

THE DAILY HAZARD

Protesters demand action on workplace deaths

The Government has set targets for the reduction of workplace deaths injuries and illness. But a spate of workplace deaths over recent months has shown that many obstacles lie in the way of achieving improvements.

The Government's targets are:

- to cut deaths and major injury accidents by 10 per cent by 2010
- to reduce the rate of work-related ill health by 20 per cent by 2010
- to cut working days lost due to health and safety failure by 30 per cent by 2010
- to achieve half of the improvement by 2004

The targets are the centrepiece of the Government and the Health and Safety Commission's (HSC's) Revitalising Health and Safety Strategy Statement. This features 44 'Action Points' aimed at achieving the targets.

But the recent spate of workplace deaths emphasises that it will take more than glossy documents to achieve real improvements. Recent 'accidents' include:

- three killed in a warehouse collapse during demolition in Hull
- one killed in a gas explosion in Gateshead
- three dead after a crane collapse in Canary Wharf
- one dead after a scaffolding collapse in an incinerator tower in Ellesmere Port
- two killed in a collapsed kiln in Tunstall, Staffordshire
- one dead after being trapped in machinery at RAF Benson in Oxfordshire



Simon Jones campaigners make their point

PIC CREDIT: MIKE MERRITT

- two local authority pest control workers dead in separate incidents
- one drowned after a fall into a tank full of chemicals at a car plant near Southampton
- two road maintenance workers killed in a vehicle accident in North Yorkshire
- one construction worker killed by a fall into ducting in London
- two construction workers killed in Sheffield

Statistics on deaths and injuries for the construction industry are particularly grim. In the year to March 2000, there were 86 deaths, an increase of more than 25 per cent over the previous year. Major injuries and over three day injuries were also up during the same period. The death rate has risen even more in recent months. Deputy Prime Minister John Prescott has called for talks with the construction unions to find ways to reduce the toll.

The setting of targets has not

been the only official activity on safety in recent months. Home Secretary Jack Straw has launched a consultation paper on corporate killing and the HSC has produced a new draft of its enforcement policy statement.

The Government is proposing to introduce a new offence of corporate killing which would ensure that managers with safety responsibilities bear extended legal and criminal liability. The Government envisages that offences could attract unlimited fines and sanctions such as disqualification against company directors. The Government also proposes three new offences designed to make individuals in an organisation accountable for serious acts of gross negligence which result in death. Conviction for these offences could result in custodial sentences.

The proposals have been welcomed by many safety organisations including the TUC. However, there is continuing controversy over the best way to

investigate and prosecute over workplace deaths. The Government would like these to be carried out by the HSE. The TUC thinks that the job would be better done by specialist cross-agency teams from the HSE, local authorities and the police with the involvement of the Crown Prosecution Service. There is a crucial question on the provision of adequate resources to do the job properly.

The HSC's new enforcement policy statement is a slight improvement on previous versions, representing the authorities' somewhat greater enthusiasm for prosecution, but still seems shy about pressing for custodial sentences. Still open for consultation, it may be that some further improvements can be inserted before the document is finalised.

Not every group is content to wait for the authorities to carry out their changes. Hundreds of construction workers union UCATT members met outside St. Paul's Cathedral in August to protest about recent deaths. They heard their General Secretary, George Brumwell, also a HSC commissioner, say, 'Tell the construction employers that if they kill construction workers, we will stop work.'

Supporters of the Simon Jones Memorial Campaign also met outside St. Paul's in September as part of their on-going campaign for justice for the young man killed on his first day as a casual worker.

It may be that the cautious moves of the authorities towards reform will not be enough to contain the anger of workers and their families who have to deal with the reality of death at work.

CWU fights for rights

Communications Workers Union (CWU) negotiators have shown that there are more ways of improving safety representatives' rights than waiting around for the Government to legislate. In a couple of recent, national agreements* with the Post Office, they have achieved state of the art standards on paid access to training, paid time off, and safety representatives' meetings in paid time. They have even gone close to securing the right of safety representatives to stop the job.

An agreement with Post Office Vehicle Services say, '...Representatives will have the right to stop a dangerous working practice if they believe that there is a serious risk of injury to employees or members of the public.' This is just slightly qualified elsewhere in the agreement, the employer retaining the ability to take

disciplinary action in the final analysis against representatives who exercise the right. But it seems impossible to get any closer to an absolute right for representatives to stop the job within a negotiated agreement.

