

MONITOR

INSTITUTE OF INDUSTRIAL
RELATIONS LIBRARY

MAR 2 1976

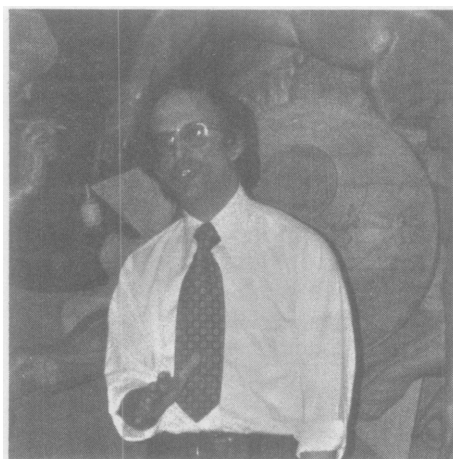
UNIVERSITY OF CALIFORNIA
BERKELEY

VOL. 3 NO. 2 • FEBRUARY 1976

HEALTH AND SAFETY CONFERENCE DRAWS LOCAL TRADE UNIONISTS

By SIDNEY WEINSTEIN

More than 100 participants recently attended a LOHP sponsored conference on health and safety at Asilomar (Pacific Grove). It was the first time that such a conference had been held solely for designated health and safety representatives. The conference was organized by Robert Fowler, LOHP Labor Coordinator. Participants represented a variety of industrial, building, and crafts unions as well as trades not covered by Cal/OSHA such as the railroad workers and other groups minimally protected by Cal/OSHA such as public sector employees.



Tony Mazzocchi addresses conference delegates at opening session.

KEYNOTE SPEAKER

On opening night keynote speaker Tony Mazzocchi (OCAW Legislative Director) set the tone for the three, fast-paced days. He raised key issues about organized labor's role in occupational health and safety, the direction of future legislation, the state vs. federal programs, and labor's participation in the standards-setting process and workplace monitoring.

The same issues were raised later by the CBS film, "Kepone," which graphically illustrates what can happen to workers not protected by union health and safety contract language, toxic

substances control legislation, or a use-permit registration system.

Allied Chemical had conducted research on Kepone's hazardous effects though this information was never made available to Life Sciences employees. With toxic substances control legislation, the government could have required premarket testing on Kepone prior to authorizing its commercial production. A use-permit registration system would have required Life Sciences to register Kepone with the state and demonstrate adequate employee protections before beginning manufacture, use, or sale of Kepone.

A union could have negotiated health and safety contract language requiring Life Sciences to implement a monitoring program for all new substances and inform the union of all results.

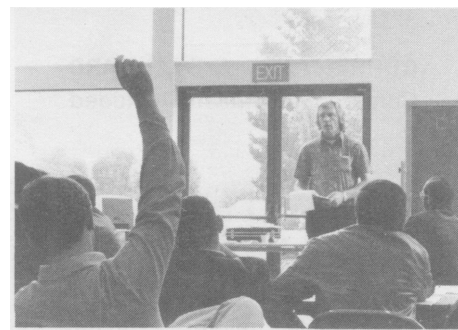
WORKSHOPS

Six workshops—Local Union Health and Safety Committee Formation, Collective Bargaining for Safety and Health, Employee Rights and Responsibilities Under OSHA and Cal/OSHA, Monitoring the Workplace, Evaluating the Membership's Health, and Workers' Compensation—conducted by LOHP and Labor Center staff (Institute of Industrial Relations) with discussants from local unions provided an overview of the field. LOHP plans more detailed one-day follow-up sessions later in the year.

Local Union Health and Safety Committees

Led by Robert Fowler, LOHP, with discussant Barry Barr from UAW Local 560, this workshop covered how to set up a committee and the responsibilities of the committee, stressing the importance of continuous communication with the membership.

Prior to setting up a local health and safety committee, a union task force should evaluate: 1) The membership's



Bob Fowler outlines strategy of forming health and safety committees.

accident-injury-illness experience; 2) The employer's annual actual and hidden costs of accidents, injuries, illnesses; 3) Existing contract language and interpretations; 4) Local union by-laws; and 5) Limitation and effectiveness of any existing joint management/labor health and safety committees.

Local union by-laws frequently provide for health and safety committees. The committees could coordinate all local union health and safety programs, obtain needed technical information, and assist members with Cal/OSHA and OSHA complaints.

The committee should be well-acquainted with workplace conditions and conduct periodic surveys of the workplace. Additionally, the committee should: provide employers an opportunity to settle complaints internally; participate in Cal/OSHA and OSHA inspections and complaint procedures; maintain health and safety records; screen workers' compensation cases; report to membership; and educate membership in job health and safety.

