

# london hazards

SPRING 2014 ISSUE • LONDON HAZARDS CENTRE MAGAZINE • COMBATING ILL HEALTH AND DANGER IN THE WORKPLACE



**I REMEMBER the very day when I realised that campaigning for better workplace health and safety was going to become an important part of my life.**

It was the morning of 23 February 1998 and I was working on a construction project extending the London Docklands Light Railway from the Isle of Dogs under the Thames to Greenwich. At 5am that morning, there had been an explosion in the tunnel that resulted in a crater in the playing fields of local school, 22m wide and 7m deep. Had the explosion occurred during school playtime it would have been a tragedy.

From that point on, I volunteered to become a union safety rep and a few days later was elected at a packed meeting in the site canteen. That was just the beginning of it.

Trade unionists have often complained about being victimised for standing up for their fellow workers. Sometimes our reps get overlooked for promotion, occasionally our people get sacked and in very exceptional cases our activists find it impossible to get work with any firms in their chosen industry. For decades there have been rumours of blacklisting in the UK building industry, with the issue raised at union conferences time and again but we were always accused of being paranoid conspiracy theorists.

In 2009, the Information Commissioner's Office (ICO) announced they had discovered the illegal Consulting Association blacklist. Secret files held on 3213 workers containing details of names, addresses, national insurance numbers, phone numbers, car registrations, photographs but also union membership and union safety reps credentials.

The blacklist files contain pages of entries attributed to senior managers including: an asbestos article written in a union magazine, a union-backed petition against homelessness, entries relating to safety reps raising concerns about reportable accidents and poor toilets

and welfare facilities. In one file a safety reps official credentials appear with a company office stamp on the document. Other files specifically discuss the methods used to dismiss union members from building sites.

The 44 biggest companies in the building industry used the Consulting Association database to check the names of prospective workers. If a name matched, the worker was refused work or sacked. Every time a firm checked a name they were charged around £2. In the last year of the Consulting Association, during the building of the Olympics Park, Sir Robert McAlpine and Skanska were both invoiced over £28,000 each: industrial scale blacklisting.

For union activists this resulted in repeated dismissals, long periods of unemployment. Skilled workers had children on free school meals, families divorced – all because they stood up for safety and supported the union.

And far from being a thing in the past, UNITE the Union have been involved in a major industrial dispute about the blacklisting of Frank Morris on Crossrail, the largest publicly funded project in Western Europe. After 12 months in dispute, with mass civil disobedience including blockading Oxford Street, Morris was reinstated in September 2013.

Blacklisted workers themselves are leading the fight for justice under the banner of the Blacklist Support Group (BSG), with the support of the three major construction unions UNITE, UCATT and GMB. In the past 12 months, the campaign has managed to force debates in Parliament and has seen public authorities across the UK pass resolutions for no publicly funded contracts to be awarded to firms implicated in blacklisting.

In Parliament, a Select Committee investigation has heard evidence from directors of the blacklisting companies and the MPs interim report stated: "We are far from certain that all of our witnesses have

told us the truth, the whole truth and nothing but the truth", despite being under oath"

Evidence has appeared in the press that undercover police and security services supplied information to the blacklist. This has now been confirmed by the Independent Police Complaints Commission and by documents currently held by the ICO following complaints submitted by the BSG. Phone hacking resulted in the Leveson public inquiry into the press because of the collusion of the Metropolitan Police with tabloid newspapers. John McDonnell MP has called blacklisting "the worst case of organised human rights abuse ever in the UK".

March 2014 is the 5th anniversary of the discovery of the blacklist and despite many attempted legal challenges, none of the firms have been brought to account for their actions and no senior managers or directors involved in blacklisting have been disciplined by their employers. Currently four separate High Court claims are being brought for unlawful conspiracy and defamation of character plus Employment Tribunal claims on human rights grounds. Blacklisted workers are calling for a full public inquiry to uncover the truth about the links between the police and multi-national building firms.

To give the campaign momentum the TUC organised a Day of Action on Blacklisting with lobbies of Parliaments in Westminster, Scotland and Wales taking place and direct action protests around the country behind the slogan 'Own Up! Clean Up! Pay Up!'

Blacklisting is no longer an industrial relations issue it is a national scandal: a conspiracy between big business and the police against workers standing up for their rights. We demand jobs for blacklisted workers, full compensation that reflects the gravity of the crime committed and a fully independent public inquiry to expose the truth. Until we get justice, the fight continues.