Other rights enjoyed by representatives under the agreement are:

- regular, formal, minimum three monthly workplace inspections
- other inspections when required for any purpose
- investigations into any circumstance as required
- representation and advice for workers with private discussions as necessary
- provision of information to workers on health and safety matters
- receipt of information from

the employer and enforcing authority inspectors

- meetings with other representatives as required

To enable representatives to exercise these rights, the employer has undertaken to provide facilities which include

- accommodation
- furniture
- telephone and fax facilities
- notice boards
- typing and photocopying services
- post
- means of transport

When carrying out their safety duties, representatives receive the full pay, allowances and bonuses they would have got for normal duties. The purpose and amount of time off for safety duties should be determined in

advance whenever possible but the employer has accepted that unforeseen issues will crop up that will require time off without prior notice. Extensive provision is made for training where again representatives receive full pay, etc.

This is what can be achieved by a well organised trade union with a clear idea of what it wants. There are probably not so many workers in a position to obtain such conditions by negotiation these days but it shows what is possible in the right circumstances. As it will be some time before the Government gets round to legislating on safety representatives rights, there is no reason not to explore the alternative option of direct negotiation with the employer.

** The full text of the agreements is available from the London Hazards Centre.*

Dust on the Underground

Tube services between Brixton and Victoria had to be suspended for more than seven hours one day in September after engineers found loose asbestos panels in a tunnel. Services only resumed after clearance air tests showed that safe levels were reached. It is not known how long the panels were loose before they were detected. Vibration from passing trains would aid the release of asbestos fibres which would then be dispersed throughout the Underground system.

Some time afterwards, safety reps on an inspection of some sidings near Brixton station found that the removal of similar asbestos-containing panels was taking place. In this case, though, it did not appear that clearance tests were being carried out to check whether fibres had been released. Reps are pursuing the matter with London Underground to find out exactly what is going on.

Dust on the Underground has long been a bone of contention

between safety reps and the management. As well as asbestos, reps are concerned about the levels of silica, which can cause cancer by inhalation, found throughout the system. Despite many years of argument, no agreement has been reached on the best way of measuring dust levels. While the management maintains that occupational exposure levels are never breached, the reps believe that high concentrations of dust are achieved in at least some locations. They have now discovered that the tunnel-cleaning train has been withdrawn, a victim of privatisation. Even the management has admitted that dust levels will rise as a result.

Tube passengers should beware! A recent study by Middlesex University indicated that three people per day would need hospital treatment as a consequence of present dust levels. If present plans for the reorganisation of the Underground go through, this figure is likely to get worse.

WTO Backs French Asbestos Ban

In a major breakthrough on free trade in toxic materials, the World Trade Organisation (WTO) has upheld a French ban on asbestos, rejecting a Canadian complaint this is a barrier to trade (see *Daily Hazard* Nos. 59, 64 and 65). The Canadian government will appeal against the ruling (Canada is a major asbestos producer and exporter). They argue that the WTO's mandate is to determine whether the French ban complies with multilateral trade agreements, not to rule on safety or on the principle of the safe use of asbestos.

The judgment marks the first time the WTO has upheld trade restrictions under its rules for dealing with products harmful to human health.

Despite the ruling, safety and environmental groups have voiced strong criticism of the methods used by the WTO in making this judgement, saying they have placed too many conditions on the use of trade-restrictive measures to protect

public health. Safety campaigners will protest at Canada's appeal.

Further moves towards a world ban on asbestos took place at the Global Asbestos Conference in Brazil in September, attended by over 300 delegates from more than 35 countries. The trade unions represented, including the TUC, restated their commitment to a global ban. They also called for proper protection for workers, awareness raising, the introduction of alternatives, the exchange of information, job protection, legal action and claims for compensation against employers and proper medical treatment for victims.

REMEMBER THE DEAD – FIGHT FOR THE LIVING WORKERS MEMORIAL DAY, APRIL 28TH

This factsheet gives guidance and encouragement on organising grassroots events on Workers Memorial Day (WMD).

Workers Memorial Day takes place on April 28th, an international day of remembrance of workers killed, disabled, injured or made unwell by their work. It highlights the preventable nature of the majority of workplace accidents and ill health and promotes campaigns and union organisation in the fight for improvements in workplace safety. The slogan for the day is *Remember the dead – Fight for the living*.

Workers Memorial Day originated in Canada in 1985 when the Canadian Union of Public Employees (CUPE) arranged events to commemorate those killed, injured or made unwell by their work. CUPE's symbol for the day is a caged canary as used to detect poisonous gas in mines, with the slogan *Remember the canary*. CUPE says, 'Today, CUPE members act as front line protection for their fellow citizens...they have become the canaries.' The Canadian government gave official status to the day when it passed the 'Act respecting a day of mourning for persons killed or injured in the workplace' on February 1st 1991.