Collective Bargaining for Safety and Health

This session, led by Paul Chown, Labor Center, with discussant Rich Jackson from IAM Local 1781, pointed out the bargaining table's usefulness for tightening up Cal/OSHA and OSHA ambiguities and for filling in areas of weak coverage. For ex-

Continued on page 4

MAJOR PROVISIONS OF ASBESTOS STANDARDS

By ANDREA HRICKO

In the January, 1976 issue of Monitor, I discussed workers' rights under the asbestos standard. Since the U.S. Department of Labor has proposed a new standard for asbestos, the chart below compares the major differences in the current standard and the new proposal.

Low level exposures to asbestos will still be allowed under the proposal; therefore the new standard will not guarantee workers safety against cancer risks. In fact, workers exposed to very low dust levels have also developed cancer. Even the Secretary of Labor, in the preface to his proposal, states that "OSHA recognizes that there is no assurance of a safe exposure for a substance with known carcinogenic [cancer-causing] property, in this case asbestos, and thus there should be no detectable concentrations [of asbestos in the air]." The reason that potentially hazardous levels of asbestos will still be allowed under the proposal is that OSHA has taken the position that the economic cost factors of zero detectable exposure outweighs the potential benefits to workers.

CURRENT OSHA STANDARD

Construction industry included

Permissible exposure—"TLV": 5 million fibers per cubic meter or 5 fibers per cubic centimeter (to be lowered to 2 million in July 1976) over an 8-hour workday.

Permissible ceiling exposure: 10 million fibers for 15 minutes of exposure.

Monitoring: required every 6 months after an initial determination is made that the levels of asbestos exceed the TLV.

Notification: Not spelled out in federal standard; required in California when over-exposure occurs.

Recordkeeping: Monitoring records must be kept only 3 years; medical records must be kept 20 years (30 years in California).

Medical surveillance: Complete physical exams must be provided annually to all "exposed" workers. (In California, to all workers exposed to over 1 fiber asbestos per cubic centimeter).

Signs: Caution signs and labels do not mention cancer risk.

Laundering: People who launder contaminated clothes must be told the hazard and controls needed.

PROPOSED OSHA STANDARD

→ Construction industry excluded (OSHA will develop a separate standard)

→ 500,000 fibers per cubic meter over an 8-hour workday (or 1/2 fiber per cubic centimeter).

→ 5 million fibers for 15 minutes.

→ Required monthly if employer is over TLV; every three months if employer is within TLV; less often if TLV is not exceeded on two consecutive monitorings.

→ Workers must be notified in writing of asbestos levels within 5 days after monitoring results are received.

→ Both monitoring and medical records must be kept for 40 years (or for the duration of employment plus 20 years, if longer).

→ Exams must include sputum cytology for workers over 45 and for those exposed over 10 years to asbestos.

→ Signs and labels must say that asbestos is a "CANCER HAZARD."

→ The employer must clean or launder contaminated clothing, and advise cleaners of hazards.

PROVISIONS FOUND IN BOTH STANDARDS

Observation of monitoring: Workers can observe monitoring and have access to records.

Methods of compliance: Personal protective devices shall be used only as a supplement if engineering controls and work practices do not keep exposure within TLV.

Hand-tools: If asbestos fibers are released, tools must have local exhaust ventilation systems.

Work practices: Wet methods for handling asbestos shall be used wherever possible to keep dust down.

Removal of asbestos: Asbestos must be wetted or enclosed before being removed from containers; impermeable, sealed containers shall be used to dispose of asbestos fibers.

Respirators: An employee who cannot wear a respirator for medical reasons must be transferred to another job without loss of pay.

Hygiene facilities: Special clothing, change rooms and clothes lockers must be provided.

Interested persons are urged to submit comments on any or all parts of the proposed standards on or before April 9, 1976.

Send 4 copies of your comments to:

Docket Officer, Docket H-033, U.S. Department of Labor, Room N-3620, 200 Constitution Ave. N.W., Washington, D.C. 20210. Telephone (202) 523-8076. Written submissions must clearly identify the provisions of the proposal addressed and the position taken with respect to each such provision.

Important Decision on Medical Exams for Asbestos Workers

The current OSHA standard for asbestos requires that medical examinations be provided for all workers who are "exposed to airborne concentrations of asbestos fibers." Many employers have interpreted this phrase to mean that they must provide examinations only when the levels of asbestos

exceed the allowable exposure level, 5 fibers per cubic centimeter. In California the Division of Industrial Safety requires that medical exams be provided for anyone exposed to asbestos in excess of one fiber per cubic centimeter.

The Occupational Safety and Health Review Commission in Washington,

D.C. ruled in November, 1975 that ALL employees exposed to asbestos—regardless of the level—must be provided with the medical exams required by the standard. This means that brake mechanics, linoleum and tile setters, and many other groups of workers exposed to low levels of asbestos on their jobs should be provided annual medical examinations by their employers.

DOCTOR'S CORNER

Dear Doc:

Donald Whorton, M.D.

I am a worker at a plating company. One day at work I was overcome by perchlorethylene vapors and fell from a six-foot platform, hitting my head and neck. I was told my liver was not damaged; however, I continue to have loss of smell, taste, and hearing as well as a numbness and weakness in my left arm and hand. Also, I have a dull aching pain in the back of my neck which travels to my left shoulder. Do you think the problems I am still experiencing could be due to the perchlorethylene exposure, or might they be caused by the fall?

