

# Risks

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**Risks** is the TUC's weekly online bulletin for safety reps and others, read each week by over 10,500 subscribers and 1,500 on the TUC website. To receive this bulletin every week, click [here](#). Past issues are [available](#). This edition contains [Useful links](#) [TUC courses for safety reps](#) [Disclaimer and Privacy statement](#).

## UNION NEWS

### **TUC reveals Britain's unpaid overtime scandal**

Teachers and lecturers on average do longer hours of unpaid overtime than any other occupation, according to the TUC's unpaid overtime league table. The latest figures, based on Labour Force Survey statistics and published ahead of TUC's 25 February "Work Your Proper Hours Day," show how the £23 billion of unpaid overtime worked in the UK last year breaks down between different occupational groups. The average length of teachers' and lecturers' unpaid overtime a week is 11 hours 36 minutes, almost two hours more than the runners up in the league table, corporate and senior managers. If teachers and lecturers did all their unpaid overtime at the start of the year, it would mean they would not have started to get paid until 22 March. TUC's says on average people's unpaid overtime is worth £4,650 a year. TUC general secretary Brendan Barber said: "Everyone knows we work the longest hours in Europe. Too many workplaces are gripped by a long hours culture, where staff are expected to put in unpaid extra time week after week."

- [TUC news release. Work Your Proper Hours Day, 25 February 2005 – new webpages, including postcards, overtime calculator and bossagrams. BBC News Online.](#)

### **All aboard for rail safety**



Train drivers' union ASLEF is calling on the travelling public to sign up to its rail safety charter. The union will be pressing for support for the charter on the 7 March International Rail Safety Day, an initiative of the International Transport Workers' Federation (ITF). The campaign charter, headlined "ASLEF wants safer travel, safer working and a safer world", is calling for five specific improvements: An end to "death trap" level crossings; a legal limit on train drivers' working hours; the development of safety devices in drivers' cabs; a 21st century signal system; and a safer travelling environment. Mac Urata, who coordinates the ITF rail safety campaign worldwide, said: "Railway unions have faced significant challenges to safety standards and public services as many economies withdraw from rail services and transfer development capital into roads. The separation of track and train operations, plus an increase in the use of

contractors for maintenance, has increased the possibility of accidents, and rail unions have been required to put more effort into protecting their members and the travelling public.”

- [ASLEF news release](#) and **campaign materials. Sign the charter – and get your workmates, family and friends to do so too [pdf].**
- [ITF news release](#) and [campaign materials](#) for **International Rail Safety Day, 7 March 2005.**

### **TGWU concern at criminal record checks on bus drivers**

Plans to introduce criminal record checks on all bus drivers are ignoring the major bus safety problem, drivers’ union TGWU has warned. Graham Stevenson, the TGWU national organiser for transport, acknowledged public concern for children’s safety but added that the safety of the drivers should also be considered. “There is a legitimate public concern about the fitness of persons employed to supervise children,” he said. “But bus drivers are rarely, if ever, in a position of intimate supervision over the children on their bus and there is almost no evidence of bus drivers sexually molesting school children in their charge.” TGWU is calling for “a degree of proportionality” in the debate, pointing to figures from Travel West Midlands which showed 70 per cent of bus crimes were committed by 12 to 20 year olds. The union wants a proper risk assessment to be completed across Britain’s school buses. “Bus drivers complain about assaults, spitting, verbal and physical abuse, rowdy and at times riotous behaviour on school buses, sometimes endangering the safety of those on board, including the driver, as well as other road users,” Stevenson said. “There is very little being done by the local authorities and the bus operators to deal with these problems.”

