

Risks

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HAZARDS
MAGAZINE



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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

TUC calls for end to building site deaths

TUC is calling on the government and employers to dramatically improve Britain's construction safety record. It says three construction workers die at work in Britain every fortnight, but the government has yet to introduce corporate manslaughter legislation to punish negligent bosses. TUC plans to use next week's European Health and Safety Week - to run from 18-22 October with a "building in safety" theme - to urge the government and employers to act. It says between April 2003 and March 2004, 70 construction workers lost their lives, accounting for 30 per cent of all the deaths at work last year. TUC deputy general secretary Frances O'Grady said: "Construction deaths at work are on the increase again. Employers will only change their poor health and safety practices when they realize that they are likely to be punished if found guilty of causing the deaths of their staff or members of the public." She added: "The government must publish its proposals for a new corporate manslaughter law before the beginning of the next session of Parliament. A corporate manslaughter law would force employers to make safety a priority and the fear of penalty would make them train their employees properly." O'Grady said that unions had taken an important lead by providing information and support for workers, including resources for the increasing numbers of workers on site who do not speak English.

- [TUC news release](#). [TUC construction safety factsheets](#). [TUC Euroweek webpage](#). [HSE Euroweek webpage](#). [European Agency for Health and Safety at Work Euroweek webpage](#).
- [TUC/Hazards deadly business campaign](#).

TUC backs "carrot" approach to get sick and disabled into work

The TUC has told the government that providing proper support is the only acceptable and effective way to increase the numbers of sick or disabled people in work and could save the government millions. A new TUC report, *Defending incapacity benefit*, says that the vast majority of the 1.5 million who receive invalidity benefit are either too ill to work without suffering real pain and fatigue, or want to work but

cannot find a job, often due to employer prejudice. The report has been sent to the new Secretary of State for Work and Pensions Alan Johnson who is currently examining welfare reform. Brendan Barber, TUC general secretary, said: "People claiming Incapacity Benefit are not swinging the lead or 'work-shy spongers'." TUC welcomed an 11 October speech from the Prime Minister on welfare and public services reform, which backed a supportive approach to getting people back to work. Frances O'Grady, TUC deputy general secretary, said: "The Prime Minister today backed successful pilot projects that are helping rather than forcing the sick and disabled back into work. Rolled out nationally this 'carrot' rather than a 'stick' approach could fill 110,000 jobs a year and save £110 million annually." Tony Blair's comments came on publication of new DWP figures, showing a "Pathways to work" pilot programme that provides advice and rehabilitation to assist people back into work was twice as effective as other approaches.

- [TUC news release opposing welfare cuts.](#) [TUC news release on the Prime Minister's speech.](#) [DWP news release on the Pathways to work pilots.](#) [BBC News Online.](#)
- **Full TUC report, [Defending incapacity benefit.](#)**
- [Hazards news and resources on workplace sickness policy.](#) [TUC](#) and [Hazards](#) **rehabilitation webpages.**

TGWU puts bus operators on hours warning

Bus drivers' union TGWU has urged members from Peterborough to Newcastle and from Grimsby to Carlisle, to step up the campaign to reduce driving hours. In a co-ordinated action, the union's sixty bus branches have put forward demands for a maximum continuous driving shift of four and a half hours and a maximum driving time of eight and a half hours in any one day. "Driving a bus is one of the most stressful jobs around and it's only right that we should try to reduce that burden," said campaign organiser Steve Clark, a Leeds-based TGWU regional industrial organiser. The campaign was launched to coincide with a global week of action to highlight driver hours and safety, co-ordinated by the International Transport Workers' Federation (ITF). Steve Clark said the campaign was as much about providing a safe and healthy working environment as it was about improving productivity. "We believe it is not beyond the wit of the bus operators to work with us to reduce hours for drivers and so send a message that they are valued," he said. "Our campaign will inform the negotiating processes across the region and we'll be following this

through at each and every level." International research has found high levels of work-related heart disease in stressed-out urban bus drivers.

