INDUSTRIAL - ACCIDENTS

1990

Fibreglass implicated in cancer

Cape Times 8/1/90

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LONDON. — Hundreds of thousands of workers may be at risk from lung cancer following new claims that fine fibreglass, used for insulating everything from lofts to refrigerator doors, "mimics" asbestos

A study conducted by Dr Kaye Kilburn, of the University of Southern California's School of Medicine, found that a significant number of workers using rotary spun fibreglass, put inside refrigerator doors, were showing signs indistinguishable from asbestosis.

In his report, which is certain to create fresh controversy in Britain and America, Dr Kilburn claims that while a minority of the workers' symptoms could be directly linked to asbestos, the majority could not.

Instead there was evidence of fibrosis in the lung, they had impaired breathing and were unable to work to full capacity.

Dr Kilburn is planning a second study which he hopes will back up his initial findings and which will convince manufacturers of the alleged dangers of mineral fibres such as fibreglass

In America the insurance companies are already becoming concerned about the findings, fearing an influx of claims similar to the asbestos lawsuits in the 1970s and 1980s

The main manufacturer of fibreglass wool, Owens-Corning Fiberglass Corporation, now prints a warning with its products which says there is "a possible cancer hazard based on tests with laboratory animals" To minimise any risk the company recommends particular models of dust respirators

In Britain, the reaction to the study is more cautious Leading epidemiologist Sir Richard Doll, who has chaired international meetings on the hazards of mineral fibres, said that further studies needed to be conducted before their dangers could be conclusively proved.

Last October, the Health and Safety Executive classified mineral fibre as a "hazardous material" and in 1987 the World Health Organsiation's International Agency for Research into Cancer, said the material was "possibly carcinogenic"

Young people suffer most industry injuries

B/Day 11/1/90

LALA CAMERER

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OVER 50% of disabling injuries in industry are suffered by young people within the first two years of starting a new job.

According to 1989 statistics released by the Workmen's Compensation Commission Office (WCCO), there is a disproportionate number of injuries among young workers compared with old workers

The 16-20 age group accounts for 10,6% of disabling injuries, while 18,3% occur in the 21-24 group, and 18% in the 25-29 graoup

From the age of 30 upwards, the percentages decrease

National Occupational Safety Association (Nosa) MD Bunny Matthysen confirmed there was a definite downward trend in injury statistics after the age of 30

"This is due to gained experience in work situations, whereby employers and employees build up a data bank of experience which makes them aware of the dangers and hazards involved," he says

Figures of disabling injuries per annum last year in specific industrial fields were agriculture 13 000, iron and steel industry 12 890, building and construction 8 695, and trade and commerce 7 151

A total of 1 551 deaths occurred in SA industry last year

WWCO deputy commissioner James Flint says the statisics are compiled from actual accidents and claims made in terms of the Workmen's Compensation Act

Issues affecting safety in mining will be discussed in detail at a Nosa Health Conference in May

Nosa is also sponsoring a safety handbook to be distributed in high schools

200 Metro workers ill with 'food poisoning'

Sowetan 16/1/90

By MATHATHA TSEDU

OVER 200 workers from five Metro Cash and Carry outlets in the northern Transvaal fell sick yesterday following suspected food poisoning.

The workers, from Metro's branches in Pietersburg, Potgietersrus, Lebowakgomo, Louis Trichadt and Frasers Cash and Carry in Pietersburg were involved in stock taking in Pietersburg at the weekend. They all ate food provided by the company and prepared at a restaurant owned by a white colleague.

The affected workers in Pietersburg were taken to a doctor early yesterday complaining of stomach cramps, running stomachs and dizziness. They were given medication. None of them was laid off from work, they said, despite the fact that some of them were passing bloody stools.

The workers said old stock or frozen food, some as old as seven months, had been used for the meal that apparently caused the sickness. The white co-worker had allegedly brought two separate parcels of food, one for the white workers and the other one for the black workers.

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Workers taken ill

From Page 1

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None of the whites were affected by the suspected food poisoning, they said A white official at the Pietersburg store yesterday said there had been no food poisoning. He refused to identify himself and dropped the phone.

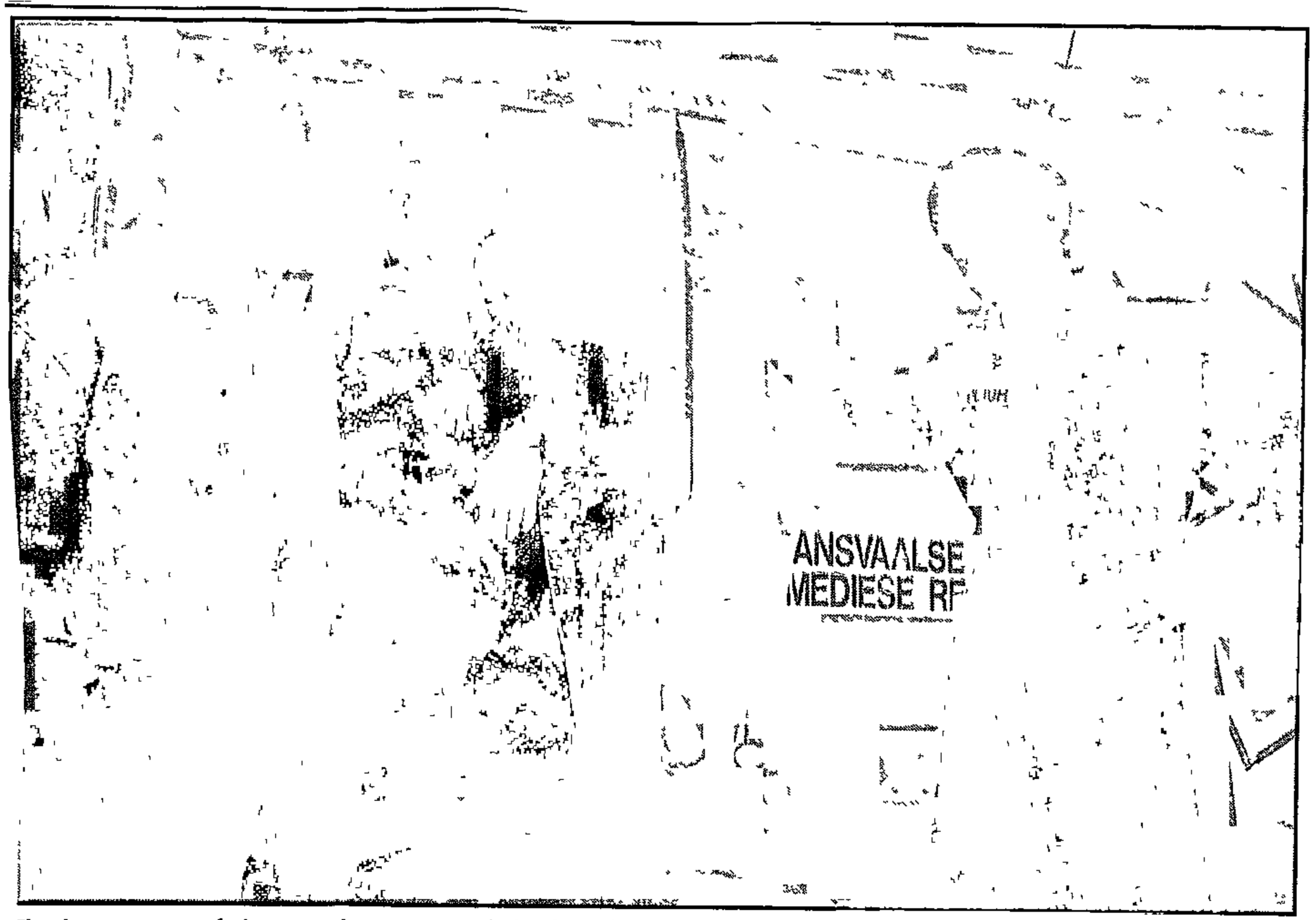
But Metro's general manager, Mr John Granger, confirmed from Johannesburg that black workers who had been involved in stock taking in Pietersburg had fallen ill.

Sowetan 16/1/90

He said he did not know how many workers were involved and did not know what had caused the illness "We are waiting for a report from the doctor before we can say what steps will be taken No, I cannot comment on whether whites had been given separate food but none of the affected workers were hospitalised and they are back at work," Granger said

The branch secretary of the South African Commercial Catering and Allied Workers Union (Saccawu), Lepula Mokgopi, said yesterday that the union had demanded that the left overs be sent for analysis to establish the nature of the suspected poisoning

"We are aware that the company is refusing the workers time off and we are working on that," he said



The brave team of doctors who amputated the leg of a factory worker inside a silo 30 m above the ground on Monday. The doctors are (from left to right) Gareth Hide, Vivek Solanki, Jonathan Alper (the anaesthetist) and Roger Saadia.
Picture by: Sean Woods.

Doctors amputate worker's leg 30 m up

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Star 24/1/90

By Toni Younghusband, Medical Reporter

A team of Johannesburg doctors, balancing on two planks 30 m above the ground, on Monday amputated a factory worker's leg where he lay trapped inside a silo

The doctors were flown to the Interboard factory in Germiston by helicopter after it was established that Mr Henry Madwe's mangled left leg could not be freed from a conveyor belt

The three-man team was forced to climb ladders and crawl through a small opening in the silo wall to reach Mr Madwe

The surgeon, Dr Roger Saadia, said Mr Madwe was still conscious when the medical team arrived although he had lost a lot of blood

"His leg was mangled beyond recognition but the bone was caught in the machine We could not get him free, even if we could have freed the leg we would have had to amputate," said Dr Saadia

The anaesthetist on the team was unable to give Mr Madwe a conventional anaesthetic because of the position of his head

"He was lying on his left side and his neck was twisted at an angle We had to perform an emergency tracheotomy (cut a hole in his throat) to insert the ventilator pipe," Dr Saadia said

Machines working inside the silo could not be shut down and the doctors had to wear goggles to protect their eyes against flying sawdust "There was no question of observing the rules of sterility There was too much sawdust and sand flying around"

Steadying himself with one hand, Dr Saadia operated with the other "I have done many amputations, you don't have time to feel nervous," he said, admitting however, that being surrounded by large heaps of sawdust was a little frightening "We could have fallen into that sawdust and you can suffocate like that"

Forty-five minutes later, the amputation complete, Mr Madwe was airlifted to the Johannesburg Hospital, where he was admitted to the surgical intensive care unit in a serious condition

"He had lost two litres of blood and his heart stopped briefly during the operation but now he is stable and he is able to sit up in bed," Dr Saadia told The Star yesterday

Mr Madwe will remain in hospital for some time His wound will have to be cleaned repeatedly before doctors can stitch the stump closed

"I think the most important aspect of this incident is that the hospital has a team on standby ready to go out to operate outside the hospital at any time The system worked well and all racial problems were forgotten"

"There was no question of transferring Mr Madwe to Baragwanath Hospital, we brought him straight here," said Dr Saadia

Service for union man

A MEMORIAL service for a paper worker crushed by a machine at Sappi Craft in Montague Gardens is due to take place this Saturday at 9am at Industria House in Salt River (131)

Mr Douglas van Schalkwyk, 29, died when he fell into a machine at the factory on January 2 South 25/1/90 – 31/1/90

A Paper, Print, Wood and Allied Workers' Union spokesperson said the union wanted an independent inquiry into Van Schalkwyk's death An internal inquiry was held at the factory last week but the results have not been made public

Reminders and prizes stress safety at Afrox

S/Times 11/2/90 (131)

AFROX is entering the 1990s determined to increase safety awareness among employees

The Group Chairman's Safety Award Scheme has been implemented to achieve success in this area, which is becoming more important because of the growing number of accidents in the workplace

Afrox operations standards manager Dave Bawden is responsible for administering the safety award scheme He says that in July last year the company joined the BOC Chairman's Safety Award Scheme, which was started in 1987

The scheme is now under way in all companies controlled by BOC in more than 50 countries

Mr Bawden says Afrox adopted it because it is essential to prevent, as far as possible, the disruption of the lives of employees involved in what are often easily avoidable accidents

"In our business, employees lift and move many things, from gas cylinders to welding machines

"Many accidents are associated with these activities, hand and foot injuries being common We believe they can be reduced significantly by simply reminding people of the importance of safety"

At the start of the campaign, each employee was given a china coffee mug, emblazoned with the Chairman's Safety Campaign Award Scheme logo — a head with a green cross which is a widely used symbol of safety

The campaign takes the form of a competition, groups of workers vying for prizes

For the purpose of the campaign, Afrox employees have been divided into 69 units of about 100 members, each with a co-ordinator to ensure adequate liaison between with management

To qualify for the award, a unit has to complete 12 months and 200 000 working hours without losing a working day (a working day is lost when an injury prevents a person from working his next full shift)

Mr Bawden says 44 units are in the running for shopping vouchers to the value of R70 for each member There will also be a draw for a prize of R700 for each unit A plaque will be awarded

Phineas dials in to his station from a converted public telephone.

Festival shot in arm for small business

THE Homemakers' Festival, being held in Mamelodi this year for the first time, is expected to draw about 175 000 people and be a shot in the arm for local small businesses It will be held at Moretele Park from March 16 to April 1

At a luncheon in Johannesburg recently to launch the exhibition, the sponsors promised an exciting, fun-filled three weeks

There will be home-related exhibits, live music, funfairs, sport events, fashion and beauty shows and community awareness programmes

Expressing his gratitude to the sponsors for holding the festival in Mamelodi, mayor Sydney Mokone said owners of small businesses would benefit from the event because they would now be able to present their goods to the public

"There is a chronic problem of unemployment I believe this move will alleviate it, although on a fairly small scale," he said

A spokesman for the organisers said Mamelodi was viewed as a "gateway" to the black market of about three-million people who live around Pretoria

Safety under the spotlight

MANY people are still exposed to unsafe working conditions C/Press 11/2/90

This emerged at a weekend seminar organised by the Transvaal Society of Black Occupational Health Nurses

The 200 delegates heard speakers emphasise the urgent need for employers and workers to change their attitude towards health and safety at work (131)

Cosatu Education Officer Khetsi Lehoko said many trade unions were not giving the issues enough attention while employers "still treat safety in the workplace as a privilege"

He said a healthy and safe working environment was a non-negotiable right for all workers

Chairman of the South African Traditional Healers Organisation, Henry Zungu, said modern medical bodies were now recognising traditional medicine

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Worker shot during picket is paralysed

STAR 20/2/90 (131)

A 28-year-old worker who was injured in a Johannesburg shooting last week has been told he will not be able to walk again

Mr Sandile Hiya, of Transkei, was one of six men injured — one man was killed when shots were fired during an incident involving picketing workers at a Pritchard Street building site

Mr Hiya was shot in the neck and back

He has been told he is paralysed and will be transferred from Johannesburg Hospital to Natalspruit

The six were injured when a security guard fired shots at more than 100 workers, members of the Building Construction and Allied Workers Union

Combrink Building Constructions dismissed the workers after a dispute

Mr Johannes Madida and Mr Johannes Kgalati are in a serious condition at the Hillbrow Hospital

The dead man is Mr Alpheus Bapela (33) of Potgietersrus

Mr Alred Zibula and Mr Lucas Matlala were treated and discharged

Captain Eugene Opperman, police liaison officer for the Witwatersrand, said the guard had fired a shot after workers tried to take his gun

Coronation Hospital

Cape Times 24/2/90

Farm worker killed

(131)

A STELLENBOSCH farm labourer died after he fell from a tractor and the wheels of a trailer crushed his head on Thursday A police spokesman said Mr Hans Snyman, 36, of the farm Watergang, was delivering a load of grapes when the accident occurred

Gate cut to free postman

Cape Times 9/3/90 (131)

Staff Reporter

RESCUE workers were yesterday forced to cut loose a section of a steel gate to free a postman whose hand was impaled on a steel spike.

The postman drove his hand through the steel spike while trying to scale the gate. He had apparently been taking a short-cut through a property in Fort Road, Sea Point.

The fire department and Metro workers used a blowtorch to cut loose a section of the gate on which the postman's left hand had been impaled.

He was taken to hospital together with the section of the gate and with his hand still impaled.

● In another incident a worker lost three of his fingers when they became stuck in a machine and were amputated at the Enterprise Bakery in Kenilworth yesterday, rescue workers said.

ments have been finalised, if not, why not, if so, (a) when will the new system be implemented and (b) what, on average, is the anticipated additional cost per child?

Hansard 13/3/90 B444E

The MINISTER OF EDUCATION AND CULTURE

No, hostels are not being privatised An economic management system for hostels is under consideration,

(a) and (b) fall away

Schools: guest speakers/visitors

*2 Mr K M ANDREW asked the Minister of Education and Culture Hansard 13/3/90

(1) Whether, since the inception of his Department, any circulars, notices or other instructions have been sent to schools in the Cape Peninsula relating to guest speakers and/or visitors, if so, (a) when, (b) why and (c) what was the purport of these cultures, notices or other instructions,

(2) whether any schools or school principals have been contacted individually in respect of guest speakers or visitors, if so, (a) how many and (b) what were the circumstances? B445E

†The MINISTER OF EDUCATION AND CULTURE

(1) Yes, to all schools in the Cape,

(a) 15 November 1988,

(b) and (c) to give guidelines to ensure that visits of outsiders to schools take place in an orderly way,

(2) yes,

(a) and (b) not available

Mr K M ANDREW Mr Chairman, arising out of the hon the Minister's reply, why are details in respect of paragraph (2) not available, which presumably should be a matter of some importance and not a triviality?

†The MINISTER Mr Chairman, let us look at it in practice There are so many schools and sometimes there are requests The school principal uses his discretion to decide whether a person should be allowed or not, and he liaises with the department Each case is not placed on computer when the liaison takes place We therefore know there was individual liaison, but no record is kept of who made liaison with them on what date or about what In the normal practice it is not necessary to do this Hansard 13/3/90

Mr K M ANDREW Mr Chairman, further arising out of the hon the Minister's reply, why has this practice become necessary in the Cape Education Department after 150 years? Has his department lost confidence in the principals in this province?

†The MINISTER Mr Chairman, that is another intentional conclusion The hon member knows all too well that the Cape Education Department, like any other education department, like myself and I assume the hon member too, have the utmost confidence in all the principals of all the schools Therefore that is not the point If one, however, runs a professional body like a school professionally and you want to do it properly, it applies that you review the professional task of the teacher Then if it is necessary to get someone from the outside, provided that his contribution is of educational value, one is prepared to do it It is simply the point that management is conducted in an orderly manner The principal will, when such a request comes along, decide whether it is necessary to grant such a request, or not

Mr K M ANDREW Mr Chairman, may I ask the hon the Minister, further arising from his reply, whether the suggestion is that for the previous 150 years the Cape Education Department had been managed in a disorderly manner? [Interjections]

Hansard 13/3/90

Teacher-training colleges: African language

*3 Mr K M ANDREW asked the Minister of Education and Culture

Whether any White teacher-training colleges offer an African language as a course subject, if not, (a) why not and (b) what steps are being taken in this regard, if so, (i) which colleges, (ii) what African languages are being offered and (iii) how many student teachers took such language courses in 1989? B446E

†The MINISTER OF EDUCATION AND CULTURE

Yes,

(i)	(ii)	(iii)
Bolandse Onderwyskollege	Xhosa	33
Port Elizabeth College of Education		38
Graaff-Reinet College for Continued Training		6
Edgewood College of Education	Zulu	34
Durbanse Onderwyskollege		15
Bloemfontein Teachers' College	Southern Sotho	14
Onderwyskollege Pretoria	Northern Sotho	183
	Zulu	17
Ondewyskollege Goudstad	Northern Sotho	95
Onderwyskollege Potchefstroom	Tswana	142
Johannesburg College of Education	Zulu	98

†Dr W J SNYMAN Mr Chairman, arising out of the reply of the hon the Minister I should like to ask him—he refers to so-called African languages in his reply—whether his department also regards Afrikaans as an African language

†The MINISTER Mr Chairman, I really don't know whether it is necessary to owe that clever gentleman a reply The fact of the matter is that all languages that are taught in Africa, are surely taught in Africa, whether it is Afrikaans, English or German, but normally [Interjections]

†An HON MEMBER Answer the question

†The MINISTER Give me a chance, then I will gladly answer the question Would the hon member like to answer the question for me? [Interjections] The fact of the matter is that in a normal conversation the normal meaning of African language is that they are Black languages

Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament

KwaZulu/Natal Advisory Board of Education: representation

*4 Mr R M BURROWS asked the Minister of Education and Culture Hansard 13/3/90

(1) Whether he has refused a request of the Director of Education. Natal Education Department for that department to be represented on the KwaZulu/Natal Advisory Board of Education, if so, (a) when did he receive this request and (b) why did he refuse it,

(2) whether he has been informed that other executive departments in the Natal/KwaZulu region are currently represented on the Advisory Board, if so, (a) which executive departments are so represented and (b) when was he so informed,

(3) whether he will make a statement on the matter? Hansard 13/3/90 B448E

The MINISTER OF EDUCATION AND CULTURE

(1) No, the Minister did not receive such a request,

(a) and (b) fall away,

(2) no,

(a) and (b) fall away,

(3) no

For written reply Hansard 13/3/90

General Affairs 131

Occupational diseases: certificates

106 Mr P J PAULUS asked the Minister of National Health and Population Development †

In respect of how many (a) Whites, (b) Coloureds, (c) Indians and (d) Blacks employed in industries during each specified year from 1 October 1973 up to and including the latest date for which information is available, were certificates issued while they were alive and after death that they suffered (i) (aa)

between 1 and 40 per cent and (bb) more than 40 per cent from an occupational disease and (ii) (aa) from an occupational disease plus tuberculosis and (bb) tuberculosis alone?

B260E

The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

Only collective figures for mines *and* works, and for Whites, Coloureds and Indians are available Figures prior to 1982/83 are not readily accessible in this Department

(a), (b) and (c)

NUMBER OF *LIVING* WHITES, COLOUREDS AND INDIANS CERTIFIED FOR COMPENSATION

Period	(i) (aa) 1st degree	(bb) 2nd degree	(ii) (aa) 2nd degree + TB	(bb) TB only
1982/83	370	153	19	59
1983/84	327	141	29	55
1984/85	422	149	34	44
1985/86	458	157	39	67
1986/87	583	124	52	73
1987/88	655	160	55	58
1988/89	543	132	59	74

(d) Only collective figures for (i) (aa) and (bb) are available

NUMBER OF *LIVING* BLACKS CERTIFIED FOR COMPENSATION

Period	(i) (aa) and (bb) Compensatable disease	(ii) (aa) Compensatable disease + TB	(bb) TB only
1982/83	660	793	3 427
1983/84	649	890	3 629
1984/85	576	669	3 334
1985/86	* 2 282	646	3 711
1986/87	* 2 414	599	3 846
1987/88	* 2 927	606	3 520
1988/89	* 2 211	674	3 814

* As a result of the new policy, allowing certified silicotics to return to riskwork, the backlog of cases is now being certified

(a), (b) and (c)

NUMBER OF *DECEASED* WHITES, COLOUREDS AND INDIANS CERTIFIED FOR COMPENSATION

Period	(i) (aa) 1st degree	(bb) 2nd degree	(ii) (aa) 2nd degree + TB	(bb) TB only
1982/83	237	30	17	4
1983/84	229	35	36	5
1984/85	249	24	22	7
1985/86	169	31	30	11
1986/87	191	25	32	7
1987/88	169	23	21	9
1988/89	159	21	33	13

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1983/84	415	78	132
1984/85	463	83	109
1985/86	414	95	123
1986/87	451	130	118
1987/88	420	97	114
1988/89	455	85	159

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B261E

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Colonial Building, Pietermaritzburg

143 Mr M A TARR asked the Minister of Public Works and Land Affairs

Whether his Department has taken a decision regarding the use of the Colonial Building in Church Street, Pietermaritzburg, if not, (a) why not and (b) when can such a decision be expected, if so, what was the decision?

Hansard 13/3/90 B334E

The MINISTER OF PUBLIC WORKS AND LAND AFFAIRS

No

(a) It was the intention to accommodate the administrative section of the SAP Security Police in the Colonial Building As a result of various representations, it was decided to find another home for that component

(b) In the light of the recent decision not to accommodate the SAP Security Branch in the building, the question of its utilisation is still being investigated, whereafter such a decision will be taken

Own Affairs

Maidstone Primary School: applications

40 Mr J A JORDAAN asked the Minister of Education and Culture † Hansard 13/3/90

(1) Whether his Department has received any applications for non-White children to be admitted to the Maidstone Primary School, if so, (a) by whom, (b) through which channel and (c) on what dates were these applications made,

(2) whether the applications were accompanied by recommendations, if so, what was the nature of the recommendations,

(3) whether any decision has been taken on the applications, if so, (a) what was the decision and (b) (i) through which channels and (ii) on what dates were the applicants informed of the decision,

(4) whether he will make a statement on the matter?

Hansard 13/3/90 B333E

The MINISTER OF EDUCATION AND CULTURE

(1) Yes,

(a), (b) and (c) Mr and Mrs E Peters in respect of Michelle Peters to the Maidstone Primary School (29 May 1989), the Natal Education Department (12 October 1989), the Minister (12 October 1989) and to the State President (11 December 1989),

Mrs J Charles in respect of Tyrone Charles to the Maidstone Primary School (13 October 1989),

(2) yes, recommendations, submitted via the Ministerial Representative of Natal, that the children should be admitted were received from

* Dr T G Cleasby, Managing Director, The Tongaat-Hulett Group Ltd
* Mr R W Groom, Chairman School Committee, Maidstone Primary School
* Mr J A Jordaan, MP who also wrote to the State President on 14 November 1989
* Mrs B M Whitehead Principal Hillbilly Pre-primary School and Mrs K Thompson in respect of Michelle Peters,

(3) yes,

(a) that Michelle Peters and Tyrone Charles not be admitted to the Maidstone Primary School,

(b) (i) and (ii) — letters to Mr and Mrs Peters from

* the Principal of Maidstone Primary School (5 June 1989)
* the Natal Director of Education (16 October 1989)
* the Minister (6 December 1989),

— letter to Mrs J Charles from the Principal of Maidstone Primary School (17 October 1989)

Hansard 13/3/90

— letters from the Minister to the Ministerial Representative of Natal (23 November 1989 and 18 January 1990),

(4) no

PE area: school facilities

49 Mr E W TRENT asked the Minister of Education and Culture

Which schools falling under the control of his Department in the Port Elizabeth area have a (a) library, (b) computer room, (c) science laboratory and (d) domestic science laboratory? Hansard 13/3/90

B403E

The MINISTER OF EDUCATION AND CULTURE

	(a)	(b)	* (c)	** (d)
High Schools				
Alexander Road	x	x	x	x
Andrew Rabie	x		x	x
Chinese	x		x	
Cillié	x		x	x
Collegiate Girls'	x		x	x
D F Malherbe	x		x	x
Framesby	x		x	x
Grey Boys	x	x	x	
Lawson Brown	x		x	x
Otto du Plessis	x		x	x
Pearson	x		x	x
Port Elizabeth Commercial	x			
Port Elizabeth Technical	x		x	
Victoria Park	x		x	x
Westering	x		x	x
Westview Special	x			x
Primary Schools				
Altona	x			
Bluewater Bay	x			
Charlo	x			
Clarendon Park	x			
Coega	x			
Collegiate Girls'	x			
Cotswold	x			

ments have been finalised, if not, why not, if so, (a) when will the new system be implemented and (b) what, on average, is the anticipated additional cost per child?

Hansard 13/3/90 B444E

The MINISTER OF EDUCATION AND CULTURE

No, hostels are not being privatised An economic management system for hostels is under consideration,

(a) and (b) fall away

Schools: guest speakers/visitors

*2 Mr K M ANDREW asked the Minister of Education and Culture Hansard 13/3/90

(1) Whether, since the inception of his Department, any circulars, notices or other instructions have been sent to schools in the Cape Peninsula relating to guest speakers and/or visitors, if so, (a) when, (b) why and (c) what was the purport of these cultures, notices or other instructions,

(2) whether any schools or school principals have been contacted individually in respect of guest speakers or visitors, if so, (a) how many and (b) what were the circumstances? B445E

†The MINISTER OF EDUCATION AND CULTURE

(1) Yes, to all schools in the Cape,

(a) 15 November 1988,

(b) and (c) to give guidelines to ensure that visits of outsiders to schools take place in an orderly way,

(2) yes,

(a) and (b) not available

Mr K M ANDREW Mr Chairman, arising out of the hon the Minister's reply, why are details in respect of paragraph (2) not available, which presumably should be a matter of some importance and not a triviality?

†The MINISTER Mr Chairman, let us look at it in practice There are so many schools and sometimes there are requests The school principal uses his discretion to decide whether a person should be allowed or not, and he liaises with the department Each case is not placed on computer when the liaison takes place We therefore know there was individual liaison, but no record is kept of who made liaison with them on what date or about what In the normal practice it is not necessary to do this Hansard 13/3/90

Mr K M ANDREW Mr Chairman, further arising out of the hon the Minister's reply, why has this practice become necessary in the Cape Education Department after 150 years? Has his department lost confidence in the principals in this province?

†The MINISTER Mr Chairman, that is another intentional conclusion The hon member knows all too well that the Cape Education Department like any other education department, like myself and I assume the hon member too, have the utmost confidence in all the principals of all the schools Therefore that is not the point If one, however, runs a professional body like a school professionally and you want to do it properly, it applies that you review the professional task of the teacher Then if it is necessary to get someone from the outside, provided that his contribution is of educational value, one is prepared to do it It is simply the point that management is conducted in an orderly manner The principal will, when such a request comes along, decide whether it is necessary to grant such a request, or not

Mr K M ANDREW Mr Chairman, may I ask the hon the Minister, further arising from his reply, whether the suggestion is that for the previous 150 years the Cape Education Department had been managed in a disorderly manner? [Interjections]

Hansard 13/3/90

Teacher-training colleges: African language

*3 Mr K M ANDREW asked the Minister of Education and Culture

Whether any White teacher-training colleges offer an African language as a course subject, if not, (a) why not and (b) what steps are being taken in this regard, if so, (i) which colleges, (ii) what African languages are being offered and (iii) how many student teachers took such language courses in 1989? B446E

The MINISTER OF EDUCATION AND CULTURE

(i)	(ii)	(iii)
Bolandse Onderwyskollege	Xhosa	33
Port Elizabeth College of Education		38
Graaff-Reinet College for Continued Training		6
Edgewood College of Education	Zulu	34
Durbanse Onderwyskollege		15
Bloemfontein Teachers' College	Southern Sotho	14
Onderwyskollege Pretoria	Northern Sotho	183
	Zulu	17
Ondewyskollege Goudstad	Northern Sotho	95
Onderwyskollege Potchefstroom	Tswana	142
Johannesburg College of Education	Zulu	98

†Dr W J SNYMAN Mr Chairman, arising out of the reply of the hon the Minister I should like to ask him—he refers to so-called African languages in his reply—whether his department also regards Afrikaans as an African language

†The MINISTER Mr Chairman, I really don't know whether it is necessary to owe that clever gentleman a reply The fact of the matter is that all languages that are taught in Africa, are surely taught in Africa, whether it is Afrikaans, English or German, but normally [Interjections]

†An HON MEMBER Answer the question

†The MINISTER Give me a chance, then I will gladly answer the question Would the hon member like to answer the question for me? [Interjections] The fact of the matter is that in a normal conversation the normal meaning of African language is that they are Black languages

Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament

KwaZulu/Natal Advisory Board of Education. representation

*4 Mr R M BURROWS asked the Minister of Education and Culture Hansard 13/3/90

(1) Whether he has refused a request of the Director of Education Natal Education Department for that department to be represented on the KwaZulu/Natal Advisory Board of Education, if so, (a) when did he receive this request and (b) why did he refuse it,

(2) whether he has been informed that other executive departments in the Natal Kwa-Zulu region are currently represented on the Advisory Board, if so, (a) which executive departments are so represented and (b) when was he so informed,

(3) whether he will make a statement on the matter? Hansard 13/3/90 B448E

The MINISTER OF EDUCATION AND CULTURE

(1) No, the Minister did not receive such a request,

(a) and (b) fall away,

(2) no,

(a) and (b) fall away,

(3) no

For written reply Hansard 13/3/90

General Affairs (131)

Occupational diseases: certificates

106 Mr P J PAULUS asked the Minister of National Health and Population Development †

In respect of how many (a) Whites, (b) Coloureds, (c) Indians and (d) Blacks employed in industries during each specified year from 1 October 1973 up to and including the latest date for which information is available, were certificates issued while they were alive and after death that they suffered (i) (aa)

between 1 and 40 per cent and (bb) more than 40 per cent from an occupational disease and (ii) (aa) from an occupational disease plus tuberculosis and (bb) tuberculosis alone?

B260E

The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

Only collective figures for mines *and* works, and for Whites, Coloureds and Indians are available Figures prior to 1982/83 are not readily accessible in this Department

(a), (b) and (c)

NUMBER OF *LIVING* WHITES, COLOUREDS AND INDIANS CERTIFIED FOR COMPENSATION

Period	(i) (aa) 1st degree	(bb) 2nd degree	(ii) (aa) 2nd degree + TB	(bb) TB only
1982/83	370	153	19	59
1983/84	327	141	29	55
1984/85	422	149	34	44
1985/86	458	157	39	67
1986/87	583	124	52	73
1987/88	655	160	55	58
1988/89	543	132	59	74

(d) Only collective figures for (i) (aa) and (bb) are available

NUMBER OF *LIVING* BLACKS CERTIFIED FOR COMPENSATION

Period	(i) (aa) and (bb) Compensatable disease	(ii) (aa) Compensatable disease + TB	(bb) TB only
1982/83	660	793	3 427
1983/84	649	890	3 629
1984/85	576	669	3 334
1985/86	* 2 282	646	3 711
1986/87	* 2 414	599	3 846
1987/88	* 2 927	606	3 520
1988/89	* 2 211	674	3 814

* As a result of the new policy, allowing certified silicotics to return to riskwork, the backlog of cases is now being certified

(a), (b) and (c)

NUMBER OF *DECEASED* WHITES, COLOUREDS AND INDIANS CERTIFIED FOR COMPENSATION

Period	(i) (aa) 1st degree	(bb) 2nd degree	(ii) (aa) 2nd degree + TB	(bb) TB only
1982/83	237	30	17	4
1983/84	229	35	36	5
1984/85	249	24	22	7
1985/86	169	31	30	11
1986/87	191	25	32	7
1987/88	169	23	21	9
1988/89	159	21	33	13

(d) Only collective figures for (i) (aa) and (bb) are available

NUMBER OF *DECEASED* BLACKS CERTIFIED FOR COMPENSATION

Period	(i) (aa) and (bb) Compensatable disease	(ii) (aa) Compensatable disease +TB	(bb) TB only
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1983/84	415	78	132
1984/85	463	83	109
1985/86	414	95	123
1986/87	451	130	118
1987/88	420	97	114
1988/89	455	85	159

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B261E

The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

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1985/86	414	95	123
1986/87	451	130	118
1987/88	420	97	114
1988/89	455	85	159

Colonial Building, Pietermaritzburg

143 Mr M A TARR asked the Minister of Public Works and Land Affairs

Whether his Department has taken a decision regarding the use of the Colonial Building in Church Street, Pietermaritzburg, if not, (a) why not and (b) when can such a decision be expected, if so, what was the decision?

Hansard 13/3/90 B334E

The MINISTER OF PUBLIC WORKS AND LAND AFFAIRS

No

(a) It was the intention to accommodate the administrative section of the SAP Security Police in the Colonial Building As a result of various representations, it was decided to find another home for that component

(b) In the light of the recent decision not to accommodate the SAP Security Branch in the building, the question of its utilisation is still being investigated, whereafter such a decision will be taken

Own Affairs

Maidstone Primary School: applications

40 Mr J A JORDAAN asked the Minister of Education and Culture † Hansard 13/3/90

(1) Whether his Department has received any applications for non-White children to be admitted to the Maidstone Primary School, if so, (a) by whom, (b) through which channel and (c) on what dates were these applications made, (51)

(2) whether the applications were accompanied by recommendations, if so, what was the nature of the recommendations,

(3) whether any decision has been taken on the applications, if so, (a) what was the decision and (b) (i) through which channels and (ii) on what dates were the applicants informed of the decision,

(4) whether he will make a statement on the matter?

Hansard 13/3/90 B333E

The MINISTER OF EDUCATION AND CULTURE

(1) Yes,

(a), (b) and (c) Mr and Mrs E Peters in respect of Michelle Peters to the Maidstone Primary School (29 May 1989), the Natal Education Department (12 October 1989) the Minister (12 October 1989) and to the State President (11 December 1989),

Mrs J Charles in respect of Tyrone Charles to the Maidstone Primary School (13 October 1989),

(2) yes, recommendations, submitted via the Ministerial Representative of Natal, that the children should be admitted were received from

* Dr T G Cleasby, Managing Director, The Tongaat-Hulett Group Ltd
* Mr R W Groom, Chairman School Committee, Maidstone Primary School
* Mr J A Jordaan MP who also wrote to the State President on 14 November 1989
* Mrs B M Whitehead, Principal Hillbilly Pre-primary School and Mrs K Thompson in respect of Michelle Peters,

(3) yes,

(a) that Michelle Peters and Tyrone Charles not be admitted to the Maidstone Primary School,

(b) (i) and (ii) — letters to Mr and Mrs Peters from

* the Principal of Maidstone Primary School (5 June 1989)
* the Natal Director of Education (16 October 1989)
* the Minister (6 December 1989),

— letter to Mrs J Charles from the Principal of Maidstone Primary School (17 October 1989)

Hansard 13/3/90

— letters from the Minister to the Ministerial Representative of Natal (23 November 1989 and 18 January 1990),

(4) no

PE area: school facilities

49 Mr E W TRENT asked the Minister of Education and Culture

Which schools falling under the control of his Department in the Port Elizabeth area have a (a) library, (b) computer room, (c) science laboratory and (d) domestic science laboratory? Hansard 13/3/90

B403E

The MINISTER OF EDUCATION AND CULTURE

	(a)	(b)	(c) *	(d) **
High Schools				
Alexander Road	x	x	x	x
Andrew Rabie	x		x	x
Chinese	x		x	
Cillie	x		x	x
Collegiate Girls'	x		x	x
D F Malherbe	x		x	x
Framesby	x		x	x
Grey Boys	x	x	x	
Lawson Brown	x		x	x
Otto du Plessis	x		x	x
Pearson	x		x	x
Port Elizabeth Commercial	x			
Port Elizabeth Technical	x		x	
Victoria Park	x		x	x
Westering	x		x	x
Westview Special	x			x
Primary Schools				
Altona	x			
Bluewater Bay	x			
Charlo	x			
Clarendon Park	x			
Coega	x			
Collegiate Girls'	x			
Cotswold	x			

Foundry 'unsafe'

South 15/3/-21/3/90

By CHIARA CARTER

WORKERS at a strike-hit Cape Town foundry claim their working conditions are so bad that health and safety are threatened.

About 150 members of the Metal and Electrical Workers' Union of South Africa (Mewusa) this week downed tools at the Cape Foundries in Paarden Eiland after the company refused to negotiate plant level increases

The workers are demanding a minimum rate of R10 an hour — more than double the industrial council rate paid by the company

They also want their working hours reduced from 45 hours to 40 hours a week.

On Wednesday, the strikers were ordered to leave the company premises, but a union spokesperson said the strikers subsequently "re-occupied" the foundries

The strikers told SOUTH their working conditions were "appalling"

They claimed that dust levels in the factory were unacceptably high, adequate protective clothing was not provided, washroom facilities were inadequate and there was a high incidence of accidents.

The workers claimed that in the foundry section they were given only protective boots, but no overalls or aprons, although they worked constantly with molten metal which often burnt holes in their clothes

They alleged that workers employed in the machine room had to pay for safety boots

Mr Eliot Nayo, who has worked at the company for ten years, showed the holes in his shoes and said he had been refused free boots

Another worker at the foundry, Mr Eppington Sodinge, said he had lost his hand in an explosion at the factory last year

He said workers were often rushed by foremen — resulting in accidents

A worker in the brass foundry, Mr Alfred Masimini, claimed that foremen had repeatedly ignored him when he told them he had trouble with his eyesight.

Several workers showed SOUTH scars on their arms and legs which, they said, were caused by burns

They alleged that there was no check on the dust which affected their breathing and that there was no dust extractor for the grinder

Workers were "covered with grime" at the end of the day However, there were only three cold showers for the entire work force.

Mewusa spokesperson, Mr Brian Williams, said the foundry had "one of the worst records of health and safety in the industry"

He said a report of an independent investigation into working conditions at the foundry last year had described conditions as "Dickensian".

Management at the foundry failed to respond to SOUTH requests to comment on the allegations

Protest against poverty

South 15/3 - 21/3/90

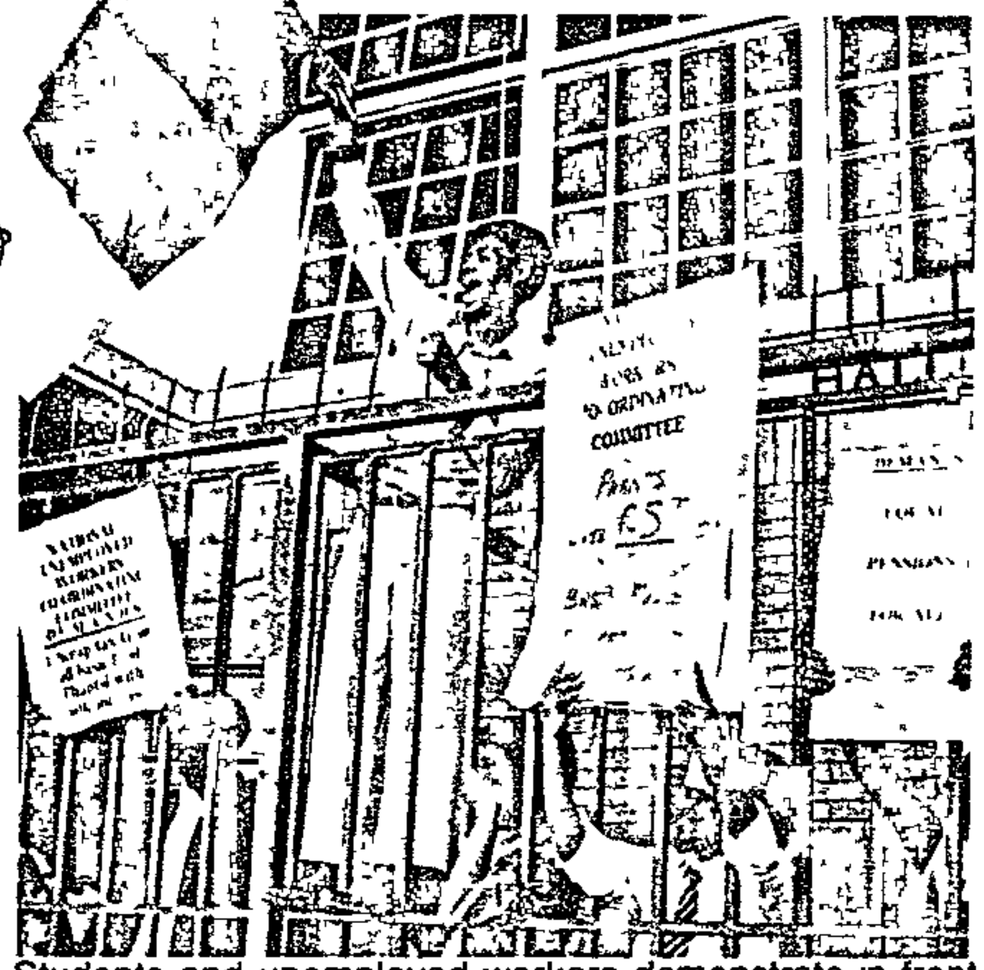
BY CHIARA CARTER

UNEMPLOYED worker representatives will meet the Minister of Finance, Mr Barend du Plessis, later this month to discuss "endemic poverty" in South Africa.

And, although police prevented a protest march on Monday, the unemployed have vowed to continue their campaign for cheaper food.

This week, the National Unemployed Workers' Coordinating Committee (NUWCC) and the Unemployed Workers' Movement (UWM) sent a letter of protest to Mr Du Plessis

The letter also contained shock figures on malnutrition



Students and unemployed workers demonstrate in front of the Methodist Church, Greenmarket Square Police prevented a protest march and arrested 70 people

No end to negotiations

South 15/3 - 21/3/90

A ROW has broken out over negotiations at an American multinational company in Philippi, Cape Town, with workers rejecting company claims that annual wage negotiations have ended

The company, Baltimore Aircoil, met with representatives of the Metal and Electrical Workers' Union of South Africa (Mewusa) earlier this year to negotiate minimum wage increases

A subsequent meeting last month ended in disarray after Mewusa objected to the presence of representatives of a "sweetheart" union and of representatives of "non-unionised" workers

At this meeting, the company informed Mewusa it no longer had a majority membership at the plant.

Mewusa then held a meeting with the Baltimore workers who rejoined the union.

The company called a further negotiating meeting at the end of last month, but union spokesperson, Mr Brian Williams, claimed the union was not informed of the meeting where workers were represented by two "inexperienced" shop stewards.

The managing director, Mr Deverson, and an industrial relations consultant represented the company

The union was then informed that negotiations were "over" Foremen told workers they would negotiate with management on their behalf

Williams claimed that this was an "ongoing reflection of the determination of the company to break the union"

He said the union would declare a dispute if demands to reopen negotions were not met

On Monday, workers at the factory delivered a protest letter to management.

● The company failed to respond to requests by SOUTH for comment.

Causes of industrial stress go beyond the factory floor

131

HEALTH NEWS

By MOKGADI PELA

DANGEROUS working conditions, racism, sexual discrimination, authoritarian control and unrealistic work targets are essential components of industrial stress.

This was said by psychologists Graeme Simpson and Lloyd Vogelman at a mental health conference at the Braamfontein Hotel in Johannesburg.

They said that to fully understand the effects of industrial stress, society should look beyond the factory floor to those features of family, township or compound life which exacerbate working conditions and are in turn affected by them.

Outside factors contributing to stress include the high cost of living and the failure of wages to keep pace with rising costs faced by black township residents - especially in the context of a wage dispute.

Expectation

Simpson and Vogelman argue that the common causes of stress in a strike derive from the fear of losing jobs, or of not being able to support families.

Stress also derived from raised expectations which are unfulfilled.

The two psychologists further argue that stresses have played a key role in determining the path of industrial relations since the mid-'80s.

"It was during this period that the trade union movement was increasingly drawn into politics and in some cases characterised by violence. However, the central targets have not been the employers - the seemingly natural adversary of workers in an industrial dispute, but non-strikers or scabs," they said.

They said what was significant was that non-strikers were being murdered in South Africa. "Non-strikers' involvement in breaking a strike plays a central role in translating stress into frustration and aggression."

Transvaal, have also stopped going to school | Mondi group continue

Widow awarded R15 000

Star 16/3/90 (131)

A claim for damages by a Botswanan widow, whose husband died after being locked in a metal tank for more than 24 hours by a Transvaal farmer who suspected him of stock theft, was yesterday settled in the Pretoria Supreme Court

In terms of the settlement, made an order of court by Mr Justice van Zyl, Christiaan Wynand Johannes Pretorius of the farm Vissersrus in the Thabazimbi district agreed to pay R15 000 to Mrs Pulane Tsheole (39) of the Mochudi village in Gaborone, Botswana, in her capacity as mother and guardian of two minor daughters

Mrs Tsheole claimed R28 000 from Mr Pretorius after the death of her husband, Mr Modise Seven Phuti (30), to whom she was married according to Botswanan customary law, on December 13 1982

Mrs Tsheole said in papers her husband died after being imprisoned in a metal tank from sunset on December 12 1982 to about 6 pm the next day

The only opening of the tank was welded shut with iron bars

During this period, the tank stood in the sun, so that the interior became extremely hot, and Mr Phuti was subjected to extreme discomfort, she said

She submitted her husband's death had been caused by the negligence of Mr Pretorius or his employees, who failed to take precautions to preserve the life and health of her husband while he was incarcerated

They also negligently failed to take any precautions to prevent Mr Phuti from harming himself

It was further submitted the defendant had failed to exercise reasonable care in extracting Mr Phuti, who was by then either comatose or dead, from the tank, thereby causing him to sustain an injury to his spine

Mr Pretorius denied any negligence, saying he had lawfully arrested Mr Phuti on a reasonable suspicion of stealing six cows and six calves

It was submitted Mr Phuti's imprisonment in the tank was wrongful and unlawful, and that Mr Pretorius was therefore liable for damages — Sapa

Anger at Sasol accidents

(131)

THE Chemical Workers' Industrial Union has expressed concern over a series of accidents at Sasol plants in the past month. Sowetan 27/3/90

Two workers have been killed and another injured.

The union said one man died and another was injured earlier this month when roofing collapsed.

The other man died in an explosion at Sasol 111 plant last week.

Last year a fire swept through the same plant, killing 12 people.

Sasol spokesman Jan Krynauw said the accidents were not acceptable and were being thoroughly investigated.

He added that such occurrences were "exceptional".

A union spokesman said management would be approached officially and no industrial action had yet been planned over safety issues.

Mercury waste workers 'shaking and going mad'

Zuma, the man who was here, but wasn't

By THANDEKA GQUBULE

NO ONE in the African National Congress seems to know when the ANC delegation will arrive in South Africa.

The Internal Leadership Corps (ILC) of the ANC this week continued to deny any knowledge of the arrival of Intelligence Chief Jacob Zuma

The ANC leadership refused to confirm or deny Zuma's visit to the country According to Ahmed Kathrada of the ILC "We can not say, at this stage, whether it is true or false" He said that through media reports the ANC had heard that there was to be a meeting with De Klerk, but he did not have the details

The *Weekly Mail* can confirm that Zuma was indeed in the country, accompanied by senior ANC men Penwell Maduna and Gibson Macanda. We know of several people who met Zuma while he was here.

According to reports, Zuma advised the organisation's leadership, expected at Jan Smuts on Sunday, against flying to South Africa.

The ANC's Director of Internal Affairs, Thabo Mbeki, is expected to be the first ANC leader back from exile to speak in South Africa when he addresses the Cape Town Press Club

Mbeki is expected to speak to approximately 300 journalists and opinion-makers in Cape Town on April 12.

But the ANC office this week denounced as pure media speculation reports that security hitches were the main reason for the delay

Yesterday, sources in Lusaka remained silent on when the delegation would arrive But Tom Sebina, press relations officer for the ANC, confirmed that the ILC did meet Zuma.

Sebina said "the composition of the delegation has not yet been decided

Workers at a factory which deals in toxic wastes have begun 'shaking and going mad', say their colleagues International enviromental groups are supporting their claims, reports EDDIE KOCH

WORKERS at Thor Chemicals, a multinational which imports highly toxic mercury waste into South Africa, are reported to be suffering from a severe nervous disorder after absorbing toxins at the company's plant near Pietermaritzburg

Greenpeace International plans to launch a protest campaign against Thor and its sister company American Cyanamid in the wake of these revelations Local trade unions are preparing to throw their weight behind the campaign

A *Weekly Mail* investigation last year discovered that Thor had been responsible for polluting the Umgeni River with 50 micrograms of mercury per litre of water — two and a half times the legal limit in South Africa.

Reports that at least two of Thor's employees are suffering from mental disorders induced by mercury poisoning are contained in a recent report published by the environmental organisation, Earthlife Africa.

"These allegations and evidence of extremely high mercury pollution levels in a nearby stream — said to be the highest ever recorded in the world — have emerged after a lengthy and intensive investigation by our Pietermaritzburg branch," says the latest edition of Earthlife News

The organisation said that, during three different sets of interviews, labourers from the Thor factory had mentioned that in the past two months two of their colleagues had started "doing and saying strange things and were shaking a lot" The workers' interpretation was that the two employees had gone "mad"

A health and safety researcher at the Workplace Information Group, told the *Weekly Mail* the symptoms were consistent with those of mercury poisoning

"When absorbed the toxins cause people to lose touch with reality and severe swings in mood," she said

Thor MD Stephen van der Vyver responded to the reports by saying "I don't deny that workers get sick. But mad — that's absolute nonsense We check the guy's urine every week and if levels exceed 200 micrograms of mercury per litre they are given orange juice to drink and are taken away from the plant."

Professor Tony Davies, from the National Centre for Occupational Health (NCOH), told the *Weekly Mail* his institute regarded 50 micrograms of mercury per litre of urine as the level above which abnormalities occur

He added that trying to remove mercury from people's systems with large amounts of liquid was not an effective way of dealing with the problem

"There is no evidence that the intake of liquids will flush out mercury All it is likely to do is dilute the levels of mercury in the urine rather than remove it from the kidneys"

Earthlife has released documents to the *Weekly Mail* which reveal that the South African government granted Thor permission to import toxic waste from America. Two shipments loaded with at least ten tons each of mercury wastes leave New Jersey and enter Durban harbour each year

"Thank you very much for your letter dated April 19 1988 in connection with the shipment of hazardous waste to the RSA," says an official approval notice to American Cyanamid "The Department of National Health and Population Development has indicated that it would have no objection to the importation from the USA of waste poisonous solid NOS .."

A range of environmental groups, trade unions and political organisations are gearing up for a campaign to fight the importation of other country's high-level toxic waste for dumping or recycling in South Africa.

A Greenpeace study on the international trade in toxic waste last year found that Thor Chemicals was one of the major importers of toxic waste in the Third World.

"In a deal between Thor Chemicals of Natal, South Africa and American Cyanamid of New Jersey, 120 drums of mercury contaminated wastes have been exported from the US to South Africa each year since 1986," said the Greepeace report.

Cape Times 3/4/90 (131)

Alarm at increase in fatal industrial accidents

By BARRY STREEK
Political Staff

THE 460 fatal industrial accidents last year was an "alarming" figure, the Department of Manpower said yesterday

In all, 9 061 incidents of a serious nature — including the fatal accidents — were reported in 1989, the department said in its annual report, which was tabled in Parliament

"The reasons for this increase cannot be precisely determined, but it can probably be ascribed to the fact that employers are operating under difficult economic conditions and are inclined to cut costs by reducing expenditure on safety"

Over the past four years, the fatality rate for agriculture had steadily increased from 57 in 1986 to 100 in 1989

Building and construction, with a 1989 fatality figure of 112, had shown a 47% increase in fatalities since 1988

"Food, drink and tobacco, timber, chemicals, glass, bricks and tiles, and trade and transport industries remained almost constant at approximately 10 to 25 fatalities throughout the four-year cycle," the report said

"The iron and steel industry's figures have varied from 30 to 42 fatalities with a total of 39 in 1989

"The norm for local authorities remains high and increased from 74 in 1988 to 87 in 1989," the department said

It attributed 1 219 of the serious incidents and 72 of the deaths to the fault of management, and 2 056 of the incidents and 141 of the fatalities to the fault of the injured or dead person

However, 5 699 of the incidents and 211 of the deaths were attributed to miscellaneous causes, including the fault of the supervisor, the fault of others, unexpected starting of machinery, joint fault, misadventure, danger inherent in work and error of judgement.

CAPE TIMES 3/4/90 (131)

Man killed by roll of paper

DURBAN. — A man was killed instantly when a three-ton roll of paper fell on him at the harbour here yesterday

The man — an employee of a cargo surveying company — has not been identified, as his next of kin have not yet been informed of his death

Captain Mike Chambers, regional manager of Safmarine, said a forklift was lifting reels of paper when one of the reels slipped out of its clamp. — Sapa

members and that disputes between em-

Guidelines for Cape coast get the nod

B/Day 3/4/90

LESLEY LAMBERT

CAPE TOWN — The Cape Provincial Administration (CPA) has approved plans which will act as guidelines for future onshore developments along the Cape coastline and possibly deter controversial proposals like the recently abandoned Robberg marina in Plettenberg Bay

The structure plans have been released in five lengthy documents, each of which deals with a separate sub-region

These include the west coast area from Velddrif to Bokpunt, the Cape Town coastline, the southern Cape area from Macassar to Gourits River, Outeniqua to Humansdorp and the area between the Gamtoos and the Great Fish rivers

The aim of the research programme, initiated by the CPA four years ago, was to draw up guidelines to address the potential conflict between conservation of rapidly diminishing natural areas and pressure for township and resort development

The guidelines were intended as a refinement of the CPA's 1973 Coastal Plan

The plans provide a framework for the evaluation of applications and proposed developments by the private and public sectors They do not refer to developments already under way

The issues dealt with in the documents have become increasingly relevant

Political changes have removed racial barriers in recreational areas creating more pressure for development in these areas, government decentralisation has placed more emphasis on private sector development for which central guidelines are deemed to be necessary and the west cape coastline has been pinpointed as a major future development area

Manpower expects doubled workload

LESLEY LAMBERT

131

CAPE TOWN — New responsibilities, including the labour relations of commercialised public utilities, will virtually double the Manpower Department's workload

Its 1989 annual report, tabled in Parliament yesterday, says the department has taken responsibility for the Workmen's Compensation claims and occupational safety functions of Transnet

"The takeover of functions will virtually double the workload, and the department, with its present staff and funds, will be unable to cope," the report says.

Another new responsibility resulting from economic changes concerns the small business sector The National Manpower Commission began investigating the effect of labour legislation on this sector last year and an amending Bill covering technical adjustments is expected this year

The department is reported to be keeping a close watch on provisions of industrial council agreements which could hamper economic activities B/Day 3/4/90

Developments in the field of labour relations during the year include a review of section 79(2) of the Labour Relations Amendment Act, following criticism of certain provisions of the legislation, and the introduction of a labour code and guidelines for labour relations in the agricultural sector, drawn up by agricultural unions in consultation with the Houses of Representatives and Delegates

The department expects the winding up of certain industrial councils to result in more applications for conciliation boards and the scaling down of employee fringe benefits from industrial council agreements

CWIU and Sasol at odds over inquiry into worker's death

(131) ADELE BALETA

B/Day 3/4/90

THE Chemical Workers' Industrial Union (CWIU) yesterday condemned alleged attempts by Sasol to exclude the union from safety matters and to prevent the union from being present at an inquiry into the death of a worker

A Sasol spokesman said the inquiry did not take place

He said there was a misunderstanding between the union and management on the time and venue of the inquiry When it was discovered union representatives were not present the inquiry was postponed

In a statement, the union said it had been excluded from an inquiry into the death of a Sasol worker on March 17 The union said the employee was burnt to death in an electrical explosion

It had demanded to inspect the site where the worker had died and be represented at the inquiry

"Last week the CWIU tried to find out from Sasol when the official inquiry would take place on Friday morning Sasol denied any knowledge of the date On Friday Sasol told the union the inquiry had taken place," it said

□ The CWIU said the strike by 550 employees at Rolfes Chemicals factory in Elandsfontein had entered its fifth week The union was demanding the company agree to take part in the union-initiated provident fund

(131)

Unions join Greenpeace fight against waste dumps

Demand and supply ... a nurse hands out condoms after a performance of an Aids awareness play

W/Mail 5/4 - 11/4/90

Reports that workers are suffering from the effects of dealing with chemical waste has encouraged unions to give a higher priority to environmental issues, reports EDDIE KOCH

LOCAL trade unions and ecology groups will join Greenpeace in an international campaign this month to block the import of hazardous industrial wastes to South Africa.

The campaign — the first to involve Greenpeace in a South African issue — coincides with a surge of interest by trade unions and resistance groups in the ecological effects of apartheid

The planned protests follow disclosures that workers at Thor Chemicals, a multinational company that recycles deadly mercury residues in Natal, are suffering from nervous disorders allegedly caused by exposure to toxins

Rod Crompton, general secretary of the Chemical Workers Industrial Union (CWIU), says his organisation is working with Greenpeace International and a number of American unions in a joint drive to stop industrial poisons from being dumped here

CWIU is an affiliate of the Congress of South African Trade Unions (Cosatu) It organises workers at a number of plants belonging to Cynamid South Africa, a company that has close links with Thor Chemicals

"Our union is concerned with the health of workers in the workplace and with the condition of the environment in general," Crompton told the *Weekly Mail*

Thor imports 10 tons of mercury waste from Cyanamid International in the United States every year and an unspecified amount from Thor factories in England

"We believe in the principle that Western countries which export their waste and dispose of it in Third World countries should take responsibility for their own industrial poisons," says Crompton

"We are sending a delegation to the United States this month to link up with a group of unions and Greenpeace, which is planning to launch a protest campaign in the middle of the month against companies exporting toxic wastes to South Africa."

Details of the campaign have not yet been released but it is expected to involve a series of protests at factories in both the US and South Africa in the middle of this month.

Earth Life representative Chris Albertyn says the environmental group will use the protests to back its demands that all imports of toxic waste to this country cease.

"We will also co-operate with the union movement to demand that Thor clean up the rivers and other parts of the environment that it has polluted and to ensure that the health of workers there is protected."

The campaign comes at a time when a range of unions and other resistance groups are planning to take up green issues

The South African Chemical Workers' Union (Sacwu) has the environment high on the agenda for its annual congress later this month.

Sacwu general secretary Humphrey Ndaba says the union — which is affilaited to the smaller National Council of Trade Unions — will examine issues ranging from air pollution to the manufacture and use of dangerous pesticides at the meeting.

"We are very worried about our members being exposed to dangerous chemicals in the factories," says Ndaba. "We are also aware that the companies are making pesticides and other chemicals that can endanger the health of farmworkers and members of the community.

(2)

	(a) Whites	(b) Coloureds	(c) Indians	(d) Blacks
Industrial council agreements	172 138	196 576	64 617	536 590
	(Estimated figures)			
Conciliation board agreements	—	—	—	—
Arbitration awards	Figures are not readily available			
Wage Board determinations	169 000	135 000	39 500	554 550
	(Estimated figures)			
Orders (sect 51A)	All races 142 800 (separate figures are not readily available)			

Note Figures supplied are according to the definition of "wage regulating measure" in section 1 of the Labour Relations Act 1956 Some persons may be accounted for twice as all wage regulating measures are included See paragraph 1 29 of the Department's Annual Report, 1989, as well as paragraph 24 of the Preface and Review

Industrial Court. cases

251 Mr P H P GASTROW asked the Minister of Manpower

(a) How many cases were referred to the Industrial Court, (b) how many of these cases were settled before evidence was called and (c) how many *status quo* orders were (i) granted and (ii) refused, in 1989?

Hansard 17/4/90 B641E

The MINISTER OF MANPOWER

(a) 4 492

(b) 2 059 cases settled or withdrawn before hearing

(c) (i) 154

(ii) 183

Note These figures are for the period 1 November 1988 until 31 October 1989 Please see table 1 1 on page 146 of the Department's Annual Report of 1989

Industrial accidents

252 Mr P H P GASTROW asked the Minister of Manpower Hansard 17/4/90 (131)

(1) (a) How many industrial accidents occurred in 1989 and (b) what was the total cost of these accidents to (i) the State, (ii) the Accident Fund and (iii) insurance companies, Hansard 17/4/90

(2) (a) how many persons (i) applied for and (ii) received compensation in terms of the Workmen's Compensation Act, No 30 of 1941, and (b) what was the total amount paid out in compensation, in that year,

(3) what was the total period for which the persons injured in such accidents were absent from work? (131) B642E

The MINISTER OF MANPOWER

(1), (2) and (3) Figures for 1989 are not as yet available

Industrial accidents

253 Mr P H P GASTROW asked the Minister of Manpower Hansard 17/4/90 (131)

(1) How many workers (a) suffered permanent disablement and (b) died as a result of injuries sustained at work in 1989,

(2) (a) how many industrial accidents occurred in the Republic during the latest specified period of 12 months for which figures are available, (b) what amount was paid out by the Accident Fund in respect of such accidents and (c) what was the total period for which the persons injured in such accidents were absent from work?

Hansard 17/4/90 (131) B643E

The MINISTER OF MANPOWER

(1) The figures for 1989 are not as yet available

(2) The most recent figures available are for 1986

(a) 247 784 as contemplated in the Workmen's Compensation Act, Act No 30 of 1941

(b) R118 314 740,80

(c) 3 346 125 man-days

Note Also see paragraphs 23, 27, 28 and 31 of the Accident Fund Annual Report 1989

Director-General: administrative post

256 Mr C W EGLIN asked the Minister of Foreign Affairs Hansard 17/4/90

(1) Whether a former Director-General of his Department, whose name has been furnished to his Department for the purpose of his reply, has been appointed to an administrative post in his Department, if so, (a) to what post, (b) (i) what are his powers, functions and responsibilities and (ii) over what areas will he exercise them and (c) what is the name of this person,

(2) whether any agreement has been reached with the present Government of Ciskei in relation to this post, if so, what is the nature of this agreement?

B667E

The MINISTER OF FOREIGN AFFAIRS

(1) (a) Dr B G Fourie has been appointed on a short term contract in the Department of Foreign Affairs to act in an overall co-ordinating capacity in the Eastern Cape area as from 9 March 1990

(b) (i) and (ii) He has no executive powers but acts in consultation with the Department of Foreign Affairs and the Ciskei Council of State in a co-ordinating capacity with regard to government functions in the region as well as those concerning relations between the RSA and Ciskei

(c) Dr B G Fourie

(2) The Chairman of the Ciskei Council of State was consulted on the desirability of the appointment and he welcomed the appointment

SATS: publicity programme

258 Mr H H SCHWARZ asked the Minister of Mineral and Energy Affairs and Public Enterprises Hansard 17/4/90

(1) (a) What is the cost of the publicity programme presently being conducted (i) on television, (ii) on radio and (iii) in the printed media by the South African Transport Services and (b) (i) for how long is it intended to continue with this programme and (ii) what is the purpose thereof,

(2) (a) what is the cost of the publication *Transnet — a leadership corporate profile* and (b) how many copies of this publication have been prepared?

B669E

The MINISTER OF MINERAL AND ENERGY AFFAIRS AND PUBLIC ENTERPRISES

(1) (a) (i) R2 038 289,16

(ii) R191 709,54

(iii) R1 503 990,17

(b) (i) Television until 12 May 1990
Radio until 16 April 1990
Press until 15 April 1990

(ii) To introduce the SA Transport Service's name change and to obtain the maximum acceptance for the new Corporate Identity

(2) (a) R456 250,00

(b) 35 000

Aggrieved parties: decisions/legal costs

260 Mr P J PAULUS asked the Minister of Manpower † Hansard 17/4/90

(a) What amounts were paid by his Department in 1986, 1987 and 1988, respectively, in legal costs in respect of cases in which decisions of the Minister, Director-General and

Gross discrimination in sickness benefits

Cape Times 13/4/90 Political Staff (131)

GROSS discrimination between black and white people for the benefits payable for occupational diseases in terms of the Mines and Works Act were disclosed yesterday by the Minister of National Health, Dr Rina Venter.

Whites with compensatable diseases in the first degree received R23 755 while blacks were paid R3 079. Coloured people and Indians received R14 089.

Whites with compensatable diseases in the second degree received R43 834. Blacks with a compensatable disease and TB were paid R3 942, and coloured people and Indians with compensatable diseases in the second degree received R25 328.

Whites with TB were paid R10 064, blacks R1 746 and coloured people and Indians R5 593, she said in reply to a question tabled in the House of Assembly by Mr Jasper Walsh (DP, Pinelands).

Gas blast death toll now 8: probe launched

Star 3/5/90 (131)

DURBAN — The Department of Manpower has started an investigation into the death of eight people in a gas bottle explosion in Stanger on the North Coast.

A department spokesman says no statements had been taken yet, and the police were helping with the investigation.

The spokesman said the legislation under the Machinery and Occupational Safety Act of 1983 laid down certain safety requirements relating to the handling and use of liquid petroleum gases.

It is commonly thought the explosion occurred when a worker struck a match during off-loading operations.

The names of the three victims who died at the R K Khan in Chatsworth near Durban have been released.

They were 30-year-old Mr Raj Pillay and his 25-year-old wife Kalyanie of Empangeni in Zululand, and Mrs Gurumah Moonsamy of Stanger.

The names of five men who were killed in the disaster are to be released as soon as their next of kin have been informed.

Several seriously injured people are recovering in various hospitals. — Sapa

Mossgas workers killed

(131)

CAPE TIMES 18/5/90

MOSSEL BAY. — Two construction workers have been killed in a platform accident at the Mossgas refinery, a Mossgas spokesman said.

CAPE TIMES 22/5/79 131

Gas kills three on Reef

JOHANNESBURG — Three workers of the Rand Water Board died after being overcome by gas at Vereeniging The men had gone down a well to check a leak in a gas pipeline A fourth worker managed to escape and fetched help, but by the time rescue teams arrived the three men had already succumbed.

south NEWS SOUTH,

Probe follows gas death

South 23/5-29/5/90 (131)

By CHIARA CARTER

AN independent inquiry is being conducted into the macabre gassing of a worker at an Epping factory last Saturday.

Mr Harold Adkins, 24, of Lentegeur, Mitchells Plain, died after attaching a nitrogen instead of oxygen pipe to his protective hood while working overtime at the Fine Chemicals Corporation factory.

Adkins' body was found in the yard in the unfinished chemicals section of the factory.

The Department of Manpower conducted a preliminary investigation into the incident on Monday, but the Chemical Workers Industrial Union (CWIU) demanded the company allow an independent investigation by the Industrial Health Group (IHG).

The company agreed to this investigation after workers at the plant threatened to down tools on Monday afternoon.

A spokesperson for the CWIU said the union was "extremely concerned" that it was possible for such an incident to occur.

Fine Chemicals spokesperson, Mr GW Campbell, said the company regretted the death and wished to express its condolences to Mr Adkins' family.

Campbell said Fine Chemicals Corporation was a five-star National Occupational Safety Association holder and had maintained a "consistently high safety standard for many years".

He said the company was unable to comment further because the matter was still being investigated

Fine Chemicals Corporation is part of the Federale Volksbelegings South African druggist group.

'Burnt for R35 a week'

(131)

South 30/5 - 6/6/90

By CHIARA CARTER

AN outcry has erupted over working conditions at an Atlantis smallholding where charcoal is manufactured.

A former employee this month contacted the Advice Office to reveal what she claims are "horrific" working conditions

Ms Maggie Scholtz, 41, who worked for four years as a labourer at the plant, claimed workers were paid as little as R35 a week and had to make charcoal under "unsafe" working conditions

Overtime

Scholtz said workers were not paid overtime although they frequently worked until after 8pm and on public holidays

She claimed they were not given adequate protective clothing and were frequently burnt when shovelling hot coals

Scholtz showed burn marks on her arm

She and her husband, who was employed as a foreman at the plant, were dismissed earlier this month after the owner accused them of stealing charcoal

She said the dismissal followed an argument over working conditions and said they were evicted from the premises where they had lived in a shack

The other workers live on the owner's farm outside Atlantis

They are given free accommodation and bread and tobacco but have to provide their own food

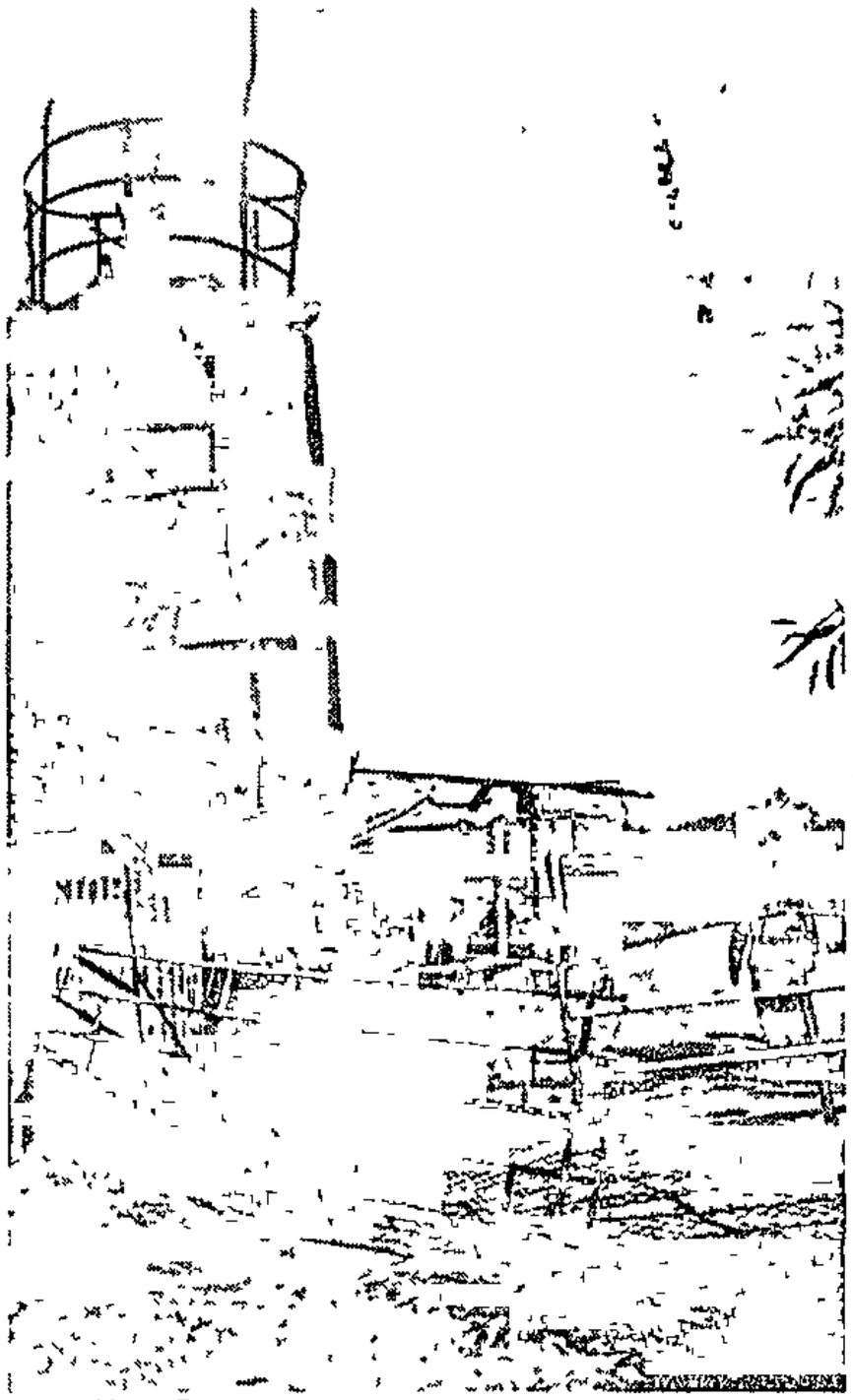
When SOUTH visited the smallholding in Atlantis Industria, several workers were standing around an old-fashioned wood burner

They included a 69-year-old man who earns R45 a week

Several of the workers had burn-marks on their arms and none wore protective clothing

A spokesperson for the Atlantis Advice Office described conditions at the plant as "archaic" and said the Advice office intended contacting the Department of Manpower.

BURNT: Maggie Scholtz shows the burn marks on her arms PICS YUNUS MOHAMED



'UNSAFE': The charcoal burner

Star 7/6/90 (131)

6 miners killed in rockfall

Six miners were killed and one seriously injured in a rockfall at the Elandrand Gold Mine near Carletonville yesterday, a spokesman for Anglo American has announced.

