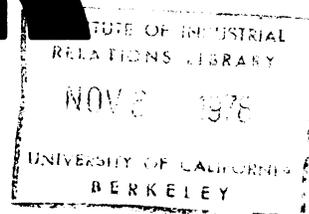


MONITOR

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WOMEN'S HEALTH AND SAFETY CONFERENCE DRAWS 175



Participants during the morning "speak-out" described hazards of their jobs and questioned the lack of good studies on hazards for women workers, particularly those in offices. (Photo: Kate Pernish.)

Some 175 trade unionists from throughout California took part in a health and safety conference for working women on February 18. The conference, held at the Senator Hotel in Sacramento, was co-sponsored by the California Labor Federation, AFL-CIO, and the Labor Occupational Health Program. It was the first state AFL-CIO conference in the country devoted to on-the-job health problems facing women workers.

The conference participants, mostly women, included office and professional employees, communication workers, electrical workers, teachers, retail clerks, glass blowers, machinists, and numerous other occupational groups. Some came as business agents or representatives of local unions or as delegates from Central Labor Councils. Others were rank and file women sent by their local unions as delegates.

The conference was designed primarily to stimulate more interest and awareness of occupational health and safety problems affecting women, and to provide information on how to detect and correct hazards.

Several reasons prompted holding a special conference focusing on the needs of women workers. First, few people realize

that typical jobs into which women are channeled (e.g., nursing, hairstyling, and clerical work) can have serious hazards. Second, women are beginning to move into traditionally male-dominated jobs that have often not been studied for hazards. Finally, some companies have started refusing to let fertile women work with certain toxic substances; as a result, restrictions are being placed on their employment opportunities. (See box, p. 6.)

WOMEN AND LABOR

John F. Henning, Executive Secretary-Treasurer of the California Labor Federation, opened the conference by stating that organized labor needs the potential strength of women in the trade union movement if it is to succeed in breaking "new paths of social progress" in the future. "Women now form a greater and greater percentage of the labor force. It was 33 percent 10 years ago; 40 percent now. White collar workers dominate the labor force. . . This leaves us with the challenge of bringing the message of unionism to those who have historically not been within the fold of its meaning:

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Over 175 union delegates from throughout the state came to the full-day health and safety conference for working women co-sponsored by LOHP and the California AFL-CIO. (Photo: Kate Pernish.)



San Jose Mayor Janet Gray Hayes speaks of the discrepancies between wages earned by men and women, as Kathleen Kinnick and John Henning of the California Labor Federation listen. (Photo: Kate Pernish.)

OSHA TAKES ACTION ON WORKERS' RIGHT TO KNOW

In late 1977, federal OSHA proposed a long-awaited draft standard on chemical labeling, also known as the "right to know" standard. The draft has been circulated among public interest groups, labor organizations, and manufacturers' associations for comment, and a permanent standard or set of standards should soon be issued.

Until now there has been no standard (or proposed standard) specifically relating to a worker's right to know what chemicals she or he is exposed to on the job. Yet millions of working people are exposed to chemical substances which often appear in the workplace either unlabeled or marked with a useless company code. Breaking the code is necessary if workers are to know the dangers of their exposures and how to protect themselves against possible disease. All too often, workers have been exposed to dangerous chemicals (kepone, asbestos, vinyl chloride, DBCP, etc.) without being told of the hazards, and have paid the price of overexposure in disease, disability, and death.

Although there are other ways for workers to obtain information on the contents and hazards of substances with which they work (see "How to Crack the Company's Code", opposite), the OSHA standard should provide an additional avenue for tracking down the actual chemical names of substances and the effects of chemicals on the body, both short and long term.

The labeling standard actually covers more than the labeling of chemical containers. It is broken down into five main sec-

tions: chemical lists; labeling; substance data sheets; employee education and training; and access to records. The table below highlights parts of each major section of the draft standard.

COMMENT

As expected, such a broad and detailed proposed rule brought a great deal of comment. The Manufacturing Chemists' Association (MCA) called the draft "too broad" and "unworkable." MCA also indicated in its comments that the draft ignores existing industrial practices and fails to give attention to *the question of trade secrets!* (Actually, the draft standard *does* give attention to trade secrets, basically saying that employees have the right to know actual chemical composition of a substance, whether or not it is a trade secret. The OSHA standard would eliminate the ploy of saying contents are a "trade secret" to prevent workers from learning what they are exposed to. For MCA, then, it is more the manner in which OSHA has addressed the question of trade secrets than their failure to do so which is the problem).