- [TGWU news release. ITF road transport day of action webpage. Grimsby Telegraph.](#)

Ho ho holidays all round for shopworkers

Friday 15 October has been hailed as an historic milestone in shopworkers' union Usdaw's long running campaign to ensure large stores cannot open on 25 December. The Christmas Day (Trading) Bill, sponsored by Labour MP Kevan Jones, has passed its final Commons stage in time for this year's festive period. It will ban all shops of more than 280 square metres from opening on Christmas Day. Usdaw general secretary John Hannett said: "This new legislation will be greeted with a huge sigh of relief by millions of retail staff, who in the recent past were worried some retailers were looking to open on 25 December. Our members can now rest assured they will be able to enjoy Christmas Day with their families and friends and take a well-earned rest after the hectic pre-Christmas rush." Ten delighted Usdaw members, dressed as Santa Claus, made their jolly way to the House of Commons on Friday to welcome the new law.

- [Usdaw news release. Santa Watch campaign webpage.](#)

Back pain strikes two-thirds of adults

A union survey has found back pain is far more common and affects a wider group of people than previously thought – with sedentary work one of the causes. An online poll of 2,193 adults carried out for physios' union CSP found that two thirds of the population (68 per cent) were struck down with back pain at least once in the last 12 months. A third of those affected experienced a "shocking" five or more episodes over the course of the year. Most sufferers said their back pain lasted between one and three days, but for one fifth, the pain is ongoing. It says people of all ages are affected. Wendy Emberson of the Organisation of Chartered Physiotherapists in Private Practice helped produce a CSP "Backs for life" leaflet and isn't surprised by the results of the survey. She says that modern lifestyles are contributing to the problem. "The human body was not designed to spend long periods of time sitting down - especially not on soft settees

and ill-fitting classroom or office furniture.” She added that the new leaflet from CSP “encourages people of all different ages to think about their lifestyles and explains how minor improvements to the way they walk, move, sit, bend and carry while they go about their daily lives could make all the difference when it comes to beating back pain.”

- [CSP news release](#). **For a free copy of the leaflet, send a stamped self-addressed envelope to “Backs for Life,” The Chartered Society of Physiotherapy, 14 Bedford Row, London WC1R 4ED.**

OTHER NEWS

Work accidents and ill-health bill could top £30bn

The cost to society of work-related accidents and ill-health could be over £30 billion each year, according to new Health and Safety Executive estimates. Latest HSE figures suggest that in 2001/02 health and safety failures cost employers alone between £3.9-£7.8 billion. The cost to individuals was considerably higher, put by HSE at between £10.1 and £14.7 billion. HSE adds the economy overall pays between £13.1 and £22.2 billion for work-related accidents and ill-health. Overall, it says society shells out a massive £20 to £31.8 billion – this figure is based on the cost to economy plus HSE’s estimate of the human costs of pain, grief and suffering. HSE says the figures are used to impress upon employers the necessity to take action to make work safer and healthier. The figures are also use in “Regulatory Impact Assessments”, the cost-benefit calculation required by the government whenever new regulations are considered.

- [HSE news release](#). [Interim update of The costs to Britain of workplace accidents and work-related ill health in 1995/96](#). Full paper [[pdf](#)].

HSC looks ahead after 30 watchdog years

The Health and Safety Commission (HSC) has published a new short guide on how HSC has evolved over the past 30 years and outlines its future plans. *Thirty years on and looking forward: The development and future of the health and safety system in Great Britain* was launched at an open meeting of HSC to coincide with the 30th anniversary of the Health and Safety at Work etc Act, which saw the creation of HSC and the Health and Safety Executive. HSC chair Bill

Callaghan commented: "We want to see health and safety as a cornerstone of a civilised society and, with that, to achieve a record of workplace health and safety that leads the world. HSC/E is a modern and trusted regulator. If it is to maintain the trust of the public and our stakeholders, our work should be open to public scrutiny." The document presses the case for HSC's contentious "2010 and beyond" health and safety strategy, which has been criticised by some unions and campaigners as a shift away from enforcement and towards a hands-off, voluntary approach. The HSC guide acknowledges, however, that there has been "sustained public and political pressure for increased corporate and individual accountability." It adds: "The government has repeatedly promised to introduce a new offence of corporate killing but has so far failed to legislate."

