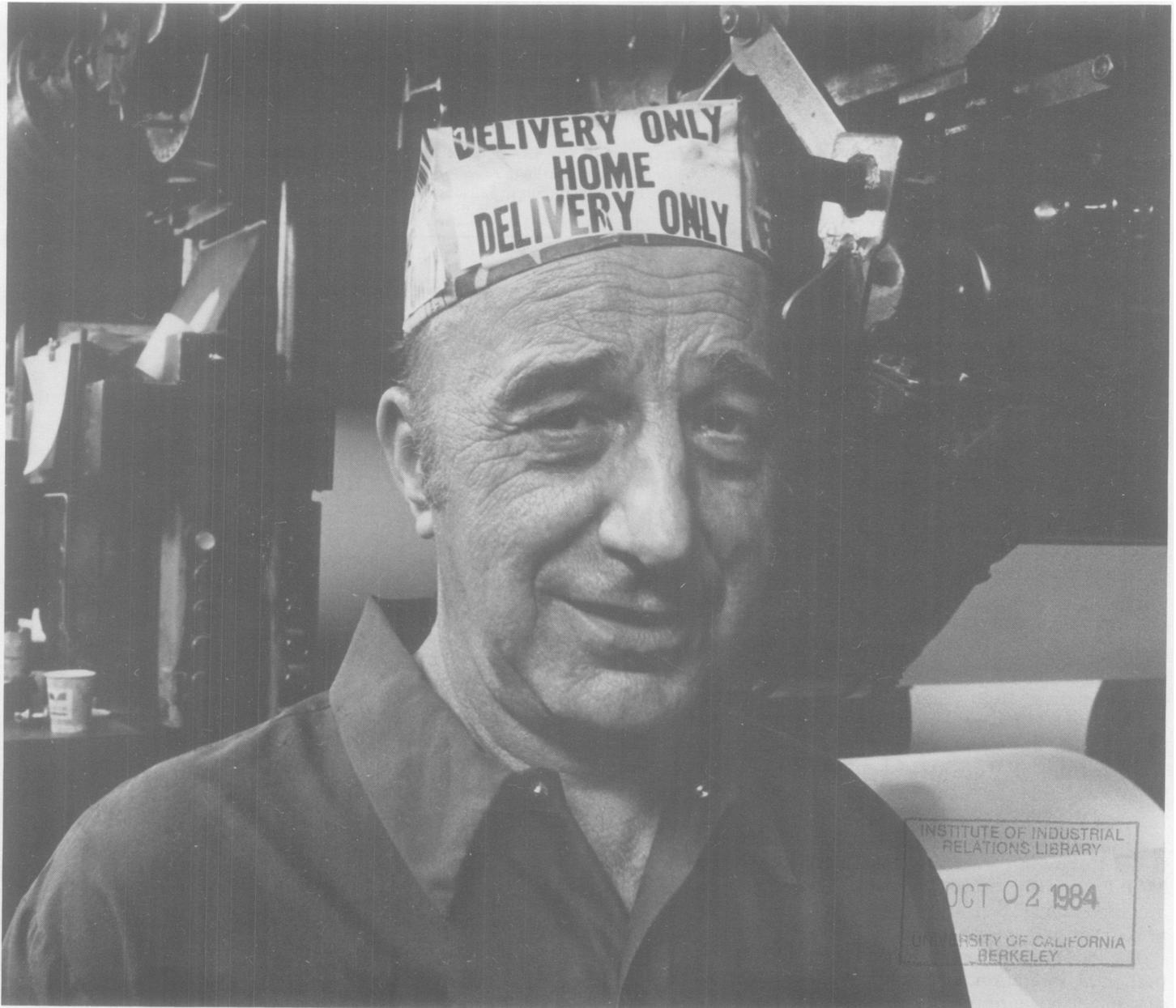


Labor Occupational Health Program

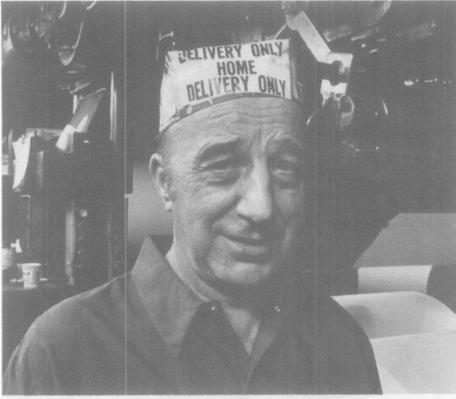
MONITOR



14

In This Issue:

• OAKLAND PRESSROOM WORKERS WIN



On the Cover:

Members of Web Pressmen Local 4 at the Oakland (Calif.) Tribune have sought improved protections against noise and dust since 1978. The newspaper and Cal/OSHA recently settled a six-year legal battle over the issue, and the settlement will result in major improvements in working conditions. (Photo: Ken Light.)