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# With a little help from our friends

**London Hazards Management Committee would like to thank all those people and organisations who came to our rescue following the loss of all our London Councils funding in March 2013.**

It resulted in us having to make one full time worker and two part time workers redundant, closing our offices, and shutting our phone lines and website down.

We tried lobbying London Councils and people wrote in asking that we may be spared, but with over 33% cuts to the HSE, workers Health and Safety was not an important issue. With such cuts to the HSE budget the London Hazards Centre was more important than ever. But it wasn't to be. At a meeting following notice that we were to close, we voted to fight to keep London Hazards going. We were determined 30 years of proud history helping Londoners deal with asbestos related issues, solvents at work, workplace ergonomics and toxic land would not be lost.

We had campaigned on a wide range of issues. Working with the Construction Safety Campaign we played a part in getting the import of asbestos

banned throughout Europe. We helped set up non-carcinogenic workplaces amongst a whole range of other safety ideas.

We managed to secure £20k from Trust for London, which allowed us to employ a part time worker three days a week, and rent an office in the Finsbury Park, open up new phone lines and begin updating our website. We were back in business, but far from safe. £20,000 wouldn't go that far. We approached Trade Unions and other groups for help and their response has been great.

Leigh Day Solicitors need a special mention as they have paid for the printing of our new magazine, as well as allowed us to use their offices for meetings – even providing us with refreshments (something we weren't used to).

UNITE the Union early on made a generous donation of £1,000, and many of its branches have affiliated and made donations. UCATT London Region made a donation. UCATT raised the plight of London Hazards with the Building & Civil Engineering Pension Group. GMB has written to all its London Area branches urging them to support us, and many have. Nautilus Trade Union has also affiliated and pledged to do so for a number of years. We'd also like to thank RIFT specialists in tax rebates for construction workers who prior to our closing made a donation of £1,000. Thanks also to Unison, NUT and NUJ. A big thank you to you all. Peter Farrell

## It is with deepest regret

We have to announce the sad passing of two fighters for working class rights! Mike Abbott & Bob Crow

Mike was the founder of the present Justice for Shrewsbury Pickets campaign in 2006.

Mike as a young man was a leading member of the Wigan to London march demanding the release of the building workers, jailed for conspiracy in 1973 as part of the then attack on trade union rights.

Bob was a supporter of the campaign set up by Mike. Go to facebook to see speeches by Bob & Mike at the annual Shrewsbury march and comments made by John McDonnell MP. to Bob & Mike. The Workers movement have lost two great fighters, Bob a great leader of the RMT will be sadly missed by RMT members.

His principled stand won many new members and respect. They will be missed Greatly.

Our Condolences to both their families.

Peter Farrell Member of the National Committee Justice for Shrewsbury Pickets.

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# Zero-hours contracts under scrutiny

**Zero-hours contracts have been around for years – at least since the recession in the early 1990s – but it was only in 2013 that the scourge of these arrangements really hit the headlines.**

It started with Sports Direct, who announced in July last year that they were paying bonuses to 2,000 shop floor staff. Days later it transpired that this was a tiny proportion of their sales assistants – the other 20,000 worked on zero-hours contracts and weren't being paid a penny in bonuses.

After that, it was reported that McDonalds, Boots, pub chain JD Wetherspoons, and even Buckingham Palace employed staff under zero-contracts. Then healthcare providers (including within the NHS) and even 999 call operators owned up to using them.

Whilst these contracts may be popular with employers, many zero-hours workers face a deeply uncertain financial situation, with no possibility of realistically managing their household budget.

In the workplace, zero-hours staff are vulnerable to unscrupulous employers. Without the security of set hours, they are far less likely to raise health and safety issues or to complain if they are being bullied or discriminated against.



## Employment law redress

Although vulnerable, it is important that they know that current legislation provides a raft of rights and protections for these workers. We have brought a number of challenges against zero-hours employers.

Like all workers, zero-hours staff are entitled to take paid holidays. Many are also entitled to receive the same bonuses and benefits as their full-time colleagues if they are carrying out similar work to them.

Zero-hours workers are entitled to be paid at least minimum wage for all the time that they are required to be at work. Too often we hear about zero-hours workers being asked to stay beyond a shift without pay or being asked to attend work and then being sent home.