- [HSE news release](#). **Thirty years on and looking forward: The development and future of the health and safety system in Great Britain** [[pdf](#)].

"Safe" work solvent levels may affect IQ of fetus

Children born to mothers exposed to solvents in the workplace appear to have significant developmental problems as a result, according to new research. The children had lower IQs, poorer language and memory skills, and were inattentive and hyperactive, found Canadian researchers. "It does seem that organic solvents do affect brain development when exposure occurs in pregnancy, which means women should do everything possible to minimize such exposure," said Gideon Koren, director of the Motherisk programme at the Hospital for Sick Children and the lead investigator. The research, published in the medical journal *Archives of Pediatric and Adolescent Medicine*, looked at 32 women who were exposed to organic solvents in the workplace for at least eight weeks of pregnancy, along with their children, who were aged 3 to 9 at the time of testing. They were compared to 32 women of similar background who did not work in jobs where solvents were used, and their children. The women in the study worked in 17 different occupations, including painter, science teacher, photo lab worker, graphic designer, electrical company workers and embalmer. While the differences were "subtle," the researchers said the study is important because it is the first to document possible harm to a fetus from exposure to organic solvents. Dr Koren added that workplace exposure limits were not good enough. "The adult may be okay, but the unborn's brain is much more sensitive. It's still developing," he

said. "The baby needs his own guidelines."

- [Globe and Mail](#). [Reuters](#). [HealthDay News](#).
- **Gideon Koren and others. Child neurodevelopmental outcome and maternal occupational exposure to solvents. Archives of Pediatric and Adolescent Medicine, vol. 158 pages 956-961, 2004 [abstract].**

Nerve damage linked to common work solvent

Long term exposure to high concentrations to a common workplace solvent is highly damaging to nerves, new research has shown. Researchers at the American Neurological Association annual meeting in Toronto said 1-bromopropane (1-BP) is a powerful neurotoxin. 1-BP is an industrial solvent widely used as a replacement for ozone-depleting chemicals. Dr Jennifer J Majersik of the University of Utah described six individuals who worked in a factory gluing foam cushions together who were exposed to 1-BP vapours from spray adhesives over several months. All six developed severe symptoms of peripheral nerve damage, including leg or foot pain and muscle weakness and spasms. Five had difficulty walking and two of the most severely affected individuals regained only minimal function 15 months after exposure and still require assistance walking. Three others continue to complain of chronic nerve pain. Similar cases have been reported elsewhere recently. Several factory workers in North Carolina who were also using 1-BP-containing glue to assemble foam cushions reported neurological symptoms after exposure. Factory workers in China have reported numbness in their toes and mental deficits following 1-BP exposure.

- [Reuters](#).

Workplace toxins linked to breast cancer

Exposure to industrial chemicals and radiation has contributed more than previously thought to the rising incidence of breast cancer, according to a new report. *State of the Evidence 2004: What is the connection between the environment and breast cancer*, released by two US advocacy groups on breast cancer, says fewer than one in 10 cases of breast cancer occurs in women born with a genetic predisposition for the disease. The report amasses new evidence from 21 research studies published since February 2003, adding to existing

evidence linking toxins in the environment to breast cancer. Among the new research findings was evidence that chlorinated chemicals, found in drinking water and many industrial processes such as computer component manufacturing, were associated with an elevated risk of breast cancer in three new studies. Researchers also found ethylene glycol methyl ether, a solvent used in many varnishes, paints, dyes and fuel additives, could sensitise breast tissue cells to the effects of estrogens and progestins, increasing the risk of breast cancer. "This new report offers the clearest evidence yet that the rise in breast cancer incidence is linked to exposure to radiation and toxic chemicals," said Nancy Evans, a health science consultant for the Breast Cancer Fund and the editor of the report.

- [Breast Cancer Fund news release](#).
- [Women's Environmental Network breast cancer webpages](#).