- [Personnel Today.](#)

### **Scotland votes to shut up shops for xmas**

Scottish shoppers have overwhelmingly voted to keep stores shut on Christmas Day and New Year’s Day in a poll supported by MSP Karen Whitefield and retail union Usdaw. Ninety-nine per cent of those polled backed a ban as part of the Labour MSP for Airdrie and Shotts’ and Usdaw’s three month consultation testing support for a new bill to outlaw shops from opening on those days. As the law stands, shops can open on both days so Karen Whitefield is introducing a bill into the

Scottish parliament to close the loophole. She says she is delighted at the almost total support for her proposal. "I knew my bill had a lot of support, but this result is much better than even my best expectations," Karen Whitefield said. The bill would make it illegal for shops with a sales area over 280 square metres to open on 25 December or 1 January. Usdaw general secretary John Hannett said: "We have had a fantastic response from not just our members and shoppers, but from a number of retailers in Scotland who recognise the need to respect these two special days."

- [Usdaw news release](#) and [Santa Watch webpages](#).

## OTHER NEWS

### **Builder jailed for assaulting HSE inspector**

Local builder Eric Dawson has been given a four month custodial sentence following an attack on a Health and Safety Executive (HSE) inspector ([Risks 194](#)). At Hartlepool Magistrates Court Dawson was found guilty of assault and criminal damage. Mr Dawson was working approximately five metres above the pavement, on industrial staging, without any means to prevent himself, his tools or his materials falling onto passers-by below. He attacked HSE's Martin Smith after the inspector called him down from the staging. Timothy Walker, HSE's director general, expressed satisfaction with the verdict, adding: "It is completely unacceptable for HSE inspectors to be attacked. They must be able to carry out their work – preventing accidents – free from the fear of assault. We are particularly grateful to Cleveland Police and the Crown Prosecution Service for pursuing the case. HSE will always press for formal police investigation and prosecution if our inspectors are assaulted." In March last year, Cornish farmer Roger Baker, 61, was jailed for two years for plunging an animal health inspector and a vet into a slurry pit ([Risks 146](#)). In the US, a sausage plant owner in California who gunned down and killed three meat inspectors received the death sentence earlier this month. A judge sentenced 43-year-old Stuart Alexander to death for the shootings which occurred during an investigation of food safety violations at his San Leandro factory.

- [HSE news release](#). [SignonSanDiego.com](#).

### **Lack of HSE conviction on director safety crimes**

Only 11 company directors have ever been convicted of manslaughter

following a work-related death, according to new research. The Centre for Corporate Accountability (CCA) said only five of these directors were sentenced to imprisonment, another five received a suspended sentence and one was given a community service order. The CCA research also showed that in the two and a half years between April 2002 and November 2004, only 27 directors were convicted for a health and safety offence in an action brought by the Health and Safety Executive (HSE). Of these, eight involved deaths. A director can be prosecuted for a health and safety offence if it can be shown that an offence by a company is the result of "any neglect" on the director's part, or if the director "consented" or "connived" in the offence. CCA director David Bergman said: "It is important to recognise, despite the large number of deaths and injuries, how little accountability there is for company directors. In the same period that 27 directors were convicted, over 1,000 companies were found guilty of health and safety offences." CCA says it has now tracked manslaughter prosecutions for four years.

- [CCA news release.](#)
- [TUC/Hazards deadly business campaign.](#)

### **Slowing down and stopping reduces computer strains**

Giving workers the freedom to take regular breaks and to have control over the speed of their work is the remedy to computer-related strain injuries, a study has found. Researchers from Denmark's National Institute of Occupational Health analysed questionnaire responses from 3,361 office workers in 11 Danish companies. Reporting their findings in the journal *Occupational and Environmental Medicine*, the authors conclude "variables related to work technique (large influence on pauses and on the speed of work) and working no more than 75 per cent of the work time at the computer predicted fewer symptoms." They add: "Only 'work time with the computer' predicted fewer neck/shoulder and elbow/hand symptoms and 'influence on the speed of work' predicted fewer back symptoms." The authors conclude: "Thus, when organising computer work, it seems important to consider both the duration of computer work and the employees' own influence on their speed of work." They add that employers should allow for physical variation of work tasks to avoid a worker being restricted to just computer work.

