

THE DAILY HAZARD

Dangerous deregulation

Fears are growing about the likely effects on health and safety law which could result from the Government's deregulation exercise (see *Daily Hazard* No.39). Far from being just about the repeal of obsolete legislation, it now appears that basic principles of health and safety law are under threat.

Earlier this year, the Government asked the Department of Trade and Industry and the Health and Safety Commission (HSC) to investigate 'priority for action in reducing the burdens on business' created by health and safety law.

The HSC responded by setting up seven Task Groups covering various industrial sectors, each group containing employer and trade union representatives. The Construction Task Group has held public meetings in Birmingham and Glasgow, where the deregulation exercise was roundly criticised by local trade unionists. The Task Groups will report early next year to the

HSC, whose recommendations are due in April 1994.

One of the main targets for deregulation is Section 1 of the Health and Safety at Work Act, the repeal of which would open the door to subsequent legislation reducing current health and safety standards. Also being suggested is the removal of the assessment requirement of the COSHH Regulations. Assessment of chemicals would then be covered by other legislation which would dilute the obligation to substitute and control dangerous materials. The VDU regulations, which are unpopular with the CBI, have also come in for a lot of criticism.

I'll be brutally frank, Pat - you're more profitable to us by risking being maimed!



The good news is that the unions are now moving to oppose any attacks on standards. Successful fringe meetings were held at the TUC and Labour Party conferences. The GMB has launched a campaign with the document *Freedom to Kill* and General Secretary John Ed-

monds has pledged 'to halt this scam in its tracks'. The Hazards Campaign has also gone into action with leaflets, meetings and lobbies of MPs, MEP's and the Health and Safety Executive. More events are planned for the new year as the deregulation battle reaches a climax.

Inquest jury verdict: workers unlawfully killed

After the inquest into the deaths of two construction workers, the jury at Southwark Coroners Court decided the workers were unlawfully killed. Despite this verdict, doubts have been raised as to whether or not there will be a manslaughter prosecution. Frank Warren, aged 42, and Nicholas Scott, 22, were killed when a three-arched bridge collapsed on top of them during its demolition at St. John's Station, Lewisham on 13 June 1992 (see *Daily Hazard* No.38 and 40).

The unlawful killing verdict is extraordinary. It is the first for a construction worker and only the second for any industrial death.

The inquest heard that a British Rail engineer criticised the proposed work method a month before the disaster. Another British Rail manager spoke of his horror at seeing the demolition plans. He also said basic engineering principles meant that to remove the central arch of the bridge would render the

structure unsafe. In the words of Southwark Coroner Sir Montague Levine, the jury was convinced there was 'negligence serious enough to merit a criminal prosecution'.

There are two kinds of criminal prosecution which could arise from this case. Firstly, the Health and Safety Executive (HSE) could place charges under health and safety law, and is likely to do so. Manslaughter charges, however, would be the

logical result of an unlawful killing verdict, and would be brought by the Crown Prosecution Service (CPS). The CPS says that unless more evidence is presented they will not be taking any further action. Since the police are not investigating any further, the whole case grinds to a halt as far as manslaughter charges are concerned.

Tommy Finn, Chair of the Construction Safety Campaign, said 'This accident was predictable,

preventable, inexcusable. How can it now be that the Coroner and his jury found sufficient evidence of criminal negligence to say these men were unlawfully killed, but the Director of Public Prosecutions has not instructed the CID to investigate this case to ensure those guilty of this crime are punished. Only when employers are given prison sentences by the courts will they stop killing 130 construction workers each and every year'.

INSIDE

School asbestos fatality	2
Disposal site dumped	2
Factsheet: Physical reproductive hazards	3
European Work Hazards Conference	4

Teacher dies of asbestos cancer

A thirty-seven year old teacher and mother has died of the asbestos-related cancer mesothelioma, rekindling concerns about the safety of asbestos in buildings. For the past 10 years she taught at Plumstead Manor School, Greenwich, which is riddled with asbestos. Initially the school was closed down. However, teachers and parents were reassured by promises that all asbestos would be removed, starting immediately. Many parents, though, are not satisfied with the situation.