Zero-hours employees also have the right not be discriminated against and many will have protection from unfair dismissal.

Importantly, it is unlawful for an employer to reduce a worker's hours or penalise them in any way for claiming these rights or for raising a health and safety issue.

## The campaign

The problem is that, even with these rights, many zero-hours workers are reluctant to speak out for fear of having hours cut. The very nature of the arrangement means workers are vulnerable to abuse.

We would like to see employers only be allowed to use zero-hours contracts where there is a clear necessity for them. Employers who genuinely need staff on standby to supplement and cover their

main workforce would be likely to satisfy this threshold, but high street stores? If Sainsbury's, Tesco, John Lewis and many others can manage without using these second rate contracts, then so can national sports and hamburger retailers. Leigh Day

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## Trusted to do the right thing!

### Cutting red tape has become the mantra of the conservative led government along with their business lobby funders.

Cut red tape to set businesses free from bureaucracy and the unwarranted intrusion that is stopping investment and job creation! Back in January 2012 David Cameron announced to an audience of small businesses that he was going to "kill-off the health and safety culture for good" and adding for good measure that "health and safety was an albatross around necks of British businesses". It's clear where he's coming from.

Almost a year to the day after the Prime Minister's declaration, Mohammed Yasin was crushed to death in an accident at a Wolverhampton factory – leaving a wife and three children. He was just one of what turned out to be 148 people killed at work in 2012-2013. So what should we expect from government with so many fatalities in the workplace – better regulation and stricter compliance with health & safety laws?

No, quite the reverse. The Conservatives already had well advanced plans to reduce laws and regulations that protect workers in the workplace as a result of recommendations in the Löfstedt Review – recommendations that replaced some safety laws with a reliance on common sense and intuition. In other words, employers should be trusted to do the right thing when it comes to health & safety at work.

It's worth remembering that before the introduction of the Health & Safety at Work Act 1974 around 8 million workers had no legal safety protection. What the coalition government has done takes us back to the days when in 1974 651 people were killed at work. Leaving safety at work to employers was costing hundreds of lives every year.

Changes introduced during 2013 will inevitably result in more injuries and deaths in the workplace. Things like a shortened list of reportable dangerous occurrences and a 'simplified' but shorter list of specific reportable injuries to workers in work-related accidents are measures that will make it easier for employers to ignore safety procedures. And exempting self-employed from safety legislation in low-risk occupations as proposed under the Deregulation Bill takes us back to the days when millions of people had no legal safety protection.

Leaving aside moral arguments that employers have a duty of care in respect of safety, research

over many years has shown that there is a cost benefit to safe and healthy workplaces. It's not just a case of doing the right thing; there is a strong business case for investing in health and safety. Providing a safe working environment reduces costs, reduces risks, results in lower employee absence and staff turnover, plus fewer accidents and a reduced threat of legal action. To quote researchers on occupational health and safety in a letter to the Guardian (05/09/2013) "far from being a burden, regulation properly enforced is good for the workforce, good for the economy and favours the responsible businesses over the corner-cutting rogues".

Why would anyone remove the requirement for the HSE to approve first aid training and qualifications as the government did in October 2013? Less regulation, more flexibility for employers? Instead of trusted training providers that are experts in the field it's likely that some doubtful organisations will step-in to replace them at more cost.

HSE statistics for the current year's workplace fatalities sadly look as though they will outstrip 2012-2013 when 148 people were killed in accidents at work. The toll stands at 147 for the first ten months of the count.

On the 7th January 2014 the first workplace fatality of the New Year took place on a farm in Brandsby, North Yorkshire. Christopher Parker 55 was killed on a farm when he came into contact with machinery. As if to emphasise the futility of expecting employers to do intuitively what is right, Christopher Parker was killed.

That's why the London Hazards Centre will be redoubling our efforts to campaign for the strict application of health and safety legislation, and a reversal of the thinking that would take us back to pre-1974. It's why we will continue to support organisations that fight against injustice at work – organisations that are battling against blacklisting, for proper compensation of people dying from mesothelioma and safety in low-paid casual industries where migrant workers are often exploited.

