

HAZARDS OF THE JOB

Reviewed by
Sol Marks

HEALTH AND SAFETY AT WORK: Australian Trade Union Representative Handbook, by John Mathews. Pluto Press, \$19.95, and available through TUTA or union offices.

It is just over ten years since Patrick Kinnersley's *The Hazards of Work: How to Fight Them* (Pluto Press, 1973), was published. This book provided workers with the first definitive study dealing with the growing realisation that work hazards presented far greater problems than the dangers of physical injury and the more apparent toxic chemicals. It represented a milestone, and a basis for the development of on-the-job struggles for reasonable standards of health and safety.

It soon became obvious, in the light of the rapid increase in available information, that something more was required. *The Hazards of Work* appeared only a year after the release of the Robens Report and necessarily could not provide a critique of its implementation. Material on a number of matters including the all-important subject of repetitive strain injury was insufficient, and the detail on the British legal system was largely irrelevant in this country. Accordingly, there has been space for an up-to-date work dealing with the Australian occupational environment.

This space has now been occupied by John Mathews' *Health and Safety at Work*, to the extent that, given the authority and detail of its contents, it must have a significant bearing on

the direction of work in the occupational health and safety field for years to come. For this reason, it should be the subject of the closest scrutiny, its strengths recognised and used, and its apparent weaknesses examined and discussed.

The Myth of Danger Money

Mathews commences his book with a graphic account of the death of an electrical fitter and, in detailing the circumstances, exposes the myth of the "careless worker". In the same chapter he also makes the most important point that many workers reject the idea of safety, because it is associated with extra discipline and meaningless procedures. Unfortunately, he proceeds with another myth: that past trade union policies were to trade safety for danger money. This assertion has often been made, though usually by interests antipathetic to the trade union movement. It is true that some backward sections of the union movement did trade safety, but to promote this as a general policy has no more validity than assertions about the "careless worker".

What is important is that this assertion expunges the life and work of magnificent trade unionists, and the splendid militancy of many shop floor workers. In Victoria, that included people like Paddy Malone, the forgotten man of the BLF, Jim Roulston and Stan Willis of the Boilermakers Society, and George Seelaf of the Meat Industry Union. I am sure their counterparts existed in other states. Jim Healy of the Waterside Workers afforded the highest priority to health and safety and the right to work in dignity.

The crucial difference between the quality of leadership in the past and

present is the body of knowledge now available for the development of policy.

The British Model

Mathews' book is subtitled "Australian Trade Union Representatives Handbook". It has been clearly written for this newly emerging role in the Australian workplace, basing itself firmly on ACTU policy which, in turn, follows the British model set up under their Health and Safety at Work Act of 1974.

This act followed the findings and philosophy of the Robens Report:

*In the United Kingdom, the Committee on Health and Safety at Work were strongly in favour of self-regulation and the voluntary approach (The Robens Committee, 1972) the fundamental premise upon which they based their report was that "the most important single reason for accidents at work is apathy" and that this would not be overcome "so long as people were encouraged to think that safety and health at work could be ensured by an ever-expanding body of legal regulations enforced by an ever-increasing army of inspectors". They concluded from this that the primary responsibility for doing something about the present levels of occupational accidents and disease lay both with those who create the rules and those who work with them. Proper recognition of this responsibility required that both employers and employees should make a greater voluntary effort to reduce current levels of work-related injury. (Neil Cunningham and W.B. Creighton, "Industrial Safety Law in Social and Political Perspective" in R. Tomasic *Legislation and Society in Australia*. Allen and Unwin, 1980, p. 148.)*

Power of Representatives

In an address to the August 1984 meeting of the Melbourne Workers Health Action Group (WHAG), Breen Creighton reported

on two studies on the extent of safety committees and representatives in Britain. One from 1981 showed that seventy percent of all workplaces had committees, safety representatives or both, and that these seventy percent of workplaces covered ninety percent of the workforce.

His comments on their impact were somewhat ambivalent, but he did say "the general feeling I got was that they were a quiet success".

Translating the above figures into the Australian industrial environment must be a matter of speculation. My personal observation as a worker and an activist in a number of establishments, leads me to the firm conviction that safety representatives will be as effective as the shop steward in any given workplace. That is, the relationship of forces in each workplace will determine whether the safety representative acts on behalf of the workers, or is so influenced by management as to be part of the processes of control. It is not uncommon, for example, for ethnic workers to believe that the shop steward is part of the managerial process.

This must not be taken as a criticism of the shop steward movement, but the fact that this applies, to some degree, inevitably leads to concern that the safety representative can be effective only in a situation where shop floor strength or job permanency provides protection from employers' powers to terminate employment or to victimise in other ways.