Adrian Spalding

Asbestos-contaminated Plumstead Manor School

A group of parents have used Section 79 of the Environmental Protection Act to serve a notice as 'aggrieved persons' on Mr Cramer, Director of Education. The grievance is that the school is in a state likely to be prejudicial to health. Mr Cramer, meanwhile claims that 'Plumstead Manor is the safest school in Greenwich.'

Maggie Gardener, a Plumstead Manor School parents' representative, said: 'The Local Education Authority now appears to be back-tracking on their promise of total removal of the asbestos. We are unhappy about the piecemeal use of different contractors rather than a well-prepared removal programme. We suspect the plan is to stop the programme when the fuss dies down.' The parents have now formed an action group.

The Hazards Centre has seen an Inner London Education Authority (ILEA) survey of the school carried out in 1986 showing the widespread presence of brown and white asbestos boards in classrooms and corridors. ILEA records describe many of those boards as 'medium friable' which means there is a 'medium' risk of asbestos fibres being released. A visit to the school revealed that asbestos is lining heating ducts and makes up windowsills in nearly every classroom. Both the window sills and heating boards are continually sat on, banged and scraped by chairs and tables, books and kids.

Children have now been issued with a written notice that, on pain of severe disciplinary action, they must not sit on windowsills, touch or disturb the boarding or pin anything to it. A pupil has

been expelled because she put her foot through an asbestos panel.

The death of the teacher sharply refocuses the debate on environmental exposure to asbestos. The official government scientific line is that these exposures are negligible. The Hazards Centre has always argued that in system-built housing estates and schools full of asbestos the level of risk is much higher. The key factors are: uncontrolled release of fibres caused by occupants' normal activities; structures prone to vibration; heavy use; heat abrasion from centralised heating systems; and repeated cleaning and maintenance.

Evidence from a study of American school janitors supports this theory. Significant associations have been found between years of work in schools containing asbestos and asbestos-related lung conditions (see *Daily Hazard* No.12).



Adrian Spalding

Ready to remove asbestos?

concerning the location of waste sites are covered by the London Waste Regulatory Authority (LWRA) who only have authority once planning permission is gained.

Local Councillor, Ian Driver, told the *Daily Hazard*: 'It is a total injustice that planning applications cannot take on board hazard issues. The LWRA told us that in this case they would have had no problems issuing a licence. We were not satisfied that a proper environmental and disaster assessment would be carried out. Legislation should be introduced to stop the location of these kind of facilities in densely populated areas'

Councillor Driver's fears and comments about the suitability of residential areas for certain types of industry follow several criminal convictions of companies after incidents which affected workers and the public alike. Although the companies involved were not employed in the same business as Cleanaway the incidents involved hazardous substances which put local residents at great risk.

The most prominent incident in London resulted in the — £150,000 fine of MB Gas after a blast at their depot in Hammersmith sent liquified petroleum gas (LPG) bottles flying through the air into the local community. Miraculously, no one was hurt, but the damage to local property was substantial.

The Camberwell campaign was assisted by a voluntary group, Planning Aid for London, who were able to help the locals prepare a case against planning permission to ensure that the case never reached the LWRA. The campaigners also organised a public meeting, attended by 200 people, a march of 300 people and a petition containing 8,000 signatures.

Cleanaway refused to attend the public meeting and made their attitude clear, their publicity officer told the campaigners: 'It is not company policy to speak to a bunch of screaming rabble who know nothing of waste management'

Ian Driver warns the rabble of other London boroughs: 'Watch out, Cleanaway have told us they are looking for a London site to cut costs and increase business — they might come your way next'

Residents defeat toxic dump bid

A determined and efficient campaign by local people has led to the refusal of planning permission to the multinational company Cleanaway for a toxic chemical transfer station in the heart of densely populated

Camberwell. The site would have stored up to 24,500 litres of liquid toxic wastes, as well as solid wastes, including acids, alkalis, cyanide and arsenic compounds.

