

# Labor Occupational Health Program MONITOR

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## *In This Issue:*

- OCCUPATIONAL HEALTH IN NICARAGUA



### On the Cover:

Woman worker in a banana packing plant in Nicaragua applies labels. Occupational health has received new attention in this Central American nation since the revolution. Story on p. 4. (Photo courtesy of Lorraine Thiebaud.)

# Labor Occupational Health Program MONITOR

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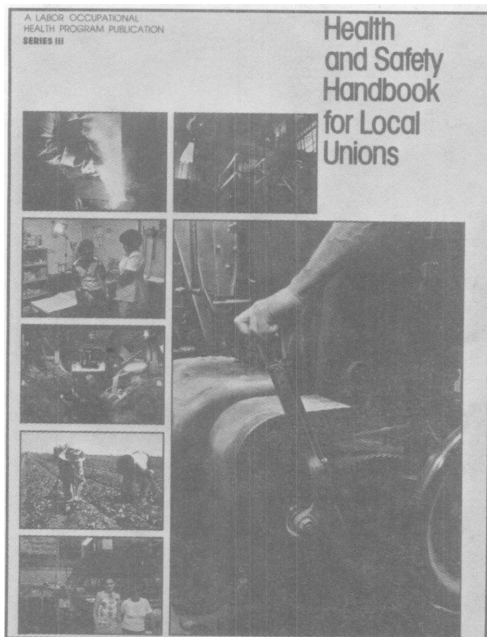
## New LOHP Handbook for Local Unions

LOHP's latest publication, just issued, is **Health and Safety Handbook for Local Unions**.

A 100-page paperback, the **Handbook** was prepared in response to questions union members most often ask during LOHP's health and safety training sessions. Written in question and answer format, the book is intended as a guide to solving workplace health and safety problems for local union health and safety representatives, business agents, shop stewards, and members. While the needs and interests of California unions are emphasized, the information in the book should serve as a resource to unions throughout the United States and elsewhere.

The questions and answers in the book are grouped under three major headings. "Workers' Rights" includes material on both Cal/OSHA and federal OSHA laws, such as the right to make a complaint, to participate in inspections, to access various employer records, and to be free from reprisal. "Getting Organized" covers the formation and functioning of union health and safety committees, starting a library, and how to obtain information on toxic substances. "Making the Workplace Safer and Healthier" discusses finding and using relevant health and safety standards, improving conditions through collective bargaining, and building union and community support for health and safety efforts.

The **Handbook** is available for \$7.00, including postage, from: LOHP, 2521 Channing Way, Berkeley, CA 94720. Prepaid orders only; make checks payable to "The Regents of U.C."



*This issue is current as of October, 1983. We are running behind schedule; please bear with us. The next Monitor will be the September-October, 1983 issue, since summer issues are skipped. You should receive the next issue by December 1, 1983.*

# VDT Coalition Launches Newsletter



The Bay Area VDT Coalition has released the first issue of a new quarterly newsletter, **Video Views**. Formed in 1978 to research and share information on health and safety aspects of video display terminals, the Coalition includes Bay Area unions, VDT operators, and occupational health experts concerned about VDT safety.

**Video Views** is designed to keep VDT operators, unions, and the broader public informed about VDT hazards and the continuing fight for VDT safety. Its pages will include health tips for VDT operators, updates on the struggle for VDT legislation and standards across the country, reports on collective bargaining for VDT safety, information on workers' compensation cases, and more.

The VDT Coalition also offers technical assistance both to individual VDT operators and to unions.

The Coalition office, housed at LOHP, is now staffed part-time by Laura Stock. The Coalition also maintains an extensive collection of materials on VDTs in the LOHP library.

Subscriptions to **Video Views** are \$5.00 per year (for four issues.) Bulk rates are available. Make checks payable to "Bay Area VDT Coalition" and mail to: Video Views, c/o LOHP, 2521 Channing Way, Berkeley, CA 94720.

For more information about the Coalition's activities, or to inquire about becoming a Coalition member as a union or as an individual, please call Laura Stock at (415) 642-5507.

## NEW '9 TO 5' VDT HOTLINE

The National Association of Working Women (also called '9 to 5') has established a new national, toll-free "hotline" on video display terminal hazards.

Workers, unions, and the general public may call 800-521-VDTS. (In Ohio, call 800-522-VDTS.)