Comments from Public Citizen's Health Research Group (HRG) addressed the substance data sheets and availability of information to employees. Although all chemicals must be listed and labeled, only known hazardous or toxic chemicals are required to have data sheets prepared, according to the draft. HRG responded that *all* chemicals should be included on the data sheets.



—PHILAPOSH

If a chemical has not been tested, the data sheet should indicate that no data are available, and employees should assume the chemical is "hazardous until further notified," HRG asserted.

In various sections, the draft states that employers must post or make available to employees certain types of information. HRG contends that "employees under no circumstances should have to ask to see this information." Rather, HRG believes that the information should be posted and/or given directly to affected employees or their representatives.

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OSHA'S LABELING PROPOSAL—WHAT IT SAYS

These are the key provisions of federal OSHA's draft proposal for a chemical labeling standard. For more information, see the article above.

CHEMICAL LISTS

- For each work area, lists of chemical names of hazardous and toxic substances, cross-referenced with common names, should be posted or available for employee inspection.

LABELING

- Containers should be marked prominently with common and chemical names.
- Exposure hazards, symptoms of exposure or overexposure, emergency treatment, and precautions for safe use and exposure should be displayed on the label.

HAZARDOUS SUBSTANCE DATA SHEETS

- Each employer should obtain or develop a sheet for each hazardous or toxic substance.
- The sheet should include common and chemical names, description, hazards, emergency procedures, handling precautions, engineering and personal protective measures, procedures for cleanup of spills, and references to source material used to develop the list.
- Data sheets should be posted or otherwise made available to workers.

EMPLOYEE EDUCATION AND TRAINING

- Employers must institute training pro-

grams for employees normally exposed to chemicals.

- Training must include location, properties, and health effects of chemicals used; precautions for handling; purpose, proper use, and limitations of personal protective equipment such as respirators.
- Training must include the location of chemical lists and data sheets.
- Training must include the contents of the standard.

EMPLOYEE ACCESS TO RECORDS

- Monitoring data and medical records should be made available to any affected employee, former employee, designated physician, or representative, upon request.

HOW TO CRACK THE COMPANY'S CODE

Obtaining information about chemicals that workers face on the job remains one of the biggest problems of health and safety. Too often the very names of chemicals are withheld from workers. The smoke-screen of "trade secrets" is often used to hide facts about potentially dangerous chemicals in the plant.

A responsible management will have a list of chemicals used in the plant with a Hazardous Materials Data Sheet on each chemical which lists the ingredients by chemical name, health effects, possible symptoms, safe handling procedures, engineering controls, personal protective equipment, and emergency treatment procedures.

This information should be available to any worker upon request and should be the basis for safety training sessions for all exposed workers.

USE THE CONTRACT

Many contracts specifically require the company to provide information on chemicals to the union. Some local unions use the grievance procedure or strike action to enforce this section of the contract.

In cases where the contract contains no specific language on providing chemical names and where management refuses to provide this information, alternative routes are open to the local union.

WRITE THE VENDOR

Take the product name, code number, manufacturer's name and address, and the warning label (if any) from the chemical container. Write this manufacturer, requesting the chemical names of the sub-

stances contained in his product. Some companies are very cooperative in sending a Hazardous Materials Data Safety Sheet on products.

REQUEST A NIOSH HEALTH HAZARD EVALUATION

The National Institute for Occupational Safety and Health may provide help if requested.

REQUEST HELP FROM OSHA

OSHA may also be contacted to investigate an occupational health complaint. The OSHA industrial hygienist may be helpful in trying to track down a chemical and its effects.

Under the OSHA legislation, workers have the right to information on chemicals including names, symptoms, and warnings. However, so far this part of the law has been interpreted to mean only those chemicals for which *new* standards have been specifically issued by OSHA. Unfortunately, OSHA has issued standards for only sixteen substances, such as asbestos and vinyl chloride. A proposed OSHA standard requiring the labeling of chemicals may help (see story opposite).

FILE A GRIEVANCE

The grievance procedure and arbitration may be useful in some situations. The success of the grievance will depend upon the specific provisions in the contract. Each contract should be evaluated individually.

In contracts where a Safety Committee has been established but no specific mention of chemical names has been made, it

could be argued that the union needs the information in order to fulfill the functions of the Safety Committee. In contracts without any specific safety provisions, it could be argued that the union needs the information to properly represent the workers and to fulfill its contract administration responsibilities.

Contracts may need to be revised to handle new occupational health problems from chemicals, dusts, and fumes.