Labor Occupational Health Program MONITOR

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Staff: Robin Baker, LOHP Director; Stephanie Cannizzo; Paul Chown, Labor Center Chairman; Gene Darling, **Monitor** Editor; Anne Maramba-Ferrell; Lela Morris; Brenda Presley; Pat Quinlan; Susan Salisbury; Laura Stock.

New LOHP Materials on Agriculture and Pesticides

The Labor Occupational Health Program has just issued a major new book, **Fruits of Your Labor: A Guide to Pesticide Hazards for California Field Workers**. This 200-page paperback is available now from LOHP for \$10.00 (including postage.)

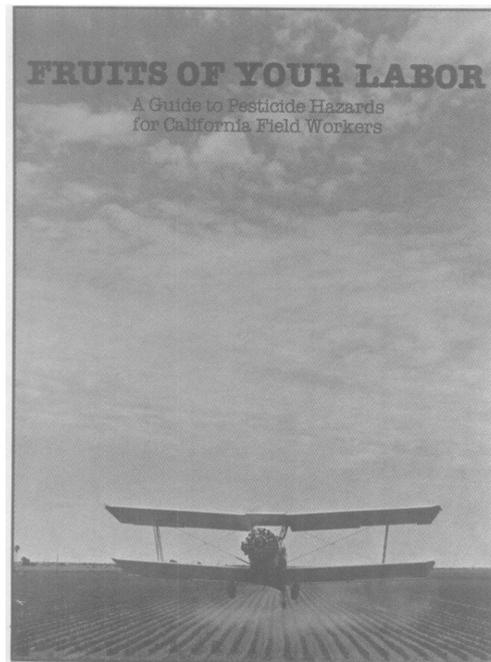
Fruits of Your Labor discusses the health hazards associated with field exposure to several dozen pesticides commonly used in California. Pesticides are shown by chemical group, by trade name, by generic name, and by the crops on which they are typically used. Charts (by crop and by pesticide) describe acute and chronic symptoms, California regulations, and laboratory evidence of cancer, reproductive, or mutagenic effects. The discussion of each pesticide includes advice on recommended precautions as well as emergency measures to take when exposed. Numerous appendices supply additional data on health effect studies and on the regulations of various local, state, and federal agencies.

Order from: LOHP, 2521 Channing Way, Berkeley, CA 94720. Make checks payable to: The Regents of U.C.

Also available now from LOHP is **Health and Safety Issues Commonly Faced by Farmworkers: Answers to 67 Most Frequently Asked Questions**. This 68-page booklet is a companion piece to *Fruits of Your Labor*, above. The price (including postage) is \$5.00.

The booklet answers common questions dealing with pesticides, sanitation, field safety, and workers' rights. Author Paul Chown of the U.C. Berkeley Center for Labor Research and Education developed the material from training sessions he conducted for the United Farm Workers Union.

Order from: LOHP, 2521 Channing Way, Berkeley, CA 94720. Make checks payable to: The Regents of U.C.





Health and Safety Workshop in India

The following has been adapted from a longer report which was sent to Monitor by Dr. Rajesh Tandon of the Society for Participatory Research in Asia, New Delhi, India. The Society works with union leaders and worker activists in a variety of industries in India. Dr. Tandon is interested in obtaining health and safety materials from the U.S. He may be contacted at the Society, 45 Sainik Farm, Khanpur, New Delhi 110 062, India. Monitor welcomes reader correspondence, whether describing personal health and safety experiences or expressing a point of view.