As long as employers are not bound by strict regulations workers like Mohammed and Christopher will continue to be killed at work. So long as employers feel free to do what they think is right, people will be seriously injured or killed at work. Let's make International Workers Memorial Day on the 28 April the biggest so far. Paul Street



# London Olympic Site Safety

**Looking at what is happening in Qatar where hundreds of workers have been killed during the construction of stadia for the 2022 World Cup, London Hazards Centre felt it was worth reminding ourselves of what happened in London on the 2012 Olympic Site, where no lives were lost.**

The site agreement negotiated between the Olympic Delivery Authority, the four construction trade unions (pre-merger) and the major construction companies set the scene for the vast project by implementing the nationally negotiated rates of pay in the National Working Rule Agreement. The 'Memorandum of Agreement' included commitments to a directly employed workforce and specifically referred to support for the signatory unions right to recruit and represent members. It was an agreement that established proper procedures for dealing with Industrial relations issues, but was essentially an enabling agreement centred round agreed principles.

We interviewed Malcolm Davies who was a UCATT convener on the London Olympic Site for 4½ years on the civil side of the construction. He described how at its height the workforce totalled 15,000 spread across 7 square miles. He described a day early on in the project when Asbestos was discovered on the site and McAlpines closed the site for 3 days while it was safely removed. But how was it that there were no fatalities during the construction of the Olympic Site?

Malcolm said it was a combination of things. Trade union membership on the site was high – around 90% on the stadium site and 60-70% on the Olympic Village. The Memorandum of Agreement did not apply to the village. He estimated that there was 98% directly employed on the stadium, with a lesser percentage at the village. Malcolm explained there were a large number of agency workers on the site before the agreement was introduced.

Proper time to conduct safety inspections was established and safety representatives were elected as the job began to expand. Malcolm described how one day a week he would spend almost the entire day going round the site checking on safety. He would spend an hour on other days inspecting the site.

Malcolm gave credit to the companies carrying out the construction on site. "There was a good attitude on the Olympic Site – there was a team working culture involving the employers, trade unions and workforce" He described how the "employers listened to safety concerns – there was a togetherness".

They came up with some novel ideas on how to keep safety in mind and a Christmas Quiz on safety was held with top prizes like a weekend in Paris, a bike and 42" flat screen TV. In the summer they staged an environmental safety quiz called 'spill kit challenge' that involved members of the workforce and a group of

directors from companies on site, as well as two groups of under 10's from local schools, while 400-500 workers looked on.

So it would seem from what Malcolm has reported that safety was an issue that was constantly followed-up and kept to the fore of everybody's minds. Nonetheless, conveners like Malcolm Davies of UCATT closely monitored new intakes of labour to see that workers were not self-employed or paid less than the agreed rates. Trade union officers working with reps on site kept a careful check on how the Memorandum of Agreement was working in practice.

We believe it's no accident that there were no fatalities on site during the whole of the Olympic Construction. It was because there was a properly negotiated agreement covering the site and union reps elected and given sufficient time to carry out their duties, that safety was top priority. There is a mass of evidence gathered over decades that shows workplaces where trade unions are present are a safer and healthier place to work. Malcolm made a telling point when he said "wages and pay is negotiable, life is not negotiable". London Hazards centre couldn't agree more.

Hailed as a success, the construction phase it has to be said had one key negative in respect of the blacklist. The London Hazards Centre has in the past drawn attention to the blacklisting of trade union activists by companies on the 2012 Olympic Site, and as Malcolm Davies said to us "the truth started to surface about the extent of blacklisting, which has put a dampener on the overall achievements by everyone involved in London 2012".

The dust is still settling on the London 2012 Olympics, and it is right that we look at what happened. Malcolm Davies and others must take most of the credit for safety on the massive site. As Malcolm said to us "this was the first building of an Olympic stadium without a single loss of life". A remarkable achievement and in stark contrast to the carnage taking place in Qatar. Paul Street

## Qatar 2022 – no World Cup without worker's rights

Ending Qatar's 'kafala' system, likened to modern day slavery is an objective of trade unions and human rights groups globally. Alongside this is the demand that all workers should have the right to freedom of association currently only permitted among Qatar citizens.

We insist that if these two demands are not met



FIFA should re-run the vote for the 2022 World Cup.

The exploitation of migrant workers in Qatar has scaled up as construction intensifies. The current ITUC estimate is that 4,000 construction workers will perish before a single ball is kicked. Last year alone 200 Nepalese and 241 Indian construction workers lost their lives suffering heat exhaustion, fatal injury or death from falls.