Ironically, although the local

residents' main concern was the potential effects of a cocktail of lethal chemicals, the planning bid was defeated on the grounds of 'significant change of use, loss of amenity and increased fear of crime.' Health and safety issues

PHYSICAL AGENTS AND REPRODUCTIVE HEALTH

The previous two parts in this series (see *Daily Hazard* No.39 and 40) dealt with the hazards to reproductive health created by chemicals and by VDU work. This final part describes the effects of physical agents: ionising and non-ionising radiation, vibration, temperature, noise, lifting and handling, and hours of work. Occupational exposure to infection is also covered and the series concludes with a look at changes in the law, recently introduced and prospective.

While the scientific evidence is inconclusive in most instances, a high proportion of workers, both men and women, are exposed to hazards that could affect their reproductive health and that of their off-spring. Careful assessment and action are needed to identify and eliminate risks.

Ionising radiation

Ionising radiation includes X-rays, alpha, beta and gamma rays and neutron irradiation. Such high-energy radiation is especially hazardous to the foetus in the early stage of pregnancy, the period between 6 and 15 weeks being the most vulnerable. The effects are increased foetal death rates and low birthweights, mental retardation, malformations and cancer, particularly leukaemia, in the off-spring. There is now strong evidence that exposure prior to conception by both men and women can result in damage to the next generation. A Health and Safety Executive study of men employed at Sellafield found a correlation with the fathers' exposure and leukaemia in their children.

The law is contained in the 1985 *Ionising Radiation Regulations* and a number of subsequent pieces of amplifying legislation. There are dose limits for pregnant women and for women of reproductive capacity and where these cannot be achieved, alternative work should be provided. Dose limits are subject to continuing controversy as evidence of harmful effects accumulates. Those most at risk are nuclear processing workers, people engaged in the manufacture and handling of radioactive substances, and health care personnel.

Non-ionising radiation

Microwave, radiofrequency and extra low frequency radiation are emitted to varying degrees by all types of electrical equipment. The particular case of VDUs is dealt with in *Daily Hazard* No.39. The effect on reproductive health is hotly debated and no consensus has emerged. There are reports of reduced sperm count and sterility in men exposed to microwave radiation and of a possible link between Down's Syndrome in children and paternal exposure to radar.

Exposure of women to microwave radiation may lead to menstrual disorders, increased miscarriages and retarded development and malformations in off-spring. The use of electric blankets by pregnant women has been related to changes in the frequency of spontaneous abortions and birth defects. There are reports of adverse reproductive effects for both men and women in the vicinity of high-voltage power lines. However the results are inconclusive as in other areas of non-ionising radiation.

Vibration

Exposure to occupational vibration has been reported to be linked to menstrual irregularities. It can also worsen conditions of pregnancy such as abdominal and low back pain. Low frequency vibrations can penetrate the abdominal wall and may harm the developing foetus. Whole body exposure to 4-8 Hz vibrations can induce resonances in the abdomen. There are reports of miscarriages and birth defects associated with vibration. Vehicle drivers are most at risk.

Noise

Pregnant women exposed to noise are prone to vaginal bleeding. Noise increases the risk of pregnancy-induced raised blood pressure. There are reports of reduced birthweights, hearing loss and malformations in the off-spring of noise-exposed mothers. While there are a

number of studies on the effects of noise alone, it is more commonly suggested that noise reinforces the adverse effects of other factors on reproductive health, eg. vibration or temperature.

