

Construction Safety: What has been achieved and what needs to be achieved

What has been achieved?

While the Construction Safety Campaign, CSC, has surely contributed to achieving better health and safety for construction workers, we make no pretence of being solely responsible for gains made over the last 22 years. We have operated on very limited financial resources, and others such as trades unions, campaign organisations, asbestos groups and individuals have been involved.

In 1988 a rebellion took place among the most politicised building workers over the rising tide of construction site deaths. At this time the employers had been strengthened by Thatcherism and leaders of the trade unions and the Labour Party were unwilling to do anything about it.

As a consequence we had to be prepared to organise ourselves — without any constraints from our own organisations. The way we made progress was to take up our responsibilities and not be held back by any narrowly-defined leadership of political parties or trades unions about what they felt we should do or not do.

In 1988, the year the CSC was founded, the HSE published a report called “**Black Spot Construction**”. In the first paragraph the Director General of the HSE J. D. Rimington said: “This report analyses the circumstances of 739 deaths in the construction industry between 1981 and 1985. They represent a very saddening loss of life, particularly because *most of the deaths could have been prevented*” [our italics]. On average that is 147 deaths a year.

While it is difficult to totally estimate the precise effect the CSC’s campaigning has had on construction sites, and elsewhere, there are indications that the campaign has contributed to important developments:

The original aim of getting the labour and trades union movements support for our demands has largely been achieved. However this decreased because of the drive of New Labour to follow the employers’ agenda

We held several successful national marches and lobbies of Parliament over corporate manslaughter and asbestos

Fewer people have been killed in incidents in the industry in recent years than when the campaign started. Yearly fatality figures at the beginning of 2000 were running at around 70, and in 2009 it stood at 52. A stark contrast to the 160 deaths a year at the beginning of the campaign

There have been major increases achieved in the level of fines in both the Magistrates and Crown Courts

Coroners’ courts have recorded a number of unlawful killing verdicts for construction related deaths. Before the CSC, there were none

The victory in getting asbestos imports banned from the UK, and shortly after throughout Europe, cannot be underestimated. It means thousands of future unnecessary asbestos-related deaths will be avoided

There is a new law requiring the safe management of asbestos in workplaces. In particular there is a duty on owners of properties to carry out surveys for asbestos. If the property is not surveyed it is assumed it does contain asbestos and all the asbestos protection provisions will be applied. This has meant that people are much more aware of asbestos hazards

Before the existence of the CSC no one had been sent to prison as a result of construction deaths. Now we have been seen a number of successful prosecutions resulting in short prison sentences

Our work resulted in corporate manslaughter becoming a major political issue with Government, the HSE, unions, and safety campaigners

Some of the fines assigned by the courts have been higher, although they are still generally

far too low

The extent of occupational ill-health and poor safety conditions in the industry is now more generally understood

The first Workers' Memorial Day event was held by the CSC in 1990 and has been commemorated by us every year since. Workers Memorial Day is now officially recognised by the TUC and Government as a national event in the UK

In 1992 the CSC's actions contributed to the defeat of the Tory government's attempt to scrap the Health and Safety at Work Act and to deregulate health and safety under the guise of doing away with red tape

We were the first organisation that established greater involvement of relatives of killed construction workers to organise and campaign over workplace deaths

We had a major presence in supporting the setting up of the crane disaster action group in Battersea (BCDAG) and the successes that they have had over crane safety

However we have not stopped all fatalities. Construction work is not universally safe. There is no massive upsurge in union membership and site organization, which the campaign believes would contribute to major health and safety advances. Nor have adequate corporate manslaughter laws been introduced.

The Labour government was not forced to abandon deregulatory policies. The HSE is not sufficiently well-funded and well-supported with HSE Inspectors able to vigorously enforce the health and safety laws in the construction industry.

To do all of these things will require a fundamental change in our society, so be relentless.

That's why the campaign has to continue.

What needs to be achieved?

Our next objectives

Without workers' rights there will be no long-term improvements to health and safety conditions at work (this is not an exclusive list).

We must have the right to:

Take direct action against unsafe employers. This is far better than waiting around for courts to make decisions. Laws will always predominantly favour employers

Negotiate Health and Safety agreements better than the minimum standards laid down by law

Minimise the abusive and exploitative power of the employers — in order to ensure safety at work by maximising workers' ability to control the workplace

Refuse dangerous work without being victimised

Take any form of industrial action including strike action without employers using the anti-trade union laws to take court action against us

Be directly employed instead of being treated as having few or no rights as a labour agency or short-term contract worker

Not be blacklisted for any reason whatsoever

Full time employment — this will only be fully achieved when we have an expanding public sector including a publicly-controlled national construction company

Shorter working hours with no loss of pay — tiredness kills

Decent rates of pay, pensions, and fully paid holidays — not rolled up holiday pay, sick and industrial injury pay

December 2010

The above is not an exhaustive list