- **B Juul-Kristensen and C Jensen. Self-reported workplace related ergonomic conditions as**

**prognostic factors for musculoskeletal symptoms: the "BIT" follow up study on office workers, Occupational and Environmental Medicine, volume 62, pages 188-194, 2005 [[abstract](#)].**

### **Privatising nuclear clean-up risks public safety**

Plans to privatise the £48 billion clean-up of UK nuclear sites could put public safety at risk, according to official memos. The alert comes in documents compiled by the UK government's nuclear safety advisers released to *New Scientist* magazine under the new Freedom of Information Act. They reveal "serious concerns" about the plans, which will allow private companies to tidy up the radioactive mess left by 60 years of nuclear power. Advisers fear that financial pressures will encourage the companies to cut corners and will increase the risk of accidents. Two expert bodies that advise government ministers - the Nuclear Safety Advisory Committee (NuSAC) and the Health and Safety Commission (HSC) - are worried that competition will harm safety. "Pressure to prepare for competitive bidding in the very short term could compromise safe operation," one memo warns. It argues that managers and workers anxious about their jobs would pay less attention to safety. There is also a danger that in a complicated system of parent companies and contractors profit could come before safety. The memo was sent by NuSAC in July 2004 to the chair of HSC, Bill Callaghan, with a request to make ministers aware of the concerns. Problems are compounded by a staff shortage at the Nuclear Installations Inspectorate, which is now 14 short of its full complement of 179 inspectors. "Prolonged reduction of inspection will undermine our ability to effectively monitor the safety performance of the nuclear industry," commented Laurence Williams, who recently quit as chief inspector.

- [New Scientist](#).

### **HSE puts its business case for safety**

The Health and Safety Executive has launched a campaign to persuade businesses that "sensible" health and safety management is not only beneficial for staff but good for the bottom line as well. The national advertising campaign will be backed up with a new "better business" website. It says this includes case histories of companies who have applied a managed approach and reaped the benefits in terms of improved profitability. Minister for work, Jane Kennedy, commented:

"This is an impressive range of companies who have produced case studies proving that an active approach to health and safety is good for business. In particular the reductions in days lost through ill-health that some have achieved pay off financially and should encourage other businesses to follow their example." Official estimates put the cost of workplace accidents and ill-health to the UK economy at up to £6.5bn a year. A good deal of this is uninsured costs which employers bear themselves and impacts directly on bottom-line profitability. HSE says it believes that investment in this area yields positive results in financial as well as personal and societal terms. Enlightened companies realise that good health and safety ultimately makes business sense on many levels, it says.

- [HSE news release. HSE Business case campaign website.](#)

### **Workers to get bird flu protection**

Drugs to protect London's key workers from bird flu have been bought to keep vital services running in the event of an outbreak. Police officers, transport workers and firefighters will be among those offered the anti-viral injections. London mayor Ken Livingstone said the stocks of Tamiflu had cost £1m and were expected to arrive in eight weeks. The World Health Organisation has warned governments they must stockpile vaccines in preparation for a pandemic. Mr Livingstone said he had been in close contact with the government over the purchase, which could be part of a national roll out. "They are very close to announcing what they are doing. It is virtually a done deal," he said. Transport for London has bought the drugs on behalf of all key workers in the Greater London Authority. The US, French and Italian governments have all placed orders for avian flu vaccine, but the British government has been criticised for being slow on the uptake. It announced in December 2004 it was drawing up plans to deal with any bird flu outbreak in the UK ([Risks 187](#)). A year ago, Singapore added bird flu to the list of occupational diseases for which government compensation was payable ([Risks 144](#)).

- [BBC News Online.](#)
- [WHO avian influenza webpages.](#)

### **Metalworking fluids linked to breast cancer risk**

Women with jobs that involve metalworking fluids may have a higher

risk of developing breast cancer, a preliminary study suggests. The new study looked at women who spent at least three years working at one of three large car manufacturing plants in the US. Among the nearly 4,700 women the researchers followed, the risk of breast cancer increased in tandem with exposure to soluble, oil-based metalworking fluids. Writing in the *American Journal of Industrial Medicine*, the authors say: "This preliminary investigation revealed weak evidence of an association between lifetime cumulative exposure to soluble metalworking fluids and breast cancer risk." The study included 4,680 women who had worked at a car manufacturing plant for at least three years between 1941 and 1985. They were followed up to 1994 or until their deaths. Overall, Thompson's team found 99 cases of breast cancer among the women. In general, those with breast cancer had a history of greater exposure to straight or soluble metalworking fluids than women who did not develop the disease. Further analysis showed that it was exposure to soluble metalworking fluids in the 10 years before diagnosis that was most clearly associated with breast cancer. The authors conclude: "Additional studies of metalworking fluids and breast cancer, with data on known breast cancer risk factors, are warranted."