In this situation the worker, because he was rendered unconscious by the effects of a chemical pollutant in the work environment, fell six feet over some sort of ledge or platform, striking his head and neck. Now, he has some long-term nervous system problems. The question is what was or is the cause of these problems.

This example illustrates how health problems may be inseparable from traditional safety problems. Had the worker not been overcome, he would not have fallen or injured his head and neck. To determine cause and effect, perhaps we should review the health effects of perchlorethylene. Perchlorethylene (also referred to as tetrachloroethylene) is widely used as a solvent in dry cleaning industry and degreasing operations. It is a liquid that vaporizes readily, especially when heated. The OSHA standard for perchlorethylene vapors is 100 ppm averaged over an eight-hour period.

This chemical affects the body in two general ways—superficial or irritant effects and general or systemic effects. Perchlorethylene irritates the lining of the eyes, mouth, nose, and throat. This means that it causes discomfort or burning of the eyes, nose, etc. Irritation can occur at levels just above the standard.

The chemical affects the brain and nervous system as well as the liver and kidneys. It affects the brain much the same as alcohol. The earliest effects are similar to feeling high. Greater amounts can cause the worker to become giddy, dizzy, light-headed, con-



fused, and uncoordinated. This state can progress to stupor, unconsciousness, and even death. (275–1100 ppm can produce stupor and unconsciousness. Some degree of persistent brain or nervous system damage could result from sufficiently long and concentrated exposure to the chemical.) There are tragic situations in which death resulted from the use of inadequately aired sleeping bags containing perchlorethylene vapors.

The liver is one organ of the body often injured by perchlorethylene. The method often used to assess the status of the liver is a series of laboratory blood tests. One important factor in predicting potential liver damage is to consider its condition prior to exposure. In this case, the worker was told that no liver damage had occurred. The kidneys can also be affected by chemicals such as perchlorethylene; both blood and urine tests should be performed to determine any damage.

My impression of this situation is that the complaints of this worker are probably due to damage to the brain and neck from the fall. Most of the left arm problems and the traveling (neck to shoulder) pain are most likely caused by damage to nerves going from the neck to the arm. It is also possible that the worker suffered a brain contusion (bruise) as a result of the fall. The loss of smell and taste are probably more related to the fall than the chemical. The loss of hearing may be related to long-term exposure to noise rather than either the fall or the chemical. This is an excellent illustration of the difficulty in attempting to artificially separate safety hazards from health hazards in the workplace.

Requests for information on your work problems should be addressed to: Dr. Donald Whorton, LOHP, 2521 Channing Way, Berkeley, CA 94720.

Kepone Producer To Get Hearing

Richmond, VA (AP)—The Occupational Safety and Health Administration (OSHA) has begun hearings on whether the defunct Life Science Products Co., Inc., the producer of Kepone (roach and fire ant pesticide) should be fined \$16,500 for allegedly violating federal health and safety regulations.

Nineteen former Life Science employees are among the witnesses scheduled to appear at the OSHA hearing. The hearing was scheduled after the OSHA fines proposed in mid-August

Continued on page 8

HEALTH HAZARD ALERT

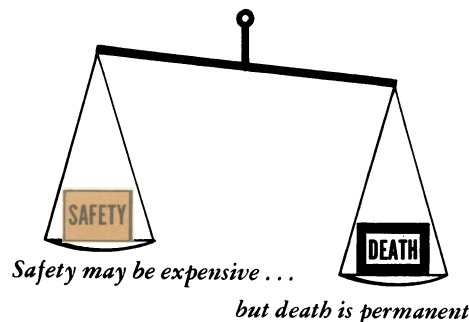
Toxic Effects of Sodium Hydroxide

Sodium hydroxide, also called caustic soda, soda lye, or white caustic, is produced commercially by electrolysis (decomposing a chemical compound by electrical current) of a sodium chloride solution, or from lime and soda ash. The National Institute for Occupational Safety and Health (NIOSH) estimates that 150,000 workers are potentially exposed to the alkali. It is used in the manufacture of rayon, mercerized cotton, soap, paper, aluminum, petroleum, chemicals, and dye-stuffs. It is also used in chemical industries, in metal cleaning, electrolytic extraction of zinc, tin plating, oxide coating, laundering, and bleaching.

Local contact of sodium hydroxide with eyes, skin, and the digestive tract has resulted in extensive damage to tissues, with resultant blindness, burns, and perforations of the digestive tract. During the tissue regeneration process in the digestive tract, some cancers have developed.

On September 16, 1975, NIOSH transmitted a criteria document to the Department of Labor which recommends a ceiling concentration of 2.0 milligrams sodium hydroxide per cubic meter of air, as determined by a sampling period of 15 minutes. Thus high excursion levels would be avoided. The present federal standard is 2.0 milligrams per cubic meter as an 8-hour time-weighted average concentration.