He said the accident happened at 10.20 am about 2 100 m underground.

It was caused by an earth tremor measuring 1,7 on the Richter scale.

A number of others were slightly hurt.

Picture: DANA le ROUX Weekend Argus

Mr Gqwazi shows the four gangrenous fingers that will be amputated as soon as he is moved from a Claremont private hospital to Groote Schuur Hospital where he can afford treatment.

Lawyers to act for maimed SA seamen

W/E ARGUS 16/6/90

By TYRONE SEALE
Weekend Argus Reporter

LAWYERS are putting the screws on ruthless Taiwanese fishing industry bosses following 13 cases of frostbite among Cape Town labourers who packed fish on Taiwanese vessels during extended trips in the South Atlantic

Yesterday a city law firm and the Legal Resources Centre announced they were planning legal action on behalf of six crewmen who have had and are having fingers amputated because of severe gangrene

Claims for damages could run into several millions and legal costs alone will run into hundreds of thousands of rands if lawyers pursue action overseas

Protection

On behalf of their clients the legal representatives will also petition the Taiwanese consulate and the Department of Manpower for the protection of South African labour from foreign fishing concerns

South African labour legislation does not apply to vessels once they leave South African territorial waters and this exposes workers to unchecked abuses even by nationals of one of the country s greatest trading partners

Approached for comment a Taiwanese consul employee said yesterday afternoon "I'm sorry You ll have to talk to us on Monday We are closed "

Weekend Argus has learned that that apart from six frostbite related cases handled by the Legal Resources Centre and the city law firm, another four frostbite victims were referred to the Groote Schuur Hospital hands clinic yesterday

The remaining three of the 13 cases involve one labourer whose frostbite developed while he was working on a vessel docked in Table Bay harbour

He is the only one who has a chance of being compensated in terms of South African labour legislation as this protection does not apply beyond South African territorial waters

The rest of the workers who have been paid up to only R500 a month for their services on the Taiwanese trawlers will have to fight costly legal battles in an industry where they have virtually no protection

Their lawyers believe that 100 Taiwanese captains en route to South Atlantic fishing grounds, particularly around the Falkland Islands recruited between three and 10 labourers a ship at the start of the trawling season in December

Frostbite

Yesterday Weekend Argus spoke to Khayelitsha resident Mr Sandile Gqwazi 30 who is about to have four fingers amputated due to frostbite that set in five months ago, shortly after he joined a Taiwanese crew

Mr Gqwazi said he spent up to 13 hours a day packing fish in the ship s freezer compartments and was repeatedly refused medical attention

Like many of his colleagues he wore inadequate protective clothing and the hours he spent in the freezer hold exceeded those stipulated by South African law

Mr Gqwazi said three of his colleagues on the Chieh Man No 1 also had frostbite in their hands

For most of them their nightmare journeys on the high seas will be their last jobs

5 months of agony at sea over

By TYRONE SEALE
Weekend Argus Reporter

STUCK in the cold storage bowels of a Taiwanese fishing trawler up to 13 hours a day for five months, crewman Sandile Gqwazi watched helplessly as his hands weakened daily because of frostbite

"Keep working We'll get you to a doctor," Mr Gqwazi's Chinese speaking employers bellowed in broken English every time he and three fellow-labourers complained of the intense pain in their hands

Talking about their problems and the daily return to their icy workplace to pack fish only added to the agony

Excessive exposure to extremely low temperatures in the ship's freezer holds, with poor protection, took their toll within weeks of Mr Gqwazi and about nine other Cape Town labourers' boarding of the trawler Chieh Man No 1 in January

Their reward — R500 a month

Mr Gqwazi is one of 13 city labourers who have had or are having fingers amputated after working aboard Taiwanese ships

"We worked in the freezers from 6pm to 7am every day It was very painful at the start and then it got like this," Mr Gqwazi said, gesturing with his swollen, near lifeless hands from which four fingers will be cut above the second joint

"When we asked the captain to take us to a doctor, he refused We had to keep working," Mr Gqwazi said through an interpreter

He was speaking from his bed at a Claremont clinic where he is receiving emergency treatment after his arrival in Cape Town on Thursday after five months of hell

"I want to claim for this I won't be able to work again and I need money," said Mr Gqwazi, who is unmarried and living with his parents

SA worker to lose fingers

Cape Times 16/6/90 (131)

Staff Reporter

A WORKER came off a Taiwanese fishing trawler on Thursday with blackened, shrivelled fingers, which will have to be amputated

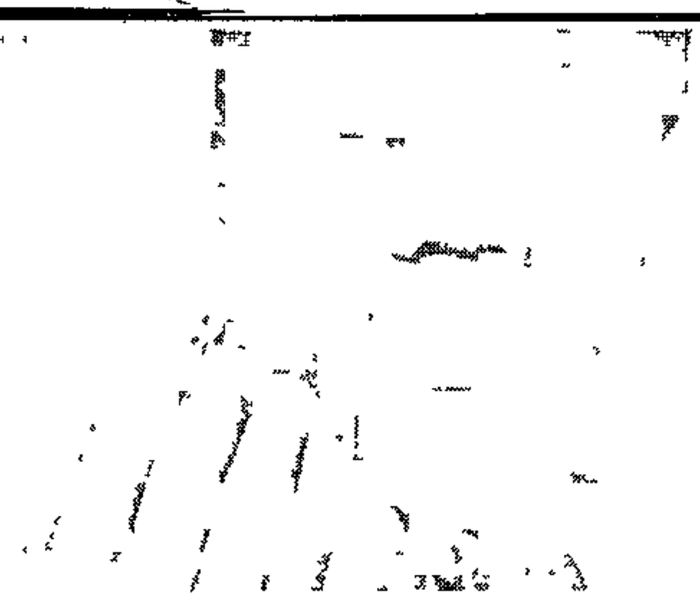
Mr Sandile Gqwazi, 30, of Site C, Khayelitsha, said yesterday that his fingers had become frostbitten while he worked in the cold storage section on the Chieh Man No 1.

His legal representative, Ms Sandra Liebenberg, said an attempt was made to arrest the vessel, but it had left before Mr Gqwazi came to her firm

"This is the sixth case that we have had of frostbitten fingers or hands, all of them related to fishing trawlers," said Ms Liebenberg, who had another vessel arrested recently

"There should be some form of control to prevent abuse of South African labourers aboard foreign ships. They are not protected by South African labour legislation," she said

Speaking through an interpreter from his hospital bed yesterday, Mr Gqwazi said he had been on night duty in the ship's freezer, working between 6pm and 7am, wearing plastic gloves



GANGRENE . . Mr Gqwazi shows his gangrenous fingers, which will have to be amputated.

Picture ANNE LAING

Frostbite trawler turns back

ARGUS 19/6/90 (131)

By HENRI du PLESSIS, Shipping Reporter
and MICHAEL MORRIS, Political Correspondent

DIPLOMATIC pressure has forced the truant Taiwanese trawler Chin Chia Ching, which is 266 miles west of Cape Town, to turn back to port.

The owners have guaranteed the R510 000 claimed by two former crew members who are to lose parts of their fingers, allegedly from frostbite, while working in the refrigeration compartment of the trawler.

This dramatic development follows a request by the South African Department of Foreign Affairs to the Taiwanese government to intervene in the matter. The request was made yesterday afternoon

Injured crewmen

The injured crewmen are Mr Joseph Haddon of Bonteheuwel and Mr Suleiman Davids of Mitchell's Plain

Meanwhile the South African Navy was on standby to send a ship after the trawler

The Chin Chia Ching sailed out of Cape Town on Sunday night after Supreme Court sheriffs and a team from the Legal Resources Centre served an attachment order on the master of the ship

The Cape Supreme Court issued the order after an application by the Legal Resources Centre which is acting for the crewmen

Taiwanese consul Mr Tom Chou said today that the skipper of the trawler had steamed out of Cape Town harbour on Sunday night out of fear

He did not realise he had been served with a court order because he could not understand English

Mr Chou said "Neither he nor any of the crew could understand English and they did not know what the court order was They took fright and decided to sail"

Mr Chou spoke to the skipper on the maritime radio network yesterday and explained the situation to him

"He told me that he would return," he said

The consul also spoke to the ship's owners in Taiwan last night and was assured that the ship would return

The ship's owner also guaranteed to lodge a sum of R510 000 with the Supreme Court to meet the claim made by the two former crew members

Mr Chou said "We regret that because of a misunderstanding this incident arose, but we are glad the ship is returning"

A spokesman for the Department of Foreign Affairs said in Pretoria today "The Taiwanese government got in touch with the trawler captain and he agreed to return"

The spokesman said the swift response of the Taiwanese government was evidence of South Africa's good relations with that country

Six fish-packers lose fingers after ordeal

Sowetan 18/6/90

131

LAWYERS are putting the screws on ruthless Taiwanese fishing industry bosses following 13 cases of frostbite among Cape Town labourers who packed fish on Taiwanese vessels during extended trips in the South Atlantic.

Yesterday a city law firm and the Legal Resources Centre announced they were planning legal action on behalf of six crewmen who have had and are having fingers amputated because of severe gangrene.

Claims for damages could run into several millions rand and legal costs alone will run into hundreds of thousands of rands if lawyers pursue action overseas.

On behalf of their clients, the legal representatives will also petition the Taiwanese consulate and the Department of Manpower for the protection of South African labour from foreign fishing concerns.

South African labour legislation does not apply to vessels once they leave South African territorial waters and this exposes workers to unchecked abuses, even by nationals of one of the country's greatest trading partners

Approached for comment, a Taiwanese consul employee said yesterday afternoon· "I'm sorry. You'll have to talk to us on Monday. We are closed"

It was learned that that apart from six frostbite-related cases handled by the Legal Resources Centre and the city law firm, another four frostbite victims were referred to the Groote Schuur Hospital hands clinic yesterday.

The remaining three of the 13 cases involve one labourer whose frostbite developed while he was working on a vessel docked in Table Bay

Trawler sails to escape Cape lawsuit

Cape Times 19/6/90

(131)

Staff Reporter

THE Taiwanese trawler attached by lawyers acting for two of her former crewman has sailed in contempt of a Cape Supreme Court holding order and yesterday a South African Air Force reconnaissance aircraft failed to spot it.

Colonel Tiny Hallowes, Senior Staff Officer (Operations) at Southern Air Command, yesterday confirmed that an Albatross aircraft on a routine flight to Port Elizabeth had been asked to "keep a look out" for the Chin Chai Ching

He said the Cape Town-based aircraft had acted under instructions from Naval Command headquarters in Pretoria

A spokesman for Naval Air Command, Captain Piet Potgieter, said his department was awaiting further orders from "a state department" before dispatching a vessel to locate the craft

A spokesman for the Legal Resources Centre, which is acting for former crew members Mr Joseph Haddon of Bonteheuwel and Mr Suleiman Davids of Mitchells Plain in a R510 000 damages claim, said the matter was being handled at "diplomatic level now".

The two men each lost parts of several fingers after suffering frostbite while working in the refrigeration compartment of the vessel earlier this year

The legal attachment was made by two deputy sheriffs who became involved in a brief scuffle with crew members on Sunday night

The vessel sailed southwards within hours of the visit to her anchorage in Table Bay

Trawler forced back after fleeing city

Cape Times 20/6/90. 131

Staff Reporter

A TAIWANESE trawler captain was ordered by Taiwan's ambassador to South Africa to sail back to Cape Town and post bonds totalling R510 000 as compensation for two former crew members who are due to have their frost-bitten fingers amputated

This was disclosed yesterday by a foreign affairs spokesman who said diplomatic pressure was used against the captain of the Chin Chia Ching when it sailed from Cape Town on Sunday night in contravention of a Supreme Court attachment order

The spokesman said his department was approached by the Cape Town Legal Resources Centre on Monday, who in turn notified the Taiwanese ambassador.

"The ambassador contacted the captain by radio and ordered him to turn back and post the bonds," the spokesman said

The spokesman added that the ship was located 192km off Cape Point and is expected back in the harbour shortly

Legal Resources Centre legal representative Ms Angela Andrews said she and clients Mr Joseph Haddon of Bonteheuwel and Mr Suleiman Davids of Mitchells Plain were happy about the outcome

'Brutality': Thai trawler owners are sued for R1-m

By GAYE DAVIS: CAPE TOWN

TAIWANESE fishing companies face damages claims totalling almost R1-million for alleged brutal treatment of South African workers — and more claims are pending.

Attorneys acting on behalf of four workers who have filed claims for damages as a result of injuries received on the trawlers said they knew of many more cases.

All four workers have had gangrenous, frost-bitten fingers amputated or face amputation as a result of working without adequate protective clothing in sub-zero temperatures in trawlers' refrigeration holds for shifts of up to 11 hours.

They are suing their former employers for loss of future earnings, future medical expenses and pain, shock and trauma.

Cape Town attorney Sandie Liebenberg said she had another three clients for whom she had "no remedy" as their trawlers had already left port by the time the injured workers approached her.

The workers are not covered by protective South African legislation as their employers are foreign.

"The Taiwanese use cheap South African labour then come in, dump the workers and scoot," she said.

However, she and Legal Resources Centre attorney Angela Andrews had so far succeeded in arresting two Taiwanese trawlers. One had posted security of R250 000 against a claim by two workers who had both had fingers amputated as a result of frost-bite.

The other vessel, the Chin Chia Ching, skipped port soon after Supreme Court sheriffs and attorneys from the Legal Resources Centre placed an attachment order on it last week.

After diplomatic pressure, the vessel was this week forced to turn back and its owners agreed to post R510 000 security against the claims of the two injured crewmen.

The vessel is expected back in Table Bay harbour tomorrow.

The attorneys said injured seamen told them they were given gloves inferior to those issued to Taiwanese crewmen with whom they worked side-by-side and were forced to work long shifts without any breaks.

The men also claimed they were forced to continue working in the trawlers' refrigeration holds after suffering frost-bite and said they received minimal medical treatment on board.

One crewman with blackened, gangrenous fingers told Liebenberg his skipper repeatedly refused his requests for dry gloves and beat him when he complained of the pain.

The Machinery and Occupational Safety lays down strict regulations for workers in the South African fishing sector but none of its provisions were enforceable on foreign-owned vessels, Liebenberg said.

Taiwanese trawlers usually recruit South African workers in Cape Town in January for six-month stints at an average monthly wage of R500.

Gangrene has followed frostbite suffered by fishing trawler worker Sandile Gqwazi

Picture RASHID LOMBARD

Trawler runs out of fuel on return to Cape

CAPE TOWN The Taiwanese squid trawler Chin Chia Ching, ordered to return after allegations of brutality towards black crewmen, run out of fuel in heavy seas about 200 nautical miles north-east of Cape Town on Wednesday.

A representative for the Taiwanese consul-general, Mr Tom Chou, said another squid boat had since sailed to its aid

Concerning the action against the boat, Chou said the trawler's skipper "panicked" when visited by deputy sheriffs.

Sea Fisheries officials said the ship was legally carrying gill net equipment — ruthlessly effective at catching everything in its way, including dolphins, turtles and birds — but would be searched for any "mammals or endangered species" on its arrival. — Sapa

Runaway trawler may not return

Cape Times 25/10/90

Staff Reporter

FEARS were expressed last night that the runaway Taiwanese trawler the Chin Chia Ching would not return.

There is a R510 000 civil claim pending against the owners, after two South African crewmen claimed their fingers had to be amputated because of working conditions on board.

After fleeing last week, the boat ran out of fuel about 200 nautical miles north-west of Cape Town on Wednesday.

Diplomatic pressure was brought to bear on the captain, who reportedly agreed to return.

Meanwhile, another boat was dispatched to deliver fuel to the trawler. Taiwanese consul Mr Tom Chou said the vessel was expected back yesterday, but last night there was no sign of it.

The crewmen's lawyer said she feared the trawler would not return The Port Captain's office and the ship's agents both said yesterday they did not know where it was

SA's high rate of asbestos-linked cancer

B/Day 31/7/90

WILSON ZWANE

THE reported mesothelioma incidence rates in SA were among the highest in the world, a medical study has shown

The study, conducted by Dr A B Zwi for the National Centre for Occupational Health for the period 1976-84, found the mesothelioma incidence rates to be higher among whites than other groups

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The incidence rate per million per year was 32,9 in among white males, 7,6 among blacks and 24,8 and 13,9 for coloured males and females respectively

Zwi warned that reasons for differing rates included differential access to health services The migrant labour system also led to people with exposure returning to rural areas and escaping detection.

Mesothelioma is a rare but fatal cancer of the pleura or peritoneum Studies by international scientific researchers have shown a link between mesothelioma and asbestos It was first described in 1960 in the north western Cape where blue asbestos (amphibole asbestos) was mined

A Johannesburg doctor said mesothelioma, generally regarded as an occupational disease affecting workers handling "blue asbestos" on mines and in factories, also occured in the general population

Asked if asbestos roofing sheets were dangerous, the doctor said the risk of contracting asbestosis was not very high if such sheets were well-maintained.

Health hazard closes garage

Renovation involving asbestos called to a halt

By JOHN YELD
Environment Reporter

CAPE TOWN'S health department and Department of Manpower inspectors have stopped a renovation project at a city parking garage because highly dangerous blue asbestos fibres were exposed

The presence of the asbestos was reported by specialist consultant Mr Kim Higgins, who told The Argus that the Prestwick Street garage "should have been closed from day one" until all the asbestos had been removed

Monitors sites

Mr Higgins and The Argus both alerted the city council's health department which sent an inspector to the garage The Department of Manpower, which is responsible for monitoring health at work sites, was advised in turn

The department's inspectors closed the garage to the public last week and will supervise all further work there.

This was confirmed by Dr Johan van Rensburg of the council's health department.

"There are new regulations in connection with the use of asbestos in industry and these are administered by the Department of Manpower," he said

The dangers posed by asbestos were well-known, he added Asbestos fibres lodged in the lungs when inhaled and commonly caused asbestosis, which affected breathing and which could cause malignancies

"Unfortunately, it can occur many years later — sometimes as long as 40 years — and can cause the development of tumours It has to be treated with great respect," he said.

Mr Higgins, an asbestos specialist with a Cape Town firm who recently returned from an extended trip overseas to learn the asbestos removal business, said blue asbestos was the most lethal form of the substance

Invisible fibres

Workers at the parking garage, who had been skimming over the asbestos should have worn protective clothing, used breathing apparatus and had proper decontamination facilities.

"There have been cases in the United States of families of workers developing asbestosis just from being in contact with contaminated clothing," he said

The site also should have been encapsulated and continuous air monitoring done

"It's not actually the fibres you can see that are so dangerous — it's the minute fibres in the air that you can't see that are the problem," explained Mr Higgins

In the United States and other overseas countries, tough regulations governing the removal or exposure of asbestos were enforced In three years' time, all asbestos insulation would have been removed from buildings in the US and properly disposed of, he predicted.

He also warned that several other sites in Cape Town where asbestos was exposed were unprotected

He appealed to people to contact reputable firms to deal with asbestos.

Pictures WILLIE de KLERK, The Argus

OFFENDING SITE: The building at the corner of Loop and Prestwick streets where reconstruction work in the basement parking garage was halted to deal with exposed asbestos fibres.

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W/E ARGUS 14/7/90

Trawler flees af claims of frostb

By TYRONE SEALE
Weekend Argus Reporter

THE Taiwanese trawler Chin Chia Ching, named as one of the vessels on which Cape Town labourers had frostbite, is not returning to Cape Town and is believed to be in international waters, safe from South African detection

Lawyers acting for two frostbite victims, Taiwanese government representatives in South Africa and the South African Air Force say the errant vessel is "as good as lost"

Before the vessel docks in Taiwan — or is traced by international agencies — a number of things could wreck the chances of compensation for two former crew who are claiming R510 000 in damages.

Lose parts of fingers

They will lose parts of their fingers, allegedly due to being frostbitten while working in the ship's refrigeration holds

The Chin Chia Ching could be resold on the high seas, change registration, and the captain and crew could switch vessels It could change its name at sea, making it difficult to trace

This would complicate if not ruin the work of city lawyers who have taken statements from 32 former crewmen who say they were victims of ruthless labour practices on Taiwanese vessels in the past few months

Attachment order

In the past two weeks, frostbite cases reported to the Legal Resources Centre and a city law firm have increased from 20 to 32

In the case of the Chin Chia Ching, Supreme Court sheriffs and a team from the Legal Resources Centre served an attachment order on the master to secure the vessel as a bond for the former crewmen's claim.

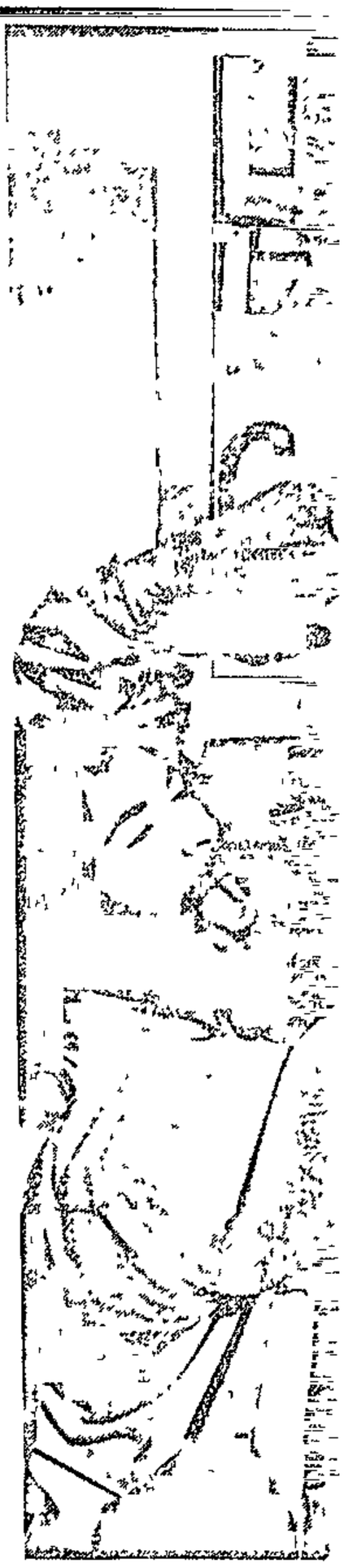
Defiantly, the vessel sailed from Table Bay soon after its attachment, which cost about R5 000

Evaded search

After the ship fled, the Department of Foreign Affairs asked the Taiwanese government to intervene.

Taiwanese officials in Cape Town persuaded the captain by radio to return to the city. He told them he would, but he steered the ship beyond detection even by two Air Force search aircraft.

After this, Taiwanese officials approached the International Court for help, but without success.



LEFT: A Rastafarian lights a ganja chalice as part of the Rastafarian March" through the city this morning. About 300 protesters marched istrate's court buildings in Parade Street to demand the legalisation lence in Natal, and a ceasefire among the African National Congress, Azanian People's Organisation, the police and t

RIGHT: Marchers display one of about 200 posters calling for th

Frostbite men 'assaulted for not working'

Cape Times 13/7/90

(131)

By PETER MALBIN

SOUTH AFRICAN workers were allegedly assaulted for refusing to work in the freezing holds of Taiwanese vessels after contracting frostbite there, according to a spokeswoman at the Legal Resources Centre.

Meanwhile, further frostbite cases involving South African seamen on Taiwanese ships are still "streaming" into the centre, bringing the number of known cases to 29, the spokeswoman added

Since last week, the centre has had five more cases, including one from a Japanese trawler It is acting for 10 cases in an attempt to get compensation from the Taiwanese companies involved

"Of the five new cases, two not only have frostbite, but also complained of physical assault for objecting to working in the refrigeration holds after suffering from frostbite," the spokeswoman said

"This is the first time we have concrete evidence of violent assaults on South African seamen who refused to continue working in holds of Taiwanese vessels after contracting frostbite"

The spokeswoman detailed two cases

● It is alleged that Mr Sidney Mzongwana, a Cape Town worker on the Yung Chien, was clubbed with a piece of wood by his crewmaster He appeared at the Legal Resources Centre with what appeared to be a broken wrist

● Another worker, Mr Patrick Nhxoki, employed on the Win Heng No 2, was allegedly threatened with assault

Suffering from frostbite, he refused to go into the refrigerated hold He was allegedly flung to the ground and kicked in the jaw violently several times

Months later his jaw is still swollen He cannot open his mouth properly and his jaw appears to be broken

Mr Nhxoki also complained that South African crewmen had to eat rotten meat and vegetables Their diet was confined mostly to rice for the five-month voyage.

"When they became ill from the food served to them, they were told they might as well throw themselves overboard if they did not want to work.

"A medical practitioner has advised us that poor diet is a factor which contributes adversely to victims' chances of recovery from frostbite

"The workers also suffered daily humiliation and verbal abuse They told us they were too shocked to go back to sea again," she said

● A spokesman for TRT Shipping Services, agent for Yung Chien, declined to comment, and a spokesman for Transea, agent for Win Heng No 2, said he did not know about the incident on the ship

Gas explosion: Worker turned into human torch

ARGUS 20/7/90

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By SHARKEY ISAACS and JOHAN SCHRONEN
Staff Reporters

A POST OFFICE worker was turned into a human torch when a gas cylinder exploded in a manhole in Camps Bay today, according to a resident who saw the accident

The man, whose name was given as Mr Wayne Nagel, was apparently doing welding work. He was taken to Somerset Hospital. His condition is not known.

"There was an enormous explosion about 9 am which rocked the whole neighbourhood

LEAPING FLAMES

"Flames about two metres high leapt out of the manhole The overalls of the man who was working inside it caught fire," said Mrs Barbara Congas of Houghton Road.

"The man was instantly enveloped in a ball of flame. He leapt out and ran around screaming in agony

"I rushed off to call the emergency services."

Mrs Congas said the gas cylinder apparently toppled into the manhole in Houghton Road, and exploded.

"The fire brigade were here in five minutes. They treated the man after his burning clothes had been put out. He seemed to be severely shocked and seriously burnt when he was taken away

"Another worker's lumberjacket was also slightly burnt but he did not seem to be hurt"

Domestic servant Magrieta Green said. "I heard this bang and saw flames billow from the manhole

"I saw a man stumbling out the hole as the flames were climbing higher and higher. Flames were stretching halfway across the road," she said.

Cape Times 21/7/90 (131)

Boat gutted and workers burnt in NSRI blaze

Staff Reporter

TWO workers were badly burnt when a blaze gutted Hout Bay's National Sea Rescue Institute boat and severely damaged the newly opened station yesterday

Damage is estimated at more than R500 000

The radar-equipped rescue boat was damaged beyond repair and the new shed and all its equipment charred

The fire began while a carpenter, Mr Vincent Joseph, 34, of Mitchells Plain, and a laminator, Mr Johannes Nel, 49, of Factreton, were working on the rescue craft Spirit of Mobil.

Both received burns to their faces, hands and legs, but were in a satisfactory condition in Victoria Hospital last night

Their employer, Mr Ian Cochrane, owner of Atlantic Yacht Services, said the men were too shocked to say exactly what happened but an inquiry was under way

NSRI chief executive Commander Alan Hollman said other NSRI boats could not be transferred to Hout Bay this weekend but the police and Sea Fisheries patrol boats would be put on standby

Pick 'n Pay general manager Mr John Barry donated R5 000 yesterday to launch a fund to replace the boat and equipment

NSRI public relations officer Ms Elizabeth Blow said the Hout Bay station saved 10 lives during 157 rescue operations involving 423 people in the past 10 years The new station was officially opened last month

● Anyone wishing to donate can send cheques to PO Box 6085 Roggebaai or telephone Ms Blow at 215765

NARROW ESCAPE . . . Worker Mr Johannes Nel, 49, of Factreton, ponders his burns at Victoria Hospital after the blaze at Hout Bay's NSRI rescue station.

AFTERMATH . . . NSRI Hout Bay rescue station member Mr George Bing washes down the only equipment rescued from yesterday's blaze, which gutted an NSRI boat and severely damaged the newly opened station.

Pictures STEWART COLMAN

33 reports of frostbite

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CAPE TIMES 28/7/90

Staff Reporter

SOUTH AFRICAN workers were issued with inferior gloves while working in the freezers of fishing vessels, while Taiwanese colleagues received gloves which protected them from frostbite, it was claimed by two local workers this week.

A spokesman for the Legal Resources Centre (LCR) said the total number of known cases of frostbite from working in ship's freezers had now risen to 33.

Several local workers have lodged against owners of Taiwanese fishing trawlers.

Dash to save seaman

Gale-swept ship

Argus 31/7/90

131

By ANDREA WEISS
and HENRI du PLESSIS
Staff Reporters

A DASH through stormy seas by a trawler has saved an injured seaman after attempts to lift him off by helicopter or drop a doctor on board failed.

The injured sailor was admitted to Victoria Hospital about 1.35am today after the trawler docked in Simon's Town where paramedics and an ambulance were waiting.

The drama began about 11am yesterday morning when a chain on board the Harvest Belinda snapped The end whiplashed back and hit Mr Richard Makalima, 21, on the forehead, knocking him unconscious.

Mr Nigel Campbell of Sea Harvest said the Harvest Belinda had been in stormy seas off Cape Agulhas and her master had radioed for help

Swells

The South African Air Force had sent a Puma helicopter to lift Mr Makalina off The helicopter had arrived at the ship about 3pm, but a Force 7 storm with 50km/h winds and six- to seven-metre swells had meant the mission had to be called off

An attempt had later been made by Court Helicopters to drop a doctor on board the ship, but technical problems had forced the pilot to turn back to Cape Town

"Meanwhile the Harvest Belinda headed for Simon's Town at its top speed of 8,5 knots, while Sea Harvest officials asked the Navy for clearance to allow the trawler to dock."

She had arrived about 1am today and Metro Rescue Services paramedics had taken Mr Makalina to Victoria Hospital

Sea Harvest trawling division manager Mr J Scholte said communication with the vessel had been "extremely poor" because of the bad weather He said it was "very worrying" that the man was still unconscious although his pulse was strong.

This morning Medical Superintendant Dr Peter Morris said Mr Makalina's condition was not serious and he was under observation.

Explosion at Anglo laboratory

Star 9/8/89 Staff Reporter (131)

An explosion which resulted in a fire at the Anglo American Research laboratories at Crown Mines, Johannesburg, yesterday caused extensive damage to the property but no one was reported seriously injured.

A spokesman for Anglo said the explosion occurred in one of the extraction ducts above one of the laboratories in the complex.

Thick black smoke which billowed above the building was noticed by passing traffic inspectors.

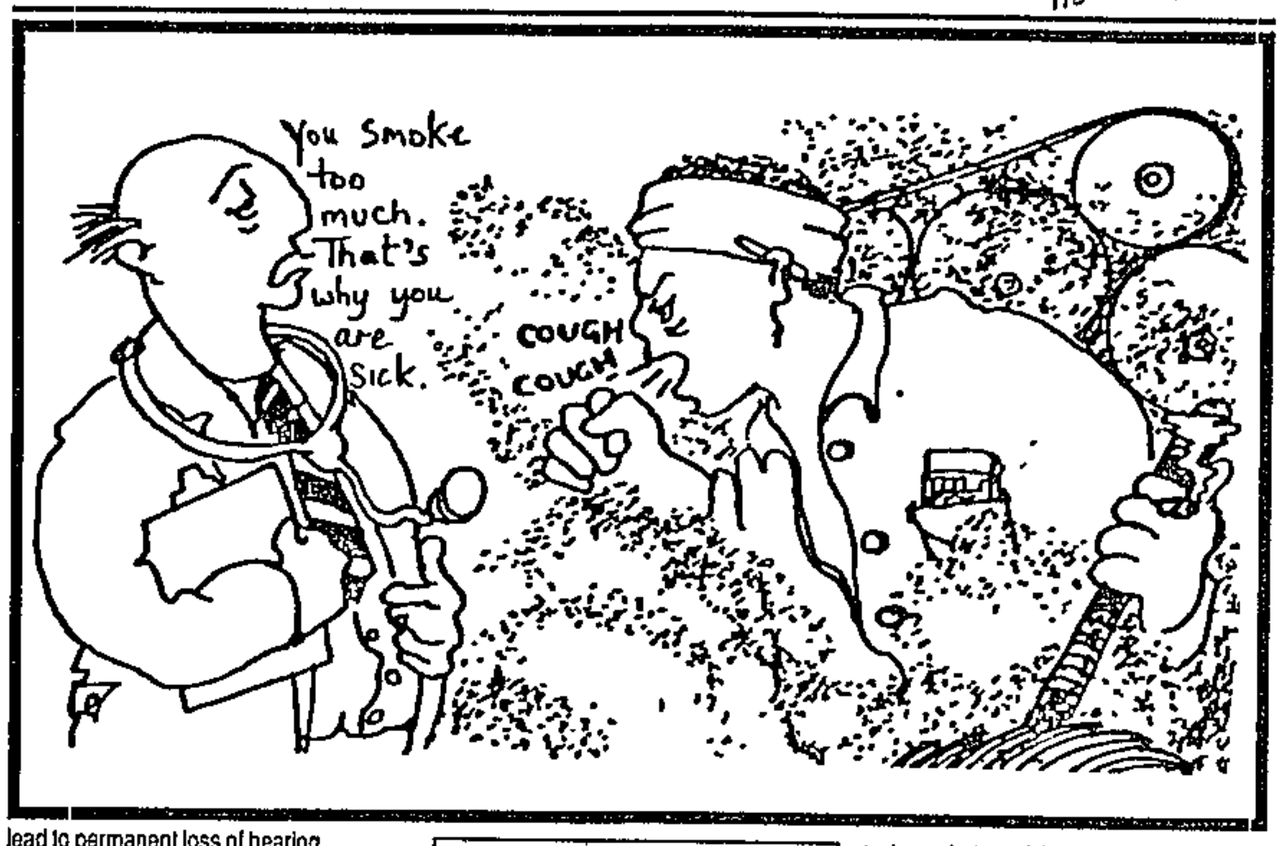
The fire department was called and the complex was evacuated.

Firemen put out the flames. Several people were treated for smoke inhalation.

The spokesman described the explosion and fire as an "industrial accident".

Dealing with workplace hazards

MANY workers in industries and factories are often faced with dangerous working conditions. While some problems may be obvious, others are less visible. This week SOUTHSIDE, courtesy of the Industrial Health Research Group (IHRG), offers advice concerning the major problems related to harmful working conditions: 131 South 9/8-15/8/90



COMMON HAZARDS AND WHAT CAN BE DONE

1 Dust.

Dust can damage the lungs in various ways

● *Hardening of the lungs* This is caused by dusts like asbestos and silica Silica is found in many kinds of dust — workers in mines, quarries and foundries breathe in silica

When the lungs get hard, they do not suck in the air properly and air cannot get into the blood

● *Asthma* Asthma is caused by dusts like cotton, wood or grain dust These dusts irritate the pipes in the lungs, so that the pipes suddenly close up and get small

Consequently, the air can't move in or out of the lungs and the sufferer gets short of breath Asthma attacks ensue

● *Bronchitis* Bronchitis can be caused by any type of dust, but some dusts are worse than others Dusts like coal, grain and cotton can irritate the lungs so that they get full of spit

The spit makes the lungs too wet for the air to circulate Cigarette smoke also causes bronchitis

● *Lung cancer* Asbestos is one cause of lung cancer But other substances such as chrome and arsenic are also dangerous Workers who breathe dangerous dusts and also smoke have a much higher chance of contracting lung cancer

● *Tuberculosis (TB)* Workers whose lungs have been hardened by silica dust are 30 times more likely to get TB than other workers This is the one reason why so many miners get TB

But dust is not the most important cause of TB Bad social conditions like poverty, malnutrition and overcrowding are more serious causes of TB

HERE ARE SOME WAYS TO FIGHT THE DUST DANGER

● Use a different substance Sometimes a dangerous dust can be replaced by an other kind that is not so bad Asbestos, for example, can be replaced by safer wood fibres

In some countries, asbestos production has been totally banned

● Close off the dusty area Sometimes it helps to put walls around a dusty area of a factory Broken machinery that leaks dust must be fixed

● Use wet methods Wetting the substance one works with is one way of cutting down on the dust that hangs in the air

● Use ventilation to suck away the dust before anyone can breathe it Machines that make dust should have special fans to suck away the dust as soon as it is formed

● Protective equipment (face masks) Special masks can filter some of the dust out of the air that workers breathe

2. Noise:

Noise is the most common work health hazard Consistently high noise levels can lead to permanent loss of hearing

The levels of noise are particularly high in textile mills, laundries and bottling and canning factories

If you work in a noisy place and suffer from one or more of the problems listed below, there is a likelihood that your ears are being damaged

● A ringing in the ears after leaving work,

● Temporary deafness after work,

● Friends and family commenting that you don t listen to them or that you "must be deaf",

● Difficulty in following ordinary conversation,

● Shouting at others because you can not hear your own voice properly

Continuous noise at work makes us more than normally tired and it is also linked to stress sicknesses like high blood pressure Noise prevents warning sounds in the factory from being heard and can consequently cause accidents

The most effective method of controlling noise hazards is to control it at its source This can be done by implementing safety standards

The maximum noise level should not exceed 85 decibels (db)

THERE ARE TWO WAYS OF CONTROLLING NOISE

● Cutting down the source of the noise,

● Stopping the noise from travelling to our ears

If it is impossible to cut the noise down to 85 db (loudness is measured by decibel scale — pain starts after 120 decibels), ear muffs and plugs can be used

However, wearing them should be part of a hearing protection programme combined with noise control

THE COMPANY HAS A RESPONSIBILITY TO DEAL WITH THE NOISE LEVELS

● Workers must be allowed to test the effectiveness of muffs or plugs provided,

● Noise level measurements must be arranged with full reports of results to the workers,

● There must be clear warning signs where noise levels are high,

● Workers in noisy places should be given thorough hearing tests,

● Doctors performing tests should submit claims to the workers' compensation office in cases where hearing has been damaged by noise at work

3 Chemicals.

In the dry cleaning and chemical industries almost all workers are exposed to dangerous chemicals The main dangers of chemicals include

● Toxic effects to senses

● Corrosive effects to the skin,

● Explosive reactions,

● Harm to the reproductive system, eg lead,

● Harm to bone marrow eg lead,

Workers should demand information about the dangers of the chemicals they come into contact with at the work place They should also strive for dangerous substances to be substituted by those that are less hazardous

HEALTH HAZARDS IN THE PETROLEUM INDUSTRY

Crude oil and petroleum contain many different chemicals, some of which can be very dangerous to workers health benzine, hydrogen sulphide carbon monoxide and aromatic hydrocarbons

These chemicals can have either "acute (short term) or "chronic (long term) health effects Acute effects are narcosis (dizziness tiredness fainting) dermatitis (skin becomes red, sore and dry) and irritation of the nose, throat and lungs

Chronic health effects constitute cancers such as leukaemia skin , brain , kidney and pancreatic cancer and non-cancer chronic diseases such as kidney diseases, mental changes, chromosome damage and miscarriages

4. Seating

Seats that are badly designed cause severe backache and may result in permanent deformation of the spine Seats should be well designed with back support and a suitable height for the task performed

5 Workplace dangers to the health of pregnant women

Pregnant women are not necessarily less healthy" than non-pregnant women But exposure to certain hazards may endanger either their health or that of the unborn baby

HARM TO SPERM AND OVARY

Certain chemicals may change the genetic make up of cells This is called mutation Mutations in the man s sperm cell or woman s egg cell can lead to birth effects or miscarriages Mutations are caused by many things including X rays lead some pesticides and chemicals such as vinyl chloride Studies have shown that communities near vinyl chloride plants — those that make plastic — have more children with birth effects Hospital workers people who work in plastic manufacturing, drycleaning, perfume manufacturing textile spot cleaners may all suffer from mutations

OPTIONS FOR WORKERS.

The health and safety Law Mosa (Machinery and Occupational Safety Act), states that management has to inform workers about any dangers at work If you have not been informed, your employer is breaking the law

Industrial Health Research Group (IHRG)

The IHRG provides services for trade unions in the area of occupational health and safety

The group's work is done in response to union requests and covers health surveys, industrial hygiene (measuring workers exposure to dangers at work like noise, dust and chemicals) and education of workers, shop stewards or union officials

The IHRG also provides information on dangerous working conditions, legal rights and protection and research other areas which unions may want The group provides a wide range of information from scientific and technical reports for unions to use in negotiations to summary information written for workers

The IHRG makes regular submissions to the relevant authorities to include occupational diseases like occupational asthma or lung cancer on the list of compensatable diseases

For further information, contact IHRG at (021) 650 3508

Workers' Clinic

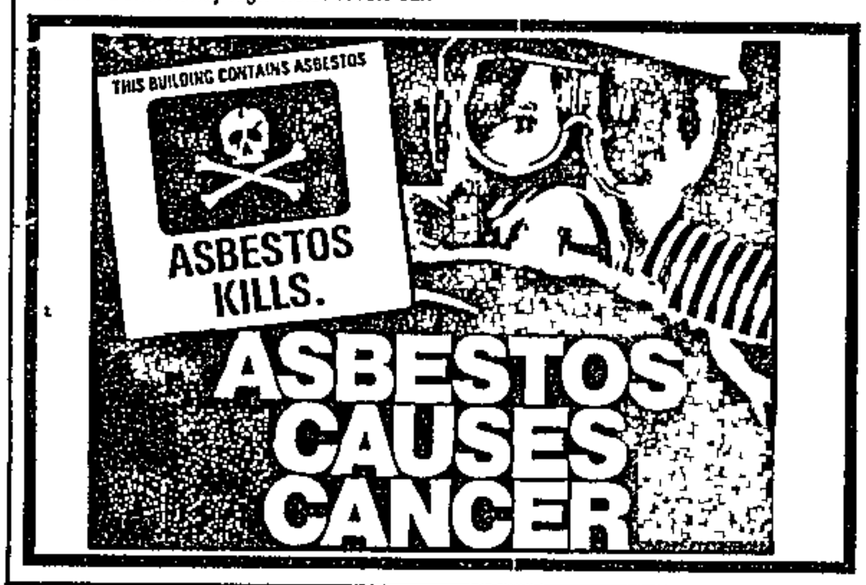
The Workers' Clinic is a free service for workers who need to find out whether they have a work related sickness

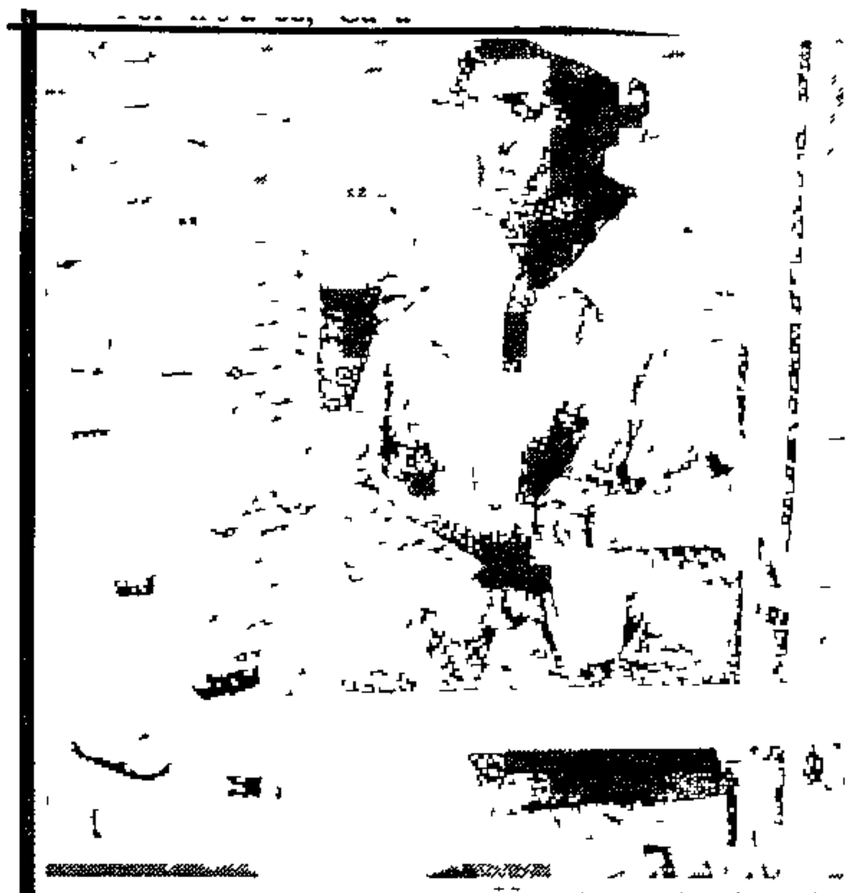
Most docotors are not trained to look for work sicknesses and sometimes make mistakes

However, doctors who work at the Workers' Clinic are specially trained to find out whether a sickness is caused by a hazard at work

The Workers' Clinic is a place where workers and unions can get advice treatment and help with compensation for sicknesses that are caused by work If the doctor at the clinic cannot do all the tests the worker needs the worker will be referred to a specialist doctor The Clinic serves only those with work-related sicknesses and caters only for unionised workers

● ***The Clinic is at Salt River Community House and are open from 4 6pm on Thursdays And on the second Saturday of every month between 10am and noon at the Nactu offices in Atlantic House, Corporation Street, Cape Town***





Workers on a new highrise building in the city centre take a break for a bite to eat. The World Health Organisation estimates that one in three new buildings become breeding grounds for Sick Building Syndrome.

Disease breeds in third of all new buildings

Sowetan 13/8/90

(131)

By MOKGADI PELA

THE so-called Sick Building Syndrome which results from inhaling unhealthy air pollutants has been identified as one of the most disturbing features in the building and construction industries

SBS - which also occurs when a ventilation system circulates fumes ranging from photocopying and cleaning fluids to perfume, tobacco smoke and mould - can cause nausea, depression, dizziness and headaches

Aside from the host of industrial chemicals floating in the indoor air, poorly maintained buildings can be fertile breeding grounds for bacteria and fungi, said Dr Petro Terblanche of the Pretoria-based Medical Research Council

While environmentalists say the planet will not survive if people contaminate the outdoors, it is similarly true that people will not live if they pollute the indoors

The World Health Organisation estimates that a third of all new buildings and renovated structures are sick.

An occupational researcher in Johannesburg, Mr Richard Truter, told the conference that a 30-month study that involved 1 500 workers in 60 companies establish that SBS was a serious problem in South Africa.

Truter said the study had the support of the National Council of Trade Unions and Anglo American Property Services.

Productivity affected

He said building related health complaints affected the well-being of people and consequently their productivity He called on the scientists to improve the ventilation rate in the offices

Truter added that the reduction of the sources of indoor and outdoor air pollution would minimise or even eliminate the problem.

"People can be feeling miserable yet they do not know why," said Ms Schatten of Ceiling Doctor.

"I can call them walking dead. They usually feel worse as the week drags on. At the weekend they improve and go back to work on Monday feeling healthy, but by Wednesday they are miserable again "

She said unless the problem was solved the economic loss to the industry would be incalculable

AUGUST 19

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2 miners killed, 2 hurt

Star 22/8/90 (131)

Two miners died yesterday in a groundfall at Vaal Reef's East Mine, Anglo American has announced.

Another two employees were injured in the fall of ground following a seismic event, measuring 2 on the Richter scale, at the mine's No 5 shaft, No 69 level, about 2 070 m beneath the surface.

The two injured workers were admitted to hospital, Anglo said in a press statement.

No further details were provided. — Sapa.

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e Times, Wednesday, August 29 1990

Radiation: Sasol workers being tested

PRETORIA — A number of employees at the Sasol One plant in Sasolburg are under constant medical observation after possibly being exposed to radioactivity

This was confirmed yesterday by Mr Jan Krynauw, media manager of Sasol in Johannesburg

According to Mr Krynauw, the incident happened about two weeks ago when an external contractor accidentally left an isotope on site at the Sasol One plant

He said that initially it was uncertain exactly how many people had been exposed to the radioactive source, and that a total of 24 employees were tested

"However, preliminary indications are that six employees have been exposed and would possibly suffer after-effects," he said

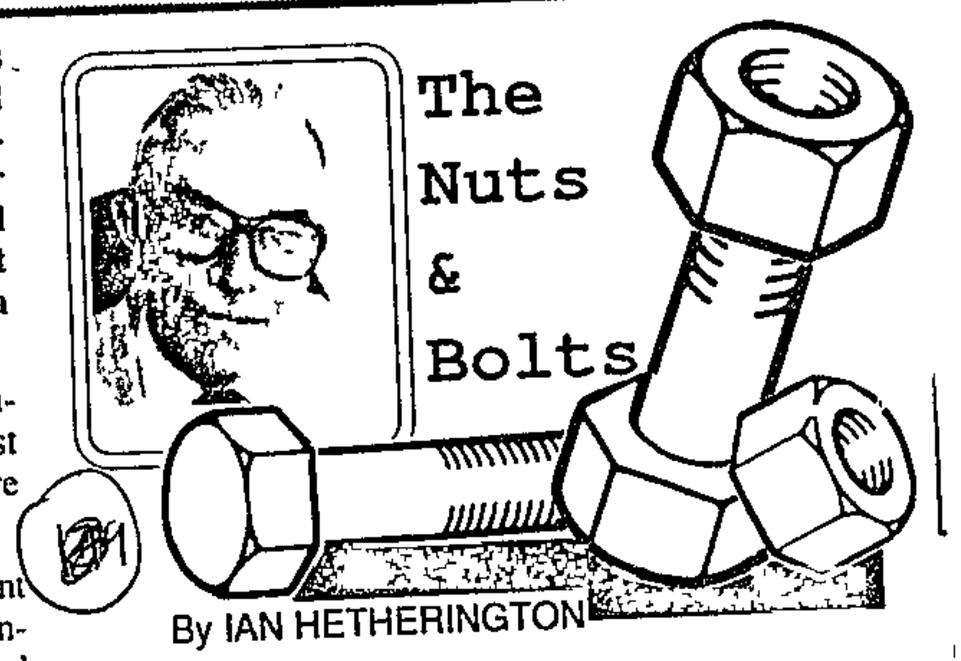
Mr Krynauw said the external contractor was called in to conduct tests at the plant — which could not be done by Sasol — when he accidentally left the isotope on the site

Mr Krynauw said it was not yet certain what the extent of the effect of the exposure would be. — Sapa

SOWETAN BUSINESS

Workers are a valuable asset

Most business owners spend a lot of time and money in hiring, training and developing their employees. This is a real investment even if it doesn't show on a balance sheet.



By IAN HETHERINGTON

Well-trained, experienced workers are a most valuable asset They are not easily replaceable

So owners do not want their workers to be injured in an accident and they take care to see that the chance of an accident is reduced as far as possible. Machines have proper guards. Workers must have proper protective clothing.

Sowetan 30/8/90

Safety

They are also shown how to use equipment safely Nothing is left lying around where people could trip over it Unsafe electric cables are replaced Motor vehicle are roadworthy

But even with all the care in the world, accidents can happen What then? If one of your employees is injured as a result of working for you, and assuming that the injury was not because of the blatant stupidity or drunkenness of the employee, then the employee can take you to court and claim damages from you It can cost you a lot of money

If, however, you have registered, as you are supposed to, under Workmen's Compensation, the employee cannot sue you Instead, he can claim and receive compensation for his injury from the Workmens's Compensation Fund. This include compensation for medical expenses, and it includes financial provision for his wife and children if he should die

Register

Every employer who employs one or more employees, other than domestic servants or employees earning more than R36 000 a year, is required to register for Workmen's Compensation

(131)

This is not just employers who run manufacturing businesses It includes employers running shops offices transport businesses and farms as well.

You register as an employer on a registration form obtained from your nearest office of the Department of Manpower One of these offices is on the 11th floor of Conlyn House, 156 President Street, Johannesburg

You must then keep records of wages paid and of any accidents And you must pay a small percentage of your wage bill, annually, to the Workmen's Compensation Commissioner You cannot deduct these payments from your employees. You must pay them

Cost

But it does not cost very much The amount varies according to the danger inherent in your business. Thus a dressmaker or tailor has to pay only 0 15 percent of the annual wage bill, an upholsterer has to pay 0 55 percent and a welder has to pay 0 75 percent

If you are careful and have very few accident claims you can get a partial rebate every three years

Two at Sasol affected by radioactivity

Cape Times 30/8/90 (131)

By GLYNNIS UNDERHILL

TWO of the 24 people who were exposed to a radioactive source at Sasol two weeks ago have positive burn exposure on their hands — and six employees actually played with the source before it was locked away, it emerged yesterday.

The 24 were exposed to a cobalt 60 radioactive source, left on the site by a subcontractor.

It has also emerged that it took Sasol 11 days to break the news to the outside world. However, Dr Gerhardus Oberholster, chief director of the Environment and Health Services, said he did not see Sasol's delay as an attempt at covering up the incident.

The department itself was "bound by secrecy" while it investigated the event, he said.

A Sasol spokesman said yesterday that 22 of the 24 employees concerned showed no signs of radioactive exposure.

The radioactive source was "lost" by an outside subcontracted company that had been X-raying welding joints on the site on August 18.

The source was lying around for 24 hours before a worker noticed that it was marked "radio-active" and locked it up in a tool cabinet, Dr Oberholster said.

● Last year an employee at the Kendal power station in the Transvaal lost a leg due to radiation exposure.

Two at Sasol contaminated

MARIETTE DU PLESSIS

TWO employees at the Sasol One plant in Sasolburg are showing positive signs of radiation on their hands after their exposure two weeks ago to a radioactive source accidentally left on site

Sasol media manager Jan Krynauw confirmed yesterday that 22 of the 24 employees thought to have been exposed to deadly gamma rays from a radioactive cobalt 60-isotope were showing "no signs of radioactive exposure whatsoever".

A similar incident at Kendall power station in March 1989 had a sequel in the Middelburg court earlier this year, when an employee, Jacob Mahlangu, sued International Combustion Africa (Ical) for more than R350 000 in damages

Mahlangu, whose leg had to be amputated after being exposed to a radioactive isotope, came into contact with the Iridium 192 isotope after Ical, which used the isotope to radiographically test pipe welds, accidentally left it on the site.

Raysonics, the outside contractor involved in the radiation accident at Sasol One, also inadvertently left the radioactive source, used for testing welds at the plant, on site

Raysonics spokesman Coetzee Labuschagne, who was discussing the issue with company directors yesterday, could not be reached for comment

A spokesman for the National Health Department's Radiation Control Centre was unable to comment on allegations of negligence because a preliminary investigation into the matter was in progress

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B/Day 30/8/90

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Sasol

B/Day 30/8/90

☐ From Page 1

He said that pending the outcome of the investigation, the incident was considered a criminal contravention of the Nuclear Energy Act, and the parties concerned could be liable for either a fine of R7 000 and/or seven years imprisonment. Additional steps such as preventative measures and actions against individuals could also follow.

In terms of the Act, 1 439 radioactive sources were registered with the department for non-medical and 112 for medical purposes.

The Nuclear Energy Act of 1980 regulated the use, possession, transport and acquisition of radioactive substances such as isotopes

The department deemed the Act sufficient to prevent accidents provided the users of these substances abided by its terms

Medical experts said depending on the degree of exposure, delayed effects of radiation where blood and marrow tissue were affected were cancer and leukemia

Careful worker reduced isotope risk

Star 31/8/90 (131)

By Melody McDougall, Vereeniging Bureau

The actions of a Sasol 1 employee, who picked up a foreign-looking object at the factory's plant in Sasolburg, probably prevented more of his colleagues being exposed to a potentially dangerous Cobalt 60 isotope.

Not knowing what the small shiny object was, but later noticing the words "radio active" on it, the man kept it in a tool cabinet about 30 m away from where the majority of employees were working.

He was last night identified as Robert Burrow (31), of Amatole Street, Sasolburg

Mr Burrow, a boilermaker at Sasol 1, declined a request for an interview last night. However, according to a friend the incident happened nearly two weeks ago when Mr Burrow apparently noticed a "small and very shiny thing the length of a ballpoint pen" lying on the floor of a working area

When the object was identified several hours later it was removed by the external contracting company, which had accidentally left it on site after conducting tests at the plant.

Although Mr Burrow has apparently not yet shown any signs of radioactive exposure, he is said to be tested weekly at a Pretoria hospital

● So far two Sasol 1 employees are said to have started showing signs of exposure Twenty others who may have been exposed to the isotope have not yet shown any abnormalities.

Explosion at Anglo mine kills 10

Star 1/9/90

(131)

TEN miners died and 20 were injured yesterday following an underground explosion at President Steyn mine near Welkom, Anglo American said in a statement.

The explosion occurred at the Number 2 Shaft at about 10 30 am One employee was in a critical condition at the Ernest Oppenheimer Hospital and another was in a "severe" condition, Anglo said

The other injured employees were in a satisfactory condition.

Preliminary investigations suggested that the explosion — at 71 level, about 1900 m underground — was caused by an electrical fault which ignited explosives.

An on-site inspection was being conducted, said Anglo, which guaranteed that a full inquiry into the accident would be held. — Sapa

Taiwan gets report on frostbitten SA labourers

W/E ARGUS 1/9/90

By TYRONE SEALE
Weekend Argus Reporter

131

TAIWANESE government officials in Taipei are studying a report detailing the consequences of frostbite among South African labourers on trawlers, many of whom have also complained of assaults

Cape Town lawyers acting for frostbite victims compiled the dossier weeks ago, before the number of reported cases rose to the present "35 to 40" given by one attorney, who said the significance of the dossier had been underlined earlier this week when three Transkeian workers successfully claimed R195 000 from the owners of a ship on which they allegedly had developed frostbite.

First to examine the report was the Department of Foreign Affairs, which passed it on to Taiwanese officials in South Africa

Mr Y S Chi, second secretary at the Taiwanese Embassy in Pretoria, confirmed that his office had sent the report to Taipei yesterday morning for consideration at the highest levels

The dossier lists

- Details of all the reported cases,
- The alleged conditions that gave rise to frostbite on trawlers during their months-long fishing trips around the South Atlantic,
- How much South African taxpayers will pay in disability grants to injured workers,
- Precautions that could have been taken, and,
- A summary of the damages frostbite victims are expected to claim

In the latest incident three labourers — Vuyani Bhele, 37, Jeffrey Maswana, 26, and Mr N Mginda, 28 — sought legal assistance after the Kwang Mao captain allegedly had refused to pay them

Lawyers recognised their injuries, referred them to an orthopaedic surgeon and secured the holding of the vessel on August 9 in terms of the SA Admiralty Rules

The vessel was to have sailed on Monday By 4 30pm a notice of release had been signed after the ship's agents had placed R195 000 in trust, pending further legal action

The matter is expected to reach trial in three to four months.

C/Press 2/9/90

Few get compensation

(131)

POOR people in South Africa rarely get fair compensation for personal injuries because they cannot afford to make claims.

The onus for proving the extent and implications of the injuries rests solely with the victims. If they cannot afford the thousands of rands in legal and medical costs, they cannot substantiate the claim.

There is very limited assistance available to accident victims claiming from large insurance companies.

Although it is difficult to estimate how many injured people receive fair compensation, according to attorneys who specialise in personal injury claims, only a small percentage of victims ever get fair compensation.

According to attorneys, legal costs in a claim for someone permanently disabled in an accident, are often between R10 000 and R30 000.

Independent medico-legal consultant Kay Martin says many disabled victims die waiting for their claims to be settled.

If an insurance company contests a claim, the case usually takes about two years to get to court. It is usual for insurance companies to offer to settle out of court a day or two before the case is due to be heard. In the interim the claimant usually gets nothing.

But many victims never get as far as the court. They either do not claim at all because they do not have the resources, or they accept a negligible amount in compensation from the insurance company, thus signing away any right to bring a future claim.

Bid to oust Taiwan's trawlers from SA

ARGUS 12/9/90

131

By SHARKEY ISAACS
Staff Reporter

A CAMPAIGN has been launched to stop Taiwanese trawlers fishing in South African waters because of alleged gill-netting and the plight of 38 South African crewmen who had frostbite after working long hours in refrigerated holds

This move and the mobilising of fishermen and fish factory workers to pressure Taiwanese trawler owners for compensation were announced by the Food and Allied Workers' Union (Fawu) at a Press conference yesterday

Congress of South African Trade Unions (Cosatu) national executive member Mr Nosey Pieterse said trawlermen with frostbitten fingers had been maimed Many would be unable to do manual labour for the rest of their lives

The campaign will include demonstrations at workplaces, marches, refusal to handle any fish caught with gill-nets, and the picketing of Taiwanese diplomatic missions and agents recruiting workers for Taiwanese boats

It will be run jointly by Fawu, Cosatu, the United Democratic Front, African National Congress and the South African Communist Party

Althought gill-netting has been outlawed by the South African government, crewmen alleged that nets were transferred on to trawlers in mid-ocean

"The fishing industry is in a crisis," Mr Pieterse said

Gill-netting, condemned internationally, could exhaust South African fish resources within three years He claimed that it had caused the volume of fish caught by fishermen to drop sharply .Most recently this had led to nearly 160 retrenchments in the Cape-based fishing industry and the closure of one factory, costing 170 jobs

He blamed the government for allowing this situation to develop

The unions demanded a meeting with the authorities to discuss State intervention to save the fishing industry They also called for a ban on gill-net fishing

The Department of Foreign Affairs has been asked to negotiate compensation for frostbitten sailors

The Western Cape regional secretary of Cosatu, Miss Luci Nyembe, said attempts to negotiate a solution with the Taiwanese or their agents had been fruitless

She claimed that South African workers on Far Eastern trawlers had faced differential treatment to Taiwanese crewmen They were not given proper protective clothing and were forced to work in refrigeration holds for long periods at low temperatures.

If they refused to work because of frostbite, they were assaulted Medical care on the boats was either inadequate or non-existent, she said

Amputee tells of working in freezing hold

Staff Reporter

MR Joseph Haddon, 33, spreads out his amputated finger stumps and says: "I hope the government can do something about this."

He lost nearly all his fingers in his first month at sea in a Taiwanese trawler after contracting frostbite while working in a refrigerated hold.

Only his right thumb and little finger remain, eight months after signing up as a crewman in the Taiwanese trawler Ching Chia Chin.

The vessel sailed in January into the South Atlantic to catch squid off the Falkland Islands and he was put to work in a refrigerated hold

STIFF WITH ICE

He said: "We were given inferior gloves My fingers were stiff with ice. I couldn't carry on working."

When he asked the skipper to be taken to a doctor he was told he would be "okay in a day or two".

But he still wasn't treated two weeks later when the trawler docked somewhere in Uruguay.

Another two weeks passed before he reached Cape Town and was admitted to a private hospital Most of his fingers were amputated in four operations.

He cannot claim compensation under South African industrial legislation Human-rights lawyers are trying to sue the Taiwanese owners of the Ching Chia Chin.

Star 13/9/90 (131)

18 killed, 18 hurt in mine explosion

By Brendan Templeton

Eighteen miners were killed and 18 injured, three critically, in an explosion at the Vaal Reefs gold mine near Orkney yesterday.

The names of two of the dead have been released. They were J J de Bruyn (22) and L Havenga (19), both of Orkney.

An Anglo American spokesman said the explosion took place 1 700 m underground at 7.45 am.

The injured were admitted to the West Vaal Hospital and the Klerksdorp Provincial Hospital.

The three critically injured and eight seriously injured workers were suffering from burn wounds.

The other seven had minor lacerations, West Vaal Hospital superintendent Dr Huw Penry said.

National Union of Mineworkers regional safety co-ordinator Percy Dyonase said the mine had always been a "problematic" one

For 80 000 workers, there were only five inspectors, who also had to cover Rustenburg and Bophuthatswana, Mr Dyonase said.

Vaal Reefs regional manager Nap Meyer said the cause of the explosion was not known, and investigations were taking place.

Team leader Simon Mohapi (42) said he was working on a nearby level when the explosion occurred

He immediately organised stretchers and was shocked to find bodies strewn on the floor when he reached the scene of the accident

Assistant mine manager Geoff Perry said rescue teams were dispatched to the mine as soon as they were notified of the explosion.

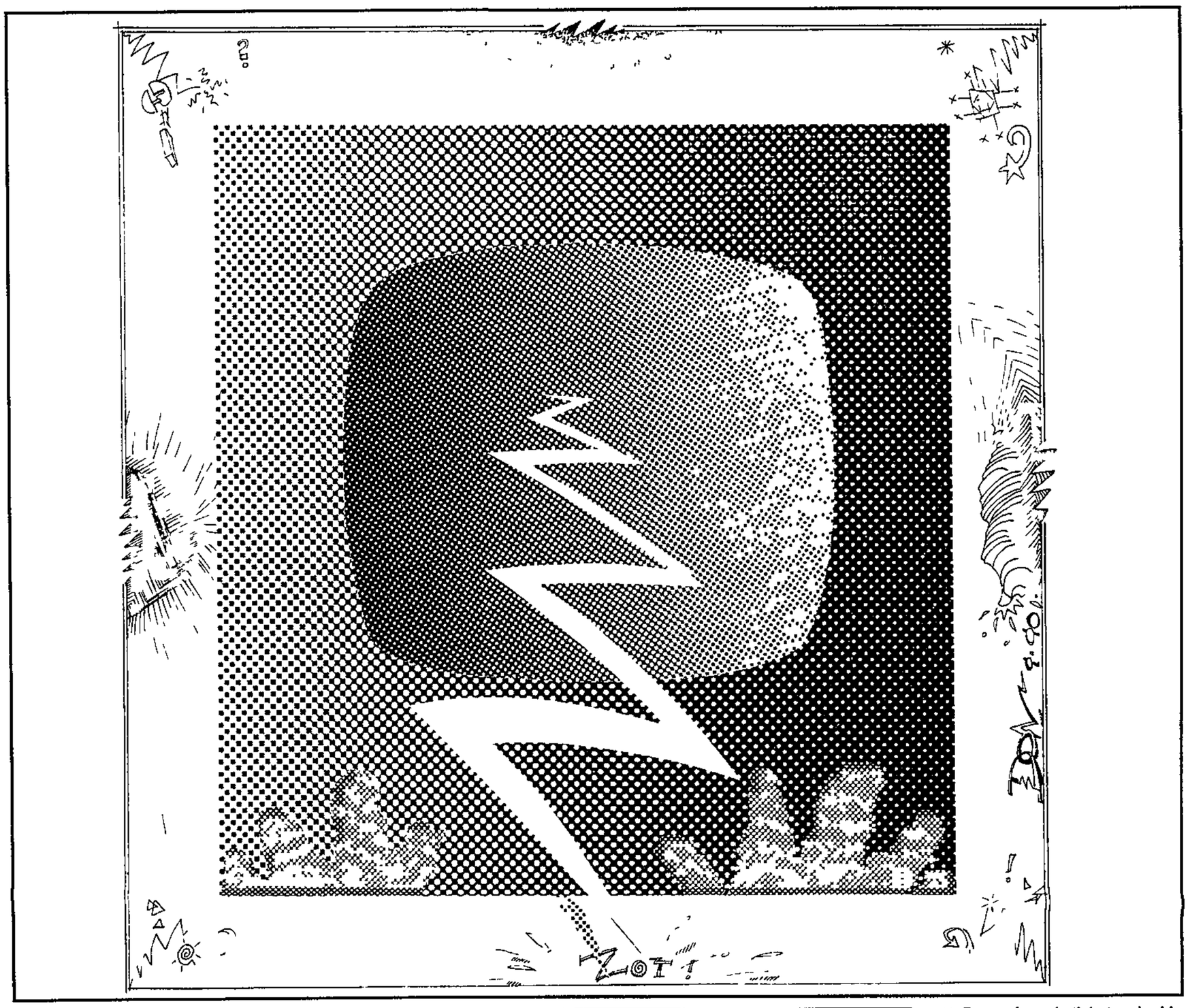
South 13/9-17/9/90 (131)

Health hazards of computers

COMPUTERS pose promise, but also hazards.

In this decade, thousands of computers will be introduced into more sectors of our society

This calls for self-health, education and the introduction of simple routines to reduce the hazards of computers for buyers and users



Far from high-tension wires in the Swedish countryside, some people are living, isolated from modern society. Their source of lighting may be a candle or paraffin lamp, their source of heating, a coal or woodburning stove. They have developed a reaction to electricity, often precipitated by working with computers. MADI GRAY reports from Stockholm:

Health Hazards

Ilona Siltberg is an economist in her 30s She started working with computers in 1978 After about five years she developed eye trouble, difficulty in seeing the screen and headaches

This was eventually diagnosed as a hidden squint An oculist prescribed special glasses for her and for a while she felt better Then the headaches returned and got worse, until they were so bad she was sick-listed

When she returned to her job at the computer, she noticed her face and skin began to tingle, especially above her eyes The symptoms went away in the evenings, on weekends and during holidays

Symptoms

After a while, she was symptom-free only when she did not work at a computer for a week or more Now the symptoms got worse, until her face looked as though it had been burnt She got increasingly ill as the years went by, without knowing the cause

So she kept on working, trying to ignore her illness She once visited a dentist who *polished her amalgam fillings, drilled a tooth* and put in a new silver filling She soon after began vomiting, had diarrhoea and consulted a doctor to help her keep some nourishment

She was sick-listed again and now noticed, if she tried vacuuming at home, that she would feel so ill after cleaning only one room that she had to lie down

Ilona has been off work for almost a year now She cannot do any cooking or use any electrical appliances She uses paraffin lamps in her house When she cleans, she uses a scrubbing brush, a broom and shovel

She is not able to warm her home in the long cold winter with the electric heaters that are common in Swedish houses She only feels all right if she stays away from electricity

This means she cannot shop at the supermarkets as they all use fluorescent lighting She cannot go into office buildings because of the office machines

Hypersensitivity

Ilona, mother of three, is badly handicapped by her hypersensitivity to electric current. During the summer, when the weather is good, she spends much time outdoors. She is worried about whether she will ever be employable again and faces a bleak and empty future.

A whole range of health problems has arisen, related to the spread of computer terminals that have screens with cathode ray tubes like television sets

In some people, eye strain or skin problems have emerged In advanced cases, people become oversensitive to electricity Others may develop repetitive strain injuries such as aching hands, wrists or backs

In some workplaces,the rate of spontaneous abortion and babies born with birth defects to mothers working with computers is considerably above national averages Alarming reports indicate there may be an increased risk of certain types of cancer associated with computer use

DEALING WITH THE SYMPTONS

Repetition Strain Injuries (RSI)

Repetition Strain Injury affects not only computer users, but also office workers, packers, supermarket check-out staff and conveyor belt workers — wherever the work consists of frequent, monotonous and repetitive movements in badly-organised work processes

Injury is caused by the monotony and repetition, the work does not need to be physically strenuous Stress factors like compulsory overtime, bonus and piece-rate systems, overbearing supervision, lack of control over the work process, inadequate training, vibration and monitoring of the workrate by machines make these ailments worse

We sit or stand badly and have adapted ourselves to our computer terminals instead of adapting the work environment to our needs

You can reduce and relieve the effects of such injuries:

- Especially if you spend most of your day at the computer, you should change your working posture, move around, stretch and relax the neck and shoulder muscles or do other relevant exercises frequently, at least twice an hour to keep your muscles supple and avoid the build-up of tension
- Keep up your condition by taking regular exercise in moderation Aerobics, swimming, cycling, walking and running are among the best as they exercise muscles in the whole body, your heart and lungs benefit as well Remember, you are never too old to start moving
- If you have an injury, consult a doctor and rest the affected part Ask for a referral to a physiotherapist or chiropracter.

Short periods of working at the same tasks, at most two hours, rest periods and rotation between jobs requiring different types of movement also help to reduce the incidence of RSI

The keyboard and the screen should be independently manoeuvrable to the most comfortable angle The height and angle of the seat and of the backrest should be adjustable

Trade unions in Britain and Sweden couple these demands with a" no loss of pay" clause when negotiating with employers They also call for improvements to the design of the actual spot in which the work is being done, whether it is a computer terminal or a conveyor belt

In Europe, ergonomics (workplace design) is a buzz-word and plushy conferences are being organised on the topic

Vision disorders

Eye strain, blurred vision and temporary nearsightedness were among the first ill-effects noted with prolonged use of visual display units (VDUs, terminals, screens)

Headaches may be caused by constant rapid eye movements from the paper to the keyboard and the screen This requires continuous readjustment of the focus of the eye

Some problems are caused by glare or reflections from poor lighting, others by poor screens where the letters flicker or are fuzzy or dull The colours and intensity (luminescence) of the letters and background on the screen can also affect your eyes

Electrical sensitivity

Those afflicted report one or more of the following symptoms·

- Pins and needles or unendurable smarting pains in the face, chest and arms,
- Redness, like sunburn (usually on the side of the face closest to the computer), which fades when you take a rest from the computer,
- The skin, especially above the eyes, feels dry and tight (like after over-exposure to the sun) A rash or other skin irritations may come and go,
- Soreness, stickiness, puffiness or a feeling of grit in the eyes,
- Unusual thirst and dryness in the mouth and throat,
- Headaches and swollen sinuses,
- Nausea and/or faintness and dizziness,
- High blood pressure and palpitations of the heart,
- Discomfort in both hot and cold conditions

Trade unions in Sweden have negotiated with employers' organisations to implement some relatively simple steps to improve the work environment

Some union requirements relating to working posture are backed by law My own union, the Swedish Association of Journalists (SJF), signed a Technology Agreement in 1980 with the Association of Newspaper Employers (TA)

It includes a clause stipulating that the company must pay for eye tests for all employees expected to work at computers and, if necessary, supply special glasses for this work

Skin problems

There are some common-sense precautions to reduce the risks of developing skin problems from working behind the computer, specially if it takes some time to change your screen

- Improve ventilation and see that there is a real change of air,
- Improve cleaning routines to minimise the dust motes in the air,
- When working at a computer, wear clothing made of natural fibres like cotton and wool Avoid artificial fibres like nylon and polyester,
- You can reduce the dryness of your skin with face and hand lotions,
- Do not sit close to the screen

In South Africa, many of the pitfalls can be avoided by becoming aware of the health hazards associated with computers This is the sensible option, both in economic and in human terms

1990's crop amounted to about

Union seeks meeting on sailors

B/Day 14/9/90

CAPE TOWN — The Food and Allied Workers' Union wants to meet Taiwan's local representatives over Taiwan's offer to compensate frostbitten sailors.

Fawu spokesman Nosey Pieterse said yesterday it also wanted to meet SA government officials to discuss legal protection for offshore workers, the "crisis in the fishing industry" and "future Taiwanese investments"

Taiwan's consulate-general in Cape Town, Tom Chou, said on Wednesday his government would "remunerate" families of SA sailors disabled by frostbite.

Pieterse said: "It would be naive to believe the Taiwanese government is committed to ending the human misery on their trawlers and stopping the plundering of our seas." The union wanted to discuss proper compensation for the injured workers, insurance, and safe working conditions. — Sapa.

(131)

Cosatu, UDF join forces against the gillnet 'pirates'

By DICK USHER and Sapa

COSATU and the United Democratic Front have linked arms with environmental pressure groups in a campaign against ecologically ruinous gill-netting and the "exploitation" of South African sailors by Taiwanese trawlers.

At a press conference this week, the Cosatu-affiliated Food and Allied Workers Union called for the immediate withdrawal of Taiwanese businesses from South Africa. Attempts to negotiate with the Taiwanese and their agents had proved fruitless, the union said.