The "hotline" provides information and advice on health problems associated with VDTs. "9 to 5" also invites workers to call to share personal experiences with VDTs. The group is particularly interested in gathering information to support its argument that more study is needed on the effects of VDT work on pregnancy.

In the first three days of the "hotline" earlier this year, over 500 people called, and use has continued to be heavy. About 85% of the callers have been VDT operators experiencing eye problems, muscle strain, or concerned about pregnancy complications.

"9 to 5" is a nationwide membership organization with members in all 50 states and chapters in many cities. It publishes the **9 to 5 Newsletter**, which often includes material on VDTs and other health hazards of women's work. Subscriptions to the **Newsletter** are \$20.00/year from: 9 to 5, 1225 Huron Road, Cleveland, Ohio 44115.

## LOHP Conference on Genetic Screening in November

LOHP's Continuing Education component will present a two-day conference, **Pre-Employment Testing, Genetic Screening and Medical Monitoring in the Workplace**, on November 8-9, 1983 at the Hyatt Regency Hotel, 1001 Broadway, Oakland, California.

On the horizon is an emerging technology, genetic testing, which some consider useful in reducing occupational disease. This technology, along with the related techniques of pre-employment testing and medical monitoring, has also raised grave concerns about potential misuse as well as legal and ethical questions related to workplace health and safety and employee rights.

Conference speakers will include William W. Halperin, M.D., M.P.H., of the National Institute for Occupational Safety and Health (NIOSH), and Sheldon Samuels, Director of Health, Safety and the Environment, AFL-CIO Industrial Union Department. Halperin will give a conference overview, and

Samuels will discuss "Labor's Experience With Screening and Monitoring Programs." Federal and state legislative representatives will also be present to discuss policy issues, including representatives of Congressman Albert Gore, Jr. and State Senator Bill Greene. Figures from the academic world, the legal profession, regulatory agencies, and management will speak as well.

The conference is approved for Continuing Education credit for physicians, nurses, and industrial hygienists; contact LOHP for credit information. Labor representatives, health and related professionals, and others concerned with occupational health and safety are invited to attend.

Registration fee is \$175. Reduced fee labor scholarships are available. Send registration fees prior to November 1 to: LOHP, 2521 Channing Way, Berkeley, CA 94720. No refunds will be made after November 4. For more information, please call (415) 642-5507.

## Occupational Health in Nicaragua

*The following is excerpted from a longer article recently submitted to Monitor by members of the Technical Aid Project to Nicaragua, which was established in 1981 by the Occupational Health Section of the American Public Health Association. Technical Aid Project representatives Merri Weinger, an Occupational Health Educator at San Francisco General Hospital, and Nina Wallerstein, a former LOHP intern now a health activist in New Mexico, visited Nicaragua in 1982. The article was written by Merri Weinger with assistance from Karen Cohn.*

The mood is very tense in Nicaragua. There are daily attacks by groups of terrorists crossing the Honduran border from the north, and an increasingly hostile government in Costa Rica to the south. Nicaragua must defend itself while rebuilding its economy in the midst of a worldwide economic crisis. Recovering from years of war, and from a 1972 earthquake that gutted most of its capital, Nicaragua was also hit by the worst floods in its history last May, resulting in \$250 million worth of damage.

Given this critical situation, why focus on occupational health? More than safety conditions on the job, occupational health in Nicaragua has to do with basic good health, better working conditions, how work is organized, and, most important, worker participation.

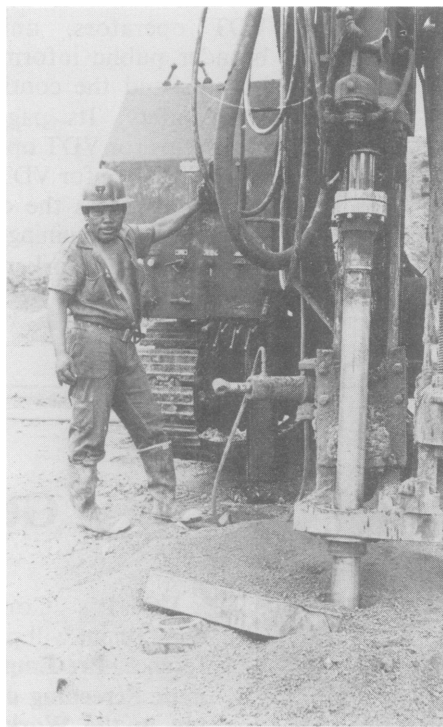
Workers have the support of the Labor Ministry for taking the initiative to safeguard their health on the job. The government and general population consider a healthy workforce vital to increasing production in Nicaragua and defending the gains of the revolution. As billboards in the country say, "Production is Defense."