- **Deborah Thompson and others. Occupational exposure to metalworking fluids and risk of breast cancer among female autoworkers, *American Journal of Industrial Medicine*, volume 47, issue 2, pages 153 – 160, 2005 [[abstract](#)]. [Reuters Health](#).**

## INTERNATIONAL

### **Australia: Tired truckies serve up big McWalkout**

Sixty Australian truck drivers delivering burgers to fast food giant McDonalds have walked out after their employer refused to discuss anti-fatigue measures. Employees at FJ Walker's Blacktown and Newcastle yards walked out in frustration at months of stalling on a new contract agreement in which they want the company to address the soaring death rate involving heavy vehicles on roads in New South Wales. The Transport Workers Union (TWU) argues motorists and truck drivers will keep dying until the corporate sector assumes its share of responsibility for an industry plagued by fatigue and chronic overwork. TWU's Angela Humphries said the traditional enforcement approach of targeting truckies had proven ineffective. "Regulations have to be aimed at the companies who set impossible driving times," she said. "The problem is that drivers face severe financial penalties if

they don't meet those targets." Humphries pointed to last year's successful prosecution of a contractor whose driver died in a fireball ([Risks 180](#)). The court heard he hadn't slept for four days, prior to the accident, and had complained to his employer about fatigue. "Our members walked out because of five months of frustration," Humphries said.

- [Workers Online](#).

### **Brazil: Feeling the strain of Nestlé's "silent massacre"**

The Nestlé plant in Araras, near Sao Paolo, is the biggest Nestlé plant in Brazil and the fourth largest Nestlé plant in the world. Years ago Brazilian workers found the plant a good and attractive place to work. However 'Silent massacre - the invisible illness at Nestlé Araras', a new report from the Latin America office of the global foodworkers' union federation IUF, says working conditions have changed completely since the mid-1990s. It says Nestlé's strategies have focussed on cutting jobs and increasing mechanisation, while ignoring the health and safety aspects for their "human capital." According to IUF: "The intensified pace of work, with no compensatory increase in work breaks, has not surprisingly led to an increase in the number of workers suffering from repetitive strain injuries (RSI). But instead of taking this as a sign that the organisation of work had to be revised, the company dismissed those workers who obtained a medical certificate attesting that they suffered from RSI." Several substantial RSI claims have been filed by workers with strain injuries. The Brazilian government's national rapporteur on the right to health, Elenora Menicucci de Oliveira, has included cases of the dismissed RSI-affected workers at Nestlé Araras in her latest report to the United Nation's Commission on Human Rights. Having avoided their responsibilities at the factory level, the employer may now have to respond at the UN level, says IUF.

- [IUF news release](#).

### **International: Take control over repetitive strain injuries**



Canada's largest union is calling on members to "exercise control at work", in a bid to stem an epidemic of repetitive strain injuries (RSIs). The call comes ahead of International RSI Awareness Day, Monday, 28 February 2005. Public sector union CUPE is telling its

members: "The best way to deal with RSIs is to eliminate the hazards that cause them. RSI hazards centre on issues of control over work. Taking action on eliminating RSIs involves CUPE members exercising control at work." A briefing adds: "One way of exercising control is to use ergonomic principles that take into account the physical and mental strains on workers. Ergonomics is all about adapting workplaces, workstations, tools and other working conditions to fit the worker. The union recommends action on 28 February including: refusing unsafe working conditions and unnecessary overtime; conducting regular workplace inspections to uncover RSI hazards; putting RSIs on the health and safety committee agenda; demanding employers take action to improve the working conditions that cause RSIs; and insisting employers manage work processes and organisation so that RSIs are eliminated. Unions are undertaking similar action worldwide, with Australian unions planning a bodymapping blitz.