Amnesty International has published their findings following a year's research and their recommendations are far reaching. The UN Rapporteur for Human Rights has also recently undertaken an investigation into the treatment of migrant workers and called for the cessation of 'kafala'.

'Kafala' ties migrant workers to a sponsor. The worker is not permitted to change jobs or leave the country without the sponsor's permission even when wages are not paid, arrears of up to 12 months is common place. Many workers desperate to leave are eventually issued an exit permit on condition they write off pay owed. The AI Report sets out in great detail the human suffering in Qatar among migrant workers and the absence of any effective enforcement of labour standards.

As part of an ITUC delegation in December, I visited a labourer's camp at night situated in an industrial area far from Doha's gleaming high rise city. Conditions are indescribable and unfit for human habitation. Worker's explained their circumstances. As we sat with them in the terribly overcrowded 'bedrooms' many wept from sheer frustration. Returning home to massive debts chalked up by payment to labour agents is a humiliating prospect that has led some migrant workers to take their own life.

Qatar is the world's richest state. The only reason such an appalling situation exists is greed and a total disregard for the 1.4 million migrant workers.

Only international solidarity, including assisting worker's organisations in the sending countries will end this modern day slavery.

And the message to FIFA was clearly put by ITUC leader Sharan Burrow: "If you continue to run the World Cup in a state which enslaves workers, it shames the game. The Government must end of the system of kafala if the World Cup is to be played in Qatar in 2022."

Gail Cartmail, Assistant General Secretary, Unite

## Time to care

**The increasing demand for care services has seen a corresponding rise in care workers getting paid less than the minimum wage and not getting the rest breaks established under the Working Time Regulations.**

A report by the Resolution Foundation last summer titled "Does it pay to care" drew attention to the shocking working conditions of care workers that "has an impact on the quality and dignity of care provided to older and disabled people". The report estimates that up to 220,000 care workers are being paid less than the minimum wage.

What's more, thousands of care workers are not getting paid travelling time between visiting clients, they are only getting paid for the actual time spent in the home of those they are caring for. This has the effect of reducing their pay to beneath minimum wage levels and is illegal. The law on travel time states that a worker travelling for the purpose of duties carried out in the course his or her work will be required to be paid at least the minimum wage.

The social Care sector is notorious for being one of the lowest paid sectors in the economy, with an overwhelmingly female workforce and a growing proportion of migrant workers. It's hard and stressful work. Being able to take proper breaks is therefore important. The Working Time Regulations are very clear on breaks. Employees are entitled to a rest break of not less than 11 hours in each 24 hour period, as well as a rest break of not less than 20 minutes when they work more than 6 hours.

Alan Hood, a care worker employed by Accept Care Ltd in Consett for seven years, won his GMB-backed legal case after being denied daily rest and rest breaks at work. His complaint that the firm was in breach of the Working Time Regulations was upheld at a Newcastle employment tribunal in January 2014. GMB Regional Organiser Gail Johnson who supported Alan Hood with his claims said, the GMB "sees this as a victory for all care workers in care homes across the country in the fight to improve working conditions".

The 'London Report' by the National Minimum Data Set for Social Care (October 2013) estimates that there are 166,000 care workers providing direct care across London. The London Hazards Centre suspects it is safe to assume that a significant proportion of them are affected by the issues raised by the Resolution Foundation. Paul Street



## Richard Laco

**Within a month of further cuts to health & safety rules and regulations, Richard Laco was killed on a site in St Pancras when a sheet of steel fell from a hoist and crushed him.**

The Laing O'Rourke project at the Crick Institute had banned Unite officials from the St Pancras site and other sites. Richard Laco was just 31 when he died on the 6th November 2013 in an entirely preventable accident.

The Unite union had been trying to gain access to the site before the accident to support its members working on the project. Unite said that its official should be allowed onto site to help improve safety. Laing O'Rourke, which won a £600 million contract to build the medical research centre, is facing criticism from unions who say their officials have been "banned" from organising on its sites.

Unite London region officer Guy Langston said managers on the Laing O'Rourke site had urged workers to join their own event to commemorate Richard Laco inside the Crick Institute site.