NIOSH also recommends that workers exposed to sodium hydroxide have comprehensive preplacement medical examinations. Additionally, medical examinations should be made available in the event of eye, face, and skin contact with sodium hydroxide. Engineering controls should be used wherever feasible to maintain airborne sodium hydroxide at concentrations below the prescribed limit, and respirators should be used only in certain nonroutine or emergency situations.



HEALTH AND SAFETY CONFERENCE (cont'd)

ample, the steel workers successfully negotiated for the employer to pay for steel-toed shoes and prescription safety glasses. Neither was specifically prescribed by law.

The bargaining table can also be used to: 1) Provide protections for members who refuse to work under unsafe conditions; 2) Prevent companies from using physical examinations to weed out employees or transfer those with health problems, reducing pay and seniority; 3) Require employers to regularly report illnesses, deaths, and accidents to the union; 4) Require provisions for health and safety training for employees; and 5) Require health problems such as noise to be engineered out of machinery.

Some memberships are now beginning to sue their unions for inadequately bargaining health and safety issues. Unions should avoid agreeing with management not to negotiate health and safety issues. In 9 cases out of 10 such an agreement ties labor's hands.

Employee Rights and Responsibilities

Led by Andrea Hricko and Morris Davis of LOHP with discussant Tony Wilkinson from ILWU Local 6, this session highlighted the background of federal legislation and employees' rights under Cal/OSHA:



Andrea Hricko and Morris Davis explain Cal/OSHA provisions.

1) RIGHT TO INFORMATION. Employees have the right to be notified in writing if exposed to toxic materials which exceed levels prescribed by Cal/OSHA regulations. The employer is also obligated to inform the worker of protective measures taken to assure future safety.

2) COMPLAINT FILING. Documenting complaints and including specifics are important ways to insure the DIS acts quickly. Complaints should: identify the problem; specify whether it's a

health or safety problem; locate the problem; and identify symptoms or how many have already been injured.

3) DISCRIMINATION COMPLAINTS. Workers have a right to file a complaint with the Labor Standards Enforcement Division if they feel they have been discriminated against as a result of exercising their Cal/OSHA rights. The complaint form must contain sufficient documentation to enable the hearing officer to understand the facts and sequence of events. Participation in a discrimination complaint hearing can be a long drawn-out process. The employee should be accompanied by a representative (health and safety committee member and/or counsel) to cross-examine witnesses, present the case, and record the conduct of the hearing process. Currently, employees lose about 50% of their cases. Part of the problem is that by keeping the hearing process "informal," evidence criteria have never been clearly established. In appropriate cases, employees should be prepared to appeal negative decisions by filing a Complaint Against the State Program Administration (CASPA) with Federal OSHA.

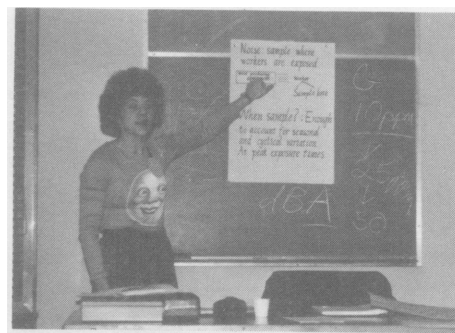
4) INVOLVEMENT IN STANDARDS SETTING. Workers should have copies of the DIS General Industry Safety Orders. Workers can petition Cal/OSHA for new standards, and submit information relevant to proposed standards and testify at standards hearings. However, such involvement requires time off to participate (perhaps negotiable as part of contract language). Workers should request that public hearings on proposed standards be scheduled at times other than regular working hours to insure broader participation.

Monitoring the Workplace

Led by Janet Bertinuson, LOHP, with discussant Ken Fox from ILWU 34, this session discussed how to evaluate the workplace environment.

After setting up a Health and Safety Committee, members should walk through the worksite gathering information and pinpointing potential hazards. They should note: (1) whether a work process is isolated or close to other processes; (2) how many workers are involved; (3) the substances used in and materials manufactured by each process; (4) ventilation systems and outlets; and (5) physical hazards—noise, heat, cold, radiation.

The best monitoring procedures cover the same time period as the stan-



Janet Bertinuson answers question on noise monitoring.

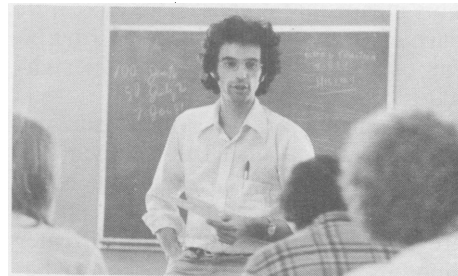
dard. Always try to sample contaminants and noise at the point of exposure. The best air contaminant sample is taken from a sampler carried on the person for eight hours. The further away from continuous eight-hour samples, the less representative your findings will be unless contamination is always constant.