USE THE NLRB

Send a letter to the company requesting specific chemical names—the generic names of all the chemical products in the plant plus the other relevant data mentioned above. Under the National Labor Relations Act, Section 8(a)(5), it is the employer's duty to bargain in good faith. This includes the duty to provide upon request information that is relevant and necessary to allow the union to bargain and represent workers intelligently and effectively with respect to wages, hours, and working conditions.

If the company refuses to provide the information requested, file an 8(a)(5) charge against the employer with the National Labor Relations Board.

INFORM THE MEMBERSHIP

Telling the workers that the company has refused to provide some information affecting their health may prove persuasive to management. In one local union the mere threat of putting out a handbill led the company to turn over the list of chemicals.

—From *UAW Occupational Safety and Health Newsletter*

RIGHT TO KNOW

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ECONOMIC IMPACT

Now that comments have been submitted, how long will it take for OSHA to issue a proposed permanent standard? With other proposed health standards, it has been OSHA's policy to review results from an economic impact study before the agency comes up with a proposed standard. The first such study on the draft labeling standard, conducted by the firm of Foster D. Snell, indicates that costs for compliance could run in the billions of dollars. Now, OSHA will wait for a second study which reviews these findings before a proposed permanent labeling standard is issued.

The "access to records" section of the

draft standard will not be as costly as the provisions on chemical labeling or data sheets, and will probably be issued soon by OSHA as a separate regulation.

REGIONAL HEARINGS?

When the proposed permanent standard is finally published, workers will have the opportunity to submit written comment and to testify at hearings. But in order for the maximum number of affected workers to testify, many groups believe that hearings should be held throughout the country, not just in Washington, D.C.

PHILAPOSH (the Philadelphia Area Committee on Occupational Safety and Health) has been conducting a nationwide effort to push for regional hearings.

After federal OSHA enacts a standard, states administering their own occupational

safety and health programs (such as California) have six months to enact a similar standard which is "at least as effective as" the OSHA standard. By requesting regional hearings and testifying on the federal standard, California workers will contribute to enactment of an effective federal standard as well as an effective state standard. In addition, participation in Cal/OSHA hearings might contribute to setting an even stricter labeling standard for California.

—Janet Bertinuson

To add your voice to those of other workers requesting local hearings on the federal OSHA chemical labeling standard, write to:

Dr. Eula Bingham
Assistant Secretary of Labor, OSHA
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20010

GRAIN ELEVATOR EXPLOSIONS PROMPT OSHA ALERT

In the aftermath of two fatal grain elevator explosions in Texas and Louisiana the last week of December, 1977, federal OSHA issued a Hazard Alert for grain storage facilities on January 6, 1978.

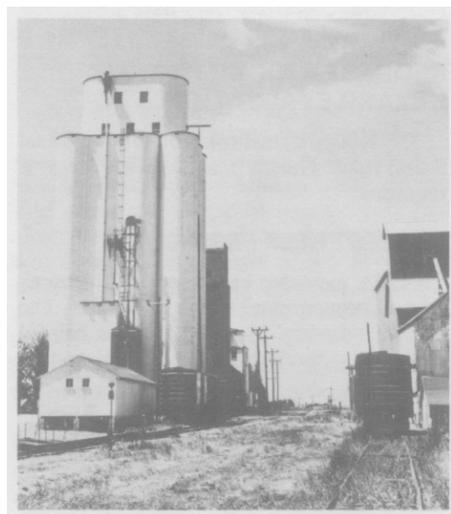
At a Washington press conference held to announce the Alert, Secretary of Labor Ray Marshall called upon the grain industry to follow new, strict guidelines "in order to prevent in 1978 the tragedies which closed out 1977."

Eighteen workers were killed and 21 others injured in the explosion of a grain elevator owned by Farmers Export Co. in Galveston, Texas on December 27. Thirty-six died in the explosion of a Continental Grain Co. elevator at Westwego, Louisiana the same week. Among those killed in the two explosions were 13 federal grain inspectors, who work full time in the elevators to oversee the weighing and grading of grain.