Better work can reduce heart attacks

Improving the quality of a person's job can reduce their risk of a heart attack, new research has shown. Medical and workplace health researchers from Denmark found that those at the bottom of the workplace pecking order had less say over their jobs and how they were done and also had a higher rate of heart attacks (myocardial infarction or MI). The research team followed 16,214 employees aged 20–75 years and tracked hospital admissions and deaths. They also measured "psychosocial job exposures" or workplace stress exposure. The researchers conclude: "Decision authority and skill discretion are strongly related to social position, and the social gradient in risk of MI is partly mediated by skill discretion." They add: "Improvements in psychosocial work environment, especially possibility for skill development, could contribute to a reduction in the incidence of MI and in social inequality in MI." The positive impact would be most strongly felt among unskilled workers, they said.

- **I Andersen and others. Do factors in the psychosocial work environment mediate the effect of socioeconomic position on the risk of myocardial infarction? Study from the Copenhagen Centre for Prospective Population Studies, Occupational and Environmental Medicine, vol. 61, pages 886-892, 2004 [[abstract](#)].**

Docs slam government for deadly smoking ban delay

Hundreds of workers have died this year as a result of the UK government's failure to introduce a ban on smoking in public places, says the British Medical Association. The BMA's UK Council this week condemned the failure of the Westminster government, but welcomed the success of legislation in the Republic of Ireland and Norway. BMA chair James Johnson said: "The BMA has been calling for a ban for almost 20 years. In that time, thousands of people have died because governments of all political persuasions have not had the courage to act on this issue. The question is, do today's leaders of the four nations have the guts to follow Ireland's lead and make enclosed public places smokefree?" He added: "The last six months in the UK has meant at least 350 more deaths among workers because of second hand smoke - that's two workers dying every day. Among the most heavily exposed are workers in bars and clubs, just 1 per cent of which are smoke-free... The Irish experience shows that smoke-free laws are workable and enforceable." The UK government's All-Party Parliamentary Group on Smoking and Health has called unanimously for November's White Paper on Public Health to include a smoking ban. The move followed the group's official fact-finding trip to Ireland.

- [BMA news release](#). [ASH news release](#). [ASH briefing on the impact of Ireland's smoking ban](#).
- [TUC smoking webpage](#) and [Hazards smoking news and resources](#).

First Engineering fined £200k after sleeper horror

Rail maintenance company First Engineering Ltd has been fined £200,000 at Glasgow Sheriff Court following the death of an employee nearly two years ago. Alexander Somerville was killed in November 2002 after a lifting operation went wrong. The company admitted breaching health and safety rules. Somerville and a colleague were lifting railway sleepers at the company's Finnieston premises in Glasgow when the load held by a sling slipped and fell on top of the 55-year-old. Striking firefighters from the nearby Yorkhill firestation left their picket line and helped to release Mr Somerville, however he died later in hospital from crush injuries. Karina Duffy, prosecuting First Engineering, told the court: "The slings that were used that day to lift the sleepers were found to be easily damaged. Training records for the workers involved were also extremely poor. And the instruction of safety techniques were not adequate." She added that had there

been proper measures to lift the 2,040kg sleepers, then Mr Somerville's death could have been prevented.

- [Glasgow Evening Times. Contract Journal.](#)

INTERNATIONAL

Australia: Beleaguered asbestos giant sinks further

An asbestos scandal that has already dislodged two top executives of James Hardie Industries, prompted a national product boycott and has led to worldwide protests, looks set to become more serious still. The company may soon be facing contempt charges in Australia and criminal investigation in the US. The New South Wales (NSW) government has received legal advice that it has the power to bring contempt of court proceedings against James Hardie, the building products multinational that was found by an official inquiry to have misled shareholders in its attempt to evade asbestos compensation liabilities. Attorney General Bob Debus said last week that the state government had been advised it is legally entitled to move against the company and its legal advisers. Mr Debus said the Crown solicitor had been instructed to assess all available evidence to determine whether contempt could be proven and whether James Hardie's lawyers should be referred to the Legal Services Commissioner for professional misconduct. In a separate move, New South Wales premier Bob Carr has written to the United States Securities and Exchange Commission (SEC), urging it to investigate the company. James Hardie Industries is listed on the New York Stock Exchange, whose activities are overseen by the SEC. The lion's share of James Hardie's profits come from US sales. The scandal engulfing the company was first revealed by Australian unions, which started a high-powered global union campaign on behalf of thousands of asbestos victims the company has attempted to short change ([Risks 176](#)).