To Monitor:

In late February, 1984, the Society for Participatory Research in Asia sponsored a four-day residential health and safety workshop in Bombay. Fifty-seven workers attended from both the organized and unorganized sectors of Indian industry. Participants came from Bombay, Nagpur, Mandasaur, Delhi, Kanpur, Madurai, Calcutta and other cities. Industries represented included textiles, chemical engineering, fertilizer, brick kiln, fiber, and paper.

Technical experts from leading research and training institutions assisted with the workshop. The entire proceedings were conducted in both Hindi and English, with other languages used when found comfortable by the participants.

The Society has launched a systematic effort to investigate occupational health in India, its relationship to production processes in various workplaces, and worker awareness and response. The February workshop was designed to help facilitate planning for concrete local studies of specific problems. Through these shopfloor-level studies, increased worker awareness and consequent action may generate a wider movement toward prevention and control of occupational health problems.

The workshop began with an overview of the nature and extent of occupational health problems in India. Participants attributed the severity of the situation to two primary factors—rapid industrialization, and availability of cheap labor (partly resulting from migration from rural areas.) Safety problems are reflected in the fact that the rate of industrial accidents has not changed in three decades. Guards and personal protective equipment are mostly not available, and when they are provided,

they are often poorly designed. Pressure for high production often makes use of guards and protective equipment for a full eight-hour shift impossible.

Physical hazards include vibration, inadequate lighting, noise, heat, humidity, and machinery which forces workers to maintain a difficult posture for long periods. In some factories, non-replacement of old and decaying machinery and shortage of spare parts are factors responsible for many of these problems.

Occupational diseases emanate from two major sources: dust and chemicals. Such dust-related diseases as byssinosis (cotton dust disease), asbestosis, and silicosis are widespread. Many hazardous chemicals are in common use, and cause problems ranging from dermatitis to cancer to abortion. Also, air and water pollution due to effluents from factories using hazardous chemicals affect the cattle, land, and people in surrounding communities.

SOURCES AND SOLUTIONS

The participants identified numerous reasons for the prevalence of occupational hazards in India. Among them were management indifference and carelessness; inadequate size of government inspection staffs; inadequately trained and equipped inspectors; physicians untrained and unequipped to diagnose and treat occupational disease; lack of links between experts and workers; lack of worker awareness; and lack of organized worker action. Some of the participants attributed workers' reluctance to push for improvements to a fear that jobs would be lost through layoffs if industries were forced to modernize.

The state of the law in India was also discussed. There is no comprehensive legislation of occupational health; instead, references to occupational health are found in several different Acts. Sometimes these conflict with each other. A large number of workers are excluded from coverage under any of the Acts. The Acts have loopholes, are ineffectively implemented, and offer inadequate deterrence against management violations. There are no guarantees of worker involvement or worker access to information. Some occupational diseases are excluded altogether.

It was clearly recognized by those attending that securing occupational health for workers is less a medical problem and more a political one. Based on this awareness, the worker activists and researchers attending planned several important follow-up actions. Twelve "micro-studies" of various workplaces are planned this year. Activists will organize discussion meetings and factory committees to pass along information learned in the workshop. A manual on occupational health in English and Hindi, as well as other educational materials, will be prepared. Several of the participants volunteered to serve as regional coordination links for all these efforts.

The workshop was responsible for generating considerable excitement, interest, and concern. Most participants, including both worker activists and technical experts, felt they had learned a great deal from each other.

Assistance and some materials for the workshop were provided by Highlander Research and Education Centre, Tennessee, USA, and International Development Research Centre, Ottawa, Canada.



Settlement Agreement

Oakland Newspaper Will Install Noise, Dust Controls

by Paul Chown

Center for Labor Research
and Education

The pressroom workers at the *Oakland Tribune* in Oakland, California, will finally be protected from excessive noise and dust by engineering controls. On June 5, 1984, Judge Winton McKibben of the Alameda County Superior Court approved a settlement agreement in a protracted Cal/OSHA case against the newspaper which had been moving through the appeal process for six years.

(For earlier coverage of the *Tribune* case, see *Monitor*, May-June, 1979, p. 7; and May-June, 1980, p. 4.)