Trade unions in the USA, the UK, Asia and elsewhere have organised events on this day since 1989. The Scottish TUC adopted Workers Memorial Day in 1993. The TUC formally adopted it in 1999 and the Health and Safety Executive (HSE) in 2000. This is all progress but what is needed most is action to involve all workers in this important event.

Background

The International Confederation of Free Trade Unions (ICFTU) estimates that 500 workers are killed at work every day (approx. 200,000 annually) and an estimated 65-165 million contract occupational diseases.

The ICFTU draws attention to attacks on trade union rights, organisers and members by governments and business around the world. The ICFTU says that in 1995 378 workers were murdered, 1,900 were injured, 5,000 were arrested or detained and 68,470 were dismissed because of their union activities. The ICFTU statistics could well underestimate the real levels. In the UK, on average over the last ten years, 300 workers died each year in what the HSE says are mostly

preventable accidents. This figure was a lot higher in the past. An estimated 20,000 die from occupational illnesses in addition to accidents. Thousands more are disabled, maimed and injured in preventable accidents. The number who suffer ill health because of conditions in industry and the materials they have to use, runs into hundreds of thousands.

Studies by the HSE have consistently shown that 90% of workplace accidents are preventable and that 70% of these are the result of employers failing to act appropriately to prevent them. Apart from the appalling cost to the families and friends of those damaged by work the HSE estimates the cost of this to the nation as up to £16 billion annually. In reality this financial cost amounts to a subsidy to employers.

What You Can Do

Many activities can be organised locally. Promotional posters are available from the Hazards Campaign and some unions. Purple 'Forget me knots' for people to wear are available from Greater Manchester Hazards Centre and UNISON. Your union may run its own WMD campaign so check with your regional or central health and safety department to see if they have promotional materials. Use this factsheet to inform people of the ideas behind WMD.

If there has been a fatal accident, or major injury, or a problem with occupational ill-health in your locality, this may create a good focus for the day. Keep in mind the other part of the slogan, *fight for the living*, and look at ways of promoting change to prevent repeat occurrences. Remember that WMD is about work and organising for improvements; it is not a religious event.

Some groups have organised a formal minute's silence as a mark of remembrance when all workers stop work, including bus drivers (Canada/USA). Others have organised meetings at lunch time or after work with invited speakers.

For local events contact your local newspaper/s and regional radio and TV stations and let them know what is going on and why. There has been considerable success in getting WMD covered on regional radio. If you think your event is of more than local significance you could try the national media. Events can involve local MPs, councillors, the regional HSE office, and other prominent people.

Each year WMD has a theme. In 2000 it was young people at work. Check with your union or the TUC to see what the current year's theme is.

Examples of past WMD activities

MSF London Region, supported by the Construction Safety Campaign, Hazards Campaign and others have held several protest marches to the HSE headquarters at Southwark Bridge.

The TGWU union branch in Walthamstow, East London, supported by the local Trades Union Council and MP, hold a ceremony at their commemorative Workers Memorial Day Tree and plaque in the grounds of the William Morris Gallery.

The Hazards Campaign in Birmingham commemorated those killed by placing many pairs of empty shoes in Victoria Square to represent the empty shoes left by people killed at work every year. A flag in the square was also lowered as part of the ceremony. A UNISON caravan has toured the West Midlands promoting WMD.

At Medway Council, Kent Council officials planted a memorial tree in Rochester Castle gardens, followed by the opening of an exhibition in the Corn Exchange.

Greater Manchester Hazards Centre continues to promote their WMD purple ribbon forget-me-knot and have held a meeting with the Bereaved by Work group on 'Inquests, can they improve health and safety at work.'

UNISON Scotland launched an anti-stress campaign.

The Trades Union Council in Walsall held a ceremony at their commemorative tree.

UNISON Haringey put on a WMD display in their offices and held local activities.

Liverpool TUC drove around Liverpool in a WMD van and gave leaflets about WMD and unions to the public.

Canadian unions, including the autoworkers union, and workers health centres ran a very successful campaign on cancer caused by work. They marched to the Ministry of Labour where a wreath was laid. Each marcher

carried a carnation representing a worker killed that year.

In the city hall square in Copenhagen, Denmark, trade unionists gathered to listen to speakers from the General Workers Union (SiD) and a joint construction union committee. There were 76 full sized plywood figures representing those killed at work that year.

The AFL-CIO (the USA's TUC) ran a nationwide campaign called 'safe jobs – make our voices heard.'