After the Galveston explosion, the Federal Grain Inspection Service made public a report citing past complaints of high dust levels and other unsafe conditions there. Later, on February 23, federal OSHA issued citations and proposed penalties totaling \$116,000 against Farmers Export Co. for eleven willful violations and six serious violations of job safety and health standards, including:

- Failure to use approved means of moving rail cars into and out of the car dump in such a way as to prevent sparks from wheels and couplers, and failure to use dust ignition proof locomotives with spark arrestors;
- Failure to prohibit smoking;
- Failure to require employees and subcontractors to obtain written permission before undertaking a welding or cutting job;
- Failure to clean up grain spills without delay, and failure to collect dust at all dust-producing locations;
- Failure to furnish fire alarm facilities, approved fire doors and proper fire exits; and
- Failure to provide non-sparking tools and equipment, and portable radios designed for use in hazardous locations.

Willful violations carry penalties of up to \$10,000 each, and serious violations penalties of up to \$1,000. In this case, OSHA is proposing the maximum penalties allowed by law.



REACTION TO BLASTS

In the last two years, there have been 26 major explosions in U.S. grain elevators. This rate of 13 per year is up from an annual rate of 8 per year for the previous 15 years. Grain elevators are huge storage buildings, typically over ten stories tall and hundreds of yards in length, containing large tubes or silos. Grain is moved down the tubes and loaded onto trains, barges, or ships. In the process, dense clouds of grain dust are created. Most authorities agree that this explosive dust, suspended in the air when humidity is low and exposed to a source of ignition, is the basic cause of disasters such as those in Texas and Louisiana.

In reaction to the Christmas week explosions:

- Insurance companies are reappraising or cancelling policies on some elevators;
- Federal and state enforcement authorities have stepped up inspections for fire safety: elevator owners in Houston and Beaumont, Texas were cited by local fire officials, and several elevators in the Twin Ports (Duluth-Superior) area of Minnesota and Wisconsin suspended operations for several days in early January to engage in full-time clean-up efforts after American Federation of Grain Millers Local 118 complained to Congressman David R. Obey (D-Wisconsin) and requested an OSHA inspection;
- The Agriculture Department issued its grain inspectors a set of guidelines allowing them to leave an elevator when conditions are hazardous (such as when humidity is less than 45% and a dust-

collection system is not working properly), and the inspectors' union, the American Federation of Government Employees, asked that they be deputized as OSHA inspectors for the elevators;

- Federal OSHA issued a Hazard Alert for the elevators, and in California, the Division of Industrial Safety, which administers the Cal/OSHA program, issued its own.

OSHA AND CAL/OSHA ALERTS

The federal OSHA Hazard Alert admits to the impossibility of systematic grain elevator inspections because of limited inspection resources.

The Alert stresses the need for a comprehensive maintenance program to assure that all equipment, mechanical and electrical, is kept in proper operating condition. It also focuses on the dangers of such hazards as open flames from lighters and matches; welding in dusty environments; slipping belts on bucket elevators; hot surfaces of electric light bulbs, appliances, bearings, and steam pipes; sparks from switches, generators, machinery, or hand tools; static electricity; welding, soldering, and cutting operations; and spontaneous combustion.

Emphasized in the Alert is the need for proper methods of assuring that grain dust is exhausted from the elevator environment and filtered, and the need to clean accumulations of grain dust.

Cal/OSHA's similar Hazard Alert was issued on December 29 by DIS Chief Art Carter. In a statement accompanying the California Alert, DIS Deputy Chief Michael Schneider drew a parallel between the grain elevator explosions and the explosion last summer at the Novoply plywood factory at Anderson, California. "Whether it's wood dust or flour dust or grain dust, the problem is the same," Schneider said. "Fine dust is highly combustible."

There has not been a major grain elevator explosion in California since 1958.

A popular theory among grain industry employers holds strict air pollution standards required by the Environmental Protection Agency responsible for high dust levels in the elevators. Industry spokespersons have claimed that pollution standards forced elevator operators to stop blowing dust into the outside air and instead to install filtered dust-control systems which retain most dust. Critics of the industry, however, claim that many of the filtered systems are poorly designed, improperly installed, and poorly maintained.

BLS Reports Occupational Injuries and Illnesses for 1976

One in every 11 workers in private industry experienced a work-related injury or illness in 1976, according to a recent survey report by the Bureau of Labor Statistics (U.S. Department of Labor).

The survey, based on reports submitted during 1977 by employers in the private sector, shows an increase in the number of injuries and illnesses from 4.99 million in 1975 to 5.16 million in 1976. This rise of approximately 3 percent was proportionate to the rise in hours worked. Therefore, the rate of 9.2 injuries and illnesses for every 100 full-time workers remains virtually unchanged since the 1975 report.