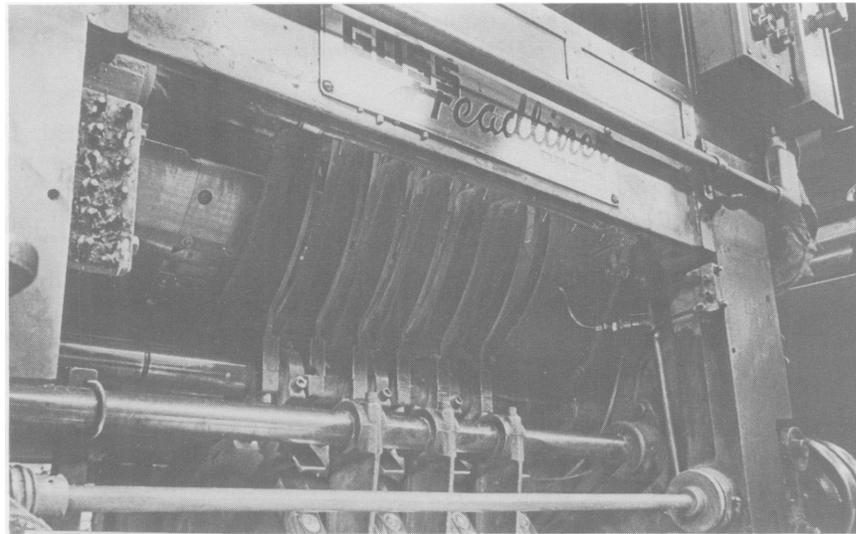
The settlement agreement, which was incorporated into an order signed by Judge McKibben, provides that:

- Pressroom folders will be enclosed with noise-dampening panels;
- Dust collectors will be installed to lower the amount of paper dust in the pressroom; and
- The newspaper will continue to maintain an effective employee hearing conservation program.

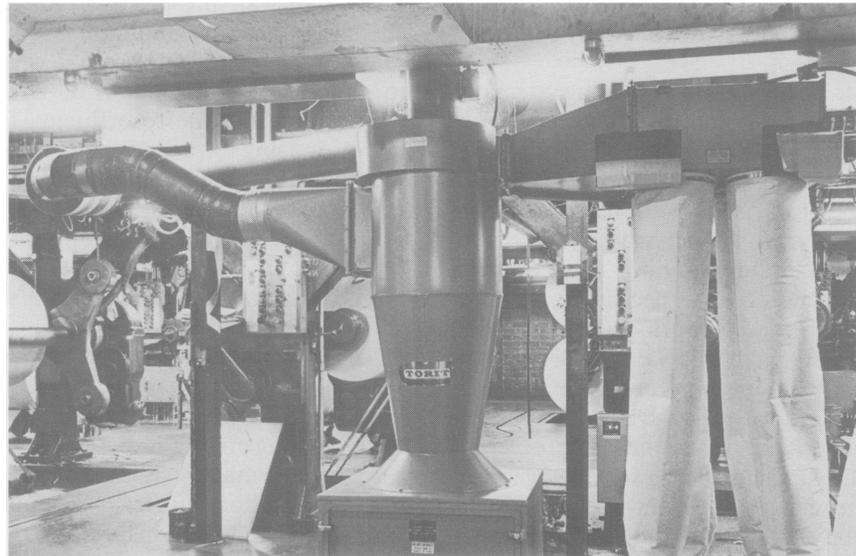
Although the case focused on noise problems in the pressroom, paper dust control was an important "fringe benefit" which *Tribune* workers gained through the settlement. The dust collectors are necessary for proper operation when the folders are enclosed, and they also provide health benefits for the workers.

HISTORY

Web Pressmen Local 4, which represents pressroom workers at the *Tribune*, originally filed a Cal/OSHA complaint against the paper in 1978. A Cal/OSHA inspection on April 26, 1978 found that pressroom employees were sub-



Front of folding machine. An air line with nozzles blows dust off areas where it is likely to collect. A noise-dampening enclosure has now been placed over this unit at the *Tribune*.