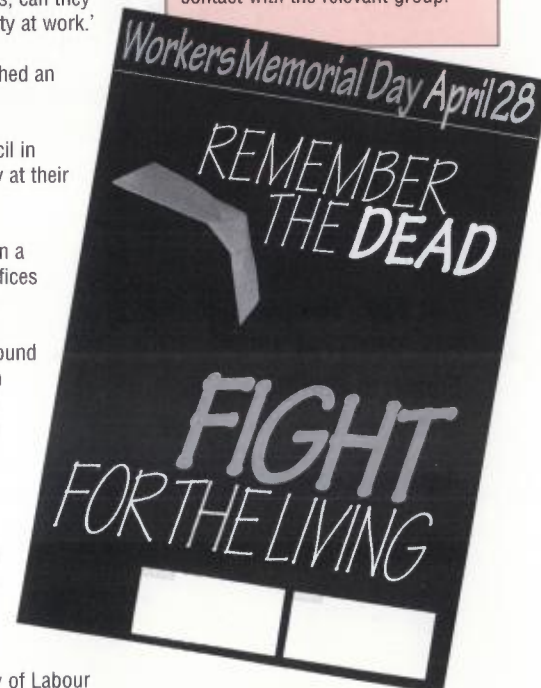
Members of New Zealand transport union RMTU stopped work at mid-day to observe a minute's silence for members killed and injured in work accidents.

Contacts

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Fax: 020 7551 1766.

Posters: the Hazards Campaign has produced the illustrated poster for Workers Memorial Day. Copies are available from your local Hazards Centre or through the Greater Manchester Hazards Centre. If in doubt call the London Hazards Centre and we will put you in contact with the relevant group.



Voluntary sector project

The Centre's Voluntary Sector Training (VST) project has entered its third and final year. The 500 organisations which took part in the training courses have been invited to select a form of support which will enable them to manage health and safety on a sustainable basis. Of the 200 replies received from participating organisations to date, more than 60 have been requests for help in revising their safety policy. Policy work was central to the training sessions and setting out the systems which will ensure safe working and the people who will ensure those systems work is a major task. Ensuring that an organisation has a workable safety policy is a key task for the final year of the VST project.

Organisations can also request speakers for their management committee meetings or AGMs, or support in carrying out inspections and risk assessments and in drawing up training programmes to meet the health and safety needs of their workforce.

To mark European Health and Safety week, the Centre ran a community advice session in Hammersmith under the auspices of the Voluntary Sector Training Project. In a busy day, Shonagh Methven, the advice worker dealt with problems ranging from the organisation of fire drills and safe travelling procedures for community workers to issues of violence and abusive behaviour by clients.



MICK HOLDER

David Bergman of the Centre for Corporate Accountability (left) and Mick Holder of the London Hazards Centre at a joint seminar on corporate killing in August.

The face of decent work - ILO video

'Every day four billion of us go to work, but for some the workplace is a place of indescribable misery, indecency or danger.' So says the introduction to this informative video which is part of the International Labour Organisation's (ILO's) SafeWork campaign.

The ILO estimates 250 million people globally suffer a work-related accident each year and 3,000 workers are killed daily. This video briefly touches on some of the underlying causes stating: 'The drive for productivity sometimes races ahead of the drive to produce safely' and mentions poverty and globalisation. It illustrates how mining world-wide is becoming less safe despite technological advances. It shows agricultural workers, half the world's workforce, in danger from machinery hazards and pesticides. There are millions of pesticide poisonings annually, 40,000 of them fatal. Examples are given of child labour, chemical factory

explosions, ship scrapped for metal and scavenging a living from waste.

The focus of the video is on the Third World though many European or American workers also have dangerous jobs. The video does not look at 'new' workplaces such as call-centres or 'new' diseases such as RSI and these should have been included.

The video makes a powerful argument for action. Juan Somavia, ILO Director General, says that people aspire 'to live a dignified life and the essence of that dignity is work, but not just any work, it is decent work.'

It is worth showing at union meetings. TU tutors could use it on courses - not just health and safety courses. Available for £7.95 from: ILO, 4 route des Morillons, CH-1211, Geneva 22, Switzerland. Tel: 41 22 799 6575. Fax: 41 22 799 8577. Order online at www.ilo.org/publns or pubvente@ilo.org



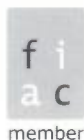
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Registered Charity No: 293677



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LONDON HAZARDS CENTRE ANNUAL GENERAL MEETING

7.00 pm, Wednesday 22 November 2000
Friends House, Euston Road, N.W.1

All members invited to send delegates.

Refreshments provided. Please let us know in advance if you are coming