- [News Interactive. New Zealand Herald.](#)
- [Hazards asbestos campaign webpage. International Ban Asbestos Secretariat.](#)

Australia/Canada: Construction workers protest at asbestos peddlers

Construction workers in Australia have protested outside the Canadian High Commission in Canberra in a bid to highlight Canada's global

marketing push for the deadly asbestos industry. "Canada is one of the few countries that still mines asbestos and is one of the world's largest exporters of white asbestos or chrysotile," said John Sutton, national secretary of construction union CFMEU. He added that Canada had blocked the listing of chrysotile last month under the Rotterdam Treaty's Prior Informed Consent procedure ([Risks 175](#)). "The Rotterdam Convention, which the Canadian government has been undermining, assists developing countries to prevent shipments of toxic materials from first world countries being dumped on their markets," said Sutton. "With 100,000 people dying every year worldwide from asbestos-related diseases, the Canadian government needs to seriously reconsider its policies on asbestos production and export and move quickly to ratify the Rotterdam Convention." A report this week to the Royal College of Pathologists in Brisbane said most asbestos cancers in Australia and elsewhere go undiagnosed.

- [CFMEU news release. ABC News. The World Today. Workers Online.](#)
- [Hazards asbestos and PIC webpage. ABC News on under-diagnosis of asbestos disease.](#)

Costa Rica: Banana workers sue over pesticide

Thousands of banana pickers in Costa Rica have filed a lawsuit in Los Angeles against two chemical companies and three major US fresh produce companies, claiming that exposure to a toxic pesticide caused a range of reproductive disorders. The suit accuses the companies of using the soil fumigant dibromochloropropane (DBCP) on bananas in Central America after it was banned in the United States in 1979. Exposure has been linked to sterility, testicular atrophy, miscarriages, birth defects, liver damage and cancer when inhaled or absorbed by the skin, lawyers say. Dow and Shell stopped making DBCP in the late 1970s but continued selling it to Costa Rica "in conscious disregard of the health and safety" of workers there, the lawsuit said. The suit also accuses the produce companies of continuing "to oversee the application" of DBCP on their banana farms. Chemical companies Dow and Shell and banana multinationals Chiquita, Dole and Del Monte declined to comment on the suit. The companies allegedly offered to settle the claims for sterility for \$2,900 to \$6,500 (£1,600-£3,600) a person as long as the workers did not involve their own lawyers. A number of cases were settled in the 1980s. The lawsuit, which mirrors cases brought on behalf of workers elsewhere in Central America, requests general and punitive damages for "wanton and reckless acts..."

and outrageous and malicious conduct” including product liability, fraud, negligence and conspiracy.

- [Planet Ark. October 2000 Planet Ark story on claims by Nicaraguan banana workers.](#)
- [Pesticides Action Network datasheet on DBCP.](#)

Europe: Unions and employers agree workplace stress framework

Organisations representing unions and employers across Europe have signed a framework agreement aimed at tackling workplace stress. Union umbrella group ETUC and employers' and business groups UNICE, UEAPME and CEEP concluded the agreement after nine months of negotiations. They say the new strategy document aims to increase the understanding of employers and workers of work-related stress and proposes a method for identifying and dealing with problems. A statement from the groups said: "Stress is a concern for both employers and workers. Approximately 28 per cent of European Union workers report work-related stress each year. The agreement we signed today aims at addressing these problems in order to improve well-being of workers and increase companies' efficiency." TUTB, the health and safety think tank for Europe's trade unions, says the agreement "marks a big step forward". As well as recognising workplace stress as a prevention priority, it says that specific problems with work organisation, work content and the working environment should be addressed. This is the second agreement of this type, following an earlier framework on telework.