The "reelroom," showing dust collector. Welded pipeline (upper left) brings dust from machinery elsewhere in the pressroom.

jected to measured time-weighted average noise levels of between 99 and 102 decibels (dBA). 90 dBA is the allowable limit, and since decibels are measured on a logarithmic scale, the levels found in the pressroom were actually *several*

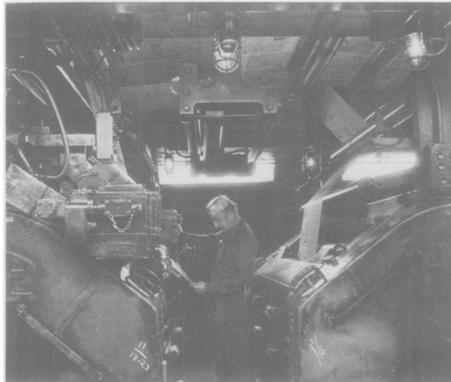
times greater than allowed. Cal/OSHA issued a citation which, consistent with the noise standard, ordered that the newspaper "implement engineering or operational controls to reduce exposure to noise."

The *Tribune* contested this citation through Cal/OSHA's internal appeals process, and forced the matter into a hearing before a Cal/OSHA Administrative Law Judge. Thus began a long series of delays as the newspaper pursued the issue through the various levels of appeal.

At the hearing before Administrative Law Judge Harvey, the newspaper contended that engineering controls were not feasible, could not be effectively installed, and would do no good. Web Pressman Local 4 elected "party status" in the case and thus was able to present its own independent witnesses and testimony at this hearing to rebut management claims. Judge Harvey upheld the Cal/OSHA citation.

The *Tribune* then appealed Judge Harvey's decision to the Occupational Safety and Health Appeals Board, which also upheld the original citation. The newspaper did not comply with the Appeals Board order, and the Cal/OSHA Enforcement Unit filed an action in Superior Court seeking to have its order enforced. Then a settlement was reached, concurred in by all parties, and approved by the Court.

This victory for the pressroom workers took six years to achieve.



(Photo: Ken Light.)

PARTY STATUS CRUCIAL

In the past ten years, Cal/OSHA has lost most of its noise cases when they finally had to be taken to Superior Court for compliance. In light of the fact, the *Tribune* settlement represents an even more impressive victory for enforcement of noise controls.

The essential element in this success was the election of "party status" by the union local. By electing to become a party (in addition to Cal/OSHA and the employer), the local gained the rights to call its own witnesses, to cross-examine the employer's witnesses, and, in effect, to put on its own case to prove that engineering controls were

both feasible and practical. It exercised all these rights at the appeal hearing before Judge Harvey. There were many union witnesses; the union introduced testimony about successful engineering controls in other pressrooms under contract with the organization; and the employer's lengthy testimony was effectively countered. The union was prepared to do the same in Superior Court if the settlement had not been achieved.

Richard Munger of Local 4 was the principal advocate for the union. The Cal/OSHA attorney assigned to the case, Ms. Rena Rickles, worked very hard and diligently. She did an excellent job of preparation and presentation. The close cooperation between her office and the union made the victory possible.

Complicating the case were changes in ownership of the *Tribune*. The paper went through three sales. The original defendant, Gannett Corporation (a major owner of newspapers throughout the U.S.), is now out of the picture, and the paper is independently owned once again.

Other unions would do well to elect "party status" when employers contest Cal/OSHA citations. The *Tribune* case shows how useful this right can be.

State Tests Conducted

PCBs Found in Newspaper Ink

In March 1984, a California newspaper, the *San Jose Mercury News*, reported that yellow ink used in its pressroom had been found to be contaminated with toxic PCBs, posing potential health risks to workers there.

The newspaper said that its own tests showed PCB levels in the ink up to 80 times higher than federal Environmental Protection Agency limits. The ink pigment was produced by Magruder Color Co. of Elizabeth, N.J., which began a recall of the pigments it had sent to ink manufacturers.

Other newspapers reported to have used the contaminated ink include the *Los Angeles Times*, *Washington Post*, *Oakland Tribune*, *Sacramento Bee*, and *Arizona Republic*.

Certain yellow, orange, and red pigments used in inks are manufactured from a PCB isomer called 3,3', di-chlorobiphenyl. As early as 1978, both EPA and the National Institute for Occupational Safety and Health (NIOSH)

noted that this isomer can sometimes be found as a contaminant in the pigment after manufacture.

Officials at the *Mercury News* said that the contamination was discovered in January, and that the paper switched to another ink supplier on March 16. Employees were not told about the problem until after the switch was made. A union spokesman criticized the paper's management for not informing employees promptly about the contamination. Ray Bales of Graphic Communications Local 4N said the union was "upset" about the delay because "we're filling the ink fountains all day long."