### AN INDUSTRIAL WORKPLACE

To see the Nicaraguan occupational health system in action, I accompanied representatives from the Ministry of Labor's Division of Occupational Safety and Health on a series of industrial and agricultural workplace inspections.

I toured the privately owned Sacos Macen textile factory in Managua, which produces grain bags. A union representative and a management official led our party through the factory. The union representative said that many features of the plant had changed since the revolution.

These workers unionized two years ago, and chose a health and safety representative. The representative was then trained in hazard recognition and



Nicaraguan mineworker. (Photo courtesy of Lorraine Thiebaud.)

prevention, as well as first aid and basic hygiene. Duties of this union position include monitoring the factory, receiving complaints from fellow employees, and directing them to the Ministry of Labor.

Recent improvements include shields to protect employees from oil sprayed by machinery, better ventilation, and reduced heat. Focusing on the economic basis of good health, workers now benefit from a work-based food cooperative, with subsidized basic foodstuffs and 50% of their lunch paid for by the factory. These form part of the "social wage" in Nicaragua, an effort to augment salaries with inexpensive food, free health care, and subsidized transportation.

Workers generated these changes in factory conditions. Although conditions are still far from ideal—still too hot and noisy, among other problems—the workers, together with the Division

of Occupational Safety and Health, have made significant progress in minimizing hazards. All aspects of plant operations, from production goals to health and safety, are discussed by workers in production councils. The councils are even involved in inventing replacement parts for the machinery in the plant, sometimes no longer available from the U.S.

### AGRICULTURE

We then headed to coffee country, to El Roblar plantation in Matagalpa, where workers live and work on a seasonal basis. Since the revolution, a major accomplishment has been the construction of new housing for migrant labor. On the hacienda, I could compare the new, well ventilated, more spacious homes with the old airless cubicles. The agricultural workforce is now 40% unionized; agricultural workers



now have a minimum wage and reduced work hours. In addition to work hazards, Ministry of Labor inspectors focus on living conditions such as housing, sanitation, water supply, and garbage disposal.

As in industry, a government program is underway to train a health and safety representative on each hacienda, with a focus on pesticides. The long-range goal is a health and safety committee at each worksite to monitor working conditions.

There we were, accompanying inspectors to remote haciendas in the mountains, in a country where workplace inspections did not exist a short three years ago. The government's program is called "Integrated Attention to the Worker." Unlike the U.S. system where occupational health is segregated from total health care, this program merges curative and preventive health

care for workers, combining inspections of workplaces with training, clinic screening, and popular health campaigns. The resources of the Ministries of Labor and Health, of unions, and of health care facilities are utilized.

### ASSISTANCE NEEDED

Tremendous obstacles remain to be faced. Twenty inspectors based in the capital must do inspections for the entire country. Equipment and supplies are short. Often there is no inspection because a car is not available.

What can we do about it? In November, 1981, the Occupational Health Section of the American Public Health Association voted to establish a Technical Aid Project to Nicaragua. The Project has been coordinating the collection of industrial hygiene equipment and funds for Nicaragua's occupational

health system.

When Nina Wallerstein and I visited Nicaragua in July, 1982, we developed a list of specific needs of the Ministries of Labor and Health as well as those of the unions. We have raised \$2000 to purchase supplies to date. We have received donations of new and used equipment from several corporations. Project members are also accumulating Spanish language reference books and training materials.

A slide show of our visit can be borrowed or reproduced by any group willing to show it. For more information about our slide show, fundraising, or equipment collection, please contact: NICA/Technical Aid Project, c/o Northern California Ecumenical Council, 942 Market St., 7th Floor, San Francisco, CA 94102.

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## Court Denies OSHA Jurisdiction Over Migrant Housing

On February 3, 1983, the U.S. Court of Appeals for the Eleventh Circuit ruled that the federal Occupational Safety and Health Act only covers employer-supplied housing that is a required condition of workers' employment, but does not apply to such housing when it is used by workers voluntarily.