At least one writer has drawn attention to these problems with the British scheme:

The conclusion that very definitely emerges is that the self-help model is ... an inadequate prescription for maintaining and improving health and safety standards at work when labour market forces are unfavourable to employees. In these circumstances, it is inevitable that employees will find that their most effective defences lie with the external inspectorates. It follows that there is seemingly little utility for employees in moving from laws of a mandatory kind to codes of practice which are administered by self-help methods when the employment climate is adverse. (Stan Jones, "Health and Safety at Work: The Self-Help Model Ten Years On, The Law Teacher, 1984, p. 129.)

Rank General Electric

Mathews uses the experience of the Melbourne Rank General Electric struggle of



1981 as an example of how an industrial dispute over the incidence and treatment of Repetitive Strain Injury produced a settlement that served as a model "that ACTU policy has built on, and other unions have been able to follow". (p 400)

I have no quarrel with his account of the struggle (see Creighton and Micallef, *Journal of Industrial Relations*, September 1983), nor with the manner of its use. However, the full story of the RGE experience can be used to demonstrate another lesson.

The attitude of the RGE management was consistently hostile. In the early stages of the struggle, they had issued a document that purported to show that the incidence of R.S.I. rose only after and because the union had distributed explanatory material on the subject. Eventually, they were able to push aside the terms of the settlement which had resulted from the dispute when the workers lost their shop floor muscle because of retrenchments following a downturn in the market.

Fate of the Unorganised

Statutory protection and agreements notwithstanding, this is the bottom line—the often unspoken but clearly understood appreciation by both sides of the power nexus, particularly in private industry. It is the final governing factor in the degree of effectiveness of the application of the Robens principle.

Braverman quotes Brecht as a

preface to his *Labor and Monopoly Capital*:

*Some there are who live in darkness
While the others live in light
We see those who live in daylight
Those in darkness, out of sight.*

The application of the Robens principle will provide those who have already achieved a measure of protection with greater rights. Those at or near the bottom of the work hierarchy will be little or no better off. Protection and extension of safety standards goes far beyond the appointment of safety representatives and joint union-employer health and safety agreements.

Health and Safety at Work now occupies the space available for a definitive work on the subject in the Australian environment — it is highly unlikely that anyone will try to produce an alternative in the foreseeable future. Does this then neglect that section of the workforce not covered by the authority, influence and policy of the ACTU and, if this is the case, does this lack of coverage constitute a threat to the proper implementation of that policy?

Only some fifty percent of the Australian workforce is organised into unions, and many of these are covered by unions which, either for reasons of lack of will or industrial composition, do not afford adequate coverage for their members.

Other sections of the workforce are so disadvantaged that it is virtually impossible for even the most highly motivated unions to help them. These include the fringe-dwellers of the workforce: the many out-workers, those who work in the small, often unregistered shops, young workers in fast food outlets, and many others. Some of these sectors of work present the greatest hazards. These workers are far beyond the range of the safety representative movement, and can only be protected by a vigorous and determined inspectorate equipped with the powers and human resources to deal with the problems.

Representing Broader Interests

The Australian trade union movement is faced with the twin threat of privatisation of public utilities and deregulation of industrial relations, among other things proposed by those who want to change the balance of power in the

workplace. We do not have to wait for alternative governments to implement these measures, as a degree of privatisation is already in progress in both federal and state spheres, and deregulation is continuing apace with the growth of contract labour, owner drivers, franchise outlets and other means. Their escalation, in present times, is serious enough and the prospect of marked increase with the return of Liberal governments is indeed grim.

The politics of trade union interests are part and parcel of the politics of the country. For this reason, the ACTU, in endeavouring to retain Labor in office, must act and be seen to be acting in support of all who are disadvantaged, whether they are members of unions or not. Confinement to the parameters of the interests of its own immediate constituency can only assist reaction in the long term.

Individual involvement

Mathews states: "The whole emphasis of this handbook is on providing workers' health and safety representatives with the skills they need to negotiate with their employers to obtain improvement in their work organisation and environment." (p. 506) Indeed, the book does precisely that, with a positively awesome display of detail and authority. However, what it does not do is equip the representative with a guide to how to provide workers with the capacity to play a role in self-determination of their own health and safety. As Mathews sees it, the primary level of intervention is the representative, not the worker.

Given, for example, that in many instances the incidence of R.S.I. is a result of production processes involving massive capital investment, it is reasonable to assume that any health program adopted jointly with employers, would be likely to be confined to the symptomology of the onset of the condition, and provide information that would give the workers the capacity to make value judgments on the effect of the organisation and tempo of work, and involve them in trying to assert control over the production processes themselves.