About 168,000 "recognized" occupational illnesses were estimated for 1976 compared with 164,000 for 1975—a 3 percent increase. Recognized illnesses accounted for only 3 percent of the total number of work-related injuries and illnesses. Of illnesses recognized as being occupationally related, skin diseases or disorders accounted

for 45 of every 100 recorded illnesses. However, skin-related diseases and disorders are more easily diagnosed than many other illnesses.

The recording and reporting of illnesses continues to present measurement problems, because unlike injuries, an occupational illness may develop over a period of weeks, months, or years. Identification of the original causes of many illnesses is even more difficult when workers leave jobs where they encountered hazardous exposures, and no system of following up on them has been established. Of equal significance is the fact that many workers are not informed about job-related hazards, and therefore many illnesses contracted at the work-site may not even be recognized.

OTHER SURVEY FINDINGS

- Work-related deaths declined by about 13 percent, from 5200 in 1975 to 4500 in 1976. Seven of the eight industry divisions (agriculture, forestry, and

fishing; mining; construction; transportation and public utilities; wholesale and retail trade; and finance, insurance, and real estate) reported no change or a decline in the number of deaths. The eighth category, "services" (which includes business, auto repair, health, education, and social), reported an increase of 200 deaths.

- About 32.5 million workdays were lost due to job-related injuries during 1976—up from 29.8 in 1975.
- Among high-risk industries, the largest change in the injury rates was the decline in the construction industry from 15.6 to 14.9 per 100 full-time workers. Two other industry categories (agriculture, forestry, and fishing and transportation and public utilities) reported increased rates—up from 9.7 to 10.2 and 9.2 to 9.6 respectively.

DOCTOR'S CORNER

by Donald Whorton, M.D.

Dear Doc:



I am an automotive machinist and work in a muffler installation shop. When cutting down exhaust systems, we use oxy-acetylene torches which often blow up a cloud of residual carbon dust from the old mufflers and pipes. Inevitably, we breathe a lot of the dust. I know that we have to take certain safety precautions during welding, but what about the carbon dust—will that harm our lungs?

Also, we spend about 95% of our time under the chassis of cars. Most vehicles are rusted and fine rust is dislodged when we're hammering on the exhaust system components. Is there much chance of our contracting "red lung" from inhaling rust that falls onto us?

Finally, all day long cars driving in and out of the shop and on and off hydraulic lifts emit exhaust gases in the shop. Is there any way to detect dangerous exposure levels or to know whether these gases are dangerous?

The first two potential hazards you questioned—carbon dust and rust—fortunately

are not believed to present very serious dangers. Carbon dust does not produce much reaction in the lung. Coal miners can develop a lung disease that is commonly called "black lung." Although coal dust is primarily carbon, the amount of dust that miners breathe and the length of time they breathe it is much greater than the exposure you are getting. With small, only occasional, exposures, I doubt that you would develop symptoms of disease.

Rust is iron oxide. Iron oxide dust can produce a condition of the lung called siderosis which can show up on x-rays. However, the iron particles just sit in the lungs and apparently do not cause any real damage or loss of lung function. Also, the dust particles in your case should be too large to reach the lungs, thus I would not expect any problems.

Fumes from the exhausts of cars in the shop can present several hazards: carbon monoxide, oxides of nitrogen, unburned hydrocarbons, and sulfuric acid, as well as hazards from fuel additives such as benzene or tetraethyl lead added to increase the octane rating. The oxides of nitrogen and unburned hydrocarbons act as irritants. They can cause your eyes to water, can make your nose, mouth, and throat sore, and can produce coughing.

Since the introduction of catalytic converters on cars, some automotive mechanics have complained of increased irritation. Studies show that the converters produce sulfuric acid vapors and sulfates. Repeated exposures to sulfuric acid mist could produce chronic bronchitis (long-lasting disease of the lungs characterized by cough and mucus production.)

Carbon monoxide is a colorless, odorless, tasteless gas which combines with hemoglobin in the red blood cells to effectively reduce the amount of oxygen carried by the blood. If you have problems with headaches and dizziness, you are exposed to too much carbon monoxide, from a medical viewpoint.

Lead and benzene are known to have a variety of serious health effects and it is very important to control exposures as much as possible.

To prevent harmful effects from any of these exhaust gases, adequate exhaust ventilation is necessary. A flexible hose attached to the auto exhaust pipe and vented outside should be used, along with supplemental ventilation if necessary. Concerned workers should ask their employers to monitor the air levels of all these contaminants to be sure that they do not exceed OSHA standards.

WOMEN'S CONFERENCE

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white collar workers, service employees, and women workers.”