The campaign will feature workplace demonstrations by fish processing workers, the "blacking" of fish caught in gillnets, picketing of the Taiwanese Embassy and agents recruiting for Taiwanese boats, public meetings, a conference of fishing workers later this month, marches and the mobilisation of the international community.

In recent months, Fawu said, 38 cases had come to light of workers who had lost fingers or the use of their hands through frostbite. It attributed this to inadequate protective clothing and medical care. W/Mail 14/9 - 20/9/90

Racism was also a factor, the union complained. "Taiwanese workers on the vessels have better conditions, shorter shifts and superior medical facilities," a spokesman said.

He revealed the Department of Foreign Affairs had been approached to negotiate compensation for workers, who were not covered by the Workmen's Compensation Act or health and safety laws.

Recently the Legal Resources Centre in Cape Town has taken up cudgels on their behalf, resulting in at least two instances of vessels being impounded.

Fawu's Nosi Pieterse said Taiwanese gillnet fishing, in which fine-mesh nets up to 100km long "sweep" the sea, was exhausting South Africa's marine resources. The spin-off was rising fish prices and job cuts as catches dropped

At least 250 workers had lost jobs in local fish processing plants, while a further 170 fishermen lost jobs when their company closed down.

Taiwan clampdown on wall-of-death nets

Times 17/9/90 131

By SHARKEY ISAACS, Staff Reporter

STRICTER measures against the use of gill nets on Taiwanese trawlers in South African waters and plans to compensate the families of South African seamen maimed by frostbite have been announced.

Consul Mr Tom Chou made this announcement after a trade union Press conference highlighted the use of the nets and the maiming of 38 South African crewmen by frostbite-related injuries.

A joint call was made by the Congress of South African Trade Unions and its affiliate, the Food and Allied Workers' Union, urging Taiwanese businesses to withdraw from the country. It was also stressed that many of the injured would not be able to do manual work again.

New regulations

Mr Chou said Taiwan's new regulations prohibited the use of gill nets on newly built fishing vessels.

"We forbid any gill-net fishing vessels to enter the Atlantic Ocean and any other country's economic zone.

"If anyone violates our regulations we will severely penalise them by suspending the vessel's licence for two years.

"We are encouraging our fishing vessels to use long-line methods The government is offering a subsidy to those shipowners who have changed."

It intended to compensate the families of maimed crewmen. "Even after the government's assistance, the injured South African crew are still eligible to claim proper compensation from the shipowner.

"In order to prevent or decrease this kind of injury, we suggest every South African crew member should undergo training to learn to protect himself while working in very low temperatures.

"No discrimination"

"We will teach captains and officers to adequately protect the novice crew We intend seeking legal advice so that the responsibility of safeguard rests on both the employer and the employee

"We would also like to clarify that there is no discrimination on board our vessels If any crew member is injured, he is given proper medical treatment.

"We are also investigating the possibility of obtaining insurance cover for all seamen so they can get adequate compensation if injured on board the vessels.

"It will then be stipulated that all claims from crew will be dealt with only through this channel."

Burnt and bloodied ... factory worker Elizabeth Pofaan lies shivering with pain in a hospital bed after an explosion at Naschem, an Armscor subsidiary, outside Potchefstroom yesterday morning. Star 21/9/90 ● Picture by Ken Oosterbroek.

Three killed in blast

131

By Monica Nicolson

POTCHEFSTROOM — Three people were killed and nearly 60 injured yesterday in an explosion at an ammunition factory about 25 km from Potchefstroom

The dead have been identified as Evelyn Petersen of Promosa, Johan Viljoen from Potchefstroom and Lenie Badenhorst from Carletonville

Org Danhauzer, who is being treated for serious burns, is in a stable condition in the intensive care unit of Medi-Citi, a private clinic in Potchefstroom

Five women are in a serious condition in the Kalie de Haas Hospital

Others were treated for minor burns, shrapnel cuts and shock sustained in the 8 40 am blast

Defence Minister Magnus Malan has ordered an inquiry into the accident at Naschem, an Armscor subsidiary

Workers said this was not the first explosion at the factory A woman said explosions happened "all the time" and people "got used to them"

Naschem general manager T G Keuzenkamp expressed his sympathy with the victims' next of kin

People covered in flame after Natal gas explosion

C/Press 7/10/90

(131)

DISPATCH clerk employed by-mes, Supermarket in Stanger, where people died in a gas explosion on April this year, this week described to a hger inquest the horror of seeing a n covered in flames running helplessly ards him.

Greesunker Sookdew told the court his ly shook with fright when he saw the n – a driver for the firm Sugar City – ered in flames.

The Sugar City employee had gone to lmes Supermarket to deliver a consign-nt of gas in cylinders.

Sookdew told the court he was busy in e storeroom behind the supermarket hen he heard a loud hissing sound. hen he looked out to investigate, he was rrified to see people in flames running all directions.

There was pandemonium.

Sookdew said he did not know what really happened, but ran for cover

As he ran, he saw smoke and flames "My body shivered as I ran for cover"

From a distance he checked to see whether his friend Perumal Govender was safe

Govender, who survived the blast, said he was in the storeroom when he heard shouts of "fire, fire".

A black employee ran into the store-room covered in flames and he also deci-ded to run out.

A short while later an explosion rocked the area.

Twenty shoppers and employees died either on the scene or later at hospitals

The inquest continues – Sapa

:ate

ment, township sources said

They said scores of police

sent back to thei
older pupils from
schools.

Star 22/10/90

3 still missing at Vaal Reefs mine

131

Four days after a fall of ground at Vaal Reefs South mine, rescue teams were still battling to find three employees missing in the tragedy.

Anglo American spokesman said rescue teams were still searching for three missing employees yesterday

The ground fall followed two seismic events at Vaal Reefs South mine number two shaft near Orkney on Thursday night.

The spokesman said the two seismic events measured 3 and 3,6 on the Richter Scale.

The employees were working at 74 level which is some 2300 m below surface.

● Anglo American Corporation also announced at the weekend that rescue workers had recovered the body of another miner at the Western Deep Levels West mine, bringing to 11 the toll in a seismically related accident on Thursday

The accident was caused at by a fall of ground 2600 m underground

All 11 bodies have been recovered. — Sapa.

Miner claims R2-m after methane gas explosion

Star 23/10/90 (131)

A miner who was severely disfigured after an underground methane gas explosion has set a precedent by claiming nearly R2 million damages in the Pretoria Supreme Court

In terms of a draft order — Mr "Ben" Barend Johannes Nicolaas van Rooyen (39) of Pietersburg claimed R1 895 994 from Secunda Collieries for third degree burns he sustained during an explosion at the Middelbult Coal Mine in 1986

made an order of court yesterday — Secunda Collieries and seven other respondents were ordered to remunerate Mr van Rooyen

The action in respect of the total amount to be paid was postponed indefinitely

Star 24/10/90 (131)

Hopeful about a settlement .... Barend van Rooyen (39) and his wife Catherine. He is claiming damages of R1,8 million after losing one hand and the use of the other in a mine explosion.

Mine-blast victim hopes to find work

By Dirk Nel

PIETERSBURG — Barend van Rooyen (39) of Penina Park, Pietersburg, who is claiming R1,8 million in damages from a Secunda coal mine after losing one hand and the use of the other in a mine explosion, believes he will find employment despite his disability.

Mr van Rooyen, his wife Catherine and two children moved to Pietersburg four months ago to make a new start. A third child is earning his own living.

"Our wrangle with the mine for compensation has lasted four years, and I am a little bitter about the whole thing, but complaining won't change anything," he told The Star yesterday.

Mrs van Rooyen has not been able to take a job because her husband needs constant care.

They have battled to make ends meet on a modest pension he is receiving from the mine, but Mr van Rooyen's medical costs have swallowed up a large part of this income.

According to a claim sheet filed in the Pretoria Supreme Court, the mine explosion was caused by the negligence of the mine manager and underground manager.

Mr van Rooyen suffered severe burns to his face, hands and thigh, necessitating 16 operations, including the amputation of one hand.

He is hopeful about a settlement in his favour, so that medical treatment can go ahead.

"Although I have lost the use of my hands, I have organising skills, and someone may be able to employ me on this basis," he said.

No funds yet for frostbite victims

CAPE TIMES 25/10/90

Staff Reporter

THE Taiwanese government was lagging in financially assisting workers who had lost their fingers because of frostbite while working on Taiwanese trawlers, Cosatu spokesman Mr Nosey Pieterse said yesterday

Mr Pieterse said representatives of the Food and Allied Workers Union (Fawu) had been promised a meeting with the Taiwanese ambassador to discuss compensation but they had not received word, despite contacting the local consul several times

"Instead they are meeting with the SA Department of Foreign Affairs and lawyers on the amount for compensation," he said

Western Cape Cosatu secretary Ms Lucy Nyembe said the Taiwanese had offered to set up a fund for the frostbite victims, but had later indicated that this was not compensation for the workers

FROSTBITE ... About 250 fishing industry employees demonstrate outside the Taiwanese embassy yesterday in protest at colleagues' frostbite injuries on board Chinese trawlers. Picture BENNY GOOL

Dancing workers protest against gill-netting

CAPE TIMES 1/11/90

Staff Reporter

ABOUT 250 dancing and chanting fish factory workers staged a lunch-time protest next to the Civic Centre yesterday against Taiwanese gill-netting and in favour of compensation for frost-bitten sailors

Police closely watched the demonstration on Festival Square

Food and Allied Workers' Union (Fawu) executive member Mr Nosey Pieterse was later given the assurance by Taiwanese consul Mr Tom Chou that the workers' demands would be passed to Taiwan's ambassador in Pretoria Mr Chou's seventh-floor office is in a building adjacent to the square

Meanwhile, police are to charge Mr Pieterse with allegedly failing to meet magisterial conditions imposed on the demonstration

The District Commissioner of Police for Cape Town, Colonel Philip Delport, confirmed this after personally monitoring the demonstration

He said a docket alleging failure to comply with the conditions, which included that no more than 50 demonstrators be allowed to gather and that they stand five metres apart, would be opened

Mr Pieterse said the demonstration by Irving and Johnson workers and Fawu members was held to demand compensation for the 40 local fishermen who had lost fingers working in the cold-rooms of Taiwanese gill-netting ships

Star 2/11/90 (131)

Miner killed in rockslide

One miner was killed and four were trapped 2,5 km underground yesterday after a mild earthquake on Wednesday caused a rockslide at Anglo's Western Deep Levels East mine Rescue operations were under way to try to reach the missing men

Mine blast victim gets R1-m award

By Dirk Nel Star 8/11/90 (131)
Northern Transvaal Bureau

PIETERSBURG — The first reaction of mine blast victim Barend van Rooyen (39) when he heard this week that he had been awarded R1 million damages in an out-of-court settlement was relief.

His four-year struggle for compensation from a Secunda coal mine for the loss of the use of his hands and disfigurement of his face (which led to 16 operations) also swallowed up most of the meagre pension payouts he received from the mine

"First of all, we are going to take a nice long holiday. I really need it," said Mr van Rooyen's wife Catherine, who has been unable to take a job because her husband needed constant care

The family moved to Pietersburg five months ago to make a new start

Mr van Rooyen, who is receiving treatment in Pietersburg Hospital for a stomach ailment, is still confident that he will eventually get a job despite his handicap.

Study links asbestos to environment

ARGUS 26/11/90

131

By ESANN van RENSBURG
Medical Reporter

RESULTS of a preliminary study on the effects of asbestos exposure could prove that direct occupational exposure does not necessarily lead to the development of malignant cancers, according to the South African Medical Journal

Respiratory tract cancers and mesothelioma are the most important asbestos-related causes of death, according to the article.

A number of diseases have been associated with asbestos exposure, including many cancers. The article reports on a pilot study done on the health effects of environmental exposure to asbestos

The study notes that 71 cases of mesothelioma, a highly malignant cancer which originates in the lining of the chest or abdominal cavity, were referred from Prieska Hospital in the abestos mining town. Some cases were white women not employed at the mine

The importance of assessing possible occupational exposure and determining the feasibility of such an assessment in the final result of this study could be the first step towards motivating for compensation for people who develop mesothelioma without occupational exposure to asbestos.

Star 26/11/90 (131)

23 miners killed within 10 days

Twenty-three miners have died in accidents in the past 10 days — 13 since Thursday

Seven men died and five were injured in a tremor at Doornfontein Gold Mine in Carletonville on Thursday

Three miners were reported dead after a mud rush at Freegold Western Holding near Welkom on Friday

Anglo American named one of the victims as E G van der Merwe (35)

Three employees at Anglo Vaal's Hartebeespoort Gold Mine near Klerksdorp died just before midnight on Friday in a third incident — Staff Reporter-Sapa

INDUSTRIAL ACCIDENTS & HEALTH-

1991

Worker's death raises concern over pesticide protection

South 17/1/-23/1/91

By Rehana Rossouw

THE death of a Montagu farmworker who used pesticides without protective clothing has raised concern about the lack of protection for South African farmworkers.

Unlike in other countries, farmers here are not compelled to supply protective clothing for workers using pesticides

Mr Andries Sefoor, 46, collapsed on the farm Helpmekaar outside Montagu on January 4 after spraying pesticide for three days

An artery burst after he had inhaled poisonous substances

He had been using Fenom and Topez, two pesticides used for spraying fruit trees

His wife, Mrs Marta Sefoor, said he came home two days earlier complaining of blurred vision and a blinding headache

"He had been working for years with poisons and had never been given protective clothing or a mask," she said

"He told me he had complained about his headache to the farmer, Mr Hermie Kriel, who insisted that he return to work"

She said a farmworker came to her house on January 4 to tell her that her husband was in hospital

Last Wednesday, she was informed he had died

(131)

Support

"I am very worried about my future I have two children of school-going age and I don't know how I am going to support them," she said

"The farmer's wife, Mrs Maureen Kriel said one of my children would have to leave school and work on the farm to support us"

Mr Jan Matthys, 60, was working with Sefoor when he collapsed

"Andries said he was feeling ill and went to sit on one side," Matthys said

"Then he collapsed and started foaming at the mouth."

Matthys said he went to the farmer for assistance and Mrs Kriel was sent back to the fields with him.

She asked him to lift Sefoor into her bakkie and when he was unable to do so, went to look for help.

She returned a half an hour later and took Sefoor to hospital

"By then, his body had stiffened, he was sweating heavily and had lost control of his bowels," Matthys said

Mrs Kriel said she believed Sefoor's death was not a result of working with pesticides

"Andries was the foreman on the farm and has been working with pesticides with years," Kriel said

"I believe he was poisoned because he ate fruit that had been sprayed.

"He was spraying, mixed the pesticides and gave it to other workers to spray on the trees."

Kriel said Sefoor had not complained about a headache to her husband. She had seen him on Friday morning when he came to the farmhouse to enquire about her husband's health

Kriel denied that she had told Mrs Sefoor to take her children out of school to support the family

Dr Leslie London of the Food and Allied Workers Union said that, although pesticides were registered in South Africa, there was no inspectorate to monitor the use of poisonous substances.

Enforce

Some pesticides which were banned in other countries were registered and used in South Africa

There was no legislation to enforce the use of protective measures once the pesticides reached the farms in South Africa.

"In the United States, for instance, there are laws which forbid farmworkers from entering the fields once they have been sprayed," London said.

"But here, I often drive past farms and see workers with backpacks spraying into the wind without any protection whatsoever"

London said every death from poisoning was preventable Unfortunately, for every reported death of a farmworker by poisoning, there were probably another 200 which never came to light.

The symptoms of poisoning were not specific, making it difficult for farmworkers to discover who was affected by pesticides

"The only way we can test for poisoning is to test the enzyme levels A recent study in the farming community showed that farmworkers enzyme levels were 70 percent higher than other people's"

There are no facilities in South Africa for enzyme testing

"Research done several years ago compared the number of pesticide poisoning cases to the register of deaths at morgues They found the rate was under-reported," London said

AIDS sets new posers for relations in the workplace

EDWIN CAMERON

B/Day 1/8/91

131

AIDS has been described as a metaphor for modern humanity's worst nightmare It is deadly It is incurable. Infection is insidious, occurring mostly in moments of intimacy and passion And it is pandemic

In SA, AIDS will take a frightening toll in the following years It is perhaps the most awesome natural catastrophe our country has faced According to one authoritative actuarial assessment, AIDS will halt population growth in SA by the end of the century The cost in human pain, suffering and grief will be enormous

No business or enterprise will be exempt Lawyers and industrial relations consultants have been busy for some time now advising unions and employers on AIDS policy Now the first AIDS cases are coming through

☐ A food and beverage manager at a well-known hotel is first sidelined and then dismissed He is HIV positive Could adverse reactions, whether actual or potential, whether from fellow employees or guests, justify management's sacking him just because of his HIV status?

☐ A Durban truck driver tests positive for HIV He is suspended on full pay Is this justified? Someone in the personnel department phones the worker's wife to tell her the news Is that a breach of confidentiality?

☐ A Johannesburg construction foreman sends 14 new recruits to a public health clinic for them to be tested for HIV Is he entitled to do this? Is the clinic obliged to test? And if the clinic agrees to run the tests, can he demand to know the outcome?

☐ A job applicant does not tell the employer at her placement interview that she is HIV positive Should she have disclosed her status? And is the employer allowed to dismiss her for not doing so?

These and other issues will be the stuff of SA industrial relations over the next few years

Since 1981 the defining concept in labour relations has been the unfair labour practice Fairness is not an abstract concept In the labour field it depends on practical considerations which take into account the relative interests and claims of all parties What is fair therefore depends on good sense and rational considerations

Thus when the Industrial Court and the Supreme Court come to provide answers to the crucial questions on AIDS, much will depend on medical and social facts about the virus In the industrial relations context, there are certain crucial facts

Firstly, AIDS advisers no longer recognise the existence of "high risk groups". There is now only high risk behaviour. Haitians, gays, blacks, Malawians, ANC exiles, truck drivers, prostitutes, suburban men and women — all are levelled before the appalling fact that anyone engaging in high risk behaviour — unprotected sexual intercourse — puts himself or herself into a high risk group

Secondly, the AIDS virus is a fragile organism Despite loony right pamphlets alleging the contrary, the virus struggles to survive outside the human body And it is extremely easy to kill

Thirdly, AIDS is difficult to transmit Apart from unsafe sexual intercourse, blood transfusion or maternal transmission, there are no known methods of acquiring HIV infection Except through one of these methods, HIV cannot be transmitted.

While it is possible to envisage circumstances in which a worker is injured and his or her blood comes into direct contact with an exposed wound of a fellow worker this is unlikely Precautionary measures against the risk are thus relatively easy to take

As the quips go yes, you can get AIDS at a restaurant or in a public toilet, but neither is a comfortable place to have sex; and, the only precaution you need to take against the risk that your Malawian gardener may have AIDS is to insist that he wears a condom while mowing the lawn

Fourthly, HIV infection is compatible with many years of asymptomatic good health

Fifthly, AIDS is a disease nothing more and nothing less At present it is ultimately fatal AIDS is but one of many diseases that may incapacitate members of a workforce AIDS and HIV infection should therefore be treated no differently from any other ailment, fatal or otherwise

Finally AIDS is shrouded in awful overtones and suspicion-laden, almost mythological, connotations To be known as HIV positive or as a person with AIDS exposes an individual to stigma, discrimination and ostracism

In this it is unlike cancer or heart ailments or other life threatening conditions Public ignorance, prejudice and fear mean that AIDS evokes devastating reactions for the carrier or the sufferer This means that testing for AIDS is still fraught with danger for the individual It also means the employer bears a high duty of confidentiality regarding HIV and AIDS in the workplace, as well as a duty to educate and inform

The unfair labour practice concept will thus be crucial to working out the law of employment regarding AIDS The rest of the law as yet says surprisingly little about AIDS

In 1987 AIDS was declared a "communicable disease" under the Health Act This gives local authorities and health bureaucrats extensive powers to close schools, ban meetings, quarantine or isolate suspected carriers and subject them to compulsory medical examination

Some doctors want AIDS also declared a "notifiable disease"

In effect a central register of AIDS patients and HIV positive persons would be opened, with all the dangers of breach of confidentiality, blackmail and stigmatisation that would entail The frightening consequences this would have for persons with HIV or AIDS has made most AIDS experts and advisers oppose the step They say it would inhibit voluntary testing and discourage responsible behaviour by those already suffering from or carrying the virus The problem would thus be driven underground Civil liberties lawyers oppose the step on similar grounds

The only other legislation dealing directly with AIDS is in regulations which render anyone suffering from AIDS or who is HIV infected a prohibited immigrant It is illegal to employ such a person

Those mainly affected by this regulation are migrant workers from Malawi, Mozambique and Zimbabwe working on SA mines But of course the stipulation also applies to, and can be used against, "First World" tourists, prospective immigrants to SA or workseekers

Apart from the health and immigration regulations the law does not have a separate body of rules dealing with AIDS Unless Parliament legislates on AIDS or HIV, the disease must therefore be dealt with in accordance with the basic principles of our law

For instance, deliberately transmitting HIV to someone could, in accordance with the ordinary principles of criminal law, constitute a crime in certain circumstances Negligently or deliberately infecting another person with HIV could give rise to a civil claim for compensation in terms of the law of delict

And a person with AIDS, or who is HIV positive, has a right to privacy Deliberate breach of this right — for instance if a doctor or health worker or employer wrongfully discloses the person's condition to others — constitutes an unlawful act which can result in liability for substantial damages

In each of these cases the general principles of the law have to be applied to determine the legal rights and duties of the employer, worker, AIDS patient, lover, family, health worker and strangers

☐ **This is an edited version of an article in the latest edition of Employment Law Cameron specialises in labour and human rights law.**

Aids threatening to undermine economy

Star 29/5/91 (131)

By Des Parker

DURBAN — Aids could precipitate a major recession later this decade, diverting money into disease-related areas and restricting spending as sufferers are denied credit and obliged to rely on cash and savings

This is the view of Tongaat-Hulett corporate planning manager Jane Wiltshire, who says that the disease is already putting a crimp on the tourist trade, as international travellers elect to steer clear of Africa, where they consider the disease to be more serious than in other parts of the world.

She told the executive council of the Natal Chamber of Industries in Durban earlier this week that the disease was likely to start making itself felt in South Africa by 1995 when the maximum infection rate was reached and significant numbers of people were either ill or had died from Aids-related causes

"Aids could cause a shift from a credit to a cash economy, there are already signs that loans are being denied to HIV positives," Mrs Wiltshire said

"A credit economy is based on future earnings, so it makes sense that where future earnings are uncertain, their value will be discounted"

A switch to cash and savings would cause money supply to contract, causing a major recession and changing the inflationary trend in the economy to a deflationary one

Likening the popular indifference to Aids to the "phoney war" period at the begining of World War 2, when Britain largely believed the conflict would be short-lived, Mrs Wiltshire said many people believed the threat of the disease had been over-estimated

However, reliable predictions were that about two percent of the adult population was infected with the virus by the second half of last year and that about 1 500 people were HIV positive for every one reported case of Aids

"People dealing with the disease tend to clutch at straws in the wind as they try to follow the trend

"Quite a strong straw is that 273 people tested at Edendale Hospital in Pietermaritzburg, because they had opportunistic diseases associated with Aids, have been found to be HIV-positive

"If the incidence continues at the same rate, they will have had 600 by the end of the year"

Mrs Wiltshire said Aids was likely to reverse the current oversupply of labour in the not too distant future

"It is likely that the population will peak some time early in the second half of the Nineties and then decline as the numbers of child-bearing women are drastically reduced The number of deaths will reach a peak in the late Nineties"

Companies with the flexibility to mechanise would avoid the worst effects of a declining worker force, but labour-intensive business would have a problem

However, it was the diversion of resources into treating and caring for Aids patients in the medium-term that would have the most serious effect

Not only would much more be spent on treatment and funerals, but the economy would suffer from the reduced productivity of sufferers and their careers

Some companies would feel a two-pronged effect — falling productivity and the movement of spending to other areas.

Mrs Wiltshire said Aids-related health spending would not be First World in nature, but rather would tend to be concentrated on prophylactics, such as a broad spectrum of antibiotics to combat infections caused by the disease

She told her audience that one of the most important requirements for companies was to stop regarding Aids as a "personnel problem that doesn't really concern us managers who really run the company"

● Mrs Wiltshire, who has scientific and financial training, set out to analyse the effects of Aids on her company, which, as the largest sugar producer in SA, employs thousands of cane-cutters.

They are generally 16 to 28 — the age at which people are most susceptible to the disease.

Aids another hazard for drivers

W/Mail 14/6 - 20/6/91

By JENNIFER POGRUND

"AIDS on wheels" — that's the hazard facing South Africa's long-distance truck drivers, who spend weeks or months away from home, often travelling through deepest, darkest, disease-infected Africa.

"There is a general perception among employers and management that truck drivers are responsible for the importation of Aids into South Africa," says Bafana Seripe, Aids education officer for the Transport and General Workers' Union (TGWU).

"They argue that Aids has been spread along transport routes to and from Zimbabwe, Malawi, Zambia and Zaire

"But our belief is that nobody has done a study to prove that, and this represents a way of discriminating against truck drivers as a group, of identifying and labelling them, and blaming them. You can look at a lot of people and say they are responsible. But it doesn't help matters."

The progressive attitude, says Seripe, is for the union to educate its membership, "to disuss what the issue is, what the dangers are, and how they can take precautions".

To this end TGWU has started a pilot Aids educational programme aimed at truck drivers

Some alarm was caused by an industry-initiated survey conducted over two years ago, that found 13 out of 26 drivers who were tested were infected with the HIV virus.

The survey was never published, and has been widely discounted as not being representative or statistically relevant. "The survey tested specific drivers from tropical areas," said an industry source.

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"But it gave an indication that truck drivers are vulnerable to HIV."

The union acknowledges that there are problems — truck drivers are away from home for long stretches of time, and at the stop-overs there are women selling sex, "but also to alleviate the loneliness of the middle of the night in the middle of nowhere", says Seripe.

Often drivers are forced to sleep in their trucks, as it is their on the road responsibility to look after the trucks at the stop-overs.

To counteract this, the union is negotiating that drivers spend more time at home — either a day a week, or a weekend a month. And that when they are on the road, they are provided with sleeping facilities, such as hotel accommodation.

But the issues of changing behaviour and attitudes are loaded. "Workers are suspicious of management's attempts to control the spread of the virus. There has been testing, and examples of workers being dismissed for being HIV positive "

Currently there is negotiation between the union and a Durban-based freight company, where a worker was tested, found to be HIV positive and fired. He has now been re-instated, but is not allowed to drive.

"We feel that management's interest in Aids is because they want to protect their profits. Their preoccupation is about not giving out benefits, such as housing and medical aid, or investing skills in people or training them when they might fall ill or die," says Seripe.

The union feels strongly that its education programme should be developed in consultation with its members, and not imposed from above.

The issue is a highly sensitive one, says Seripe, and there is denial and resistance from the workforce. "People see Aids as a political plot from the state and from management, or as a white or homosexual disease, or as a result of sex across the colour bar. These prejudices need to be addressed."

Employers will be addressing Aids issues in an industry-wide seminar to be held next week. Pre-employment testing and legal considerations are high on the agenda, said a representative for the umbrella Road Freight Association, which considers dealing with the Aids crisis a priority.

Pre-employment Aids tests unfair, claims prof

By Shareen Singh 11/7/91 Star

Pre-employment testing for the Aids virus is discriminatory and not effective in either stopping the spread of Aids or protecting existing employees, says human rights lawyer Professor Edwin Cameron of the University of the Witwatersrand

Speaking at a seminar organised by the Institute of Personnel Management last week, Mr Cameron said many large employers used pre-employment Aids testing to prevent the employment of HIV-positive applicants

The only way an employer could be prevented from treating job seekers unfairly or discriminating against them was if their case were taken up by a union

"If a union can show that the discrimination against certain job applicants 'unfairly infringes or impairs' labour relations or jeopardises existing employees' work security or detrimentally affects the relationship between employer and employee, the employer could be ordered to cease its discriminatory practices"

The arguments in such a case would depend on considerations of fairness and rationality, which were recognised in the unfair labour practice clause of the Labour Relations Act

These arguments were

- Pre-employment testing could not in any way guarantee an Aids-free workforce Firstly, the applicant could be HIV-positive, but in the period before the antibodies showed up on the test Secondly, the applicant could become HIV-positive after getting the job
- Discriminatory testing encouraged stigmatism and ostracism It enhanced "us" versus "them" perceptions
- HIV-positive applicants might have years of constructive, healthy service ahead of them Not to employ them lacked a rational foundation and was unfair
- Testing was cumbersome and an expensive procedure The money spent on it could be used on Aids education and information
- HIV-positive employees were unlikely to infect fellow employees in the work place, unless unsafe sexual intercourse or blood transfusion took place

It was for reasons such as these that the European Community and the World Health Organisation had adopted a policy against pre-employment testing, Professor Cameron said

AIDS checks on job applicants are unfair and futile

B/Day 1/10/91.

EDWIN CAMERON

(131)

DOES IT not seem rational? You are taking on a middle manager The investment in training as well as the outlay in salary and related benefits will be considerable You want to make sure the applicant is fit and healthy· no psychotic tendencies, no heart problems, and particularly no AIDS. You do not want to invest all that effort only to discover you have an invalid on your hands in the next year or two.

As far as your unskilled workforce goes, you might be able to put up with a few personality disorders, the odd heart murmur, even a spot of TB But AIDS, you would probably say, is still a no no You do not want your workforce living in mortal fear of infection by this deadly disease.

AIDS is going to grip our country by its neck over the next decade Even the most reasonable assessments suggest one-quarter of South Africans will be infected by HIV by 2005 Why not anticipate the problem by simply weeding out the HIV cases before you take them on?

The law seems to allow you to do this Traditionally, common law has permitted employers to hire — or refuse to hire — whoever they please The Labour Relations Act (LRA) does not prohibit discriminatory or unfair hiring practices So common law applies

The same rules that confer that right also allow the employer to insist on a pre-employment HIV test and make a decision about the applicant's fate accordingly

This is just what some big employers are doing Eskom, for instance, the municipalities of Pretoria, Bloemfontein and Germiston, and probably others, and many of the big insurance companies Applicants who test positive are not always turned away; but those who are employed are given a worse employment package than their colleagues

Whether this is fair or advisable is the subject of intense debate. The consensus emerging is that it is not Many big employers (including AECI and Anglo Alpha) take this view

Why? Because they accept that screening is futile, misleading, socially irresponsible and unfair

It is futile because pre-employment testing cannot achieve what it sets out to do It cannot guarantee a sanitised AIDS-free workforce The test is not conclusive· there is a "window" period in which the presence of the virus in the bloodstream is not revealed by the test. More significantly, an applicant who tests negative may contract the disease after being hired

In any event, many employers probably already have an AIDS problem. The national infection rate is almost one in 100 Statistically, therefore, employers with a hundred or more employees already have AIDS/HIV in their workforce The rate is, moreover, rising, and fast, so if the workforce is still AIDS-free, it will not stay that way for long Employers can, and should, give workers facts and training about the disease, but there is little more they can do about preventing it, and its incidence is bound to rise The enemy is already within, and preventive methods are largely useless.

Discrimination against HIV carriers is also misleading Pre-employment screening can lead to misconceptions and false confidence Members of the workforce can be lulled into believing, quite wrongly, that it would be safe to have sex without taking protective measures People tend to convince themselves they are not at risk, this seems to be a psychological "defence mechanism" by which they block out fear of the disease. To bolster this belief they grab at anything even vaguely reassuring, and pre-employment screening has precisely this quality

Discriminatory testing has adverse social consequences It encourages stigmatisation and ostracism It enhances "us" versus "them" perceptions This is dangerous AIDS is everyone's problem Transmission follows not from membership of a "risk group" (returning exiles, gays, blacks) but from unsafe sexual practices or (more rarely) other exposures Isolating HIV-positive job applicants and thereby stigmatising them does nothing to help solve a problem that affects us all

Further, as an AECI policy document points out, if all employers screened out HIV-positive people, "a leper colony of unemployed and unemployable people would be created the social consequences of this (alienation, deprivation, discrimination) are undesirable"

HIV-positive job applicants may have years of constructive, healthy service ahead of them To exclude them from employment lacks a rational foundation and is unfair They can be hired without compunction When the symptoms eventually emerge and the sufferer becomes incapacitated, the usual rules of employment law amply protect the employer No employer can be forced to retain someone who is unfit for the job, and this applies equally to AIDS sufferers Nor is the employer obliged to give AIDS sufferers the same medical aid and provident benefits as other employees, the rules can make express provision for AIDS-related claims.

Extracting and testing blood for the virus is also time-consuming and expensive But the cost does not stop there. standard guidelines indicate that before the test is administered employees should be counselled on its implications and, if it proves positive, they should be intensively counselled about the devastating consequences of the disease. Are employers ready to pay for this counselling? Or are they going to toss the rejected applicant out on the street, jobless and without professional guidance?

Discriminatory testing is also wasteful The money spent on it could be better used on education and information about AIDS. Having an HIV-positive employee on the payroll is extremely unlikely to present any danger of infection to fellow employees (unless unsafe sexual intercourse or blood transfusions take place there)

It is for reasons such as these that EC health ministers concluded that pre-employment screening of job applicants for HIV was "inappropriate" Countries as diverse as France, Italy, Malawi and Zambia have prohibited this practice

In SA unions are becoming increasingly sensitive to the issue At Cosatu's national conference on AIDS in June, participants deliberated how to challenge employers who practise anti-HIV hiring. Unionists in fact have a means to hand

While the LRA offers no protection to job applicants, it does enable employees and their unions to challenge unfair labour practices in the workplace Since April an unfair labour practice again means (among other things) any act or omission which may unfairly affect an employee or class of employees or prejudice or jeopardise employment opportunities or work security or which may promote labour unrest or detrimentally affect the relationship between employer and employee

Discriminatory hiring practices — against, for instance, blacks or women — could well be argued to influence employer/employee relations detrimentally Just as race or gender prejudice in taking on new employees may promote a sense of resentment among existing staff who are members of the rejected category, so too can anti-HIV discrimination Pre-employment screening could thus be challenged as an unfair labour practice

With the infection rate rising and likely to continue climbing, litigation along these lines no longer seems far-fetched.

☐ Prof Cameron is a co-editor of Employment Law. This article is published in the latest edition of the journal.

☐ Simon Barber's column has been delayed.

Dennis Mdlalla, who says he has been threatened with death. ■ Picsi TLADI KHUELE

They say their children are assaulted by raiders,

Bid to sue businessmen cleared of boiling man

(131) C/Press 24/2/91.

By S'BU MNGADI

A BID by Lawyers for Human Rights to sue two Northern Natal businessmen recently acquitted of boiling a man alive in an industrial cleaner are being frustrated by an inability to trace his next of kin

Ahmed Motala of the LHR said in Johannesburg this week the organisation planned to send a representative to Vryheid to trace the family of the dead man, William Mdladla, so as to be able to institute proceedings

Kenneth Westermeyer, 35, and his nephew, Johannes Westermeyer, 23, were acquitted of murdering Mdladla by Judge Combrink

The judge, who found the killing to be a "freak accident", sentenced Kenneth and Johannes Westermeyer to a fine of R500 or three months and R200 or six weeks, respectively.

Motala said the LHR – which has expressed "shock and disgust" at the acquittal – is not convinced by a statement of the investigating officer in the case that Mdladla had no family

He said the LHR would like to sue the Westermeyers for loss of earnings on behalf of Mdladla's wife and children

The LHR sent a memorandum this week to Natal Attorney-General Mike Imber, requesting him to apply for an appeal against the conviction.

Combrink, assisted by two assessors in the Ladysmith Supreme Court, found the Westermeyers guilty of assaulting Mdladla by forcibly pushing him into the machine

He found the state had not proved the accused intended to injure Mdladla, whom they suspected of being involved in burglaries and thefts at their business, Northern Natal Gearbox

Earlier Vusi Dlamini testified that the two accused forced Mdladla into the machine and pinned him down in scalding water with a pick handle

Giving evidence for the state, Dlamini said when Mdladla emerged from the water pieces of his skin had peeled off as a result of the scalding

A post-mortem found that Mdladla died of first, second and third degree burns to 90 percent of his body

The accused claimed Mdladla fell into the machine, used to clean grease off motor parts, when they tried to push him inside "to frighten him"

A senior inspector of the Department of Manpower in Natal, Colin Murphy, this week said the water temperature in the machine was close to 90 degrees Celcius when he inspected it two days after the incident

A job that is a deadly hazard

Sowetan 27/2/91

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By MOKGADI PELA

INDEFATIGABLE and resilient are words that describe 360 workers striking for union recognition and improved safety regulations in a dangerous industry in Bophuthatswana.

The workers at Vametco near Brits - all members of the National Workers Union of South Africa (Nawusa) - work in hazardous conditions as a result of coming into contact with vanadium, which they extract.

Vanadium is a mineral used to strengthen iron ore and in manufacturing tools like spanners, hammers and pliers

At a meeting in Oukasie, the workers told the *Sowetan* that 75 percent of them suffered from chronic bronchitis and several confessed that their sex lives had also been affected by contact with the mineral.

Contact with vanadium affects the body and causes chest pains, chronic bronchitis and conjuctivitis.

Repeated irritation of the lungs by vanadium leads to a compromise of their diffusing capacity - their ability to allow an exchange of carbon dioxide and oxygen.

Consequently, carbon dioxide builds up in the blood, resulting in the blue colouration of the tongue, called cyanosis

Because of the carbon dioxide buildup in the blood, any moderate exertion like walking up stairs proves uncomfortable for the sufferer and he gets breathless.

If the irritation continues, chronic bronchitis develops into chronic obstructive airways disease (COAD), an irreversible condition which makes the sufferer a lung cripple

His tongue becomes blue, his legs swell and he experiences extreme breathlessness.

The 360 Vametco workers went on strike demanding an independent medical evaluation of their working environment and wage.

They claim the company is hiding behind the Bophuthatswana government's lax attitude to proper health and safety measures in industry, particularly risky industries like vanadium extraction.

Among the workers' original grievances were their demands for management to recognise Nawusa and that the company should provide them with "proper protective clothing against vanadium dust"

Vametco managing director, Mr Hein Enslin, has in the past refuted union allegations that it did not provide workers with adequate safety equipment

He has also denied that vanadium is dangerous to workers' health

To push their point further, the workers staged a sit-in at the United States Embassy in Pretoria last year saying that Vametco was an American concern

In a message of support to Vametco workers at the meeting, Mr Maisela Kekana, a shop-steward of the Black Allied Mining Construction Workers' Union (Bamcwu) at Hippo Quarries - which extracts deadly silica dust - said the struggle for a healthy working environment had to be intensified.

"Your company and mine are environmental hazards

"Neighbouring communities face the danger of death because of pollution of the air, water and the environment

"That is why the Bhopal gas disaster killed 2 500 people in India.

"We must ensure that it does not happen here," Kekana added.

Workers search for man among rubble

Star 28/2/91 (131)

Construction workers bulldozed through rubble for four hours in a desperate search for a missing worker at a Randburg construction site yesterday after a roof slab collapsed while they were busy hauling cement.

Randburg firemen were on standby during the search at the site of the new bakery in Precision Street, Kya-sand.

The search proved fruitless It is suspected the worker may have fled. — Staff Reporter.

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Frostbite on ship: Fish packers claim R302 000

ARGUS 5/3/91

By JOHN VILJOEN, Supreme Court Reporter

THREE fish packers who got frostbite while working aboard the Taiwanese vessel, Kwang Mao, are claiming damages totalling R302 420 from the owners.

Mr Vuyani Bhele and Mr Ntandoyenkosi Nginda of Khayelitsha and Mr Jeffrey Manswana of Nyanga East claim in papers before the Supreme Court that the ship's master ignored their complaints of frostbite and forced them to continue working in refrigerated holds.

Mr Bhele is claiming R96 297, Mr Nginda R112 163, and Mr Maswana R93 960

The men said they were employed by the master of the Kwang Mao in February last year.

According to the terms of their employment, the master undertook to provide proper protective clothing and all necessary medical and safety equipment on board.

The men said that from February 11 to August 2 while the vessel was at sea they worked in the refrigerated hold packing fish in ice, among other tasks

Inadequate kit

They claim the master did not provide them with fur-lined leather gloves or with "waterproof outer-gloves with knitted woollen or equivalent inners" or waterproof aprons. Neither were they given waterproof industrial boots

Their complaints of frostbite were ignored and they were forced to work in a refrigerated environment, they claim

They were allegedly forced to work in the refrigerated holds for long periods without breaks, exposing them to conditions in which frostbite injuries were likely to occur

When they reported frostbite on their hands and feet to the master, their injuries were not properly treated when this could have prevented or minimised their injuries.

They claim the owner's alleged breach of contract — or alternatively negligence — has disfigured them, caused them pain and suffering and loss of earning capacity.

They also allege that crew of the vessel assaulted them when they were at sea.

Mr Justice D G Scott is on the Bench Mr M Wragge, instructed by Bernadt, Vukic, Potash, Abel and Getz, appears for the three men. Mr P St C Hazell, instructed by Field and Simms, appears for the Kwang Mao

JACKSON MAKARINGE . . . bronchitis victim told to quit his job.

Sick man is asked to quit

Sowetan 27/3/91 (131)

By IKE MOTSAPI

A TOKOZA man who is suffering from bronchitis after allegedly being exposed to iron dust at work has been asked by his employers to resign.

Mr Jackson Makaringe (46), of Buthelezi Street, has been asked by American Iron and Brass Foundry director Mr A Bray to quit.

Makaringe took ill in January and went to see a doctor.

The doctor recommended that Makaringe be allowed to work in a dust and particle-free environment.

He was given a medical report to present to his employers.

A few weeks earlier Makaringe had received a letter from the company's management asking him to resign.

Bray yesterday acknowledged the letter but denied he had asked Makaringe to resign.

"I am actually trying to help him by asking him to seek alternative employment. I am worried about his health," he said.

The letter given to Makaringe, dated February 20 1991, reads: "As a consequence of the above medical opinion we regret we are unable to offer you work in a dust/particle-free environment.

"We suggest you resign and seek alternative employment in a suitable environment to avoid any deterioration in your health.

"You undertake by your signature hereto to absolve us from any liability for the condition of your state of health."

Letter

The letter is signed by Bray.

Makaringe said he confronted his immediate supervisor to discuss the matter and was told he had to sign the letter.

"I refused to do this because I considered this an unfair labour practice by management. When I started to work there I was well and healthy."

Meanwhile, an official at the American Consulate, who did not want to be named, said there was nothing official that he could do to intervene.

He, however, promised to try and bring the two parties together.

Any registered owner of land in the said area who is unable to attend the meeting may authorise any other person, in writing, to represent him/her at the meeting.

No. 684 **28 March 1991**

VAALHARTS GOVERNMENT WATER SCHEME, DIVISIONS OF BARKLY WEST, HARTSWATER AND WARRENTON, CAPE PROVINCE, AND DISTRICT OF CHRISTIANA, TRANSVAAL.—SCHEDULING BOARD MEETING

It is hereby notified in terms of section 64 of the Water Act, 1956, that a meeting of the Scheduling Board in connection with the schedule of rateable areas of the Vaalharts Government Water Scheme will be held in the hall of the Central Construction Works at Jan Kempdorp at 09.00 on Monday, 15 April 1991, for the purpose of hearing and determining claims for inclusion in the said schedule or objections to any of the names, properties or areas included therein

Copies of the schedule of rateable areas, prepared in terms of section 63 (7) of the said Act, will lie for inspection at the following places·

1. Agricultural Co-operative, Hartswater
2 Agricultural Co-operative, Warrenton
3. Agricultural Co-operative, Barkly West.
4. Agricultural Co-operative, Jan Kempdorp.

Any registered owner of land in the said area who is unable to attend the said meeting may authorise any other person, in writing, to represent him/her at the meeting.

Enige geregistreerde eienaar van grond in genoemde gebied wat nie die vergadering kan bywoon nie, kan enige ander persoon skriftelik magtig om hom/haar op die vergadering te verteenwoordig.

No. 684 **28 Maart 1991**

VAALHARTS-STAATSWATERSKEMA, AFDELINGS BARKLY-WES, HARTSWATER EN WARRENTON, KAAPPROVINSIE, EN DIE DISTRIK CHRISTIANA, TRANSVAAL.—INLYSTINGSRAADVERGADERING

Hierby word ingevolge artikel 64 van die Waterwet, 1956, bekendgemaak dat 'n vergadering van die Inlystingsraad in verband met die lys van belasbare oppervlaktes van die Vaalharts-staatswaterskema op Maandag, 15 April 1991 om 09.00 in die saal van die Sentrale Konstruksiewerke, Jan Kempdorp, gehou sal word met die doel om aansprake op opneming in genoemde lys of besware teen enige van die name, eiendomme of oppervlaktes wat daarin voorkom, aan te hoor een daaroor te besluit.

Afskrifte van die lys van belasbare oppervlaktes, wat ingevolge artikel 63 (7) van genoemde Wet opgestel is, sal by die volgende plekke ter insae lê:

1. Landboukooperasie, Hartswater.
2. Landboukooperasie, Warrenton.
3. Landboukoöperasie, Barkly-Wes.
4. Landboukooperasie, Jan Kempdorp.

Enige geregistreerde eienaar van grond in genoemde gebied wat nie genoemde vergdering kan bywoon nie, kan enige ander persoon skriftelik magtig om hom/haar op die vergadering te verteenwoordig.

GENERAL NOTICES

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NOTICE 282 OF 1991

DEPARTMENT OF MANPOWER

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983 (ACT No. 6 OF 1983)

DRAFT AMENDMENTS OF THE GENERAL SAFETY REGULATIONS, 1986

Under section 35 of the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983), and on the recommendation of the Advisory Council for Occupational Safety, the Minister of Manpower hereby publishes draft amendments to the General Safety Regulations, 1986, as set out in the Schedule Any comments or representations on these draft amendments should be lodged in writing with the Director-General. Manpower, Private Bag X117, Pretoria, 0001, within 90 days from the date of publication of this notice

SCHEDULE

GENERAL SAFETY REGULATIONS, 1986

DRAFT AMENDMENTS

Definitions

1 In these regulations, "the Regulations" means the General Safety Regulations, 1986, promulgated by Government Notice No. R 1031 of 30 May 1986 as amended by Government Notice No. R. 1791 of 9 September 1988.

ALGEMENE KENNISGEWINGS

KENNISGEWING 282 VAN 1991

DEPARTEMENT VAN MANNEKRAG

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983 (WET No. 6 VAN 1983)

KONSEPWYSIGINGS VAN DIE ALGEMENE VEILIGHEIDSREGULASIES, 1986

Kragtens artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No. 6 van 1983), en op aanbeveling van die Adviesraad vir Beroepsveiligheid, publiseer die Minister van Mannekrag hiermee konsepwysigings aan die Algemene Veiligheidsregulasies, 1986, soos in die Bylae uiteengesit Enige kommentaar of aanbevelings met betrekking tot hierdie konsepwysigings moet binne 90 dae vanaf die datum van publikasie van hierdie kennisgewing, skriftelik by die Direkteur-generaal: Mannekrag, Privaatsak X117, Pretoria, 0001, ingedien word.

BYLAE

ALGEMENE VEILIGHEIDSREGULASIES, 1986

KONSEPWYSIGINGS

Woordomskrywing

1. In hierdie regulasies beteken "die Regulasies" die Algemene Veiligheidsregulasies, 1986, afgekondig by Goewermentskennisgewing No. R 1031 van 30 Mei 1986 soos gewysig deur Goewermentskennisgewing No R 1791 van 9 September 1988.

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Amendment of Regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended—

(a) by the withdrawal of the definitions in respect of "boatswain's chair", "putlog scaffold", "scaffold", "suspended scaffold" and "trestle scaffold";

(b) by the insertion of the following definition before the definition of "building work".

" 'access scaffolding' means a temporary structure on or from which persons work and which provides access to or which supports materials, plant or equipment;",

(c) by the insertion of the following definitions immediately after the definition of "high-risk substance"·

(i) " 'odorous liquified petroleum gas' means a liquefied petroleum gas to which a substance, such as ethyl mercaptan, has been added to give a particular identifiable odour to such gas, and non-odorous liquified petroleum gas shall have the opposite meaning,"; and

(ii) " 'SABS 085' means the South African Bureau of Standards Code of Practice for the Design, Erection, Use and Inspection of Access Scaffolding, SABS 085;",

(d) by the insertion of the following definition immediately before the definition of "SABS 0177 Part II".

" 'SABS 087. Parts I to VIII' means the South African Bureau of Standards Code of Practice for the Handling, Storage and Distribution of Liquefied Petroleum Gas in Domestic, Commercial and Industrial Installations, SABS 087 Parts I to VIII;", and

(e) by the insertion of the following definition after the definition of "SABS 0177· Part II".

" 'solid rock' in relation to an excavation, means homogeneous rock which is free from fractures and dividing planes which may cause the sides of the excavation to collapse."

Amendment of Regulation 6 of the Regulations

3. Regulation 6 of the Regulations is hereby amended by the insertion of the word "access" before the word "scaffolding" wherever it appears in the regulation

Amendment of Regulation 9 of the Regulations

4. Regulation 9 (1) of the Regulations is hereby amended—

(a) by the deletion of the word "and" after paragraph (c),

(b) by the deletion of the full stop after paragraph (d) and replacing it with a semi-colon;

(c) by the insertion of the word "and" after paragraph (d); and

Wysiging van Regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig—

(a) deur die terugtrekking van die definisies ten opsigte van "boksteier", "bootsmanstoel"; "hangsteier", "kortelingsteier" en "steier",

(b) deur die invoeging van die volgende definisie onmiddellik na die definisie van "brandweerstand"

" 'gegeurde vloeibare petroleumgas' beteken 'n vloeibare petroleumgas waarby 'n middel, soos etielmerkaptaan, gevoeg is om 'n besondere uitkenbare reuk aan die gas te gee en ongegeurde vloeibare petroleumgas het die teenoorgestelde betekenis;";

(c) deur die invoeging van die volgende definisie onmiddellik na die definisie van "hoerisikostof".

" 'SABS 085' beteken die Suid-Afrikaanse Buro vir Standaarde se Gebruikskode vir Die Ontwerp, Oprigting, Gebruik en Inspeksie van Toegangsteierwerk, SABS 085;";

(d) deur die invoeging van die volgende definisie onmiddellik voor die definisie van "SABS 0177. Deel I".

" 'SABS 087. Deel I tot VIII' beteken die Suid-Afrikaanse Buro vir Standaarde se Gebruikskode vir Die Hantering, Bewaring en Distribusie van Vloeibare Petroleumgas in Huishoudelike, Kommersiele en Nywerheidsinstallasies, SABS 087· Deel I tot VIII,",

(e) deur die invoeging van die volgende definisie na die definisie van "SABS 0177. Deel II"

" 'Soliede rots', met betrekking tot uitgrawings, beteken homogene rots vry van breuke of skotvlakke wat kan lei tot die instorting van die sykante van die uitgrawing;"; en

(f) deur die invoeging van die volgende definisie na die definisie van "soliede rots"·

" 'toegangsteierwerk' 'n tydelike struktuur wat toegang verleen aan of waarvan persone werk, of wat gebruik word om materiale, installasies of toerusting te stut."

Wysiging van Regulasie 6 van die Regulasies

3. Regulasie 6 van die Regulasies word hierby gewysig deur die invoeging van die woord "toegang" voor die woord "steierwerk" waar dit ook al in die regulasie voorkom.

Wysiging van Regulasie 9 van die Regulasies

4. Regulasie 9 (1) van die Regulasies word hierby gewysig—

(a) deur die weglating van die woord "en" na paragraaf (c),

(b) deur die weglating van die punt na paragraaf (d) en vervanging daarvan met 'n kommapunt;

(c) deur die invoeging van die woord "en" na paragraaf (d);

(131) (d) by insertion of the following paragraph after paragraph (d):

"(e) in the case of gas welding and flame cutting, the gas installation or portable gas containers are provided with safety devices at the regulator outlets and the welding or cutting torch inlets which meets the requirements of a safety standard incorporated for this purpose into these regulations under section 36 of the Act.".

Amendment of Regulation 11 of the Regulations

5. Regulation 11 (1) of the Regulations is hereby amended by the insertion of the words "and all plant, equipment and machinery used in connection with such building work" after the words "building work" where they appear for the second time.

Amendment of Regulation 12 of the Regulations

6. Regulation 12 of the Regulations is hereby deleted and replaced by the following regulation:

"12. Every employer or user of machinery shall provide and cause to be used suitable roof ladders or duck or crawling boards for persons required to work on any roof that has an unsafe surface or a pitch of more than 34°, or on any roof which is covered or is to be covered with a fragile material through which a person could fall: Provided that suitable safety belts with an adequate length of rope attached to the structure may be used in place of roof ladders, duck or crawling boards on pitched roofs covered with a non-fragile material."

Amendment of Regulation 13 of the Regulations

7. Regulation 13 is hereby amended by the deletion of the existing subregulations 13 (b) and 13 (c) and by replacing them with the following subregulations.

"(b) except for the purpose of erecting shoring or bracing, not require or permit any person to work under unsupported overhanging material or in an excavation which is more than 1,5 m deep which has not been adequately shored and braced Provided that shoring and bracing shall not be necessary where the sides of the excavation are sloped to at least the natural angle of repose of the earth measured relative to the horizontal plane, or where such excavation is in solid rock,

(c) (i) cause all shoring and bracing to be supported by cross braces of adequate strength, cleated and wedged into position or otherwise secured Provided that where the width of the excavation is such that cross-bracing is not possible, supporting braces shall bear against footings so arranged as to prevent the braces from kicking out: Provided further that the shoring and bracing may be dispensed with if other means which are at least as effective as shoring and bracing are used;

(ii) ensure that the shoring and bracing or other means are of sufficient strength to support all excavated or other material, equipment or other loads, and

(d) deur die invoeging van die volgende paragraaf na paragraaf (d):

"(e) in die geval van gassweiswerk en vlamsny moet die gasinstallasie of draagbare gashouers voorsien wees van veiligheidstoestelle by die regulatoruitlate en by die sweis- of vlamsny-inlaatkleppe, wat voldoen aan die vereistes van 'n veiligheidstandaard wat vir die doel kragtens Artikel 36 van die Wet by hierdie regulasies ingelyf is."

Wysiging van Regulasie 11 van die Regulasies

5 Regulasie 11 (1) van die Regulasies word hierby gewysig deur die invoeging van die woorde "en alle installasies, toerusting en masjinerie gebruik in verband met sodanige bouwerk " na die woord "bouwerk" waar dit vir die tweede keer voorkom.

Wysiging van Regulasie 12 van die Regulasies

6. Regulasie 12 van die Regulasies word hierby geskrap en deur die volgende regulasie vervang.

"12. Iedere werkgewer of gebruiker van masjinerie moet geskikte daklere voorsien en toesien dat dit gebruik word, of plankmatte of kruipplanke vir persone voorsien van wie dit verwag word om op 'n dak met 'n onveilige oppervlak of 'n helling van meer as 34° te werk of op enige dak wat bedek is of bedek moet word met bros materiaal waardeur 'n persoon kan val Met dien verstande dat geskikte veiligheidsgordels met 'n aanvaarbare lengte tou wat aan die struktuur geheg is, gebruik mag word in plaas van daklere, plankmatte of kruipplanke op dakke met 'n helling wat bedek is met materiaal wat nie bros is nie."

Wysiging van Regulasie 13 van die Regulasies

7 Regulasie 13 word hierby gewysig deur die skrapping van die bestaande subregulasies 13 (b) en 13 (c) en die vervanging daarvan deur die volgende subregulasies.

"(b) behalwe vir die doel om stut- of ankerwerk op te rig mag geen persoon vereis of hom toelaat om te werk in 'n uitgrawing onder ongestutte oorhangende materiaal of in 'n uitgrawing wat meer as 1,5 m diep is wat nie toereikend gestut of geanker is nie. Met dien verstande dat stut- en ankerwerk nie nodig sal wees nie waar die kante van die uitgrawing op 'n skuinste is wat gelyk is aan die natuurlike rushoek van die grond, gemeet relatief tot die horisontale vlak, of waar sodanige uitgrawing in soliede rots is;

(c) (i) toesien dat alle stut- en ankerwerk ondersteun deur kruisverspanstukke van toereikende sterkte wat in posisie geklamp en vasgewig of andersins beveilig is: Met dien verstande dat waar die wydte van die uitgrawing sodanig is dat kruisverspanning nie moontlik is nie, moet ondersteunende stutte teen voetstukke druk wat so geplaas is dat stutte verhoed word om uit te skop. Met dien verstande voorts dat daar van stut- en ankerwerk afgesien kan word indien ander metodes wat ten minste net so doeltreffend as stut- en ankerwerk is, gebruik word,

(ii) toesien dat die stut- en ankerwerk of ander metodes van voldoende sterkte is om alle uitgegraafde of ander materiaal, toerusting of ander vragte te dra; en

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(iii) ensure that all excavated or other material and equipment are prevented from falling into the excavation;".

Substitution of Regulations 13B, 13C, 13D, 13E, 13F and 13G

8. Regulations 13B, 13C, 13D, 13E, 13F and 13G are hereby deleted and substituted by the following regulation after Regulation 13A:

"Access scaffolding

13B. No employer or user of machinery shall use or require or permit to be used any access scaffolding unless the design, erection, use and inspection of the access scaffolding meets the requirements of a safety standard incorporated for this purpose into these regulations under section 36 of the Act."

Insertion of Regulation 13C into the Regulations

9. The following regulation is hereby inserted into the Regulations after Regulation 13B:

"Gas Installations

13C. (1) No employer or user of machinery shall—

(a) fill a portable gas container with liquefied petroleum gas; or

(b) handle, store or distribute liquefied petroleum gas,

unless the provisions meet the requirements of a Safety Standard incorporated for this purpose under section 36 of the Act

(2) No employer or user of machinery shall require or permit a gas fired oven, furnace or like appliance to be used unless such gas fired oven, furnace or like appliance is provided with a device for stopping the supply of gas in the event of the flame being extinguished and which shall prevent the flame being re-ignited until such time as such gas fired oven, furnace or like appliance has been purged completely of any accumulated gas.

(3) Without derogating from any specific duty imposed on employers or users of machinery under the General Administrative Regulations 5 (f), (g) and (h), no employer or user of machinery shall require, permit or cause—

(a) any container to be filled with non-odorous liquefied petroleum gas; or

(b) any container to be filled with any other hydrocarbon gas; or

(c) use non-odorous liquefied petroleum gas for the manufacture of any article,

unless such filling or use is performed—

(i) in a room, cabinet or other enclosure specially designed and constructed for the purpose of fire resisting material unless the provisions meet the requirements of a Safety Standard incorporated for this purpose under section 36 of the Act; and

(iii) toesien dat alle uitgegraafde of ander materiaal en toerusting verhoed word om in die uitgrawing in te val,".

Vervanging van regulasies 13B, 13C, 13D, 13E, 13F en 13G

8 Regulasies 13B, 13C, 13D, 13E, 13F en 13G word hierby geskrap en vervang deur die volgende nuwe regulasie na Regulasie 13A·

"Toegangsteierwerk

13B. Geen werkgewer of gebruiker van masjinerie mag enige toegangsteierwerk gebruik of vereis of toelaat dat dit gebruik word nie tensy die ontwerp, oprigting, gebruik en inspeksie van die toegangsteierwerk voldoen aan die vereistes van 'n veiligheidstandaard wat vir hierdie doel kragtens artikel 36 van die Wet by hierdie regulasies ingelyf is.".

Invoeging van Regulasie 13C in die Regulasies

9. Die volgende regulasie word hierby in die Regulasies ingevoeg na Regulasie 13B.

"Gasinstallasies

13C (1) Geen werkgewer of gebruiker van masjinerie mag—

(a) 'n verplaasbare gashouer met vloeibare petroleumgas vul; of

(b) vloeibare petroleumgas hanteer, opberg of versprei,

tensy die bepalings voldoen aan die vereistes van die Veiligheidstandaarde wat in hierdie regulasie geïnkorporeer is kragtens artikel 36 van die Wet

(2) Geen werkgewer of gebruiker van masjinerie mag toelaat of vereis dat 'n oond wat deur gas verhit word of smeltoond of soortgelyke toerusting gebruik word nie tensy die oond wat deur gas verhit word, smeltoond of soortgelyke apparaat voorsien is van 'n toestel om die toevoer van gas te staak indien die vlam geblus word en wat sal voorkom dat die vlam nie weer ontbrand nie totdat die oond wat deur gas verhit word, smeltoond of soortgelyke apparaat geheel en al gesuiwer is van enige opgehoopte gas.

(3) Sonder om afbreuk te doen aan enige bepaalde plig wat werkgewers of gebruikers van masjinerie opgedra is deur die Algemene Administratiewe Regulasies 5 (f), (g) en (h), mag geen werkgewer of gebruiker van masjinerie vereis, toelaat of toesien dat—

(a) enige houer met nie-gegeurde vloeibare petroleumgas gevul word; of

(b) enige houer met enige ander koolwaterstofgas gevul word; of

(c) nie-gegeurde vloeibare petroleumgas gebruik word vir die vervaardiging van enige artikel,

tensy sodanige vulling of gebruik uitgevoer word—

(i) in 'n kamer, stoorplek of ander omheinde plek wat spesifiek ontwerp en opgerig is vir brandvaste materiaal tensy die bepalings voldoen aan die vereistes van die Veiligheidstandaarde wat in hierdie regulasie geïnkorporeer is kragtens artikel 36 van die Wet,

(131)

(ii) in which the ventilation complies with the provisions of Regulation 5 of the Environmental Regulations for Workplaces, 1987; and

(iii) in which the electrical installation complies with the provisions of Regulation 8 of the Electrical Machinery Regulations, 1988.".

Amendment of Regulation 15

10. Regulation 15 (d) of the Regulations is hereby amended by the deletion of the word "and" after the expression "D14", the insertion of a "comma" after "D15" and the insertion of the expression "and D17" after the expression "D16".

(28 March 1991)

(ii) waarin die ventilasie aan die bepalings van Regulasie 5 van die Omgewingsregulasies vir Werkplekke, 1987, voldoen, en

(iii) waarin die elektriese installasie aan die bepalings en Regulasie 8 van die Elektriese Masjinereregulasies, 1988, voldoen."

Wysiging van Regulasie 15

10. Regulasie 15 (d) van die Regulasies word hierby gewysig deur die skrapping van die woord "en" na die uitdrukking "D14", die invoeging van 'n komma na "D15" en die invoeging van die uitdrukking "en D17" na die uitdrukking "D16".

(28 Maart 1991)

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NOTICE 283 OF 1991

DEPARTMENT OF MANPOWER

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983 (ACT No 6 OF 1983)

GENERAL SAFETY REGULATIONS

INCORPORATION OF SAFETY STANDARDS

Under the powers vested in me by section 36 (1) of the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983), I, Eli van der Merwe Louw, Minister of Manpower, hereby incorporate into the General Safety Regulations, 1986, as amended, the safety standards specified in the Schedule hereto.

E. VAN DER M. LOUW,
Minister of Manpower.

SCHEDULE

1. Regulation 9 (1) (e)

British Standard specifications BS 6158 entitled "Specification for Safety Devices for Fuel Gases and Oxygen or Compressed Air for Welding, Cutting and Related Processes".

Din Standard specifications Din 8521 entitled "Safety Devices against Flashback Backflow in Welding, Cutting and Allied Processes—Safety Requirements, Testing".

International Standards Organisation specification ISO 5175 entitled "Equipment Used in Gas Welding, Cutting and Allied Processes—Safety Devices of Fuel Gases and Oxygen or Compressed Air—General Specifications, Requirements and Tests"

2. Regulation 13B

The South African Bureau of Standards Code of Practice SABS 085 entitled "The Design, Erection, Use and Inspection of Access Scaffolding"

3. Regulation 13C

The South African Bureau of Standards Code of Practice SABS 087 entitled "Handling, Storage and Distribution of Liquefied Petroleum Gas in Domestic, Commercial and Industrial Installations".

Part I: "Consumer Liquefied Petroleum Gas Cylinder Installations".

Part II: "Installations in Mobile Units and Small Non-Permanent Buildings"

KENNISGEWING 283 VAN 1991

DEPARTEMENT VAN MANNEKRAG

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983 (WET No 6 VAN 1983)

ALGEMENE VEILIGHEIDSREGULASIES

INLYWING VAN VEILIGHEIDSTANDAARDE

Kragtens die bevoegdheid my verleen by artikel 36 (1) van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No. 6 van 1983), lyf ek, Eli van der Merwe Louw, Minister van Mannekrag, hierby die veiligheidstandaarde gespesifiseer in die Bylae hiervan in by die Algemene Veiligheidsregulasies, 1986, soos gewysig.

E. VAN DER M. LOUW,
Minister van Mannekrag.

BYLAE

1. Regulasie 9 (1) (e)

Die Britse Standaardspesifikasies BS 6158 getiteld "Specification for Safety Devices for Fuel Gases and Oxygen or Compressed Air for Welding, Cutting and Related Processes".

Din Standaardspesifikasies Din 8521 getiteld "Safety Devices against Flashback Backflow in Welding, Cutting and Allied Processes—Safety Requirements, Testing".

Internasionale Standaarde Organisasie se spesifikasie ISO 5175 getiteld "Equipment Used in Gas Welding, Cutting and Allied Processes—Safety Devices of Fuel Gases and Oxygen or Compressed Air—General Specifications, Requirements and Tests"

2. Regulasie 13B

Die Suid-Afrikaanse Buro vir Standaarde se Gebruikskode SABS 085 getiteld "Die ontwerp, oprigting, gebruik en inspeksie van toegangsteierwerk".

3. Regulasie 13C

Die Suid-Afrikaanse Buro vir Standaarde se Gebruikskode SABS 087 getiteld "Hantering, bewaring en distribusie van vloeibare petroleumgas in huishoudelike kommersiele en nywerheidsinstallasies":

Deel I: "Verbruiker petroleumgassilinderinstallasies".

Deel II: "Installasie in mobiele-eenhede en klein nie-permanente geboue".

(131)

Part III: "Bulk Liquefied Petroleum Gas Storage and Allied Facilities at Consumer's Premises".

Part IV: "Transportation of Liquefied Petroleum Gas in Bulk by Road"

Part V: "Liquefied Petroleum Gas as Engine Fuel"

Part VII· "Retail outlet and similar Liquefied · Petroleum Gas Filling Sites for Small Containers"

Part VIII: "The Fuelling of Fork Lift Trucks and Other Liquefied Petroleum Gas Operated Vehicles".

(28 March 1991)

Deel III: "Grootmaatbewaring van vloeibare petroleumgas en verwante fasiliteite op 'n verbruiker se persele".

Deel IV: "Grootmaatpadvervoer van vloeibare petroleumgas".

Deel V· "Vloeibare petroleumgas as 'n enjinbrandstof".

Deel VII: "Kleinhandelafsetpunte en soortgelyke vloeibare petroleumgasvulpersele vir klein houers".

Deel VIII. "Die brandstofvulling van vurkhyswaens en ander vloeibare petroleumgasaangedrewe voertuie".

(28 Maart 1991)

(131)

NOTICE 284 OF 1991

DEPARTMENT OF MANPOWER

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983 (ACT No. 6 OF 1983)

DRAFT AMENDMENTS TO THE DRIVEN MACHINERY REGULATIONS, 1988

On recommendation of the Advisory Council for Occupational Safety, the Minister of Manpower hereby publishes, under section 35 of the Machinery and Occupational Safety Act, 1983 (Act No 6 of 1983), draft amendments to the Driven Machinery Regulations, 1988, as set out in the Schedule Any comment or representations on these draft amendments should be lodged in writing with the Director-General· Manpower, Private Bag X117, Pretoria, 0001, within 90 days from the date of publication of this notice.

SCHEDULE

DRIVEN MACHINERY REGULATIONS, 1988

DRAFT AMENDMENTS

Definitions

1. In these regulations "the Regulations" means the Driven Machinery Regulations, 1988, promulgated by Government Notice No. R 295 of 26 February 1988

Amendment of Regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended by the:

(a) addition of the following definition after the definition of "bench saw";

" 'block and tackle' means a hand-operated lifting machine consisting of one or more pulley blocks reeved with chains, wire ropes or fibre ropes used solely for the raising and lowering of a load or moving it horizontally whilst holding such load in suspension;",

(b) addition of the following definition after the definition of "builders hoist"

" 'cradle' means a platform enclosed on all sides designed for the purpose of raising and lowering of persons by means of a lifting machine,",

(c) addition of the following definitions after the definition of "hatchway"

KENNISGEWING 284 VAN 1991

DEPARTEMENT VAN MANNEKRAG

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983 (WET No. 6 VAN 1983)

KONSEPWYSIGING VAN AANGEDREWE MASJINERIEREGULASIES, 1988

Op aanbeveling van die Adviesraad vir Beroepsveiligheid publiseer die Minister van Mannekrag hiermee, onder artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No. 6 van 1983), konsepwysigings tot die Aangedrewe Masjinerieregulasies, 1988, uiteengesit soos in die Bylae. Enige kommentaar of vertoë met betrekking tot hierdie konsepwysigings moet skriftelik gerig word aan die Direkteur-generaal. Mannekrag, Privaatsak X117, Pretoria, 0001, binne 90 dae vanaf die datum van publikasie van hierdie kennisgewing.

BYLAE

AANGEDREWE MASJINERIEREGULASIES, 1988

KONSEPWYSIGINGS

Definisies

1. In hierdie regulasies beteken "die Regulasies" die Aangedrewe Masjinerieregulasies, 1988, afgekondig by Goewermentskennisgewing No R 295 van 26 Februarie 1988

Wysiging van Regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig deur die—

(a) toevoeging van die volgende definisie na die definisie van "bouershysmasjien".

" 'domkrag' beteken 'n hystoestel wat hanteer word òf deur 'n hefboom en palrat, 'n skroef, òf deur hidroliese druk wat gebruik word om 'n las op te lig, neer te laat of om dit horisontaal te verskuif,",

(b) toevoeging van die volgende definisie na die definisie van "goederehysmasjien"

" 'hysraam' beteken 'n platform wat aan alle kante toegemaak is en wat ontwerp is om persone deur middel van 'n hystoestel op te lig en neer te laat,",

(c) skrapping van die definisie van "hystoestel" en die invoeging van die volgende definisies net na die definisie van "hystakel"

(131) " 'jack' means a lifting machine operated by means of either a lever and ratchet, a screw, or hydraulic pressure used for the raising and lowering of a load or moving the load horizontally;" and

" 'jib crane' means any crane in which the load is supported by a projecting horizontal or inclined member known as a jib;",

(d) withdrawal of the definition of "lifting machine" and the insertion of the following definition after the definition of "landing":

" 'lifting machine' means a machine designed and constructed for the purpose of raising or lowering a load or moving it horizontally, and includes machines such as blocks and tackle, cradles, hoists, cranes, lift trucks, jacks, jib cranes and similar machines, but does not include machines such as elevators, escalators, goods hoists, builders hoists and similar machinery;", and

(e) addition of the following definition after the definition of "lifting tackle":

" 'lift truck' means a mobile lifting machine equipped with attachments for raising and lowering of a load or moving the load horizontally,".

Amendment of Regulation 18 (1) of the Regulations

3. Regulation 18 (1) of the Regulations is hereby amended by—

(a) the deletion of the word "and" after the word "standard" in subregulation (1) (a),

(b) the substitution of a semi-colon for the full stop at the end of subregulation (1) (b),

(c) the insertion of the word "and" after the semi-colon at the end of subregulation (1) (b); and

(d) the addition of the following subregulation after subregulation (1) (b).

"(c) it has at all times at least three turns of rope on the drum of each winch which forms part of the machine when such winch has been run to its lowest limit "

Amendment of Regulation 18 (2) of the Regulations

4. Regulation 18 (2) (b) of the Regulations is hereby withdrawn and is replaced by the following new subregulation.

"(b) a limiting device which will automatically arrest the driving effort whenever any one of the following conditions occurs.

(i) When the load reaches the highest safe position, or

(ii) in the case of a winch-operated lifting machine, when the load is greater than the rated mass load of the machine.".

Amendment of Regulation 18 (5) of the Regulations

5. Regulation 18 (5) of the Regulations is hereby amended by the deletion of the word "erected" and the insertion of the expression "dismantled and re-erected".

" 'hystoestel' 'n masjien ontwerp en vervaardig met die doel om 'n las op te lig, neer te laat of horisontaal te skuif, en sluit in masjiene soos katrolstelle, hangsteiers, hysmasjiene, hyskrane, hyswaens, domkragte, swaaiarmkrane en soortgelyke masjiene, maar sluit nie in masjiene soos hysers, roltrappe, goederehysmasjiene, bouershysmasjiene en soortgelyke masjinerie nie;"; en

" 'hyswa' 'n mobiele hystoestel wat toegerus is met toebehore om 'n las op te lig, neer te laat of dit horisontaal te verskuif,",

(d) toevoeging van die volgende definisie na die definisie van "hyswa".

" 'katrolstel' 'n hystoestel wat met die hand hanteer word en wat uit een of meer hysblokke bestaan wat deur kettings, draadtoue of veseltoue styfgetrek word en wat uitsluitlik gebruik word om 'n las op te lig, neer te laat of horisontaal te verskuif terwyl sodanige las in suspensie gehou word;"; en

(e) toevoeging van die volgende definisie net na die definisie van "skiethamer"·

" 'swaaiarmkraan' enige hyskraan waarvan die las deur 'n projekterende horisontale of skuins gedeelte, bekend as 'n swaaiarm, ondersteun word;"

Wysiging van Regulasie 18 (1) van die Regulasies

3. Regulasie 18 (1) van die Regulasies word hiermee gewysig deur—

(a) die skrapping van die woord "en" na die woord "standaard" in subregulasie (1) (a);

(b) die vervanging van die punt aan die einde van subregulasie (1) (b) met 'n kommapunt;

(c) die invoeging van die woord "en" na die kommapunt aan die einde van die subregulasie (1) (b), en

(d) deur die toevoeging van die volgende subregulasie na subregulasie (1) (b)

"(c) dit te alle tye ten minste drie volle windinge van die tou op die drom van elke hystoestel het wat deel van die masjien is wanneer sodanige wen-as tot op die laagste perk laat loop is."

Wysiging van Regulasie 18 (2) van die Regulasies

4 Regulasie 18 (2) (b) van die Regulasies word hierby geskrap en deur die volgende nuwe subregulasie vervang·

"(b) 'n beperkende toestel wat die hyskrag outomaties sal stuit wanneer enige van die volgende gebeur:

(i) Wanneer die las die hoogste veilige posisie bereik, of

(ii) in die geval van 'n wen-asbeheerde hystoestel, wanneer die las groter is as die aangeslane massalas van die masjien "

Wysiging van Regulasie 18 (5) van die Regulasies

5. Regulasie 18 (5) van die Regulasies word hierby gewysig deur die skrapping van die woord "oprigting" waar dit vir die tweede keer voorkom en die invoeging van die uitdrukking "afbreking en heroprigting".