The standards are merely guides. The threshold limit values are based on the best currently available information. There is very little research on most substances used in the workplace. Also, in conflict with the OSH Act's requirement that all workers' health be protected, most threshold limit values allow an "acceptable" number of workers to become ill. For example, 20–22% of those consistently exposed to the current noise standard (90 dB) will suffer hearing loss. Standards hearings are open to the public. Organized labor can attend, present testimony, and submit written opinions. Register with the Standards Board to receive hearing notification.

Purchase monitoring equipment after evaluating: your needs; the equipment's accuracy (check with the State Health Dept. or NIOSH); the equipment's cost; and the equipment's utility—how portable, how easy to calibrate and where, how often needing calibration.

Evaluating the Membership's Health

This workshop was led by Don Whorton, M.D., with Rex Cook from OCAW Local 1-5 as discussant. The session provided information about con-



Medical screening procedures were discussed by Donald Whorton.

cepts, pitfalls, problems, and controversies of occupational health screening.

Unions considering health screening programs should first evaluate the potential hazards at their workplace and then seek answers to the following questions: 1) are the tests appropriate for the potential job-related diseases, 2) is the person performing the tests qualified, 3) will the test results be specific to the problem or only general, and 4) how will the individual be told the results of the tests. After setting up a program, you should consider who will have access to the results—the union and/or the individual.

The medical record belongs to the examined individual even when the employer has paid for both the testing and evaluations. Individuals may request test results directly from the testing physician or have their private physician request these results.

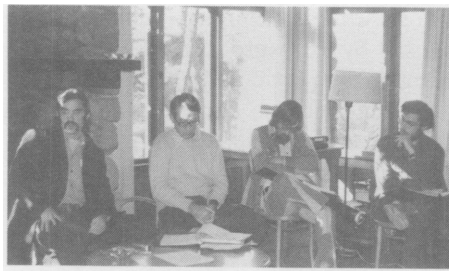
The significance and use of most common testing methods discussed included: blood test of various types, x-rays, spiogram for lung function, urine tests, electrocardiogram for heart evaluation, cytology testing for cancer detection and audiogram for hearing loss. High blood pressure should be checked in any screening program. Workers should be aware of poor screening practices, such as pre-employment back x-rays. There is little scientific information that this procedure does anything except expose individuals to excessive radiation. Another example—using urine tests instead of more reliable blood tests to detect lead exposure.

Rex Cook discussed Local 1-5's screening program and the pitfalls experienced by local unions developing their own programs. He emphasized the membership's fear that the test results could be used in a discriminatory manner unless kept from employers.

Workers' Compensation

This session, led by Bruce Poyer of the Labor Center with discussant Dan Berman, Ph.D. from Boston University and author of *Death on the Job*. Workers' Compensation provides little employer incentive to clean up the workplace. Employers pay only 1% of their payrolls for Workers' Compensation claims—except the logging industry which pays 25–30%. Workers' Compensation claims are paid by outside insurance companies not employers.

Compared to malpractice suits which may run into the millions in cases of



Bruce Poyer and Dan Berman conduct workers' compensation session.

death, Workers' Compensation pays only \$40,000 maximum disability. Claimants are forced onto the welfare rolls. In addition, the onus is on the employee-claimant to prove the injury or illness arose "out of and in the course of employment." Occupational disease, accounting for only 1% of all Workers' Compensation claims, is inadequately provided for by the Workers' Compensation system.

The new California requirement that the state program vocational rehabilitation be long-term doesn't change the low maximum benefits. Also, a second new provision that claimants can now choose their own physicians, while a distinct gain, is still offset by the few physicians trained in occupational medicine.

Under proposal now, federalization of the Workers' Compensation system offers some improvements—the possibility of federal taxation as an alternative to third-party insurance companies and their profits (40% per claim), more effective and equitable coverage from state to state, and transferring the burden of proof to employers, who would be required to demonstrate they abided by all possible controls.

However, the system would be greatly improved if workers had the right to sue without losing their Workers' Compensation benefits where intentional negligence can be proved. As the law now stands, workers may not sue their direct employers. One 58-year-old, severely disabled asbestos worker won a \$350,000 malpractice suit against the physician-consultant for withholding health records in addition to a Workers' Compensation claim. This worker was lucky. Had the physician been on company payroll the workers' only recourse would have been Workers' Compensation with its limited benefits.

OTHER CONFERENCE EVENTS

On the second night Cal/OSHA and OSHA representatives discussed the status of Cal/OSHA. Panelists were: recent Cal/OSHA appointees, DIS

Deputy Chief Mike Schneider; DOH Chief of Occupational Health Section David Parkinson, M.D.; Hamilton Fairburn, Federal OSHA Associate Regional Director; and Ken Larson, Federal OSHA Labor Liaison.

At the Conference's closing session, Eric Frumin, a member of the research department of the Textile Workers Union of America, described the union's efforts to improve the cotton dust standard. He encouraged conference participants to support the North Carolina textile workers' efforts to obtain representation.