Dismissing citations which OSHA

had issued against Frank Diehl Farms and three other farmers in Hillsborough County, Florida, the court found the citations invalid because they did not apply to "workplaces." All parties to the case agreed that the housing at these farms is not a "condition of employment," although it is "directly related to employment."

"Only if company policy or practical

necessity force workers to live in employer provided housing" does such housing come under the scope of the OSH Act, the court said. According to the court, migrant housing may well be unsafe and unhealthy, but OSHA does not possess a "general mandate" to solve the housing ills of America.

—BNA Occupational Safety and Health Reporter

## 'Minorities and Toxics' Conference in New Orleans

The Urban Environment Conference will present "Taking Back Our Health: An Institute on Surviving the Toxics Threat to Minority Communities" in New Orleans from November 18-20, 1983.

The UEC, an alliance of labor, minority, and environmental organizations, expects that the three-day conference will bring together on the national level minority community members who face the threat of toxic substances with unionists, health experts, and other activists.

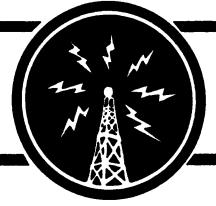
The agenda will include workshops and talks on minorities and workplace hazards, hazardous waste disposal, pesticides, air and water pollution. A "Victims' Panel"

will afford the opportunity to hear people of color relate their experiences in combatting the toxics threat across the nation. There will be a "Speak Out" on how toxics are affecting Latinos, Native Americans, and black people in both rural and urban areas of the U.S.

Stressing the importance of the issue, UEC points out several facts. The highest serum levels of DDT ever recorded in the world can be found in the citizens of a small black community in Alabama. 18.6% of inner-city black children have harmfully elevated blood lead levels. Three out of four U.S. toxic waste dumps are in black communities. And the miscarriage rate for women

farmworkers is seven times the national average.

Registration begins Friday afternoon, November 18, 1983, at the Quality Inn, 541 Bourbon St., New Orleans, where all conference sessions will be held. Participants make their own hotel reservations. Advance registration is advised; the fee is \$50. before October 31 and \$60. after October 31. These fees include three meals, but on-site registration excludes meals. Send registrations to: Urban Environment Conference, 1314 14th St. N.W., 3rd Floor, Washington, D.C. 20005. Phone (202) 797-0446 for more information.



## *Asbestos Liability*

# Manville Corp. Sues U.S.

The Manville Corporation filed suit on July 19 in the U.S. Court of Claims in Washington, D.C. in an attempt to recover from the U.S. government money it has paid to victims of asbestos-related disease.

Manville, which has been an asbestos manufacturer since before World War II, is now faced with over 20,000 claims for compensation by asbestos victims. It projects that up to 30,000 more claims may be filed, and estimates its potential liability at over \$40 billion. Some cases have already gone to trial, and courts have ordered Manville to provide compensation. Some other claims against Manville have been settled voluntarily by the company. The July 19 suit asks that the U.S. reimburse Manville for nearly \$1 million already paid to about 50 workers. However, company officials say that the suit is only the first of a series Manville intends to file against the U.S.

In a controversial move last year, Manville filed for bankruptcy under

Chapter 11 of the Federal Bankruptcy code, even though the company continues to be profitable. Its bankruptcy petition, which cited its potential liability from asbestos claims, had the effect of freezing and consolidating the claims. At the time it filed for bankruptcy, Manville announced its intention to sue the government. The company has also sought legislation to force the government to pay a portion of the cost of compensating asbestos victims.

In the July 19 suit, Manville claims that during World War II "the United States Government was aware that shipyard workers involved in the massive wartime ship building program were being exposed to dangerous levels of asbestos dust from asbestos products deemed essential for defense."

"Nevertheless," the company states, "these hazardous shipyard working conditions were not corrected by the Navy nor made known to asbestos manufacturers." Manville in part bases its case on government docu-

ments it has obtained, some of which were only recently declassified. Many of the claims involved in the case are from former World War II shipyard workers.

In a statement accompanying the filing of the suit, a Manville official argued that the Navy and other government agencies specified the use of asbestos, procured asbestos, knew of its dangers, but still failed to act. The official suggested that during World War II the company's business was being operated for the direct benefit of the U.S. government, terming the claimants' problems "war related injuries."