Leon Olson, chairman of the Northern California Conference of Newspaper Unions, said his organization sent letters to all newspapers with which it has agreements, requesting that they test their ink if they had not already done so, and that they furnish the union information on the tests. The North-

ern California Conference also asked ink suppliers for information on the source of their pigments, according to Richard Olive of the San Francisco-Oakland Newspaper Guild. Both EPA and Cal/OSHA also began investigations.

In July, the Hazard Evaluation System and Information Service (HESIS), a state agency, released a report entitled "Assessment of the Hazard of 3,3-dichlorobiphenyl in Yellow Newspaper Ink." The report concludes that there is little information available on the toxicity of this isomer, but predicts, based on chemical structure, that the isomer is "much less toxic than commercial PCBs" and is "rapidly metabolized and excreted from the body."

The union's research into the problem continues. Copies of the state report are available from: HESIS, 2151 Berkeley Way, Berkeley, CA 94704.



No Short-Term Limit

New OSHA EtO Standard Attacked

On June 15, 1984, federal OSHA issued a new standard designed to protect about 140,000 U.S. workers who are exposed to ethylene oxide (EtO).

EtO's chief use is as a sterilant in hospitals and in the manufacture of medical products. It is also used in manufacturing anti-freeze and to sterilize spices. Human and animal studies suggest that it is a potential carcinogen, and it has also been linked to reproductive damage, genetic and chromosomal mutations, neurological effects, and tissue irritation. It is one of the 25 chemicals with the highest production volume in the U.S.

The new standard reduces permissible worker exposure to one part per million, averaged over an eight-hour workday. The old OSHA limit, adopted in 1971, had been 50 ppm. OSHA estimates that the change should reduce EtO-related cancer fatalities among workers by 86% over the next 50 years, and prevent at least 457 deaths.

The new standard requires engineering and work practice controls to reduce exposure "where they are feasible." It permits other methods of protection

in certain specified operations where OSHA considers such controls infeasible.

Other provisions of the standard require exposure monitoring, medical exams for workers, training, signs and labels, regulated areas, emergency procedures, personal protective equipment, and recordkeeping.

Public Citizen Health Research Group originally petitioned OSHA for an emergency temporary standard in 1981, but OSHA rejected the petition. HRG then sued OSHA. The litigation led to a 1983 court order directing OSHA to issue a proposal for a permanent EtO standard. Later, the court set a deadline of June 15, 1984 for issuance of the final standard.

HRG and three unions filed another suit shortly after the final standard was announced. The suit focuses on the lack of a short-term exposure limit (STEL) for ethylene oxide in the final standard. While the standard contains the 1 ppm eight-hour exposure limit, it is missing a STEL, which OSHA standards for other substances include. OSHA's announcement of the standard said the

agency will continue to study the need for a STEL, the appropriate level, and the feasibility of different methods of compliance. It left open the possibility that a STEL will not be found necessary at all.

David Vladeck, an attorney for HRG, said that given the exposure patterns of workers in various operations using EtO, "you can't have an EtO standard without a STEL." HRG joined in a suit with the Amalgamated Clothing and Textile Workers, the Service Employees, and the American Federation of State, County, and Municipal Employees. The latter two unions represent large numbers of hospital workers.

Vladeck and other sources said that OSHA's final standard originally included a STEL, but it was removed by the Office of Management and Budget the day before the standard was issued. The STEL had been 10 ppm over a 15-minute period. The new lawsuit claims that OMB "compelled OSHA to violate their duty" under the Occupational Safety and Health Act.

Clearinghouse



CONFERENCE

The Northwest Center for Occupational Health and Safety at the University of Washington, Seattle, will present a Continuing Education course, "Occupational Epidemiology," on Sept. 24-26, 1984.

Designed for physicians, nurses, industrial hygienists, and other health professionals, the course will cover the application of epidemiologic techniques to occupational disease. Tuition is \$295. For more information, please write Jan Schwert, Dept. of Environmental Health, SC-34, University of Washington, Seattle, WA 98195; or phone (206) 543-1069.

SLIDE SHOW

A new slide show on recombinant DNA technology, **A Splice of Life**, has been issued by the Oil, Chemical and Atomic Workers International Union.