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Amendment of Regulation 18 (6) of the Regulations

6. Regulation 18 (6) of the Regulations is hereby amended by the insertion of the expression "ratchets, pawls, lifting and lowering screws, rams, hydraulic systems" after the word "sheaves".

Amendment of Regulation 18 (7) of the Regulations

7. Regulation 18 (7) of the Regulations is hereby withdrawn and is replaced by the following subregulation:

"(7) Every user of a lifting machine shall keep on his premises a record which shall be open to inspection by an inspector in which he shall record all performance tests and examinations as contemplated in subregulations (5) and (6) as well as all modifications and repairs to such lifting machine.".

Amendment of regulation 18 (8) of the Regulations

8. Regulation 18 (8) of the Regulations is hereby withdrawn and is replaced by the following subregulation:

(8) No user of machinery shall require or permit persons to be moved or supported by means of a lifting machine unless such a machine is fitted with a cradle approved for that purpose by an inspector.".

Amendments of Regulation 18 (9) of the Regulations

9. Regulation 18 (9) of the Regulations is hereby withdrawn and is replaced by the following subregulation·

"(9) Notwithstanding the provision of subregulation (2) (b), no user shall use or permit any person to use a jib crane with a hoisting capacity of five tons or more unless it is fitted at least with—

(a) an automatic safe load indicator which requires no manual resetting or adjustment, from application of a load to the crane until the release of that load, using any motion or combination of motions permitted by the crane manufacturer to ensure safe lifting; or

(b) a limiting device which will automatically arrest the driving effort whenever the load being lifted is greater than the rated mass load of the lifting machine."

Amendment of Regulation 18 of the Regulations

10. Regulation 18 of the Regulations is hereby amended by the addition of the following subregulations (11) and (12) after subregulation (10)

"(11) The user shall ensure that every lifting machine is operated by an operator specifically trained for the particular type of lifting machine Provided that in the case of lift trucks and cranes the user shall not require or permit any person to operate such a lifting machine unless the operator is in possession of a valid certificate of training issued by a person or organisation approved for this purpose by the Chief Inspector "

"(12) The provisions of regulations 18 (2) (b), 18 (9) and 18 (11) shall become effective on 1 February 1992.".

(28 March 1991)

Wysiging van Regulasie 18 (6) van die Regulasies

6. Regulasie 18 (6) van die Regulasies word hierby gewysig deur die invoeging van die woorde "palratte, palle, hys- en neerlaatskroewe, ramme, hidroliese stelsels" na die woord "katrolwiele"

Wysiging van Regulasie 18 (7) van die Regulasies

7. Regulasie 18 (7) van die Regulasies word hierby teruggetrek en vervang deur die volgende subregulasie

"(7) Elke gebruiker van 'n hystoestel moet 'n verslag op sy perseel hou waarin hy rekord hou van alle werkverrigtingstoetse en ondersoeke soos in subregulasies (5) en (6) bepaal word, asook van alle veranderings en herstelwerk aan sodanige hystoestel, welke verslag beskikbaar moet wees vir inspeksie deur 'n inspekteur.".

Wysiging van Regulasie 18 (8) van die Regulasies

8. Regulasie 18 (8) van die Regulasies word hierby teruggetrek en vervang deur die volgende subregulasie:

"(8) Geen verbruiker van masjinerie mag vereis of toelaat dat persone verskuif of ondersteun word by wyse van 'n hystoestel nie, behalwe as so 'n masjien toegerus is met 'n hysraam wat deur 'n inspekteur goedgekeur is.".

Wysiging van Regulasie 18 (9) van die Regulasies

9. Regulasie 18 (9) van die Regulasies word hierby teruggetrek en deur die volgende subregulasie vervang:

"(9) Nieteenstaande die bepalings van subregulasie (2) (b), mag geen gebruiker 'n swaaiarmkraan met 'n hysvermoe van vyf ton of meer gebruik, of enige persoon toelaat om dit te gebruik nie tensy dit toegerus is met ten minste—

(a) 'n outomatiese aanwyser wat veilige las aandui en wat geen stelling of reeling met die hand vereis nie, vanaf die aanwending van 'n las na die hyskraan totdat die las gelos word, deur gebruik te maak van enige beweging of kombinasie van bewegings wat deur die hyskraanvervaardiger toegelaat word om veilige opligting te verseker; of

(b) 'n beperkende toestel wat die hyskrag outomaties stuit wanneer die las groter is as die aangeslane massalas van die hystoestel.".

Wysiging van Regulasie 18 van die Regulasies

10. Regulasie 18 van die Regulasies word hierby gewysig deur die toevoeging van die volgende subregulasies (11) en (12) na subregulasie (10):

"(11) Die gebruiker moet verseker dat elke hystoestel deur 'n operateur hanteer word wat spesiaal vir die spesifieke hystoestel opgelei is: Met dien verstande dat in die geval van hyswaens en hyskrane die gebruiker geen persoon sal toelaat of van hom vereis om sodanige hystoestel te hanteer nie tensy hy in besit is van 'n geldige opleidingsertifikaat wat vir hierdie doel deur die Hoofinspekteur goedgekeur is."

"(12) Die bepalings van Regulasies 18 (2) (b), 18 (9) en 18 (11) tree op 1 Februarie 1992 in werking."

(28 Maart 1991)

Support Vametco strikers, says Mokae

Sowetan 27/5/91

By MOKGADI PELA

AN Azapo official has called for the community to support striking workers at Vametco, a vanadium-extracting plant near Brits which exposes its workers to serious health risks.

Dr Gomolemo Mokae was addressing about 2 000 mourners in Garankuwa at the funeral of National Workers Union of South Africa member Ahimus Seeletsi who was killed in a car accident last week.

He said Azapo constantly received complaints from workers that they suffered chest pains and listlessness as a result of contact with the mineral.

Vametco workers, on strike since September last year, demand the recognition of Nausa and to be provided with protective clothing in line with internationally accepted standards

Mokae said the black community should support the Vametco workers in their plight.

He praised Seeletsi for "refusing to collaborate with management".

"Anti-collaborationism is a valued principle of the black consciousness movement. For us Ramodike, Mangope and Holomisa are the same because we know they have sinned against our people," he said.

"However, a lot of Judases are still working at Vametco and refuse to identify themselves with the 400 Nausa members on strike."

Safety the key

(131)

Sowetan

By IKE MOTSAPI 10/5/91.

THE National Occupational Safety Association is to urge trade unions to help in implementing safety and hygienic measures at their members' workplaces.

Mr Keith Anderson, managing director of Nosa, told a Press conference that the issue was not only vital to the organisation but to the industry as a whole

He said the time had come for Nosa and unions to put their differences aside.

"We must sit down together to work collectively towards making the workplace a safer environment.

"Without doubt, it is the workers' right to be able to go to work and return home safely.

"The only way we are going to be able to do this is through consultation I will be personally working towards achieving a better communication with unions as a top priority," Anderson said

KEITH ANDERSON

Better deal for injured employees

Sowetan 5/6/91. (131)

By IKE MOTSAPI

PEOPLE injured in the workplace are to receive increased compensation.

The director-general of the Department of Manpower, Mr Joel Fourie, said yesterday this had been made possible by an additional R100 million set aside for merit rebates.

He was addressing the annual conference of the Occupational Health and Safety Association at Sun City.

"The wage ceiling for inclusion under the Workman's Compensation Act was set at R42 000 with effect from March 1 this year. This placed another 75 000 workmen within the ambit of the Act.

Medical bills

"The Workman's Compensation Commissioner will in future be in a position to increase the benefit of injured workmen annually," he said.

Payment of medical bills had been fully computerised, Fourie said

Computerisation of workman's compensation claims was also underway. This development would lead to a more effective and speedy settlement of claims

The Government was considering proposals submitted to the National Manpower Commission by the Congress of South Africa Trade Unions regarding the safety of workers.

Cosatu's proposals included.

* All labour legislation - including occupational safety law - must be screened by the NMC;

Voting power

Major parties should be represented on the NMC and should have proportional voting power This meant the bigger employer organisations and unions would dominate the process;

* Once agreement had been reached, nobody should in any way tamper with such legislation It should go to Parliament unaltered,

* All representations made by interested groups must be submitted to the NMC to consider them.

The NMC would probably make their recommendations to the Government by the end of the month

Numsa calls for probe of docks blast

(131) South 6/6 - 12/6/91

GRIEVING: Mrs Nadeema Hajee, wife of gasblast victim Ismail Hajee and their four-year-old son, Ozayr

PIC YUNUS MOHAMED

THE National Union of Metalworkers of South Africa (Numsa) has expressed concern at the refusal of a Cape Town engineering company to agree to an independent inquiry into the cause of a blast on a super tanker in Cape Town harbour last week

Six Globe employees were killed and another man seriously injured after an explosion in the No 2 hold of the Iranian tanker, Alborz, last Wednesday

Mr John Stuart, the operations manager for Globe Engineering, confirmed the company had refused Numsa's demand for an independent inquiry.

Safety

Key areas Numsa wants investigated include whether adequate safety precautions were taken, the cause of the explosion and whether the rescue operation was speedy enough

Those killed were Mr Gary Davids, Mr Errol Phillips, Mr Hennie Oosthuizen, Mr Ismail Hajee, Mr Michael Ngaka and Mr Jameson Ntukati

The sole survivor, Mr Patrick Ngalo, is in the intensive care unit at Groote Schuur Hospital

The men were working about 35 metres down the hold, repairing a faulty valve

Workers on board at the time of the blast have questioned whether the gas level in the hold was adequately monitored

High-risk

Also unclear is the cause of the blast

Numsa said the tragedy highlighted the question of health and safety

Mr Adrian Sayers, the acting regional secretary for Numsa in the Western Cape, said health and safety were particularly important in the Cape Town docks where workers often performed repairs on ships that were in a poor condition

"Metalworkers in the docks have consistently performed work that has a high-risk level, requiring effective health and safety precautionary measures," Sayers said

Stuart said the company could not comment on the issue until the Department of Manpower had completed its investigations

Union to quiz embassy on worker's death

131

By DREW FORREST

THE SA Commercial, Catering and Allied Workers Union is to approach the Taiwanese Embassy about an incident in which a worker fell three storeys to her death after allegedly being assaulted by her Taiwanese employer

The body of mother of four Thelma Sibisi (30) was found on the pavement beneath her place of work, Fashion Jewellers in Hillbrow, on Thursday W/Mail 7/6-13/6/91

Co-workers said at a press conference they had not seen Sibisi's fatal plunge from one of the shop windows, but they had witnessed her fleeing a rain of blows from her employer, Tony Wong, immediately before the incident

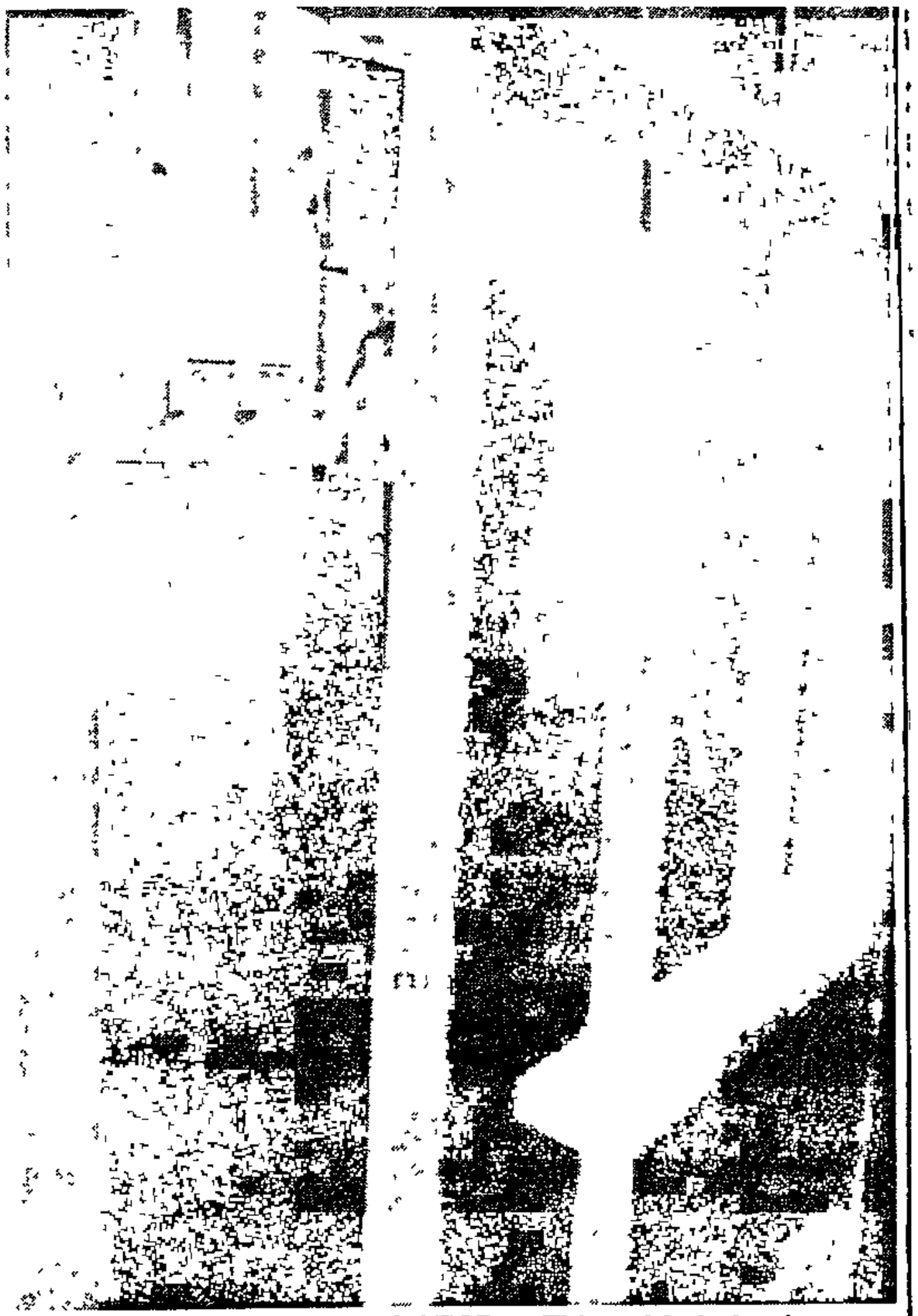
Saccawu official Salim Vally said staff had also witnessed Wong assault Sibisi with an iron rod and a chain earlier in the week, before dismissing her. The second assault had taken place when she had returned to the shop with a union letter of demand, he said.

He complained that workers at Fashion Jewellers were routinely insulted, were not allowed to go to the toilet except during lunch breaks and were paid an average wage of R220 a month

Comment could not be obtained from Wong, as the shop has been closed.

Police handling of the case also came under fire at the press conference. Though statements had been taken from workers, Wong had not been taken in for questioning, said Sibisi's brother, Daniel.

An SAP spokesman dismissed suggestions of police foot-dragging, stressing that the long weekend had delayed investigations.



HE'S NOT INSIDE — HE'S ON TOP ... This cubbyhole of a room, no more than 2,5 by 3 metres with an iron bed, two tiny lockers and two shelves, is cell number eight, B section, where Nelson Mandela spent most of his 18 years on Robben Island before being transferred to Pollsmoor Prison in 1982. Warrant Officer Charles Adams (pictured) yesterday told journalists on a tour of the island he remembered Mandela as "a very charming fellow".

Photo: JUSTIN SHOLK

Mystery death of scrap-metal man

(131)

By MONWABISI NOMADOLO C/Press 9/6/91

TWO weeks after being employed by East Rand Scrap Metals (ERSM) in Springs, a middle-aged man died after allegedly inhaling acid fumes.

Sampson Nkaba, 42, of KwaThema, died three days after being admitted to the Far East Rand Hospital in late March.

His sister Thembi said Nkaba complained that the fumes of the acid he worked with were too strong for him.

Nkaba was admitted to hospital on March 28 and died two days later. Hospital records state that Nkaba was diagnosed as suffering from a "chest infection"

According to the death certificate, Nkaba's death was the result of "symptoms consistent with pneumonia"

Nkaba's mother Gladys told City Press her son was fit as a fiddle when he joined the company

"After he started working there, he complained of a burning chest," said Gladys

A former workmate, who declined to be named, told City Press the fumes were dangerous and said they drank milk after handling the acid.

"The acid is poured into a cauldron, then we put rusty metal inside, and it starts bubbling," Nkaba's colleague said

ERSM owner John du Plessis confirmed he had employed Nkaba for two weeks, but he "disappeared" after that

However, when City Press told him Nkaba had died, he said he knew of the death from Nkaba's colleagues

Du Plessis said Nkaba suffered from TB, but could not explain why he had been employed in that condition

Nkaba is survived by his mother and four sisters who say they are destitute and have not been paid for the days he worked.

Crash victim . . . Barry Phokompe, 22, ponders the future without legs.

Labourer fights for 'lost wages' after losing legs

C/P News 9/6/91 (131)

By DAN DHLAMINI

A YOUNG man who lost his legs in a road accident is fighting an uphill struggle for wages and compensation.

Barry Phokompe, 22, lost both legs when a truck owned by his employers overturned at Roodepoort on March 22.

Phokompe, who was discharged from hospital two weeks ago, claims his employer, Bert's Bricks, refuses to back-pay him his salary of R95 a week as demanded by the Workmen's Compensation Act.

He said that following recent City Press inquiries he has received a cheque from the company "totalling R50 a week back dated from April".

"But before City Press made inquiries on my behalf the company had paid me only occasional pocket money cheques of between R10 and R17."

Phokompe is one of nine labourers employed by Bert's Bricks to have been injured in the accident, which also claimed the life of Lazarus Bovula.

A Bert's Bricks truck driver, Moses Bovula, told City Press this week that company director Gerald van der Merwe had in the past "ignored three of my warnings that the brakes were faulty on the truck which crashed"

Another employee injured in the crash, Joseph Plaatjie, told City Press he was ordered to resume duties "despite my condition"

He claimed he was also asked to sign a Workmen's Compensation Act form stating that he had received R290 when he had "in fact received only R200".

Van der Merwe was "abroad and not available for comment" when City Press phoned the company this week

But a spokesman for the company's attorneys, Desiree Jordaan, denied "all allegations by Phokompe".

She threatened legal action against City Press if the newspaper published a report showing Van der Merwe "in a bad light while he is out of the country".

Jordaan confirmed however that her firm was "handling the accident claims of Phokompe".

Mossgas death in 'string of accidents'

(131) CT 15/6/91

By GUY OLIVER

TWO accidents within an hour at the giant Mossgas project at Mossel Bay this week has left one worker dead and one critically injured

The multi-billion gas-into-fuel project won the Southern Cape National Occupation Safety Association (NOSA) award in March for five million safe man-hours worked

About 12 45pm on Wednesday, pipe fitter Mr Zwelenzima M Madolo, 27, of Cradock, was killed in a crane accident.

According to sources at the plant, a caterpillar-tracked crane reversed over Mr Madolo He died of multiple injuries in George's Lamprecht Clinic about four hours later

Less than an hour earlier a three-ton valve smashed through nearby scaffolding injuring two people, the sources said Boilermaker Mr Cecil Pretorius, 56, of Port Elizabeth, received severe neck injuries and is in intensive care

Another worker, Mr P Thebele, broke his ankle and was discharged from Mossel Bay Hospital yesterday

Last month three Turkish contract workers were crushed to death and a South African was seriously injured when a huge steel container blew over in gale-force winds at the plant

All the incidents are being investigated by the Department of Manpower

DEPARTMENT OF MANPOWER

No. R. 1379 (131) **21 June 1991**

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983 (ACT No. 6 OF 1983)

GENERAL SAFETY REGULATIONS

The Minister of Manpower, on the recommendation of the Advisory Council for Occupational Safety, hereby publishes under section 35 of the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983), the proposed amendment of the General Safety Regulations published by Government Notice No. R. 1031 of 30 May 1986, as amended by Government Notice No 433 of 20 June 1986, and contained in the Schedule hereto, for general information and comment Any comments or representations thereto should be lodged in writing with the Director-General. Manpower, Private Bag X117, Pretoria, 0001, within 90 days from the date of publication of this notice.

SCHEDULE

GENERAL SAFETY REGULATIONS

DRAFT AMENDMENT

Draft amendment of regulation 3 of the regulations

1. Regulation 3 of the General Safety Regulations published by Government Notice No. R. 1031 of 30 May 1986 is hereby withdrawn and replaced by the following regulation:

"First aid, medicine and emergency facilities and measures

3. (1) Every employer shall take all reasonable steps necessary in the circumstances to ensure that persons are in a position to receive prompt first aid treatment in case of injury.

(2) Where more than five persons are employed at any workplace an employer shall provide a first aid box or boxes at or near the workplace which shall be available and accessible for the treatment of injured persons at that workplace.

(3) Taking into account the type of injuries that are likely to occur, the nature of the activities carried out and the number of persons employed at a workplace, the employer shall stock the first-aid box or boxes with suitable up-to-date first aid equipment. Provided that at least the equipment listed in the Annexure to these regulations shall be kept in every first aid box provided in terms of subregulation (2).

(4) Where more than 10 employees are employed at any workplace, the employer of such persons shall take steps to ensure that for every group of up to 50 employees at that workplace, or, in the case of a shop or an office as defined in the Basic Conditions of Employment Act, 1983 (Act No. 3 of 1983), for every group of up to 100 employees, at least one person is readily available during all working times, who is in possession of a valid certificate of competency in first aid issued or endorsed by—

(a) the SA Red Cross Society;

(b) the St John's Ambulance Association;

(c) the SA Noodhulpliga; or

(d) any person or organisation approved by the chief inspector for this purpose".

DEPARTEMENT VAN MANNEKRAG

No. R. 1379 **21 Junie 1991**

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983 (WET No 6 van 1983)

ALGEMENE VEILIGHEIDSREGULASIES

Die Minister van Mannekrag publiseer hiermee ingevolge artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No. 6 van 1983), op aanbeveling van die Adviesraad vir Beroepsveiligheid die voorgenome wysiging van die Algemene Veiligheidsregulasies soos afgekondig by Goewermentskennisgewing No. R. 1031 van 30 Mei 1986, soos gewysig deur Goewermentskennisgewing No R. 433 van 20 Junie 1986 en in die Bylae hierby vervat, vir algemene inligting en kommentaar Enige kommentaar of vertoë met betrekking daartoe, moet skriftelik by die Direkteur-generaal: Mannekrag, Privaatsak X117, Pretoria, 0001, binne 90 dae van die datum van publikasie van hierdie kennisgewing, ingedien word.

BYLAE

ALGEMENE VEILIGHEIDSREGULASIES

KONSEPWYSIGING

Konsepwysiging van regulasie 3 van die regulasies

1. Regulasie 3 van die Algemene Veiligheidsregulasies afgekondig by Goewermentskennisgewing No. R. 1031 van 30 Mei 1986 word hierby teruggetrek en vervang deur die volgende regulasie:

"Eerstehulp, medisyne en noodtoerusting en -prosedures

3. (1) Elke werkgewer moet alle redelike stappe wat onder die omstandighede nodig is, neem om te verseker dat persone in geval van 'n besering spoedig eerstehulpbehandeling kan ontvang.

(2) Waar meer as vyf persone indiens is by enige werkplek moet die werkgewer 'n eerstehulpkas of -kaste by of naby die werkplek voorsien wat beskikbaar en toeganklik is vir die behandeling van beseerde persone by daardie werkplek.

(3) Met inagneming van die tipe beserings wat moontlik kan voorkom, die aard van die aktiwiteite wat bedryf word en die aantal persone in diens by 'n werkplek, moet die werkgewer die eerstehulpkas of -kaste bevoorraad met geskikte nie-verouderde eestehulptoerusting Met dien verstande dat minstens die toerusting gelys in die Bylae van hierdie regulasie in elke eerstehulpkas, voorsien ingevolge subregulasie (2), gehou moet word.

(4) Waar meer as 10 werknemers in diens is by enige werkplek, moet die werkgewer van sodanige persone maatreels tref dat vir elke groep van tot 50 persone by daardie werkplek, of in die geval van 'n winkel of kantoor soos omskryf in die Wet op Basiese Diensvoorwaardes, 1983 (Wet No. 3 van 1983), vir elke groep van tot 100 persone, ten minste een persoon geredelik beskikbaar is gedurende alle werkstye en wat in besit is van 'n geldige bekwaamheidsertifikaat in eerstehulp uitgereik of onderskryf deur—

(a) die SA Rooikruisvereniging;

(b) die St John Ambulansvereniging;

(c) die SA Noodhulpliga; of

(d) enige persoon of organisasie wat deur die hoofinspekteur vir hierdie doel goedgekeur is.

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(5) In any activity in which a high-risk substance is used, handled, processed or produced, or where toxic, corrosive or similar dangerous substances are used, handled, processed or produced, the employer of persons employed in such activities shall take steps to ensure that the first aider contemplated in subregulation (4) is trained in the first aid measures necessary for the treatment of injuries likely to result from such activities, the acute detrimental effects of exposure to dangerous substances associated with such activities, and in the emergency measures to be taken in the case of accidental leakage or spillage of such substances.

(6) Every employer shall affix a prominent notice or sign in a conspicuous place at every workplace where a first aid box is to be kept, indicating where the first aid box is kept as well as the name of the person in charge of such box.

(7) Any person suffering from an open wound, a cut, an abrasion, a sore, or any similar injury, who works where a high-risk substance or any other substance which is toxic, corrosive or likely to cause infection is used, handled, processed or produced or which may be present, shall report such injury at the earliest opportunity to his employer, and no employer shall permit any such person to continue working unless he is treated first for such injury by having it washed or otherwise properly treated, disinfected and dressed

(8) An employer shall take steps to ensure that only items and equipment as contemplated in subregulation (3) or other similar emergency equipment or medicines are kept in the first aid box.

(9) Where any employee is exposed to a potential hazard of injury to the eye owing to contact with a biological or chemical substance, the employer concerned shall cause an eye wash-fountain supplied with clean water, or any similar effective facility, to be provided at or in the immediate vicinity of the workplace of such employee.

(10) Where an employee is exposed to a potential hazard of injury to the skin, or absorption through the skin, owing to sudden contact with a large amount of a toxic, corrosive, high-risk, or similar dangerous substance, the employer concerned shall cause a quick-acting deluge-shower supplied with clean water, or any similar effective facility, to be provided at or in the immediate vicinity of the workplace of such employee ".

ANNEXURE

(Regulation 3)

MINIMUM CONTENTS OF A FIRST AID BOX

In the case of shops and offices, the quantities stated under items 1, 8, 9, 10, 14, 15, 17 and 18 may be reduced by half.

Item 1. Wound cleaner (500 mℓ)
Item 2 Swabs for cleaning wounds
Item 3. Cotton wool for padding (250 g)
Item 4 Sterile gauze (1 packet)
Item 5. 1 pair forceps (for splinters)
Item 6 1 pair scissors (minimum size 100 mm)

(5) In enige aktiwiteit waar 'n hoerisikostof gebruik, gehanteer, geprosesseer of vervaardig word, of waar toksiese, invretende of soortgelyke gevaarlike stowwe gebruik, gehanteer, geprosesseer of vervaardig word, moet die werkgewer van persone wat met sodanige aktiwiteite besig is, stappe neem om te verseker dat die eerstehulpwerker bedoel in subregulasie (4) opgelei is in die eerstehulpprosedures wat nodig is vir die behandeling van beserings wat bes moontlik kan voortspruit uit sodanige aktiwiteite, die akute skadelike effekte van blootstelling aan gevaarlike stowwe wat met sodanige aktiwiteite verband hou, en in die noodprosedures wat in geval van toevallige lekkasie of storting van sodanige stowwe geneem moet word.

(6) Elke werkgewer moet op 'n opsigtelike plek by elke werkplek waar 'n noodhulpkas gehou word, 'n prominente kennisgewing of teken aanbring wat aandui waar die noodhulpkas gehou word en wie die persoon in beheer van sodanige noodhulpkas is.

(7) Enige persoon wat aan 'n oop wond, 'n snyplek, 'n skaafplek, 'n seer of enige soortgelyke besering ly, en werk waar 'n hoerisikostof of enige ander stof wat toksies of invretend is of moontlike infeksie kan veroorsaak, gebruik, gehanteer, geprosesseer of vervaardig word of wat teenwoordig mag wees, moet sodanige besering by die eerste geleentheid onder die aandag van sy werkgewer bring en 'n werkgewer mag nie toelaat dat enige sodanige persoon aanhou om te werk nie, tensy hy eers vir sodanige besering behandel word deur dit te was of andersins behoorlik te behandel, te ontsmet en te verbind.

(8) 'n Werkgewer moet toesien dat slegs die items en toerusting soos bedoel in subregulasie (3), of soortgelyke noodtoerusting of medisyne in die noodhulpkas gehou word.

(9) Waar enige werknemer blootgestel is aan 'n potensiele gevaar van besering aan die oog deur kontak met 'n biologiese of chemiese stof, moet die betrokke werkgewer toesien dat 'n oogspoelfontein voorsien met skoon water, of enige soortgelyke effektiewe fasiliteit, beskikbaar gestel word by of in die onmiddellike nabyheid van die werkplek van sodanige werknemer.

(10) Waar 'n werknemer blootgestel is aan 'n potensiele gevaar van besering aan, of absorpsie deur die vel as gevolg van skielike aanraking met 'n groot hoeveelheid toksiese, invretende, hoerisiko- of soortgelyke gevaarlike stof, moet die betrokke werkgewer toesien dat 'n vinnigreagerende vloedstortbad, voorsien van skoon water, of 'n soortgelyke fasiliteit by of in die onmiddellike omgewing van die werkplek van sodanige werknemer voorsien word."

BYLAE

(Regulasie 3)

MINIMUM INHOUD VAN 'N EERSTEHULPKAS

In die geval van winkels en kantore, mag die hoeveelhede onder items 1, 8, 9, 10, 14, 15, 17 en 18 halveer word

Item 1 Wondreiniger (500 mℓ)
Item 2 Deppers vir reiniging van wonde
Item 3 Watte vir kussinkies (250 g)
Item 4 Steriele gaasstroke (1 pakkie)
Item 5 1 pinset (vir splinters)
Item 6 1 skêr (minimum grootte 100 mm)

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Item 7 1 card safety pins
Item 8 12 triangular bandages
Item 9. 6 roller bandages (75 mm × 5 m)
Item 10 6 roller bandages (100 mm × 5 m)
Item 11 1 roll elastic adhesive (25 mm × 3 m).
Item 12. 1 anti-allergenic adhesive strip (25 mm).
Item 13 1 packet adhesive dressing strips
Item 14 6 large dressings (75 mm × 100 mm).
Item 15. 6 shell dressings (150 mm × 200 mm).
Item 16. 2 straight splints.
Item 17 2 pairs large and 2 pairs medium disposable gloves
Item 18. 2 CPR mouth pieces or similar devices
Item 19. 1 adjustable cervical collar

No. R. 1418 **21 June 1991**

LABOUR RELATIONS ACT, 1956

FURNITURE AND BEDDING MANUFACTURING INDUSTRY-TRANSVAAL: EXTENSION OF MAIN AGREEMENT

I, Dennis van der Walt, Director: Labour Relations, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (i) of the Labour Relations Act, 1956, extend the period fixed in Government Notice No. R. 3041 of 4 January 1991, by a further period ending 31 December 1991.

D. VAN DER WALT,
Director: Labour Relations

No. R. 1419 **21 June 1991**

BASIC CONDITIONS OF EMPLOYMENT ACT, 1983

CONTINUOUS WORKING

I, Izak Jacobus van Zyl, Chief Director Labour Relations, duly authorised thereto by the Minister of Manpower, hereby in terms of section 33 (1) of the Basic Conditions of Employment Act, 1983, declare the manufacture of transportation fuels by means of a continuous chemical process as carried out by Mossgas (Pty) Ltd, at Mossel Bay, to be an activity with respect to which work may be performed continuously in three shifts per 24 hours, seven days a week: Provided that the conditions of employment, as published under Government Notice No. R. 2167 of 28 September 1984, or any Government Notice published in substitution thereof, are adhered to

I. J. VAN ZYL,
Chief Director: Labour Relations.

Item 7 1 stel haakspelde.
Item 8 12 driehoekverbande.
Item 9. 6 rolverbande (75 mm × 5 m)
Item 10 6 rolverbande (100 mm × 5 m)
Item 11 1 rol hegpleister (25 mm × 3 m)
Item 12. 1 anti-allergiese kleefstrook (25 mm)
Item 13 1 pakkie kleefverbandstrokies
Item 14 6 groot verbande (75 mm × 100 mm)
Item 15 6 bomverbande (150 mm × 200 mm)
Item 16 2 reguit spalke
Item 17 2 paar groot en 2 paar medium wegdoenbare handskoene
Item 18. 2 CPR-mondstukke of soortgelyke toestelle
Item 19 1 verstelbare nekstut

No. R. 1418 **21 Junie 1991**

WET OP ARBEIDSVERHOUDINGE, 1956

MEUBEL- EN BEDDEGOEDNYWERHEID-TRANSVAAL: VERLENGING VAN HOOFOOREENKOMS

Ek, Dennis van der Walt, Direkteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperk vasgestel in Goewermentskennisgewing No. R 3041 van 4 Januarie 1991, met 'n verdere tydperk wat op 31 Desember 1991 eindig.

D. VAN DER WALT,
Direkteur: Arbeidsverhoudinge.

No. R. 1419 **21 Junie 1991**

WET OP BASIESE DIENSVOORWAARDES, 1983

AANEENLOPENDE WERK

Ek, Izak Jacobus van Zyl, Hoofdirekteur Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby kragtens artikel 33 (1) van die Wet op Basiese Diensvoorwaardes, 1983, dat die vervaardiging van vervoerbrandstof by wyse van 'n aaneenlopende chemiese proses soos uitgevoer deur Mossgas (Pty) Ltd, te Mosselbaai, 'n bedrywigheid is met betrekking waartoe daar aaneenlopend in drie skofte per 24 uur, sewe dae per week, gewerk kan word Met dien verstande dat die diensvoorwaardes, soos gepubliseer by Goewermentskennisgewing No R 2167 van 28 September 1984, of enige Goewermentskennisgewing gepubliseer ter vervanging daarvan, nagekom word

I. J. VAN ZYL,
Hoofdirekteur: Arbeidsverhoudinge

LABOUR

Occupational diseases law under fire

W/mail 21/6 - 27/6/91

(131)

By JENNIFER POGRUND

LABOUR lawyers and unionists have slammed amending legislation on occupational diseases, about to be passed into law, for its failure to address glaring racial discrimination.

Minor amendments due to be enacted by parliament this week leave intact the discriminatory schedule for workplace diseases in the Occupational Diseases in the Mines and Works Act of 1973.

In terms of the schedule, there is a thirteenfold difference in the compensation payouts for black and white workers suffering from the same disease. Coloured workers fall halfway between the two

The Act, which covers diseases such as tuberculosis, asbestosis and "black lung", provides for a maximum payout of R43 834 for whites, R25 328 for coloured workers and R 3 842 for blacks The fund is state-administered but funded by employers

The only concession to redressing inequalities in the amendments is the discretionary power given to the minister of health to increase compensation payments, after consultation with the finance minister and an advisory committee which includes the Chamber of Mines but not union representatives.

A Department of Health representative said that an actuarial investigation was under way and that changes were possible.

An earlier draft Bill proposed the topping up of payouts by 20 percent, 17 percent and 10 percent for blacks, coloureds and whites respectively.

However, government sources confirm that there was a recognition that this would have widened the racial disparity, and the clauses were dropped.

This week, labour lawyer Paul Benjamin said it was "disgraceful that this monument to workplace apartheid remains on the statute book.

"If they are going to make changes, the minister should consult all the major parties," he said.

And the National Union of Mineworkers' May Hermanus accused the state of "opportunism It seeks credit by deracialising only statutes that are well-known."

She added that in terms of the law blacks were barred from medical examinations at state clinics, and that their compensation assessments were made by doctors who had not examined them

Another discriminatory aspect of the law, according to Hermanus, is that black workers may not claim more than once Whites and coloureds may lodge a second claim if the disease worsens

Chamber of Mines legal consultant Barry Shipman said the chamber had been pressing for years for colour-blind legislation based on earnings and levels of disability as in the Workman's Compensation Act.

women, health and work

(131) New Nation (Learning Nation) 5/7 - 11/7/91

This article looks at how the subordinate position of women in society affects their ability to work and the kinds of jobs they are able to get.

Cutting cloth with an unguarded blade (Knitwear factory, Johannesburg, 1981)

Health in the workplace is an important area of struggle for women Traditionally approaches to occupational health and safety have tended to discriminate against the **woman** and not the **hazard** How does this happen? Women are defined as unsuitable for certain tasks or are removed from jobs which bosses think are dangerous for women This does not solve the problem This just means that women are denied the right to many jobs It also means that men often have to do these jobs and face these dangers **This does not solve the problem of dangerous work**

Women make up a large section of the working population in and out of the industrial sector In industry women make up the majority of the workforce in sectors like food or garment manufacture Bosses say that women must do the kind of work that they do at home This is why women are found mostly in the garment, food and health industry Women also work in other sectors but are given "women's work" to do A good example of this is in the motor industry where women are employed to sew the car seats.

One of the common myths which we hear about occupational health is that men are at greater risk because of the work they do It is true that men do many jobs which are very dangerous like mining, foundry work and construction But thousands of women are also doing jobs which are hazardous to their health They are also exposed to unsafe machinery, chemicals, noise and stress Women therefore face equal hazards to men They may also face specific health hazards in the workplace because of the work they are forced to do, work such as nursing and cleaning

Here are just a few of the health risks to which working women are exposed

- Stress resulting from doing boring repetitive work, at low wages with few prospects for training
- exposure to cotton dusts in the textile industry which is a well known cause of occupational lung disease
- exposure to chemicals such as carbon tetrachloride, heat and humidity in laundries
- exposure to heat, cold, cleaning chemicals and slippery floors in the catering industry
- fatigue and menstrual disorders as the result of shiftwork.
- exposure to a range of hazards in the health care industry, including, chemicals, anaesthetic gases, radiation, exposure to infection from a range of organisms, for example, Hepatitis B and HIV and the lifting and carrying of heavy loads
- Stress resulting from being a working mother

It is clear from these examples that the assumption that so-called "women's work" is lighter and less hazardous is a dangerous myth It has meant that women's occupational health problems are not well studied The belief in the relative safety of "women's work" has been perpetuated without appropriate research or relevant data to support it

There are some jobs which women may not be able to do They may not be able to handle very heavy machinery **But this means that there is something wrong with the design of the machine and not the woman.**

It is said that women suffer from occupational health problems because they are biologically weak and get sick more easily than men This idea persists despite any real evidence to support it and it affects the lives of working women This includes denying women the right to do many jobs **This also means that not enough work has been done to find out about the hazards that women face at work, because bosses think that women's work is safe.**

Women and men are also both exposed to hazards which can affect their ability to have children or to have healthy, normal children Reproductive risk can occur for both men and women This can happen before a women falls pregnant and while she is pregnant The reproductive function of all women therefore needs to be protected at all times and not only during pregnancy

Some of the workplace hazards which have been implicated are,

- lead, solvents, eg benzine, pesticides, X-rays and many other chemicals

We have already said that the risk also exists for men Again this means that it is not enough to just remove women from these risks Men and women must **both** be protected The workplace must be made safer for all workers

Women also suffer discrimination at work because bosses do not like women workers to fall pregnant Women in the workplace are often under a lot of pressure from employers not to fall pregnant Often their jobs depend on them not falling pregnant Bosses often force women to take contraception Family planning is often the only form of health care which bosses are prepared to provide

This must all change It is not enough to take women away from dangerous work and to make men do it This just means exposing men to the same dangers It also means that women don't have the right to choose the work they want to do

We must also fight for the right for women to have jobs and be mothers at the same time Women have the right to both Very often women have to work to feed their families

We must fight against the things which make it difficult for us to work safely and to support our families We must fight to have more choices about where and how we work

Despite the important role women play in the economy, little is being done to improve the conditions of women workers, to facilitate their role as wage earners, or to provide the support needed by working women during pregnancy Prevailing conditions in the workplace are defined by the dominant ideologies of the oppression of women in society

What can be done?

1. At the broadest level attitudes toward women and their role in the family and economy need to change
2. Women need to have greater choices in the work they do They need to be informed of the risks associated with their work
3. Occupational health services can improve the health conditions of working women if they are sensitive to their needs. They can
   - monitor the workplace to identify health hazards
   - monitor workers exposed to hazardous substances
   - identify possible reproductive hazards for female as well as male workers and inform them of the risks
   - recommend changes and improvements which will make the workplace safer (management seldom informs workers of the risks of the job despite legislation which provides for employee access to such knowledge)
   - provide services based on the health needs of working women, for example, education on breast examinations, pap smears
   - provide contraceptive services based on the concepts of informed consent and choice

Health workers and management need to consult workers, both female and male, as they are the ones at greatest risk and they often are the best experts on the dangers of the workplace.

This article was adapted from an article written for Critical Health, Issue No 41 June 1991.

LABOUR

W/mail 5/7-11/7/91 (131)

Cosatu to call for new state strategy on Aids

Weekly Mail Reporter

THE Congress of South African Trade Unions will call for a new state strategy on Aids if the draft discussion document from its watershed Aids conference in Johannesburg last weekend is accepted at the federation's congress later this month.

Cosatu will also host a national summit with all Aids organisations after it adopts an Aids policy.

At the conference, Cosatu's health and safety working group also proposed that a "meeting with the African National Congress' department of health be set up as part of the process of policy formulation"

A central demand was that Aids legislation be negotiated with representatives of workers and communities

The document calls on Cosatu's central executive committee to "raise the issue of Aids in negotiations with Saccola and the state".

The conference also urged unions to raise Aids demands in negotiations with employers

Another important resolution called for all Aids testing to be voluntary and confidential.

Delegates rejected compulsory testing, "noting that pre-employment and pre-training testing is discriminatory".

Testing as a membership condition of insurance and pension schemes was also rejected

Holding that the state had the main responsibility for education, the conference nevertheless carved out a comprehensive Aids education programme, to be run at the "workplace, locals and the regions"

Cosatu education packages will form the basis of the programme, which will seek to train activists to promote Aids awareness

The conference proposed that employers provide facilities for health centres to disseminate Aids information and supply condoms.

Cosatu is also planning to convene a meeting with the National Education Crisis Committee and the South African Democratic Teachers' Union (Sadtu) to discuss Aids education at schools

Noting that "socio-economic factors contribute to the spread of Aids", Cosatu called on the state to upgrade hostels, provide adequate and affordable housing and improve primary health care

Work safety fines rocket

Star 9/7/91

(131)

Staff Reporter

Employers and workers face higher fines from today if they do not comply with safety procedures laid down in the Machinery and Occupational Safety Act.

Amendments to the law, promulgated last week, increase the amount an employer can be fined from R4 000 to R20 000.

Additionally, the fine of R5 a day for each day up to two years in which legislation had not been adhered to has been increased to R100 a day.

Employees who contravene the Act are liable to a maximum fine of R10 000.

National Occupational Safety Association managing director Keith Anderson said that according to the latest figures released by the Department of Manpower, an average of more than three managers end up with a criminal record each day for failing to comply with regulations under the Act

Mr Anderson warned that the responsibility for povidng a safe working environment had been placed on both management and safety representatives

He said that an important new development arising out of the amendment was that safe conditions at the workplace could not be ensured by legislation alone, but would largely be a "self-regulating activity"

Accidents cost South Africa about 2 000 lives a year and 282 000 injuries.

Chemical workers seek improvements

FOCUS 16/7/91

(131)

SHARON SOROUR
Labour Reporter

LETHAL working conditions have prompted chemical workers to seek drastic improvements to the Machinery and Occupational Safety Act, including heavy fines and imprisonment for management who break health, safety and environmental laws.

According to the latest edition of S A Labour News, the Chemical Workers' Industrial Union noted at its recent national congress the industry was lethal to its workforce and the environment.

The union felt safety and environmental factors should form an integral part of industrial restructuring.

It called for economic restructuring to be assisted by nationalising conglomerates and for the future economy to be based on production for the needs of the people, democratic planning and state intervention.

R150 000 lawsuit after man's death

Sowetan 17/7/91

131

By MONK NKOMO

A PRETORIA housewife is claiming R150 000 from her husband's former employers for allegedly denying him proper medical care before his death.

Mrs Julia Makalela's lawyers, in a letter of demand to her late husband's employers, Pretoria Portland Cement, submitted that as a result of the company's negligence, she had suffered loss of support totalling R150 000.

The legal action against the company follows Makalela's death on March 23 this year

Mrs Makalela's lawyer, in his letter of demand, said Makalela became ill on March 15. He complained of stomach pains.

The lawyer, Mr Cyril Morolo, contends that in terms of the company's policy, employees on sick leave remain at the company's premises where they are treated by their employer's own doctors

Morolo said Makalela remained at the company's premises where his condition deteriorated.

The company's doctor, Dr Aboo Baker, inquired about his condition on March 19, he said.

"He was advised by your (the company's) Mr Moolman that he was doing well despite his worsening conditon," said Morolo.

Makalela died on March 23.

Mr CJ Grundling, the company's personnel manager, this week said the company had acted responsibly in arranging the necessary medical attention for Makalela

He said at the time of his death, Makalela was under treatment at the Kalafong Hospital and the cause of his death indicated by a doctor at the institution was kidney and liver failure

R30 000 deadline for frostbite victim

Staff Reporter (131) ARG 17/7/91

IN a race against time, a private detective has been hired to join the search for a former Cape Town fisherman who may lose his claim of up to R30 000 in compensation for frostbite if he is not found by Friday

The missing man, Mr Ngangelizwe Nonope Desmond Mniki, 23, was frostbitten while working in a Taiwanese trawler in the South Atlantic in 1989

He has until Friday afternoon to claim compensation from the Taiwanese government, according to Cape Town Legal Resources attorney, Ms Angela Andrews

Mr Mniki is entitled to up to R30 000 in compensation as part of a R1,3 million deal between the Taiwanese authorities and 36 South African fishermen who lost fingers or were injured by frostbite when working in the refrigerated holds of deepsea trawlers

Taiwan's ambassador in South Africa, Mr I-Cheng Loh, this week "very generously" agreed to extend the deadline for Mr Mniki's claim to 4 30pm on Friday, Ms Andrews said.

"We hired a private investigator at the end of last week to search for Mr Mniki The detective has been working virtually non-stop since then."

She said the detective's investigations had stretched from Pringle Bay on the southern Cape coast, to remote parts of Ciskei

R150 000 lawsuit after man's death

Sowetan 17/7/91 (131)

By MONK NKOMO

A PRETORIA housewife is claiming R150 000 from her husband's former employers for allegedly denying him proper medical care before his death.

Mrs Julia Makalela's lawyers, in a letter of demand to her late husband's employers, Pretoria Portland Cement, submitted that as a result of the company's negligence, she had suffered loss of support totalling R150 000

The legal action against the company follows Makalela's death on March 23 this year.

Mrs Makalela's lawyer, in his letter of demand, said Makalela became ill on March 15 He complained of stomach pains

The lawyer, Mr Cyril Morolo, contends that in terms of the company's policy, employees on sick leave remain at the company's premises where they are treated by their employer's own doctors.

Morolo said Makalela remained at the company's premises where his condition deteriorated.

The company's doctor, Dr Aboo Baker, inquired about his condition on March 19, he said

"He was advised by your (the company's) Mr Moolman that he was doing well despite his worsening conditon," said Morolo.

Makalela died on March 23

Mr CJ Grundling, the company's personnel manager, this week said the company had acted responsibly in arranging the necessary medical attention for Makalela

He said at the time of his death, Makalela was under treatment at the Kalafong Hospital and the cause of his death indicated by a doctor at the institution was kidney and liver failure.

Population explosion will hit Lebowa's agriculture

Sowetan 17/7/91

By MATHATHA TSEDU

THE number of people resident in Lebowa increased by at least 85 000 every year and if the trend continued, land for agricultural use may shrink even further.

This was revealed at a dinner party to mark the end of the Lebowa Population Development Awareness Week held at a Pietersburg hotel.

The bantustan's deputy minister of Health and Population Development, Mr MTD Leboho, said if present population increase trends in South Africa continued, the country would have 134 million people by the year 2040.

It was disclosed that information from all but three hospitals in the bantustan showed that 120 babies were born on July 11 alone, bringing the yearly total to about 85 000.

The resources of the country would not be able to cope with the rapid increase and this would mean suffering for the majority of people, Leboho said.

He said strategies to combat the population explosion still suffered from the politicisation of the measure, as propagated by Government spokesman over 20 years ago

He said the negotiation process about the political future of the country had to put population development high on the agenda as a failure to do that would mean that the exercise agreed on such forums would be rendered unworkable by the sheer force of numbers.

The dinner was part of the worldwide World Population Day, celebrated on July 11.

Miners' compensation 'still racist'

COMPENSATION paid to mine workers who contract occupational diseases is still racially based, says National Union of Mineworkers president James Motlatsi

In a speech prepared for delivery at an Inter-American Miners conference in Bogota, Columbia, Motlatsi rejected the view that apartheid was dead and SA was democratic

He said compensation paid to black miners was far below that of their white colleagues White workers would receive about R49 000 and black workers about R3 400

"In all areas of life black miners still remain oppressed and exploited," Motlatsi said.

Black miners were among the lowest paid in the country and the majority were migrants who lived in tightly guarded hostels and saw their families only once a year

Asked to comment, the Chamber of Mines said legislation governed compensation, with the Occupational Diseases Commissioner the responsible official

Chamber spokesman John Imrie admitted the legislation which fell under the Mines and Works Act had a racial element He said the chamber had repeatedly asked government to have this changed — Sapa.

Our bodies, our lives:

(131)

Women, Health and the Workers' Charter

New Nation (Learning Nation) 26/7/-1/8/91.

Women's health issues were amongst the issues discussed at last November's Cosatu Workers Charter conference This article gives an outline of the health and health-related issues of relevance to women that were discussed at the conference It argues that there is a need for a campaign which focuses specifically on "reproductive rights" An outline is given of the kind of demands that would be put forward in such a campaign The ideas in the article are based on discussions conducted by the author with trade unionists and others

The Cosatu Workers' Charter conference in November 1990 marked an important step towards putting forward clear working class demands for inclusion in a new constitution The debate was lively and contentious Topics covered included the right to strike, the right to take industrial action on political issues, and the participation of unions in state structures.

Issues relating to women's oppression and women's health were discussed in the "Gender Commission" under the heading, "Gender and the Constitution" The word gender was used as a way of showing that the issues raised must be dealt with by men and women.

"Gender" issues and the trade union movement

Although 75% of those at the conference on the whole were male, most participants in the Gender Commission were women But it was encouraging that there was a vocal minority of men who were prepared to take up these gender issues and outline strategies for including these in workers' demands and struggles From unions like SACCAWU (South African Commercial, Catering and Allied Workers Union), involved in the struggles for parental rights and pap smear tests, **it became clear that when women and men mobilise together on gender issues, the union takes on a new strength and confidence.**

It was a male delegate from the CWIU (Chemical Workers Industrial Union) who made the report back from the "Gender Commission" His words were sobering. He reminded male delegates that all too often at trade union conferences, they would smile and snigger when "women's issues" were raised, and these issues would be relegated to the bottom of the trade union movement's list of priorities.

This time there was no sniggering. Delegations supported most of the proposals of the Gender Commission, including the demand for free legal abortions However, opinion was divided on polygamy and lobola, both of which were referred back to the individual unions for further discussion.

Women's health issues in the Workers' Charter

A draft **Workers' Charter** was drawn up and it includes ten basic demands relating to gender. These include demands relating to:

(a) **Violence** - including the right to protection from rape, battery, abuse and harassment.

(b) **Parental rights** - the right to maternity leave and paternity leave

(c) **Health Care** - including (1) the need for state provision of accessible and safe health care; (2) the problems of South Africa being used as a dumping ground for third rate contraceptives; (3) the need for free pap smear tests, (4) the need for an affirmative health care programme, especially for contraception; (5) the need to legalise abortion

There are also demands dealing with marriage, domestic work, work, education, culture, media and gay issues

In addition, there are other places in the draft charter where women and health issues are addressed For example, the section on **"Trade Union Rights and the Constitution"** has a direct bearing on whether or not health care workers, most of whom are women, and other workers in essential services have the same right to strike as other workers One view was that the unions should decide what an essential service is Another view was that it should be defined in the constitution. The matter was referred back to the unions

Under **"Economic Rights and the Constitution"**, the conference discussed a range of issues which also relate to women's (and men's) health For example, a living wage, no discrimination on the basis of sex or race, unemployment benefits, decent housing, adequate health care, parental rights, child care facilities and support, reduced hours of work, extended sick leave, healthy and safe working conditions, recreation facilities, disability benefits and nutrition

A campaign on women's' health

It is clear that all these issues are important. They touch on the need to transform not only health care services but also the appalling social and economic conditions which give rise to widespread poor health among the vast majority of the population These issues need to be taken up together and separately by unions, health workers and communities if the Workers' Charter is to have a meaningful role in the struggle for socialist transformation of our society

Having said this, there are some health issues which have particular relevance for women as women — as mothers, lovers, wives, daughters and sisters These are issues of **reproductive health** contraception, sexually transmitted diseases including AIDS, fertility and infertility, abortion and teenage pregnancy These crucial issues are rarely addressed openly However, they underlie much of the tension, anxiety and frustration of personal life in our society

While the Workers' Charter touches on most, if not all, of the important issues of women's health, it does not offer a focus on which to wage a massive campaign to win some of these demands Our view is that the unions should reach out to various organisations to launch a major **campaign on reproductive rights** as a way of building women's support for the Workers' Charter and working class demands in the Constitution. The Workers' Charter could gain massive support from women all over the country, including the partners of male trade union members.

Typical sex and reproductive health issues

Here is an example of a case representing typical sex and reproductive health issues which are presented daily at surgeries, clinics and hospitals

* Valerie is 23 years old She works in a supermarket and is a member of a trade union She has persistent lower abdominal pain She has a steady relationship with her bboyfriend, John, and they would like to have a child, but she cannot fall pregnant. When she was 15, her mother took her to a doctor to have an IUD (intra uterine device - a type of contraceptive) inserted because she wanted her daughter to finish her schooling and not have a baby too early Valerie had the IUD removed two years ago The clinic suspects her fallopian tubes are blocked and her chances of having a baby are not good

Women, sex and health

The fictitious (invented) case of Valerie illustrates some of the common issues of sexual and reproductive health in our society It also gives the lie to the common belief that sexual illnesses are confined to prostitutes or single promiscuous men In fact, the vast majority of cases of reproductive ill health occur among men and women who are trying to maintain marriages, relationships and jobs.

This case also shows that people have access to very little information when it comes to sexual and reproductive health. Worse still is the lack of information about drugs, contraceptive methods, medical procedures and their potential side effects Medical staff often maintain a paternalistic attitude towards patients and withhold information, on the basis that patients are "ignorant" and "stupid"

The problem is enormous What can be done about it? The proposed Workers' Charter represents the best attempt made so far to push forward issues of workers' rights We feel that these should include rights to control our bodies as a way of extending the fight to seize control of our lives Some tentative suggestions for doing this are outlined below.

Suggested Demands for a popular campaign for reproductive rights

- Surgeries, clinics and hospitals which deal with reproductive health care are currently totally inadequate and understaffed. We need community-based, specialised family planning or reproductive health care units staffed by trained, sympathetic staff and counsellors They should also do popular outreach work in schools, community forums and workplaces Unions, civics and other groups could campaign to have such facilities in their workplace or community
- Safe, affordable contraceptives and full information on their use and side effects. Unsafe contraceptives should be banned.
- Free, or affordable, legal, safe abortion
- Free pap smear tests on a regular basis (at least once every two years) for all women.
- Full and clear information, for men, women and children, about how our bodies function The unions could sponsor the publication of booklets such as **"Our Bodies, Ourselves"** for distribution and sale amongst members, and in schools and communities

Unions, civics, student structures, PTSAs and other groups could campaign for the above as part of the struggle to transform health care towards meeting peoples' needs. Of course, these are only some initial suggestions. We would welcome further ideas on such a campaign.

This article has been adapted from an article by a member of WOSA which first appeared in Critical Health No. 34 in June 1991.

HEALTH

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Stub out workplace smoking – it's risky

Star 26/7/91.

The National Institute for Occupational Safety and Health in the US has recommended that "all available preventive measures" be used to minimise occupational exposure to smoking

Those measures include banning smoking outright or restricting it to enclosed, separately ventilated areas

The agency's report is the first official government statement on the dangers of workplace cigarette smoke

It recommends that employers and unions co-operate to eliminate smoking, establish smoking-cessation programmes and offer workers incentives to stop smoking

SAPA-AP

Diesel fumes linked to lung, bladder cancer

(131)

Star 29/7/91

By Julienne du Toit

Diesel fumes may induce lung and bladder cancer, say researchers.

A major project is now being done to discover to what extent diesel fumes in confined spaces pose a health hazard

Three organisations are involved in the study.

They are the air quality section of the Department of Mineral and Energy Affairs, the National Centre for Occupational Health and the Medical Bureau for Occupational Diseases

Results should be available in six months

A spokesman for the National Centre for Occupational Health said in Scandinavia researchers had found that an individual working in confined spaces with diesel fumes was 2,4 times more likely to contract a lung disease such as cancer

This also applied to enclosed garages where there were diesel fumes, the spokesman said

The soot in the emissions carries suspected carcinogens such as polycyclic aromatic hydrocarbons (pah)

Other poisonous gases such as carbon monoxide, carbon dioxide, nitrous oxides, nitrogen oxide and dioxide, phenol, formaldehyde, aldehyde and benzine are also found in the fumes

It is not known how diesel fumes in open traffic would affect individuals

Rodac diesel injection services executive director Keith da Costa said visible diesel fumes were purely a result of bad tuning or neglected maintenance

Black fumes, which contain the most carbon and soot, were caused by restricted air intake into the engine and the consequent emission of excess burnt fuel

Usually a blocked air intake cleaner or a faulty fuel injection system were to blame, said Mr da Costa

Blue fumes were caused by the burning oil from faulty piston rings

SA firm stubs out smoking

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Star 29/7/91

Own Correspondent

CAPE TOWN — A Retreat company has become one of the first in the country to ban smoking on the premises.

Staff reaction has been mainly positive, according to Bernice Anderson, secretary to the marketing director of the pharmaceutical firm, Parke Davis

"Most smokers, including me, would really like to stop and this is probably a good opportunity You need something to give you that little push"

The smoking ban, accepted at board level, is being phased in over six months. From July 1 smoking was restricted to private offices and a demarcated area of the canteen, but from January 1 next year smoking will be banned throughout the premises

The phasing in period will be launched at all of the company's branches

Marketing director Ian Robertson, who gave up smoking years ago, said "As a pharmaceutical company we are committed to the health care needs of South Africa, and the health care needs of our staff are a logical extension of our duty to society"

Mrs Anderson said at present people who worked in open-plan areas in their Retreat offices were smoking in a small disused office "People pop in there for the occasional smoke, and it really stinks ..I've now stopped smoking at work altogether, because I can't bear the smoking room

"Most people here have welcomed the ban

"People from other companies have told me they envy the ban"

The firm's decision has been welcomed by the Heart Foundation.

SAA considers compulsory crew tests

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Staff Reporter Star 29/7/91

South African Airways will continue to discuss the possibility of introducing compulsory Aids tests for its cabin attendants, a spokesman for the airline said yesterday

This follows disclosures in newspapers that more than 40 cabin attendants may have died of Aids-related diseases since 1983

One of the most recent deaths was that of a man who had continued to serve passengers on SAA aircraft until just a few weeks before his death

Reports said that other airline staff were so alarmed by the situation that they had refused to accept liquid refreshments from stewards unless the containers were sealed

The SAA spokesman said there were ongoing discussions between SAA management and the unions on the subject of Aids tests

In 1989, the SAA Cabin Attendants' Association rejected compulsory Aids testing outright because it was an invasion of human rights and dignity

There was also a fear that disciplinary action would be taken against cabin attendants found to be infected with the Aids virus HIV.

This was unfounded, said the SAA spokesman

"The type of work they do means it is impossible for them to infect passengers and they are therefore not grounded when we discover they are carrying the HIV virus," she said

However, if the attendant contracted an Aids-related illness, he or she would be given other work

SAA employees were constantly exposed to an Aids information campaign, the spokesman said

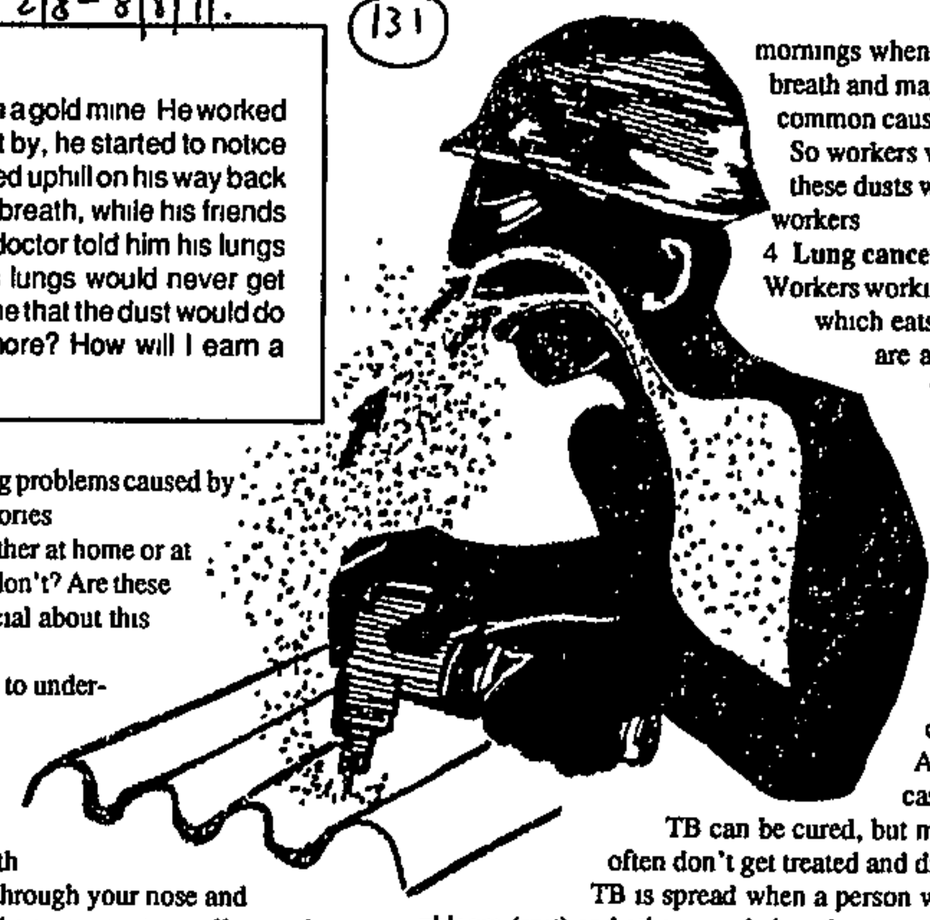
Leon Els, also a spokesman for SAA, said at the weekend that the airline had no idea how many cabin attendants had Aids.

Can lung diseases and TB be caused by work?

New Nation (Learning Nation) 2/8-8/8/91. (131)

A true life story . ..

Jackson Hlongwana worked for many years in a gold mine He worked with a drill at the rock face As the years went by, he started to notice that he got short of breath every time he walked uphill on his way back home from work He had to stop to catch his breath, while his friends walked on So he went to see a doctor The doctor told him his lungs were damaged by the dust in the mine His lungs would never get better Jackson asked, "Why did no-one tell me that the dust would do this? What will happen if I can't work anymore? How will I earn a living?"



Jackson is only one of thousands of workers with lung problems caused by working in dusty conditions on the mines or in factories

You might say, "We all breathe in some dust, either at home or at work But why do some workers get sick and others don't? Are these workers' bodies too weak? Is there something special about this dust?"

In order to answer these questions, we first have to understand how your lungs work

How do your lungs work?

You have got two lungs. They are like sponges with lots of little holes filled with air The air comes in through your nose and mouth Then it goes down the wind-pipe From here the air goes into smaller wind-pipes to reach the little holes and fill them with air It is here that the oxygen is separated out from the air Your blood then carries this oxygen to the heart. Your heart pumps the blood, filled with oxygen, to all parts of your body If your lungs are damaged or the small wind-pipes are blocked, then your body does not get enough oxygen So it can't work properly That is why Jackson was short of breath - his body was trying to make him breathe harder to get more oxygen in order to work properly

How can you tell if your lungs are sick?

Our bodies tell us if our lungs are sick There are many ways in which our bodies talk to us! In Jackson's case, he was feeling short of breath What are our bodies trying to tell us?

1 **Cough:** If dust gets into your lungs, you cough to get rid of the dust. So the cough protects your lungs The phlegm (spit) that comes out can be white, yellow or green If it is yellow or green, this means that there are lots of germs in your lungs If there is blood in the phlegm, this means the blood vessels in your lungs are damaged

2 **Wheezing and tight chest:** Sometimes you can hear the air whistling or wheezing in your lungs while you breathe Usually these attacks start quickly and your chest feels tight and you cannot breathe properly This is because the small wind-pipes have closed up so that air cannot move easily in or out of your lungs It can happen when your wind-pipes are irritated by dust and chemicals that you breathe in at work

3 **Feeling short of breath:** This means that something is wrong with your lungs, or your heart or your blood If you cough a lot and wheeze as well, then it is more likely that your lungs are damaged by dust, chemicals or germs

What lung diseases are caused by work?

These are some of the most common lung diseases caused by working in mines or factories in South Africa

1. Asbestosis and Silicosis

These two diseases are caused by working with dusts such as asbestos or silica dust which goes deep down into your lungs and damages them Asbestos dust is found on the mines or in factories making asbestos products such as roof-sheeting or gutter-pipes Silica is found in gold mines, quarries and foundries Usually workers who have Asbestosis or Silicosis complain of coughing and shortness of breath that slowly gets worse over the years

2 Asthma

This is common among workers who work with cotton, wood or grain dust, or strong chemical fumes, which can irritate the small wind-pipes in the lungs and cause them to suddenly close up Workers complain of wheezing or tight chest. These dusts can cause Asthma in workers who were healthy before If workers already have asthma, dust can make it worse

3 Bronchitis

This is caused by any type of dust such as coal, grain or cotton dust as well as the fumes of some chemicals that irritate the small wind-pipes in the lungs so they get full of phlegm (spit) People with bronchitis cough a lot, especially in the mornings when they get up They also get short of breath and may wheeze Remember that the most common cause of this disease is cigarette smoke So workers who smoke as well as working with these dusts will get sick much sooner than other workers

4 Lung cancer

Workers working with asbestos can get lung cancer which eats up the lungs Chrome and arsenic are also dangerous Usually the person with cancer loses weight, gets weak and short of breath and starts coughing blood Remember that smoking also affects the lungs So workers who smoke as well as working with these dangerous dusts have a much bigger chance of getting lung cancer

5 Tuberculosis (TB)

Tuberculosis is one of the most common lung diseases in South Africa There are at least 50 000 new cases of TB every year A person with TB can be cured, but many people don't know this. They often don't get treated and die because of this

TB is spread when a person with TB coughs up the germ in the phlegm (spit) and other people breathe it in A person with TB coughs for many weeks, sweats at night and loses weight. The disease spreads more easily among people who live in poor housing and overcrowded conditions People whose bodies are weak because they do not have enough money to buy healthy food, are also more likely to get TB

Here are some important tests you can have done at a clinic or a hospital:

- A chest x-ray which shows diseases like TB, asbestosis, silicosis or lung cancer
- A test to look for the TB germ in the phlegm (spit) that you cough up
- A special lung test which shows if you have asthma or if your lungs are badly damaged
- Special skin tests which show if you are affected by a certain dust or chemical

How bad are conditions at your factory?

Here is the chance for you to act as detective There are three things you have to find out.

1 What are your working conditions like?
   a) Is it very dusty? What kind of dust do you work with? Remember that some dusts, like asbestos dust, are so small that you can't even see them
   b) Do you work with very strong chemicals? Can you smell these chemicals? Remember that here are some chemicals that are dangerous even though you cannot smell them

2 Do you wear any protection like a mask while working?

3 Are there other workers who have the same problems as you have? What do they say?

What can you do if you have a lung disease from your work?

For most of these diseases except TB there is no cure So it is important to prevent them You should

- Ask your union to organise a factory inspection to find out more about the conditions at work There are health and safety organisations that do this for unions They can measure the dust or chemicals in the air They can also examine workers to see if they have health problems from work
- Learn more about the chemicals and dusts that you work with and the sicknesses they cause so that you can protect yourself and other workers with a similar problem
- For some lung diseases you can apply for workman's compensation to help you when you cannot work Depending on how badly damaged your lungs are, you may get all the money at once or a pension Most workers don't know that they have this right.

This article was written by members of the **Industrial Health Research Group (IHRG)** at the University of Cape Town

He argued she had been well trained and rehearsed, knew her lines and movements, and was well aware of the shaft on the stage of the State Theatre

There had been enough light for her to see the lift on which she had to exit, Mr Maritz added

State prosecutor D van Wyk said Miss Young had not been sufficiently rehearsed on stage, and the accused should have foreseen that she might make a mistake in such circumstances.

He said it was clear from the evidence already before the court that a dangerous opening had existed in the stage, and that the accused had been well aware of the danger, but did not take sufficient measures to protect actors — Sapa

Court dismisses plea by Pact boss

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Star 31/8/91

PRETORIA — The Pretoria Regional Court yesterday refused an application to dismiss all charges against Performing Arts Council of the Transvaal director Francois Swart and assistant director Michael Williams in terms of the Machinery and Occupational Safety Act

The charges arise from a 17-m fall by understudy Gaynor Young during a 1989 performance of the musical "Camelot" in the State Theatre in Pretoria, resulting in Ms Young being becoming partially blind and deaf

The magistrate, F J Mostert, said two points had to be kept in mind whether the evidence before the court was sufficient to secure a conviction, and whether there was a reasonable probability that defence evidence could contribute to the State's case

After considering these questions, and hearing argument by counsel for the State and defence, it was his opinion the application should be refused, Mr Mostert said.

The trial was postponed to January next year.

Defence advocate S Maritz SC, earlier argued it was incomprehensible how Miss Young could have fallen down an opening in the stage floor, caused by the momentary lowering of a lift

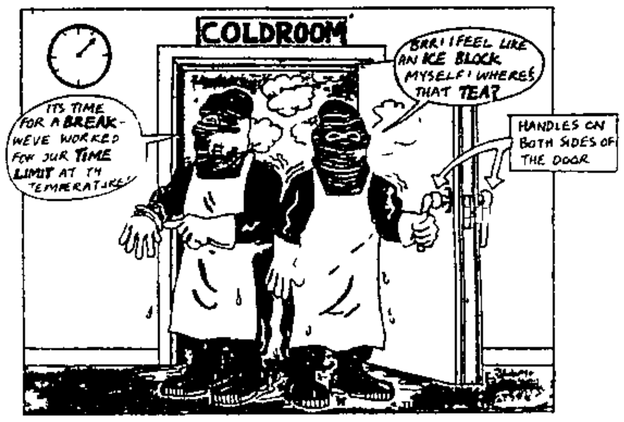
Recognising Workplace Health Hazards

New Nation (Learning Nation) (131)

Every day millions of workers in South Africa put their lives in danger. In 1989, 281 580 accidents were reported by employers. This is a low estimate because many injuries are not reported. This number also does not include slowly developing diseases caused by bad conditions at work.

918 – 15/8/91

The problem with unhealthy work conditions is that their effects are not easy to see and may take many years to show. Also, when the damage appears after many years, it can be difficult to know what caused the damage Therefore it is important for workers to take matters into their own hands before there are problems.



MASA SAYS THAT MANAGEMENT MUST MEASURE THE LIGHT AND PROVIDE THE RIGHT AMOUNT OF LIGHT SO THAT WORKERS HEALTH IS NOT DAMAGED

WORKERS SHOULD ALWAYS HAVE EYE PROTECTION WHERE THERE IS DUST OR FLYING CHIPS ALL SAWS MUST HAVE GUARDS

Classification of workplace health hazards

The different health hazards can be divided into four groups.

1. **Chemical hazards** are caused by working in conditions where there are high levels of industrial chemicals in the air. These workplace air pollutants can be in the form of a gas, a vapour, or a dust. These pollutants are dangerous because they can poison the body, take up the place of oxygen in the air, or they can cause fire or an explosion.
2. **Physical hazards** means exposure to high levels of noise, heat, cold, vibration and radiation. These hazards can do damage to your body and they can affect it in different ways. They can also make you tired and more likely to have accidents.
3. **Biological hazards** are germs which can threaten the health of workers. These germs may be passed from one person to another when you are pricked by infected needles, when you breathe air with germs, or by touching. Biological hazards are found mainly in hospitals.
4. **Ergonomic** (environmental) **hazards** include working in cramped spaces, poor lighting, poor seating, and having to stand for long periods of time. These hazards can result in eye strain, backaches, painful wrists and sore shoulders.

What can workers do?

It is important that workers be fully alert at all times about conditions at work. This can help you to identify unhealthy conditions and to make other workers aware of them before they get sick. To do this, you need to act as detectives.

Use your eyes

- Look out for spilled, open or badly labelled chemicals
- Read labels on chemical containers.
- Look for dust and chemicals on work surfaces

Use your ears

- Listen to the noise level in the plant - can you speak with other workers without having to shout?
- Listen to other workers - are they coughing, having difficulties with breathing?
- Do you get a ringing in your ears at the end of the day?

Use your sense of smell and taste

- Although not all chemicals have a smell, many of them do. Do you smell any chemicals in the air, or is the smell stronger than in the past?
- Do the dust and chemicals bother your nose?
- Do you always get a stuffy nose?
- Do you get funny tastes in your mouth when you work with some chemicals?

Use your sense of touch

- Is the workplace too hot or too cold?
- Do you get wet?
- Does your chest burn when you get close to any of the chemicals?
- Does your body get sore or cramped from the way you have to sit or stand all day at work?
- Do you get dry skin from working with chemicals or wet cement?
- Does your skin burn?

These are examples to give workers an idea on how to go about finding health hazards caused by your workplace

How do you know that hazards are affecting your bodies?

Over the years dangerous substances can slowly damage your body. The body may begin to send messages that something is going wrong inside. Here are some of the messages you may receive indicating that the hazards you are exposed to are affecting your body.

- You may have sicknesses that came on when you started on a certain job For example, when you started using a certain chemical for the first time, you started having headaches, burning eyes and coughing.
- You may find that the sickness gets worse when you are at work and gets better when you are away from work, on holiday, or during weekends The sickness may also get worse as the week goes on
- If many workers in the same department have the same problem, it is likely that the problem is coming from the workplace.

These suggestions do not cover all the effects that you may suffer as a result of working in unhealthy conditions If your body does not send messages to you, **that does not necessarily mean that your workplace is safe.** In many cases, you cannot feel the hazard affecting your bodies. For example, you cannot feel cancer cells growing in your body, you cannot feel early damage to your kidneys, or damage to your sperm or ovaries.

