield building site. The 18-year-old and workmate Dan Thompson were trapped after a 10ft deep trench collapsed as they worked on drainage.

- **[HSE news release](#) and [construction information](#). [Sheffield Star](#).**
- **Construction Information Sheet No.8 (rev 1) on Safety in excavations [[pdf](#)]. Health and safety in excavations: Be safe and shore, HSG 185, ISBN 0-7176-1563-4, price £8.50, from HSE Books.**
- **Related information: [Electronic Library of Construction Occupational Safety and Health \(eLCOSH\) – trenches webpages](#)**

INTERNATIONAL

Australia: Mining giant BHP makes a killing

A record profit for the world's largest mining company has come at the cost of 17 workers' lives, says a union group. BHP Billiton made a profit of \$3.38 billion for the last financial year. "This has been a record year for BHP Billiton," commented chief financial officer Christopher Lynch. However, a report in union web journal *Workers Online* says Lynch failed to mention that 17 Australian employees had died in the workplace over the same period. ACTU organiser Will Tracey said safety standards had "plummeted" since BHP Billiton pushed its workforce on to personal contracts. "The thing with individual contracts is that they inhibit people from speaking out on safety for fear of being hammered in performance reviews," Tracey said. "Anyone who speaks out on safety is labelled a troublemaker." As part of the new management approach, BHP Billiton used exhortations to "Aim high, move fast!" around an iron ore plant where AMWU delegate Cory Bentley was killed in May, one of a spate of deaths ([Risks 158](#)). "It seems a culture of production before safety has developed and shortcuts are being taken to accommodate the tonnages required to meet contracts," said AMWU's Jock Ferguson after Bentley's death. *Workers Online* says company bosses acknowledge "cost cutting" was responsible for the company's high profits.

- [Workers Online](#).

Canada: Stress is driving workers to tears

Burnout is literally driving public school and health care workers to tears, according to a union commissioned study. The Centrale des syndicats du Quebec backed study found about 40 per cent of respondents, most of whom were teachers, said they've cried on the job, mostly because they have too much work, or are too stressed out, author Angelo Soares said. "They know if they stop working they won't have the time to do everything they need to do," said Soares, a professor at the Universite du Quebec a Montreal. "We can have eight hours in a workday, but (for these workers), a minute has 120 seconds." Results from workers who had identified personal crises - as opposed to work-related crises - weren't counted, he said. Soares found nine per cent of workers are moderately depressed and a third of workers said they're at risk of burnout.

- [Montreal Gazette](#). Related information: [TUC Changing Times webpages](#).

Global: Unions respond to push for work drug tests

Unions are being called into action as employers worldwide try to impose drug tests as an alternative to better workplace support and safety standards. In New Zealand, a union and a major employer have now agreed a policy for dealing with drug and alcohol impairment at work. The policy, agreed between the Amalgamated Workers Union (Northern) and Fletcher Construction, "focuses on education and rehabilitation, rather than taking punitive measures against workers with drug or alcohol problems," said Council of Trade Unions secretary Carol Beaumont. The agreement comes after a union test case this year established random drug tests at work were not acceptable, with testing to be restricted to just safety critical work ([Risks 156](#)). In Australia, unions say they will oppose an anticipated drive by employers to introduce random drug and alcohol testing. Victorian Trades Hall Council spokesperson Brian Boyd said employers could face a union backlash. He added that a deal last year between the building industry and the state's 50,000 construction workers allows employees with substance abuse problems to get treatment at a drug and alcohol centre and was working well. In Finland, a new law means an employee can be compelled to take a drug test if the job requires considerable dexterity or independent thinking. The work must also be such that intoxication or drug dependency would cause a serious threat to life or health, or would carry the risk of other serious harm. Timo Koskinen, a lawyer for the Central Organisation of Finnish Trade Unions (SAK) suspects that some companies already implement drug testing policies that are much more extensive than the new law allows.

- [Scoop News. The Age \(requires registration\). Helsingin Sanomat.](#)
- [Union drug and alcohol news, resources and policies.](#)

Global: Union acts to protect hot spot journalists

The global journalists' union is stepping in to defend journalists in trouble hot spots. The International Federation of Journalists (IFJ) has introduced a programme to improve security for Palestinian journalists and media staff whose lives are threatened in the conflict in the West Bank and Gaza. IFJ will provide safety workshops for Palestinian journalists and staff working for foreign media in five West Bank areas. The IFJ is also co-operating with the International News Safety Institute, the global campaign for news safety, to spearhead efforts to provide training for media staff in Gaza. These will be the latest in a

series of training sessions for journalists in war zones. IFJ has also called for new international action to protect media staff after militant groups in Nepal and Iraq issued threats to kill journalists. "The targeting of journalists is an increasingly horrifying feature of regional conflict," said IFJ general secretary Aidan White. "More must be done to protect media staff and to find these killers. They must be brought to justice. Those who support them must be exposed and isolated by the international community."