Temperature

Exposure of men to high work temperatures has been related to sperm abnormalities and delayed conception. Exposure of welders to radiant heat produced a reduction in sperm quality which was reversed when exposure ceased. There is an association between central nervous system defects in off-spring and high temperature exposure in the early part of pregnancy — high humidity also plays a role.

A study of workers in refrigerated stores indicated a connection between low temperatures and menstrual problems. There are reports of miscarriages and of low birthweights connected with low temperatures.

Physical work

Heavy physical work and exercise are known to have adverse effects on reproductive health. A significant increase in miscarriages has been found

revealed twice the rate of miscarriages for standing compared with comparable sitting workers. A discernible risk has been measured for standing for more than three hours per day. Standing in the late stages of pregnancy can result in fatigue, shortness of breath and varicose veins and these symptoms can persist after delivery. Production line workers, shop workers and health care personnel are chiefly at risk.

Hours of work

There is an established relationship between adverse effects on reproductive health and both total hours of work and shift patterns. A discernible risk of low birthweight and premature birth can be found for a working week as short as 21 hours and the risk grows in proportion to the hours worked. For long working weeks, 45 hours or more, there is a link with birth defects and spontaneous abortions. Evidence has been found relating shift work to menstrual difficulties and vaginal bleeding.

A 1993 study found that women working evening or night shifts are up to four times more likely to miscarry than day shift workers.



Hospital laundry work can be hot and physically demanding

for those involved in lifting heavy loads more than 15 times per day. It appears that the risk may increase in the later stages of pregnancy. There is also an association between heavy physical work and preterm birth. An analysis of professional and unskilled workers indicated that the latter were twice as likely to give birth prematurely, even when other factors were taken into account.

A connection has been found between standing for lengthy periods and miscarriages. One study

Infectious agents

A wide range of infectious agents, from both animals and humans, have adverse reproductive effects for both men and women. Increased body temperature resulting from fever can harm the developing foetus. Some which can affect pregnancy outcome by maternal infection are herpes simplex, rubella, chicken pox, hepatitis, influenza, listeriosis, HIV and syphilis. Mumps, brucellosis and syphilis can cause infertility in men. Groups most at risk

are teachers, hospital workers, agricultural and veterinary workers, and meat handlers.

Pregnancy protection and the law

While there has been longstanding legal protection for workers exposed to lead and ionising radiation, the law on pregnancy protection is now in flux. From 1996, employers will have to provide rest facilities, including facilities for lying down, for pregnant women and nursing mothers (Workplace Health, Safety and Welfare Regulations).

Dismissal or selection for redundancy on grounds of pregnancy is unfair. Where a pregnant woman is suspended from work on health and safety grounds, the employer is obliged to offer alternative work, where possible. Women thus suspended are entitled to the remuneration they would otherwise have received (Trade Union Reform and Employment Rights Act). These rights will come into force in October 1994 along with the other provisions of a European Directive on improvements in the health and safety of pregnant workers, those who have recently given birth and nursing mothers. The main provisions still to be introduced into UK law are: a requirement on employers to assess the risks to pregnant and breast-feeding workers of certain agents, processes and conditions; prevention of exposure of listed physical, chemical and biological agents; a ban on night work.

The Health and Safety Executive is consulting internally at present on the preparation of draft regulations which will be issued for comment in the near future. In view of the hostility which the UK government has demonstrated throughout to the Pregnancy Directive and the poor track record for transposing European into British law, vigilance will be required in ensuring that the benefits of the Directive are wholly realised. Even if this is achieved, the law will not be a substitute for organisation and bargaining at workplace level.

Stephanie Henry/FORMAT

Italy to host 1994 European Conference



The next European Work Hazards Conference: *Organising the Change*, will be held in Rimini, Italy from 7-9 October 1994. The Conference is being hosted by the Italian hazards group SNOOP. Places for the conference are very limited and the UK delegation will have to be selected to ensure a broad representation of working people.