Dangerous substances

If you feel that your health is being affected by the substances you work with, it is important that you ask the right questions to find out more about those substances.

* Ask management what chemicals are used in your factory and what are their dangers
* If you are asked to wear gloves, ear plugs and masks, then you should know that the substances you work with are dangerous Therefore you should find out what it is and what it does to your body.

What can be done about workplace health hazards?

As we have seen, the first step is to become aware of possible health hazards in your workplace The next step is to contact the health and safety organisations which help the unions with health and safety problems. The health and safety service organisations can advise you about unhealthy and unsafe conditions at work. For example, they will know if existing health and safety laws should be protecting you from a particular hazard

Very often the law does not protect workers properly, but health and safety organisations will often be able to suggest other strategies for improving workplace conditions and eliminating health risks.

This article was written for Learning Nation by the Industrial Health Research Group (IHRG) at the University of Cape Town.

Asbestosis sufferers need help

JOHANNESBURG — About 100 destitute people, who worked on a now-defunct asbestos mine in Lebowa, will probably suffer painful deaths from asbestosis, Operation Hunger executive director Mrs Ina Perlman said yesterday

Mrs Perlman said she last week visited Ga-Matabatha village in Lebowa where the asbestosis sufferers — all former employees of the Bewaarskloof mine — live

"I could not understand initially why the women were so often the worst affected, because they were not miners, until I realised that asbestos is mined in slabs and that the women were employed to chip at these to reduce them to fine powder"

Mrs Perlman appealed for help "so that these people can at least know some comfort in their last days and months of life" — Sapa

(131) CTS 5/9/91

Killer mine's owners sought

Sowetan 5/9/91

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By MZIMASI NGUDLE

OPERATION Hunger yesterday appealed to journalists to help locate owners of an asbestos mine responsible for the outbreak of the deadly disease asbestosis among GaMathabatha residents near Lebowa.

Mrs Ina Perlman, executive director of the organisation, said of the dying GaMathabatha residents: "There are men, women, and children.

"They have no compensation, they are destitute In the two years I have visited the area, eight have already died There are another two, at least, who will not see out this year.

Women

"Initially I could not understand why the women were so often the worst affected, because they were not the miners," Perlman said, "until I realised that asbestos is mined in slabs and that the women were employed to chip at these slabs and reduce them to fine powder in this process

"We cannot track down the owners of the mine and, therefore, cannot get information on their employment records."

Union warns

HEALTH MATTERS

Back injuries at work

New Nation (Learning Nation) 13/9-19/9/91 (131)

Back injuries at work are an important issue, because they are so common and cause so much pain and suffering to workers and because they result in loss of earnings for the worker as well as loss of production Many studies overseas have estimated the number of working days lost due to back problems as high as 15 million working days per year and more than 13 million visits to doctors for the same problem In Britain, there are over 6 000 back operations every year In South Africa the number of back injuries at work is very high, but statistics are not available

How is the back injured?

The back is injured when the forces that are applied to the back are greater than the back can bear These forces may be large forces (a jump from three metres) or repetitive small forces that occur over a long period of time (carrying one hundred 20kg bags every day)

Large forces cause quite serious damage which occurs quite suddenly Repetitive forces cause damage which weakens the back over a long period

If a worker sits in a bad position all the time, for example if she is constantly bending over a machine, the muscles and ligaments in the back are under constant strain This may cause damage When muscles or surrounding structures are damaged, they go into spasm and may become rigid This will result in back pain and difficulty in moving However, this will heal with rest If there is no improvement, or if it is getting worse, you must go and see your doctor

The disc is a part of the back which is very commonly injured at work, especially when a worker lifts up a very heavy load Discs are situated between the bones (vertebrae) of the back Each disc has a jelly-like structure inside (the nucleus) which allows it to operate as a shock absorber, like shock absorbers in a car Excessive wear and tear may cause the disc to become weakened in some areas and cracked in other areas When a worker lifts a too heavy load this causes the pressure inside the disc to increase When this pressure is very high or if the disc is weakened, then the disc will rupture When the disc ruptures the jelly-like substance escapes from the disc This substance may then press on a nerve and cause pain or even paralysis. Sometimes a disc will rupture and not press on a nerve Then you will get pain in your back, but it will not go down your leg

The disc becomes harder with age and therefore is injured more easily Repetitive force also makes the disc harder and more prone to injury Other factors which cause increased pressure inside the disc are movements such as bending, carrying heavy weights, sitting badly, etcetera Twisting movements also increase the risk of injury to the disc In fat people, the forces on the disc are even greater, making you more prone to injury

Carrying very heavy loads places very high pressure on the disc, causing it to rupture The forces are increased even more if you bend your back while carrying the load or turn around with the load

Rupture of the disc can be treated with bed rest tablets and physiotherapy, while other cases may require an operation

There are many parts to the back and any of them can get injured It is sometimes difficult to know exactly where the pain is coming from It may come from muscles, ligaments or discs If this problem is caused by overuse, it is called 'mechanical backache' In many cases, the worker feels the pain, but the doctor cannot find anything wrong Of every 1 000 people with back pain, an abnormality will be detected in only one or two patients

Other diseases like arthritis of the back can also cause back pain Some people are born with structural abnormalities of the back and these may also cause backache or make people liable to back problems later in life

The place where most back problems occur is in the lower back because this area moves the most and carries the greatest weight

There are other medical problems which may cause pain in the back These include kidney problems, hernias, lung diseases, prostate problems and abdominal problems

Compensation

As we explained earlier, the doctor may not be able to find anything wrong, even though the worker feels the pain Because of this, the worker will be refused compensation But, if you rupture your disc and require an operation then the compensation commissioner will pay you for time off and medical expenses

How can we prevent back problems?

It is important to look after your back Back problems are very difficult to treat and therefore the best policy is to prevent them Here are a few simple rules to follow in order to protect your back

1 When lifting a weight

Do not bend from the waist when carrying a weight Bend the knees and keep your feet apart and firmly on the ground Hold the weight close to your body and face the direction in which you want to move Use your stomach muscles to give you extra support, and lift the weight using your knees and holding your back as straight as possible Put the weight down the same way that you have lifted it up Do not lift too heavy weights, get somebody to help you Push rather than pull a weight if you have to

2 Standing

When standing, do not arch your back too far forward If possible rest one leg on a foot rest and if you bend your back, bend your knees as well

3 Sitting

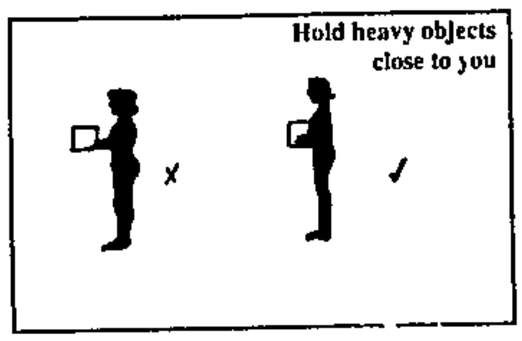
When sitting, keep your neck and back as straight as possible Do not slouch in a chair because this increases the tension on the back Do not sit for long periods Take regular breaks and walk around

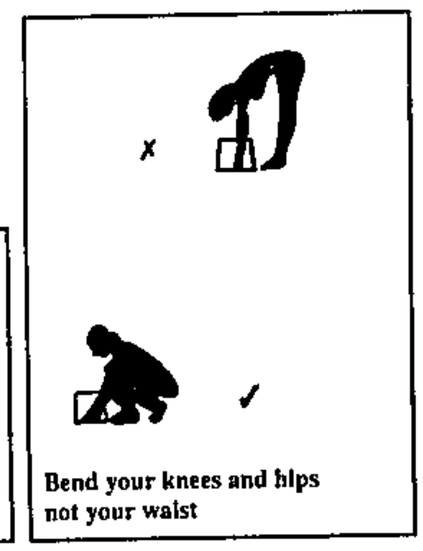
4 Exercise

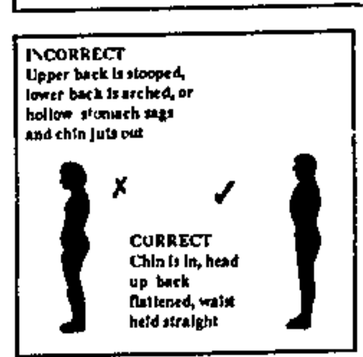
Strengthen your stomach muscles and stretch your back thigh muscles as these will lessen the pressure on your back Also strengthen your back muscles, but make sure you don t strain your back

5 General

Avoid sudden movements, don't stay in any position for too long and don't wear high heeled shoes Try to lose weight and keep fit.







If you follow this advice, you will have a better back and a healthier life

How can we prevent back problems at work?

It is important to take up the issue of better working conditions in the union We have found many workers who have injured their backs at work who have lost their jobs because they cannot work well any more This also makes it difficult to find another job Therefore it is better to fight for better conditions than to be without a job Here are a few of the issues we can take up in the unions

- We must refuse to carry heavy loads If heavy loads need to be carried, then management must get somebody to help or get a machine such as a trolley to help with the carrying
- The union must assess the ergonomics* at work or get some service organisation to help with this This includes an assessment of seating for workers, the types of machines used, if a worker has to stand all day and how his/her work-station is designed, etcetera *(*Ergonomics means proper workplace design The design must make it healthy and comfortable for the worker to work and not strain any part of the body*
- If a worker has a back injury, he/she should be put off work until the injury has healed and then given light duty until fully recovered
- Management must provide adequate training and education to workers on correct lifting and working methods
- We must also fight for compensation to be paid to all workers with back problems which have been caused by work

If you need to deal with this issue, contact your union or a health and safety service organisation in your area

This article was written for **Learning Nation** by the **Industrial Health Research Group (IHRG)** at the Sociology Department, University of Cape Town

metro

Workers ill after chemical plant fire

STAR 25/9/92

By Julienne du Toit (131)

Midrand businessmen are apparently suffering from mild organophosphate poisoning after a fire burnt down a chemical factory in the central business district.

Office workers in one office block less than 50 m away from the factory have been complaining of dizziness, nausea, vomiting, weakness, and skin and throat irritation since Saturday's blaze

Several businesses, consultancies, advertising agencies and printing companies have closed their doors because all their employees are ill.

Others are trying to cope with the smell as the ruins of Rhone Poulenc, the chemical company, are pulled down so as to rebuild the factory

The owner of the office block, Felix Myburgh, said he was investigating pressing charges of criminal negligence against the company, since they had issued a full list of chemicals to the fire department only yesterday.

He said the company was being irresponsible in allowing the demolition work to carry on while there was a strong wind blowing in the direction of the offices

Chief Fire Officer Rassie Engelbrecht confirmed that another list was handed to him yesterday, adding to the list of chemicals that had been given to him on Saturday The lists were being given to experts to analyse

Mr Engelbrecht said many of the chemicals appeared to be organophosphates.

Organophosphates are often used as pesticides, for example the insecticide Parathion — made by Maybaker, which now trades as Rhone Poulenc

Mr Engelbrecht said arson and fire experts were still investigating the cause of the fire at the chemical factory

Rhone Poulenc chief executive Michel Chretien said their products were mostly veterinary pharmaceuticals, and there was only one organophosphate, used to fumigate chicken runs

He said a full list of products and chemicals was possibly not given because power had been lost and the computer could not be used to print out the full database

Occupational safety report

A new occupational safety dispensation for small business sector workers is being considered by Workmen's Compensation commissioner Louis van Aswegen. Van Aswegen said that it was necessary to ensure that the sector "did not become a financial burden through subsidised accident costs in the future". (131)

The small business sector employs 73 000 of the 203 000 workers registered with the accident fund.

W/Mail 20/9/91 - 26/9/91.

Reports from Weekly Mail staff

Girls spray poison for only R4 a day

C/Press 29/9/91 (131)

CP Correspondent

SCHOOLGIRLS are working in terrible conditions for slave wages on timber plantations where chemical poisons are handled without proper protection.

This emerged from a City Press investigation this week into conditions on pine and gum plantations outside the town of Ugie in the north eastern Cape

The forests are jointly owned by corporate giants Anglo American and De Beers and are managed by Mondi Paper Company – which contracts out some work

Mondi representatives, who flew to the area to investigate the allegations, this week expressed concern about the situation

The girls – some only 14 years old – said they worked a full day for a paltry R4

City Press established that children are employed to spray dangerous weed-control chemicals They and other workers said they were not issued with protective masks or goggles when spraying

Local doctor RF Kyd said he could prove a marked increase in throat and chest problems during the spraying season. Workers also complained that the poisons damaged their eyes

Mondi said the poisons were not dangerous.

The girls dig trenches and spray poisons for 14 days in a row and are then entitled to one day off

"But if it rains in the afternoon, we are told we have to forfeit the entire day's pay," said one girl

A 14-year-old girl said she and other under-aged children used their parents' identity documents to get work, It is illegal to employ children under 15 While older workers earn between R171 and R198 a month, the girl said she was paid only R125

The openly hostile manager of Pagen Weed Control in Ugie, Neil Mills, denied that he employed children But just 30 minutes later City Press found a girl, who said she was 14, toiling with one of his labour gangs

Asked what protective clothing he issued to workers during spraying, Mills said "Sufficient for the job"

City Press also inspected the company's worker compound on Glen Cullen farm where 70 workers, mostly women, are housed

There are 10 beds to a room, no privacy and just two zinc basins to do all the washing-up for 70 workers

Washing facilities are cold showers in a draughty corrugated iron structure Winter temperatures often plunge to below zero in the mountainous area When City Press tried to speak to compound occupants, a woman who identified herself as Mrs Wills ordered our correspondent to leave

Mondi manpower resources manager Dr Brian Lucas said Mondi paid its workers a minimum of R290 a month and gave workers food worth R3 a day But this did not mean the company's contractors did the same.

Lucas said Mondi did, however, require contractors not to employ workers under the age of 15 or allow workers to use chemicals in a dangerous manner

Lucas said Mondi would investigate ways of alleviating the social problems of the community The Anglo and De Beers Chairmen's Fund would be asked for support

Labour is showing a spirit of consultation

DEVELOPMENTS on the labour scene during the past year have seen dynamic changes, Sacob says in its annual report released this week.

"The adversarial climate has abated and there is a new spirit of consultation arising out of the successful conclusion of the Saccola-/Cosatu/Nactu accord of last year, which culminated in the Labour Relations Act of May, 1991.

"The past year has seen a continuation of the trend for social policy issues to become part of the relationship between employees and employers.

"This has led to the addressing of issues such as AIDS, a new strategy for urbanisation, health care and social responsibility.

"The supply of skilled manpower to meet the challenge of SA's need for economic growth continues to be cause for concern," Sacob says.

"Changes to manpower policy on a broad front will be to address this problem.

"Sacob is also strongly promoting the closer integration of education, training and career guidance.

"As it is unlikely, however, that a restructured education and training system will meet certain immediate manpower needs, Sacob has proposed changes to current immigration policy designed to encourage those immigrants with qualifications, skills and capital that are needed to come to SA."

No. R. 2562 **25 Oktober 1991**

WET OP MANNEKRAGOPLEIDING, 1981

AKKREDITERING VAN OPLEIDINGSRAAD OPLEIDINGSRAAD VIR DIE DRUK-, NUUSBLAD- EN VERPAKKINGSNYWERHEID

Hierby word vir algemene kennisname bekendgemaak dat die Registrateur van Mannekragopleiding die Opleidingsraad vir die Druk-, Nuusblad- en Verpakkingsnywerheid, Posbus 6776, Roggebaai, 8012, kragtens artikel 12B van die Wet, op 7 Oktober 1991 geakkrediteer het ten opsigte van die Druk-, Nuusblad- en Verpakkingsnywerheid, soos omskryf in Goewermentskennisgewing No R 2339 van 4 Oktober 1991 in die Republiek van Suid-Afrika, en dat al die bepalings van die Wysigingswet op Mannekragopleiding, 1990, geag word op genoemde datum in daardie nywerheid en gebied in werking te getree het

Vakleerlinge en werkgewers van vakleerlinge in die Druk-, Nuusblad- en Verpakkingsnywerheid se aandag word gevestig op die bepalings van artikel 53 (4) van genoemde Wysigingswet, ingevolge waarvan, ten opsigte van elke vakleering wat in daardie nywerheid en gebied op genoemde datum ingevolge 'n kontrak van vakleerlingskap in diens was, die partye tot sodanige kontrakte binne 90 dae na daardie datum, hul keuse aangaande die leervoorwaardes wat op die betrokke vakleerling se verdere opleiding van toepassing sal wees, aan die genoemde opleidingsraad bekend moet maak

No. R. 2562 **25 October 1991**

MANPOWER TRAINING ACT, 1981

ACCREDITATION OF TRAINING BOARD PRINTING, NEWSPAPER AND PACKAGING INDUSTRIES TRAINING BOARD

It is hereby notified for general information that the Registrar of Manpower Training, in terms of section 12B of the Act, accredited the Printing, Newspaper and Packaging Industries Training Board, P O Box 6776, Roggebaai, 8012, on 7 October 1991 in respect of the Printing, Newspaper and Packaging Industry, as defined in Government Notice No R 2399 of 4 October 1991 in the Republic of South Africa and that all the provisions of the Manpower Training Amendment Act, 1990, are deemed to have come into operation in that industry and area on the said date

The attention of apprentices and employers of apprentices in the Printing, Newspaper and Packaging Industry is drawn to the provisions of section 53 (4) of the said Amendment Act, in terms of which, in respect of each apprentice who was employed in that industry and area in terms of a contract shall within 90 days after the said date, notify the said training board of their choice regarding the conditions of apprenticeship which shall apply to the further training of the apprentice in question

No. R. 2567 **25 Oktober 1991**

WET OP ARBEIDSVERHOUDINGE, 1956

MOTORNYWERHEID WYSIGING VAN MICWU-MEDIESE FONDSOOREENKOMS

Ek, Eli van der Merwe Louw, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van 30 September 1991 en vir die tydperk wat op 30 Junie 1992 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of vereniging is.

E. VAN DER M. LOUW,
Minister van Mannekrag

BYLAE

DIE NASIONALE NYWERHEIDSRAAD VIR DIE MOTORNYWERHEID

MICWU- MEDIESE FONDSOOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

South African Motor Industry Employers' Association

en die

South African Vehicle Builders' and Repairers' Association

No. R. 2567 **25 October 1991**

LABOUR RELATIONS ACT, 1956

MOTOR INDUSTRY: AMENDMENT OF MICWU MEDICAL FUND AGREEMENT

I, Eli van der Merwe Louw, Minister of Manpower, hereby, in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from 20 September 1991 and for the period ending 30 June 1992 upon the employers' organisations and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or union

E. VAN DER M. LOUW,
Minister of Manpower

SCHEDULE

THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY

MICWU MEDICAL FUND AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

South African Motor Industry Employers' Association

and the

South African Vehicle Builders' and Repairers' Association

(hierna die "werkgewers" of die "werkgewersorganisasies" genoem), aan die een kant, en die

National Union of Metalworkers of South Africa

(hierna die "werknemers" of the "vakvereniging" genoem), aan die ander kant,

wat die partye is by die Nasionale Nywerheidsraad vir die Motornywerheid,

tot wysiging van MICWU- Mediese Fondsooreenkoms gepubliseer by Goewermentskennisgewing No R 1599 van 30 Julie 1982, soos gewysig en verleng by Goewermentskennisgewings Nos R 2796 van 31 Desember 1982 R 1451 van 1 Julie 1983, R 974 van 30 April 1987, R 1802 van 21 Augustus 1987, R 750 van 22 April 1988, R 252 van 17 Februarie 1989 en R 1755 van 27 Julie 1990

1 TOEPASSINGSBESTEK VAN OOREENKOMS

Hierdie Ooreenkoms moet in die Streke omskryf in die Ooreenkoms gepubliseer by Goewermentskennisgewing No R 1599 van 30 Julie 1982 nagekom word deur alle werkgewers in die Motornywerheid wat lede is van die werkgewersorganisasies, en deur alle werknemers in genoemde nywerheid wat lede is van die vakvereniging

2 KLOUSULE 7· BYDRAES

(1) Vervang subklousule (1) deur die volgende

"(1) (a) Elke graad CA-lid of groep 1-lid van die Fonds wat afhanklikes ooreenkomstig klousule 8 laat registreer, moet soos volg tot die Fonds bydra ten opsigte van elke week diens in die Motornywerheid waarvoor hy geregtig is om vir 23 uur of langer loon te ontvang

(i) 'n Lid wat een afhanklike laat registreer R24,50 per week,

(ii) 'n lid wat twee afhanklikes laat registreer R25,50 per week,

(iii) 'n lid wat drie afhanklikes laat registreer R26,50 per week,

(iv) 'n lid wat vier of meer afhanklikes laat registreer R27,50 per week

(b) Elke graad GA-lid of groep 1-lid van die Fonds wat nie in paragraaf (a) bedoel word nie, moet R21,70 tot die Fonds bydra ten opsigte van elke week diens in the Motornywerheid waarvoor hy geregtig is om vir 23 uur of langer loon te ontvang

(c) Elke graad B-lid van die Fonds wat afhanklikes ooreenkomstig klousule 8 laat registreer, moet soos volg tot die Fonds bydra ten opsigte van elke week diens in die Motornywerheid waarvoor hy geregtig is om vir 23 uur of langer loon te ontvang

(i) 'n lid wat een afhanklike laat registreer R9,20 per week,

(ii) 'n lid wat twee afhanklikes laat registreer R10,10 per week,

(iii) 'n lid wat drie afhanklikes laat registreer R11,10 per week,

(iv) 'n lid wat vier of meer afhanklikes laat registreer R12,10 per week

(d) Elke graad B-lid van die Fonds wat nie in paragraaf (c) bedoel word nie, moet R8,40 tot die Fonds bydra ten opsigte van elke week diens in die Motornywerheid waarvoor hy geregtig is om vir 23 uur of langer loon te ontvang "

(2) Vervang subklousule (4) (a) deur die volgende

"(4) (a) Die bydraes betaalbaar ten opsigte van 'n vrywillige lid wat afhanklikes ooreenkomstig klousule 8 laat registreer, is vir elke week diens in die Motornywerheid soos volg

(i) 'n Lid wat een afhanklike laat registreer R18,20 per week,

(hereinafter referred to as the "employers" or the "employers' organisations"), of the one part, and the

National Union of Metalworkers of South Africa

(hereinafter referred to as the "employees" or the "trade union"), of the other part,

being the parties to the National Industrial Council for the Motor Industry,

to amend the MICWU Medical Fund Agreement published under Government Notice No R 1599 of 30 July 1982, as amended and extended by Government Notices Nos R 2796 of 31 December 1982, R 1451 of 1 July 1983, R 974 of 30 April 1987, R 1802 of 21 August 1987, R 750 of 22 April 1988, R 252 of 17 February 1989 and R 1755 of 27 July 1990

27 July 1990 (131)

1 SCOPE OF APPLICATION OF AGREEMENT

The terms of this Agreement shall be observed in the Regions defined in the Agreement published under Government Notice No R 1599 of 30 July 1982, by all employers in the Motor Industry who are members of the employers' organisations, and by all employees in the said Industry who are members of the trade union

2. CLAUSE 7: CONTRIBUTIONS

(1) Substitute the following for subclause (1)

"(1) (a) Every Grade CA member or Group 1 member of the Fund who registers dependants in terms of clause 8 shall contribute as follows to the Fund in respect of each week of employment in the Motor Industry for which he is entitled to receive wages for 23 hours or more

(i) A member who registers one dependant R24,50 per week,

(ii) a member who registers two dependants R25,50 per week,

(iii) a member who registers three dependants R26,50 per week,

(iv) a member who registers four or more dependants R27,50 per week

(b) Every Grade CA member or Group 1 member of the Fund not referred to in paragraph (a) shall contribute R21,70 to the Fund in respect of each week of employment in the Motor Industry for which he is entitled to receive wages for 23 hours or more

(c) Every Grade B member of the Fund who registers dependants in terms of clause 8 shall contribute as follows to the Fund in respect of each week of employment in the Motor Industry for which he is entitled to receive wages for 23 hours or more

(i) A member who registers one dependant R9,10 per week,

(ii) a member who registers two dependants R10,10 per week,

(iii) a member who registers three dependants R11,10 per week,

(iv) a member who registers four or more dependants R12,10 per week

(d) Every Grade B member of the Fund not referred to in paragraph (c) shall contribute R8,40 to the Fund in respect of each week of employment in the Motor Industry for which he is entitled to receive wages for 23 hours or more "

(2) Substitute the following for subclause (4) (a)

"(4) (a) The contributions payable in respect of a voluntary member who registers dependants in terms of clause 8 shall be as follows for each week of employment in the Motor Industry

(i) A member who registers one dependant R18,20 per week,

(ii) 'n lid wat twee afhanklikes laat registreer R20,20 per week,

(iii) 'n lid wat drie afhanklikes laat registreer R22,20 per week,

(iv) 'n lid wat vier of meer afhanklikes laat registreer R24, 20 per week,

en ten opsigte van vrywillige lede wat nie hierbo bedoel word nie, R16,80 vir elke week diens in die Motornywerheid "

Namens die partye op hede die 19de dag van Augustus 1991 te Johannesburg onderteken

T. NIEUWOUDT,
President van die Raad

C. S. ROBERTS,
Vise-President van die Raad

H. C. L. LOOCK,
Hoofsekretaris van die Raad

(ii) a member who registers two dependants R20,20 per week,

(iii) a member who registers three dependants R22,20 per week,

(iv) a member who registers four or more dependants R24,20 per week,

and in respect of voluntary members not referred to above, R16,80 for each week of employment in the Motor Industry "

Signed at Johannesburg on behalf of the parties, this 19th day of August 1991

T. NIEUWOUDT,
President of the Council

C. S. ROBERTS,
Vice-President of the Council

H. C. L. LOOCK,
General Secretary of the Council

DEPARTEMENT VAN NASIONALE GESONDHEID EN BEVOLKINGS-ONTWIKKELING

No. R. 2551 **25 Oktober 1991**

DIE SUID-AFRIKAANSE APTEKERSRAAD

REGULASIES BETREFFENDE DIE GELDE WAT KRAGTENS DIE WET OP APTEKERS, 1974, AAN EN DEUR DIE RAAD BETAALBAAR IS WYSIGING

Die Minister van Nasionale Gesondheid het kragtens artikel 49 van die Wet op Aptekers, 1974 (Wet No 53 van 1974), op aanbeveling van die Suid-Afrikaanse Aptekersraad, die regulasies in die Bylae hiervan uiteengesit, uitgevaardig

BYLAE

1 In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No R 2235 van 4 November 1988, soos gewysig by Goewermentskennisgewings Nos R 550 van 16 Maart 1990 en R 2476 van 26 Oktober 1990

2 Regulasie 2 van die Regulasies word hierby gewysig—

(a) deur in subregulasie (1) (e) (x) (aa) die uitdrukking "R240" deur die uitdrukking "R252" te vervang,

(b) deur in subregulasie (1) (e) (x) (bb) die uitdrukking "R120" deur die uitdrukking "R126" te vervang,

(c) deur subparagraaf (cc) van subregulasie (1) (e) (x) deur die volgende subparagraaf te vervang

"(cc) wat sy verpligte militêre opleiding ondergaan R63",

(d) deur in subregulasie (1) (e) (dd) die uitdrukking "R60" deur die uitdrukking "R63" te vervang,

(e) deur in subregulasie (1) (h) (i) die uitdrukking "R200" deur die uitdrukking "R250" te vervang,

(f) deur in subregulasie (1) (h) (ii) die uitdrukking "R750" deur die uitdrukking "R1 000" te vervang

DEPARTMENT OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

No. R. 2551 **25 October 1991**

THE SOUTH AFRICAN PHARMACY COUNCIL

REGULATIONS RELATING TO THE FEES PAYABLE BY AND TO THE COUNCIL UNDER THE PHARMACY ACT, 1974 AMENDMENT

The Minister of National Health has, on the recommendation of the South African Pharmacy Council, in terms of section 49 of the Pharmacy Act, 1974 (Act No 53 of 1974), made the regulations set out in the Schedule hereto

SCHEDULE

1 In this Schedule "the Regulations" shall mean the regulations published under the Government Notice No R 2235 of 4 November 1988, as amended by Government Notices Nos R 550 of 16 March 1990 and R 2476 of 26 October 1990

2 Regulation 2 of the Regulations is hereby amended—

(a) by the substitution in subregulation (1) (e) (x) (aa) for the expression "R240" of the expression "R252",

(b) by the substitution in subregulation (1) (e) (x) (bb) for the expression "R120" of the expression "R126",

(c) by the substitution for subparagraph (cc) of subregulation (1) (e) (x) of the following subparagraph

"(cc) undergoing his compulsory military training R63",

(d) by the substitution in subregulation (1) (e) (x) (dd) for the expression "R60" of the expression "R63",

(e) by the substitution in subregulation (1) (h) (i) for the expression "R200" of the expression "R250",

(f) by the substitution in subregulation (1) (h) (ii) for the expression "R750" of the expression "R1 000"

Deafness epidemic threatens SA's mining industry

B/Day 7/11/91 **JEAN LEGER** (131)

MACHINE noise is the most widespread hazard in SA industry and the most common cause of occupational disease Every day noise damages the hearing of hundreds of thousands of industrial workers incrementally — but as surely as our rivers erode the veld

Recently the NUM published a training manual on the hazards of noise The manual has sparked off an important debate between the Chamber of Mines and the public, highlighting the need for action on a health problem that concerns most industrial workers, both black and white Chamber spokesmen have made misleading responses which prompted this broader perspective

Noise is an insidious threat to health Your hearing can be destroyed by noise, yet you will feel no pain as this happens By the time you realise you are going deaf, it may well be too late The emotional consequences for those affected are devastating They become increasingly introverted and socially isolated

The worst noise offenders are the mines Almost all underground miners work in noise levels above 85 decibels, the supposed "maximum" according to the regulation In fact, noise surveys conducted by the chamber in the '80s concluded that of 28 underground occupations in the gold mines, only one group was exposed to less than 85 decibels!

Twenty-three of the 28 occupants exceeded 90 decibels Note that noise levels increase exponentially, so 88 decibels are twice as loud as 85 decibels, 91 decibels are four times as intense, and so on Some 60 000 to 80 000 pneumatic rock drill operators are exposed to the highest noise exposures of over 110 decibels

At these levels, one in every two workers will suffer a hearing handicap in only 10 years of work. The stabilisation of the migrant labour workforce — the development of the so-called "career miner" — will result in an epidemic of noise-induced deafness unless concerted action is taken

In 1986 the NUM commissioned a scientific survey of the hearing loss of drillers which confirmed the serious consequences of these intense noise levels With the co-operation of Anglo American mine managements, hearing tests were performed on a random sample of 285 drillers' assistants at three gold mines A staggering 68% of those drillers who had worked for more than 10 years had a hearing handicap

The legal limit of 85 decibels is not a safe level despite the claims of the chamber The SABS code of practice calculates that one in 10 workers exposed at this level for 40 hours a week over a working lifetime of 40 years will suffer a noise-induced hearing handicap Similarly the British standard, which uses a different definition of hearing handicap, calculates that 7% of workers will suffer a hearing disability at this level

Rather than focus on the need to reduce noise at source, the chamber has developed an elaborate hearing conservation programme which concentrates on how to test the hearing of miners and providing ear plugs The 122-page manual for the programme has only four pages devoted to noise control engineering!

Moreover the approach to hearing tests advocated by the chamber hearing conservation programme and the regulations is outdated. The current approach is rather like locking the stable door after the horse has bolted. Only permanent losses in hearing are measured so action can be taken only when the worker has suffered hearing loss

It would be better to test for temporary threshold shifts — the short-term loss of hearing experienced after exposure to loud noise Temporary shifts are a more sensitive indicator of hearing damage taking place If temporary threshold shifts occur, then this shows that noise levels are damaging workers' hearing and that the hearing conservation programme is ineffective.

Only a small proportion of those who are deafened by industrial and mining machinery noise are compensated The figures for the few workers who are compensated are never published, so the epidemic of noise deafness remains invisible

A mine survey performed at Rustenburg Platinum Mine in 1983 — the only one ever published — highlights this After eight miners at the mine were found to have noise-induced deafness in 1982, the whole workforce was tested The survey concluded that 307 of the mine's 12 000 strong workforce were so deaf that they were eligible for compensation Without the survey, fewer than one in 30 eligible workers would have been sent forward for compensation

The chamber claims it is making extensive efforts on an engineering level to combat noise, and cites as an example the development of the hydraulic rock drill to replace the noisy pneumatic drill.

Unfortunately, these claims are overstated Several inquiries I made last year — to mining houses and the Chamber of Mines Research Organisation — seeking examples of noise reductions, elicited no tangible information

The hydraulic drill was developed because pneumatic drills were energy inefficient and ineffective for drilling the fractured rock of ultra-deep mines It just so happened that the hydraulic drill proved to be 10 decibels quieter But the hydraulic rockdrill at 105 decibels still represents a major noise hazard and the chamber needs drastically to reduce its noise levels Moreover, in practice only a small proportion of pneumatic drills have been replaced and most gold mines will continue to use pneumatic drills for the forseeable future

The neglect of developing a quiet rockdrill means that the country has missed an important economic opportunity to exploit the great international demand for a quieter pneumatic drill SA has some of the world's largest manufacturers of pneumatic drills If more management had insisted upon a silenced drill and supported its development, the drill would have found a ready export market Instead we have remained a technology colony reliant upon overseas designs and licences.

Machine noise is the scourge of modern industry Hearing plugs and hearing tests will seldom resolve the problem Hearing protection is uncomfortable, causes ear infections and is not nearly as effective as manufacturers claim

Miners involved in underground drilling face serious health hazards from machine noise.

Because of the way in which noise damages hearing, even if hearing protection is worn 90% of the time and not all the time, the protection effect is largely lost. As a start to tackling noise, a commitment is required from employers to reduce noise levels at source rather than rely on hearing protection which can only be a temporary measure

Noise control is most effective at the design and construction stages of plant and machine development. Thus in buying new machinery, it is critical that employers include safe noise limits as part of their purchasing specifications Finally, the appropriate state bodies, in particular the departments of Health, Manpower and Mineral and Energy Affairs need to commission research to reduce the high noise levels in SA workplaces

☐ Leger is a research officer at Wits University's Sociology of Work programme.

Computers will now help prevent accidents at work

S/Times [CM] 10/11/91 (131)

ACCIDENT prevention and health in the building and allied industries have taken a big step forward with the launch of NOSAINFO, a computerised information system

The managing director of NOSA (National Occupation Safety Association), Mr Keith Anderson, said the system would enable safety-conscious firms to access a comprehensive data base covering safety areas of greatest importance to the user

"NOSAINFO covers the 5-star MBO safety and health management system that has enabled South africa to become one of the safest working environments in the world," he says "Computerising the system again keeps us on the leading edge of implementing safety

"The system does away with an enormous amount of paperwork, streamlining the safety practitioner's task while providing the company with a very cost-effective programme"

NONSAINFO offers the user a grading, auditing and safety standards system producing a self-audit which uses the same questionnaire and report of deviations as a NOSA representative This will enable users to concentrate on problem areas before official grading — essential to achieving a star status

The system covers injury statistics, which can be updated by pressing a key and statistics on a company for up to eight years past

It can be accessed 24 hours a day, seven days a week through Beltel using a Beltel terminal or a PC modem

■■■■■

THE first phase of the latest refurbishment of the 92-year-old Mount Nelson Hotel is nearing completion by Gordon Verhoef & Krause (GVK)

They have been at work for several months on the Blue Room (the hotel's conference centre) and the east wing

In both cases the roof tiling had to be replaced with new slate-type fibre cement tiles

Windows, window putty, gutters, shutters and ridge coping were refurbished and, at the conference centre, replaced in some places and the entire facade repaired and repainted in the Mount Nelson's well-known pink.

The shutters, window surrounds and balcony slabs have been painted in grey-blue with the window frames in pure white

A GVK spokesman said the architects, Derik Hensta & Partners, had retained the hotel's character and atmosphere

The next phase of the refurbishment will be tackled after the summer holiday season Most future work will continue to be done in winter

Four cottages on the hotel's Sydenham Terrace have been refurbished at a cost of R2,5 million

Healthy workers

131

LACK of primary health care in the work place has led to a crisis in SA, causing unnecessary absenteeism and death

The new Primary Health Care Project, launched in conjunction with the Department of Health and the Epidemiological Research Council, plans to tackle the problem

There are about 700 health care projects in SA, all of which need visual material to do their jobs properly Health Care Project offers a set of eight video modules in English, Xhosa, Zulu and South Sotho S/Times (BUSS)

Businessmen are offered a set for R4 700 For each set they buy, they will be given a second one which they can give to a clinic of their choice with their logo embossed on the cover 17/11/91

Employer responsible for worker's poisoning

(131)

S/Times 24/11/91

By CHARLES LEONARD

FOUR years after the death of chemical worker Eric Nhlapo, a magistrate has found his employer responsible

Mr Nhlapo, 21, at the time of his death, died of organo-phosphate poisoning, while working at the Agroserve factory in Springs

Evidence at the inquest hearing was that on the morning of May 12 1987, Agroserve chief Willem Pienaar noticed organo-phosphate leaking from a big hole in a drum in the factory warehouse He called Mr Nhlapo and told him to transfer the poison from a tap in the drum to smaller containers.

It was not known whether Mr Nhlapo took off his protective mask when he performed his last job for Agroserve. However, a representative of the Department of Manpower told the court that the masks were inadequate.

About two hours after the transfer of the organo-phosphate, Mr Nhlapo started vomiting and said that he was feeling weak.

Later he was admitted to the Far East Rand Hospital, where he died a few days later

Now, four-and-a-half years later, magistrate Mr IM Potgieter has found Mr Nhlapo's employer responsible for his death

A copy of Mr Potgieter's finding was sent to the Transvaal attorney-general for further investigation and possible prosecution

Nhlapo family lawyer Barbara Adair said "It happens very seldom that a magistrate makes such a damning finding"

AIDS losses may be 1% of GNP — study

DAVE LOURENS

AIDS could cost the SA economy 2,5-million working years by 2005, but losses could be restricted to as little as 1% of GNP, a study by Wits University's Centre for Health Policy predicts.

The centre's director Cedric de Beer said while AIDS would have a negative effect on the economy, it would not be as significant as factors such as levels of political violence or the degree to which constitutional negotiations succeeded

Senior research officer Max Price said the economy would be hit by direct costs in health care services and indirectly from productivity losses

B/Day 28/11/91 (131)

Up to 900 000 of the lost working hours could be recovered by replacing AIDS sufferers with labour drawn from SA's pool of unemployed people. If all unskilled workers and 50% of semi-skilled workers could be replaced from the ranks of the unemployed, the impact of AIDS on GNP could be kept to 1%. If all unskilled but no semi-

☐ To Page 2

AIDS

B/Day 28/11/91 (131)

☐ From Page 1

skilled sufferers could be replaced, losses to GNP would be closer to 1,5%, Price said

The impact on health care services was likely to be far more pronounced The cumulative cost of AIDS-related health care between now and the year 2000 would be between R14bn and R30bn Total health expenditure for this year was R12bn, of which less than 1% was AIDS-related

Price said it was vital to establish appropriate precedents for the treatment of AIDS sufferers It was possible now, while the number of sufferers was low, to treat sufferers with high-cost medicine but this would not be feasible once the number of sufferers increased

The study predicted the epidemic would reach its peak in 2005, when about 18% of the adult population would be infected This allowed for a significant change in sexual behaviour once large numbers of people began to die from AIDS

Adding insult to work injury

C/Press 1/12/91

(131)

By ELIAS MALULEKE

WORKERS have accused a multimillion-rand Pretoria steel firm which employs more than 400 labourers of unfair labour practices and exploitation

But the directors of A-Leita Steel Construction in Waltloo, Silverton – A Leita and his two sons Claudio and Franco – have avoided speaking to City Press about the accusations

Workers claim several of them are injured every month because of unsafe working conditions, particularly during construction of steel beams to support highrise buildings

Workers claim that although they are injured on duty and have medical certificates, they are not paid for being off sick

They also say seriously injured or crippled workers are dismissed

Some of the workers are allegedly Mozambican refugees recruited in Nelspruit and brought to Pretoria

The workers say they are not allowed to join any union

It is alleged that when workers tried to join a union earlier this year, several workers identified as "leaders" were fired, and others were warned they would go the same way if they tried to form or join a union

It is also claimed that some workers injured on duty and crippled are taken to a farm owned by A-Leita directors in Nelspruit and made to work there Their contracts are then terminated before they can be compensated for their injuries

One of the workers, Elliot Mathebula, 42, said he spent six months without any pay after he was injured at work and has not yet been paid money due for being off sick

He says his left leg was broken in three places after a steel beam fell on him in October last year

He says he spent two months in hospital and four at home, but was not paid a cent during his absence "I have also not been compensated for my now crippled leg and I have been tipped off that I was about to be fired"

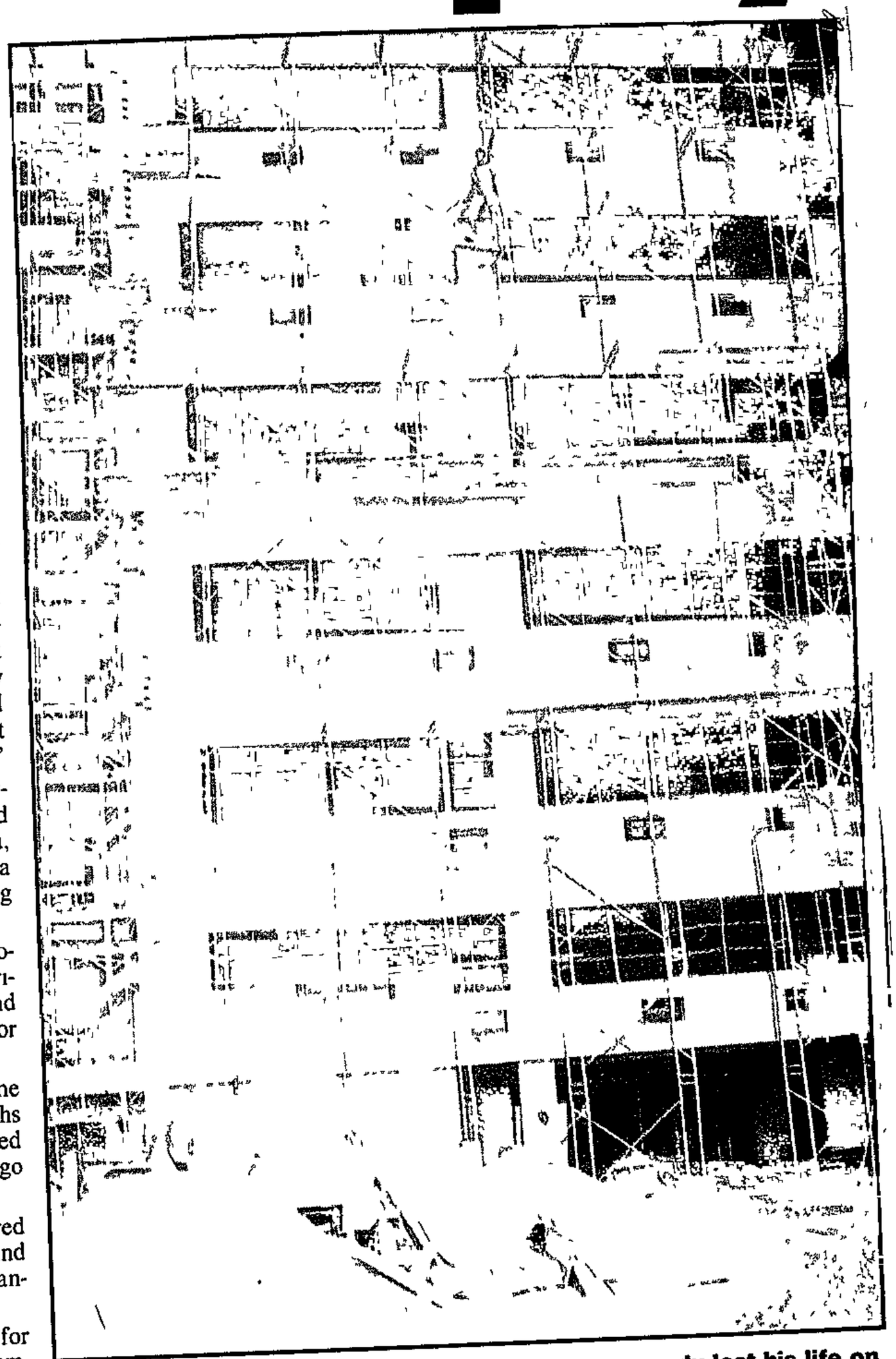
Another bitter employee is Nelson Richard "Iron Man" Shabangu, who in August fell from a fifth floor building during construction work

The 23-year-old Mozambican sustained serious injuries in the fall and was kept in hospital for more than four weeks

After sitting at home for more than two months without pay, he returned to work two weeks ago and was fired

City Press has referred his case to lawyers and the Department of Manpower in Pretoria

City Press has tried for four weeks to get comments from company directors without success



DOUBLE TROUBLE ... Nelson Richard Shabangu nearly lost his life on this site. Now he's lost his job. ■ Pic: ANDRIES MCINEKA

Prosecute the company, says inquest court

W/M. ail 6/12-12/12/91.

(131)

By DREW FORREST

IN A highly unusual finding, an inquest magistrate has recommended the prosecution of a company after the work-related death of an employee

Lawyer Barbara Adair, who represented the worker's family, said she knew of no precedent for the finding. It was of particular significance for the chemical industry, she said, where workers were at much higher risk than in most other sectors

The finding, in the Springs Magistrate's Court this month, was the climax to a four-year battle by the family and the Chemical Workers' Industrial Union to have the inquest re-opened An informal inquest was held without the family being notified

It followed the death on May 18 1987 of Eric Nhlapo (21) after exposure to deadly organophosphate poison at Agroserve on the East Rand, a fertiliser manufacturer According to Adair, Agroserve has been renamed Farm Machinery, now a large Durban-based firm

Ruling that the safety equipment at Agroserve had been inadequate and rarely checked, magistrate IM Potgieter found Nhlapo's death to have been the result of negligence and recommended the prosecution of the company and its manager, W Pienaar If the Attorney-General decides to prosecute, they could face culpable homicide charges

The magistrate also took a startling tilt at the Manpower Department's safety inspectorate, saying its conduct in respect of Agroserve indicated a lack of discipline and supervision and was cause for extreme concern.

'Vision needed in medical services'

Sowetan 6/12/91 (131)

Access vital to health system

By MOKGADI PELA

OVER the past 15 years a number of authorities have lamented the inadequacy of occupational health services in the country.

Yet the solution is plain - worker access to a comprehensive health system

This is supported by two recent South African articles that have proposed models for occupational health services

Myers and Macun look at the organisation of services on a national level.

Throughout the world attempts are being made to improve equity and efficiency in health care by providing comprehensive care through primary care teams in community health centres that are close to work or home.

To be most effective, however, primary care needs support from, specialist services In common with other special areas of health care, such as mental health, child health or rehabilitation, occupational health is at present cut off from general health care, rendering the service fragmented and inefficient.

An article in the latest issue of the *South African Medical Journal* says comprehensive care requires that prevention be linked to cure Occupational health and safety emphasises prevention of work-related injury and disease by improving the working environment.

But workers - like everyone else - want easy access to a service that offers relief symptoms They want a cure. Preventive services, aimed at avoiding risks of events in the distant future, are unlikely to win popular support and co-orperation if injuries and disease are not diagnosed and treated.

Curative services have the further advantage of repeated contact with individuals, allowing ongoing surveillance, and early detection of occupational disease

Detecting disease, whether through screening examinations or individual consultation, helps target preventive action. Preyentive measures, such as industrial hygiene, can have a substantial impact on public health, but this can only be realised with sufficient resources

This continual welding of preventive and curative functions requires special skills Despite growing public awareness of work-related diseases, most doctors usually fail to take an appropriate occupational history, lack a rational diagnostic approach, and are unfamiliar with criteria and procedures involved in compensation claims.

Providers of primary care need to consider work-related causes in relation to many diagnoses, especially concerning malignant disease and illnesses of the respiratory, dermatological and nervous systems

Occupational health practice requires particular abilities, such as history taking -'with a knowledge of typical hazardous exposures in each occupation.

Health worker training programmes in South Africa need more emphasis on work-related disease Primary care professionals, whether family doctors or nurses, need to be aware of how their patients' health is influenced by the social, physical and occupational environment

In addition, there is a need for more and improved training of occupational health physicians, workers, factory inspectors and industrial hygienists The goals may best be implemented in training institutes that have close links with occupational health services, so that learning is based on practical experience.

The SAMJ argues that these demands are not Utopian If health services are to be extended to those who need them most, with a greater emphasis on prevention, then occupational health should be accommodated

The suggested changes are feasible and affordable. But in this field South Africa needs vision and determination.

Mrs Thembi Khumalo of Orlando West receives the key of the door from Mr Colin Nxumalo for the new King Korn hut she won. Mrs Khumalo, who was surrounded by friends and well-wishers at the presentation, also won hundreds of rands worth of groceries with which to start her own business There were nine other winners in the contest.

AIDS AT WORK
A BUSINESS TIMES FEATURE
MARCH 1, 1992

(131)

Much has been written about AIDS in recent months and World Aids Day on December 1, again highlighted the ramifications of this disease for all South Africans.

One particular area which the Sunday Times feels needs to be written about in greater depth is AIDS as it affects the workplace. S/Times (BUSS) 8/12/91

Just what are the considerations that must be borne by both the employer and the employees? What are the responsibilities of each and how best can attitudes be positively formed?

This feature will be written for Sunday Times Business Times. Our writer will cover such topics as:

- ★ Essential information that guides company policy on AIDS — what are the facts about the disease, is pre-employment testing desirable or necessary;
- ★ Practices that spread AIDS in the workplace and methods of prevention;
- ★ Discrimination, prejudice and misconceptions;
- ★ AIDS education and creating an awareness;
- ★ Company policy for managing AIDS-related problems;
- ★ Medical aid, pension and provident fund contributions;
- ★ Insurance and life assurance;
- ★ Economic implications, health services that can be contacted for further information, guidance and counselling.

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Paralysed man sacked, evicted

Sowetan 11/12/91 (131)

Crash victim needs home

A PARALYSED Soweto man has claimed he was sacked and evicted from his company house without compensation after working for the company for 13 years.

Mr Isaac Ntongolo (41) who worked for Village Reef Gold Mine, an Anglo Vaal subsidiary, was in a car accident in September 1989 which paralysed him

Operation

He underwent a spinal cord operation at Rand Mutual hospital and spent a year in hospital

"They said they could not do anything because I was not injured at work," Ntongolo said

"They said they had spent R70 000 on the wheelchair and medical expenses and that there was nothing left for me

"Later I was told to leave the company house because I was no longer working I refused to move until they forced us out There was nowhere I could go I cried a lot when I remembered how faithfully I worked for the company for such a long time," he said

Village Main Reef Gold Mine personnel officer Mr Dion Badenhorst said his company did all it could to help Ntongolo.

"We bought him a R10 000 wheelchair, paid R70 000 for medical expenses and gave him R3 000 for a house deposit," he said

He said Ntongolo stayed in the company house free for two years after the accident

"There was nothing further we could do because he was not injured at work," he said

Today Ntongolo, his wife and three children temporarily live in a "house" about the size of a train compartment

There is virtually no space for anything other than his bed They do their cooking in the adjoining house

Pension

Their only source of income is the R235 Government pension he receives each month

Sometimes the Soweto Association for the Physically Disabled gives him food packages His wife does not work

"What we need more than anything else now is a place of our own where we will not bother anybody," Ntongolo said

Safety ruling to protect workers

S/Times (CM) 15/12/91.

(131)

By FRED ROFFEY

THE campaign for environmental awareness and action is being tackled vigorously on several fronts — including the government, trade unions, Cape Town City Council and leading Cape businesses and retailers such as Pick 'n Pay

The latest government move is a ruling by the Department of Manpower on the Machinery and Occupational Safety Act, which places responsibility for worker safety in the hands of employers and manufacturers of personal protective equipment

"In the past an employer could purchase inferior equipment and not be held directly responsible for industrial-related diseases," said Ivan Pretorius, technical affairs specialist at 3 M's occupational health and environmental safety division

"Now he has a duty not only to identify the need for protection but to train his staff adequately

3 M, one of South Africa's major producers of respiratory protective equipment, has criticised employers, manufacturers and suppliers, saying they often failed to identify adequately the type of protection needed for workers, used inadequate equipment which did not give proper protection and did not train workers correctly in the use of protective equipment.

"Approximately R1,5-million was paid out to workers under the Workmen's Compensation Act during 1988 as a result of respiratory problems generated by various contaminants including silica, asbestos, mercury and cotton dust," said Mr Pretorius

"These costs were caused by unsafe working conditions and exclude loss of productivity

"The employer is now compelled to specifically identify the nature of contaminants in the workplace, and the manufacturer and suppliers now has a duty to guarantee the level of protection that his product claims to give

The move has been welcomed by trade unions

They point out that workers benefit directly from the ruling by the Department of Manpower, as they are assured of adequate protection and have legal resource against employers who fail to supply correct protection

The wider issues of environmental awareness include vigilance to ensure that a healthy balance is maintained between the need for economic growth and the need to protect a natural and historically built environment, as in the Cape

The watchdog body that fulfills this role in Cape Town is the City Council's Environmental Advisory Committee, which includes not only councillors but representatives from a wide range of professional and other interested bodies, including the Cape Town Chamber of Commerce

The objects of this committee are to consider, report upon and make recommendations to the City Council concerning important matters of environmental and aesthetic significance

One of the companies in the forefront of preserving Cape Town's environment is Pick 'n Pay

Its chairman, Raymond Ackerman, has become a member of the Geneva-based Business Council for Sustainable Development, an international body on which sit 50 chief executive officers of major companies. He represents the Southern Africa region and is one of four African members

The committee is paving the way for the biggest environmental get-together ever — the United Nations Conference on Environment and Development called Earth Summit '92, in Rio de Janeiro next June

Mr Ackerman has been invited to attend the conference, and his friend, Maurice Strong, who will be secretary-general of the conference, emphasises that what's good for environment can be good for development and business

Mr Strong points out that Japan has the toughest air and water pollution regulations of any country, so forcing companies to become environment and energy conscious

Now they use only half the energy per unit of production that the USA uses, which gives them a comparative advantage of at least five percent on energy alone

South Africa is also becoming aware of energy saving as a new competitive edge

Johann Basson, manager of electricity and energy efficiency at the National Energy Council, estimates the country's industrial, mining and commercial enterprises could save up to R1-billion a year by using energy more efficiently

One of the first steps in this direction is a two-day international congress next year on June 8 and 9, organised by the Southern African Institute of Energy, where the business sector will disseminate information and use case studies on energy efficiency

FM 20/12/91 (131)

LIABILITY COVER (131)

Loaded dice FM 20/12/91

Courts are coming down harder on contraventions of the Machinery & Occupational Safety Act Punishments may seem nominal but the implications are far-reaching A conviction could leave a director with a criminal record and expose the company to expensive litigation

In a recent case, in which two men fell to their deaths when a poorly welded joint on a man-cage broke, the cômpany concerned and general foreman were fined

The limit was recently increased to R20 000 PFV risk management consultant Ken Thom says this is "a clear indication to the courts that stiffer penalties are required and it can also be interpreted as a directive to the inspectors for strict enforcement of legislation "

There have been several out of court settlements recently in excess of R1m arising from civil suits

With the cost of liability cover rising, many companies consciously self-insure to some extent That means tightening risk management programmes For both moral and financial reasons, says Thom, no employer can be casual about safety

continue

FM 20/12/91 (131)

Latest annual figures for Workmen's Compensation (which covers only lower-paid ranks) list 247 339 industrial accidents, 1 762 fatalities and compensation of R290m That, argues Thom, is only the start of the tragedy "Unsafe working conditions create a whirlpool with far-reaching effects " ■

MY SECRET BLINDNESS

S/Times 1/12/91 (131)

Keep your mouth shut, they said

SIX years ago Sheila Schoeman was paid R52 000 and, she claims, she was told to keep her mouth shut about how she was blinded at work

Now the 35-year-old woman, whose family are living in poverty, has spoken out for the first time

Sitting in her small dilapidated home, the young mother of four wept as she told of the "raw deal" she got after she lost 90 percent of her vision.

She was one of four employees at the world-famous Onderstepoort Veterinary Research Institute who lost their sight and health after handling a vaccine for African horse sickness

The first victim, Mr Ernst Jordaan, 35, a father of three, worked as a veterinary technologist at Onderstepoort when he became ill with flu-like symptoms and raging fevers in February 1982.

Coma

"For six weeks I was in a coma Twice during this time my wife Susan called a priest to my bedside as they thought I was going to die," said Mr Jordaan.

But he survived and when he opened his eyes for the first time, found he was blind

Three years later a desperately ill Mrs Schoeman also went into a coma after suffering similar symptoms

"I was out for two weeks and, when I came round, I was blind. I was admitted to an isolation ward at the HF Verwoerd hospital because no one knew what was wrong with me. I cried so much. I just could not come to terms with my blindness"

Then in January 1989 Onderstepoort packer Mrs Louise le Roux, 28, whose daughter was only a month old, also became ill

After a week in a coma she suffered brain damage and lost the sight in one eye. Four months later colleague Mrs Ilse Janse van Vuuren, 33, a laboratory technician became desperately ill.

For two weeks she was unconscious and when she came round she was blind in one eye and had lost 70 percent vision in the other

She also has brain damage and is unable to remember any childhood or day-to-day events.

Mrs Schoeman said she began working at the Onderstepoort Veterinary Research Institute in 1983.

"I used to put the lids on the flasks of highly concentrated dried vaccine before they went into the machines to be sealed,' she said.

"At least 50 flasks broke a day and we were inhaling the vaccine dust."

Onderstepoort admitted that the vaccine was to blame.

"The director Dr Daan Verwoerd, called the three of us into his office one day,' said Mrs Schoeman.

"He told us it was the horse vaccine that had caused our problems and that we were to be compensated.

They gave me R26 700 for my eyesight and R26 000 from the Accident Commission. I remember Mrs van Vuuren only got R12 500 and Louise was given even less.

"They also told us not to tell anyone. We had to keep the cause of our blindness a secret. We all agreed and accepted their compensation, but now we realise that we got a raw deal.

Burden

'We were all cheated. I get two pensions which total R1 200 a month and my husband Gert brings home R900 We cannot survive like this and I am an added burden because I cannot see.

Dr Verwoerd has publicly said that they paid for all our medical expenses. This is not true. It has cost us over R20 000 for my hospital fees and my husband's medical aid only paid a certain amount.

"But we are left with the expenses of all the other eye operations I have had over the past few years," she said.

Dr Verwoerd said the state had accepted responsibility for the four workers and that they were fully compensated by the Workmen s Compensation Commissioner

He said the commissioner had assured him that all medical costs had been paid even in respect of the cases which were diagnosed later

"The claim about the women being sworn to secrecy is unfounded We asked them not to talk to other workers until we had completed the investigation in order to prevent panic.

"Two of the people involved have sought increased compensation by means of a law suit against the commissioner The case is pending."

Mr Jordaan who lives in Pretoria North, said he deserved an increase in compensation.

"I was in London studying to become a physiotherapist when I got a call from Onderstepoort in 1989

"They told me they had discovered that it was the African horse vaccine that had blinded me.

"They paid me about R50 000 and I get about R800 a month disability pension, but this can never compensate for the loss of my eyes.

Debts

"I went to London to become a physiotherapist. It is one of the few places where the disabled can be properly trained. I had to pay for my family Soon after I went blind I was transferred from Onderstepoort to Hospital Services and, for the eight years since my illness, they have frozen my salary I do not get any increases.

"I have to feed my family and pay off study debts. I have also had to pay all my own medical expenses which amounted to well over R20 000

"All I want is an increase in my payout and I have now instructed a lawyer to look into the matter for me."

Mrs Janse van Vuuren has also taken legal steps, but she said no amount of money could ever change the devastation to her life

By JOCELYN MAKER

BRAIN DAMAGED Ilse Janse van Vuuren and her son, Andre

LIVING IN POVERTY blind Sheila Schoeman a mother of four who says she was given a raw deal Pictures SUE KRAMER

INDUSTRIAL ACCIDENTS & HEALTH

1992

Stop smoking, and we'll cough up R500

STAR 3/1/92 (131)

From January 1992 employees of a top pharmaceutical company start a smoke-free working life at their head office in Cape Town

No smoking will be allowed on the firm's premises

Now another Cape-based company has joined the anti-smoking campaign by offering its employees a novel incentive to quit

The Wine-of-the-Month Club has offered a R500 cash award to those smokers on its staff who kick the habit

Ten of the company's 20 employees smoke and if more than seven of the smokers throw away their cigarettes by the end of January, the amount will be increased to R1 000 each

"In the interests of health many companies offer their employees gym facilities or free membership in sports clubs — not to mention the medical aid contributions they make on behalf of their staff

"But what's the use of doing this if workers damage their health by smoking in the first place?" says Colin Collard, ex-smoker and company owner

"I think every smoker knows deep down he has to stop, sooner or later

Response

"And everyone tries to at one time or another But it's easy to succumb to the habit again

"This cash award is meant to give our staff a reason to make abstinance stick"

So far response has been good Two employees have already given up, four have cut their smoking drastically and Mr Collard is confident of the 70 percent success rate by the end of January

What if after collecting your payment you start puffing again?

"Of course if anyone resumes the habit after being paid out they must pay back the money," says Mr Collard

"The payout is at the end of February to give staff a chance to see if they can make it

"Even then if any employee has doubts about his ability to stick at it we'll wait until he's ready before giving him an award he might have to give back"

And the non-smokers — what do they get?

"If the 70 percent success rate is achieved, our 10 non-smokers will get R100 each," he says

"But more important, they get better health through not being passive smokers"

TRENDS REPORTER

'Tackle building sickness'

B/Day 7/1/92 (131)

DARIUS SANAI

SICK building syndrome will afflict office workers as they return from their summer holidays, and SA lags far behind Europe and North America in dealing with the problem, according to a leading health expert.

Johannesburg is the only city in SA to have a council department dedicated to dealing with building-related health complaints, and even that is small compared to its counterparts in many foreign cities, according to Richard Truter of the Johannesburg City Council's clean air section.

The US, Canada and western Europe, he says, all have established official structures to deal with what the World Health Organisation (WHO) defines as "ailments that are suffered while people are inside a particular building, and which cease when they leave".

However, many SA scientists are still divided as to whether the syndrome even exists.

Medical doctors, in general, still have to be convinced there is anything in an office building that contributes to general feelings of malaise, over and above the actual physical conditions of its inhabitants when they enter.

"Many of us are sceptical about sick building syndrome," a spokesman for the National Council on Occupational Health said last week. Physical tests indicated overwhelmingly that concentrations of harmful gases and microbes were below harmful levels in buildings that had been singled out for complaints.

Many doctors see sick building syndrome as a *malaise imaginaire*, a psycho-social state of mind related to work conditions and personal problems.

But Truter disagrees. "The phrase sick building syndrome is created by the media, and I don't like it very much," he says. "But there is no doubt that ailments I would define as building-related health complaints do exist."

The WHO definition goes on to list the ailments suffered by office workers who are affected as "general non-specific malaise in the eyes, nose, and throat; lethargy, headaches, nausea and dizziness".

Truter says it is not necessarily the building that is "sick". Noxious, irritating and infectious substances can be emitted by several separate things within the building — and circulated throughout the structure by the airconditioning system.

Cigarette smoke is a main culprit. And managements which seek to ban smoking by establishing "no smoking zones" are fooling themselves and their workers, because airconditioning systems ensure everyone gets a share of the 3 800 contaminants present in cigarette smoke, he says.

Other sources of potential irritants are less obvious. Photocopying machines emit ozone, odourless but harmful to the health when inhaled, whatever its merits in the upper atmosphere. Carbon dioxide and highly poisonous carbon monoxide are often found in relatively high concentrations in buildings which elicit complaints. Both make it hard to breathe, carbon monoxide especially so, as it clogs up the oxygen-carrying haemoglobin in the bloodstream.

Office furniture which smells so "fresh" when new is another culprit Truter says wooden partitions and new desks emit formaldehyde, more often associated with animals preserved in jars in biology labs

One of the most comprehensive surveys on building-related sickness was carried out by the National Institute for Occupational Safety and Health in the US. In all, 450 buildings were surveyed over a number of years, and the results indicated that more than half the buildings suffered from inadequate ventilation and insufficient fresh air.

Truter says this is usually the main cause of building-related ailments, and that his tests on SA buildings have come up with similar results However, he emphasises this does not mean that more than half of Johannesburg's buildings are unhealthy: he has conducted tests only in sections of buildings when employees or management have complained about building sickness. "I am sure many buildings are healthy; and there are variations between different sections of buildings."

The US survey found that unacceptable levels of contamination coming from outside — in the form of pollutant gases — were present in 11% of the buildings, while 17% of the cases showed contaminants originating from inside the building. Microbal contamination was found in only 5% of the cases.

So why is the medical community so sceptical of the existence of building-related ailments?

"The study of building ailments is a multidisciplinary approach," says Truter Often there is not sufficient trace of any single element to cause illness, so doctors deny the existence of a physical ailment, and put it down to psychosomatic factors

But the combination of, for example, cigarette smoke, formaldehyde, carbon monoxide and other particulate matter in an environment with inadequate ventilation and temperature fluctuation could easily result in a physical ailment — even if the concentration of any one one pollutant was not excessive, says Truter.

There are laws entitling employees to a safe working environment, but Truter says coercion is not the way to make offices healthy. He encourages a planning section to be formed during the initial stages of building construction to ensure that ergonomics are sound, that ventilation is adequate and that materials which cause ailments are kept to a minimum then the owners, the employers and the employees should form a management committee to discuss views and complaints on the building once it is running.

The employers will soon realise that an employee in a sick building is an unproductive one, and that a little imagination and planning could improve health, morale, productivity — and profits.

LETTERS

Dear Sir,

not some of these millions of rands

Mandatory 'dangerous goods in flight' course gets started

(137)

B/Day 23/11/92

LINDEN BIRNS

SA's first workshop dealing with the carriage by air of dangerous goods was held yesterday and hosted by the National Occupational Safety Association (Nosa) in Kempton Park

Several pilots, flight engineers, cabin attendants, ground personnel, security staff, and baggage and cargo handlers attended the course, which was recently made mandatory by government

Last month the Department of Transport's Directorate of Civil Aviation published an Aeronautical Information Circular advising aircraft operators, air crew and allied staff that, as of the date of publication, it was compulsory to attend a dangerous goods course.

A Nosa spokesman said the course was very successful and had identified a gap in the knowledge of people involved in cargo, baggage and passenger handling with regard to what constituted dangerous goods.

"In terms of the International Civil Aviation Organisation's definition, dangerous goods are articles or substances which may pose a threat to the health and safety of an aircraft and its occupants," the spokesman said

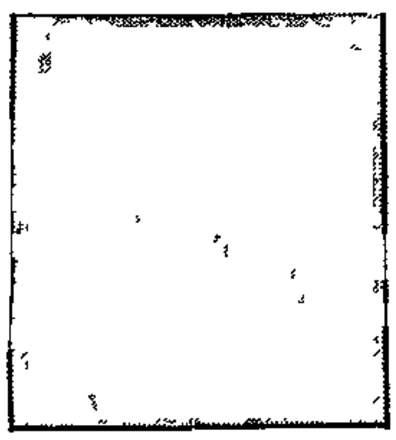
She illustrated the point by describing a recent light aircraft crash in SA which was caused by the pilot losing his sense of direction when a portable cassette recorder which was on board caused the aircraft's compass to go haywire.

"Portable compact disc players have been known to interfere with aircraft auto-pilots and are also classified as dangerous goods."

She said it was encouraging that industry was beginning to realise the link between safety and security

Further courses will be held in February and March

13/LEFT



Co-ordinator . . . Angela du Pessis

Network to fight Aids in workplace

131

STAR 30/1/92

By James Clarke

An Aids network has been established in Johannesburg to co-ordinate the work of company members appointed to devise strategies regarding Aids in the workplace

The Institute of Personnel Management (IPM) has established the network to co-ordinate ideas and resources and to maximise expert advice and quality information

IPM Aids Network co-ordinator Angela du Plessis says a problem facing companies seeking a strategy to deal with Aids is the number of conflicting Aids scenarios, especially as to the numbers who could die of the disease

"There is a definite need for a forum where people influencing Aids strategies can be kept up to date and share ideas and experiences"

Inquiries. Riana Greenblo (011) 788-0604

● Last word? — Page 25

NEWS IN BRIEF

One AIDS victim a day

AN AVERAGE of one new AIDS victim was identified every day in SA last year — but only two cases were registered in the four independent homelands in 1991.

National Health Minister Rina Venter said in reply to a question in Parliament yesterday that 343 AIDS cases had been identified in SA last year B/Day 11/2/92

Bail is estreated

RIGHT-winger Lodewyk van Schalkwyk yesterday did not oppose a State application in the Pretoria Supreme Court that his bail be finally estreated, and that he be held at Pretoria Central Prison's maximum security section until his trial on April 8

The former hunger striker, facing charges of murder and attempted murder, was arrested at Bronkhorstspruit on February 3 while in the company of Vrye Weekblad reporter Jacques Pauw A warrant of arrest had been issued after he failed to turn up for his trial on January 27.

B/Day 11/2/92

Gaynor Young trial

THE trial of PACT director Francois Swart and assistant director Michael Williams on charges under the Machinery and Occupational Safety Act resumed in the Pretoria Regional Court yesterday The charges follow a 17m fall from the set by Gaynor Young during a 1989 performance of Camelot

Swart testified that he and set designer Andrew Botha had worked for a year on the concept of the Camelot production before casing and rehearsals started. The concept was approved by representatives of three performing arts councils when it was first presented to them They were told that moving lifts would be used.

REPORTS Political Staff Sapa

B/Day 11/2/92

Natal firms 'blind to threat of Aids'

STAR 17/2/92 (131)

Own Correspondent

DURBAN — Aids infection in Natal industry is probably hundreds of times worse than managers believe — and business leaders have been urged to take steps to cope with a problem that threatens to overwhelm them

In contrast to a recent survey of manufacturing companies in the province with total employment of more than 100 000 — which disclosed only 14 reported HIV positive cases and eight employees with full-blown Aids — the University of Natal's virology department estimates a company with a payroll of 1 100 could have 80 HIV-infected staff members

Quoting these figures at a Natal Chamber of Industries seminar on the impact of Aids on business, Tongaat-Hulett group corporate planning manager Jane Wiltshire said the difference suggested companies were ignoring the threat

"With figures like these, Natal industry cannot afford to ignore the problem and should do something about it immediately," she said

She believed few companies had adequately assessed the impact of Aids on their businesses

"One can't help getting the impression these assessments of the differential impact on the economy and the (survey) respondent's businesses was based not nearly so much on logic as on the familiar problem of denial — that feeling of 'it won't happen to me', or 'if I ignore it, the problem will go away'"

On behalf of the Natal Business Aids Forum, which conducted the survey, Mrs Wiltshire appealed to researchers and to government authorities to make available information on the spread of the disease.

Without information, firms were unlikely to take the disease seriously enough to start assessing its potential impact.

Two fined after Gaynor Young's fall

PRETORIA — Pact director Francois Swart and assistant director Michael Williams were yesterday fined R1 000 or six months' imprisonment for contravening a section of the Machinery and Occupational Safety Act B/Day 18/2/92

The sentence was a sequel to actress Gaynor Young's 17m fall during a 1989 performance of the musical Camelot at the State Theatre in Pretoria The fall left Young partially blind and deaf

Pact and its employees were acquitted on a main charge of contravening Section 28(2) of the Machinery and Occupational Safety Act, which stipulated that they had unlawfully and negligently allowed Young to work near a dangerous opening in the stage, and could have been guilty of culpable homicide had their failure to make the opening safe resulted in her death

Instead they were convicted under environmental regulation 6(f) of the Machinery and Occupational Safety Act

TIM COHEN reports that Young's mother Carrie said yesterday she was happy with the judgment, but her daughter would press ahead with a civil suit against certain individuals. B/Day 18/2/92

In his judgment, Magistrate F J Mostert said he could not find beyond reasonable doubt that the accused had foreseen Young would fall down an opening in the stage, created when a lift was lowered during one scene

Pact, Swart and Williams yesterday changed their plea of not guilty to guilty on an alternative to the main charge, admitting they had failed to take adequate precautions to prevent access to the opening caused by the lifts being lowered, but denying that this failure had led to Young's fall or her injuries — Sapa

Charting a fair AIDS policy

B/Day 21/2/92 (131)

ROD HARPER
and DES BARRY

PREDICTIONS on the effect of AIDS on society are assuming the deliberate ambiguity of the predictions of Nostradamus or the pronouncements of the Delphic oracle.

There are too many variables and too many unknowns for there to exist the kind of simple, mathematically calculated compound projection which planners seek.

Nor is it possible to generalise about a "world AIDS crisis". The circumstances differ from continent to continent, from community to community. In SA, which contains elements of the developed, developing and underdeveloped world, "expert" projections over the next 20 years range from under 400 000 deaths to more than 2-million.

Yet even amid wildly varying prognostications it is safe to predict, with vague Delphic wisdom, that within the foreseeable future AIDS will have a profound effect on every activity in this country. It certainly can put at risk company benefit funds such as medical aid schemes and pension funds.

A dramatic increase in financial claims for hospitalisation, early retirement and death in service may be on the cards and this would threaten schemes' solvency. Far-sighted companies are now reassessing the rules and management of their benefit funds in an effort to ensure they keep afloat. But in doing so they may be running into a number of legal hazards.

Many medical aid societies have amended their rules to drop the ceiling for claims resulting from AIDS — some down to as low a limit as R100 a claim. Straightforward differentiation of this kind is not necessarily wise nor fair and, in certain circumstances, may be unlawful.

At the same time there is a trend today towards fettering the normally wide discretionary powers which trustees and administrators of pension, benefit and related funds have in making awards. The Financial Institutions Amendment Act 1991, for example, introduces the yardstick of "reasonable benefit expectations" of members of certain aspects of the administration of pension funds — a seed for the growth of members' rights, for example, to regular pension adjustments for inflation.

More important is the trend to view employee benefits as falling within the ambit of industrial relations and employment law — which means that decisions over pension and other benefits may increasingly fall subject to intervention by the Industrial Court as unfair practices.

The recent Industrial Court decision of Van Copenhagen vs Shell and BP Petroleum Refineries seems to confirm this trend. The court held that a dispute concerning an early pension was one involving the employment relationship and intervened to award an early pension, where this had been refused.

It is possible the court will also intervene where unfairness to employees is alleged in relation to AIDS. A decision to limit social security benefits in the case of employees who have contracted AIDS could be challenged in the Industrial Court.

However, what also has to be considered in the future, is the possibility that, unless AIDS claims are treated differently, the illness will drain resources to the point where pension funds and medical aid schemes will be unable to function in providing social security for all employees.