He challenged construction workers and Laing bosses to come and join a trade union organised protest, but none emerged, although many were watching the speeches from the upper floors of the medical research centre building. Mr Langston said: "They should be out here with us – shame on you Laing O'Rourke." Unite laid a wreath next to a growing array of flowers and cards paying tribute to Mr Laco outside the site,

Unite Assistant General Secretary Gail Cartmail said "this fatality is a tragedy and our condolences go out to the bereaved family and friends. This is a harsh reminder of the importance of high standards of health & safety in an industry that is extremely dangerous". She added "trade unions have a role to play in maintaining safe working environments but Laing O'Rourke has bizarrely banned Unite officials from their sites. There is no place for anti-trade union behaviour in an industry where we should be working together in the interests of safety". Gail Cartmail "urged Laing O'Rourke and its subsidiary Crown House to give Unite access to the sites to support workers and help make improvements where necessary."

At the protest event held in memory of Richard Laco, Camden Trades Council secretary George Binette said: "I appeal to you to come down and join us – it is about your safety, your lives. There is no excuse for the death of a building worker on a site that has witnessed so many million pounds investment. We need to repeal the anti-union laws that make it so hard to organise on construction sites." Phil Lewis



# Welcome to Britain

London Hazards Centre would like to extend a welcome to workers from Romania and Bulgaria - many of whom may end up working in Construction. Health & Safety will be a key issue for new arrivals from the EU as they try to familiarise themselves with rights designed to protect them from accidents on site.

The widely predicted influx of immigrants from Bulgaria and Romania has failed to materialise. The myth - created by David Cameron and the tabloid press - is shameful scaremongering that completely sidesteps the fact that new arrivals from the EU have had a huge positive effect on the economy.

Health & safety at work is a major concern for all workers, but especially in construction as it ranks amongst the most dangerous industries in which to work. So knowing about your rights at work is important. Perhaps the most important right is the right to join a trade union. London Hazards Centre recommends joining a trade union as the best protection against potential exploitation, and unsafe working conditions.

#### Some of the most important rights:

- It is against the law to discriminate against someone because of their race, sex or disability
- You can join a trade union and not to be refused work because you are a union member
- You have the right to work in a safe environment where risks are properly controlled by your employer
- You have the right to be paid at least the National Minimum Wage of £6.31 per hour
- You cannot be dismissed or selected for redundancy because you are a member of a trade union
- You have the right to 11 hours consecutive rest between working days

New arrivals can check the HSE website for information about their rights - [www.hse.gov.uk](http://www.hse.gov.uk) - you will find the information on safety translated in Bulgarian and Romanian.

If there isn't a trade union rep on site, find out how to join a union at on the TUC website [www.tuc.org.uk/join-union](http://www.tuc.org.uk/join-union)

If you would like further information on your rights please contact the London Hazards Centre on 0207 527 5107. London Hazards Centre will soon be circulating the latest edition of its magazine which will feature an article in Bulgarian and Romanian.

Paul Street



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### LONDON HAZARDS RAFFLE

Help raise funds buy a ticket

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Details from: [mail@lhc.org.uk](mailto:mail@lhc.org.uk)



# Saving Lewisham Hospital – our story



**On 9 October 2013 three judges in the Court of Appeal found that the government had acted unlawfully in trying to close down most of the services at Lewisham Hospital. How did we get to this point – of defeating the government not once, but twice?**

On 31 January 2013, Jeremy Hunt, Secretary of State for Health, had announced in Parliament that Lewisham Hospital's newly refurbished A&E (costing £12m), would be downgraded, all acute adult and children's admitting wards, adult critical care, emergency and complex surgery units be closed and maternity services severely reduced. Hunt had accepted the recommendations of Trust Special Administrator (TSA) Matthew Kershaw who had been appointed a few months earlier to take over a neighbouring Trust in trouble – the South London Healthcare NHS Trust (SLHT). (For the role of PFI loans in their problems see Allyson Pollock <http://www.savelewishamhospital.com/allyson-pollock-report/>)

The staff of Lewisham Hospital and the local community had been stunned when Matthew Kershaw had targeted Lewisham Hospital for closure, a clinically successful and financially solvent hospital in an entirely separate Trust.

The Save Lewisham Hospital campaign was formed in October 2012 from local community members, patients, GPs, hospital and community doctors and nurses, local political parties, councilors and trade unionists. (See <http://www.savelewishamhospital.com/take-action/> for a full history of events). This combination was an essential part of our campaign's success.