- **IFJ news releases on [Palestine](#) and [Iraq and Nepal](#).**
- **[International News Safety Institute](#).**

Global: Asbestos myths resurface as ban vote looms

Frantic industry efforts to present white asbestos in a safe light are underway, as September's Rotterdam Treaty move to restrict the deadly fibre draws closer. A Canadian public relations offensive is promoting asbestos worldwide, backed by government and industry cash. It is among a number of asbestos producer nations who have already indicated they will block listing of chrysotile (white) asbestos under the "prior informed consent" restrictions of the Treaty ([Risks 161](#)). However, the Canadian arguments for "safe use" of the fibre were dented when widespread asbestos disease was revealed in Quebec, the hub of Canada's asbestos industry. Now Russia, the other massive global producer of chrysotile asbestos, has pitched in with a claim that it produces "the world's safest asbestos" from its Tuva mines. However, critics say claims like this resurface every time asbestos is under attack. They add that all forms of asbestos are in the highest category of cancer risk, according to official International Agency for Research on Cancer ratings. A proposal to include chrysotile asbestos on the "prior informed consent" list of restricted substances will be considered at a major Rotterdam Treaty meeting commencing on 18 September.

- **Novosti - [Russian news agency report](#). [IBAS report on asbestos cancers in Canada](#). Special asbestos edition of the [International Journal of Occupational and Environmental Health](#), April-June 2004.**
- **[More on the Rotterdam Treaty meeting and prior informed consent](#).**
- **[Judge for yourself – see conditions as Russia's Tuva asbestos mines](#). Photo report by Jonathan Smith and David Gala.**

South Africa: Miners sue Anglo American for silicosis

Ten South African gold miners suffering from silicosis have filed a test case in court against mining giant Anglo American plc, which if successful could lead to a rush of claims from thousands of miners. The miners contracted the debilitating respiratory disease silicosis after breathing in excessive levels of dust, according to their lawyers. Anglo will be asked to pay up to 20 million rand (£1.67m) for injury, pain and suffering, loss of earnings and medical expenses for the 10 men. Lawyers say there could be between tens of thousands and half a million workers affected by the potentially fatal condition, with many of the sufferers also developing tuberculosis. During the apartheid era, showering and changing facilities at the mine shaft, which are needed to remove toxic dust, were not provided for black workers, said a statement from the claimants' lawyers. "The industry appears to have had displayed a flagrant disregard and cavalier attitude to the health of their workers, placing profit as the clear priority, taking full advantage of the apartheid system," it said. Anglo American, the world's third-biggest diversified mining company, said it had not received notification of a lawsuit, but would defend any that is filed regarding silicosis. In July, the South African government announced a programme to eliminate silicosis by 2030 ([Risks 163](#)). US lawyers have also warned this year of a silicosis claims explosion ([Risks 166](#)).

- [Planetark](#).

RESOURCES

What the unions want - TUC Congress 2004

The final agenda for TUC's annual congress is now available online. Workplace health and safety will feature prominently at the 2004 Congress, to be held in Brighton from 13-16 September. A safety debate on Wednesday 15 September will hear motions on issues ranging from safety policy, dissatisfaction with HSC's performance, health and safety in commercial aviation and theatres and bullying and harassment in the NHS. GMB calls for a TUC campaign for roving safety reps and a "work environment fund," based on an employer levy, to finance safety initiatives. Napo is calling for TUC members of the Health and Safety Commission to "insist that its focus should return to one of enforcement" and also says HSC should be told to deliver new rights for safety reps, criminal sanctions on dangerous employers,

more funding for HSE and improvements in the way HSC functions.

- **Congress 2004** [news release](#), [webpage](#) and final agenda [[pdf](#)] – see section 8, “Protecting people at work,” for the health and safety motions.

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](#)

Women’s health and safety conference, 21 September

Women make up nearly half the workforce, yet still suffer discrimination at work and face particular health and safety hazards because of the jobs they do. A September conference organised by LRD and backed by the TUC will discuss the hazards facing women at work and how workers and unions can tackle these issues. Speakers include Ruth Cross from shopworkers’ union Usdaw, Hope Daley from UNISON and researcher Jane Paul. There will also be speakers from Europe, the TUC and HSC.

- **Women’s health and safety conference, 9.30am-4.30pm, Tuesday 21 September, University of London Union. £10 with lunch provided and crèche available. [More information](#) and conference application form [[pdf](#)]. For further information contact [Paul Hampton](#) or phone 0207 902 9826.**
- **More on women’s health and safety from [TUC](#) and [Hazards](#).**

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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