One solution is to limit benefits to the particular member's contributions and matching employer contributions much along the lines of a provident fund. This would entail radical restructuring. But the solution may be undesirable in principle, for it reduces a fund's ability to cater for the varying needs of different members and, in the absence of an AIDS epidemic, it may be unduly restrictive in the award of benefits to employees with AIDS.

A variation of this solution is to fix costs to the employer, thereby reducing his risk. But this does not prevent the dissipation of the funds' resources.

Another potential solution which has been fiercely debated is the use of pre-employment testing for HIV and the exclusion from employment on that basis. It seems clear in the face of an epidemic that this will not provide a safe screen.

The best course may be to vest trustees and administrators with a clear but circumscribed discretion that where an epidemic objectively places the financial future of a fund in jeopardy — and only in these circumstances — they may limit benefits where the application is traceable to AIDS.

Differentiation in the face of such a catastrophe should be permissible but care should be taken to frame rules and to empower the trustees in a manner so as to avoid statutory constraints, such as the restriction on benefit reductions contained in the Pension Fund Act and also claims for unfair discrimination.

To do so it will be necessary to revisit and revise AIDS policies and the rules of benefit funds, pension and similar schemes and to empower the trustees and managers so as to enable them to steer a successful course between the Scylla of financial collapse and Charybdis of multiple unfair discrimination claims.

☐ **The authors are attorneys in Webber Wentzel's employment law department.**

Businesses look at Aids

A SEMINAR on the industrial relations and legal implications of Aids will be held by the Cape Chamber of Industries on March 12

It will start at 9 am in the Eskom auditorium, Eskom head office, 60 Voortrekker Road, Bellville

Industrial relations consultant Geraldine Coy will discuss whether or not a formal Aids policy should be implemented by a company and what such relevant documents should contain.

Labour lawyer Cecilia Brummer will look at the status of HIV positive or Aids employees in the context of the Labour Relations Act.

A case study will be presented by a representative from a company which has an Aids policy/programme.

Johan Schlebush, of Shell SA, will explain the operation of the Western Cape Aids Forum.

Erica Greathead, director of the Planned Parenthood Association, will describe how the association develops Aids programmes and provides organisations with advice

Stress now recognised and managed in SA

(131)

ARG 7/3/92

PENNY STEWARDSON

DURBAN. — Stress management has become a major growth industry in the recession in the UK, where everything from absenteeism to alcoholism is attributed to the "burn-out" syndrome

Evidence suggests the benefits of stress counselling have impacted dramatically on depression and psychosomatic disorders

It has been scientifically proved that stress contributes to almost every form of illness in the medical textbooks

But in South Africa, where many stress-related problems are laid at the door of political uncertainty and daily exposure to an soaring crime rate, companies tend to be much more specific in handling the issue

Perm human resources manager Mr Dick King said stress was not acknowledged adequately by business as a major problem

"We don't give people coping mechanisms", he said

Trauma after a robbery or hold-uptrauma is however a condition the financial institutions take extremely seriously, he said

"The Perm gives members of the staff immediate counselling and, if necessary, refers them to a professional Our in-house resources include a clinical psychologist based at our head office in Johannesburg and trained client services managers in every branch, who can take immediate control of a situation

"Being able to talk about it is the best thing", he said. "We find if people continue working the need to talk about the event with colleagues relives the whole thing and provides a release

"There is usually a relapse two to three weeks later when the enormity of the incident comes through, but different people require different levels of counselling."

Mr King said stress could also be attributed to "pressure to perform with fewer resources" and without correct stress diagnosis and control employees would find "inappropriate outlets" such as alcohol and drugs

Modern Consultants director Ms Anne Newman believes stress levels in South Africa are higher and more explosive than ever before

She categorised them under the headings Political, economic, social and psychological

"Burn-out" is not always recognised in South Africa, she said

"Perceptions of what constitutes stress are diverse and sometimes contradictory Although stress researchers tend to consider it an executive problem, stress levels among workers are dangerously high in some areas.

"In South Africa we need to assess the effects of stress on our population, and adjust many perceptions. Coping styles need to be found that are appropriate for each situation and each individual.

"The challenge needs to be met by all concerned with the future psychological health of South Africans."

Sasol III 'negligent'

(131)

CT 9/3/92

Own Correspondent

JOHANNESBURG — The negligence of Sasol III and four of its engineers has been found to have caused the deaths of 12 people in a devastating fire at its installation near Secunda on January 30, 1989

The accident at Sasol's Synthol plant caused damage of R50 million

The finding of inquest magistrate Mr C van Niekerk and two assessors was released on Friday — the day after seven widows settled claims with Sasol III for a total of more than R1m

Sasol is blamed for deaths

WILSON ZWANE

AN INQUEST hearing has found Sasol 3, and four of its engineers, criminally responsible for the deaths of 12 people in a devastating fire at its installation near Secunda on January 30 1989.

The accident at Sasol's Synthol plant — which caused damage of R50m — is regarded at the most expensive industrial accident in SA history.

Sasol spokesman Jan Krynauw said his company had taken note of the inquest findings B/Day 9/3/92

The Chemical Workers' Industrial Union (CWIU) said in a statement at the weekend the finding on the accident came a day after seven of the widows had settled their claims against Sasol 3 for a total of more than R1m.

The union said inquest magistrate C van Niekerk and two assessors on Friday found that the deaths of the 12 people were caused by the negligence of Sasol 3 and four of its engineers. (131)

"The magistrate found that there was a total disregard of certain regulations contained in the Mines and Works Act in that unsuitably qualified persons were allowed to control and regulate maintenance of the plant," the union said.

It said it was found that modification to a pipeline, which had ruptured, was not brought to the attention of suitably qualified people who were in a position to assess the consequences of such modification.

"The magistrate found that although an

To Page 2

Sasol B/Day 9/3/92

inspection some 10 months after the modification showed that the pipeline had deteriorated to such an extent that it had to be replaced, no corrective action was taken

"As it was, the court found that the modification led to the failure of the pipeline and the fire," the CWIU said

The union said although it welcomed the finding, laws governing safety and health in the workplace had to be changed so that

(131)

From Page 1

workers were involved in the setting and maintaining of safety standards

The union also demanded the prosecution of Sasol 3

"The matter, of course, will go to the attorney-general for his perusal," Krynauw said, declining to comment further

Former Transvaal Attorney-General Don Brunette said it took up to a month for inquest reports to reach the attorney-general's office

SOWETAN Wednesday March 11 1992

Four killed in factory blast

Sowetan 11/3/92

(131)

FOUR people were killed and eight injured - three seriously - when a powerful explosion rocked a spice factory in Alrode South, Alberton, yesterday.

Damage was estimated at R100 000

Police did not rule out sabotage yesterday

It was initially thought the blast, which took place about 2 15pm, was caused by a chemical explosion

But this could not be verified at the time of going to Press

Ballistic tests

"Ballistic tests will be conducted to determine the cause of the the explosion At this stage foul play is not ruled out," a police spokesman said

The owner of Gemini Spice Works and his wife were too shocked to talk to Pressmen

The injured were taken to Natalspruit Hospital, with serious burn wounds

A piece of metal which had a smell of cordite or

Sowetan Correspondent

gunpowder was found on the scene

The four bodies were badly mutilated, with one body loaded in small parts into a body bag

"That's my friend," said a shocked employee as a body bag was being loaded into a police van

"It was really horrible," said a bystander who works at a nearby paint factory

Flying debris

"I saw two people lying on the ground outside One had his leg torn off, with bones sticking out, and another had huge holes the size of tennis balls torn out of him," he said

Mr Eddie Raubenheimer, owner of Automative Applications across the road, said he heard a huge explosion and saw twisted corrugated iron and debris flying in the air

He said he then ran to the scene to help put out the fire

Employees working in the adjoining room of the factory said they saw the roof coming down on them

Restructuring for safety council

(131)

ARG 13/3/92

Labour Reporter

MINISTER of Manpower Mr Piet Marais has approved the restructuring of the advisory council for occupational safety, says manpower director-general Mr Joël Fourie

The council advises Mr Marais on matters concerning occupational safety and occupational health legislation.

It was established in terms of the Machinery and Occupational Safety Act in 1983 and is restructured from time to time

The new members as from January 1 include the chairman, Mr I Mülder, chief director of occupational safety; Mr A du Plessis and Mr B French from the Department of Manpower; Mr J Flint of the Workmen's Compensation Commissioner's office; Mr P Watchurst and Mr J Kaltwasser, employers' representatives; employees' representatives Mr T Sedutla of the Electricity Workers' Union and Mr W Coetzee, of the Federation of Independent Trade Unions, chemical engineer and occupational safety expert Mr F Gassauer; Mr R Page-Shipp, machinery and industrial hygiene expert; Dr G Oberholzer, chief director of environment health control and Prof J Davies, industrial health director — both appointed to represent Minister of Health and Population Development Dr Rina Venter.

The council sits in Pretoria and enquiries can be directed to ☎ 012 310 6250.

Textile roller death verdict

STAR 24/3/92

A machine supervisor was yesterday found guilty of culpable homicide for negligently causing the death of a colleague who was fatally crushed after falling into a textile roller.

(131)

The Johannesburg Magistrate's Court found that Robert Stanley Phillips failed to switch off the roller while Neil Marule sat on a beam above, inspecting a possible fault in the machine

Magistrate R G le Roux said Phillips (43) had shown genuine remorse for his action

Phillips was fined R1 000 (or six months). A further six-month prison term was suspended for five years.

The court found that Phillips had told Mr Marule to examine the machine, at Duvet Lin in Johannesburg, which had not been working properly

Mr le Roux said Phillips should have foreseen that Mr Marule could fall. He was the only person present who was allowed to turn the roller off

In sentencing, Mr le Roux took into account the fact that Phillips had suffered trauma and lost his job as a result of the accident — Staff Reporter

No interdict on Thor Chemicals

131

Own Correspondent

DURBAN, — Reports that a Supreme Court interdict was to be sought against Thor Chemicals to have the plant sealed off, have been described as "premature"

It was reported that the interdict was to be brought on behalf of the Chemical Workers' Union of South Africa by the Legal Resources Centre, following the hospitalisation of three men with suspected mercury poisoning.

CT 24/3/92

A spokesman for the LRC said medical reports which might, or mightnot, link the condition of the three patients with the chemicals produced by Thor, were being awaited

The plant has been sealed off until it is known whether the men have mercury poisoning

WORKING CONDITIONS

The streets can hold death for late-night workers going home

STAR 21/7/92. (131)

A union member was recently murdered after trying to get back home after working a late shift in a restaurant SPEAK magazine looks at the issue of guaranteed safe transport home for night shift workers

At 11.30 pm on Saturday July 6 1991, 27-year-old Stella Mabale finished her shift at a fast food restaurant in Rustenburg Her boss gave her a lift, but he didn't take her home He dropped her at about 12 30 pm at the last robot out of Rustenburg on the road to Sun City

Stella never got home She was raped and then murdered Her body was found early on Sunday morning by the Bophuthatswana police

Stella's rape and murder is the extreme outcome of no guaranteed safe transport home, but many workers risk being robbed or attacked because their workplaces do not provide transport Women workers are especially open to attack if they try to get home alone late at night.

At the moment the law does not say anything about safe transport home for people who work night shift There is nothing forcing bosses to provide transport home for these workers

What are the unions doing about this? Stella's murder has sparked her union, the South African Commercial, Catering and Allied Workers Union (Saccawu), to campaign seriously for safe transport home for night workers

Saccawu has written to all the take-away chain companies which employ people at night to ask them whether they provide workers with transport home

In a letter to the bosses they wrote "This is not an issue to be left to annual negotiations, it is pressing and requires immediate attention Safety is a basic human right which no employer can ignore"

Many of the companies did not even bother to reply Some of the big chain companies that did answer, said they did not deal with such issues They said the union must speak to each of the fast-food restaurants under them, as they are each individually managed

Saccawu organiser Alan Horwitz said this proves safe transport home for night shift workers is mostly not guaranteed

"We have now started publicising this demand within the union and we will be taking it to Cosatu. Many of our members have reported being attacked or robbed while trying to get home alone at night. This is a serious issue, but unfortunately it is probably up to the women within unions to make sure that it is taken up seriously We need to start safety-at-night campaigns"

Patricia Appollis, the national co-ordinator of women in Saccawu said "Saccawu has now decided to launch a campaign around this, but it will definitely be left to the women to push this demand in the union Men don't take it seriously and other issues get made into priorities It is an important campaign that should be taken up nationally It doesn't only affect the women in the union, it affects everyone

The Transport and General Workers Union also has members who work late at night Cleaners often start their shift after everyone else has gone home, and security guards also work night shifts.

The assistant general secretary of TGWU, Randall Howard, said. "The majority of companies do not provide guaranteed safe transport home Our members working these night shifts have told us about the danger of getting home and have talked about their worries Women in particular face all kinds of danger when they try to get home late at night."

"At the moment though, although this always comes up as one of our demands during negotiations, we have not launched a specific campaign on this demand.

"This definitely needs to be taken up more seriously," he admitted

At the Cosatu congress this year the union federation committed itself to campaigning for safe and adequate transport for night shift workers and for people doing overtime So far it does not seem as if there has been a specific campaign launched around this demand

Speak, Box 261363, Excom 2023, South Africa

Lonely streets .. cleaners and restaurant employees who work odd hours often face problems finding transport home after their shift

Industrial Health + Disease

131

Is your computer trying t

To Kill You.

Is your computer trying to kill you? Or are you trying to kill yourself by never taking breaks or stretching your cramped limbs?

COMPUTER injuries won't kill you They will only make your life extremely uncomfortable, place your livelihood in jeopardy and run up your medical bills There are three main categories of injuries visual, muscular and — possibly and controversially — those maladies that might be caused by exposure to low-freqency electromagnetic emissions, generally referred to as radiation South Africans bought an estimated half-million personal computers between 1987 and 1990, nearly four-fifths for use in business, so there's plenty of scope for damage

If computers weren't such a joy to use, there would be far fewer injuries People would take breaks, stand up for 10 minutes every hour to stretch the muscles strained by high-speed typing, shake their hands to get the kinks out They would gaze out of the window to make sure they could still change focus rapidly, after 50 minutes staring at a fixed point, ie the screen They would work at arm's length — literally — so that any electromagnetic emissions would be dissipated before reaching the operator

But it's more fun to type on a VDT than to stare out of the window, and when you're working under pressure no one is likely to remind you that in the bad old days of typewriters, you had so many different functions to perform — putting the paper in, returning the carriage, tearing the paper out, wadding it up and throwing it away — that your muscles, including the muscles in your eyes, had a varied workout

It's possible that the typewriter keyboard is laid out in its quirky-qwerty way so that typists will slow down it's the weak, rarely-used fingers that press often-used letters, like a, e and s If you could type on a manual typewriter as fast as you can type on a computer keyboard, the keys would probably jam But it takes practically no effort to press a computer key, so there's no stopping the enthusiasm of a fast typist

Ergonomics experts (who suit the office environment to the worker, and not the other way around) will tell you that with few exceptions, when computers came to South Africa they were merely shoved on to the desks formerly occupied by typewriters

"When computers arrived in SA, they were simply plonked on desks where the typewriters had been. The lights weren't changed. The chairs weren't changed"

The lighting wasn't changed, although fluorescent lighting overhead is disastrous for computer users The office furniture wasn't altered Computers were even stuck back-to-back, a dangerous set-up from the electromagnetic emissions point of view

In South Africa, there's little protection against employers who stick you in front of a machine under a bank of fluorescent lights on a desk so low you've got to hunch over the keyboard to see the letters emerging from the glare

The Machinery and Occupational Safety Act (6 of 1983) doesn't mention video display terminals or the people who slave away in front of them The best one can do is rely on some fairly general regulations that flow from the Act

The Act's general safety regulations state that "every employer and every user of machinery shall make an evaluation of the risk attached to any condition or situation which may arise from the activities of such employer or user and to which persons at a workplace or in the course of their employment or in connection with the use of machinery are exposed, and he shall take such steps as may under the cirumstances be necessary to make such conditions or situation safe"

The machinery regulations say that "every employer or user of machinery shall ensure that all machinery . is installed, operated and maintained in such a manner as to prevent the exposure of persons to hazardous or potentially hazardous conditions or circumstances"

The electrical machinery regulations say that "the employer or user shall provide free of charge and maintain in good condition such protective equipment as may be necessary to prevent accidents, for use by persons engaged

When hands turn to jelly

Word-processing allows for faster typing. But human muscles weren't designed for fast, repetitive key-strokes

DAVID BERESFORD, *The Guardian's* award-winning southern African correspondent, was covering the Namibian elections in 1989 when he noticed he was making rather a lot of typing errors

He began moving his Toshiba 1200 around, seeking a comfortable position It didn't help His typing continued to deteriorate

It made no sense Beresford was probably the first British journalist to use a portable word processor When he carried a Tandy 100 into a Sinn Fein press conference in Dublin in the late 1970s it was such an extraordinary event the *Irish Times* carried an item about it

"I've always been a gadget freak," he says, understating the case his joyful embrace of technology meant one could always count on his finding a faster, more sophisticated laptop than anyone else and — soon afterwards — trading it in for something even better

Without his third machine, an Epson PX8, he would probably never have written *Ten Men Dead*, his book on the Irish hunger strikers Central to the story was a shopping bag full of messages scribbled on cigarette papers and smuggled out of prison

"The guy who gave them to me said I could have them two days, but that was all," he says With a typewriter, he could have transcribed only a fraction of the messages, with a word processor, he got through the lot in time

He was so hooked on his laptops he couldn't think of taking notes without his computer — until Namibia

One day he told a colleague his right hand was becoming increasingly useless It was bizarre his grip was strong but he could barely press a computer key "He said 'But you've got RSI'," Beresford says "I didn't know what he was talking about"

RSI is repetitive strain injury, an umbrella term for a range of disabling and usually painful disorders involving muscles, nerves and tendons They include tenosynovitis, in which the tendons or tendon sheaths of the forearms become swollen and no longer slide easily past each other, carpal tunnel syndrome, which affects a nerve which threads through a tunnel formed in part by the wrist bones — swelling in the passage puts pressure on the nerve, frozen shoulder, tennis elbow, tendinitis so severe a victim cannot lift his arm, numb or swollen fingers, aching wrists, wrenched necks and damaged nerves from neck to fingertips

Some doctors believe it's entirely psychosomatic, others believe that repeating nearly identical keystrokes at a high rate of speed tens of thousands of times a day can damage muscles and tendons, causing inflammation which can press on nerves

Current thinking occupies the middle ground RSI is now thought to be caused by a combination of fast, repetitive keystrokes and stress the National Institute of Occupational Safety and Health (Niosh) in the US found VDT operators in clerical jobs suffered the highest stress levels of any group, including air traffic controllers

That survey was carried out in an insurance company You don't have to be a journalist to suffer from RSI Typists, musicians, even chicken pluckers (who get a condition called chicken plucker's wrist) have been hit by it

About a month ago, a British firm settled out of court with a legal secretary dismissed after she developed RSI, she was affected so badly she couldn't even brush her teeth In a pottery factory in Stoke-on-Trent, the management supplies moulded plastic splints to people in the early stages of RSI

In the US, 187 out of 500 directory assistance operators working with computers in Denver, Colorado, have filed disability claims for VDT-related hand, arm, and neck injuries A Los Angeles bookkeeper who won a $40 000 workmen's compensation claim for RSI last year has launched a computer injury network There are plenty of potential members 9 000 people were treated by the Repetitive Motion Institute in San José, California, in 1990, and most were computer users

Journalists are probably the best-known category of RSI-sufferers because they raise the biggest fuss The *Los Angeles Times* apparently resembles a therapy ward 200 out of 1 100 reporters and sub-editors have been treated for RSI

Newspapers in Australia and Britain are, if anything, in worse shape "In Australia they talk about levels of 70 to 80 percent of the newsroom suffering from RSI," says Karen Stander, national organiser of the South African Society of Journalists And in Britain, three years after the *Financial Times* installed a new system 118 journalists had reported to the company doctor

RSI hasn't hit South Africa yet with that kind of vengeance, Stander says "Last year we began to see the first instances in this country Let's hope this is not the start of an epidemic"

If it is, Beresford is doing his bit to educate the medical profession "I've been traipsing around to doctors' rooms in Johannesburg," he says "On my last count I have seen three neurologists, two orthopaedic surgeons, one neurosurgeon, assorted GPs, four physiotherapists and a lady who tickled the soles of my feet, all without success I'm now trying an acupuncturist and a chiropractor

Left David Beresford exercises his damaged hand by rolling two silver balls RIGHT: Office health expert Aldean Sinclaire-Prior tests electrical and magnetic impulses emanating from a screen with a special radiation survey meter *Photos ELLEN ELMENDORP and KEVIN CARTER*

"The first orthopaedic surgeon I saw told me the story of a company director who had no problem until he sat down at his desk and the moment his pen touched the paper his arm mysteriously flew into the air With that Delphic anecdote he showed me to the door of his surgery The implication seemed to be that I was in the wrong job But writing is my passion and I cannot believe that it is my subconscious telling me to give it up"

In characteristic journalistic fashion, Beresford has turned adversity to advantage he dictates his stories to an assistant, who takes them down on an ancient Tandy and downloads them on to his custom-built desktop — a 386 machine with 100 megabyte hard drive and a colour VGA screen — where he edits them with his so-far-unaffected left hand

"I've always been a great believer in the sound of writing, writing to me is music So I didn't find the transition very difficult," he says

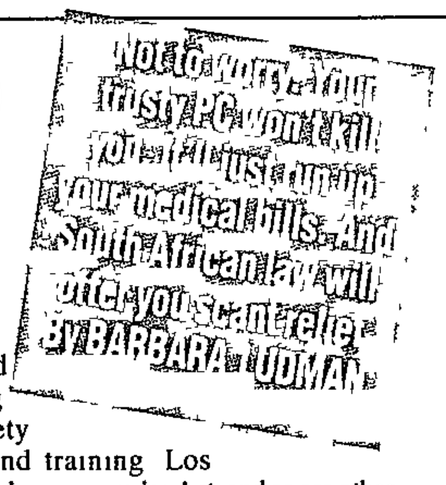
"Initially I became a bit verbose and overwrote But I suspect I'm actually writing better today than when I was on the keyboard"

RSI is preventable According to Dr Peter Buckle of the University of Surrey, repetitive actions become dangerous when they are combined with bad posture, force applied excessively or awkwardly and psychological stress

The magazine *Macworld* offers easy-to-follow recommendations to reduce pain and dis-

● Continued on PAGE 10

kill you?



in working on or in close proximity to live electrical machinery .."

And, in something approaching the specific, the Act's environmental regulations state that " employers shall ensure that glare in any workplace is reduced to a level that does not impair vision"

Professor Clive Thompson, head of the Labour Law Unit at the University of Cape Town, would like to see VDTs specifically covered by the Act "It's an obvious gap," he says "There clearly are health and safety standards based on knowledge in existence in the world today and it's about time we caught up "

Legislation exists elsewhere the highly technical Swedish guidelines for video display monitors deal with everything from jitter and luminance quality to electrostatic discharge and the magnetic field The European Community has published a directive for member countries setting out minimum requirements for computer equipment so that it is "not a source of risk for workers" provisions deal with such issues as screen flicker, characters and brightness, arrangement of the keyboard, the surface of the desk and the flexibility of the chair It comes into effect at the beginning of next year

San Francisco has already passed fairly stringent regulations making employers responsible for providing workers with adjustable chairs and monitors, requiring rest breaks and providing health and safety information and training Los Angeles is considering a similar Act, and so are other cities across the United States

In South African workplaces, one must rely on safety representatives or safety committees, provided for in the Act, which states "A safety representative who identifies a hazard or potential hazard to the safety of employees must bring it to the attention of either the employer or the safety committee "

But does anyone care? Few trade unions have tackled the issue The South African Society of Bank Officials (Sasbo), with 38 000 members, has contacted the International Labour Organisation for advice on the health hazards of VDUs and is putting a questionnaire together for distribution among its membership "We phoned around a bit and it really doesn't seem to be an issue among anybody," says Sasbo's Donald Graham "It mystifies me "

The small, unregistered Association of Clerical and Administrative Workers is trying to put together a seminar course for safety officers and others on VDTs and health "It's mostly female workers that are involved,"

● Continued on PAGE 10

A glaring problem, easily solved

GLARE is an unusual monitor menace: everyone agrees it's a danger and nobody blames the victim.

Moreover, it's easily taken care of.

Minor factors, like the use of a light-coloured screen with dark lettering, the installation of anti-glare devices, and the removal of bright lights from the field of vision, can make a VDT user more comfortable, according to Dr James Sheedy, chief of the Video Display Terminal Eye Clinic at the University of California at Berkeley.

That's in the short-term. In the long term, Sheedy says, two-thirds of his patients have trouble focusing their eyes.

In a study this year of night blindness, Paul Cook, professor of laser technology at Brunel University in Bristol, found a link between people who used VDTs for long hours and those who suffered from night blindness. He rejected the explanation that VDTs make people short-sighted by forcing them to concentrate on a fixed distance for hours, attributing the phenomenon instead to a natural mechanism of the brain which protects it from information overload. The delay between seeing an object and registering it in the brain is expanded considerably by people who spend too much time at a VDT.

Consultant Aldean Sinclaire-Prior finds lighting the major problem in South African offices.

"A lot of people like to sit with their back to the window and facing the door," she says, "but that's wrong. You should sit with the window at your side, which cuts down on reflection. We love the sunshine and the windows in this country but they're not ideal for computer usage."

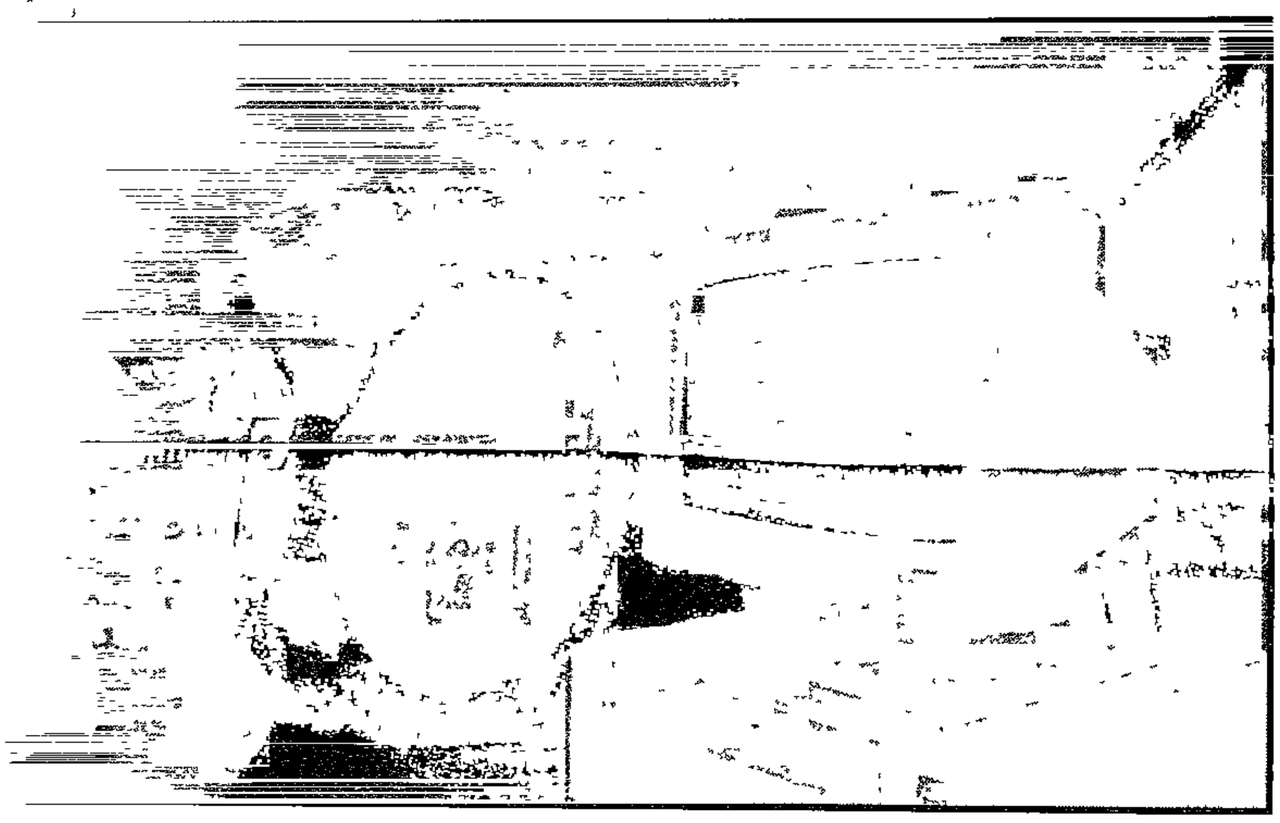
Bad lighting can turn even a good monitor screen into a hazard. People twist themselves around to see the letters; this leads to eye and muscle strain.

The Swedish government guidelines, Australian Standard Code of Practice and the European Community directives all stress the avoidance of glare. So does the South African National Occupational Safety Association.

"Of all the environmental elements, the visual environment is the most dominant as far as VDU operators are concerned," says a Nosa pamphlet entitled *Health Aspects of Video Display Units.* Nosa says people must be located in an area adjacent to a window to "maintain contact with the outside world; it would appear that humans have a psychological need to maintain this relationship", but the "deleterious aspects of daylight" must be minimised. Blinds or louvres can be fitted; the screen can be positioned correctly.

Eyestrain can be caused by a lack of luminance (or brightness), by too-long hours at the screen, by reflections off the walls, ceiling and desk or by the wrong sort of lighting.

"Veiling luminance" on some monitors results in reduced contrast. If it cannot be controlled, or if "unwanted reflections" or glare cannot be avoided, Nosa recommends a proprietary mesh filter.



Keep your PC at arm's length

IF the Kaiser Permanente Medical Centre in Oakland, California, had not looked into the rate of miscarriages among women working on video display terminals, radiation may never have become an issue.

But in a case-control study published four years ago, Kaiser researchers concluded that women who work at computer terminals for more than 20 hours a week have an 80 percent higher risk of early and late miscarriages than do women who do similar work without using VDTs.

Computer monitors produce a range of electromagnetic fields. At issue are the low-frequency ones, especially the pulsed 60Hz electromagnetic field also produced by power lines.

A landmark 1988 study in North Carolina showed that children in homes continually exposed to a magnetic field of between two and three milligauss — the amount received 15m from a US power line — had a risk 1,5 to two times greater than the rest of the population of developing cancer. In an earlier, less-publicised study in Denver, Colorado, the authors suggested magnetic fields from power lines might hinder the ability of the body's immune system to fight cancer.

Shortly after the North Carolina study, the computer magazine *Macworld* estimated field strengths around VDTs ranged from about 70 milligauss at the casing to roughly 0,5-0,2 at arm's length.

In the past couple of years, research laboratories have zapped pregnant animals with weak, low-frequency magnetic fields, preferably pulsed, like those radiated by VDTs. Some researchers found a slight incidence of foetal malformation; others didn't.

More useful studies came from researchers who looked into deaths from leukemia or brain tumours among people who work with electromagnetic fields — electricians, electrical engineers, telephone and power line workers It was a great deal higher than the average — in one study, seven times higher.

The debate over magnetic fields is acrimonious — more so than over any other perceived VDT menace There's a Yale University physicist, for example, who compares fear of electromagnetic emissions to a belief in parapsychology And there are so many contradictory studies they cancel each other out.

Most manufacturers have denied the importance of electromagnetic emissions, but some are taking steps, presumably just in case.

The configuration of the deflection coils on the cathode ray tube inside the monitors — source of the magnetic field — has been changed in some machines; in others, coils have been added whose electromagnetic fields work in opposition to the main coil fields, cancelling them out. In newer machines, the flyback transformers have been shielded with a highly conductive metal.

Electromagnetic emissions are mentioned prominently when people warn against sub-standard monitors being dumped in South Africa. The theory is that you get what you pay for. A no-name monitor at a stunningly low price is probably unshielded, letting you in for a possible barrage of emissions, including low frequency magnetic and electric fields.

You can buy filters that will cut the electric emissions, electrostatic emissions (suspected cause of skin ailments, headaches and irritability) and part of the magnetic field, but not the 60Hz portion. Filters designed for this purpose should be grounded, with a wire to attach to the screen.

In the absence of hard scientific information, the American Office of Technology Assessment recommends a "prudent avoidance" strategy: the farther away from the monitor, the less radiation

Arm's length is the standard "safe" distance, and keep your desk away from the back of other people's monitors.

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'The major computer hazards are often not so much the machines as the people who abuse them'

Does your PC want to kill you?

● From PAGE 7

says the union's Audrey Rose, "and when women complain they like to say 'Oh, they're full of complaints' " As a first step, she's asked clerical workers to stop by the office before work and talk about their computer injuries — but few have come in so far

The South African Union of Journalists has taken the issue furthest in the early 1980s, they negotiated contracts in which newspapers agreed to pay for corrective lenses, said they would "undertake to treat sympathetically any staff who are genuinely unable to operate electronic editing systems" — so long as they had a medical certificate — and agreed to negotiate with branches on ergonomic conditions relating to the use of VDTs

Staff using terminals fulltime were entitled to rest periods — "basically", says national organiser Karen Stander, "10 minutes every hour"

Some branches have installed anti-reflective screens on computers, others have put anti-glare coatings on the windows In some newsrooms, consultants come around every three or six months and test the machines for radiation

South Africa has a special problem official cynicism regarding computer injuries Although the danger of eyestrain is accepted, other problems are put down to stress — or imagination.

The Department of National Health and Population Development is fairly enlightened Although it finds that VDTs do not pose a radiation risk, it notes, in a pamphlet entitled *Video display terminals — do they constitute a health hazard?*, that "several studies have identified ergonomic factors that could bring about some of the health problems reported by VDT operators

"These include poor room lighting and glare from the display screen which could cause eyestrain, incorrect equipment layout which could cause sore necks, backs and legs, etc Pressure for higher productivity appears to be responsible for a significant proportion of the stress and health complaints among VDT users "

Along with the American National Institute for Occupational Safety and Health, it recommends that workers be able to adjust the height of the keyboard, screen, chair seat and backrest, screen brightness and contrast, leg room viewing distance and room lighting levels — and that glare should be controlled by blinds on the windows, hoods and glare shields over screens, that workers should take 15 minute breaks every two hours, and that they should undergo periodic eye examinations — all fairly standard, and implemented almost nowhere

If you ask the Department of Manpower whether a person conclusively injured by use of a computer is entitled to Workmen's Compensation, the department will tell you no

If you ask why there are no plans to write provisions covering the use of VDTs into the Machinery and Occupational Safety Act, the response will be "The debate as well as research is still on and no solid scientific basis is as yet available for legislation "

Help may be on the way The Indoor Environment Chapter of the National Association for Clean Air is collecting information towards setting standards for monitors and other equipment.

When hands turn to jelly

● From PAGE 7

comfort among computer users

- Use a headset when talking on a telephone and keying in data
- Take a 15-minute break every hour Several times an hour, do stretching exercises
- Don't exceed 10 000 to 12 000 keystrokes (roughly 1 700 words) an hour
- Seek medical treatment at the first sign of muscle tenderness, pain, tiredness of the wrists, arms, shoulders, or neck, muscle spasm, numbness and tingling
- If you're undergoing surgery for RSI, quit smoking, nicotine shuts off small-vessel circulation and makes recovery more difficult.
- Set up a workstation to eliminate poor or uncomfortable posture **KEYBOARD:** Your arms should be relaxed at your side, with elbows a few centimetres from your body Use an adjustable keyboard stand — or you can place the keyboard in your lap **SCREEN:** Posture always follows the eyes screens placed too low or angled improperly are a major source of slouching.

The South African National Occupational Safety Association has devised some ergonomic guidelines "For the conventional clerical task," says its directive, "the working plane height should be either level with or below the elbows For the screen-based task, the height of the home keys (ie ASDFGHJKL) should be regarded as the working plane "

The chair "should exhibit a generally flat horizontal profile The back support should have a concave shape with a radius of nominally 500mm The back support should allow tilting movement through about 15 degrees above and below a horizontal axis passing through its mountings ... The mountings should ensure that the back support is normally held in a fixed position but is capable of tilting when the occupant leans against it." The height of the back support should be adjustable, the base should be of five-leg design and arm rests are optional — but if they're used, they ought to provide firm support without interfering with the work station

Nosa can be reached at (012) 21-7736

Industrialist probed

(131) STAR 15/5/92

Own Correspondent

MARITZBURG — Police in Newcastle are set to act against a Chinese industrialist and his wife who are alleged to have "punished" workers with an electric cattle prodder and put masking tape over their mouths to prevent them talking while at work.

The claims against the clothing manufacturer were first raised by the National Council of Trade Unions (Nactu) two years ago and some of the incidents were reported as recently as January this year.

They were initially dismissed by the public prosecutor in Natal.

However, several victims have since come forward and a docket has been opened

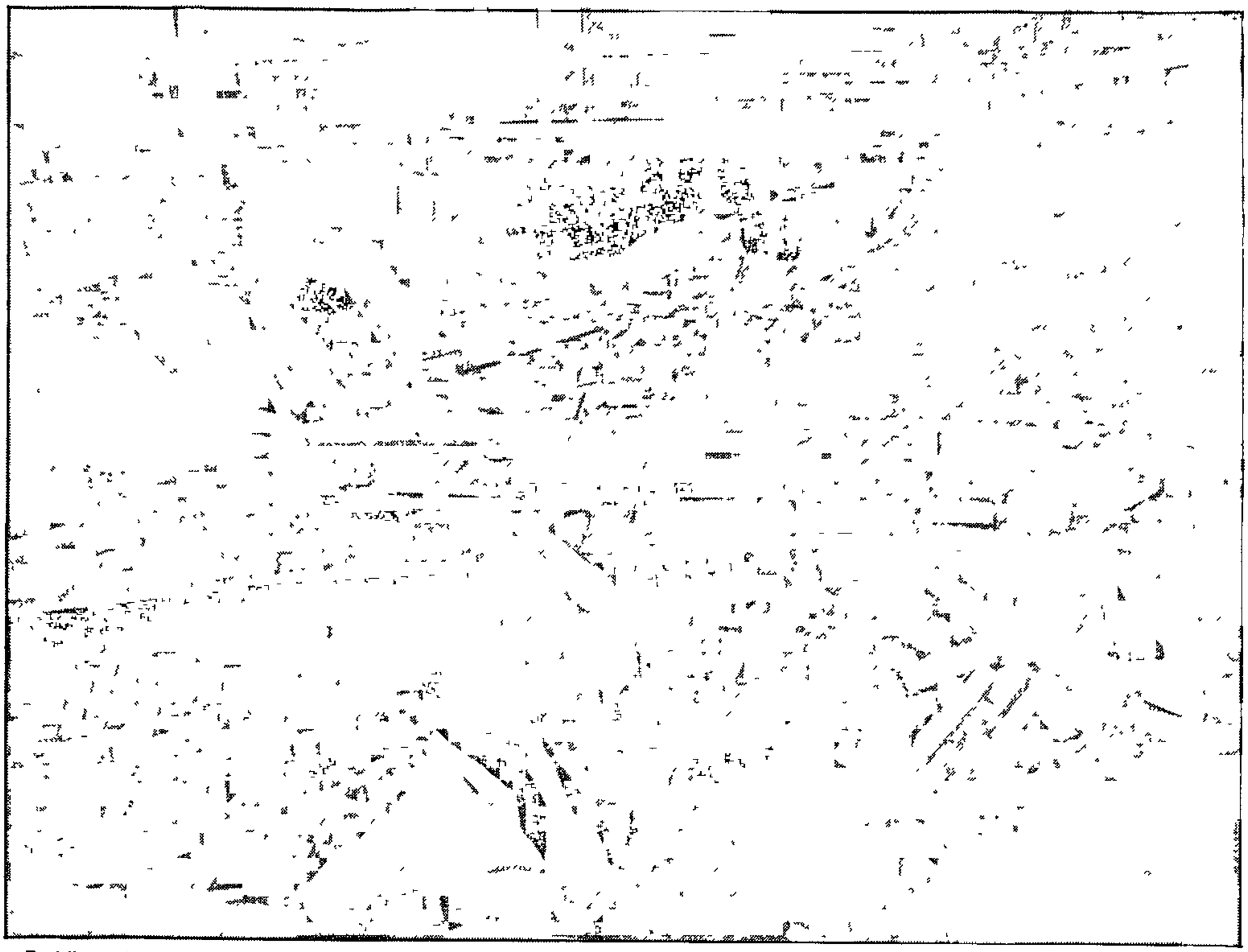
Three charges of common assault and four of grievous bodily harm against the industrialist are presently with the Attorney-General and police are awaiting the go-ahead to arrest him.

Nactu's regional co-ordinator alleged that Chinese businesses in the town have ignored the Labour Relations Act and have "reversed the clock to the late 1960s".

The union also claimed that some employers deducted a day's wages from workers who arrived late for work and that workers were dismissed for taking sick leave regardless of whether they produced a doctor's certificate

Chinese businessmen fear the incidents may have violent repercussions for them and have dissociated themselves from the factory owner

The chairman of the 150-member Newcastle Chinese Chamber of Commerce, George Shu, said "Unfortunately, the workers simply see this man as Chinese We do not like the way he does business His actions do not reflect the majority of us."



Building site tragedy . a worker stands in the underground parking area of the Ferndale office complex shortly after a 100 sq m section of roofing collapsed, killing a man and injuring four. Picture Jacoob Rykliff

Worker killed, 4 hurt as roofing collapses

By Guy Jepson (131) STAR 23/4/92

A 100 m square section of concrete roofing collapsed on workers in the underground parking area at a partially completed building site in Ferndale, Randburg, at midday yesterday, killing one man and injuring four

Many other workers in an adjacent section of the site's 420 sq m parking area escaped uninjured as huge reinforced concrete slabs and steel supports rained down on their colleagues.

Emergency services personnel were at the building site — the proposed corporate headquarters of the Prime-Rand Office Furniture Group on the corner of Dover Street and Pretoria Avenue — within two minutes of receiving the call

"We found two men lying under the concrete and immediately started digging It was a combined operation — the traffic department and even bystanders joined in," said Randburg's chief fire officer, Nic van Dyk

"One of the guys was dead, the other was lying under a concrete slab about 3 m long and 2 m high We had to use the jaws of life to move it without hurting him He had head injuries, leg injuries and scratches and bruises"

Mr van Dyk said the seriously injured man was taken to the Crown Mines Hospital where he was in a stable condition late yesterday afternoon

Three other workers who had suffered lesser injuries were treated on the scene by ambulance personnel

Alfred Mbayiza, a construction worker standing at ground level a few metres from the collapsed roofing, said he felt the floor shaking at about 11 50 pm

"I was confused, I was thinking of the people working under there Some managed to escape — there were about 20 workers underground

"There was someone on top of the floor when it went down I screamed 'Lucas', Lucas!' — he tried to run away but the steel hit him"

Mark Immerman, managing director of Prime-Rand Office Furniture, described the collapse as a terrible tragedy

"We feel very sad that there has been a loss of life The construction has been certified and the engineers were happy There must be an inquiry — we don't know what happened," Mr Immerman said

16 hurt in pie plant blast

Sowetan 5/5/92 (131)

SIXTEEN workers were injured, one of them seriously, in an explosion and subsequent blaze at the Mama's Pies plant in Malvern, Johannesburg, yesterday

The explosion is suspected to have been caused by an oven, the company said

Mama's Pies manager Mr Cliff Reid expressed his sympathy for the injured workers - *South African Press Association*

Little relief for wounded soldiers of industry

B/Day 28/4/92 (131)

PAUL BENJAMIN

A SHORT notice in the Government Gazette each year determines the living standard of the many people who depend on pensions paid in terms of the Workmen's Compensation Act. The notice (published on February 28 this year) is headed "Increase of Benefits" but "Decrease of Benefits" would be a more appropriate title.

This is because pensions paid to some permanently disabled workers and to the dependants of workers killed in industrial accidents or by scheduled occupational diseases have been "increased" this year by 6%. With inflation close to 16% their standard of living will drop as it has done each year since they first received their pensions.

During the '80s the adjustments to these pensions were at less than half the rate of inflation and this pattern continues.

How many people are affected by this state of affairs?

According to its 1990 annual report, the Accident Fund run by the Workmen's Compensation Commissioner pays pensions to 7 030 injured workers and to 14 310 dependants of workers killed in accidents.

These figures exclude the mining industry (whose insurer Rand Mutual Assurance pays pensions to 5 267 disabled workers and 17 704 dependants), state, provincial and Transnet employees, those employed in major municipalities and those (mainly in the building industry) falling under the mutual association Federated Employer's Mutual.

While the adjustment of pensions may be inadequate, those injured workers receiving a pension are better off than many others who are unable to find employment because of work injuries. Only workers whose disability is assessed as exceeding 30% receive a pension. This assessment does not take into account the worker's prospects of finding employment. Therefore, a manual worker who loses his or her entire thumb or three fingers on one hand may never work again, but will not receive a pension and will have to be content with a lump sum equal to his or her wages for 12 months.

Pensions awarded also reflect a limited percentage of the employee's earnings A totally disabled worker's pension will be 75% of earnings at the time of the accident. A worker who loses a leg below the knee (a 35%-45% disability) will at most receive a pension equal to approximately one-third of earnings, while the loss of a hand at the wrist (50% disability) brings a pension of 37,5% of earnings. The dependants of fatally injured workers can receive a pension of up to 75% of earnings at the time of the accident, depending on the family structure.

Could the fund and other insurers afford to make more realistic adjustments to pensions?

The resources of the fund depend on the employers' level of contribution. Employers pay on average an assessment equivalent to 1% of their wage bill for employees covered by the Act. The rates are highest for the more dangerous industries with high accident rates and lowest for "safe" industries like accountancy and hairdressing. The mining industry, for instance, pays 2%.

A contribution of 1% would appear to be very low for the benefits that employers obtain which include protection against claims for damages by employees.

It is difficult to compare our compensation scheme with that of other countries, but the most appropriate comparison is probably with the schemes of the Canadian provinces on which the SA system was modelled In 1988, in some provinces, the average contribution for employers was 3% of their wage bill.

However, even on current contributions the fund would appear to be able to afford a more generous increase in pension payments In the financial year ending February 1990 (the last for which financial statements are available) the fund generated a surplus of R40m, most of which will be returned to employers whose claims records are better than the average for their industry.

The notice in the Government Gazette also increases the earnings ceiling for employees to be covered by the Act. Employees earning below the ceiling are automatically covered by the Act and an employer may make a special arrangement for employees earning above it to be covered

This "ceiling" creates considerable administrative difficulties for employers and the Commissioner and should be scrapped The Act should be extended to all employees regardless of earnings level Bringing well-paid employees within the Act's scope would make them aware of the limited benefits it provides for employees, and perhaps increase pressure for its reform

Issues of workers' compensation receive little public attention The Workmen's Compensation Act has remained virtually unchanged for more than 50 years and its companion, the Occupational Diseases in Mines and Works Act which compensates mineworkers (about 6 000 a year) who contract certain occupational diseases, remains the only explicitly racially discriminatory piece of legislation on our statute book White workers receive up to 13 times as much as black workers with the same conditions A government White Paper in 1984 recommended its overhaul, but this has still to find legislative form

A well-known book on occupational health and safety is titled The Wounded Soldiers of Industry In SA, we are able to forget the wounded soldiers more easily because much of our industrial injury, disease and death are exported to neighbouring territories and the homelands

☐ **Benjamin is a labour law specialist at Cheadle, Haysom and Thompson.**

LETTERS

B/Day 24/4/92

Roof collapse probed

A POLICE engineer yesterday began an investigation into why the roof of a partially constructed building in Randburg collapsed on Wednesday, killing one worker and injuring four others (131)

The 100m² of collapsed roofing had been constructed using a new technique which incorporates polystyrene (30)

Healthy office environments crucial to costs and productivity

STAR 6/5/92 (131) STAR 6/5/92.

COMMERCIAL & INDUSTRIAL PROPERTY

Compiled and written by Frank Jeans and Meg Wilson

South African companies must take a strategic approach to environmental management in the workplace as part of the country's international economic rehabilitation

Doing so could save them up to 40 percent on office overheads, as well as enhancing productivity and gaining a competitive edge in terms of service and cost of sales

So says Ray Farrenkothen, MD of CentreCore Office Environments, a United States service company which helps companies raise the quality of administrative environments

It offers products that optimise the use of office space and improve air quality, and which has set up operations in Cape Town.

Businessmen here are used to regulations governing conditions on the factory floor but are not as familiar with the extent to which white collar working conditions have become a management concern worldwide

"But Sick Building Syndrome (SBS) and its consequences are the corporate issues of the '90s — so much so that a recent European Community directive sets out minimum health and safety standards for workers using computer monitors"

It is widely known that eye irritation, respiratory problems, ear, nose and throat infections can all be traced to poor quality of office environment

The dangers of passive smoking have also been recognised

However, there are other problems less well known

The energy efficiency of air conditioning is undoubted, but standard recirculation systems may aggravate health problems

Chemicals used in the manufacture and cleaning of carpets and furniture, dust and pollen, germs and viruses are all efficiently spread to the entire workforce

In addition, productivity is often reduced by the distubance of artificial lighting, radiation from copiers and monitors, noise and other distractions

However, says George Mitchell, president of CentreCore in the US, managements in South Africa are beginning to perceive the limitations of current arrangements, especially in high throughput areas such as customer services, accounting departments and telesales

"The typical office layout wastes much expensive space and impedes rather than enhances teamwork Modern techniques are also showing us the pitfalls of badly managed indoor air environments

One product already attracting much attention in South Africa is Airflow 2000, an air conditioning system in which separate units at individual work stations provide "an umbrella of clean air" for each worker

On the positive side, South Africa is entering the field of office envirnoment management fairly late, and local managers can choose the most advanced solutions without having to go through a costly process of trial and error

Mr Mitchell says his company's clients — which include Total Oil, Saatchi & Saatchi, Hewlett Packard and the US Defence Force — typically experience saving of up to 40 percent on office space.

"Our mission in South Africa is to alert business to the administrative pressures of the '90s and offer workable, measurable solutions."

Companies which care

(131)

S1 Times [B4SS] 10/5/92

MOST large companies have AIDS policies laying out procedures and treatment for HIV positive employees

AECI has compiled a document outlining the procedures for dealing with HIV positive employees Pre-employment testing is not required Neither are employees required to submit to testing before being admitted to the medaid scheme

AECI Industrial relations consultant AECI Claire Hock says "If a person with AIDS is too ill to work, he or she will be medically boarded The employee can then be retired, on pension until death, at which point dependants receive the benefits"

Most of AECI's 25 000 employees have received some form of AIDS awareness training. The SA Chemical Workers Union is also involved

The Chamber of Mines started to deal with the danger of AIDS in 1985 by studying 30 000 random blood samples Every person attending a sexually-transmitted disease (STD) clinic attached to one of the mines is tested for HIV

"We now have the best sample set of data in the country," says Izak Fourie, chief medical officer with the chamber "Five percent of those tested in the STD clinics are HIV positive — below the 8% recorded in Johannesburg STD clinics"

The rate of infection in the mining industry is below the national average, dispelling some myths about miners. The reason, says Dr Fourie, is that mineworkers are not as promiscuous as was thought

In addition to the normal medical-aid benefits, skilled mineworkers are generally also members of the Benefit Society It not only pays benefits but dispenses health care and medicine to members The society has 45 000 members, but more than 160 000 people benefit from this scheme

Full health care is available to unskilled mineworkers Once a mineworker is too ill for normal work, every effort is made to place him in a job he can do If a fatal disease is contracted, the breadwinner's dependants receive up to 36 months' pay Condoms are issued free

Gold Fields of SA consulting medical officer James Lowe says "Education is not getting through. We are extremely perturbed In spite of all the investment in education, the incidence of HIV infection continues to rise. We are now at the point of exponential lift-off in HIV infection"

Sharon White, a director of AIDS Education and Training, which help companies in educating their employees, says "There are still a lot of unfair labour practices when it comes to people with AIDS Workers are dismissed for having the disease"

Miss White says there is a misconception among managers that AIDS education is too expensive or that educators are not available Spending on AIDS programmes should be seen as an investment in the company

Goals

Susan Hyde, Transnet's senior AIDS consultant, says "A large proportion of the workforce is illiterate or semi-literate, a problem that was overcome with the use of pictorial flip-charts

"AIDS and employee health are not negotiable Management and labour have the same goals"

Miss Hyde warns against the "spray and pray" approach to AIDS programmes — spraying information and condoms in the hope that they have the desired result

Genref inspection

W/Mail 815 - 14/5/92

DEPUTY Director of Manpower Tim Curtis this week inspected the Genref refinery in Durban at the request of the CWIU. The union alleges that a two-week strike at the company is forcing management to use unqualified labour to operate the intricate refining machines and that this poses a danger to the workers and the community.

Curtis investigated the alleged injury of unqualified workers at the factory; 12-hour shifts being worked without a break for the past two weeks; the dumping of sludge; and the presence of a sulphur cloud over the residential area of Merebank for half an hour this week. (131)

Reports by Weekly Mail staff, Sapa

AIDS IN THE WORKPLACE

Education key to beating doomsday

131

S/Times (BUSS) 10/5/92

PETER Doyle, Metropolitan Life's senior general manager, finance and information services, developed the Doyle Model, the seminal analysis of the demographic implications of AIDS in SA.

Mr Doyle says "It is unlikely that the doomsday forecasts that over 50% of the adult population will be dead or dying of AIDS by the year 2000 will be realised.

"The number of persons infected will nevertheless be large and could have critical implications for SA's health-care system"

A key to controlling the spread of infection will be to control and treat other sexually transmitted diseases

Based on what is known about the causes of AIDS, about 3,75-million people could be HIV-infected by the year 2000 More than 407 000 may die of AIDS by the year 2000 and the level of HIV infection will peak at 27% of the population by 2005

Adults

This assumes no change in behaviour in the next eight years, no cure and that the pattern of the disease in SA will follow that of those countries in Africa, such as Rwanda and Burundi, where between 20% and 30% of the population is HIV positive

Mr Doyle says the scenario for SA may alter dramatically if there is a behavioural change

"There are no 'high-risk' groups, there is only high-risk behaviour HIV infection affects all racial, income, education and skill groups"

Research in Africa shows that the level of HIV infection is higher among managers and senior employees than it is among workers.

One of the most serious implications of the disease will be the loss of skilled labour, says Mr Doyle

Loss of productivity can be expected because the HIV-infected person suffers a series of increasingly debilitating diseases, with severe emotional and financial implications for family and friends

The disease has several implications for business

- A loss in productivity and increase in costs relating to sick leave, medical and life cover benefits and the cost of training workers.

Policy

- The loss of export markets, such as in Central Africa, where the disease is several years ahead of SA
- Although a decline in the size of domestic markets is unlikely, their rate of growth will slow Demand patterns for certain goods and services could change. There might, for example, be an increase in demand for life assurance, but a fall in supply.
- With larger investment in training, educating and supporting the workforce, it may emerge better trained in the future

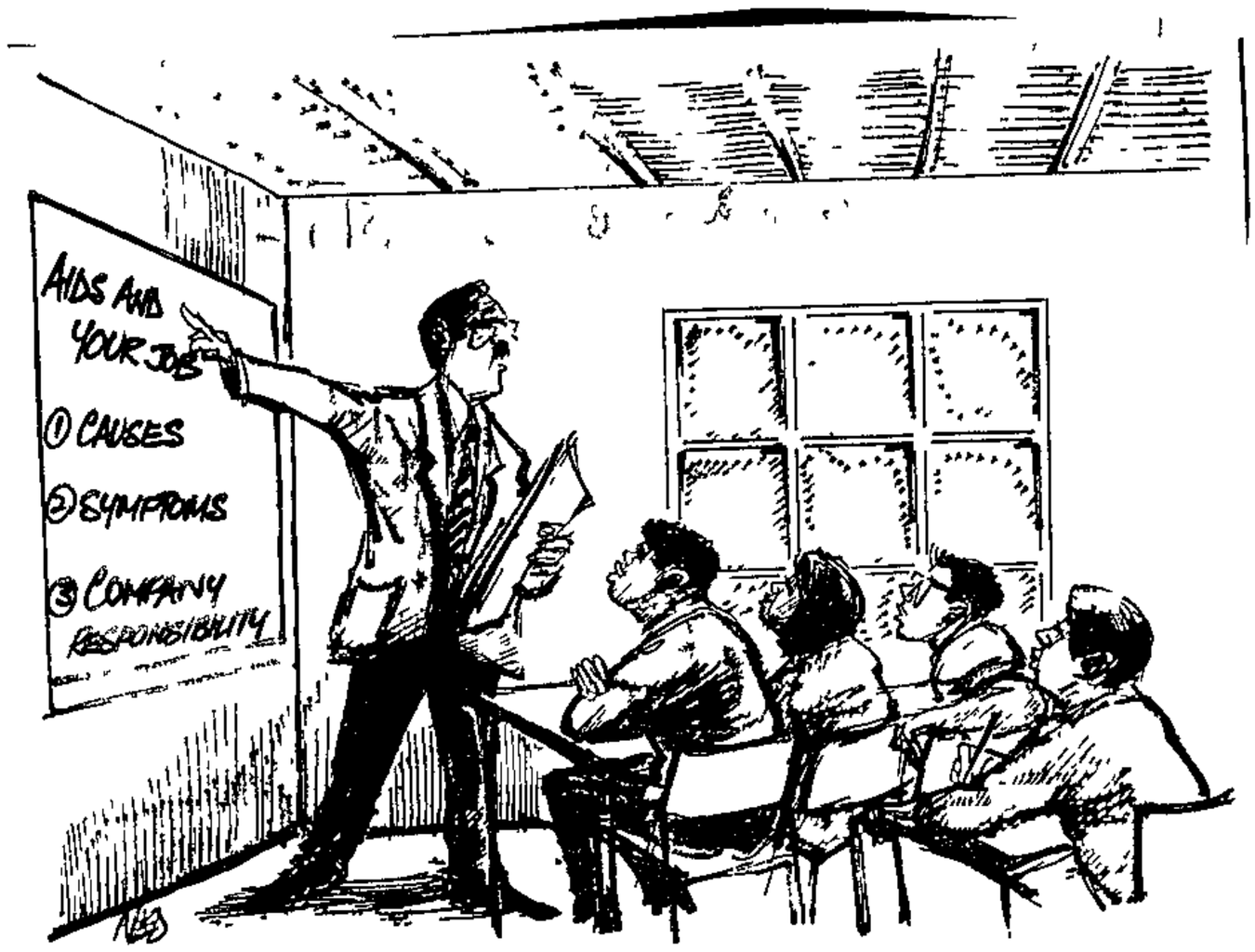
"Business leaders must keep informed and plan accordingly," says Mr Doyle

"AIDS is no longer a wild card in strategic planning

"Companies must develop their own employment policy to deal with AIDS The key may be to treat HIV infection no differently from any other life-threatening disease"

The average incubation period (from the time of contracting the virus to full-blown AIDS) in the United States is 11 to 14 years In SA it is eight years

A longer incubation period has more serious financial implications for life companies and medical-aid funds



Money opens the way to temptation

S/Times (BUSS) 10/5/92. (131)

AIDS is a disease of economically active people and for this reason it will have a profound effect on the working community, says Clive Evian, author of the booklet AIDS in the Workplace.

Dr Evian is also head of the AIDS awareness and prevention programme of the Johannesburg City Health Department.

Sexually active people, both employed and unemployed, are a high-risk group, says Dr Evian

"Employees with money in their pocket have greater mobility, exposing them to risk. They have access to liquor, which loosens their sexual impulses, and can also afford the services of sex workers"

Migrant workers are a high-risk group because of the absence of normal family life.

Blood

Rapid and uncontrolled urbanisation also contributes to the spread of AIDS because of the disruption of normal family and community life.

In these circumstances, sexual moles are often disregarded.

Dr Evian says proper housing and family accommodation for workers, and the discouraging of migrancy, will do much to curb the spread of the disease.

"AIDS is spread by sexual contact and the direct transfer of infected blood. AIDS will not normally be spread in the workplace and employees need not fear working alongside an infected person"

Dr Evian says AIDS is still shrouded in myth and hysteria Although no cure exists for AIDS, prevention is the most effective approach. That is achieved through education and safe sexual practices.

Dignity

The workplace is the best forum for informing workers about the facts of AIDS because companies have the facilities for training.

Dr Evian says companies should consider appropriate policies and practices relating to the employment of HIV positive employees; the support, assistance and care for employees with the virus; issues of confidentiality; and the acceptance of people with HIV-AIDS with the same respect and dignity afforded to other workers with illness and disability.

"AIDS education is the primary means of persuading individuals to modify their risk behaviour and minimise fear and prejudice based on ignorance.

"Where possible peers should educate peers and trade unions should be involved in educating their members"

A problem with educational programmes is that they are not sustained, says Dr Evian

AIDS is still in the silent phase of the epidemic, so people need to be reminded often that it is present.

Companies can adopt the policy guidelines outlined by the World Health Organisation and the International Labour Office about the treatment of HIV positive workers It urges people to avoid discrimination of HIV/AIDS sufferers by:

- Fostering a spirit of understanding and compassion for people affected by the disease.
- Protecting the human rights and dignity of HIV-infected people and the avoidance of stigmatising and discriminatory action against them in the provision of services, employment and travel.
- Ensuring the confidentiality of anyone infected with the virus.

Fawu investigates mill worker's death

Sowetan Correspondent (13)

THE Food and Allied Workers Union will take part in the investigation into the gruesome death of an oil mill worker in an explosion this week

Union general secretary Mr Mandla Gxanyana said the health and safety department and shop stewards at the Epic Oil Mills plant in Cape Town would be involved in the investigation "at every stage"

Boilermaker Mr Dicky Sieed died on Sunday when his welding torch ignited gas in the tank he was standing on, hurling his body and the tank cover about 500 metres

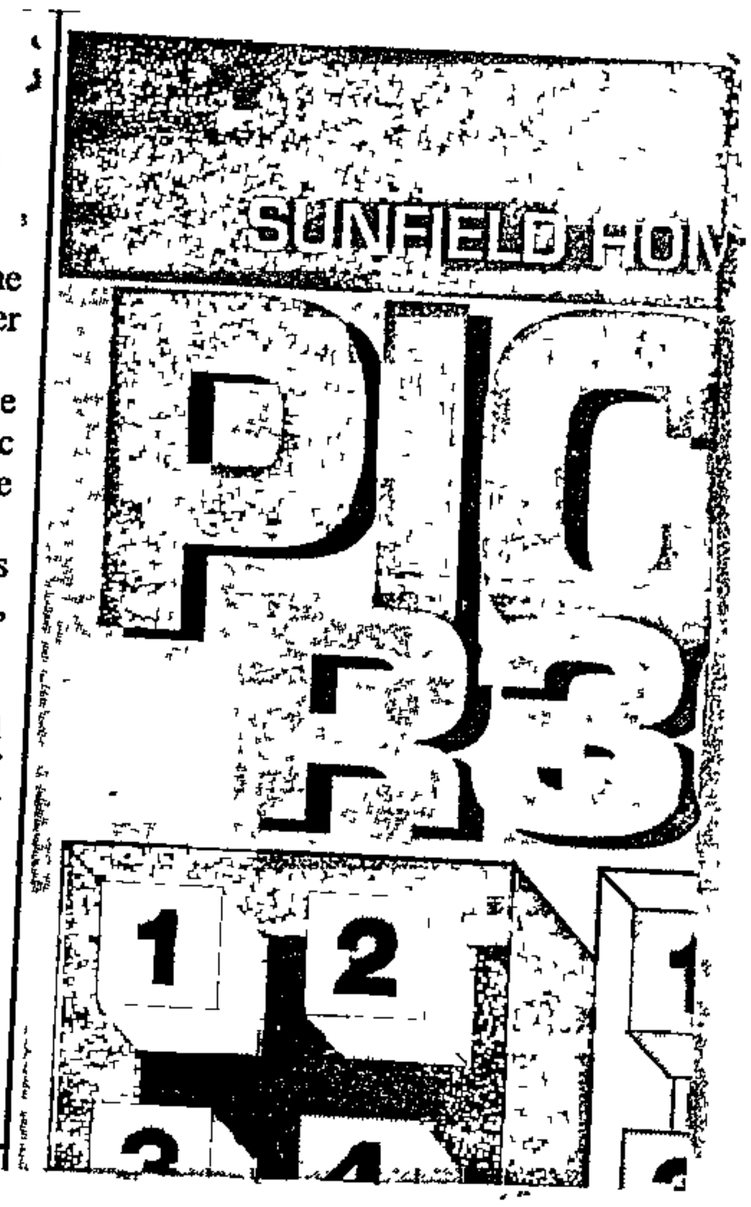
Three other workers were injured

"All operations at the Maitland plant were suspended on Monday until they were inspected by the Department of Manpower," said the plant general manager Mr Geoff Dex

Sowetan 21/5/92

Gxanyana said Sieed's death and the other workers' injuries had left colleagues and union members "with a deep sense of shock and grief"

Workers at the plant took a day's compassionate leave on Tuesday "to come to terms with the loss of a highly-respected and loved fellow-worker", Gxanyana said



Draft Bill on work safety

B/Day

21/5/92 GERALD REILLY (131)

PRETORIA — A draft Bill on occupational safety and health, with major new provisions, including placing responsibility on employers to address the problem of violence at work, had been published for comment, Manpower Department director-general Joel Fourie said yesterday.

He said this conformed to an undertaking given to Saccola, Cosatu and Nactu that all proposed labour legislation would be published for information and reaction before being submitted to Parliament.

Fourie said Manpower Minister Piet Marais announced earlier this month that legislation to replace the Machinery and Occupational Safety Act would be introduced to make up for deficiencies.

The changes in the draft Bill included provision for occupational health, and for the participation of employees in the process of designating safety and health representatives.

Fourie said interested parties could submit proposals and comments on the Bill

According to official statistics there are 10 111 patients with AIDS in SA and 339 people have already died from the disease The Medical Research Council estimates that by the year 2000 between 19% and 40% of SA's total health budget will be spent on treating AIDS patients at a cost of between R4bn and R8bn. The MRC says between 3,7-million and 4,1-million people will be HIV positive by the year 2000, 255 000 to 259 000 will be ill with AIDS and 197 000 to 203 000 will have died from the disease.

Workers' injuries pose problems

B/Day 24/5/92 (131)

PERMANENT disability from workplace accidents and occupational diseases is a major problem for workers under the current Workmen's Compensation Act (WCA), says occupational health researcher Shelley Arkles

She says every year thousands of claims are lodged with the Workmen's Compensation Commissioner, but the financial redress for workers with a permanent disability is extremely low.

If a worker is totally disabled (for example, paraplegia) a pension equal to 75% of his former monthly income is paid If partial disability is greater than 30%, the worker is paid a pension that is proportionally reduced If the injury is rated at less than or equal to 30%, a lump sum is paid

Arkles says this approach — known as the "meat chart" approach — focuses on the physical impairment of the worker only It takes no account of the worker's loss of earnings or loss of future earnings capacity

She believes the WCA — which makes provision for financial compensation for workers injured in accidents at work or who suffer from scheduled occupational diseases — fails to meet the needs of disabled workers because

☐ The wages on which compensation is calculated are low for unskilled and semi-skilled workers,

Erodes

☐ High inflation erodes the buying power of compensation pensions which, although periodically increased, are not linked to inflation or increased annually,

☐ The legislation does not distinguish between impairment and disability in calculating compensation and,

☐ Employment opportunities for disabled workers without appropiate skills are very limited

She says a white collar worker who loses a leg and is assessed at 70% disabled (according to the meat chart) could still continue working. But a blue collar worker who loses four fingers and is assessed at 40% receives a much smaller pension and might never work again.

"Manual workers who rely on their physical capabilities for a living find their employment opportunities significantly reduced with any physical impairment

"The WCA offers no protection against the dismissal of disabled workers who are often unemployable ."

The level of benefits workers receive is extremely low because employers only pay an average of 1% of their wage bill on compensation, according to Arkles

She says a restructured health system needs to consider permanent disability and workers' compensation in relation to

☐ Social security generally;

☐ Health and safety prevention,

☐ Rehabilitation and,

☐ Appropriate structures for effective employer and employee negotiations on the issue

Nehawu is a major player in the sector

B/Day 29/5/92

WORKERS in the health sector are organising to fight "health for profit and the unilateral restructuring of services," says the assistant general secretary of the 50 000-strong National Education, Health and Allied Workers' Union (Nehawu) — Neal Thobejani.

(131)

Thobejani says the union is involved in a Progressive Health Unity Forum — that includes organisations like the ANC and the National Medical and Dental Association — where policy for a future health system in SA is being discussed.

He says the bottom-line is that the state must take responsibility for the health of people — especially the young, old and unemployed.

This month tariffs at public hospitals were increased by 12% and the union is "consulting with the community" about action against the increase. Nehawu sees the increase as part of the "commercialisation" of health services which is putting health out of reach of most people.

Dispute

Nehawu and three other unions are in dispute with the Commissioner of Administration over wages and working conditions.

Thonejani says industrial action — including sit-ins, demonstrations and strikes — is certain in the industry if the commissioner does not improve on the wages offer.

On private hospitals Thobejani says the conditions are slightly better. "But our main struggle is for centralised bargaining in the private hospitals."

The Nurses Forum has called on Codesa to decide the status of the SA Nurses Associations (Sana), which, with about 150 000 members, has a majority of black members. Membership is compulsory.

Thobejane says many black nurses are also members of Nehawu and the referendum is a response to pressure on Sana to be a trade union. If Sana accepts union status the prospects for unity will be better.

Nehawu and Sana are at loggerheads on issues like the right of nurses to strike, whether health is an essential service or not and whether health workers should be covered by the Labour Relations Act.

Nehawu has been organising in hospitals for the past seven years, but it was only after the nationwide hospital strikes in 1990 that it was taken seriously by the health authorities and other unions in the sector.

Merging

Now Nehawu is on the brink of merging with four other unions in the sector — the Cape-based Health Workers Union, Northern Transvaal Public Sector Union, Venda Public Sector Union and the Kwa Ndebele Public Sector Union. This will increase its membership by a further 12 000.

In addition, Nehawu is discussing unity with Nactu's 30 000-strong Public Sector Union (PSU) under the auspices of the joint Cosatu-Nactu Workers Summit this weekend.

Outside the staff associations, Nehawu and the PSU are the main players in the health sector.

If they unite, the new union will be the major force among health workers.

Principals responsible for safety

W/Mail 29/5 - 4/6/92

(131)

Weekly Mail Reporter

PRINCIPALS of Model C schools will be liable for fines of up to R20 000 or two years in jail if they do not maintain safety standards on their premises.

They will now be responsible for implementing safety in terms of the Machinery and Occupational Safety Act, according to occupational safety and health consultancy National Occupational Safety Association (Nosa).

Nosa says some of the commonly identified unsafe conditions at schools include:

- Inadequately guarded woodworking machinery.
- Poor quality and condition of tools used by pupils.
- People who work with lead must be examined on a regular basis. This would apply to technical colleges and art schools where lead is used.
- Poor conditions of floors and stairways.
- Illegal electrical wiring and the unsafe condition of existing wiring.
- Lack of adequate fire-fighting equipment.
- Allowing pupils to behave in a way which endangers the health and life of fellow pupils
- Poor control of dangerous chemicals in laboratories.

Nosa managing director Keith Anderson says that in terms of the Act the principal is given the additional responsibility of being deemed the chief executive officer. He has to ensure that safety representatives are appointed where there are more than 20 staff members. They should carry out three-monthly inspections of school premises and report all unsafe acts and conditions to the principal

Back on the JSE in Servgro colours

S/Times (BUSS) 31/5/92

ONLY two years after the delisting of Federale Volksbeleggings in a minority buy-out by Sankorp, a good whack of the assets are to be relisted under the Servgro banner

Servgro, which is to be listed soon, is Sankorp's services arm

Fedvolks — a perennial dog if ever there was one — used to be a miscellaneous bag of bits They included tyres, china, drugs and tractors as well as some of the investments now under the Servgro logo, such as Interleisure, Teljoy, Avis, Interpark, Fedics and Price Forbes.

To these six has been added 22% of Nasionale Pers (Naspers), the unlisted holder of interests in magazines, newspapers, M-Net and outdoor marketing

Tender

The amount paid in this intra-house deal — the sellers were Federale Pension Fund and Sanlam — is not disclosed Such trade in listed shares would have had to go through the JSE at least as a nominated deal

Servgro bought 2,4-million Naspers, the last tender for which was at R30 a share.

Managing director Peet

By JULIE WALKER

van der Walt says Fedvolks is history and that Servgro has focus

It is hard to spot focus in such diverse operations as cinemas, TV rental, car hire, car-park management, catering and actuarial evaluations as well as publishing.

Mr Van Der Walt says Servgro is the new image of a services group developed with strategy over 15 years. He says the institutions accept this and say they will place a premium rating on Servgro

In 1990, Fedvolks' share price jumped from 235c to 300c ahead of the minority take-out proposal, which was done at 460c a share Alternatively, members could take part cash and part SA Druggists, Teljoy and Fedfood scrip

The scheme of arrangement cost Sankorp more than R300-million.

In the year to March 1991, Fedvolks made R124-million attributable profit Since then, restructuring in the greater Sankorp empire has resulted in Fefood and SA Drugs going to Malbak and the engineering-type entities, such as Fedstone, to Murray & Roberts, leaving Servgro with a batch of service companies

Servgro made R39-million attributable profit in the year to March 1992 — up by a quarter on the previous year.

Mr Van der Walt says 66% of the group's income comes from the leisure-related services

His challenge is to see that Servgro is listed in the premium-rated hotels, beverages and leisure sector of the JSE as opposed to the duller industrial holding sector

Servgro has management responsibility for most of its investments without necessarily having 51% control.

PEET VAN DER WALT: In focus

Nosa gets the nod

S/Times (BUSS) 31/5/92 (131)

THREE executives from Australia's and the world's largest mine are in SA to sign a licence agreement for the National Occupational Safety Associations (Nosa) five-star safety and health programme.