The TSA process was created by the previous Labour government to provide a quick solution for trusts in financial trouble, involving the minimum of consultation – 30 days. The government tried to use this speedy and reckless process for the first time, not to remedy the Trust in trouble but to take out a major hospital – Lewisham – serving nearly 300,000 people.

Hunt justified the closure by claiming that the closures at Lewisham would 'save 100 lives' a year – ludicrous at a time when local hospitals could not cope with A&E and maternity admissions. Over 90% of local GPs and all hospital doctors opposed the closures yet Hunt said that clinical



opinion had 'supported' the measures. He also said that the journey by ambulance or even by car would take only an 'extra 3 minutes'. The Queen Elizabeth Hospital Woolwich is over 5 miles away across one of the busiest parts of SE London – there is no local rail station.

**Community response** There was a huge response to the TSA process from our community through the online consultation, the consultation meetings, where we were told by the TSA our opposition 'wouldn't change things', and a petition of 50,000 started by local MP Heidi Alexander.

**Demonstrations** Two large demonstrations of local people took place: 15,000 people on 26 November 2012 and 25,000 people on 26 January 2013.

The spirit of the two demonstrations was overwhelming in terms of the whole community coming together.

**Legal victory** The campaign, alongside Lewisham Council, challenged the government with a judicial review. We raised the money from the community, aided by Millwall FC and 38 degrees. The case was heard in July 2013 and on 31 July we heard that we had been successful. The government appealed – but on 29 October three Appeal Court Judges ruled that the government had indeed acted unlawfully in deciding to intervene in a hospital in another Trust.

**Our own People's Commission** At the beginning of the 2013, after Hunt's announcement, we had no idea whether we would win our legal case so we decided to hold our own People's Commission of Inquiry. This took place in June 2013 and heard evidence from those who had been ignored by the TSA. We were lucky to get the support of Michael Mansfield QC and his legal chambers. They helped us to set up the Inquiry and gather evidence from over 50 witnesses. The full report and a short video can be found at <http://www.savelewishamhospital.com/peoples-commission-report/>.

The printed report and a 6 DVD set of the People's Commission can be ordered from: <http://www.savelewishamhospital.com/lewisham-peoples-commission-of-inquiry-2/>

The fight continues Although we won our case and saved our hospital, we are still fighting to defend it as much as we can from government cuts and privatisation. We are also campaigning across London and nationally to stop the government's attempt to change the law that defeated it over Lewisham. We are also supporting other campaigns in many different ways to defend their local hospitals. Our own hospital will not be safe as long as these attacks are allowed to continue,

Olivia O'Sullivan Save Lewisham Hospital Campaign



Safety campaigners hold vigil outside the Fisher Street Crossrail site, Holborn, where Rene TKacik was killed by falling concrete on the 7th March



# Waste industry safety and health.



**The waste industry includes waste collection, treatment and disposal activities, materials recovery and wholesale scrap activities. Some of the more common activities or processes include refuse collection, bulk waste transfer stations, materials recycling facilities, refuse incineration plants, civic amenity sites, anaerobic digestion and composting plants.**

The waste industry is classified as a high risk industry by the HSE, along with such others as agriculture and construction. According to the HSE, in 2012 – 13 it accounted for only about 0.6% of the employees in Britain, but 2.8% of reported injuries to employees (11% of fatalities, 2.6% of major injuries and 2.8% of over seven day injuries). It also appears to be more harmful to health than other industries: the HSE's Labour Force Survey estimates that between 2009 – 2012, nearly 5% of workers in the waste industry had illnesses that they believed were caused or made worse by their job compared with 3.2% of workers in all industries.

The single largest cause of death in the waste industry is being struck by a moving vehicle; the HSE's statistics for 2008 – 13 show that this was the cause of 16 deaths, or 39% of fatal injuries.

The single largest cause of major injury in the waste industry is, according to the HSE statistics for 2008 – 13, slips and trips. For injuries resulting in over 7 day absence, in 2012 – 13 35% of these were caused by handling and 30% by slips or trips.

During the last few years an increasing number of Materials Recycling Facilities (MRFs) have been established. These are where waste is

fed onto a conveyor belt and workers manually sort it into various types, after which it is sent for recycling. Workers are often agency staff paid the minimum wage and are frequently exposed to such hazards as a dusty, noisy environment as well as moving machinery.