Addressing the morning session, San Jose Mayor Janet Gray Hayes cited another reason for women to organize: in 1974 the median annual pay of women workers was under \$7000 while that of their male counterparts was over \$12,000. The need for women to organize was also raised by various other speakers during the day.

SPEAK-OUT

Workers had the opportunity to discuss their own on-the-job health problems during a “Speak-Out” session in the morning, as well as during afternoon workshops. Among the concerns mentioned by participants were the hazards office workers face (poor ventilation, copy machine fumes, office chemicals, inadequate lighting, use of video display terminals, and stress).

A typographer expressed concern about whether high noise levels can cause stress, even when they are not high enough to violate the Cal/OSHA standard. Another delegate said that contacting OSHA had not resulted in abating hazards in her workplace, and wanted other avenues for action. Still others expressed concern about work restrictions for pregnant workers.

Speakers during the day described ways that union representatives and workers could begin to collect information on these and other hazards, how they could use Cal/OSHA more effectively, and how they could begin to correct health and safety problems through union committees or through collective bargaining language dealing with the issue.

The following summary of the day's presentations is largely excerpted from the California AFL-CIO News, February 24, 1978, and is reprinted here by permission of the paper's editor, Glenn Martin.

ORGANIZING HELD FIRST STEP

“First of all, women must become organized. And the sooner, the better. They must become organized in the electronics industry, in the textile industry, in the clerical industry, and in every industry where they make up a sizeable section of the workforce. You're not going to accomplish anything until you become organized.”

So declared Phillip Polakoff, M.D., luncheon speaker at the conference. He also stressed the inadequacies of the existing health care delivery system and the general failure of physicians to question where their patients work in order to determine possible occupational exposures.

Andrea Hricko and Janet Bertinuson of the LOHP staff spelled out various methods and tools available to identify workplace hazards and to use the Cal/OSHA law effectively. Hricko pointed out that there are four million women workers in California but that the Cal/OSHA Advisory Committee is all-male. She suggested that union delegates might want to recommend women as additional Committee members.

She also stressed the need for more women workers to participate on local union health and safety committees, emphasizing that the concerns of women workers are likely to be overlooked if they don't.

Stressful job situations were described, along with an explanation of how stress affects the body and the kind of health problems stress can cause or aggravate (e.g., ulcers, headaches, coronary heart disease, skin rashes). Some causes of job stress include job dissatisfaction, boredom, too fast a pace, or a feeling of being unneeded. To this list of stressful factors, Thomas Kenny, Secretary of the Sacramento Labor Council, added the aggressiveness of male employers.

Hricko also pointed out that women workers often face greater combined stress than their male counterparts because most women still carry the bulk of household responsibilities even when there is a man in the household.

USING THE LAW

Janet Bertinuson directed her remarks to actions that should be taken to control on-the-job hazards and to obtain effective enforcement of the Cal/OSHA law. The law in part requires all employers: (1) to provide a safe and healthful workplace; (2) to post an informational poster; (3) to label materials as to their contents and hazards; and (4) to create an accident prevention program.

Bertinuson underscored the fact that workers “have a right to know the hazardous substances that they are working with,” but acknowledged that it is often hard for workers to obtain this information from their employers. (See “Right to Know” story on page 2).



Dr. Phillip Polakoff told the luncheon audience that over 30% of shipyard workers during World War II were women. Asbestos is a serious health hazard for shipyard workers. (Photo: Kate Pernish.)

Job Restriction— Sex Discrimination?

Allied Chemical and American Cyanamid are just two examples of numerous companies that are refusing to hire women to work in certain parts of their plants where toxic chemicals are used, unless the women can prove that they can no longer bear children. The companies claim that their policies are based on concern that the substances may harm the unborn children of pregnant workers.

Evidence now shows that certain chemical exposures can affect reproduction. But since both men and women can potentially be affected, it is too one-sided to look only at the woman worker, Andrea Hricko told Women's Conference participants. She charged that many companies are “taking the easy way out” by simply excluding women, rather than taking corrective measures to make the jobs safe for all workers.

The United Steelworkers Union is presently negotiating with American Cyanamid to change its policy and the International Chemical Workers have filed a grievance against Allied Chemical for laying off five women at a plant in Illinois.

Bertinuson presented numerous examples of women workers or union representatives who have effectively used their rights under OSHA, but again emphasized that more participation is needed. For example, she suggested that clerical workers could petition the Cal/OSHA Standards Board for special standards on ventilation and office equipment, similar to state regulations in Hawaii. She also urged more union members to testify at Cal/OSHA hearings.