The signing of this agreement is seen as a coup because the team from Hamersley iron-ore mine travelled the world before deciding on Nosa

COMPA

PRELIMS	Turnover (Rm)
Keeley	191 4
Kelgran	191 4
Multi	19 4
Crookes	44,0
Molyslip	14,9
Amaprop	—
Lenco	455,1
Absa	—
Trans Hex	—
Twins▲	476,9
Yabeng	—
Jasco	72,3
Eureka	108,6
Fenix*	N/A
Higate	—
Histonec	—
Coastal	20,0
C-Matic	17,4
Tollgate	551,5
Propcor*	—
Arome	N/A
Sondor	24,6
Alda	N/A

▲13 months *18 months

INTERIMS	
Oakfields	0,8
Norvic	N/A
Usko	109,6
Metpol	—
Disa	N/A
Corsyn	—
Tweefnt	—

BUSINESS

EDITED BY FRED ROFFEY

Schools' safety decision boost for security firms

(131)

S Times (Cape Metro) 31/5/92

THE services of safety and security consultants will get a boost following a warning from the National Occupational Safety Association (NOSA) that principals of Model C schools who fail to adopt adequate safety precautions at their schools could face fines of up to R20 000 and two years in jail

The warning is far reaching, as from the beginning of April this year all government (House of Assembly) schools — preprimary, primary and high schools — automatically became Model C schools unless they decided otherwise

Principals of Model C schools are responsible for implementing safety in terms of the MOS Act (Machinery and Occupation Safety Act), and under this Act the principal is given the additional responsibility of being regarded as the chief executive officer

In this capacity he must appoint a safety representative where there are 20 or more staff members, and where there are more than 50 staff members an additional safety representative must be appointed

These safety representatives must carry out a three-monthly inspection of the school premises and grounds (some parts could require a monthly inspection) and report all unsafe acts and conditions to the principal

These unsafe conditions include

- Inadequately-guarded woodworking machinery
- Poor quality and condition of tools used by pupils
- People who work with lead must be examined on a regular basis This would apply to technical colleges and art schools where lead is used
- Poor condition of floors and staircases
- Illegal electrical wiring and the unsafe condition of existing wiring.
- Lack of adequate fire-fighting equipment
- Poor control of dangerous chemicals in laboratories

An "unsafe act" would be where the principal allowed pupils to behave in a way as to endanger the health and life of fellow pupils

NOSA managing director Keith Anderson said the MOS Act also applied to universities and technikons and had serious implications for principals and heads of these organisations

"If the principal fails to act on any of the safety representatives or safety committee findings, and any person — albeit a pupil, visitor or staff member — is injured because of his failure to heed these recommendations, he will be guilty of an offence and could face a maximum of two years in jail or a R20 000 fine or both"

He said the key to addressing the requirements of the MOS Act was in the training of those involved in implementing safety and security

"We offer a full range of courses from the training of the safety representatives to those who need the highest qualifications in the safety field," said Mr Anderson

Safety and security companies in the Western Cape said they were ready to help school safety representatives locate and rectify unsafe conditions

"We have had plenty of experience tracking these conditions in factories and offices," said one consultant

"We are used to dealing with unsafe machinery, tools, floors and wiring and helping management to rectify them Now we can apply our expertise to educational institutions"

Price cutters at war with licensed dealers

S/Times [BUSS] 31/5/92. (131)

By DON ROBERTSON

AUTHORISED dealers in electronic goods are in a bitter battle with unauthorised traders whose grey market now amounts to about 50% of sales

Authorised dealers claim their unauthorised counterparts cannot provide sufficient after-sales service, giving products a bad name

The unauthorised dealers, however, claim the hostility is because of their lower prices — in some cases 30% less than authorised dealers

The row culminated in an advertised warning this week by dealers in Minolta, Nashua, Olivetti, Panasonic, Sanyo and Toshiba products

Fines

They warned buyers of faxes, answering machines and cordless telephones that all equipment must meet Post Office requirements

They said only authorised dealers were allowed to modify and maintain these products to meet requirements They listed 14 other companies they claimed were not allowed to modify the machines

"Users of non-licensed equipment risk questionable after-sales service, heavy fines, lightning damage, possible disconnection of the apparatus and suspension of their telephone services"

Most of the unauthorised, or so-called parallel importers, dispute these allegations Several say they have licences that meet Post Office specifications

Some say they will take legal action against the signatories to the advertisement

But several licensed dealers threaten to prosecute unauthorised traders

Unauthorised traders sell brand-name products, imported from America, Hong Kong and Singapore, for 30% less than charged by accepted dealers For instance, a popular fax machine, the Panasonic KX50, sold by parallel importers and equivalent to the Panasonic 20-50, could cost R1 650 at a discounter The price is R2 089 at a dealer who buys from an authorised importer

Neal Quirk, managing director of OfficeMart, says that in March his company sold 300 of the KX50 faxes and none has been returned

OfficeMart has its own technicians and back-up service as well as spare parts

Remez, a parallel importer which claims to have introduced telephone attachments such as answering machines to SA, says it has 63 licences from the Post Office, 22 of which relate to Panasonic products

Remez sales and marketing executive Niel Gibb says his company imports small quantities to suit the market and offers full service by 18 technicians

He claims his service is better than that offered by some retail chains

Stuart Reaper, general manager of Fax Shop, says that in today's competitive market, many unofficial distributors offer continuity of supply and service That worries official distributors

Videos

Mr Reaper says "This probably accounts for certain official distributors losing their market focus and concentrating their efforts on attacking the credibility of the unofficial distributors

"The approach of certain official distributors lacks substance, credibility and momentum and is contrary to sound marketing principles"

The grey market extends to TV sets, audio-video equipment, calculators, telephones and other electronic devices

The Business Equipment Association (BEA), which represents authorised distributors, says parallel imports increased during sanctions That was a free-for-all era, but many complaints have been received by unhappy customers who bought "unauthorised" products

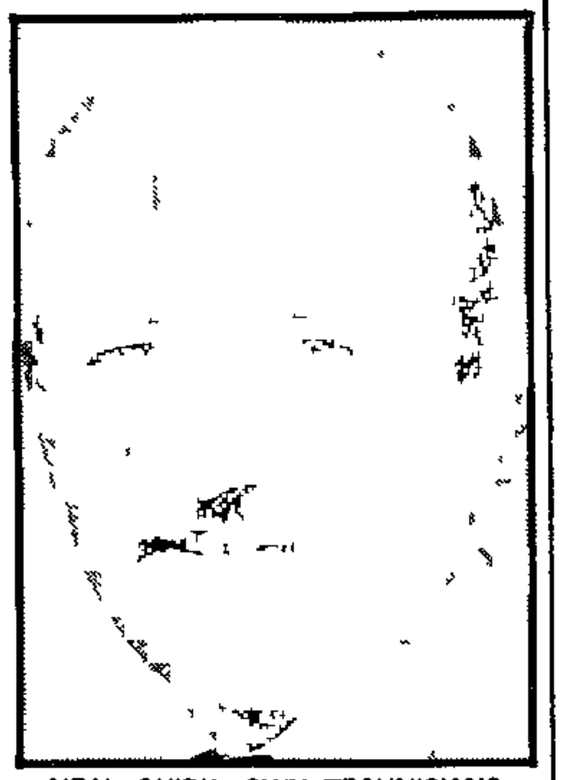
Accounts

BEA executive director Les Wood says that not only does the sale of these products affect their good name, but telephone subscribers could have their service disconnected if they do not use licensed goods

The cost of having telephone attachments linked to Telkom is high and has to be passed to buyers

More important is the fact that grey market telephones have to be modified to meet Post Office requirements This is illegal if done by a non-licensed dealer because it contravenes patent and copyright laws

Dennis Hurrell, general manager of comunication policy and regulating at the Department of Posts and Telecommunications and a signatory to the advertisement, says the use of unlicensed telephones or faxes has caused "a large problem in the market"



NEAL QUIRK OWN TECHNICIANS

He says it could result in people being unable to dial the correct number, speech levels may not be up to requirements and increased telephone accounts could result

Unlicensed telephones cannot be legally conected to Telkom, says Mr Hurrell

Some grey market dealers are granted a licence, but they fail to install the necessary modifications

Product manager of the telecommunication division of National Panasonic George Barbaressos says Japanse machines have been specifically modified for SA conditions Any SA distributor making similar modifications does so illegally

"We sell two cordless telephones, but there are more than 15 Panasonic models on the market"

The MINISTER OF TRADE AND INDUSTRY

(1) The number of liquidations of companies and close corporations are as follows

Year	By Court	Voluntarily	Total
1987	1 232	541	1 773
1988	808	653	1 461
1989	881	569	1 450
1990	1 195	393	1 588
1991	1 686	202	1 888
1992 (Until end of May)	953	84	1 037

(2) My Department does not have any statistics on the number of job opportunities lost as a result of the above-mentioned liquidations Legislation administered by the Registrar of Companies and Close Corporations is aimed at the incorporation of companies and close corporations and the protection of members and creditors of these forms of enterprise, and not at employees of same Employees of companies and close corporations are therefore not registered with my Department

Detention of suspect in connection with bombings

*16 Mr H J COETZEE asked the Minister of Law and Order †

(1) Whether a certain person, whose name has been furnished to the South African Police for the purpose of the Minister's reply, is at present being held as a suspect in connection with alleged bombings in Pretoria, Verwoerdburg and Krugersdorp, if so what is this person's name,

(2) whether he will furnish information on whether this person was at any time a member of a certain service, the name of which has also been furnished to the Police, if not, why not?

B787E

The MINISTER OF LAW AND ORDER

(1) No

(2) Falls away

Unrest damage to school buildings/facilities

*17 Mr H J COETZEE asked the Minister of Education and Training †

What was the total amount of the damage as a result of cases of unrest to school buildings and facilities falling under his Department (a) in 1991 and (b) during the period 1 January 1992 up to the latest specified date for which information is available?

B788E

The MINISTER OF EDUCATION AND TRAINING

(a) R30 000

(b) R404 831,00 until 11 June 1992

School models for pupils at departmental schools

*18 Dr F H PAUW asked the Minister of Education and Training †

(1) What school models are available for pupils at schools falling under his Department,

(2) whether any provision is made for compulsory financial contributions by parents to the running costs of schools attended by their children and falling under his Department, if not, why not, if so, what are the relevant details?

B790E

The MINISTER OF EDUCATION AND TRAINING

(1) According to section 5 of the Education and Training Act, No 90 of 1979, the Minister of Education and Training may establish and maintain public schools He may also register private and state-aided schools (section 8) No "models" are used

(2) No In accordance with the principal contained in section 3(c) of the aforementioned Act, the education provided by the Department is free of charge Where a school fund does exist, regulation 3(3) of R 830 of 30 April 1992 determines that no parent or pupil can be forced to make a contribution to a school fund

TPA: opinion polls on squatter problem

*19 Mr P H DE LA REY asked the Minister of Local Government and National Housing †

(1) Whether the Transvaal Provincial Administration made use of one or two organizations during the past six weeks to conduct opinion polls by telephone on the Witwatersrand in connection with the Zevenfontein squatter problem in particular and the squatter problem in general, if so (a) what are the names of these organizations, (b) (i) what remuneration was paid to them and (ii) who paid for it and (c) what was the result of the telephonic opinion polls,

(2) whether any of the officials of the organizations concerned were previously in the service of the above-mentioned administration, if so, what are the relevant details?

B796E

The MINISTER OF LOCAL GOVERNMENT AND NATIONAL HOUSING

(1) Yes — one research organization

(a) Market and Opinion Surveys

(b) (i) R12 500,00

(ii) Transvaal Provincial Administration

(c) The result of the opinion polls by telephone, is not at present available as the analysis and evaluation of the response has not yet been completed

(2) No

Safety precautions at public state schools/state-aided schools

*20 Mr F J LE ROUX asked the Minister of Manpower † (131)

Whether the Machinery and Occupational Safety Act, No 6 of 1983 applies to ordinary public state schools and state-aided schools, if not, why not, if so, (a) what precautions have to be taken at these schools and (b) who is legally liable at (i) ordinary public state schools and (ii) state-aided schools for claims that may result from non-compliance with safety precautions? B797E

The MINISTER OF MANPOWER

Yes (131)

(a) Firstly, the Act provides for the safety of persons at the workplace or in the course of their employment That includes all the staff, from the principal to the messenger and the gardener Secondly provision is made for the safe use of machinery which includes the safety of all exposed persons, namely, staff, scholars and even the public who visit the school Thirdly a safety management system should be instituted and operated at schools in which the employees (staff) shall take part and, fourthly, the regulations promulgated in terms of the Machinery and Occupational Safety Act, 1983, which prescribe certain minimum safety standards should be complied with

(b) Section 10A of the Act provides

"(1) The Chief executive officer shall ensure that the employer complies with the provisions of this Act and is vested with overall authority in matters to which this Act relates

(2) The chief executive officer may delegate any duty contemplated in subsection (1) to any person under his control, which person shall act subject to the control and directions of the chief executive officer

(3) The provisions of subsection (1) shall not, subject to the provisions of section 30, relieve an employer of any responsibility or any liability under this Act

(4) For the purpose of subsection (1), the head of department of any department of State shall be deemed to be chief executive officer of that department "

This should be read with the definition of "chief executive officer ', which reads as follows

" 'chief executive officer', in relation to a body corporate or a government enterprise, means the person who is responsible for or is deemed to be responsible for the overall management and control of

cont --

the business of such body corporate or enterprise,

(i) In ordinary public state schools which function under the control of a government department the head of department is deemed to be the chief executive officer who shall ensure that the employer (the State) complies with the provisions of the Act

(ii) In those cases where the employer is a body corporate, the chief executive officer of the body corporate shall be responsible for the adherence to the provisions of the Act and the regulations

The definition of 'employer" reads as follows

" 'employer', means, subject to the provisions of subsection (3), any person whomsoever who employs or provides work for any person and remunerates that person or expressly or tacitly undertakes to remunerate him, or who permits any person in any manner to assist him in the carrying on or the conducting of his business, but excludes a labour broker within the meaning of the Labour Relations Act 1956 (Act No 28 of 1956)."

The payment of remuneration is an important element in the definition of "employer"

The institution who pays the remuneration of the teachers could therefore be regarded as the employer Currently the State can therefore still be regarded as the employer

An investigation into the legal position of the liability of body corporates at state subsidized schools has not yet been finalized but the *prima facie* impression is that the chairman of the body corporate is indeed the chief executive officer as contemplated in the Act, with the accompanying legal liability

Amount budgeted for Aids programme: balance

*21 Mr M J ELLIS asked the Minister of National Health

With reference to her reply to Question No 268 on 26 May 1992, (a) why was the amount of approximately R2 664 000, being the balance of the amount budgeted for her Department's Aids programme for the 1991-92 financial year, not spent during that financial year and (b) what has been done with this balance?

B799E

The MINISTER OF NATIONAL HEALTH

(a) The under expenditure can mainly be ascribed to the following

— the advertising agency which was initially appointed for the AIDS prevention campaign suspended its services and a new agency could only be appointed three months later, and

— suitable staff for vacancies could not be recruited and this resulted in certain programmes not being completed in time and

(b) the unspent balance was paid into the Exchequer Account

Permission for certain person to enter South Africa

*22 Mr L FUCHS asked the Minister of Home Affairs

Whether permission has been granted for a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply, to enter South Africa since his application for (a) permanent or (b) temporary residence was refused, if so (i) (aa) when, (bb) where and (cc) how many times was such permission granted and (ii) what is this person's name?

B800E

The MINISTER OF HOME AFFAIRS

The question requires a full explanation and I therefore find it necessary to make a full statement on the matter and with your permission, Mr Chairman, I lay the following statement on the Table.

Robert Von Palace Kolbatschenko alias Vito Roberto Palazzolo

Palazzolo's initial entry into South Africa was dealt with fully in Justice Harms s Commission of Inquiry Report and the matter had been covered extensively in the media It is therefore not elaborated on now

Consequent upon the inquiry Mr Palazzolo's permanent residence permit was withdrawn and he was instructed to leave the country which he did on 31 October 1991

Since then he has applied to enter South Africa on various occasions, inter alia for holiday business and transit purposes

As regards transit visas it should be remembered that Mr Palazzolo is a citizen of the Ciskei

Every application was considered as objectively as possible on the facts and arguments of the application concerned and in accordance with firm guidelines and established policy On five occasions, after such consideration, permission had been granted to him to enter South Africa Particulars are as follows

11 December 1991	Visitors visa for a visit 18 December 1991 till 7 January 1992 for purposes of a Supreme Court action and on compassionate grounds to spend Christmas with his wife, children, mother and sister
5 March 1992	Visitors visa for visit of 10 days for purposes of a medical examination in Cape Town
2 April 1992	Transit visa for multiple entries within six months for travel through South Africa from one place to another in the Ciskei using the shortest route
24 April 1992	Transit visa for transit to Jan Smuts Airport and return valid till 5 May 1992 in respect of two transit journeys of 72 hours each over the shortest route
15 May 1992	Transit visa valid for six months for transit journeys of 72 hours at a time in order to reach Jan Smuts Airport for purposes of visits overseas and to travel from one part of the Ciskei across South African soil to another part of the Ciskei

Normal customs, norms, rules and regulations continue to apply and Mr Palazzolo's presence within the Republic of South Africa remains subject to strict permit control which does not afford him the right to residence in South Africa and only free access for transit purposes

The following applications for entry into the RSA were refused

22 January 1992	Request for re-admission to the RSA
10 February 1992	Request for restoration of visa exemption
26 February 1992	Visitors visa for two visits of 10 days each requested Visa in respect of only one visit of 10 days granted
24 March 1992	Further request for restoration of visa exemption
14 April 1992	Visa in respect of business/family visit of 30 days

Extention of the periods that he wanted to sojourn in the Republic was also refused in the following instances namely

28 February 1992	Request that visa for visit of 10 days be extended to 12 days
26 March 1992	Request for extention of temporary residence permit from 28 March 1992 till 20 April 1992 Extention granted till 10 April 1992 only
31 March 1992	Request for extention of residence permit till 21 April 1992
3 April 1992	Further request for extention

Use of public hospitals by private patients

*23 Mr M J ELLIS asked the Minister of National Health

(1) Whether she has announced that private patients may now make use of public hospitals,

(2) whether any private patients suffering from particular illnesses or diseases will be prevented from making use of the provincial hospitals, if so, what are the relevant details

(3) whether patients will be restricted in regard to making use of public hospitals for any reason other than the illnesses and diseases referred to in paragraph (2) of this question, if so, what are these reasons?

B803E

cont-d

Die registrasie van oordragdokumente aldus ingehandig sal op 10 Julie 1992 gefinaliseer word waarna die registers tot die dag van rentebetaling gesluit sal wees.

Leningsheffing op Maatskappye, 16 Persent, 1994 (R1 001).

No. 1670 **19 Junie 1992**

Die Departement van Finansies maak hiermee bekend dat oordragdokumente vir registrasie ten opsigte van die ondergemelde Republiek van Suid-Afrika Binnelandse Geregistreerde Effekte **nie later nie as 30 Junie 1992** by die Departement se kantoor te Abattoirhuis 301, Hamiltonstraat 50, Arcadia, Pretoria, ingelewer moet wees ten einde vir die rentebetaling op 1 Augustus 1992 te kwalifiseer.

Die registrasie van oordragdokumente aldus ingehandig sal op 10 Julie 1992 gefinaliseer word waarna die registers tot die dag van rentebetaling gesluit sal wees.

Binnelandse Geregistreerde Effekte, 8,125 Persent 1996 (R043).

DEPARTEMENT VAN MANNEKRAG

No. 1679 **19 Junie 1992**

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983 (WET 6 VAN 1983)

Die Adviesraad vir Beroepsveiligheid maak hierby bekend dat, met die goedkeuring van die Minister van Mannekrag, 'n tegniese komitee ingevolge artikel 8 van die Wet ingestel is.

Hierdie tegniese komitee is spesifiek ingestel om ondersoek te doen en aanbevelings aan die Adviesraad vir Beroepsveiligheid te maak oor die daarstel van 'n stel van veiligheidsregulasies om voorsiening te maak vir die veiligheid van werkers in die siviele tonnelboubedryf.

Die lede van die tegniese komitee is:

1. Brian Alfred French (Voorsitter)
   Departement van Mannekrag
2. John Cruise
   Myningenieur
3. Rob McKenzie Fraser
   Highlands Delivery Tunnel Consultants
4. Arnold Peter Klintworth
   Grinaker Civils
5. Michael Henry Trissler
   Umgeni Water

Enige kommentaar of vertoe aan die komitee moet binne **90 dae** vanaf die datum van publikasie van hierdie kennisgewing op skrif by die Direkteur-generaal, Mannekrag, Privaatsak X117, Pretoria 0001, ingedien word.

I. MÜLDER,
Voorsitter van die Adviesraad vir
Beroepsveiligheid.

The registration of transfer documents thus handed in will be finalized on 10 July 1992 whereafter the registers will be closed until the date of the interest payment

Loan Levy on Companies, 16 Per Cent, 1994 (R1 001).

No. 1670 **19 June 1992**

The Department of Finance announce hereby that transfer documents for registration in respect of the undermentioned Republic of South Africa Internal Registered Stock must be lodged with the Office of this Department at 301 Abattoir House, 50 Hamilton Street, Arcadia Pretoria, **not later than 30 June 1992** to qualify for the interest payment on 1 August 1992.

The registration of transfer documents thus handed in will be finalised on 10 July 1992 whereafter the registers will be closed until the date of the interest payment.

Internal Registered Stock, 8,125 Per Cent 1996 (R043).

DEPARTMENT OF MANPOWER

No. 1679 (131) **19 June 1992**

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983 (ACT 6 OF 1983)

The Advisory Council for Occupational Safety hereby makes known that, with the approval of the Minister of Manpower, a technical committee has been established in terms of section 8 of the Act.

This committee was established specifically to conduct an investigation into and make recommendations to the Advisory Council for Occupational Safety on the establishment of a set of safety regulations to provide for the safety of employees in the civil tunneling industry.

The members of the technical committee are:

1. Brian Alfred French (Chairman)
   Department of Manpower
2. John Cruise
   Mining engineer
3. Rob McKenzie Fraser
   Highlands Delivery Tunnel Consultants
4. Arnold Peter Klintworth
   Grinaker Civils
5. Michael Henry Trissler
   Umgeni Water

Any comment or representations to the committee must be submitted in writing within **90 days** from the date of the publication of this notice to the Director-General, Manpower, Private Bag X117, Pretoria, 0001

I. MÜLDER,
Chairman of the Advisory Council for
Occupational Safety.

SOWETAN Friday June 19 1992

Phone clash led to 'assault' with iron rod

Sowetan 19/6/92

(131)

A CLERK at a Pretoria insurance company has received eight stitches on the forehead after he was allegedly assaulted with an iron rod by a white manager during an argument at his workplace

Atteridgeville's Mr Ben Ngwasheng also has a swollen left eye and cheek as a result of the assault which, he said, followed an argument over a telephone inside an office at Mutual and Federal Centre in Vermeulen Street on Monday morning

Sowetan has established that Ngwasheng was later suspended - with full pay - pending the outcome of a disciplinary inquiry scheduled for today

Ngwasheng received eight stitches at the HF Verwoerd Hospital, where he was treated and discharged soon after the incident

- Ngwasheng declined to comment on the matter

An assistant manager of the company, Miss Denise Brown, also refused to discuss the matter

"There is no statement but we will be dealing with the case," Brown said

Ngwasheng's lawyer yesterday confirmed they had laid charges of assault against the senior white official They also intended suing him

Although they had laid charges and were given the docket number of the case, police liaison officer for the Northern Transvaal Captain Andrew Lesch yesterday said the number did not reflect that case

He asked Ngwasheng or his lawyer to contact him to clarify the matter

Sowetan has established that Ngwasheng had an argument with two women staffers over the use of a telephone on Monday morning An argument ensued and the white manager apparently intervened

He was allegedly manhandled, punched and struck with an iron rod

Brown declined to comment about allegations that the company was racist and denied blacks the right to use some of the company's facilities

Call to alter work disease laws

GAVIN DU VENAGE

THE recent closure of Thor Chemicals' mercury reclamation plant at Camperdown, Natal, highlighted the lack of rationally planned and effective legislation governing occupational diseases, a medical academic said at the weekend

Dr Mark Colvin, of Natal University's industrial health unit, said employers were under no obligation to provide occupational health services or to report work-related disorders, which he called vastly underreported

B/Day 22/6/92

The single biggest reason for this was the lack of adequate legislation Colvin said British law obliged employers, and not doctors, to notify the authorities of an occupational disease

The absence of occupational health services that were independent of employers was another inadequacy, he said And because the majority of workplaces had no health service, employees had to use a private GP or outpatient facilities at a state hospital The likelihood of an occupational disease being diagnosed in these circumstances was not high, said Colvin

He said two Thor workers lay in a coma for three weeks before their problem was diagnosed

(131)

Colvin recommended that a commission consisting of all affected parties be established to examine occupational health He called for the establishment of regional occupational health clinics, and recommended that employees be given the legislative rights to set up and control workplace health services

Meanwhile, Thor Chemicals has welcomed the announcement of a Department of Manpower inquiry into poisoning at its plant at Camperdown The probe will begin on July 13

Company spokesman John Macdonald said the company was continuing to monitor the progress of two men still in hospital and one employee already discharged Macdonald said the men's families were being given support He said a former employee, Eric Mkhize, previously treated by Colvin for mercury poisoning, had approached Thor after becoming dissatisfied with the care he had been receiving and was placed in private medical care

of contract, and liquid claims arising from production penalty costs and the purchase of diesel worth R43 000

Addressing Rappfos's largest claim, for R460 000 to test the water

"Now that we are on solid ground, we will attempt get back all the money we are owed," he said

'SA needs new labour law to protect AIDS victims'

B/Day 29/6/92 (131)

KATHRYN STRACHAN

THERE was an urgent need for reform in employment law to protect HIV and AIDS sufferers in the workplace, a leading advocate told delegates at a national conference on Legal Rights and AIDS in Johannesburg at the weekend

Cape Town advocate Norman Arendse said current legislation in both private and public sectors was "woefully inadequate", and that bigoted attitudes about HIV and AIDS in the workplace had to be challenged

"Those who have found themselves to have the virus or even to have been at risk of the virus have been subjected to all kinds of discrimination, for example, in education, employment, housing and insurance," said Arendse

Policies

Although several organisations had established AIDS policies or codes, which served a useful purpose particularly in educating people, these fell far short of providing infected people with protection against discrimination

There were indications that AIDS policies were largely aimed at attempting to create an AIDS-free working environment rather than tackling the employment-related AIDS problems like discrimination and dismissal

Arendse said there was much to commend a code of practice which would apply to all employers and employees and trade unions covered by the Labour Relations Act However, there was no liability for breach of such a code and no legal compulsion to comply with its provisions

What was needed was an amendment to the Labour Relations Act or the enactment of a separate statute which outlawed dismissal except for genuine occupational requirements and in cases of incapacity

The statute would also have to extend to dealing with unequal treatment in training, promotion and transfers Other aspects to be covered by legislation should include dealing with discrimination in respect of ordinary contractual benefits like pension, medical aid and housing subsidies Protection would have to be extended to all classes of employees as well as to infected job applicants

Arendse said legislation would have to provide for effective remedies against discrimination which included reinstatement, compensation and counselling

Paradoxically, one of the most effective ways of curbing the spread of the disease was the protection of people with AIDS against discrimination

Those who had contracted the virus and those most at risk had to be able to seek what treatment was available and assist with research of the disease

Against this there was the public need to restrict conduct which was likely to spread the disease

Arendse believed a balance had to be struck so that those at risk were willing to come forward, and that the disease could be treated — otherwise there would be a genuine risk that the disease could be driven underground

revenue measures, swingeing spending cuts and a promise to impose positive real interest rates (implying nominal interest rates of upwards of 35%). Coming at a time of growing redundancies, rampant inflation and a steep decline in living standards, it constitutes the most serious threat to Mugabe's political future since he took office 12 years ago

If a viable opposition was waiting in the wings, Mugabe would be in deeper trouble Fortunately for him, the one-party state set up by agreement with Joshua Nkomo's Zapu party has left the electorate with no option This is bound to change as the economic crisis deepens and dissension over Chidzero's programme grows within the ruling party ■

MOSACT FM 3/7/92 (131)

Employers, beware

Businessmen, CEOs in particular, would be well advised to study the proposed new Bill on Occupational Safety and Health It relates to about 300 aspects of safety which, if ignored, expose company directors to potential fines of R100 000 or two years' imprisonment on each major count Liability is transferred away from a designated officer, such as a safety manager, and placed firmly in the chief executive's lap

Further, it exposes directors to subsequent civil suits which could wipe out their personal assets Nor are the various exposures fully insurable

The latest proposed legislation is scheduled to go to parliament next year It replaces the existing MOSACT (Machinery and Occupational Safety Act), introduced nine years ago and since amended several times MOSACT itself replaced the rather toothless Factories Act Concurrently, there have been developments, which mean a director can no longer hide behind the protection of the Workmen's Compensation Act as a shelter from corporate or personal liability suits

Under Section 7 of the Workmen's Compensation Act, an employee could not sue an employer following a settlement by the commissioner Now it is being argued that a director is not the employer and may be sued in a personal capacity Mike Alexander of Group Legal Consultants, a subsidiary of brokers M I B, believes Section 7 is capable of being by-passed "It is clear that a director is not the employer. The directors, arguably, may be sued

"One can only hope the occupational safety inspectors take a reasonable view and respect the right of the CEO to delegate this area of responsibility, otherwise the cost in executive time of chief executives defending themselves against prosecution would be prohibitive" This applies to actions where the CEO is representative of the company and also where he is being sued in his personal capacity.

His colleauge Mike Kruger adds "The increasing influence of the trade unions, plus the new emphasis on the American legal practice of 'sue if you can' creates a potential double exposure.

☐ The company itself is liable to prosecution, sometimes on multiple counts, under the revised legislation, and

☐ Directors find themselves potentially liable in circumstances where previously they were afforded protection"

Directors and Officers insurance policies offer a limited protection, though they have not been in general use in SA These and some public liability policies will sometimes pay legal defence costs but, as in the case of prosecutions under the Companies Act, it would be illegal for an insurer to pay a fine because this would be seen as encouragement to break the law

The implications of the draft Bill are, therefore, far-reaching Comment and representations have to reach the Department of Manpower by mid-August Group Legal Consultants is arranging a series of workshops to identify problem areas and has been asked by SACOB and the SA Risk Managers' Association for feedback and an opinion

Kruger points to one worrying aspect of the Bill "There's a trend towards individual and personal liability, reinforced in the proposed Bill The provision that the CEO of a company is personally liable for any contravention of the regulations means that the company can no longer rely on any fine being paid from the company's petty cash"

In 1991, he notes, there were about 15 000 MOSACT prosecutions compared with only a handful of successful prosecutions in the 42 years that the Factories Act was in place

"So the replacement legislation adds a new dimension of risk an employer owes a duty of care to protect employees against injury or harm and this risk must be managed" Alexander expects the courts to apply the "reasonable man" standard If the "reasonable man" test results in a successful criminal prosecution under the legislation, it can be expected that such prosecutions will be followed by civil suits seeking reparation under the delictual law of damages and negligence

Generally, the proposed legislation follows practice established in the US and Europe An underlying principle, says Kruger, is the employee's "right to know", in particular his rights with regard to workplace hazards Cost-benefit approaches can no longer be applied "It's imperative that employers train workers on risk matters and, even more important, that the company's system of compliance is documented so that its directors can show they have taken all reasonable steps" ■

INCOME TAX FM 3/7/92

End of a dodge

A blow has been struck at an ingenious method of avoiding tax. Until now, annuities paid by a retirement annuity fund have been

contin-P

ADMINISTRASIE: VOLKSRAAD

DEPARTEMENT VAN PLAASLIKE BESTUUR, BEHUISING EN WERKE

No. R. 2197 **31 Julie 1992**

MUNISIPALITEIT VAN TZANEEN

WYSIGING VAN DIE STANDAARD ELEKTRISITEITSVERORDENINGE

Die Stadsklerk van Tzaneen publiseer hierby ingevolge artikel 101 van die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie No 17 van 1939), die verordeninge hierna uiteengesit

Die Standaard Elektrisiteitsverordeninge afgekondig by Administrateurskennisgewing 1959 gedateer 11 September 1985, en aangeneem deur die Stadsraad van Tzaneen by Plaaslike Bestuurskennisgewing No 1834 gedateer 1 Oktober 1986, soos gewysig, word hierby verder soos volg gewysig·

Deur in artikel 10 (2) die uitdrukking "12 maande" deur die uitdrukking "36 maande" te vervang

J. DE LANG,
Stadsklerk

Munisipale Kantore
Posbus 24
TZANEEN
0850

ADMINISTRATION: HOUSE OF ASSEMBLY

DEPARTMENT OF LOCAL GOVERNMENT, HOUSING AND WORKS

No. R. 2197 **31 July 1992**

TZANEEN MUNICIPALITY

AMENDMENT OF STANDARD ELECTRICITY BY-LAWS

The Town Clerk of Tzaneen hereby, in terms of section 101 of the Local Government Ordinance, 1939 (Ordinance No 17 of 1939), publishes the by-laws set forth hereinafter

The Standard Electricity By-laws promulgated under Administrator's Notice 1959 dated 11 September 1985, and adopted by the Town Council of Tzaneen under Local Authority Notice No 1834 dated 1 October 1986, as amended, are hereby further amended as follows

By the substitution in section 10 (2) for the expression "12 months" of the expression "36 months"

J. DE LANG,
Town Clerk

Municipal Offices
P O. Box 24
TZANEEN
0850.

DEPARTEMENT VAN MANNEKRAG

No. R. 2201 **7 Augustus 1992**

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983 (WET No. 6 VAN 1983)

KONSEPREGULASIES VIR HYSERS, ROLTRAPPE EN PASSASIERVERVOERDERS

Die Minister van Mannekrag publiseer hiermee, ingevolge artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No 6 van 1983), op aanbeveling van die Adviesraad vir Beroepsveiligheid, die konsepregulasies in die Bylae vervat vir algemene inligting en kommentaar

Enige kommentaar of vertoe met betrekking daartoe moet skriftelik by die Direkteur-generaal Mannekrag, Privaatsak X117, Pretoria, 0001, binne **90 dae** vanaf die datum van publikasie van hierdie kennisgewing ingedien word.

BYLAE

KONSEPREGULASIES VIR HYSERS, ROLTRAPPE EN PASSASIERVERVOERDERS

Woordomskrywings

1. In hierdie regulasies beteken "die Wet" die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No 6 van 1983), en enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, het die betekenis aldus daaraan geheg en, tensy uit die samehang anders blyk, beteken—

"amptelike nommer" die nommer, uitgereik deur 'n inspekteur, wat eie is aan daardie spesifieke hysbak, roltrap of passasiervervoerder op 'n bepaalde perseel,

DEPARTMENT OF MANPOWER

No. R. 2201 (131) **7 August 1992**

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983 (ACT No 6 OF 1983)

DRAFT REGULATIONS FOR LIFTS, ESCALATORS AND PASSENGER CONVEYORS

The Minister of Manpower, on the recommendation of the Advisory Council for Occupational Safety, hereby publishes under section 35 of the Machinery and Occupational Safety Act, 1983 (Act No 6 of 1983), the draft regulations in the Schedule for general information and comment

Any comments or representations on these draft regulations should be lodged in writing with the Director-General Manpower, Private Bag X117, Pretoria, 0001, within **90 days** from the date of publication of this notice

SCHEDULE

DRAFT REGULATIONS FOR LIFTS, ESCALATORS AND PASSENGER CONVEYORS

Definitions

1. In these regulations "the Act" means the Machinery and Occupational Safety Act, 1983 (Act No 6 of 1983), and any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates—

"accredited person" means a person holding a certificate of accreditation issued by the Metal Industries Training Board, and who has at least one year practical experience on the installation, test and maintenance of that make of lift, escalator or passenger conveyor he intends to inspect,

"bevoegde persoon" die bevoegde persoon soos omskryf in regulasie 1 van die Algemene Masjinerieregulasies gepubliseer by Goewermentskennisgewing No R 1521 van 5 Augustus 1988,

"bouershysmasjien" 'n bouershysmasjien soos omskryf in regulasie 1 van die Aangedrewe Masjinerieregulasies gepubliseer by Goewermentskennisgewing No R 295 van 26 Februarie 1988,

"geakkrediteerde persoon" 'n persoon wat in besit is van 'n sertifikaat van akkreditering, uitgereik deur die Opleidingsraad vir Ambagslui in die Metaal- en Ingenieursnywerhede en wat minstens een jaar praktiese ondervinding het in die installasie, toets en instandhouding van daardie maak van hyser, roltrap of passasiervervoerder wat hy van voorneme is om te inspekteer,

"goederehysmasjien" 'n goederehysmasjien soos omskryf in regulasie 1 van die Aangedrewe Masjinerieregulasies gepubliseer by Goewermentskennisgewing No R 295 van 26 Februarie 1988,

"hooflandingsplek" die landingsplek op dieselfde vlak as die hoofingang van die gebou;

"hyser" 'n permanente hysinstallasie, gebruik vir die vervoer van persone en goedere deur middel van 'n kar wat in 'n luikgang beweeg op 'n vertikale of amper vertikale leibaan en wat bepaalde landingsvlakke bedien, maar sluit nie handgedrewe hysmasjiene, goederehysmasjiene of bouershysmasjiene in nie,

"landingsplek" enige vloer of platform wat 'n gemagtigde stilhouplek is vir die hyser,

"luikgang" enige vertikale of amper vertikale skag waarin 'n hyser in bedryf is;

"modifikasie" enige verandering aan 'n bestaande installasie wat die beheer of veiligheid van 'n hyser, roltrap of passasiersvervoerder beinvloed en modifiseer het 'n ooreenstemmende betekenis,

"Nasionale Bouregulasies" die regulasies gepubliseer in die Wet op Nasionale Bouregulasies en Boustandaarde 1977 (Wet No 103 van 1977),

"omvattende verslag" die verslag bedoel in SABS 1545/10 of SABS 1543-spesifikasies vir hysers, roltrappe en passasiervervoerders respektiewelik,

"passasiervervoerder" 'n kragaangedrewe installasie met 'n aaneenlopende bewegende loopgang wat 'n bewegende band of laaiplanke en handrelings insluit vir die vervoer van persone óf op dieselfde vlak of tussen verskillende vlakke,

"roltrap" 'n kragaangedrewe skuins, aaneenlopende stel trappe wat insluit bewegende trappe en handrelings bedoel vir die vervoer van persone van een vlak na 'n ander vlak,

"SABS 1543" die Suid-Afrikaanse standaard spesifikasie vir roltrappe en passasiervervoerders, SABS 1543 gepubliseer deur die Suid-Afrikaanse Buro vir Standaarde

"SABS 1545/1" die Suid-Afrikaanse standaard spesifisikasie vir hysers en dienshysers Deel 1 Elektriese hysers. SABS 1545/1, gepubliseer deur die Suid-Afrikaanse Buro vir Standaarde,

"SABS 1545/2" die Suid-Afrikaanse standaard spesifikasie vir hysers en dienshysers Deel 2 Hidrouliese hysers SABS 1545/2, gepubliseer deur die Suid-Afrikaanse Buro vir Standaarde,

"builders hoist" means a builders hoist as defined in regulation 1 of the Driven Machinery Regulations published under Government Notice No R 295 of 26 February 1988, (131)

"competent person" means the competent person as defined in regulation 1 of the General Machinery Regulations published by Government Notice No R 1521 of 5 August 1988;

"comprehensive report" means the report as contemplated in SABS 1545/10 or SABS 1543-specifications, for lifts, escalators and passenger conveyors respectively,

"escalator" means a power driven inclined continuous stairway, incorporating moving steps and hand rails intended for the conveyance of persons from one level to another,

"failure" means an incident where a lift, escalator or passenger conveyor malfunctioned and whereby the safety of any person has been or may have been endangered,

"goods hoist" means a goods hoist as defined in regulation 1 of the Driven Machinery Regulations published by Government Notice No R 295 of 26 February 1988,

"landing" means any floor or platform which is an authorised stopping place for the lift,

"lift" means a permanent lifting installation used for the conveyance of persons and goods by means of a car running in a well on fixed vertical or near vertical guides serving defined landing levels, but does not include hoists worked by hand power, goods hoists or builder's hoists;

"main landing" means the landing at the same level as the main entrance to the building,

"modification" means any alteration to an existing installation affecting the control or safety of the lift, escalator or passenger conveyor and modify has a corresponding meaning;

"National Building Regulations" means the regulations published under the National Building Regulations and Building Standards Act, 1977 (Act No 103 of 1977);

"official number" means the number, issued by an inspector, which is unique to that specific lift, escalator or passenger conveyor on a specific premises;

"passenger conveyor" means a power driven installation with a continuous moving walkway, incorporation a moving belt or pallets and handrails intended for the conveyance of persons either on the same level or between different levels,

"regional director" means the regional director as defined in regulation 1 of the regulations published by Government Notice No R 2206 of 5 October 1984 as amended by Government Notice No R. 2131 of 7 September 1990,

"SABS 1543" means the South African standard specification for escalators and passenger conveyors, SABS 1543, published by the South African Bureau of Standards,

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"**SABS 1545/10**" die Suid-Afrikaanse standaard spesifikasie vir hysers en dienshysers Deel 10 Toets en Inspeksie, SABS 1545/10, gepubliseer deur die Suid-Afrikaanse Buro vir Standaarde,

"**streekdirekteur**" die streekdirekteur soos omskryf in regulasie 1 van die regulasies gepubliseer in Goewermentskennisgewing No R 2206 van 5 Oktober 1984 soos gewysig by Goewermentskennisgewing No R 2131 van 7 September 1990,

"**weiering**" 'n voorval waar 'n hyser, roltrap of passasiervervoerder onklaar geraak het en waartydens die veiligheid van 'n persoon in gevaar was of in gevaar kon gewees het

Vergunning om op te rig en te gebruik

2. (1) Niemand mag 'n hyser, roltrap of passasiervervoerder installeer of die installering daarvan toelaat nie, tensy—

(a) hy die streekdirekteur in die vorm van Aanhangsel 1 in kennis gestel het en hy 'n amptelike nommer vir die installasie verkry het wat deur 'n inspekteur uitgereik is, en

(b) dit voldoen aan die vereistes van hierdie regulasies en in ooreenstemming is met die spesifikasies ingelyf in hierdie regulasies ingevolge artikel 36 van die Wet

(2) Niemand mag 'n hyser, roltrap of passasiervervoerder in gebruik plaas nie of vereis of toelaat dat dit gebruik word nie, tensy hy in besit is van 'n omvattende verslag soos voorgeskryf in die SABS 1545/10 of SABS 1543 standaard spesifikasies respektiewelik Met dien verstande dat sodanige verslag nie ouer as 12 maande mag wees om 'n geldige omvattende verslag te wees nie Met dien verstande verder dat 'n nuwe verslag opgestel moet word na elke modifikasie of weiering Met dien verstande verder dat wanneer daar 'n verandering is in die aanstelling van die persoon of firma wat aangewys is om die hysbak, roltrap of passasiervervoerder ingevolge regulasie 6 (1) in stand te hou, 'n nuwe omvattende verslag opgestel moet word

(3) Die gebruiker van 'n hyser wat nie outomaties werk nie moet die operateur van sodanige hyser skriftelik aanstel en hom onderrig of laat onderrig aangaande die gevare wat aan die bediening van hysers verbonde is.

Ontwerp en konstruksie

3. (1) Geen persoon mag enige hyser, roltrap of passasiervervoerder gebruik of modifiseer of die gebruik of modifikasie daarvan toelaat nie, tensy—

(a) dit ontwerp en gebou of gemodifiseer is in ooreenstemming met 'n spesifikasie, wat vir hierdie doel kragtens artikel 36 van die Wet by hierdie regulasies ingelyf is, en

(b) daar aan die vereistes van die Nasionale Bouregulasies voldoen word

Met dien verstande dat 'n inspekteur enige afwyking van die kode mag goedkeur Met dien verstande verder dat hysers, roltrappe en passasiervervoerders wat voor die datum van publikasie van hierdie regulasies geïnstalleer is, geag word te voldoen aan hierdie regulasies ten opsigte van die ontwerp en konstruksie daarvan wanneer dit voldoen aan die vereistes wat van krag was toe dit geïnstalleer is

"**SABS 1545/1**" means the South African standard specification for lifts and service lifts· Part 1 Electric lifts, SABS 1545/1, published by the South African Bureau of Standards,

"**SABS 1545/2**" means the South African standard specification for lifts and service lifts Part 2 Hydraulic lifts, SABS 1545/2, published by the South African Bureau of Standards,

"**SABS 1545/10**" means the South African standard specification for lifts and service lifts Part 10. Testing and Inspection, SABS 1454/10, published by the South African Bureau of Standards,

"**well**" means any vertical or near vertical way in which a lift is operated

Permission to install and use

2. (1) No person shall install or require or permit the installation of a lift, escalator or passenger conveyor unless—

(a) he has notified the regional director in the form of Annexure 1 and he has obtained an official number for the installation, issued by an inspector; and

(b) it meets the requirements of these regulations and is in accordance with the specifications incorporated to these regulations in terms of section 36 of the Act.

(2) No person shall put into use or require or permit the use of a lift, escalator or passenger conveyor unless he is in possession of a comprehensive report as prescribed in the SABS 1545/10 or SABS 1543 standard specifications respectively Provided that such report may not be older than 12 months to be a valid comprehensive report. Provided further that a new report shall be made out after each modification or failure Provided further that whenever there is a change in the appointment of the person or firm appointed to maintain the lift, escalator or passenger conveyor in terms of regulation 6 (1), a new comprehensive report shall be made out

(3) The user of a lift which does not operate automatically, shall appoint the operator of such a lift in writing and instruct him as to the dangers of its operation

Design and construction

3. (1) No person shall use or modify or permit the use or modification of any lift, escalator or passenger conveyor unless—

(a) it has been designed and constructed or modified in accordance with a specification incorporated for this purpose into these regulations in terms of section 36 of the Act; and

(b) the requirements of the National Building Regulations are complied with·

Provided that an inspector may approve any deviation from the code Provided further that lifts, escalators and passenger conveyors installed before the date of publication of these regulations, shall be deemed to comply with these regulations with respect to the design and construction thereof where it complies with the requirements that were in force at the time it was installed

(2) Die gebruiker moet toesien dat die elektriese installasie van 'n hyser, roltrap en passasiervervoerder wat geïnstalleer word in 'n plek waar daar gevaar van brand of ontploffing bestaan weens die aanwesigheid, voorkoms of ontwikkeling van ontplofbare of vlambare atmosfere of waar ontplofbare artikels vervaardig, gehanteer of gebêre word, voldoen aan regulasie 8 van die Elektriese Masjinerieregulasies, 1988, gepubliseer in Goewermentskennisgewing No R 1593 van 12 Augustus 1988.

Besonderhede van hysers, roltrappe en passasiervervoerders

4. (1) Die gebruiker moet toesien dat elke hysbak, roltrap of passasiervervoerder gemerk is in die masjienkamer of masjienkompartement op 'n opsigtelike plek, met die volgende besonderhede

(a) Die vervaardiger se naam,

(b) die jaar van installering;

(c) die amptelike nommer toegeken ingevolge regulasie 2;

(d) die ontwerpspoed, en

(e) die ontwerpmassalas in kg

(2) Waar masjinerie van meer as een hyser, roltrap of passasiervervoerder geïnstalleer is in een kamer, moet die gebruiker verseker dat die masjinerie en skakeltuig van elke eenheid duidelik en permanent gemerk is met dieselfde kenmerkende teken en wat moet verskil van die kenmerkende teken van masjinerie van enige ander eenheid in daardie kamer

(3) Die gebruiker moet 'n bygewerkte skematiese bedradingsdiagram van die elektriese installasie van elke hysbak, roltrap of passasiervervoerder op 'n veilige plek in die motorkamer of masjienkompartement hou.

(4) Die gebruiker moet die naam en telefoonnommer van die bevoegde persoon of firma, aangewys ingevolge regulasie 6 (1), op 'n opsigtelike plek by die hooflandingsplek van enige hyser laat aanbring

Inspeksies en toetse

5. (1) Die gebruiker moet toesien dat elke hyser, roltrap of passasiervervoerder geïnspekteer en getoets is ooreenkomstig die SABS 1545/10 of SABS 1543 standaard spesifikasie respektiewelik voordat dit vir die eerste keer in gebruik geneem word of nadat modifikasies aangebring is of met intervalle daarna wat nie langer is as 12 maande nie, deur 'n geakkrediteerde persoon wat die omvattende verslag afsonderlik moet voltooi vir elke hyser, roltrap en passasiervervoerder wat hy geïnspekteer en getoets het en hy moet sodanige verslag dateer, teken en dit binne 30 dae voorlê aan die gebruiker wat moet toesien dat die verslag in die motorkamer gehou word

(2) 'n Inspekteur kan te enige redelike tyd 'n inspeksie van 'n hyser, roltrap of passasiervervoerder uitvoer en die gebruiker moet werksmense en toerusting wat die inspekteur benodig vir die doel om die inspeksie uit te voer, kosteloos tot die beskikking van die inspekteur stel

(2) The user shall ensure that the electrical installation of a lift, escalator and passenger conveyor installed in a location where there is danger of fire or explosion due to the presence, occurrence or development of explosive or flammable atmospheres or where explosive articles are manufactured, handled or stored, is in compliance with regulation 8 of the Electrical Machinery Regulations, 1988, published in Government Notice No R 1593 of 12 August 1988

Particulars of lifts, escalators and passenger conveyors

4. (1) The user shall ensure that every lift, escalator or passenger conveyor is marked in the machine room or machine compartment in a conspicuous place, with the following particulars

(a) The name of the manufacturer,

(b) the year of installation;

(c) the official number allocated in terms of regulation 2;

(d) the rated speed; and

(e) the rated load in kg.

(2) Where machinery of more than one lift, escalator or passenger conveyor is installed in one room, the user shall ensure that all the machinery and switch gear of each unit are distinctly and permanently marked with the same distinguishing mark and which shall differ from the distinguishing mark of machinery of any other unit in that room.

(3) The user shall keep an up-to-date schematic wiring diagram of the electrical installation of every lift, escalator or passenger conveyor in a safe place in the motor room or machine compartment

(4) The user shall cause to be affixed in a conspicuous place at the main landing of any lift, the name and telephone number of the competent person or firm, appointed in terms of regulation 6 (1)

Inspections and tests

5. (1) The user shall ensure that every lift, escalator or passenger conveyor is inspected and tested in accordance with SABS 1545/10 or SABS 1543 standard specification respectively, before it is put in use for the first time or after modifications have been effected and at intervals not exceeding 12 months thereafter, by an accredited person who shall complete the comprehensive report separately for each lift, escalator and passenger conveyor he has inspected and tested and he shall date and sign such a report and submit it within 30 days to the user who shall ensure that the report is kept in the motor room

(2) An inspector may conduct an inspection of a lift, escalator or passenger conveyor at any reasonable time and the user shall place free of charge at the disposal of the inspector, workmen and equipment required by the inspector for the purpose of making the inspection

Instandhouding

6. (1) Die gebruiker moet 'n bevoegde persoon of persone of 'n firma wat 'n bevoegde persoon in diens het, aanwys om elke hysbak, roltrap en passasiervervoerder een keer per maand of met langer intervalle indien deur die vervaardiger voorgeskryf, te ondersoek Met dien verstande dat 'n inspekteur enige inspeksie-interval wat hy nodig ag mag voorskryf

(2) By die ondersoek genoem in subregulasie (1), moet die bevoegde persoon die onderdele ondersoek soos voorgeskryf deur die vervaardiger Met dien verstande dat hy al die hek- en deurslotte sal toets met elke ondersoek

(3) Indien 'n ondersoek of toets toon dat 'n swakheid of defek bestaan waardeur persone in gevaar gestel kan word, moet die ondersoeker onmiddellik die defek by die gebruiker en die streekdirekteur aanmeld en geen persoon mag ry of toegelaat word om te ry in of op sodanige hysbak, roltrap of passasiervervoerder totdat sodanige defek reggemaak is nie

(4) Die gebruiker van 'n hyser, roltrap of passasiervervoerder moet die werking van die hyser, roltrap of passasiervervoerder stop indien die gebruik daarvan gevaarlik blyk te wees of waar die moontlikheid bestaan dat dit gevaarlik kan word

(5) Die gebruiker en die persoon of firma wat verantwoordelik is vir die ondersoeke waarna verwys word in subregulasie (1) moet die streekdirekteur in kennis stel van die naam en adres van die persoon of firma wat sodanige ondersoeke uitvoer

Hou van rekords

7. Die gebruiker van 'n hyser, roltrap of passasiervervoerder moet in 'n veilige plek in die motorkamer of masjienkompartement, wat die geval ookal is, 'n rekord hou waarin hy moet aanteken of laat aanteken—

(a) sy naam en adres,

(b) die naam van die bevoegde persoon of firma wat deur hom aangewys is om die ondersoeke ingevolge regulasie 6 (1) uit te voer;

(c) 'n geldige verslag oor die resultate van elke ondersoek waarna in regulasie 6 (1) verwys word, insluitend enige modifikasie, herstelwerk, verstelling en toets wat uitgevoer is,

(d) 'n afskrif van die laaste omvattende verslag waarna in regulasie 2 (2) verwys word,

(e) 'n geldige verslag oor die toestand van die toue in die geval van 'n hyser wat aan toue hang, en

(f) elke voorval wat aanmeldbaar is ingevolge regulasie 7 van die Algemene Masjinerieregulasies, 1988, gepubliseer in Goewermentskennisgewing No R 1521 van 5 Augustus 1988

Oortredings en strafbepalings

8. Enige persoon wat 'n bepaling van hierdie regulasies oortree of versuim om daaraan te voldoen, is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens R5 000 of met gevangenisstraf vir 'n tydperk van hoogstens ses maande en, in die geval van 'n voortdurende misdryf, met 'n bykomende boete van R100 vir elke dag waarop die oortreding voortduur of met bykomende gevangenisstraf van een dag vir elke dag waarop die misdryf voortduur Met dien verstande dat die duur van sodanige bykomende gevangenisstraf in geen geval 90 dae oorskry nie

Maintenance

6. (1) The user shall designate a competent person or persons or a firm employing a competent person to examine every lift, escalator and passenger conveyor once a month or at longer intervals when prescribed by the manufacturer Provided that an inspector may prescribe any inspection interval he deems necessary

(2) At the examinations referred to in subregulation (1), the competent person shall examine the parts as prescribed by the manufacturer Provided that he shall test all the gate and door locks at each examination

(3) If an examination or test shows that a weakness or defect exists whereby persons are endangered, the examiner shall report the defect immediately to the user and the regional director and no person shall travel or be allowed to travel in or on such lift, escalator or passenger conveyor until such defect has been rectified

(4) The user of a lift, escalator or passenger conveyor shall stop the working of the lift, escalator or passenger conveyor if its use appears to have become or is likely to be dangerous

(5) The user and the person or firm responsible for the examinations referred to in subregulation (1) shall notify the regional director of the name and address of the person or firm carrying out such examinations

Recordkeeping

7. The user of a lift, escalator or passenger conveyor shall keep in a safe place in the motor room or machine compartment, as the case may be, a record in which he shall enter or cause to be entered—

(a) his name and address,

(b) the name of the competent person or firm designated by him to carry out the examinations in terms of regulations 6 (1),

(c) a true report of the results of every examination referred to in regulation 6 (1), including any modification, repairwork, adjustment and test carried out;

(d) a copy of the latest comprehensive report referred to in regulation 2 (2);

(e) a true report of the conditions of the ropes in the case of a lift suspended by ropes, and

(f) each incident reportable in terms of regulation 7 of the General Machinery Regulations, 1988, published in Government Notice No R 1521 of 5 August 1988

Offences and penalties

8. Any person who contravenes or fails to comply with a provision of these regulations shall be guilty of an offence and liable on conviction to a fine not exceeding R5 000 or to imprisonment for a period not exceeding six months and, in the case of a continuous offence, to an additional fine of R100 for each day on which the offence continues or to additional imprisonment of one day for each day on which the offence continues Provided that the period of such additional imprisonment shall in no case exceed 90 days

No. R. 2238 **7 Augustus 1992**

WET OP MANNEKRAGOPLEIDING, 1981

AKKREDITERING VAN DIE LUGRUIMNYWERHEID OPLEIDINGSRAAD

Hierby word vir algemene kennisname bekendgemaak dat die registrateur van Mannekragopleiding die Lugruimnywerheid Opleidingsraad, Posbus 16213, Atlasville, 1465, kragtens artikel 12B van die Wet, op 13 Julie 1992 geakkrediteer het ten opsigte van die Lugruimnywerheid, soos omskryf in Goewermentskennisgewing No R 2942 van 21 Desember 1990 in die Republiek van Suid-Afrika, en dat al die bepalings van die Wysigingswet op Mannekragopleiding, 1990, geag word op genoemde datum in daardie nywerheid en gebied in werking te getree het

Vakleerlinge en werkgewers van vakleerlinge in die Lugruimnywerheid se aandag word gevestig op die bepalings van artikel 53 (4) van genoemde Wysigingswet, ingevolge waarvan, ten opsigte van elke vakleerling wat in daardie nywerheid en gebied op genoemde datum ingevolge 'n kontrak van vakleerlingskap in diens was, die partye tot sodanige kontrakte binne 90 dae na daardie datum, hul keuse aangaande die leervoorwaardes wat op die betrokke vakleerling se verdere opleiding van toepassing sal wees aan die genoemde opleidingsraad bekend moet maak

No. R. 2238 **7 August 1992**

MANPOWER TRAINING ACT, 1981

ACCREDITATION OF THE AEROSPACE INDUSTRY TRAINING BOARD

It is hereby notified for general information that the Registrar of Manpower Training, in terms of section 12B of the Act, accredited the Aerospace Industry Training Board, P O Box 16123, Atlasville, 1465, in respect of the Aerospace Industry, as defined in Government Notice No R 2942 of 21 December 1990 in the Republic of South Africa and that all the provisions of the Manpower Training Amendment Act, 1990, are deemed to have come into operation in that industry and area on the said date

The attention of apprentices and employers of apprentices in the Aerospace Industry is drawn to the provisions of section 53 (4) of the said Amendment Act, in terms of which, in respect of each apprentice who was employed in that industry and area in terms of a contract shall within 90 days after the said date, notify the said training board of their choice regarding the conditions of apprenticeship which shall apply to the further training of the apprentice in question

No. R. 2245 **7 Augustus 1992**

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983 (WET No. 6 VAN 1983)

WYSIGING VAN DIE ALGEMENE VEILIGHEIDSREGULASIES

Die Minister van Mannekrag het kragtens artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No 6 van 1983), die regulasies vervat in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie regulasies beteken "die Regulasies" die Algemene Veiligheidsregulasies afgekondig by Goewermentskennisgewing No R 1031 van 30 Mei 1986 soos gewysig deur Goewermentskennisgewing No R 1791 van 9 September 1988

Vervanging van regulasie 3 van die Regulasies

2. Regulasie 3 van die Regulasies word hierby deur die volgende regulasie vervang

Eerstehulp, noodtoerusting en prosedures

3. (1) 'n Werkgewer moet alle redelike stappe wat onder die omstandighede nodig is, doen om te verseker dat persone by 'n werkplek in die geval van 'n besering of noodgeval onverwyld eerstehulpbehandeling ontvang

(2) Waar meer as vyf werknemers in diens is by 'n werkplek, moet die werkgewer van sodanige werknemers 'n eerstehulpkas of -kaste by of naby die werkplek voorsien wat beskikbaar en toeganklik is vir die behandeling van beseerde persone by daardie werkplek

No. R. 2245 **7 August 1992**

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983 (ACT No 6 OF 1983)

AMENDMENT OF THE GENERAL SAFETY REGULATIONS

The Minister of Manpower has under section 35 of the Machinery and Occupational Safety Act, 1983 (Act No 6 of 1983), made the regulations contained in the Schedule. 131

SCHEDULE

Definition

1. In these regulations "the Regulations" means the General Safety Regulations, published under Government Notice No R 1031 of 30 May 1986 as amended by Government Notice No R 1791 of 9 September 1988

Substitution of regulation 3 of the Regulations

2. Regulation 3 of the Regulations is hereby substituted by the following regulation.

First aid, emergency equipment and procedures

3. (1) An employer shall take all reasonable steps that are necessary under the circumstances, to ensure that persons at work receive prompt first aid treatment in case of injury or emergency

(2) Where more than five employees are employed at a workplace, the employer of such employees shall provide a first aid box or boxes at or near the workplace which shall be available and accessible for the treatment of injured persons at that workplace

(3) (a) 'n Werkgewer moet, met inagneming van die tipe beserings wat moontlik by 'n werkplek kan voorkom, die aard van die aktiwiteite wat daar bedryf word en die aantal werknemers in diens by sodanige werkplek, toesien dat die eerstehulpkas of -kaste bedoel in subregulasie (2) geskikte eerstehulptoerusting bevat wat minstens die toerusting gelys in die Aanhangsel hierby moet insluit

(b) Sodanige werkgewer moet toesien dat slegs items en toerusting soos bedoel in paragraaf (a) of ander soortgelyke toerusting of medisyne in die eerstehulpkas of -kaste gehou word.

(4) Waar meer as 10 werknemers in diens is by 'n werkplek, moet die werkgewer van sodanige werknemers verseker dat daar vir elke groep van tot 50 werknemers by daardie werkplek, of in die geval van 'n winkel of kantoor soos bedoel in die Wet op Basiese Diensvoorwaardes, 1983 (Wet No 3 van 1983), vir elke groep van tot 100 werknemers, minstens een persoon geredelik beskikbaar is gedurende normale werksure, welke persoon in besit moet wees van 'n geldige bekwaamheidsertifikaat in eerstehulp, uitgereik deur—

(a) die SA Rooikruisvereniging,

(b) die St John Ambulans,

(c) die SA Noodhulpliga; of

(d) 'n persoon of organisasie wat deur die hoofinspekteur vir hierdie doel goedgekeur is.

(5) 'n Werkgewer moet by 'n werkplek waar 'n hoerisikostof of toksiese, invretende of soortgelyke gevaarlike stowwe gebruik, gehanteer, geprosesseer of vervaardig word, verseker dat die eerstehulpwerker bedoel in subregulasie (4), opgelei is in die eerstehulpprosedures wat nodig is vir die behandeling van beserings wat kan voortspruit uit sodanige aktiwiteite, met inbegrip van die akute skadelike effekte van blootstelling aan sodanige stowwe, en in die noodprosedures wat in geval van toevallige lekkasie of storting van sodanige stowwe nodig is.

(6) 'n Werkgewer moet op 'n opsigtelike plek by 'n werkplek 'n duidelike kennisgewing of teken aanbring wat aandui waar die eerstehulpkas of -kaste gehou word en die naam van die persoon in beheer van sodanige eerstehulpkas of -kaste.

(7) 'n Werknemer met 'n oop wond, snyplek, seer of enige soortgelyke besering wat werk in 'n werkplek waar 'n stof bedoel in subregulasie 5 gebruik, gehanteer, geprosesseer of vervaardig word, moet sodanige besering onverwyld aan sy werkgewer rapporteer Die werkgewer mag nie toelaat dat sodanige werknemer aanhou werk alvorens die besering met seep en water of met 'n verdunde ontsmettingsmiddel gereinig is nie

(8) Waar 'n werknemer by 'n werkplek blootgestel is of blootgestel kan word aan 'n potensiele gevaar van besering aan die oog deur kontak met 'n biologiese of chemiese stof, moet die betrokke werkgewer toesien dat 'n oogspoelfontein met skoon water, of 'n ander soortgelyke fasiliteit, by, of in die onmiddellike omgewing van die werkplek van sodanige werknemer is en dat elke sodanige werknemer in die gebruik daarvan opgelei is

(3) (a) Taking into account the type of injuries that are likely to occur at a workplace, the nature of the activities performed and the number of employees employed at such workplace, the employer shall make sure that the first aid box or boxes contemplated in subregulation (2) contain suitable first aid equipment which include at least the equipment listed in the Annexure hereto

(b) Such an employer shall make sure that only articles and equipment contemplated in subregulation (a) or other similar equipment or medicine is kept in the first aid box or boxes

(4) Where more than 10 employees are employed at a workplace, the employer of such employees shall take steps to ensure that for every group of up to 50 employees at that workplace, or in the case of a shop or an office as contemplated in the Basic Conditions of Employment Act, 1983 (Act No. 3 of 1983), for every group of up to 100 employees, at least one person is readily available during normal working hours, who is in possession of a valid certificate of competency in first aid, issued by—

(a) the SA Red Cross Society,

(b) the St John's Ambulance;

(c) the SA First Aid League, or

(d) a person or organisation approved by the chief inspector for this purpose

(5) An employer shall at a workplace where a high-risk substance or toxic, corrosive or similar hazardous substances are used, handled, processed or manufactured, ensure that the first aid worker contemplated in subregulation (4) is trained in the first aid procedures that are necessary for the treatment of injuries that may result from such activities, including the acute detrimental effects of exposure to such substances, and in the emergency procedures which are necessary in the case of accidental leakage or dumping of such substances

(6) An employer shall affix a prominent notice or sign in a conspicuous place at a workplace, indicating where the first aid box or boxes are kept as well as the name of the person in charge of such first aid box or boxes

(7) An employee with an open wound, cut, sore or any similar injury, who works in a workplace where a substance contemplated in subregulation 5 is used, handled, processed or manufactured, shall report such injury to his employer forthwith The employer may not permit such employee to continue working before the injury has been cleaned with soap and water or with a diluted disinfectant

(8) Where an employee is exposed or can be exposed to a potential hazard of injury to the eye through contact with a biological or chemical substance, the employer concerned shall make sure that there is an eye-wash fountain in the immediate vicinity of the workplace of such employee and that the employee is trained in the use thereof

(9) Waar 'n werknemer by 'n werkplek blootgestel is of blootgestel kan word aan 'n potensiele gevaar van besering aan of absorpsie deur die vel as gevolg van skielike aanraking met 'n groot hoeveelheid toksiese, invretende, hoerisiko- of soortgelyke gevaarlike stof, moet die betrokke werkgewer toesien dat 'n vinnig reagerende vloedstortbad met skoon water of 'n soortgelyke fasiliteit by of in die onmiddellike omgewing van die werkplek van sodanige werknemer is en dat elke sodanige werknemer in die gebruik daarvan opgelei is

BYLAE

(Regulasie 3)

MINIMUM INHOUD VAN 'N EERSTEHULPKAS

In die geval van winkels en kantore, mag die hoeveelhede onder items 1, 8, 9, 10, 14, 15, 17 en 18 halveer word.

Item 1.	Wondreiniger/ontsmettingsmiddel (100 mℓ)
Item 2:	Deppers vir reiniging van wonde.
Item 3	Watte vir kussinkies (100 g)
Item 4	Steriele gaasstroke (minimum hoeveelheid 10).
Item 5.	1 Pinset (vir splinters)
Item 6·	1 Skêr (minimum grootte 100 mm).
Item 7	1 Stel haakspeide.
Item 8	4 Driehoekverbande
Item 9	4 Rolverbande (75 mm × 5 m)
Item 10.	4 Rolverbande (100 mm × 5 m)
Item 11	1 Rol hegpleister (25 mm × 3 m).
Item 12.	1 Nie-allergiese kleefstrook (25 mm × 3 m)
Item 13	1 Pakkie kleefverbandstrokies (minimum hoeveelheid 10 verskillende groottes)
Item 14·	4 Eerstehulpverbande (75 mm × 100 mm).
Item 15·	4 Eerstehulpverbande (150 mm × 200 mm)
Item 16	2 Reguit spalke
Item 17	2 Paar groot en 2 paar medium wegdoenbare latekshandskoene.
Item 18	2 KPR-mondstukke of soortgelyke toestelle.

No. R. 2247 **7 Augustus 1992**

WET OP ARBEIDSVERHOUDINGE, 1956

KLERASIENYWERHEID, ORANJE-VRYSTAAT EN NOORD-KAAPLAND HERBEKRAGTIGING VAN MEDIESE HULPVERENIGINGOOREENKOMS

Ek, Glen Morris Edwin Carelse, Adjunkminister van Mannekrag, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by

(9) Where an employee at a workplace is exposed or can be exposed to a potential hazard of injury to or absorption through the skin as a result of sudden contact with a large amount of toxic, corrosive, high risk or similar hazardous substance, the employer concerned shall make sure that there is a fast-reacting deluge-shower with clean water or a similar facility in the immediate vicinity of the workplace of such employee and that the employee is trained in the use thereof

ANNEXURE

(Regulation 3)

MINIMUM CONTENTS OF A FIRST AID BOX

In the case of shops and offices, the quantities stated under items 1, 8, 9, 10, 14, 15, 17 and 18 may be reduced by half.

Item 1:	Wound cleaner/antiseptic (100 mℓ)
Item 2:	Swabs for cleaning wounds.
Item 3	Cotton wool for padding (100 g)
Item 4:	Sterile gauze (minimum quantity 10).
Item 5·	1 Pair of forceps (for splinters)
Item 6:	1 Pair of scissors (minimum size 100 mm).
Item 7·	1 Set of safety pins.
Item 8·	4 Triangular bandages
Item 9·	4 Roller bandages (75 mm × 5 m)
Item 10	4 Roller bandages (100 mm × 5 m)
Item 11·	1 Roll of elastic adhesive (25 mm × 3 m)
Item 12.	1 Non-allergenic adhesive strip (25 mm × 3 m)
Item 13·	1 Packet of adhesive dressing strips (minimum quantity, 10 assorted sizes).
Item 14·	4 First aid dressings (75 mm × 100 mm).
Item 15·	4 First aid dressings (150 mm × 200 mm).
Item 16.	2 Straight splints
Item 17:	2 Pairs large and 2 pairs medium disposable latex gloves.
Item 18	2 CPR mouth pieces or similar devices.

No. R. 2247 **7 August 1992**

LABOUR RELATIONS ACT, 1956

CLOTHING INDUSTRY, ORANGE FREE STATE AND NORTHERN CAPE. RE-ENACTMENT OF MEDICAL BENEFIT SOCIETY AGREEMENT

I, Glen, Morris Edwin Carelse, Deputy Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the

Eskom's Aids drive gets short-circuited

W/Mail 7/8/ - 13/8/92

Parastatal electricity giant Eskom has been singled out for criticism in its Aids policy, because it screens new recruits for HIV and because its educational material is filled with misinformation.

MARK GEVISSER *looks at Aids in the workplace*

Eskom, along with its policy of screening all potential employees for HIV infection — have been slammed by both medical and legal Aids professionals as being discriminatory and ill-informed

The slogan "Don't bend for a friend" adorns an Aids information pamphlet put out by the parastatal electricity giant. The pamphlet also states that while employees can be infected heterosexually by "making love with an infected male/female", they can be infected homosexually merely by "sex between two male persons" The myth is thus perpetuated that homosexuality in and of itself is a primary cause of Aids

"It's a very dangerous message," comments Johannesburg City Health Aids Services Dr Clive Evian, "for it fuels the perception that Aids is a gay disease, which is entirely incorrect in the South African context, where 95 percent of those who have the virus are heterosexual The message must be that any kind of unprotected sexual intercourse between two people is dangerous — otherwise people will adopt the 'it can't happen to me' defense."

To make matters worse, the pamphlet has, on its cover, a skull beneath the words, printed in four languages, "Beware of Aids" Evian explains that "such doomsaying is counter-productive, for it creates negative impulses like rejection, discrimination, blame, panic — things to run away from By putting a skull on the cover and then using the slogan 'Don't bend for a friend', the pamphlet slots into the discrimination of homosexual people and plays into stigmatisation rather than overcoming it "

To be fair to Eskom, the pamphlet was produced in 1987 when, by corporate medical consultant Dr Charles Roos own admission, "we were on a steep learning curve, so we didn't always get things right" But while Roos claims to have "personally locked up the offending material in a cupboard", the pamphlet is still, according to Aids workers who have visited there, being widely disseminated at Eskom

The Eskom pamphlet is, perhaps, the most glaring example of the wrong-headedness of much policy as South African employers try to come to terms with the fact that a large proportion of the workforce may well be infected in the future

Eskom, to its credit, was one of the first employers to formulate an Aids policy But while the parastatal has placed a strong emphasis on education — ill-informed though this might have been — there is another far more controversial component to its policy the decision to screen all potential employees for HIV, and to deny any employment to those who test positive

The World Health Organisation and the International Labour Organisation have declared that "since HIV infection by itself does not affect a worker's ability to perform a job, and an infected person cannot transmit infection to co-workers casually, employment or pre-employment testing or screening is unneccessary and should not be required" Already, France, Italy, West Germany and the African countries of Malawi and Zambia have expressly prohibited such practice

Yet a survey presented to a conference on Aids and the Law last month proves that many South African employers are still motivated by fear and loathing rather than common sense when it comes to Aids 45 percent of the respondents stated that they would breach their employees' rights to confidence if they found out one had become infected, 65 percent said they would refuse to employ an HIV-infected person, and 64 percent have not considered any type of Aids education programme for their employees

Good sense, though, seems to have prevailed on the issue of pre-screening prospective employees only 10 percent of the companies canvassed, like Eskom, actively to do this Most employers seem now to accept that screening is, in the words of Edwin Cameron from the Centre for Applied Legal Studies, "futile, misleading, socially irresponsible, and unfair to the individual"

Roos counters, however, that Eskom's decision to screen is an attempt to "protect our fringe benefit schemes — like medical aid, housing subsidies and pension fund", and adds that there are two specific areas where "we just cannot employ HIV positive people where Aids-related neurological disorders might affect the safety of the workplace, and where long term and costly training is required '

Roos concedes that "it might be a better plan

to continue screening, but just to exclude employers from these positions rather than from any work" He states, however, "that the policy is under review and screening might be scrapped altogether"

This change of heart is perhaps due to pressure and threats from the unions and the legal fraternity Cameron makes a strong case that exclusion due to HIV-positivity constitutes an unfair labour practice and is grounds for a court challenge "Since HIV positive job applicants may have years of constructive, healthy service ahead of them, excluding them from employment lacks a rational foundation and is unfair "

Pre-employment testing, he adds, "cannot achieve what it sets out to do It cannot guarantee a sanitised Aids-free workplace", because the six-month window period means that many might test false-negative, and because many more may test positive after employment

Furthermore, Cameron says, "pre-employment screening can lead to false confidence among workers and lull them into believing, quite wrongly, that it would be safe to have sex with each other"

Many organisations — most notably the Chamber of Mines — have changed their minds about screening, not least because of its expense by law, HIV-testing needs to be pre- and post-test counselling The chamber initially had a policy of screening workers from "high-risk areas", but, due to the intervention of the National Union of Mineworkers (NUM), a new policy is being considered

In contrast to Eskom, a model approach towards Aids has been adopted by the building construction giant, Anglo-Alpha, which points out in its Aids policy that, if all employers screened out HIV-positive people, "a leper colony of unemployed and unemployable people would be created", the consequences of which would be undesirable — both socially and economically

So the company will not test present employees unless the employees themselves demand it, it offers full benefits to those who do test HIV-positive, and it does not require employees to reveal their HIV-status unless "they are unable to perform their tasks" Only once Aids-related illnesses affect an employee's ability to perform, will his or her employment be assessed, and then "the normal ill-health retirement regulations will apply"

Anglo-Alpha even acknowledges that "continued employment for an employee with life-threatening disease may sometimes be therapeutically important in the remission or recovery process or may help prolong that employee's life"

Labour lawyers and unionists are urging employers to treat Aids just like any other life-threatening disease So serious is Anglo-Alpha about preventing stigmatisation in the workplace, that there is a clause in the policy that allows the company to take disciplinary action against employees unwilling to work with HIV-positive colleagues

Critical to the process is the education of employees, and experience from abroad has proven that this — rather than testing — is where an employers' resources are best channeled. Unions like the NUM insist, however, that such education must not be imposed upon from above, but must be designed and implemented in full collaboration with the workforce itself if it is to be effective

And, adds Evian, "such education must have two components it must give the facts to prevent the spread of Aids, and it must fight stigmatisation, by urging support for those who have the disease" Many companies do the former, but few do the latter

"And unfortunately," he concludes, "if a company gives information about Aids but at the same time discrimates against HIV-positive people, it is giving a mixed message to its employees It is saying that Aids is fearful and bad and must be excised — like a malignant tumour — from the workforce Within such a context, no amount of correct factual information will reach workers."