- [CUPE RSI day briefing](#). Also see [OSH Reps RSI day action in Australia, including RSI day toolkit](#). [Workers' guide to bodymapping](#) and other union safety tools.

### **USA: Jeep is driving workers to desperation**

Shotgun-wielding Myles Meyers killed a fellow Jeep employee at the company's Toledo North plant and wounded two others before turning the weapon on himself on 27 January. One view: Just another crazed American worker shooting up his workplace. Dieter Zetsche, CEO of DaimlerChrysler, reiterated this assessment in a plant-wide memorandum the day after the tragedy. "All information indicates this was an isolated incident," he said. Jeep workers, however, say that Meyers' outburst was not isolated and was the culmination of systematic harassment by management that took place over many months. The company had embarked on a massive lean production or as Zetsche says "adapt or die" drive, with a big increase in the use of temporary workers accompanied by layoffs for some permanent staff and mandatory overtime for others. "They have been obsessed with firing Myles for months," said one worker who asked not to be named for fear of retaliation. "This is a part of their campaign to eliminate the higher-paid, older workers — especially activists who want a stronger union — and to replace them with younger, cheaper new hires." Several workers allege that rather than pay out workers' compensation, the company requires injured workers to sit in the room

and do nothing, not even talk to others. Lean production expert Manuel Yang, an instructor at University of Toledo, said that “workers suffocate under such intensified labour conditions, and understandably crack up under the stress, go mad, or take their guns to work, as it happened with Myles Meyers.”

- [Toledo City Paper](#).
- **Hazards “not what we bargained for” guide on new management techniques [pdf]**.

### **USA: It’s an asbestos disease crisis, stupid**

The US government is trying to redefine America’s asbestos disease crisis as a litigation crisis, a top US commentator has charged. Paul Brodeur, a staff writer at the *New Yorker* for many years, and the author of four books on asbestos disease, says several hundred thousand lawsuits have been brought by workers who have either developed asbestos disease or whose chest x-rays show evidence of lung changes caused by their exposure. “Today, however, President Bush would have you believe that the justice system is being misused and that the economy is being held back by ‘frivolous asbestos claims,’” Brodeur wrote in a *Los Angeles Times* commentary. “He and the Republicans in Congress are trying to convince the American people that there is no asbestos public health crisis, merely an asbestos litigation crisis, by pointing out that about 70 companies have filed for bankruptcy protection because of asbestos lawsuits, and that about \$70 billion (£36.7bn) has already been paid out in claims and related costs.” Brodeur concludes: “Suffice it to say that Bush’s attempt to convince us that this public health crisis should be viewed as a litigation crisis is a cruel hoax. So is the \$140-billion (£73.2bn) asbestos compensation fund with which the Republicans in Congress, industry and its insurers propose to satisfy all asbestos claims present and future, while depriving claimants of their constitutional right to a jury trial.”

- [Los Angeles Times. Confined Space](#).

### **USA: Senate passes ban on genetic discrimination**

The US Senate has unanimously approved legislation to bar health insurers and employers from discriminating against people with a genetic predisposition to disease. The bill, which still needs to be approved by the House of Representatives before it can become law,

would ban employers from making hiring or firing decisions based on genetic information. The Senate passed nearly identical legislation in 2003, but it died in the House of Representatives. Lead House sponsor Louise Slaughter, a New York Democrat, said that a bipartisan majority of House members have publicly supported the bill, and she hopes to overcome opposition from a small group of Republican leaders and business lobbyists. The Chamber of Commerce, for instance, opposes the Senate bill. "It has been astonishing to me that the Senate can pass this unanimously and the White House supports it, and a couple of outside groups can block this," Slaughter said. In 2003, Europe's top union body ETUC said the gene testing could not be justified and called for a ban on genetic screening in the workplace ([Risks 130](#)). In the UK, the TUC also called for measures to block genetic discrimination at work ([Risks 125](#)). France, Norway, Australia, Denmark, the Netherlands and Austria have passed laws that either severely limit or forbid the use of a person's genetic information for anything other than medical or scientific purposes. The UK currently has a moratorium on gene testing at work.