Another recent development is that of the composting of suitable materials, often including green waste collected by local authorities. As well as the usual hazards present in the rest of the waste industry, composting plants (along with other plants where there is a significant amount of waste stored) have the hazard of bioaerosols. These are airborne fungal spores, bacteria etc. that are released from the decomposing waste, and can occur in very high concentrations particularly in indoor environments when the waste is disturbed. Bioaerosols can cause such health problems as aspergillosis (infection by the aspergillus fungus) and occupational exposure may have long-term adverse health effects. Because of this, workers exposed to bioaerosols must be provided with suitable health surveillance by their employer, such as annual lung function tests, and suitable control measures must be put in place to minimise the exposure of workers and others to bioaerosols.

The disposal of waste by incineration has been around for a few years now and concerns have arisen about some of the products of that process. Anti-incineration groups have drawn attention to the dioxins that are produced as a result of the combustion of waste, which in higher concentrations are harmful to human health. However, incinerator operators have countered that bonfires produce more dioxins than waste incinerators and more incinerators are now being built.

Waste industry employers, as other employers, have a legal duty to control hazards such that they do not pose a significant risk of harm; for example, they should ensure that vehicles and pedestrians are kept separate wherever possible, pay attention to conditions underfoot to eliminate slips and trips, reduce manual handling where possible and provide manual handling training.

There is an increasing tendency in the waste industry, as elsewhere, to use casual agency staff rather than take on permanent employees. This casualisation can have a bad effect on safety at work, as casual staff may not understand the hazards and how to avoid them and are more likely to comply when instructed to do dangerous things.

They may also be told that they cannot join trade unions owing to their status as casual workers: this is not true. Workers in this position are advised to join a trade union, if only because a trade union presence ensures better safety at work.

For more information about anything in this factsheet or about any other health & safety-related matter, please contact the London Hazards Centre. More information about health and safety at work is also available from the HSE's website, [www.hse.gov.uk](http://www.hse.gov.uk).

## Workers Memorial Day 28 April 2014

April 28th is International Workers Memorial Day. It is held in memory of all the people that are killed globally each year in accidents at work, and those who die from work-related diseases. It's a sad fact that more people are killed at work each year than are killed in wars. And most die because an employer decided their safety wasn't a priority. Workers' Memorial Day (WMD) is held to commemorate those workers.

It is almost a year since the horrific death of nearly 1,200 garment workers in Bangladesh who died when the 8-storey building they worked in collapsed. And in Qatar we are witnessing the carnage of more than 400 Nepalese workers killed in the construction of 2022 World Cup stadia. In this country around 4,000 people die each year - mostly construction workers - from mesothelioma and asbestos related cancer. But teachers and pupils too are dying from being exposed to asbestos in poorly maintained schools.

In London during the first week of March two construction workers were killed and one seriously injured. This unacceptable loss of life comes in the wake of a 33% reduction in the HSE budget, and the blacklisting by major construction companies of over 3,200 workers - prevented from working for being in a trade union and raising safety issues. We condemn the coalition government's attacks on workers health and safety. Scrapping the Tower Crane Regulations and exempting most self employed people from health and safety laws will result in more people being killed at work. Prime Minister Cameron views health and safety legislation as unnecessary 'red tape' that hinders businesses. We say the laws are there to protect workers lives.

The Construction Safety Campaign together with the London Hazards Centre and trade union safety campaigners held silent vigils and demonstrations outside sites where workers have been killed and injured. We are now organising what we hope will be the largest ever Workers Memorial Day event in London on April 28th.

### Join us at Tower Hill

The organising committee for International Workers Memorial Day in London is calling on Londoners to join with us to commemorate those who have been killed at work, and help support the campaign for better health and safety at work.

**Rally** at 10:30 am on Monday 28 April.

**Venue:** Tower Hill, London, EC3 (statue of the building worker)

**Speakers:** Steve Murphy General Secretary of UCATT, Gail Cartmel Assistant General Secretary of Unite, Tony O'Brien, Construction Safety Campaign and a speaker from London Hazards Centre.

Black balloons will be released representing workers who have lost their lives. Wreaths will be laid in remembrance. A lone piper will play a lament in tribute.