

LABOR SAFETY AND HEALTH INSTITUTE

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*"To assure safe and
healthful working conditions
for working men and women..."*

Guide #6

FRANK GOLDSMITH, Director

Safety and Health on the Job: Who's At Fault?

Myths and Reality

Management used to tell workers: If you join a union the factory will have to close. If you join a union the less qualified workers will stop you from advancing. If you join a union....

Today, in the area of job safety and health, the old anti-labor management line has a few new words, but the same old tune. Management has revitalized the old anti-union myths to fit modern times. The new lines are: If you demand a safer and healthier workplace we'll be forced to close the plant; the "accident prone worker" and the worker who seems to get ill more than others will have to go! If you demand a safe and healthy workplace....

Myth #1: The "Accident Prone" Worker

Management likes to place the responsibility of workplace accidents on the "accident prone" worker. While workers occasionally misjudge a situation or because of inadequate working conditions err and cause accidents, the fact is that most serious job-related accidents are caused by conditions controlled by management. Over the years safety engineers hired by industry and some corporate leaders, notably those of the steel industry, have maintained that only five to fifteen percent of accidents at the workplace are caused by working conditions. They maintain that the remaining 85 percent of the accidents which involve serious injury or death are the fault of employees, first line supervisors, and sub-contractors who work in the factory. The "unsafe acts" of these workers has led to the so-called "accident prone" employee myth. This takes the focus of the cause of workplace accidents from the dangerous working conditions and machines and places it on the backs of the workers who have more than one accident.

Employers have argued that the federal Occupational Safety and Health Act (OSHA) while preventing a few accidents really isn't worth the time and money since OSHA only addresses a small percent of the causes of accidents and illnesses at the workplace.

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Accident Prone Worker Myth Falls Down

The accident prone worker myth has been laid to rest by the first objective study to determine the exact causes of job-related accidents. A 1975 University of Wisconsin study found that only 26 to 35 percent of job-related accidents were caused by workers' unsafe acts; while the conditions of work controlled entirely by management were responsible for 54 to 58 percent of job-related accidents or twice the amount caused by workers.

Thus electrical hazards, storage of chemicals, the protective guards on machines and other safety problems require immediate correction by management. The education of workers on the prevention of accidents and illness at the workplace is only meaningful after management has made the workplace safe.

Job-Related Illness: A Greater Problem Than Accidents

The occupational accident has received more publicity than the job-related illness. The coal mine disasters are real and filled with an immediate emotional response. Yet the coal miner who contracts black lung disease is more easily forgotten.

Myth #2: "Life Styles" or Eat Too Much - Drink Too Much....

Since the passage of the OSHA Act, occupational illness has received increasing attention. As the relationships between poor health and job conditions became better known, employers sought to discount these relationships by placing the blame on the workers' "life styles."

Management has charged with an almost religious fervor that workers smoke too much, drink too much and slept too little. The one life-style element not considered was the job...the place where workers spend almost 50 percent of their waking hours. Many employers now reluctantly acknowledge that carbon monoxide, lead, aniline dyes, asbestos, vinyl chloride and other toxic substances found in the workplace can be factors causing worker illness and death. But, the "life styles" myth is perpetuated so employers can avoid their responsibilities while placing the primary cause of illness on workers.

Coal, Asbestos, Carbon Monoxide vs. Food, Drink and Sleep

Coal mine operators countered every effort to make the mining process as safe as possible. When workers became ill due to workplace hazards, the operators dodged any responsibility to provide benefits. The operators rationale: coal miners smoked too many cigarettes, drank too much alcohol and slept too little.

Coal miners and their union refused to accept that logic. The miners knew what the cost of working in a coal mine meant to too many of them: black lung disease. The miners and their union led a struggle to make the mines safer and when the inevitable struck: to have reasonable benefits provided. The struggle culminated in the Coal Mine Health and Safety Act of 1969. This Act is forcing changes in coal mining operations that makes the mines safer for workers and

provides benefits to miners struck by dreaded black lung disease. The "life style" myth was conquered by miners who spend most of their lives in the bowels of the earth.

However, of the 90,000 black lung applications received by the Labor Department each year, only 3,000 are approved. And, the coal companies, not satisfied with that ratio, have contested the payment of 97 percent of the approved payments.

A similar struggle was waged by workers in contact with asbestos. Researchers, led by Dr. Irving Selikoff (Mt. Sinai School of Medicine), identified asbestos as a cause of many respiratory diseases, cancer and other illnesses not formerly identified as being work-related.

The New York City bridge and tunnel officers are constantly exposed to abnormally high levels of carbon monoxide expelled by vehicular traffic. These workers used St. Vincent Hospital services to document the cause and effect of excess carbon monoxide on their health, and that the exposure to high levels of carbon monoxide and other air pollutants was the primary cause of their respiratory problems and heart attacks. The claim of management that these workers' illnesses were caused by excessive cigarette smoking was proven wrong.

Workers handling vinyl chloride and other toxic substances which attack the liver and bladder have had their illnesses blamed on their life styles, that is, on their alleged excessive drinking of alcohol. These workers have repudiated these malicious charges of management by securing scientific medical data which showed that toxic substances at the workplace are the primary cause of their liver and bladder illnesses.

When management assertions are left unchallenged, then the health problems of workers are thought to be caused by factors not related to the workplace. When challenged, conditions at the workplace often become the primary cause of a significant number of diseases, illnesses, and deaths. Workers and their unions have to document the facts so that they can wage a successful fight for decent working conditions. The alternative is not a job for a living, but a job that may bring an untimely death.