The Justice Department said that the government believes the suit to have no legal foundation. A Justice Department spokesman argued that Manville's theory ignores the fact that the company was in business for profit, not public service, even during the war.

# Senate Vetoes Veysey as Industrial Relations Chief

Ronald T. Rinaldi has been appointed interim director of the California Dept. of Industrial Relations in the wake of the state Senate's rejection on July 19, 1983 of Victor V. Veysey's appointment to the post.

Veysey, originally nominated for the position by incoming Republican governor George Deukmejian in January, was rejected by the Senate in a 20-13 vote after several months of vocal opposition to his appointment by the state AFL-CIO and others.

The DIR director has overall responsibility for Cal/OSHA as well as other programs.

Rinaldi, the new DIR interim director, had been the department's chief

deputy director since March, 1983. Prior to that, he had spent about eight years as Executive Officer of the CAL/OSHA Standards Board.

Veysey, a former Cal-Tech instructor, ranch owner, assemblyman, congressman, and management consultant, began his duties on a temporary basis in January but left shortly after the Senate rejection in July. He replaced Don Vial, who served as DIR Director during the Brown administration. Vial is now a member of the state Public Utilities Commission.

The Executive Council of the California Labor Federation, AFL-CIO, opposed Veysey's confirmation because of his "82 percent anti-labor"

voting record in the Assembly and the U.S. Congress. The Federation also pointed out deficiencies in Veysey's employee safety record on his own ranch, and said that traditionally the head of DIR has been a more labor-oriented person.

In early May, Deukmejian also named David M. Valoff as chief of the Division of Occupational Safety and Health (DOSH), the component of DIR which runs Cal/OSHA. Art Carter, DOSH chief in the Brown administration, is now working in the office of the Chief Administrative Officer for the City of San Francisco.

# Clearinghouse



## BOOKS

**The Illinois State AFL-CIO Manual on Occupational Disease 1983** includes information on hazard recognition and control, using OSHA, health and safety committees, and various types of compensation for occupational disease including lawsuits. Copies are available for \$15. from: Illinois State AFL-CIO, 300 North State St., 16th Floor, Chicago, IL 60610.

**Microelectronics: Safety and Health in the Workplace** is a 20-page booklet from the North Carolina Occupational Safety and Health Project. It describes the semiconductor manufacturing process; gives information on solvents, bases, and metals used; surveys possible control measures; and provides worker rights information on OSHA and organizing. Copies are available at \$3.00 plus 75¢ postage from: NCOSH, P.O. Box 2514, Durham, NC 27705.

**Identifying and Coping with Job Stress** is a new workbook oriented toward union leaders and trainers. Focusing on stress-related problems of both blue collar and office workers, the workbook explores the causes of stress and describes techniques and strategies for dealing with it. Copies are available for \$8.50 (including postage and handling) from: Labor Education Program, Institute of Labor and Industrial Relations, University of Illinois at Urbana-Champaign, 504 East Armory Ave., Champaign, IL 61820.

**Human Debris: The Injured Worker in America**, by attorney Lawrence White, is now available from Seaview/Putnam Books for \$14.95.

White offers a critical appraisal of the history and current inadequacies of the Workers' Compensation system in the United States, buttressing his argument with extensive statistics. He argues that the system in its present form largely fails to give adequate compensation to victims of occupational injury and illness, and that the system's real beneficiaries have become

doctors, lawyers, and insurance companies. One key statistic he cites is that, of over \$10 billion in Workers' Compensation income received by insurance companies in California between 1976 and 1980, less than half was actually paid out in claims.

In Sweden, White points out, more than ten times as many disabled workers per capita are compensated than in the United States. In Belgium and Switzerland, four times as many are compensated.

Among other issues considered in the book are the difficulty of proving that a disease is work-related when it may develop years after exposure to harmful agents, and the unfairness of the "state by state" approach to Workers' Compensation in the U.S., where each state is free to run its own compensation system and set its own benefit levels.

The book recommends major reforms of the system.

**OSHA: Safety and Health is Our Middle Name** is a new, free booklet from federal OSHA. It describes four OSHA programs which are designed to encourage and enable workers and employers to develop and maintain effective health and safety efforts in their own workplaces on their own initiative.

The four are the OSHA Training Institute in Des Plaines, Illinois, which

offers public, tuition-free courses; the 'New Directions' program, which provides grants to develop resource centers for safety and health training; the on-site consultation program, which offers employers free expert advice separate from the enforcement apparatus; and the various voluntary protection programs, which exempt employers from inspections if they have a demonstrated commitment to workplace safety and health beyond the requirements of OSHA standards.