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Art Carter, Chief of the Division of Industrial Safety, circulated throughout the three workshops to answer questions or hear complaints about Cal/OSHA. (Photo: Kate Pernish.)

WOMEN'S CONFERENCE

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UNION PROGRAM NEEDED

Paul Chown, LOHP's Labor Coordinator, emphasized the value of health and safety issues as an organizing tool, suggesting that the use of the complaint procedure to correct workplace hazards during an organizing drive can keep the union's presence before its membership.

But Chown emphasized that "time must be set aside to really work on health and safety issues." This work can be done by a special business agent, a full-time company-paid union representative, or a local union committee. He also suggested that health and safety training of members be written into collective bargaining agreements.

WORKSHOPS

The afternoon session consisted of workshops to explore the specific job health hazards facing: (1) clerical and communications workers; (2) production workers; and (3) service workers, public employees, and others.

Each workshop allowed participants an opportunity to ask LOHP workshop leaders specific questions about correcting hazards on their jobs. Chemical hazards were discussed in the production workers session, which had numerous representatives from the International Brotherhood of Electrical Workers, Glass Bottle Blowers Association, Graphic Arts International Union, Automotive Machinists, and others. Advice on filing OSHA complaints was offered.

Participants in the clerical workshop were particularly concerned about the widespread use of video display terminals. Their concerns ranged from fear of radiation exposure from the cathode ray tubes to eye-strain and deterioration of vision. A number of union representatives from the Communi-

cations Workers, Newspaper Guild, Office and Professional Employees, and State, County, and Municipal Employees decided to form a coalition to look into potential hazards and methods of correcting them. (For information on the coalition, call LOHP).

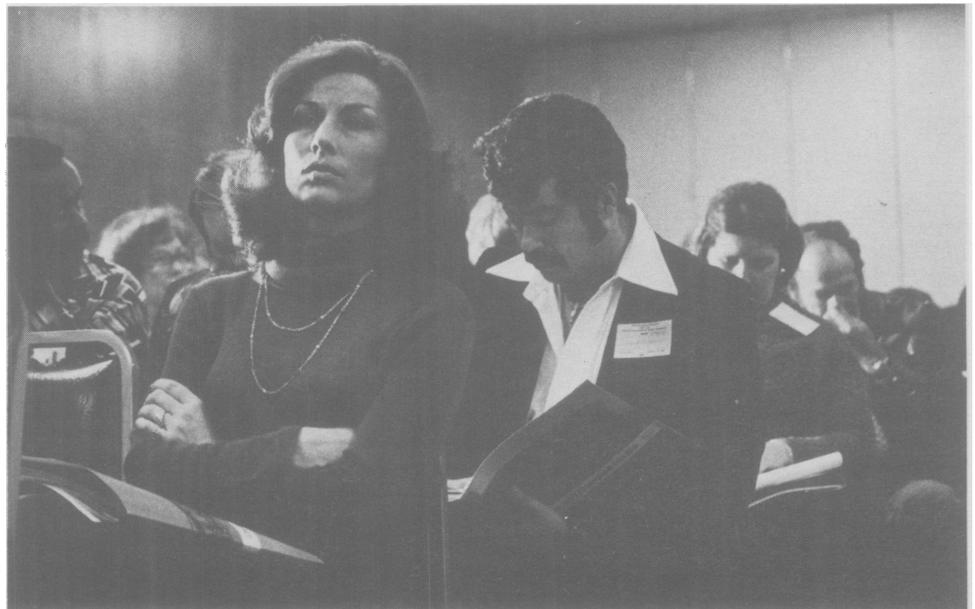
Workshop participants also expressed an interest in having Cal/OSHA establish a special advisory committee focusing on hazards faced by women in the clerical, communications, and retail trades.

Finally, the service and public employees workshop discussed the importance of ongoing documentation of health and safety problems by the union. It also considered the need for coordination of overlapping areas of interest between the Industrial Welfare Commission and the Division of Industrial Safety. Some IWC regulations

(for example, those on lifting) relate to health and safety and are of special interest to women workers.

THE FUTURE

Kathleen Kinnick, the California AFL-CIO's Director of Women's Activities, urged all conference participants to advise their local unions, councils, and international unions that similar conferences or seminars on "making the workplace safe for women workers" can be developed by their own organizations. She suggested that follow-up educational programs could be offered through shop stewards programs or presentations at local union meetings. Unions interested in such sessions should contact Paul Chown of LOHP or Art Carter of the Division of Industrial Safety.