Cancer: Killer at Work

Until a few years ago, the causes of cancer were unknown. Americans were led to believe it was genetics, a virus, a communicable disease. Cancer patients are discriminated against as are their offspring; and both experience guilt and shame because of the disease.

Yet, studies of the causes of illness and deaths of workers show that many cancer deaths can be traced back to work conditions. Reports indicate that 25 percent of all cancers are caused by conditions at work.

It is now generally agreed by U.S. National Cancer Institute, the International Agency for Research on Cancer, and other prestigious cancer institutes and professionals that about 85 percent of all cancers are related to environmental and occupational hazards.

Dr. Umberto Saffioti, a U.S. cancer expert has stated,

"Cancer---in the last quarter of the twentieth century ---can be considered a 'social disease,' a disease whose causes and control are rooted in the technology and economy of our society. The prevention of cancer is largely an ATTAINABLE goal...." (emphasis in original)

Study Shows Most Illnesses are Job-Related

Thus the myth that the life style of workers is the main cause of many illnesses is being rapidly replaced by factual data which shows that the workplace is dangerous. The only scientific attempt to identify the extent to which workers' illnesses stem from their jobs was done by the University of Washington. That study of 600 employees working at six different plants found that 30 percent of the workers' illnesses were job-related and another 30 percent showed a strong correlation between the illness and the workplace as its cause.

But, the medical records maintained by the employer and logs of workers' compensation cases showed only three percent of these illnesses as being work-related.

Workers' Compensation: Must Expand to Include Illnesses

Workers' compensation programs have already accepted the principle that workers hurt on the job deserve workers' compensation awards. But, the concept of job-related illness and disease has not been fixed in compensation programs. Proposed federal workers' compensation legislation does not establish that principle and therefore is deficient because it fails to correct a major problem facing workers: just, equitable and speedy compensation for loss of function and income when disabled because of a work-related condition.

John F. Burton, staff director of the National Commission on Workers' Compensation has recently said,

"...the challenge of providing workable coverage of work-related diseases has not been successfully met in any of the federal standards bills (for workers' compensation) introduced to date."

The failure of legislators to require workers' compensation boards to establish regulations and procedures to determine when the primary cause of disability, illness, and loss of pay are related to unsafe conditions at the workplace is major drawback to a preventive safety and health program. But, the continuing revelations of the dangers of asbestos, vinyl chloride, kepone, and other toxic agents; excessive noise levels; exposure to harmful vapors, etc. will force changes as the public and the workforce become more familiar with the true causes of their illness, disability and premature death.

Dr. Lorin Kerr, Director, Dept. of Occupational Health, United Mine Workers of America, recently pointed out that,

"Management has consistently lobbied against improvements of workers' compensation and company-oriented physicians have been reluctant to recognize or diagnose occupational disease for fear of increasing corporate costs."

Job Death Body Count Grows

Job-related accidental death estimates range from 14,000 to 25,000 yearly. These deaths are caused by conditions at the workplace that are under the sole control of management. Job-related illnesses cause over 100,000 deaths each year according to the Dept. of Health, Education, and Welfare. These deaths are also caused by conditions under the sole control of management. And, based on the recent University of Washington study these figures are probably underestimated.

Myth #3: "Bottom Line": Clean Up Means Close Up

Once workers stop believing in the myths of the unsafe "accident prone" worker and the "life style" illnesses, another myth must be hurdled. This myth is the "bottom line" assertion of employers. This myth directly confronts what workers' believe to be their immediate self interest. The bottom line myth states that if workers demand safer and healthier working conditions, the employer will be forced to close the plant. The opposite is the real truth.

The Environmental Protection Agency in the only exhaustive study on this job loss issue found that while environmental laws may have caused the closing of a few plants employing about 13,900 workers, these same laws generated almost 125,000. And, there was no proof that these plants weren't slated for closing for other financial reasons, i.e., taxes, company policy, consolidation, etc.

Russell Train, former EPA Director, added that for each billion dollars spent in the federal \$18 billion waste water treatment construction program, 70,000 jobs were created. The demand for clean water creates jobs and stops layoffs.

The widespread layoffs of workers in cities throughout the country, and in New York City in particular, have placed technical personnel responsible for the monitoring of air quality and related environmental conditions on the unemployment lines. For example, the New York City Dept. of Air Resources' staff has been reduced from 425 to 287 in a period in which air monitoring and enforcement staff should've been doubled. Similarly, at the workplace maintenance workers in city agencies and private establishments are the first to be fired when the employer is looking to cut down on expenses. These maintenance workers are often entrusted with housekeeping and related jobs that make a workplace a little safer and healthier. Here the fight against layoffs and for stronger enforcement of environmental and occupational regulations leads to additional jobs.

The Labor Department's Inflationary Impact Statement outlining proposed federal standards on worker exposure to coke oven emissions in the steel industry stated that it would require the hiring of 5,000 manual

and technical workers in addition to an existing coke plant workforce of 15,000 workers. The final federal standards for emission monitoring, although weak, will create more jobs at the coke plant.

Each federal standard, promulgated or proposed, on toxic substances or safety hazards will by necessity require the hiring of technical and maintenance employees to monitor and correct workplace hazards.

This combination of environmental and occupational laws are often inseparable and both will create meaningful jobs if they are strictly enforced. Federal job training programs should be utilized to keep employees armed with up to date work skills.

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