Finally, establishment of a rank-and-file organization, the California Labor Association for Safety and Health (CLASH) was proposed by conference attendees. Its purpose—to inform rank and filers about job health and safety matters and take public positions on the issues.

To plan CLASH organizational efforts, conference participants appointed an ad hoc steering committee—Barry Barr, UAW; Cliff Haskell, Sacramento Fire Fighters; Rich Jackson, IAM; John Burke, UTU; and Dave Reese, IBEW.



CLASH ad hoc steering committee appointees.

CLASH plans to: 1) conduct low-cost, one-day job health and safety seminars for local union members in which participants could develop positions; 2) express positions by: press conferences and releases; position papers sent to public agencies including OSHA; testimony at public hearings; lobbying; and screening proposed public agency appointments.

The conference ended with a general critique by participants. Suggestions ranged from having such a conference spread over a one-week period to conducting more intensive sessions for specific trades. All LOHP members were encouraged by the interest and enthusiasm shown. We thank all health and safety committee representatives and conference guests for making this a rewarding and successful conference.



Textile Union Sues For Strict Cotton Dust Standard

Washington, D.C.—The AFL-CIO Textile Workers' Union of America and the North Carolina Public Interest Research Group have filed a joint suit to compel the Secretary of Labor to provide textile workers with better protection against the hazards of cotton dust.

The action was filed in the U.S. District Court for the District of Columbia. It requested the Court to issue an order directing the Secretary to begin without further delay formal proceedings for the establishment of more effective cotton dust standards and to grant any further relief that may be proven just and proper. It also asks the Court to award the plaintiffs reimbursement for the cost of their legal action.

Sol Stetin, TWUA general president, said the Department of Labor repeatedly excused its failure to act on the claim that it was waiting for NIOSH to compile a criteria document on cotton dust. Actually, Stetin charged, the delay was a political favor from the Nixon Administration to textile manufacturers for their support in the 1972 Presidential election campaign.

No Action After 16 Months

The NIOSH criteria document was finally completed in September, 1974, and a formal petition for modification of the cotton dust standard was filed by TWUA on January 13, 1975. Thus 16 months had elapsed since the NIOSH findings and 12 months have also gone by since the union's petition was originally filed. The TWUA president called the delay "deliberate and unconscionable." As a result, thousands of textile workers are being added to the ranks of the disabled and unemployed.

The North Carolina Public Interest Group estimates that the textile industry has 800,000 potential cases of bys-

sinosis, the crippling lung disease caused by exposure to cotton dust. The dangers are particularly severe in North Carolina because approximately one-third of the nation's textile workers are located in that state. North Carolina state health officials concede that 15,000 active textile workers in the state are victims of byssinosis, or "brown lung" as the disease is commonly known. This estimate does not include retired and former textile workers, who are often the most seriously affected.

Former Apprentice Wins \$4.7 Million In Injury Suit

Los Angeles—Richard Rodriguez, a 27-year-old former apprentice sprinkler fitter, was recently awarded over \$4.7 million by a Superior Court jury for injuries resulting from an industrial accident. In 1970 Rodriguez was paralyzed from the chest down, when a 630-pound pipe fell on him. The award is the largest court verdict ever granted in California for an on-the-job injury.

The verdict includes \$4,235,996 for Rodriguez's lost lifetime earnings, medical bills, round-the-clock care, special therapy, pain and suffering and humiliation. It also includes \$500,000 damages to Mrs. Rodriguez for loss of sexual relations with her husband and loss of the ability to conceive offspring.

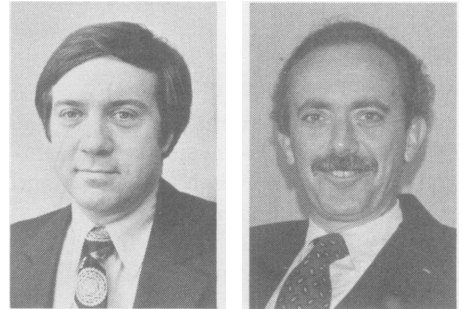
The key factor in the case was the question of responsibility for an improperly cut angle iron or brace that permitted the pipe to fall. Since the workers' compensation laws prohibited Rodriguez from suing his own employer, a third party negligence suit was instituted against Norman Engineering Co. and Bethlehem Steel Corp. The jury found that Norman Engineering Co. was liable as the general contractor that constructed the building where the accident occurred. Bethlehem Steel was found liable based on the fact that they were primarily responsible for the improperly cut angle iron.

New DIS Officials Appointed

Arthur R. Carter, secretary-treasurer of the Contra Costa Central Labor Council (AFL-CIO), has been appointed chief of the State Division of Industrial Safety by Governor Edmund G. Brown, Jr.

Carter, 34, has held his post with the Contra Costa Central Labor Council, with headquarters in Martinez, since January 1, 1968. He succeeds David Chambers, who resigned to accept appointment by Governor Brown

to the State Youth Authority Board. Carter is a political science graduate of Sacramento State College. He was a business representative for the Hospital Workers Local 250 of the Service Employees International Union (AFL-CIO) in San Francisco from 1965 through 1967. He has been active in a number of civic organizations in the Richmond and Martinez areas and was a member of the Contra Costa County Grand Jury in 1971.