- [ABC News](#). [Yahoo News](#). [Washington Post](#).
- [Hazards guide to genetic screening at work](#).

## RESOURCES

### **Online guide to occupational disease early warnings**

The US government's safety research body NIOSH has published an online guide to early warning systems for occupational diseases. It says an Occupational Sentinel Health Event (SHE[O]) is a disease, disability, or untimely death, which is occupationally related and whose occurrence may: provide the impetus for epidemiologic or industrial hygiene studies; or serve as a warning signal that materials substitution, engineering control, personal protection, or medical care may be required. The web resource includes a list of 64 diseases linked to jobs. This breaks down into two groups: those diseases or conditions that, by their inherent nature, are occupationally related, eg. the pneumoconioses (dust related lung diseases); and conditions such as lung cancer, leukaemia, peripheral neuropathy and ornithosis, which may or may not be occupationally related. Some non-fatal conditions can be an early indicator that workers are exposed to a serious long-term risk. For example, a report of chrome ulcers is evidence that workers are being exposed to a serious lung cancer risk from workplace chromium.

- [NIOSH Occupational Sentinel Health Events webpages.](#)

### **New ITGLWF resources on dust and fire hazards**

The global union federation for garment, textiles and leather workers' unions worldwide has produced new health and safety guidance. ITGLWF's new booklet, 'A hidden occupational hazard: airborne dust in the textile industry', provides information for trade union reps on the prevention of dust hazards together with details of the most common illnesses caused by dust. This booklet is available in English, French and Spanish language editions. ITGLWF has also produced a CD ROM on fire prevention in the textile, garment and leather industries. It says fire hazards are one of the worst threats faced by workers in the sector, and have left countless workers dead or seriously injured. Workers have suffocated in burning buildings, have jumped to their deaths trying to escape the flames, or have been trampled as they tried to flee through narrow or locked gates.

- **Union reps can obtain the resources without charge by [emailing ITGLWF](#). Specify the resource and language you require. [ITGLWF website](#).**

## EVENTS AND COURSES

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

#### **COURSES FOR JANUARY TO MARCH 2005**

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

#### **COURSES FOR APRIL TO JULY 2005**

[North](#), [South East](#), [Yorkshire and Humberside](#)

### **International RSI Awareness Day, 28 February 2005**



International RSI Day, the last day of February each year - the 28th or 29th, depending on the year - is when unions and campaigners highlight the work hazards that cause strain injuries, undertake workplace activities on strains prevention and press for preventive action by employers and governments. This year the global campaign day falls on Monday 28

February. Calling for action to prevent one of the top causes of work-related disability and lost time, TUC head of safety Hugh Robertson said: "This is an opportunity for all employers to look at their risk assessments to check if they adequately address the risk of RSI. If any of their workers have reported any problems that might be associated with RSI in the past then it is likely that even if they have done risk assessments, the measures introduced are either not sufficient, or not being used."

- [TUC RSI webpages](#) and guide, [RSI – the basics](#). [International RSI Day](#). Do something at work on RSI Day - [Hazards guide to bodymapping](#) and other workplace safety tools

#### **ETUC conference on REACH, Brussels, 11-12 March 2005**

A European Trade Union Confederation (ETUC) conference is to bring together the main players in the debate around the reform of the European legislation on chemicals (REACH). ETUC says REACH has become one of the fiercest political battlefields in the history of EU policy-making. This draft legislation has led to extremely intense lobbying due to its crucial implications for the health of workers, consumers and the environment on the one hand and, on the other, for business competitiveness and innovation. ETUC says it wishes to make a full contribution to the REACH debate, since it is convinced that this reform will have huge potential benefits, not only for the health of millions of workers exposed to chemicals on a daily basis, but also for Europe's industrial future.

- **More information about [REACH](#) and the [ETUC REACH conference, including an application form](#).**

#### **USEFUL LINKS**

**Visit** the TUC [http://www.tuc.org.uk/h\\_and\\_s/](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](#).

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