A further example is provided in the section of the book dealing with organising on the job. Mathews lists eleven major issues for examination

only one of which involves organising the workers, and this is confined to: "Working through the union — procedures for representatives remaining accountable, reporting back and setting up a union only health and safety committee." (p. 507)

There can be no disagreement with this and the other listed issues. They are all proper and important to the subject. What is lacking is the basic need for safety representatives to be involved in a two-way, ongoing education process that will provide them with a constant enrichment of how workers feel and react individually and collectively to their work, and will equip the workers with both formal and informal understanding of relevant issues.

The development of the capacity of the individual to make judgments on the immediate work processes is essential as a countervailing mechanism against the deskilling and alienation of our day. The corporatisation of industry and commerce has created a situation wherein the processes of ultimate decision making are located in an area so remote as to be beyond the conception of the individual worker.

This corporatisation is reflected in the trade unions which are forced to seek amalgamations in order to achieve a structure of a scale capable of developing the resources required to modern needs. This, in turn, produces an inevitable accompaniment of bureaucratisation.

These situations should be recognised by the trade union movement in the form of deliberate planning of compensatory strategies that should include an interventionist mechanism at the point of application of labour.

Crucial to the level of health, safety and well-being is the degree of control that the individual worker has over the work situation. Empirical studies carried out over a number of years in the compensation office of one union covering a wide range of occupations with varying degrees of risk, revealed a pattern of incidence of injury related inversely to this degree of control.

The apparently high risk area of construction work carried out by tradespeople with a high level of intervention in the conduct of work processes showed a far lesser incidence of injury, than in the mass

production sector, where a largely migrant female workforce worked at the mercy of management-designed, machine-paced processes. The production press is one of the most common causes of injury yet, if these were guarded as required by law, injury should be virtually impossible.

This does not contradict or counterpose the need for a collective attitude on matters that affect "the collectivity of workers", but the single worker is a unique individual and should be able to express this individuality in some measure as it relates to his or her immediate working environment

Shop Floor Know-how

Mathews makes extensive use of the work of technical experts. He quite properly sets out sufficient information and sources to provide the safety representative with the capacity for a critical evaluation of the input of these experts. It is unfortunate that this necessarily presupposes a fair level of literacy in the English language, thus making it difficult for those who are often at the greatest risk to be directly involved.

He also overlooks the level of expertise that exists on the factory floor. In a paper given at the "Break Down the Barriers" Conference on the employment of disabled people held in Canberra in 1981, an ergonomist described how he, in many circumstances, would seek advice from the particular disabled person as to the requirements of job adaptation, and then discuss the question with a maintenance tradesperson who would fabricate and install the adaptation. Similarly, shop floor know-how, acquired over a long tradition of work, often intuitive in form, can provide low-cost, effect answers to questions of health and safety.

Health and Safety at Work marshals an enormous body of information which represents a valuable resource for those involved in the occupational environment. Mathews succeeds in achieving his stated purpose of equipping the safety representative with the skills required for the role. There can be argument about his presentation — I found it wordy and loaded with technical detail which could otherwise be sought out by the person involved in the particular subject.

While I accept that Mathews has the right to restrict himself to his stated audience, I am concerned that, in doing so, he has squeezed out the possibility of a more general treatment of the subject. For this reason I believe that he could well have introduced a balance by including an overall picture with ideas that cater for those outside the orbit of formal union structures.

Final judgment of the achievements of the book must be left to the safety representatives and others who must endeavour to put its teachings into practice. It is certainly the most authoritative and detailed collection of technical information available in the English language, and for this at least, we should be thankful.

At 20, he was a shop steward in the Amalgamated Engineering Union. He received an early introduction to the traditional attitudes of the union:

"I was quickly told 'never sell your conditions' by a shellback from the District Committee, and I can clearly remember many struggles on the shop floor over health and safety issues over that period."

After working for 14 years at Ford's Broadmeadows plant, he became compensation officer for the AMWU in 1976. He was largely responsible for the union's initial policy on health and safety, possibly the first definitive policy produced within the Australian union movement on the subject.

He is a foundation member of the Melbourne Workers Health Action Group, and is currently heavily involved with the Richmond Workers Health Resource Centre.

"Fifty years of work left its marks — industrial deafness, a most vexing frosty morning whitening (loss of feeling in the thumbs caused by vibration), a chronic but well-managed back condition, and sundry aches which are a possible combination of aging and work trauma."



Sal Marks is a retired metalworker.

He started work at the age of 14, in 1932, and in his first year on the job survived a near-fatal accident which caused a permanent minor disability.

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