Arthur R. Carter Michael M. Schneider

Governor Brown also appointed Michael M. Schneider to the post of deputy chief of Industrial Safety, in the State Department of Industrial Relations. This is a new position with expanded "line authority" stemming from a realignment of the division's top management, said Donald Vial, the director of Industrial Relations. Schneider, 47, has been a labor-management liaison official in the division since last fall. Before that, Schneider, an electrician by trade, was a staff planner in economic development and manpower training in the San Francisco mayor's office.

Vial said the new deputy chief's position will focus greater management responsibility on the coordination and use of professional resources in the division to work toward reduction of the number of accidents, deaths, and disease in high-risk industries and occupations.

Labor Representatives Appointed To Cal-OSHA Boards

Two labor representatives were recently appointed by Governor Edmund G. Brown, Jr., to positions on the Cal-OSHA Standards and Appeals Boards.

Harold Dean Mitchell has been appointed as chairperson of the California Occupational Safety and Health Appeals Board. Mitchell served as an organizer for Local 509 of the United Auto Workers prior to his appointment to a four-year term on the Board last November. He had also served as chair-

person of the union's health and safety committee and was active in worker health and safety education programs.

The Cal-OSHA Appeals Board is a quasi-judicial body empowered to settle disputes arising from citations and notices issued for violations of state job safety and health regulations.

H. Jerry Martin has been appointed a member of the California Occupational Safety and Health Standards Board. Martin is an official of Local 3 of the International Union of Operating Engineers in San Francisco. He is also director of safety and training for the union.

The Cal-OSHA Standards Board is primarily responsible for adopting health and safety standards and conducting hearings on requests for permanent variances.

Nader Calls Cancer a 'Corporate' Disease

Consumer advocate Ralph Nader says cancer should no longer be considered a strictly medical disease but should instead be called "corporate cancer." Speaking at a recent meeting sponsored by the Congressional Environmental Study Conference, Nader said that if 80% of cancers are environmentally caused, then the majority are caused by the products of business and industry.

He stated that the public should think of cancer as "corporate cancer, caused by carcinogens traceable to pesticides and other chemicals produced by corporations and allowed to enter the air, land and water throughout the country and the world."

"We are clearly entering what historians of the future may call the carcinogenic century," he said. Nader advocated that new chemicals and pesti-

cides should be tested before being put on the market, rather than after. He also called for standards of accountability for civil servants who are charged with enforcing environmental laws and regulations, and a redirection of federal research funds from what he said was a concentration on "noncontroversial research." *United Press International*



Fire Fighters Release Death and Injury Survey

Fire fighting continues to be the most dangerous occupation in the United States, with 84 fire fighters per 100,000 losing their lives on the job during 1974, according to the latest survey of the International Association of Fire Fighters (IAFF).

The fire fighting on-the-job death rate compares with 71 per 100,000 for mining, next highest category, and 51 per 100,000 for police. The 1974 figure for fire fighters is 23 percent higher than the 1973 rate. Other significant findings included:

- Occupational disease forced 604 fire fighters to change occupations or

retire during the year. Of these, 371 had heart disease and 110 had lung disease.

- Occupational diseases claimed the lives of 111 fire fighters during the year, 79 percent of them from lung disease.

- Fire fighters had 47.3 job injuries per 100 workers during the year—nearly a 50 percent chance of being injured. A total of 523 job-related injuries forced men into retirement.

The IAFF said that over the past 10 years, fire fighters have suffered an average of 86 deaths per 100,000 each year, compared to 55 per 100,000 for police. IAFF President William H. McClennan, commenting on the survey, stated "somehow, we must turn this awful death rate in a downward direction. How can we persuade public officials that in the dangerous fire service, a cut in manpower is an invitation to death . . . that economy in dollars often means extravagance in the waste of human life?"

First Woman Coal Miner Is Killed

Sherry LaGace, 31, became the first woman coal miner to be killed by an on-the-job accident when she died December 26, 1975. LaGace was crushed in an October 25 accident while operating a wheel tractor scraper at a non-union strip mine owned by Hol-Acc Corp. in Pike County, Kentucky.

According to officials of the U.S. Mining Enforcement and Safety Administration (MESA), the machine turned over on LaGace after an engine stalled while traveling upgrade. The machine was not equipped with a roll-over protection device that apparently could have saved her life. She died two months later from the injuries suffered in the accident. —*UMW Journal*

Published monthly by the Labor Occupational Health Program, Institute of Industrial Relations, University of California, 2521 Channing Way, Berkeley, California 94720. (415) 642-5507

STAFF ASSOCIATES

Morris Davis, *Editor*

Janet Bertinuson

Andrea Hricko

Gene Darling

Lydia Vrsalovic

Bob Fowler

Sidney Weinstein

Donald Whorton, *Director*

Annual subscription rates: Organizations and Institutions — \$10.00, Individuals — \$3.00. Quantity shipments are also available to union locals or other groups at a cost of 5¢ per copy per issue, with an annual subscription.