Single copies of the booklet, OSHA #3076, are available free from: OSHA Publications, N-4101, Frances Perkins Building, Third St. and Constitution Ave. N.W., Washington, D.C. 20210. Enclose a self-addressed mailing label.

**Fired Up for Safety and Health: A Manual for Stationary Firemen in Boiler Rooms and Incinerators**, by Alice Freund, is a new 27-page illustrated pamphlet from AFSCME District Council 37 in New York City. It covers both health and safety hazards in boiler rooms and incinerators as well as protective measures, using the union to solve problems, and an overview of New York State health and safety laws for public employees. Copies are available for \$1.00 from: Safety and Health Training Unit, DC37 Education Fund, 125 Barclay St., New York, NY 10007. Make checks payable to: DC37 Education Fund.



# Indoor Air Pollution Update

The Indoor Air Pollution Coalition (a group of California unions and other organizations which began meeting over a year ago) drafted and distributed a survey in March, 1983 on employee problems with indoor pollution.

Through the survey, the Coalition hoped to shed more light on some interesting recent findings by the National Institute for Occupational Safety and Health (NIOSH). About 13% of NIOSH's Health Hazard Evaluations for the year 1980-81 concerned indoor pollutants. More than 70% of the buildings NIOSH investigated are sealed airtight and have central air conditioning and recirculating ventilation systems. NIOSH's environmental monitoring revealed that the concentration of pollutants is higher when the ventilation system is in the recirculation mode than when fresh air is circulating. Their studies also showed that, in most cases, no single contaminant was present in a concentration ex-

ceeding its standard. However, NIOSH suspected that a number of contaminants acting together could have a synergistic effect.

300 surveys were returned. Although the survey was not conducted scientifically, a large proportion of those responding indicated that poor ventilation, or lack of ventilation, affected them. Out of 300, 276 people said that they were unable to open their windows. 252 said that they were unable to regulate the temperature. 204 said that they worked in stuffy areas; 200 were bothered by dust; 200 were bothered by cigarette smoke; and others said that they were experiencing physical symptoms such as eye irritation, frequent colds, shortness of breath, and headaches.

*Brenda Presley*

The last issue of *Monitor* reported that, in response to testimony by members of the Indoor Air Pollution Coalition

and others, Cal/OSHA's Occupational Safety and Health Standards Board voted to establish an advisory committee on building ventilation. The committee will work toward recommending a standard. Several members of the IAP Coalition have been appointed labor members of the advisory committee: Juliann Sum, IBEW Local 1245; Cathy Leonard, Teamsters Local 2707; Roberta Hippolito, Office and Professional Employees; and Alexis Rankin, SEIU Local 390/400. There are also several industry members and technical consultants.

The advisory committee's meetings will be open to the public. The next meeting will be held on November 22, 1983.

Also, on November 15, 1983 there will be a public hearing in Los Angeles on the issue of indoor pollutants, conducted by California Assembly member Sally Tanner, Chair of the Subcommittee on Consumer Protection and Toxic Materials. For more information, please call Jay Defuria at 916/445-0991.

## California Workers' Comp Benefits Increase

Assembly Bill 684, passed by the California Legislature and signed by then-Governor Brown in late 1982, increased workers' compensation benefits in the state effective January 1, 1983 and made certain other changes in the compensation system.

The range of temporary disability weekly benefits increased from \$49 minimum, \$175 maximum to \$84 minimum, \$196 maximum. The new law provides that it will increase again on

January 1, 1984 to \$112 minimum, \$224 maximum.

The weekly benefit for permanent partial disability increased in 1983 from a maximum of \$70 to a maximum of \$130. It will increase to \$140 in 1984.

Death benefits (for two or more dependents) increased in 1983 from \$75,000 to \$85,000 and will go to \$95,000 in 1984.

The bill also makes changes eliminating a \$10,000 ceiling on serious and

willful misconduct awards; establishing a "preponderance of the evidence" test for questions of fact; and tightening the "exclusive remedy of workers' compensation" principle to limit the situations in which workers can sue for damages.

The bill was strongly supported by labor, some insurance companies, and trial lawyers. Employer groups were solidly opposed to it.

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