- [ETUC news release. Framework agreement on work-related stress, October 2004 \[pdf\]. European Commission news release. European Agency news release. TUTB news release.](#)

USA: Dangers in the night

Workplace accidents that result in injuries are much more likely to occur at night than in daytime hours, studies suggest. Kenneth N Fortson, writing in the *Monthly Labor Review*, says data from Texas workers' compensation claims shows the injury rate is higher late at night than during the regular 9-5 shift. Fortson looked at three possible explanations: a younger and less experienced workforce late

at night; more dangerous jobs being done at night; or fatigue because night workers work longer hours. The study found that none of these were good explanations of the higher late night injury rate. Instead he concludes the human biological clock isn't happy working in the early hours of the morning - and short term memory, reaction time and visual vigilance may be compromised as a result. He notes some workers opt to work at night, for example single mothers, because of lack of affordable childcare during the day. And businesses choose 24-hour working to optimise production. Fortson warns, however, that there is a tradeoff: night work is inherently more hazardous than day work. Some of the most catastrophic industrial disasters occurred in the early hours. Mistakes made at 1.23am led to the 1986 Chernobyl disaster; and the 1979 Three Mile Island malfunction came shortly after 4am, following mistakes by night shift workers.

- [Confined Space](#). **Kenneth N Fortson. The diurnal pattern of on-the-job injuries, Monthly Labor Review, pages 18-25, September 2004 [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](#)

Safety seminars, ESF, London, 15-17 October 2004

The TUC is backing a number of events at the third European Social Forum, to run in London from 15-17 October. A number of events have a health and safety component – check out the list of union speakers and the TUC guide to ESF. One specific safety event that might be of interest to *Risks* readers would be the Sunday morning session on “Workers organising for safe workplaces and fighting for corporate accountability at work.” Speakers will cover topics include health and safety and union organising, women and hazards, casualisation dangers, and the union safety effect. Billy Bragg is among those who will chip in. A Saturday pm session, “Asbestos: Global action needed”, is backed by the TUC and is the latest stage in the global trade union campaign for a ban on the biggest industrial killer. Trade unionists from France, Spain, Egypt and elsewhere will be in attendance.

- [TUC news release on ESF. Union speakers at ESF.](#)

[TUC guide to the European Social Forum.](#)

- **Workers organising for safe workplaces and fighting for corporate accountability at work, Sunday 17 October, 9am-12 noon, Great Hall 1, Alexandra Palace, London.**
- **[Asbestos: Global action needed](#), 16 October 2004, 2-4 pm at the Natfhe Building, 18 Britannia Street, London.**

TUC conference on the future of HSC, 8 November 2004

A major TUC conference will mark the 30th anniversary of the Health and Safety at Work Act and the establishment of the Health and Safety Commission. TUC says the event, "30 years on - the future of the Health and Safety Commission," is intended for policy makers, trade unionists, managers, health and safety professionals, academics, and others with an interest in health and safety. Speakers include minister for work Jane Kennedy, HSC chair Bill Callaghan, TUC general secretary Brendan Barber and prominent safety academics and representatives of unions, HSE, and campaign and employers' organisations.

- **[30 years on - the future of the Health and Safety Commission, TUC conference](#), Monday 8 November 2004, TUC, Congress House, Great Russell St, London WC1B 3LS. Registration fee: Trade unions £25.00; not for profit organisations £35.00; other organisations £50.00. [TUC online conference enquiry form](#).**

Health and safety through partnership, London, 19 November 2004

South-east region TUC (SERTUC) is to run a day conference for union health and safety reps in the London region. Speakers include HSC chair Bill Callaghan, HSE London regional director Charles Horsefield and TUC head of safety Hugh Robertson. SERTUC says the conference is "an event designed for you, the workplace health and safety rep, aimed at informing you of developments in health and safety law and policy, and to provide you with an opportunity to discuss your issues with key players in the health and safety regulatory system."

- **Health and safety through partnership, 10 am–4pm, Friday 19 November 2004, Congress House, Great Russell Street, London WC1B 3LS. [Further details](#). To book your place at this free event, email [Darren Lewis](#) or phone 0207 467 1220.**

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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