An excellent report of the 1992

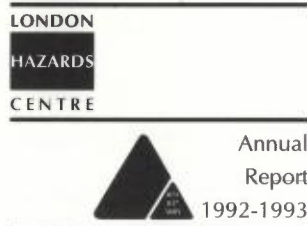
European Work Hazards Conference: *Conference Resource Book* is now available, free of charge.

Anyone interested in copies of the 1992 conference report, or attending the 1994 European conference should write for details to:

Mick Williams, European Work Hazards Conference Secretariat, c/o Mudfords Building, 37 Exchange Street, Sheffield S2 5TR.

Report highlights community pollution

The London Hazards Centre published its 1992-93 Annual Report in October 1993. The report includes examples of workplace casework as well as a review of community pollution work, which has been greatly assisted by grants from the Baring Foundation and the City Parochial Foundation. Community pollution casework covered pest infestations and their treatment, hazardous building materials, polluted land, chemical pollution from local industries, noise, damp and mould growth, hazards in schools, waste disposal and waste incinerators.



The report includes results from the first year of sending monitoring and evaluation questionnaires to recipients of written advice.

London Hazards Centre Annual Report 1992-1993 is available from the Centre. £1.00 (Free to affiliates and members).

PUBLICATIONS

- ▲ **VDU Work and the Hazards to Health.** August 1993. £6.50
- ▲ **Protecting the Community: A worker's guide to health and safety in Europe.** May 1992. £9.95
- ▲ **Basic Health and Safety: Workers' rights and how to win them.** June 1991. £6.00
- ▲ **Repetition Strain Injuries: Hidden harm from over-use.** January 1988. £3.00*/£6.00
- ▲ **Out in the Open** (supplement to Repetition Strain Injuries) January 1993. £1.00 (free with Repetition Strain Injuries)
- ▲ **Sick Building Syndrome: Causes, effects and control.** June 1990. £4.50
- ▲ **Fluorescent Lighting: A health hazard overhead.** March 1987. £2.00*/£5.00
- ▲ **Toxic Treatments: Wood preservative hazards at work and in the home.** January 1989. £5.95
- ▲ **After the Sprayer: investigation and treatment of ill-health caused by wood preservatives and how to get help.** January 1992. Factsheet. £1.00
- ▲ **Factpack:** Set of factsheets from the Daily Hazard. £5.00
- ▲ **Daily Hazard** complete run: £25.00

* Price to community/tenants/union groups.

Prices include postage. Discounts for 10 or more copies. All orders must be accompanied by a cheque made payable to London Hazards Centre.

HAZLIT is London Hazards Centre's library database. For information about on-line access, contact the Centre.

Book now for Spring training



In February and March 1994 the London Hazards Centre will be running two one-day training courses and a half-day seminar designed to equip safety reps and anyone involved in workplace health and safety with the knowledge and information to bring about improvements in their workplace.

As well as focusing on specific health and safety topics, each training course will cover the relevant legislation arising from EC directives which came into force in January 1993, but which many employers have yet to implement.

Training courses

- 22 February 1994: Lifting and handling
- 22 March 1994: VDUs and RSI

Seminar

- 3 March 1994: Risk Assessment

The courses cost £40.00 per person per day, and the fee for the seminar is £10.00 per person. See the leaflet enclosed with this issue for further information and a booking form.



London Hazards Centre
3rd floor, Headland House,
308 Grays Inn Road,
London WC1X 8DS
tel: 071-837 5605

FUNDED BY
London Hazards Centre Trust is funded by



This verdict on the London Hazards Centre's recently published *VDU Work and the Hazards to Health* has been echoed widely across voluntary, trade union, health and safety, and specialist press newsletters, journals and magazines.

The favourable reviews have been backed up by a deluge of orders for the book, with several unions taking bulk orders for distribution to branches, and for use on training courses.

See tinted publications panel below for details on ordering *VDU Work and the Hazards to Health* and other London Hazards Centre books.