Participants look over the special educational kit prepared by LOHP for the conference. Among articles with special relevance for women workers were one on video display terminals by The Newspaper Guild and another on hazards for bus and truck drivers by Leo Seidlitz. (Photo: Kate Pernish.)

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Court Upholds AFL-CIO Criticism of State Plans

In March, 1974, the AFL-CIO filed a lawsuit against the U.S. Department of Labor (*AFL-CIO vs. Brennan*). This action sought to prohibit OSHA from "approving state plans that do not meet the statutory requirements" of the Occupational Safety and Health Act of 1970, and from "giving continuing effect to the orders previously issued approving state plans."

The arguments made by the AFL-CIO were: (1) that many state plans do not provide for development and enforcement of standards "at least as effective" as the federal OSHA program; (2) that many state plans do not have an adequate number of qualified personnel; and (3) that many state plans do not have adequate funds to provide for effective enforcement. One year after the suit was filed, the District Court ruled in favor of the Department of Labor and the AFL-CIO appealed the decision.

On appeal, the AFL-CIO contended that OSHA's policy of primarily requiring that state *staff patterns* and *funding levels* be "at least as effective" as the federal program established no rational guidelines for evaluating state programs.

In January, 1978, the U.S. Court of Appeals ruled that the phrases "adequate funds" and "qualified personnel necessary" used in the OSH Act do not provide an adequate measure of state plan operations. However, the Court refused to revoke approval of some 25 state programs as the AFL-CIO had requested.

The Appeals Court further elaborated that federal OSHA has a Congressional mandate to develop an "articulated, coherent program calculated to achieve a fully effective program at some point in the foreseeable future."

Commenting on these recent developments, Dr. Eula Bingham, Assistant Secretary of Labor, stated: "It is difficult to establish objective criteria for any program.

No one has a list of what to look for in an effective state program." This statement is obviously true. However, efforts must be made to ensure that states conduct a very detailed study prior to submitting plans to OSHA. It should also be a requirement that ongoing planning and evaluation activities be a component of any state OSHA plan.

A NATIONAL PLANNING APPROACH

In addition to its lawsuit, the AFL-CIO also highlighted the need for a national planning approach to occupational health and safety when it submitted several platform proposals to the 1976 Democratic and Republican Conventions. One key proposal was that OSHA could be substantially strengthened by "providing for full federal preemption of both promulgation and enforcement of occupational safety and health standards in all states. Programs outside these two areas would be carried out by means of plans approved by the OSHA Administration under a federal grant-in-aid program."

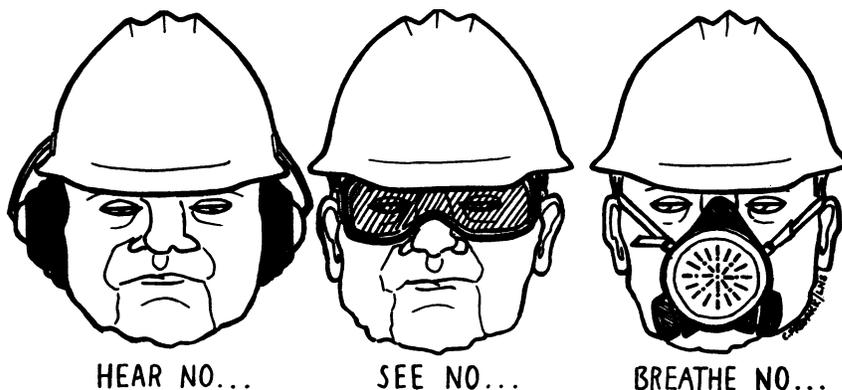
This suggestion would require a complete overhaul of the present federal OSHA program. In the meantime federal objectives, in addition to financial and personnel resources, must be developed. Such objectives

might include:

1. Identifying special worker populations who have increased risk of injury or disease, e.g. minorities and young workers;
2. Establishing national and regional priorities directed at particular industries or occupational groups;
3. Developing comprehensive occupational health programs, including diagnostic, treatment, compensation, and rehabilitation services;
4. Outlining national, regional, and state research and professional education needs; and
5. Providing for the training needs of union and nonunion members as well as employers and community groups.

An attempt to establish objectives in the above areas will be a tremendous undertaking. Yet, the lack of such an articulated national approach has been obvious for over seven years. Hopefully, the recent Court decision will be the beginning of a new direction.

—Morris Davis



—Liberation News Service

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