Please enter a subscription to the
Labor Occupational Health Program **MONITOR**.

Check one: ☐ Organizational (\$10.00), ☐ Individual (\$3.00).

Quantity shipment of _____ copies per issue (5¢ per copy with annual subscription.)

Name _____

Organization (if any) _____

Address _____

City _____

State _____

Zip _____

☐ Please bill me Make checks payable to: Regents of U.C.

CLEARINGHOUSE

Workers' Compensation Seminar for Beginners

On March 6, 1976, the National Lawyers' Guild will conduct a one-day Workers' Compensation seminar at Golden Gate Law School (536 Mission St., San Francisco, Calif.). The purpose of the seminar will be to assist participants in understanding the Workers' Compensation laws and to discuss how to go about obtaining the maximum benefits for workers. This seminar will be presented for the beginning and less experienced workers' representatives. Topics will include: (1) short history of Workers' Compensation; (2) outline of the law and initial interview; (3) working up the case; (4) preparation for the hearing; and (5) relationship of Workers' Compensation to health and safety.

Registration fees are: \$5.00 (students and unemployed); \$15.00 (non-student Guild members); and \$25.00 (for all others). Fee includes printed materials of a sample Workers' Compensation case file, outlines of procedures, checklists, bibliography and other useful information. These packets may be ordered separately for \$5.00. For further information, contact the National Lawyers' Guild at 558 Capp St., San Francisco 94110 or call (415) 285-5066.

Health and Safety Training at Ohio State

The Hazard Recognition Program at Ohio State University is designed for workers who are not only interested in health and safety issues, but are also responsible for helping to solve many of the problems. This free program provides basic information and skills needed to recognize, evaluate and correct workplace hazards.

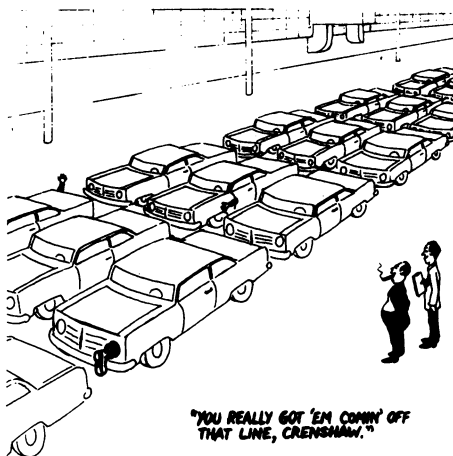
The Hazard Recognition Program is divided into three separate courses: Oc-

cupational Health, Construction Safety, and Industrial Safety. The courses are flexible and designed to accommodate workers' schedules. A certificate is awarded by Ohio State University after completion of any one of the three courses.

For further details about the program or information about enrolling in a course, write the Labor Education and Research Service, Ohio State University, 1810 College Road, Columbus, Ohio 43211.

BACOSH Launches Newsletter

The Bay Area Committee for Occupational Safety and Health has begun publication of a newsletter entitled "The Risk Factor." The newsletter is published every other month and will contain information about hazards faced by people working in the Bay Area and by which these hazards can be eliminated. The Risk Factor will be running articles on noise, carbon monoxide, state and federal OSHA laws, testing devices, ventilation, and collective bargaining strategy. Annual subscriptions are \$3.00. Mail payment to: BACOSH, P.O. Box 24774, Oakland, CA 94623.



Paint Remover Ingredient Causes Death

Two researchers at the Medical College of Wisconsin assert that in at least three Milwaukee areas, men died of heart attacks after using paint and varnish removers containing a common ingredient, methylene chloride.

The researchers' report, in the Journal of the American Medical Association, that methylene chloride converts to an excessive concentration of carbon monoxide in the blood, thus robbing the heart of oxygen. They said the Federal Government had done nothing to require adequate warning labels on the products.

Associated Press

KEPONE HEARING (cont'd)

were contested by the co-owners of the small Hopewell, Va. firm.

Among other things, OSHA accused Life Science officials of failing to provide employees with proper protective clothing or a "place of employment which was free from recognized hazards that were causing or were likely to cause death or serious physical harm."

Twenty-eight workers were poisoned by the roach and fire ant killer made at the Life Sciences Products Co. under contract to Allied Chemical, which developed the pesticide in 1951. The workers suffered from such symptoms as tremors, loss of memory, slurred speech, weight loss and liver and brain damage. They have filed a suit against Allied Chemical and other for \$29.1 million dollars damages.

**Institute of Industrial Relations,
University of California
Center for Labor Research and Education**

2521 Channing Way
Berkeley, CA 94720

Address Correction Requested

Nonprofit Org.
U.S. Postage
PAID
Berkeley, Calif.
Permit No. 1