This 15-minute slide/sound presentation explores the impact of this new process in biology, popularly called "gene splicing." The process allows scientists to create new forms of life by taking genes from one organism and inserting them into another. It has led to a revolution in biology in the last ten years, and has found applications in medicine, agriculture, and chemical manufacture. Commercial use is about to begin.

Estimates have been made that, in the near future, 25 percent of all chem-

ical production could be done by recombinant DNA techniques. Employment could total 30,000 to 75,000 workers, and \$15 billion a year in chemicals could be produced.

OCAW points out that there is currently no regulation of this industry, and recommends a series of worker protections to prevent its members "from being used as guinea pigs."

A Splice of Life uses a science fiction scenario—the trip of an imaginary chemical worker through the "Twilight Zone" of recombinant DNA.

The show is available for \$15. (rental) or \$150. (purchase) from: OCAW Health and Safety Dept., P.O. Box 2812, Denver, CO 80201.

Dan River, Coors

House Opposes 'Human Guinea Pig' Tests

The U.S. House of Representatives has adopted an appropriations bill amendment which bars the Reagan Administration from waiving OSHA regulations when employers claim they are conducting "research" on the effects of occupational hazards.

The measure, drafted by Rep. David R. Obey (D-Wisconsin), was spurred by recent revelations that several firms received variances from OSHA standards on the grounds that they were "conducting experiments" in their plants. The AFL-CIO has said that such variances amount to OSHA permission for the firms to use their workers as "human guinea pigs," and that the "experiments" are often only a pretext to avoid complying with health and safety requirements.

Dan River, Inc. in Virginia has abandoned its proposal for a research study on the effects of cotton dust. The firm had received a variance from OSHA's cotton dust standard earlier this year to allow it to conduct the study. (See

Monitor, March-April, 1984, p. 6.) Dan River withdrew the research plan when it was met with congressional and labor criticism.

Another firm, Gulf Coast Lead Co. of Tampa, Florida, received an exemption from the OSHA lead standard under similar circumstances. It terminated its experiments after a worker experienced kidney failure on the job due to high blood lead levels.

In July, Obey revealed that another such scheme had been approved for the Adolph Coors Co., a brewery in Colorado whose owner is a prominent Reagan supporter. In December, 1982, an OSHA inspection revealed noise levels at the company's glass and ceramic plant up to 250 percent above permissible limits. About one-third of the employees there showed significant loss of hearing. The OSHA inspectors recommended fines and citations, but in October, 1983, OSHA granted Coors a variance from the noise standard instead. The variance agreement says

that Coors will use its glass plant for a research study on hearing loss. The study was to be conducted by NIOSH, although NIOSH had not been asked about it in advance and later said it was unwilling to get involved.

An investigation earlier this year by Obey and Senator Edward M. Kennedy (D-Massachusetts) revealed that former OSHA head Thorne Auchter demoted and disciplined a regional OSHA official who sought to inspect Coors' facilities again. Coors has been inspected only four times since 1980, although under previous administrations it was inspected routinely about every seven weeks.

Obey's amendment forbids the Dept. of Labor from using funds to grant variances "for the purpose of conducting experiments on worker safety or health." It next goes to a House-Senate conference committee.

—AFL-CIO News

Rowland, Song

Labor Opposes Federal, State OSHA Appointments

Two recent appointments by Republican administrations to key health and safety posts, one on the federal level and one in California, have drawn fire from the labor movement.

In July, the Reagan administration appointed Robert A. Rowland to the vacant position of Assistant Secretary of Labor for OSHA (effectively, head of the agency.) The appointment is not subject to Senate confirmation hearings since it was a so-called "recess" appointment, made while Congress was not in session due to the Democratic National Convention. Such appointments are legally permitted when there is a critical need to fill a position, and the appointee may remain until the end of the current session of Congress. Rowland began work July 23.

The former OSHA head, Thorne Auchter, resigned in March to return to private industry. Rowland is an attorney from Austin, Texas, and was vice chairman of President Reagan's 1980 campaign committee in Texas. He was chairman of the federal Occupational Safety and Health Review Commission from 1981 to 1984.

Rowland is expected to follow Reagan

administration philosophy in his new post. He is known to subscribe to the administration's view that government should play a minimal role in safety and health, and should leave management and labor to work out problems themselves. Margaret Seminario of the AFL-CIO termed Rowland's appointment a "disaster" and said he is "unfit" to hold the position. She charged that his Review Commission decisions show a "basic lack of understanding" and pointed out that, participating in 179 Review Commission decisions, he upheld OSHA "in full or in part" in only 23 cases.

Rowland's appointment surprised some observers, who had predicted that Reagan would not fill the vacant OSHA slot until after the November election.

CALIFORNIA

Meanwhile, in California, labor has been gearing up to oppose Republican Governor George Deukmejian's appointment of Alfred H. Song to the Cal/OSHA Appeals Board. Although Song was appointed to the seat on the Board which is reserved for labor, the California Labor Federation, AFL-

CIO, points out that he has never been a union member or officer, and in fact has spent his career as a private attorney, state Assemblyman, and state Senator. The State Federation says that Song has never claimed to be a representative of labor "nor does labor consider him to be from the field of labor."

(The Cal/OSHA Appeals Board consists of three members, appointed by the Governor. The state Labor Code requires that one be from management, one from labor, and one from the "general public." Deukmejian appointed Song to the labor seat.)

John F. Henning, executive secretary-treasurer of the State Federation, has filed a legal action to block the appointment on the grounds that the law requires a union member in the seat. In his action, Henning says that Song's appointment would skew the Appeals Board in favor of management and deprive labor of a voice in the Board's deliberations. In addition, the suit says, Song's appointment would set a precedent and jeopardize all future appointments to seats which are reserved for labor on many state boards and commissions.

High Cancer Rates Found in Contra Costa County

Residents of one of Northern California's most highly industrialized areas suffer cancer rates 35 to 40 percent above the national average, according to a new study released in July, 1984.

The "industrial belt" of Contra Costa County (a 30-mile corridor running from Richmond through Crockett, Martinez, and Pittsburg to Antioch) has an overall death rate 38 percent higher than other parts of the same county, the study determined. The corridor was also found to have elevated rates of several types of cancer, particularly in males, including cancer of the lung, mouth, throat, stomach, prostate, kidney, and urinary organs.

The corridor is the heart of the Bay Area petrochemical industry, with about a dozen major oil refineries and chemical plants.

The study is published in *Environmental Health Perspectives*, the journal of the National Institute of Environmental Health Sciences, a branch of the National Institutes of Health. A principal author is Dr. John Harris, an epidemiologist with the California Department of Health Services.

EARLIER STUDY CONTROVERSIAL

The new findings broaden earlier research, which focused primarily on

lung cancer in the corridor. Lung cancer rates have been known for some time to be 40 percent above the national average. In 1978, the Department of Health Services began a \$770,000 study to determine whether the high lung cancer incidence was related to pollution from petrochemical plants.

Dr. Donald Austin of the Department of Health Services' Cancer Epidemiology Unit released findings of the earlier study in October, 1983, and Austin's report became immediately controversial. It found that variations in lung cancer rates among different occupational groups in the county could be accounted for almost entirely by "lifestyle" factors, primarily smoking. Austin found that smoking rates were higher than normal among blue-collar workers in the industrial zone, and that other "lifestyle" factors involved could be alcohol use and insufficient consumption of green vegetables believed to be cancer inhibitors.

When Austin's report was released, several key county officials criticized it. Dr. Wendel Brunner, the county's Director of Public Health, said, "You can't say there are no occupational or environmental hazards in this county, because I'm sure there are." He pointed out that Austin's study was hampered by the refusal of several of the county's major industrial employers to turn over employment records, forcing Austin to

use less adequate state records instead.

A proposal by the county's Board of Supervisors to sponsor its own study and monitoring program, introduced shortly after Austin's report was released, has been stalled by funding obstacles.

CAUSE UNCLEAR

The authors of the new study emphasize that there is insufficient data to identify any cause-and-effect relationships between petrochemical pollution and the deaths. They do find, however, that death rates climb progressively from areas of lowest exposure to areas of highest exposure. They concede that some of their findings could be due in part to socioeconomic factors such as blue-collar lifestyle. But Harris calls the evidence "sufficient to warrant follow-up studies," and says there is cause for concern because "there are cancer-causing chemicals coming out of those plants."

Reacting to the Harris study, Contra Costa County Supervisor Nancy Fahden said, "I don't know how anyone doesn't understand that if you are breathing polluted air every day it's going to affect your system."

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