BENCHMARKS

CARMEL RICKARD'S *weekly look at the law, the lawyers and the courts*

HIV: Cause to lose your job?

W/Mail 28/8-3/9.1992

(131)

AIDS-related problems have started to come to court in South Africa and the legal profession is having to wrestle with a number of difficult questions.

Now one of the most central issues is about to be canvassed in the industrial court: can an employee be dismissed purely on the grounds of testing positive for HIV?

The landmark case concerns Ms Z from Mahlabtini in northern Zululand who worked for Zululand Anthracite Colliery, a subsidiary of Gencor.

She began working for the colliery in 1987 as a general worker and cleaner. However, after several years as a full-time worker, she was asked to agree to a medical examination including an HIV test. Her permanent status with the company depended on the result. She claims she signed the document with her thumb print, although she had no idea of what it meant. It was written in English, and no one interpreted it for her.

Ms Z tested positive and was subsequently told to leave. Pleas on her behalf by a doctor from whom she asked a second opinion did not help. The doctor told the company that although she had tested HIV positive, she was quite capable of doing her job and could not infect anyone by doing laundry work. According to Ms Z her employers said they were not prepared to help her, and that she should leave the premises at once as she would infect the whole colliery.

Her problem came to the attention of Durban's Legal Resources Centre (LRC). Director Richard Lyster decided to take it as a test case to the industrial court in Ulundi on the grounds that the company's actions constituted an unfair labour practice.

The LRC argues that the instruction by the colliery that all staff had to pass a medical to ensure they had the necessary physical capability and health requirements discriminated unfairly against existing employees or new workers who tested HIV positive.

The instruction was also unfair in that employees were required to submit to mandatory testing without their consent. It also unilaterally changed the conditions of work without the knowledge or consent of staff.

The LRC also says the doctor who told the human resources manager at the colliery the results of Ms Z's tests breached the confidential client/doctor relationship.

Her dismissal was also unfair in that she was not allowed a hearing to establish whether, despite testing positive for HIV, she still had the "necessary physical capability and health requirements" for the job.

Now she has been stigmatised because she was sacked for having HIV. She has no income and although she is suffering stress because of her dismissal she cannot afford any counselling or treatment. She is capable of doing her work, but the effect of being sacked is that her capabilities have been "unfairly and unscientifically undermined".

Ms Z is now waiting for a date for the case to be argued. If the industrial court rules there was an unfair labour practice, LRC want her reinstated with pay from the date of her dismissal in March last year.

The issue of coercive measures to prevent the spread of Aids is the subject of an important article in the latest edition of the *South African Journal on Human Rights*. In their essay, "Public health and human rights — the Aids crisis in South Africa", authors Edwin Cameron and Edward Swanson examine various attempts by health and other authorities to control the spread of Aids by for example, compulsory testing for HIV. They conclude such testing is not justified: it is counter-productive, expensive, misses most cases, drives the problem underground and is an unwarranted infringement of individual rights.

New safety Act 'may increase prosecutions'

GAVIN DU VENAGE (131)

NEARLY 15 000 employers were prosecuted under the Machinery and Occupational Safety Act and this figure could increase when the new occupational health and safety draft Bill was enacted, Group Legal Consultants director Mike Kruger said last week B/Day 7/9/92

He said both present legislation and the proposed Act were so widely defined that employers and people in management had a "sword of Damocles" over their heads

Insurers were anxious over the number of prosecutions and the possibilty of increased payouts in future Kruger advised employers to get their insurance structured accordingly while the claim history in this arena was still favourable

While he welcomed the protection it gave workers in potentialy dangerous situations, the requirement that employers protect staff against "foreseeable violence from any source" was so wide open to interpretation that it was inevitable employers would face an inquiry

If a hearing went against them, they faced the possibility of a jail term of up to two years with a fine of R100 000, and a separate civil suite

And apart from the broadly defined nature of the legislation, inquiries had become more formal, so a manager facing proceedings would need legal representation

Although the outcome of criminal proceedings could not be insured against, Kruger said cover for the costs of proceedings and follow-up civil suits should be provided for

Civil suits had increased significantly because injured workers were usually unhappy with the low payments made by workmen's compensation and were using the courts to get better settlements

Civil action against the offending company was prohibited under the Workmen's Compensation Act , but individual employers were themselves vulnerable to a suit

He said 15 000 prosecutions took place in 1991, whereas in the years preceding the safety Act only a few were recorded People were now refusing promotion to positions which would make them liable for employees working under them

He criticised the impending change from the Act to the Bill without employers having been warned present legislation was temporary

DEPARTEMENT VAN MANNEKRAG

No. R. 2483 **4 September 1992**

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983

WYSIGING VAN DIE AANGEDREWE MASJINERIE REGULASIES

Die Minister van Mannekrag het kragtens artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No 6 van 1983), die regulasies in die Bylae uitgevaardig

BYLAE

Woordomskrywing

1. In hierdie regulasies beteken "die Regulasies" die Aangedrewe Masjinerieregulasies, 1988, afgekondig by Goewermentskennisgewing R. 295 van 26 Februarie 1988

Wysiging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig—

(a) deur na die omskrywing van "goederehysmasjien" die volgende omskrywing in te voeg:

" 'hysraam' 'n platform wat aan alle kante toegemaak maar aan die bokant oop is en ontwerp is met die doel om persone deur middel van 'n hystoestel op te lig en neer te laat;";

(b) deur die omskrywing van "hystoestel" deur die volgende omskrywing te vervang.

" 'hystoestel' 'n kragaangedrewe masjien wat ontwerp en vervaardig is met die doel om 'n las op te lig of neer te laat of om dit in suspensie te beweeg, en ook 'n katrolstel, hysmasjien, hyskraan, hyswa of swaai-arm-kraan, maar nie ook 'n hyser, roltrap, goederehysmasjien of bouershysmasjien nie,",

(c) deur na die omskrywing van "hystoestel" die volgende omskrywing in te voeg·

" 'hyswa' 'n mobiele hystoestel, maar nie ook—

(a) 'n voertuig wat ontwerp is met die uitsluitlike doel om 'n ander voertuig op te lig of te sleep nie;

(b) 'n mobiele grondverplasingsmasjien nie; of

(c) 'n voertuig wat ontwerp is met die uitsluitlike doel om 'n vullisblik te verwyder nie;";

(d) deur na die omskrywing van "hyswa" die volgende omskrywing in te voeg.

" 'katrolstel' 'n hysapparaat wat uit een of meer hysblokke bestaan en deur kettings, draadtoue of veseltoue styfgetrek word en wat uitsluitlik gebruik word om 'n las op te lig en neer te laat of om 'n las horisontaal te beweeg;";

(e) deur die omskrywing van "pers" deur die volgende omskrywing te vervang.

" 'pers' 'n aangedrewe masjien wat metaal of ander materiaal sny, pons, vorm of monteer deur middel van sny-, vorm- of kombinasiematryse wat geheg is aan leibane wat 'n gekontroleerde heen-en-weer-beweging het, maar nie ook rembuigperse, warmbuig- of warmmetaalperse, smeehamers en klinkmasjiene of soortgelyke hegmasjiene nie;"; en

DEPARTMENT OF MANPOWER

No. R. 2483 (131) **4 September 1992**

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983

AMENDMENTS TO THE DRIVEN MACHINERY REGULATIONS

The Minister of Manpower has under section 35 of the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983), made the regulations in the Schedule.

SCHEDULE

Definition

1. In these regulations "the Regulations" means the Driven Machinery Regulations, 1988, published under Government Notice No. R. 295 of 26 February 1988

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended—

(a) by the insertion of the definition of "bench saw" of the following definition:

" 'block and tackle' means a lifting device consisting of one or more pulley blocks reeved with chains, wire ropes or fibre ropes used solely for the raising and lowering of a load or moving a load horizontally,";

(b) by the insertion of the definition of "builder's hoist" for the following definition·

" 'cradle' means a platform enclosed on all sides but open at the top, designed for the purpose of raising and lowering persons by means of a lifting machine;";

(c) by the insertion of the definition of "hatchway" for the following definition:

" 'jib-crane' means any crane of which the load is supported by a projecting horizontal or inclined member, known as a jib;";

(d) by the substitution for the definition of "lifting machine" of the following definition:

" 'lifting machine' means a power-driven machine which is designed and constructed for the purpose of raising or lowering a load or moving it in suspension, and includes a block and tackle, hoist, crane, lift truck or jib-crane, but does not include an elevator, escalator, goods hoist or builder's hoist;",

(e) by the insertion of the definition of "lifting tackle" for the following definition:

" 'lift truck' means a mobile lifting machine, but does not include—

(a) a vehicle designed solely for the purpose of lifting or towing another vehicle;

(b) a mobile earth-moving machine; or

(c) a vehicle designed solely for the removal of a waste bin,", and

(f) deur na die omskrywing van "skiethamer" die volgende omskrywing in te voeg

" 'swaai-armkraan' enige hyskraan waarvan die las deur 'n projekterende horisontale of skuins gedeelte, bekend as 'n swaai-arm, ondersteun word,"

Wysiging van regulasie 18 van die Regulasies

3. Regulasie 18 van die Regulasies word hierby gewysig—

(a) deur die woord "en" aan die einde van paragraaf (a) van subregulasie (1) te skrap,

(b) deur die woord "en" aan die einde van paragraaf (b) van subregulasie (1) by te voeg,

(c) deur die volgende paragraaf by subregulasie (1) te voeg:

"(c) dat dit te alle tye ten minste drie volle draaie tou het op die drom van elke wen-as wat deel van die masjien is wanneer sodanige wen-as tot sy laagste perk laat loop is ";

(d) deur paragraaf (b) van subregulasie (2) deur die volgende paragraaf te vervang

"(b) 'n beperkende toestel wat die hyskrag outomaties sal stuit wanneer—

(i) die haak of lashegstukpunt van die kragaangedrewe hystoestel sy hoogste veilige posisie bereik, en

(ii) in die geval van 'n wenasbeheerde hystoestel met 'n hyskapasiteit van 5 000 kg of meer, die las groter is as die aangeslane massalas van sodanige masjien.";

(e) deur in subregulasie (5) die woord "oprgiting", waar dit die tweede maal voorkom, deur die woorde "afbreking en heroprigting" te vervang;

(f) deur subregulasie (7) deur die volgende subregulasie te vervang·

"(7) Elke gebruiker van 'n hystoestel moet te alle tye 'n register op sy perseel hou waarin hy aanteken of laat aanteken volle besonderhede van enige prestasietoets en ondersoek voorgeskryf in subregulasies (5) en (6) en enige verandering of herstelwerk aan die hystoestel, en moet toesien dat die register op aanvraag beskikbaar is vir inspeksie deur 'n inspekteur.",

(g) deur subregulasie (8) deur die volgende subregulasie te vervang.

"(8) Geen gebruiker van masjinerie mag vereis of toelaat dat enige persoon verskuif of ondersteun word by wyse van 'n hystoestel nie, behalwe as sodanige masjien toegerus is met 'n hyskraan wat deur 'n inspekteur vir daardie doel goedgekeur is.",

(h) deur subregulasie (9) deur die volgende subregulasie te vervang·

"(9) Geen gebruiker mag 'n swaai-armkraan met 'n hyskapasiteit van 5 000 kg of meer teen minimum swaai-armradius gebruik of toelaat dat enige persoon dit gebruik nie, tensy dit voorsien is van—

(a) 'n aanwyser wat aan die operateur van 'n swaai-armkraan die massalas wat opgelig word, toon Met dien verstande dat

(f) by the substitution of the definition of "press" for the following definition

" 'press' means a driven machine that shears, punches, forms or assembles metal or other material by means of cutting, shaping or combination dies attached to slides which have a controlled reciprocating motion, but does not include bending brake presses, hot bending or hot metal presses, forging hammers and riveting machines or similar types of fastener applicators;".

(131)

Amendment of regulation 18 of the Regulations

3. Regulation 18 of the Regulations is hereby amended—

(a) by the deletion of the word "and" at the end of paragraph (a) of subregulation (1),

(b) by the addition of the word "and" at the end of paragraph (b) of subregulation (1),

(c) by the addition to subregulation (1) of the following paragraph

"(c) it has at all times at least three full turns of rope on the drum of each winch which forms part of such a machine when such a winch has been run to its lowest limit ";

(d) by the substitution of paragraph (b) for subregulation (2) of the following paragraph.

"(b) a limiting device which will automatically arrest the driving effort when—

(i) the hook or load attachment point of the power-driven lifting machine reaches its highest safe position; and

(ii) in the case of a winch-operated lifting machine with a lifting capacity of 5 000 kg or more, the load is greater than the rated mass load of such machine ";

(e) by the substitution in subregulation (5) for the word "erected" of the words "dismantled and re-erected",

(f) by the substitution for subregulation (7) of the following subregulation·

"(7) Every user of a lifting machine shall at all times keep on his premises a register in which he shall record or cause to be recorded full particulars of any performance test and examination prescribed by subregulations (5) and (6) and any modification or repair to the lifting machine, and shall ensure that the register is available on request for inspection by an inspector ",

(g) by the substitution for subregulation (8) of the following subregulation

"(8) No user of machinery shall require or permit any person to be moved or supported by means of a lifting machine, unless such machine is fitted with a cradle approved for that purpose by an inspector.",

(h) by the substitution for subregulation (9) of the following subregulation·

"(9) No user shall use or permit any person to use a jib-crane with a lifting capacity of 5 000 kg or more at minimum jib radius, unless it is provided with—

(a) a load indicator that will indicate to the operator of the jib crane the mass of the load being lifted. Provided that such a

sodanige toestel nie stelling met die hand vereis nie, vanaf die aanwending van 'n las na die hyskraan totdat die las gelos word, deur gebruik te maak van enige beweging of kombinasie van bewegings wat deur die hyskraanvervaardiger toegelaat word om veilige opligting te verseker nie; of

(b) 'n beperkende toestel wat die hyskrag outomaties stuit wanneer die las wat opgelig word, groter is as die aangeslane massalas van die swaai-armkraan, met die bepaalde radius, deur gebruik te maak van enige bewegings of kombinasie van beweging wat deur die hyskraanvervaardiger toegelaat word om veilige opligting te verseker. Met dien verstande dat sodanige toestel nie die hyskrag sal stuit wanneer die swaai-armkraan in 'n veiliger toestand hanteer word nie.";

(i) deur die volgende subregulasie by te voeg:

"(11) Die gebruiker moet verseker dat elke hystoestel bedien word deur 'n operateur wat spesifiek vir 'n bepaalde soort hystoestel opgelei is: Met dien verstande dat in die geval van hyswaens met 'n hefvermoe van 750 kg of meer en swaai-armkrane met 'n hefvermoe van 5 000 kg of meer teen 'n minimum kraanarmradius, die gebruiker nie mag vereis of toelaat dat enige persoon sodanige hystoestel bedien nie, tensy die operateur 'n opleidingsertifikaat besit wat uitgereik is deur 'n persoon of organisasie wat vir hierdie doel deur die Hoofinspekteur goedgekeur is.

Inwerkingtreding

4. Hierdie regulasies tree onmiddellik in werking· Met dien verstande dat die bepalings van regulasie 18 (2), 18 (9) en 18 (11) op 1 Oktober 1993 in werking sal tree.

No. R. 2484 **4 September 1992**

WET OP ARBEIDSVERHOUDINGE, 1956

VERBETERINGSKENNISGEWING

HAARKAPPERSBEDRYF, NATAL· NUWE OOREENKOMS

Onderstaande verbetering aan Goewermentskennisgewing No. R. 2114 wat in *Staatskoerant* No 14169 van 24 Julie 1992 verskyn, word hierby vir algemene inligting gepubliseer.

1. In die Afrikaanse teks.

   KLOUSULE 2· GELDIGHEIDSDUUR VAN OOREENKOMS

   Vervang die datum "30 September 1992" met die datum "30 September 1993"

2. In die Engelse teks:

   CLAUSE 2. PERIOD OF OPERATION OF AGREEMENT

   Vervang die datum "30 September 1992" met die datum "30 September 1993"

device shall not require manual adjustment, from application of a load to the jib crane until the release of that load, using any motion or combination of motions permitted by the crane manufacturer to ensure safe lifting, or (131)

(b) a limiting device which will automatically arrest the driving effort whenever the load being lifted is greater than the rated mass load of the jib crane, at that particular radius, using any motion or combination of motions permitted by the crane manufacturer to ensure safe lifting: Provided that such a device shall not arrest the driving effort when the jib-crane is being operated into a safer condition."; and

(i) by the addition of the following subregulation·

"(11) The user shall ensure that every lifting machine is operated by an operator specifically trained for a particular type of lifting machine: Provided that in the case of lift trucks with a lifting capacity of 750 kg or more and jib-cranes with a lifting capacity of 5 000 kg or more at minimum jib-radius, the user shall not require or permit any person to operate such a lifting machine unless the operator is in possession of a certificate of training, issued by a person or organisation approved for this purpose by the Chief Inspector ".

Commencement

4. These regulations shall come into operation with immediate effect. Provided that the provisions of regulation 18 (2), 18 (9) and 18 (11) shall come into operation on 1 October 1993.

No. R. 2484 **4 September 1992**

LABOUR RELATIONS ACT, 1956

CORRECTION NOTICE

HAIRDRESSING TRADE, NATAL: NEW AGREEMENT

The undermentioned correction to Government Notice No. R. 2114 appearing in *Government Gazette* No. 14169 of 24 July 1992, is published herewith for general information.

1 In the Afrikaans text.

   KLOUSULE 2· GELDIGHEIDSDUUR VAN OOREENKOMS

   Substitute the date "30 September 1993" for the date "30 September 1992"

2. In the English text:

   CLAUSE 2· PERIOD OF OPERATION OF AGREEMENT

   Substitute the date "30 September 1993" for the date "30 September 1992"

Eight overcome by gas fumes

Star 10/9/92 (131)

Eight workers were taken to hospital yesterday after being overcome by gas at a Springs factory.

An ambulance spokesman said the workers were mixing two gases when they were overcome by fumes.

Emergency vehicles transported the workers, from Ultra-High Pressure Units in Nuffield, Springs, to the Far East Rand Hospital.

The workers were not in danger but were still receiving treatment at the hospital, the spokesman said. — East Rand Bureau

No. R. 2626 **18 September 1992**

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983

WYSIGING VAN DIE AANGEDREWE MASJINERIE REGULASIES

VERBETERINGSKENNISGEWING

Onderstaande verbeterings aan Goewermentskennisgewing No R 2483 wat in *Staatskoerant* No. 14254 van 4 September 1992 verskyn, word hiermee vir algemene inligting gepubliseer.

In die Engelse teks van die Bylae op bladsy 25—

(1) paragraaf 2 (a), vervang die uitdrukking "by the insertion of the definition" deur die uitdrukking "by the insertion after the definition",

(2) paragraaf 2 (b), vervang die uitdrukking "by the insertion of the definition of 'builder's hoist' for" deur die uitdrukking "by the insertion after the definition of 'builder's hoist' of";

(3) paragraaf 2 (c), vervang die uitdrukking "by the insertion of the definition" deur die uitdrukking "by the insertion after the definition", en

(4) paragraaf 2 (e), vervang die uitdrukking "by the insertion of the definition of 'lifting tackle' for" deur die uitdrukking "by the insertion after the definition of 'lifting tackle' of".

In die Engelse teks van die Bylae op bladsy 26—

(1) paragraaf 2 (f), vervang die uitdrukking "by the substitution of the definition of 'press' for" deur die uitdrukking "by the substitution for the definition of 'press' of"; en

(2) paragraaf 3 (d), vervang die uitdrukking "by the substitution of paragraph (b) for" deur die uitdrukking "by the substitution for paragraph (b) of".

No. R. 2626 **18 September 1992**

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983 131

AMENDMENTS TO THE DRIVEN MACHINERY REGULATIONS

CORRECTION NOTICE

The following corrections to Government Notice No. R. 2483 appearing in *Government Gazette* No. 14254 of 4 September 1992 is hereby published for general information:

In die English text to the Schedule on page 25—

(1) paragraph 2 (a), substitute the expression "by the insertion after the definition" for the expression "by the insertion of the definition";

(2) paragraph 2 (b), substitute the expression "by the insertion after the definition of 'builder's hoist' of" for the definition "by the insertion of the definition of 'builder's hoist' for";

(3) paragraph 2 (c), substitute the expression "by the insertion after the definition" for the expression "by the insertion of the definition"; and

(4) paragraph 2 (e), substitute the expression "by the insertion after the definition of 'lifting tackle' of" for the expression "by the insertion of the definition of 'lifing tackle' for".

In the English text to the Schedule on page 26—

(1) paragraph 2 (f), substitute the expression "by the substitution for the definition of 'press' of" for the expression "by the substitution of the definition of 'press' for"; and

(2) paragraph 3 (d), substitute the expression "by the substitution for paragraph (b) of" for the expression "by the substitution of paragraph (b) for".

No. R. 2648 **18 September 1992**

WET OP ARBEIDSVERHOUDINGE, 1956

BOUNYWERHEID, NOORD- EN WES-BOLAND

VERBETERINGSKENNISGEWING

Onderstaande verbeterings aan Goewermentskennisgewing R 3144 wat in *Staatskoerant* 13684 van 20 Desember 1991 verskyn, word hierby vir algemene inligting gepubliseer.

1. In die Afrikaanse teks van die Bylae, voeg die volgende in na klousule 1 en hernommer die bestaande klousules "2" en "3" na "5" en "6".

2. Geldigheidsduur van Ooreenkoms

Hierdie ooreenkoms tree in werking op die datum wat die Minister van Mannekrag kragtens artikel 48 van die Wet vasstel, en bly van krag vir die tydperk eindigende 12 Februarie 1993 of vir die tydperk wat hy bepaal.

3. Spesiale bepalings

Die bepalings van klousule 17 van die Ooreenkoms gepubliseer by Goewermentskennisgewing R 696 van 26 April 1974 soos gewysig en herbekragtig by Goewermentskennisgewings R 836 van 27 April 1979,

No. R. 2648 18 September 1992

LABOUR RELATIONS ACT, 1956

BUILDING INDUSTRY, NORTH AND WEST BOLAND

CORRECTION NOTICE

The following corrections to Government Notice R. 3144 appearing in *Government Gazette* 13684 of 20 December 1991, are hereby published for general information:

1 In the Afrikaans text of the Schedule insert the following after clause 1 and re-number the existing clauses "2" and "3" to "5" and "6".

2. Geldigheidsduur van Ooreenkoms

Hierdie ooreenkoms tree in werking op die datum wat die Minister van Mannekrag kragtens artikel 48 van die Wet vasstel, en bly van krag vir die tydperk eindigende 12 Februarie 1993 of vir die tydperk wat hy bepaal.

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LABOUR

Some taxing questions for employers

W/Mail 18/9 - 24/9/92 (131)

To deduct PAYE and stay out of jail or to support Cosatu's tax boycott call?

MONDLI MAKHANYA

reports on employers' dilemma

WHAT may prove to be South Africa's largest tax revolt kicks off next month with a Congress of South African Trade Unions-initiated campaign to boycott Pay As You Earn (PAYE) tax

The Cosatu campaign — adopted by the federation's campaigns conference last weekend — coincides with the "fourth phase" of the Tripartite Alliance's mass action campaign It holds out the threat of a huge confrontation between organised labour and business

Cosatu has given employers till October 1 to respond to demands to stop deducting PAYE from workers' salaries and November as the date for workers to stop paying the tax to the government. This money, says Cosatu assistant general secretary Sam Shilowa, should be placed in a multiparty-controlled "Fund for a Democratic South Africa"

Already the campaign has caused ripples. Government has threatened to review its participation in the National Economic Forum if Cosatu proceeds with it Business has been largely tight-lipped, but has declared that it is not prepared to break the law by complying with the campaign's demands

Under the Income Tax Act, failure by an employer to hand tax deductions to the government constitutes theft and the employer would be liable for a jail term or a fine Employer bodies have voiced fears that rather than taking on big companies, government may target small businesses who neglect to pay over PAYE money.

Cosatu's Sam Shilowa ... put money in a fund

Anglo's Bobby Godsell ... invited Cosatu to talks

The boycott has its genesis in Cosatu's national congress last year, which coincided with the Inkathagate scandal. It gained momentum after revelations of corruption in the Department of Development Aid.

South African Chamber of Business economist Ben van Rensburg rules out any possibility of complying with the Cosatu demand. "Does Cosatu expect employers to willingly become criminals? We won't commit criminal acts on their behalf," he told *The Weekly Mail*.

According to Saccola president Johann Liebenberg, employers have not even discussed the issue, and have had no contact with Cosatu on it.

Shilowa remains adamant that unless employers back the campaign, there will be friction. He quips. "If they are really serious about curbing state expenditure, they'd better join us."

Cosatu's campaigns conference focused on another employer-union flashpoint· a union drive against employers who fired or disciplined workers during the August general strike and the wave of wage strikes this year This will entail picketing and even occupying head offices.

Singled out for attack was Anglo American Corporation, whose subsidiaries fired several thousand striking National Union of Metalworkers members during the recent engineering industry strike.

A high-level Cosatu delegation is to meet Anglo to discuss their re-instatement and the corporation's "attitude to the right to strike" A national council of Anglo shop stewards is also to be convened to discuss action

Anglo reacted to the threat by inviting Cosatu to talks. Industrial affairs director Bobby Godsell called for the resumption of the failed Social Charter between Cosatu and Saccola "The focus should be on the source of the conflict, not only labour relations but also on the process of political transition," he said

Model C safety shift

(131) ARG 30/9/92

Extra burden for school principals as state hands over

Education Reporter

PRINCIPALS have added responsibilities regarding the safety of their staff and pupils under Model C provisions

Mr Hannes Struyweg, regional manager of the National Occupational Safety Association (Nosa), said that in the past, the Department of Manpower had been responsible for safety at schools

Under Model C, which turned principals into "managing directors", ownership of the school buildings shifted from the state to the school, and with it responsibilities for safety

Now the governing body, and ultimately the school principal as chief executive, was responsible for the safety of teachers in terms of the Mosact (Machinery and Occupational Safety Act of 1983)

Any company with more than 20 employees has to appoint a safety officer who is responsible for carrying out safety inspections at regular intervals

In the case of a school, the safety officer could be a teacher who would report regularly to the principal, Mr Struyweg said

The safety officer has to conduct a risk survey to identify possible hazardous areas at the school

The most probable risk areas at school are woodwork rooms, which contain potentially dangerous machinery, and science laboratories which contain hazardous chemicals

While principals are not directly responsible for the safety of pupils, they are required to ensure that all "machinery" pupils use is safe

This extends to sports equipment and teaching aids such as overhead projectors, Mr Struyweg said

According to Nosa, principals, "if they fail to act on any of the safety representatives' or safety committee's findings, and any person, albeit a pupil, visitor or staff member is injured because of his failure to heed these recommendations", will be guilty of an offence and could face a maximum of two years in jail or a R20 000 fine, or both

Our correspondent reports from ape Town that the Correctional Ser- ces Department confirmed that 431 ilsmoor inmates were on a hunger ike in protest against the release political prisoners

Chemical fire death probed

B/Day 2/10/92

STEPHANE BOTHMA

POLICE opened an inquest docket yesterday into the death of a Midrand worker whose body was found near the site of a gutted chemical warehouse (131)

The fire occurred on September 19 at the Rhone-Poulenc warehouse and consumed about 74 chemical substances — five of which were considered potentially harmful

Firigas Ngoma, 35, died on Wednesday night.

A Rhone-Poulenc spokesman said yesterday they would receive the post-mortem report today. But he added that at the time of the fire and afterwards, several employees had been at the site without protection or gas masks without showing ill effects

Meanwhile, the company has offered to pay the costs of tests for residents affected by gas from the fire

Army chief accuses MK of sabotage plans

B/Day 2/10/92

STEPHANE BOTHMA

THE ANC's military wing Umkhonto we Sizwe plans to undertake acts of sabotage against government installations and infrastructures during the fourth phase of its mass action programme, says SA Army chief Lt-Gen Georg Meiring

Available information made it clear MK members would be deployed among mass action participants during "exitgate" to provoke the security forces of SA and the TBVC states, Meiring told a military parade in Voortrekkerhoogte on Wednesday Meiring's speech was released to the media yesterday

ANC spokesman Carl Niehaus last night rejected Meiring's claims as "utterly untrue" and said the ANC was committed to a peaceful campaign of mass action which would be conducted within the parameters laid down by the Goldstone commission and the national peace accord.

Meiring said "In the event of counter-action by the security forces, it is planned that MK will be used to create the impression among the broad population that MK is a people's army protecting the people against so-called aggressors"

In addition, plans existed to use so-called "special operations teams" from the PWV area during mass action to sabotage government installations and infrastructures in certain TBVC states and black residential areas, he said

"Not only will the use of members of special teams ensure good security during these operations, but also hamper attempts to trace these actions back to ANC members It rather seems then that these so-called 'special operation teams' are just another term for the notorious self-defence units,' Meiring told the parade

He said acts of violence had already been committed against government buildings in the Ciskei, which indicated members of these teams would most probably be deployed in future

Apparently these actions would be extended to SA as well

Similarly, "pseudo operations" were obviously being used to place the blame for murders on the shoulders of the SADF, SAP or the government

According to Meiring, only two alternatives existed in SA's future

"We can attempt to negotiate for a joint future with built-in protection of minority groups, or we can settle our differences by using violence — in other words get involved in a civil war or a bloody battle"

However, the Defence Minister had given an undertaking that government would not rest until a new and just democracy was in place, and that government would continue to negotiate to achieve this goal, Meiring said

Picture BRIAN HENDLER

Eskom in deal with Fabcos to boost affordable housing

B/DAY 14/10/92

THEO RAWANA

IN A first marriage between Eskom and the informal sector, the utility yesterday entered into a joint venture with business organisation Fabcos which should see about 16 000 affordable houses electrified in the next two years

Eskom commercial manager Dennis Cook told the launch of the venture at Eskom head office that the utility would supply the necessary resources while Fabcos would provide contractors from the informal sector

A cheque for R600 000 was handed to Fabcos as sponsorship for the pilot run of the venture

Fabcos affiliate Fabfin, which was involved in the development of affordable housing, was already putting the scheme into operation in Bela-Bela township in Warmbaths and Tshepiso township in the Vaal, the parties said in a joint statement

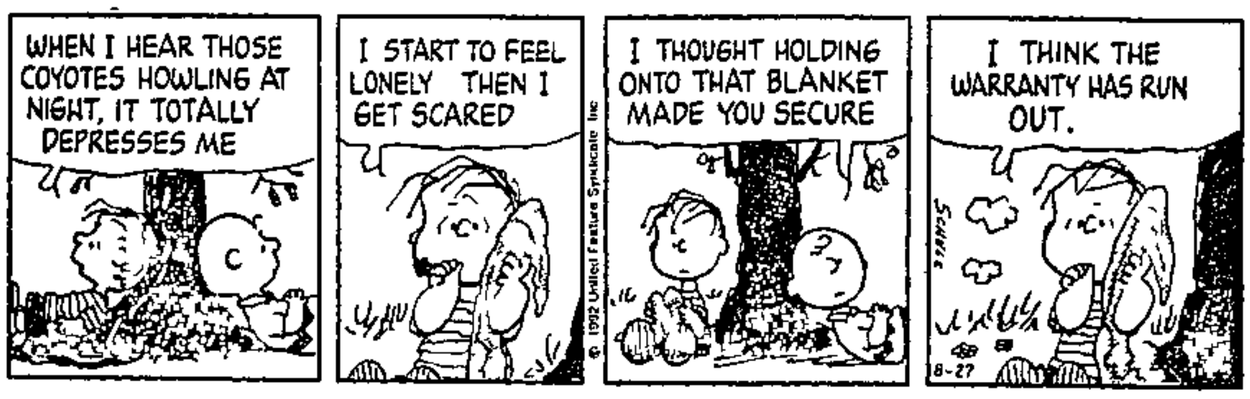
"The scope of this venture will also include the marketing of affordable electrical appliances and the erection of electric poles to be developed by the African Builders' Association (Aba), another Fabcos affiliate," the statement said

Fabcos CEO and Future Bank chairman Jabu Mabuza said the relationship between Fabcos and Eskom was long overdue

"This historic occasion just shows how developed and developing business can jointly work together at developing the quality of life of our people, and at the same time empowering people at the bottom rung of the economic ladder," he said

Future plans of the joint venture would cover areas such as sub-contracting for black plumbers and electricians in the fitting of geysers in affordable houses, and other services, the parties said

PEANUTS By Charles Schulz



'2 700 die at work a year'

B/DAY 14/10/92

DIRK HARTFORD

SUN CITY — About 2 700 people died in industrial and mining accidents in SA each year while each day workers were permanently disabled, ANC health spokesman Dr M B Kistnasamy said yesterday

About 100 000 hands and 50 000 feet were lost each year in industrial accidents, he told National Occupational Safety Association annual conference delegates

Although the mortality rate in mining had remained fairly consistent, the accident rate had declined While this could be because of better health and safety procedures, employers' failure to notify the authorities of accidents and the exclusion of certain employment sectors was also a contributory factor

Kistnasamy said SA's accident record was eight times worse than Britain's, four times worse than EC countries' and twice as bad as the US's

The ANC's occupational health and safety concerns would also focus on farm and domestic workers

Radiation dose 'normal'

(131) CT 14/10/92

Staff Reporter

NEARLY half of Koeberg's nuclear power plant workers received a detectable radiation dose in 1991, the annual SA Forum for Radiation Protection (SAFRP) disclosed

The fourth report by the SAFRP comes after the four-day shutdown of Africa's only nuclear plant after a turbine tripped because of low oil pressure

Koeberg spokesman Mr Don Murray said it was "nothing exceptional and all perfectly normal"

The report found that of 1 400 workers, both full-time and contract, 646 had received a detectable radiation dose and the overall collective dose was 1 637 micro-sieverd (mSv) down on the 1990 figure of 2 520 mSv

This was an average dose of about 2,5 mSv per person

The maximum exposure of radiation from the plant to the public, the report said was 22,13 mSv, compared with the International Committee for Radiological Protection standard of 5 000 mSv per person, Mr Murray said

He said the radiation detected was "virtually immeasurable" and "well below levels prescribed by international standards"

"It is a nuclear environment and to have nothing is impossible"

authorities for refusing to testify at court hearings on the former Soviet Communist Party

Poison cases discharged

(131)

CP 17/10/92

PRETORIA. — Some of the 13 patients, including members of the Pretoria Fire Brigade, admitted to hospitals here suffering from chemical gas poisoning following an incident at Iscor's Pretoria plant, were discharged yesterday.

SA judge a World Jurist

PRETORIA — Mr Justice Deon van Zyl of the Supreme Court has been appointed a

the nation in brief

Sowetan 20/10/92

Azapo stayaway call flops

THE one-day stayaway call by the Azanian People's Organisation on the Reef yesterday went unheeded as workers went to work in their usual thousands

According to the South African Chamber of Business and transport service organisations, business was normal and buses and trains were full yesterday morning

A spokesman for Spoornet, Mr Ephraim Mohale, said the call had had no effect on trains A Putco spokesman, Mr Brian Treweek, supported Mohale, saying as far as he knew there was no stayaway on the Reef yesterday

Sowetan 20/10/92

Otis charged for lift death

AN elevator company is facing criminal charges following the death two years ago of a man who was cut in half by a lift in a Durban building

131

The Natal division of the Otis Elevator Company faces charges in terms of the Machinery and Occupational Safety Act for allegedly designating that Mr K Marimuthu, who was not under the supervision of an experienced person, work on the lift

The company's director, Mr S Lewis, yesterday pleaded not guilty in the Durban Magistrate's Court to the charge The case was postponed to November 16

Sowetan 22/10/92

Red Cross gets R920 000

MORE than R920 000 to assist victims of violence in Alexandra was given to the South African Red Cross Society in Johannesburg yesterday by Social Relief Fund board chairman Dr Piet Koornhof

The money, totalling R920 801,45, was the first allocation approved by the fund's executive for the Southern Transvaal Red Cross

Koornhof said the Social Relief Fund was established after parliamentary approval was granted for the Fundraising Act to be amended to make official provision for the granting of financial assistance to communities affected by violence

Sowetan 24/10/92

Alleged harassment of PAC

SEVERAL cases of alleged harassment by security forces of Pan Africanist Congress members have been forwarded to the organisation's lawyers, PAC national organiser Maxwell Nemadzivhanani said at a Press conference in Johannesburg yesterday

Rhodes Press lecture

THE editor of Zimbabwe's leading independent newspaper, the Financial Gazette, will deliver the Rhodes University annual Press freedom lecture on Thursday Sowetan 20/10/92.

Mr Trevor Ncube's topic will be Press freedom in Zimbabwe The Financial Gazette made headlines earlier this month after Ncube became embroiled in a dispute with with a parliamentary committee over his source for a report on a multi-million-rand corruption scandal

Mediation for Willards strike

A PAY dispute that has led to a two-week pay strike at Willard Batteries would be referred to mediation today, National Union of Metalworkers of South Africa spokesman, Mr Bimba Manqabashana, said yesterday Sowetan 20/10/92.

news in brief

Sowetan 18/11/92

Bomb injures kids

TWO CHILDREN of a Free State ANC official sustained injuries when an explosive device extensively damaged their room early yesterday

The explosion occurred at about 2am yesterday at the house of Mr Makhwenkwe Fizolo, the local ANC branch chairman in Rockville, Bloemfontein

Police spokesman Captain Jolene van der Merwe confirmed the incident, saying police were still conducting forensic tests.

Sowetan 18/11/92

Non-smokers put foot down

NON-SMOKERS would no longer meekly tolerate muggy working conditions, a seminar on puffing in the workplace heard in Johannesburg yesterday.

Dr Gillian Baddeley of the Heart Foundation of South Africa said there was general acceptance that smoking was harmful to both smokers and passive smokers. She said it was encouraging to note companies' willingness to discuss smoking complaints with their workforce

(131)

Prayer for peace

A NATIONAL day of prayer for peace in South Africa will be held at the World Trade Centre near Kempton Park, on November 29, the Inter-denominational Prayer Woman's League announced yesterday League spokesman Mrs Masechaba Mabaso said invitations had been sent to various leaders in the country, including the Government, to pray together.

Cosatu strikes out against Aids prejudice

S047It 21/11-25/11/92. (131)

By Justin Pearce

NOMONDE Maluleka, a worker at a mine in Natal, lost her job this year The reason was that she was infected with the HIV virus — the virus that leads to Aids

Maluleka's doctor informed her employers that she was quite capable of doing her job and that she could not possibly infect anybody in the course of her work They refused to listen

Maluleka (not her real name) did not even know that she had been tested for the HIV virus She had to have a medical examination before being appointed to the permanent staff, after five years as a "temporary" employee

She had to sign a form of consent with a thumbprint as she is illiterate, and said that no one read the document to her before she signed

Instances like this have prompted trade unions to take up the issue of Aids as a matter of urgency

With so much ignorance surrounding Aids, workers who are found to be infected with the HIV virus face discrimination from their bosses and their colleagues

Trade unions are well-placed to educate workers about Aids because they have credibility among workers that the bosses lack.

Addressing the National Aids Convention of South Africa (Nacosa) conference in Johannesburg last month, Cosatu president Mr John Gomomo told how workers who tested positive for the HIV virus had lost their jobs or been denied health care, housing and pension benefits Many workers refused to work with fellow workers who had Aids or HIV, he added

"Cosatu is very concerned about Aids and we have made it clear that Aids is a disease that can affect everybody

"We believe that the vital weapon that we have is education and training The most difficult area is trying to change the attitudes and habits of individuals Hence we encourage the use of condoms in our educational campaigns"

But Aids is a political issue as much as an educational one, and Cosatu's Aids work includes fighting for a fair Aids policy in the workplace.

Cosatu's demands are

- Workers should not be tested for the HIV virus before employment to assess fitness to work, since HIV infection does not impair a person's ability to work.
- If employers know that a worker is HIV positive, this information must be regarded as confidential
- Workers affected by HIV or Aids must be protected from discrimination and stigmatisation Information and education are essential in creating a climate where this is possible.
- Workers and their families should have access to information, education and counselling

Business organisations have pledged to take up the issue of Aids, several such organisations participating in the Nacosa conference

"Business, as the largest employer of labour, recognises that it is well placed to play a constructive role in addressing the issue," South African Chamber of Business (Sacob) president Mr Hennie Viljoen said at the conference

"In a sense it has a captive audience in the form of its workforce"

Viljoen outlined the role that employers have played in combatting Aids, which includes "identifying employees with high-risk behaviour and offering them counselling on the dangers of contracting and spreading the disease"

He did not elaborate how one would monitor an employee's sexual behaviour to see whether the person could be classed as "high risk", and stopped short of making a commitment to a non-discriminatory policy as outlined by Cosatu

Some of the largest and wealthiest employers such as Southern Life and Old Mutual have researched and produced their own material for Aids education

● For smaller businesses which do not have the resources to research and produce their own educational material, a new training course is aimed at educating their management

The Aids Training Course offered by the Aids Education Unit of the Planned Parenthood Association intends to make participants aware of the needs of people infected with HIV or Aids, and teaches them to teach others about the disease It is aimed at shop stewards and human resource trainers

The course will run from Monday, November 23, to Friday, November 27 Anyone interested in participating can call Ms Aloma Foster at (021) 338-7312

GETTING IT ACROSS: Cartoons form part of Cosatu's Aids education programme

Ship deaths: No civil action

CT 5/12/92

Staff Reporter

CIVIL action is not planned against Globe Engineering, the company found responsible for the deaths of six of its workers in an explosion aboard the tanker Alborz in Table Bay Harbour last year.

131

A spokesman for the Legal Resources Centre said yesterday the only survivor, Mr Patrick Ngalo, and the widows of the deceased had already received Workman's Compensation Further compensation would be sought in terms of "employer negligence"

The Cape Town Regional Court on Thursday found Globe guilty of culpable homicide

Sentence is to be passed on Monday

Fine for ship fire deaths

(131) CT 8/12/92

'Lax safety must be punished' court hears

Staff Reporter

GLOBE Engineering was yesterday fined R10 000 for culpable homocide following the deaths of six of their workers who died in the flaming hold of the supertanker Alborz in May last year

The magistrate, Mr G Bruwer, told Globe Engineering managing director Mr Robert Black Hughes, who was in the dock as a representative of the company, that workers "need to be protected from hazardous environments as far as is humanly possible"

Mrs Kulsum Hajee, the mother of Mr Ismail Hajee, who died with Mr Errald Phillips, Mr Hendrik Oosthuysen, Mr Gary Davids, Mr Khunshile Ngaka and Mr Mutukanti Nzameza, described the fine after sentencing as "peanuts".

"All the money in the world will never replace my son, The hurt is there. That will never go away," she said

Mr Hughes declined to comment.

In mitigation of sentence Mr R van Riet, for Globe Engineering, said after the tragedy an internal inquiry had been held and safety measures at the company were stepped up

Workers were now searched for matches and lighters before entering dangerous areas and had been warned not to rely on the tests of chief officers of ships

A full time safety officer had been appointed

In addition safety booklets had been distributed and inspections and safety courses were held regularly.

Mr F Silbert, for the state, argued that these safety measures had only been introduced after the tragedy and Globe Engineering "must be punished as a deterrent to other people for lax safety precautions".

Mr Bruwer said the sentence imposed should "deter others" from lax safety procedures, a "measure of retribution should be catered for" and the R10 000 fine was "appropriate"

The company was ordered to pay the fine before December 10.

Firm told to pay former employee record R308 000

S/Times 13/12/92

By CHARLENE SMITH

A FORMER warehouse manager who was forced to resign because of union pressure has won a record award of R308 756 for unfair dismissal

In making the award, the Industrial Court hammered Amalgamated Beverages Industries (ABI) for responding to union pressure without giving 50-year-old Attie Jonker, "an exemplary employee . who got on well with his superiors and those who he supervised" a chance to defend himself.

It warned that companies often faced requests to dismiss employees — and in future this could "include a fear of working with someone who has AIDS or the HIV-virus" But companies had to "maintain standards of fairness" (131)

Mr Jonker, of Pretoria, will also get a R34 000 debt paid off Just before he began work at the company he bought a car that was repossessed after he lost his job

Mr Jonker was employed by the company just over a year ago.

Two years previously, he worked for a Pretoria bakery that called in police who attacked strikers. There were allegations that Mr Jonker assisted them, but arbitration between the Food and Allied Workers Union and the bakery found this was untrue.

Mr Jonker's Vanderbijlpark lawyer, Mr Riaan du Plessis, said that within three months of his employment at ABI, Fawu members demanded his dismissal

The court found pressure was put on Mr Jonker to resign by ABI It found that Fawu and its members "are the guilty parties" but the company had only itself to blame for carrying the costs of the award

The court took into account Mr Jonker's age and his ability to obtain a similar post and awarded him an amount calculated at what he could have earned at the R4 200 salary at ABI, minus his present lower income as a storeman, capitalised until retirement

Mr du Plessis, who is also a university lecturer in labour law, said he believed the case created "a lot more rights for employees" and made it likely that more unfair dismissals would be brought before the court.

Bill aims to insure injured workers against disability

STAR 11/1/92

Own Correspondent (131)

CAPE TOWN — Workers injured on the job will be insured against disablement by a new Bill, designed to replace the Workmen's Compensation Act of 1941, to be published in the Government Gazette today for comment.

The Department of Manpower has proposed that the Injured Employees Compensation Draft Bill replace the Workmen's Compensation Act to eliminate problems

In a statement, department director-general Joel Fourie said the main aim of the Bill was to insure employees or their dependants against disablement

Employees would be partially compensated and the insurance did not cover the full loss sustained as a result of an accident or occupational disease

The most important changes proposed in the Bill are

- All employees are protected, irrespective of their earnings
- The Bill provides for a more equitable dispensation concerning compensation for occupational diseases It proposes that the compensation to which an employee is entitled be based on the employee's earnings when the occupational disease is diagnosed for the first time and not, as is the case as present, at the time of the last exposure to the substance or agent which caused the occupational disease
- The establishment of medical advisory panels to assist with the diagnosis of occupational diseases
- The establishment of a Compensation Board on which employers' organisations, trade unions, the Government and the Medical Association of South Africa would be represented

Interested parties are invited to submit comment or representations to the Workmen's Compensation Commissioner, for the attention of Louis van Assen, Box 955, Pretoria 0001 or send a fax to (021) 323-8627 not later than February 26

No. R. 3391 **24 December 1992**

LABOUR RELATIONS ACT, 1956

MOTOR INDUSTRY RENEWAL OF MOTOR INDUSTRY SICK AND ACCIDENT PAY FUND AGREEMENT

I, Leon Wessels, Minister of Manpower, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices No. R. 1600 of 30 July 1982, R 2797 of 31 December 1982, R 1727 of 15 August 1986, R 1805 of 21 August 1987, R 1338 of 30 June 1989, R 1476 of 5 July 1989 and R 166 of 26 January 1990 to be effective with effect from 28 December 1992 and for the period ending 28 December 1993

L. WESSELS,
Minister of Manpower

No. R. 3392 **24 December 1992**

LABOUR RELATIONS ACT, 1956

MOTOR INDUSTRY· AMENDMENT OF MOTOR INDUSTRY SICK AND ACCIDENT PAY FUND AGREEMENT 131

I, Leon Wessels, Minister of Manpower, hereby, in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from 28 December 1992 and for the period ending 28 December 1993, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions

L. WESSELS,
Minister of Manpower

SCHEDULE

THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY

MOTOR INDUSTRY SICK AND ACCIDENT PAY FUND AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

South African Motor Industry Employers' Association

and the

South African Vehicle Builders' and Repairers' Association

(hereinafter referred to as the "employers" or the "employers' organisations"), of the one part, and the

Motor Industry Employees' Union of South Africa

Motor Industry Staff Association

and the

National Union of Metalworkers of South Africa

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

No. R. 3391 **24 Desember 1992**

WET OP ARBEIDSVERHOUDINGE, 1956

MOTORNYWERHEID· HERNUWING VAN SIEKTE- EN ONGEVALLEBYSTANDSFONDSOOREENKOMS VIR DIE MOTORNYWERHEID

Ek, Leon Wessels, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewings Nos R 1600 van 30 Julie 1982, R. 2797 van 31 Desember 1982, R 1727 van 15 Augustus 1986, R 1805 van 21 Augustus 1987, R 1338 van 30 Junie 1989, R. 1476 van 5 Julie 1989 en R. 166 van 26 Januarie 1990, van krag is met ingang van 28 Desember 1992 en vir die tydperk wat op 28 Desember 1993 eindig

L. WESSELS,
Minister van Mannekrag.

No. R. 3392 **24 Desember 1992**

WET OP ARBEIDSVERHOUDINGE, 1956

MOTORNYWERHEID: WYSIGING VAN SIEKTE- EN ONGEVALLEBYSTANDSFONDSOOREENKOMS VIR DIE MOTORNYWERHEID

Ek, Leon Wessels, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van 28 Desember 1992 en vir die tydperk wat op 28 Desember 1993 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is

L. WESSELS,
Minister van Mannekrag

BYLAE

DIE NASIONALE NYWERHEIDSRAAD VIR DIE MOTORNYWERHEID

SIEKTE- EN ONGEVALLEBYSTANDSFONDS VIR DIE MOTORNYWERHEID

OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

South African Motor Industry Employers' Association

en die

South African Vehicle Builders' and Repairers' Association

(hierna die "werkgewers" of die "werkgewersorganisasies" genoem), aan die een kant, en die

Motor Industry Employees' Union of South Africa

Motor Industry Staff Association

en die

National Union of Metalworkers of South Africa

(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant,

being the parties to the National Industrial Council for the Motor Industry,

to amend the Motor Industry Sick and Accident Pay Fund Agreement published under Government Notice No R 1600 of 30 July 1982, as amended and extended by Government Notices Nos R 2797 of 31 December 1982, R 1727 of 15 August 1986, R 973 of 30 April 1987, R 1805 of 21 August 1987, R 1338 of 30 June 1989, R 1476 of 5 July 1989 and R. 166 of 26 January 1990

1. SCOPE OF APPLICATION OF AGREEMENT

The terms of this Agreement shall be observed in the Regions defined herein by all employers in the Motor Industry who are members of the employers' organisations and by all employees in the said Industry who are members of the trade unions

2. CLAUSE 6: CONTRIBUTIONS

In subclause (1) (b), substitute the expression "R1,00" for the expression "50 cents"

Signed at Johannesburg, on behalf of the parties, this 27th day of November 1992

T. NIEUWOUDT,
President of the Council.

C. S. ROBERTS,
Vice-President of the Council

B. G. DU PREEZ,
General Secretary of the Council

No. R. 3393 **24 December 1992**

LABOUR RELATIONS ACT, 1956

CANCELLATION OF GOVERNMENT NOTICE

NON-EUROPEAN PASSENGER TRANSPORTATION TRADE, DURBAN

I, Leon Wessels, Minister of Manpower, hereby, in terms of section 48 (5) of the Labour Relations Act, 1956, cancel Government Notice No. R 3227 of 27 November 1992 with effect from the second Monday after the date of publication of this notice.

L. WESSELS,
Minister of Manpower

No. R. 3395 **24 December 1992**

LABOUR RELATIONS ACT, 1956

FURNITURE INDUSTRY, NATAL. AMENDMENT OF MAIN AGREEMENT

I, Leon Wessels, Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect

wat die partye is by die Nasionale Nywerheidsraad vir die Motornywerheid,

om die Siekte- en Ongevallebystandsfondsooreenkoms vir die Motornywerheid, gepubliseer by Goewermentskennisgewing No R 1600 van 30 Julie 1982, soos gewysig en verleng by Goewermentskennisgewings Nos R 2797 van 31 Desember 1982, R 1727 van 15 Augustus 1986, R 973 van 30 April 1987, R 1805 van 21 Augustus 1987, R 1338 van 30 Junie 1989, R 1476 van 5 Julie 1989, en R 166 van 26 Januarie 1990, verder te wysig

1. TOEPASSINGSBESTEK VAN OOREENKOMS

Hierdie Ooreenkoms moet in die Streke wat hierin omskryf word, nagekom word deur alle werkgewers in die motornywerheid wat lede van die werkgewersorganisasies is en deur alle werknemers in genoemde Nywerheid wat lede van die vakvereniging is

2. KLOUSULE 6: BYDRAES

In subklousule (1) (b), vervang die uitdrukking "50 sent" deur die uitdrukking "R1,00"

Namens die partye op hede die 27ste dag van November 1992 te Johannesburg onderteken

T. NIEUWOUDT,
President van die Raad

C. S. ROBERTS,
Visepresident van die Raad

B. G. DU PREEZ,
Hoofsekretaris van die Raad

No. R. 3393 **24 Desember 1992**

WET OP ARBEIDSVERHOUDINGE, 1956

INTREKKING VAN GOEWERMENTSKENNISGEWING

VERVOERBEDRYF NIE-BLANKE PASSASIERS, DURBAN

Ek, Leon Wessels, Minister van Mannekrag, trek hierby, kragtens artikel 48 (5) van die Wet op Arbeidsverhoudinge, 1956, Goewermentskennisgewing No R 3227 van 27 November 1992 in met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing.

L. WESSELS,
Minister van Mannekrag

No. R. 3395 **24 Desember 1992**

WET OP ARBEIDSVERHOUDINGE, 1956

MEUBELNYWERHEID, NATAL WYSIGING VAN HOOFOOREENKOMS

Ek, Leon Wessels, Minister van Mannekrag, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en

LABOUR LAW (131)

Safety first

FM 2/10/92

Despite its progressive features, there could be problems with aspects of the new draft Bill on Occupational Safety & Health due to be promulgated next year

Employers could find themselves liable to a R50 000 fine, 12 months in jail, or both, if they do not separate potentially conflicting groups of employees And if they do, they may be open to allegations of re-enacting apartheid and charges of discrimination, according to Clive Hertog, labour lawyer at Webber Shepstone & Findlay.

The draft law obliges employers to take steps to protect employees when violence is foreseeable To safeguard themselves, they must record steps taken to assess and prevent the violence.

A Department of Manpower spokesman, however, points out that the Bill is very much at an embryonic stage, open to comment and that the lawyer is overstating his case There is nothing sinister or strange in the draft, he maintains

Among other grey areas identified by Hertog in the draft Bill is an obligation to report every incident of fractured machinery that produces uncontrolled moving objects Reporting these when there is no threat to health or safety is not only pointless, says Hertog, but would stretch the capacity of the Department of Manpower and create policing problems.

Employers must report "major incidents" but "major" is not clearly defined Nor is the term "medical practitioner " It needs to be clarified because the medical practitioner (doctors only or nurses as well?) must report illness which he believes arises out of the job,

FM 2/10/92

or be liable to a fine of R50 000 or 12 months This could discourage doctors and nurses from treating factory accidents

The proposed law is designed to bring SA into line with industrialised countries where the emphasis is on worker empowerment, environmental care and preventive health and safety measures Workers are given more clout by being allowed to elect representatives to every safety committee Safety training in certain situations is mandatory The Bill gives workers and bosses the right to be represented by an attorney or counsel at an inquiry

Concern for the environment also comes into the picture Outsiders with evidence of an offence may make representations to an inspector about any incident originating at a factory which could result in illness or injury — such as chemical emissions

Preventive measures are introduced Employers with more than 50 employees will have to draw up and implement health and safety policies If, for example, it is established that working on computers for more than two hours continuously causes eye problems, a company will have to take reasonable steps to prevent damage to health

Also allowed is the presentation of affidavits at inquiries, which will save both parties the cost of bringing in technical experts

The Bill shifts the onus of responsibility from corporate bodies to individuals and increases the penalties for negligence fivefold.

The Public Service Labour Relations Bill is to be tabled in parliament next month, says Administration Minister Org Marais He adds that one of the most significant clauses, on which consensus has been reached, is that public servants rendering important services will not be allowed to strike Disputes will be resolved through arbitration — an attempt to get away from confrontational collective bargaining

The Bill also provides for officials, except those representing the public service as an employer, to have the right to join a trade union or association ■

BYLAE

Pos	Subpos	T. S	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
07 14	"0714 90	1	Deur subpos No 0714 90 deur die volgende te vervang Ander	kg	vry"	

Opmerking —Die onderafdelings van subpos No 0714 90 word geskrap

SCHEDULE

Heading	Subheading	C D	Article Description	Statistical Unit	Rate of Duty	Annotations
07 14	"0714 90	1	By the substitution for subheading No 0714 90 of the following Other	kg	free"	

Note —The subdivisions of subheading No 0714 90 are deleted

No. R. 731 **6 Maart 1992**

BINNELANDSE INKOMSTE

UITREIKING VAN INKOMSTE- EN BOETEPLAKSEELS VAN DIE REPUBLIEK VAN SUID-AFRIKA

Hiermee word vir algemene inligting bekendgemaak dat met ingang van 21 Februarie 1992 is die waarde en agtergrondmotief op die voorkant van die seel gedruk in die geval van inkomste- en boeteplakseëls met 'n waarde van R1 en hoer

KOMMISSARIS VAN BINNELANDSE INKOMSTE.

No. R. 731 **6 March 1992**

INLAND REVENUE

ISSUE OF ADHESIVE REVENUE AND PENALTY STAMPS OF THE REPUBLIC OF SOUTH AFRICA

It is hereby notified for general information that with effect from 21 February 1992 the denomination and background motif are printed on the face of the stamp in the case of adhesive revenue and penalty stamps with a value of R1 or greater.

COMMISSIONER FOR INLAND REVENUE

DEPARTEMENT VAN MANNEKRAG

No. R. 712 **6 Maart 1992**

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983 (WET No. 6 VAN 1983)

Die Minister van Mannekrag publiseer hiermee ingevolge artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No 6 van 1983), op aanbeveling van die Adviesraad vir Beroepsveiligheid die voorgestelde wysiging van die Omgewingsregulasies vir Werksplekke soos afgekondig by Goewermentskennisgewing R. 2281 van 16 Oktober 1987, en in die Bylae hierby vervat, vir algemene inligting en kommentaar

Enige kommentaar of vertoë met betrekking daartoe moet skriftelik by die Direkteur-generaal. Mannekrag, Privaatsak X117, Pretoria, 0001, binne 60 dae van die datum van publikasie van hierdie kennisgewing, ingedien word.

BYLAE

WYSIGING VAN DIE OMGEWINGS-REGULASIES VIR WERKPLEKKE

1. In hierdie regulasies beteken "die Regulasies" die Omgewingsregulasies vir Werkplekke, afgekondig by Goewermentskennisgewing No. R 2281 van 16 Oktober 1987.

Wysiging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig deur die volgende woordomskrywing na die woordomskrywing "gerigte armatuur" by te voeg:

"goedgekeurde inspeksie-owerheid" 'n inspeksie-owerheid wat deur die hoofinspekteur goedgekeur is vir—

(a) die bepaling van geraassones in 'n werkplek; of

(b) die uitvoering van oudiometriese toetse

DEPARTMENT OF MANPOWER

No. R. 712 (131) **6 March 1992**

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983 (ACT No. 6 OF 1983)

The Minister of Manpower on the recommendation of the Advisory Council for Occupational Safety hereby publishes under section 35 of the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983), the proposed amendment of the Environmental Regulations for Workplaces published by Government Notice No. R 2281 of 16 October 1987, and contained in the Schedule hereto, for general information and comment.

Any comments or representations thereto should be lodged in writing with the Director General Manpower, Private Bag X117, Pretoria, 0001, within 60 days from the date of publication of this notice

SCHEDULE

THE ENVIRONMENTAL REGULATIONS FOR WORKPLACES DRAFT AMENDMENT

1. In these regulations, "the Regulations" means the Environmental Regulations for Workplaces published by Government Notice No. R 2281 of 16 October 1987

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended by the inclusion of the following definitions after the definition of "acclimatised"

"approved inspection authority" means an inspection authority approved by the chief inspector for—

(a) the determination of noise zones in a workplace; or

(b) the carrying out of audiometric tests

Wysiging van regulasie 7 van die Regulasies

3. Regulasie 7 van die Regulasies word hierby ingetrek en met die volgende regulasie vervang·

GERAAS- EN GEHOORBEHOUD

7 (1) Behoudens die bepalings van subregulasies (2) en (3), mag geen werkgewer vereis of toelaat dat 'n werknemer in 'n omgewing werk waarin hy blootgestel is aan 'n ekwivalente geraasvlak wat gelyk aan of meer as 85 dB(A) is nie.

(2) Waar die ekwivalente geraasvlak waaraan werknemers in enige werkplek blootgestel is gelyk aan of meer as 85 dB(A) is, moet die werkgewer die vlak verminder tot onder 85 dB(A) of, waar dit nie prakties uitvoerbaar is nie, moet hy die vlak verminder tot so laag moontlik en alle redelike stappe doen om die bron van die geraas akoesties te isoleer.

(3) Waar die ekwivalente geraasvlak in enige werkplek nie prakties tot onder 85 dB(A) verminder kan word nie, moet die werkgewer—

(a) die grense van alle geraassones in sodanige werkplek afbaken deur kennisgewings te dien effekte op opvallende plekke met sodanige grense langs aan te bring asook by alle uitgange en ingange van 'n kamer wat in sy geheel 'n geraassone uitmaak; en

(b) enige persoon verbied om 'n geraassone binne te gaan tensy sodanige persoon gehoorbeskermers dra

(4) In die geval van bouwerk waar dit nie prakties moontlik is om die bepalings van subregulasie (3) (a) na te kom nie vanweë die aard of omvang van die perseel, moet die werkgewer sodanige kennisgewings by alle uitgange en ingange van sodanige perseel aanbring of, waar dit nie moontlik of prakties is nie, sodanige kennisgewings op 'n opvallende plek vertoon so na moontlik aan die werklike werkplek of op sodanige plek as wat 'n inspekteur aanwys

(5) Wanneer 'n inspekteur van mening is dat 'n werkgewer nagelaat of versuim het om die geraasvlak in 'n geraassone soveel as prakties uitvoerbaar, te verminder of om die bron van die geraas ekoesties te isoleer, kan hy by skriftelike kennisgewing vereis dat sodanige werkgewer sodanige verdere stappe doen as wat sodanige inspekteur redelik en prakties ag vir die behoud van die gehoor van werknemers wat sodanige geraassone binnegaan of daarin werk.

(6) Elke werkgewer moet kosteloos gehoorbeskermers verskaf aan elke werknemer wat in 'n geraassone werk of aan enige persoon van wie vereis word of wat toegelaat word om sodanige geraassone binne te gaan, en geen werkgewer mag vereis of toelaat dat enige persoon in sodanige geraassone werk of dit binnegaan nie, en geen persoon mag in sodanige geraassone werk of dit binnegaan nie, tensy hy sodanige gehoorbeskermers op die korrekte manier dra Met dien verstande dat waar die ekwivalente geraasvlak waaraan werknemers blootgestel is, sodanig is dat die attenuasie van die gehoorbeskermers nie die bedoelde geraasvlak tot onder 85 dB(A) verminder nie, die betrokke werkgewer die tydperk waartydens werknemers in daardie geraassone werk, sodanig moet beperk dat hulle nie aan 'n ekwivalente geraasvlak van meer of gelyk aan 85 dB(A) blootgestel is nie

Amendment of regulation 7 of the Regulations

3. Regulation 7 of the Regulations is hereby withdrawn and replaced by the following regulation·

NOISE AND HEARING CONSERVATION (131)

7. (1) Subject to the provisions of subregulations (2) and (3) no employer shall require or permit an employee to work in an environment in which he is exposed to an equivalent noise level equal to or exceeding 85 dB(A)

(2) Where the equivalent noise level to which employees are exposed in any workplace is equal to or exceeds 85 dB(A) the employer shall reduce the level to below 85 dB(A) or, where this is not practicable he shall reduce the level to as low as is practicable and take all reasonable steps to isolate the source of the noise acoustically.

(3) Where the equivalent noise level in any workplace cannot practicably be reduced to below 85 dB(A) the employer shall—

(a) demarcate the boundaries of all noise zones in such workplace by posting up notices to that effect in conspicuous places along such boundaries and at all entrances to and exits from any room where the whole of such room constitutes a noise zone; and

(b) prohibit any person from entering a noise zone unless such person wears hearing protectors.

(4) In the case of building work where it is impracticable to comply with the provisions of subregulation (3) (a) owing to the nature or extent of the premises, the employer shall post up such notices at all exits from and entrances to such premises or where this is not possible or practicable, display such notices in a conspicuous place as close as possible to the actual workplace or in such place as an inspector may direct.

(5) Whenever an inspector is of the opinion that an employer has omitted or failed to reduce the noise level in a noise zone to as low as is practicable or to isolate the source of the noise acoustically, he may require such employer, by notice in writing, to take such further steps as such inspector considers reasonable and practicable for the purpose of conserving the hearing of employees entering or working in such noise zone

(6) Every employer shall provide, free of charge, hearing protectors to each employee who works in or to any person who is required or permitted to enter a noise zone, an no employer shall require or permit any person to work in or enter such noise zone and no person shall work in or enter such noise zone unless he wears such hearing protectors in the correct manner Provided that where the equivalent noise level to which employees are exposed, is such that the attentuation of the hearing protectors does not reduce the said noise to below 85 dB(A) the employer concerned shall limit the time during which employees work in that noise zone in such a way that they are not exposed to an equivalent noise level of more than or equal to 85 dB(A)

(7) Die gehoorbeskermers wat 'n werkgewer ingevolge subregulasie (6) moet verskaf, moet—

(a) vir die uitsluitlike gebruik van daardie persoon wees. Met dien verstande dat indien 'n inspekteur daarvan oortuig is dat die werkgewer voldoende voorsorgmaatreels getref het om te verseker dat die gemeenskaplike gebruik van gehoorbeskermers nie sal lei tot die verspreiding van besmetlike of aansteeklike siektes nie, hy skriftelik die gemeenskaplike gebruik van gehoorbeskermers kan magtig,

(b) te alle tye deur die werkgewer in 'n doeltreffende en higieniese toestand gehou word, en

(c) in 'n skoon, stofvrye houer deur die werkgewer voorsien, en gebêre word wanneer dit nie in gebruik is nie

(8) 'n Werkgewer moet 'n werknemer van wie vereis word om gehoorbeskermers te dra, behoorlik oplei om in die gebruik van sodanige beskermers en hom inlig oor die geraassones waar die dra daarvan verpligtend is.

(9) Elke werkgewer moet—

(a) toesien dat elke werknemer wat in 'n geraassone in diens is, onderwerp word aan oudiometriese toetse in ooreenstemming met artikel 7 van SABS-083 soos gewysig;

(b) rekords hou van die resultate van elke toets en hulle beskikbaar maak vir inspeksie deur 'n inspekteur indien dit so vereis word;

(c) die rekords beskikbaar maak vir ondersoek deur 'n veiligheidsverteenwoordiger of veiligheidskomitee; en

(d) alle sodanige rekords hou vir 'n minimum tydperk van 50 jaar na beeindig van diens.

(10) Ten einde te voldoen aan die bepalings van subregulasies (3) (a) en (9) (a), moet die werkgewer van die diens van 'n goedgekeurde inspeksie-owerheid gebruik maak om te verifieer dat—

(a) die geraassones bepaal word in ooreenstemming met artikel 4 van SABS-083, en

(b) die oudiometriese toetse uitgevoer word in ooreenstemming met artikel 7 van SABS-083

No. R. 727 **6 Maart 1992**

WET OP ARBEIDSVERHOUDINGE, 1956

DIE NASIONALE MOTORNYWERHEIDSRAAD

VERBETERINGSKENNISGEWING

Onderstaande verbeterings aan Goewermentskennisgewing R 2856 wat in *Staatskoerant* 13646 van 29 November 1991 verskyn, word hierby vir algemene inligting gepubliseer

In die Engelse teks van die Bylae

"Clause 43—Legal Costs"

In die sesde reel van die klousule, vervang die uitdrukking "recovery" met die uitdrukking "recovering"

(7) The hearing protectors which an employer shall provide in terms of subregulation (6) shall be—

(a) for the sole use of that person: Provided that if an inspector is satisfied that the employer has taken adequate precautionary measures to ensure that the common use of hearing protectors will not result in the spreading of infectious or contagious diseases, he may, in writing, authorise the common use of hearing protectors; 131

(b) maintained by the employer in an efficient and hygienic condition at all times, and

(c) stored in a clean, dust-free container provided by the employer when not in use

(8) An employer shall properly instruct any employee who is required to wear hearing protectors in the use of such protectors and inform him of the noise zones where the wearing thereof is compulsory.

(9) Every employer shall—

(a) ensure that every employee employed in a noise zone is subjected to audiometric tests in accordance with section 7 of SABS-083 as amended;

(b) keep records of the results of each test and make them available for inspection by an inspector if so required;

(c) make the records available for perusal by a safety representative or safety committee; and

(d) keep all such records for a minimum period of 50 years after termination of employment.

(10) In order to comply with the provision of subregulations (3) (a) and (9) (a) the employer shall make use of the services of an approved inspection authority to verify that—

(a) the noise zones are determined in accordance with section 4 of SABS-083; and

(b) the audiometric tests are carried out in accordance with section 7 of SABS-083.

No. R. 727 **6 March 1992**

LABOUR RELATIONS ACT, 1956

THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY

CORRECTION NOTICE

The following correction to Government Notice R 2856 appearing in *Government Gazette* 13646 of 29 November 1991, is hereby published for general information

In the English text of the Schedule·

"Clause 43—Legal Costs"

In the sixth line of the clause substitute the expression "recovering" for the expression "recovery"

(131) ARG 14/2/92

SA to aid Taiwan drive on occupational safety

SOUTH Africa led Taiwan in occupational safety and would help it upgrade its facilities, Minister of Manpower Mr Piet Marais said after Taiwan Labour Minister Dr S P Chao visited President De Klerk at Tuynhuys

Mr Marais said South Africa would help upgrade trainers' education and training equipment

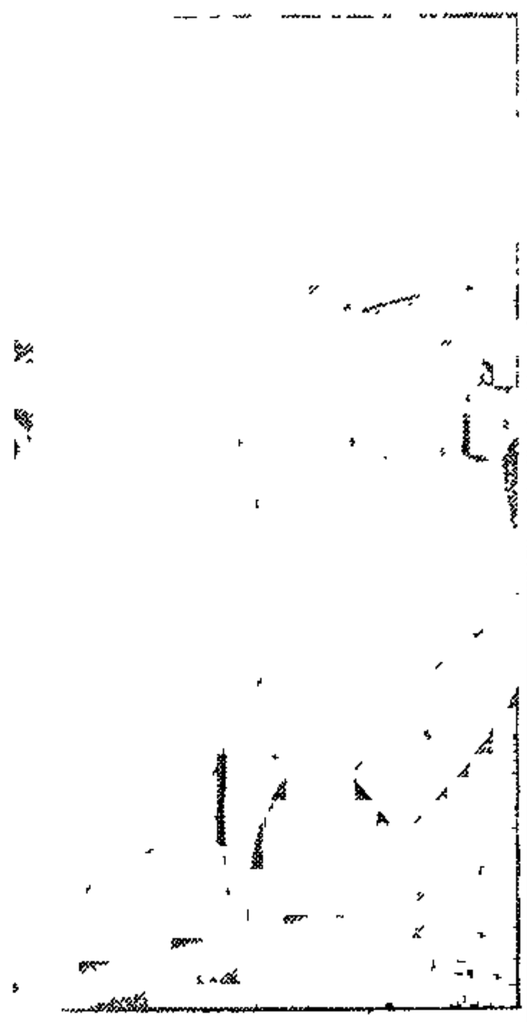
Mr De Klerk said his meeting with Dr Chao had centred around South Africa's "generally good relationship" with Taiwan and on ways of expanding this.

"Our hopes are to expand and deepen, and improve, the long-standing friendship between the two countries," said Mr De Klerk

He said Dr Chao had expressed Taiwan's interest in promoting more business and trade between the two countries

Dr Chao had indicated he wanted to improve his country's trade and investment in Southern Africa through South Africa

Mr De Klerk repeated a statement made last year in Taipei that any connection South Africa had with mainland China would in no way affect this country's relationship with Taiwan



Mr Piet Marais

Dr Chao said he hoped South Africa's reform plans would be successful and applauded Mr De Klerk's "courage and commitement in the building of a new South Africa" — Sapa

Smokers asked to clean up their act

(131)

The Argus Correspondent

JOHANNESBURG. — Safer and healthier tobacco-free workplaces is World Health Organisation's theme for "World No-Tobacco Day" this Sunday.

ARG 27/5/92

In South Africa the Tobacco Action Group (TAG), consisting of the National Cancer Association, the Heart Foundation of South Africa and the National Council Against Smoking, has asked South Africans to target clean workplaces.

"Smokers not only harm their own health, but that of those around them," said National Council Against Smoking executive director Dr Yussuf Saloojee, adding that the Machinery and Occupational Safety Act of 1983 called on employers to provide a safe environment.

"Therefore any employee who wants to light up a cigarette needs to do it in such a way and place that it does not endanger the health of his colleagues," he said.

'Sick' city buildings, and smoking is main culprit

(131) ARG 27/5/92

ANDREA WEISS, Health Reporter

A NUMBER of office blocks in Cape Town have a sick-building syndrome — and the major culprit is tobacco smoke.

This is a finding of the University of Cape Town's department of community health.

According to Dr Jonny Myers, who heads the occupational health division in the department, the buildings, all with centralised air conditioning, were inspected at the invitation of managements

Dr Myers said UCT recommended a relatively "low-cost" approach to surveying air quality

This included getting all members of staff to answer a questionnaire which was analysed to pinpoint trouble spots. The principle used was that if more than 20 percent of people had a complaint, there was a problem

The survey included a "walk through" of ventilation plants and office space to check the specifications and an air quality test to measure how much carbon dioxide was in the air.

This gave an indication whether there was sufficient air in the building for the needs of the employees

Most of the Cape Town buildings surveyed showed "symptoms" of sick building syndrome.

He said there was evidence that sick buildings led to an "appreciable loss" in productivity and the ill effects felt by employees — including irritation of eyes, nose, skin, upper respiratory tract, headaches and lethargy — were not psychosomatic

"Smoking is the chief villain in that it produces all the pollutants that could be responsible for sick building syndrome," he added.

He said one of the problems with closed ventilation systems was that it was very difficult to put enough air into the building to cope with a smoking overload.

Just over half a cubic metre of fresh air a person a minute was needed in a smoke-filled environment to cope with demand. Most systems could not provide this.

Air quality problems in buildings were usually due to ventilation defects and internal sources of pollution such as smoking There could also be products of biological organisms circulated through the system.

Because most systems did not have chemical filters, smoke-laden air was simply recycled to everybody.

Because of the dangers of passive smoking, companies operating in a polluted climate would ultimately lay themselves open to damages claims

Compensation legislation did not provide for passive smoking which meant civil claims could be made in terms of common law.

Dr Myers said companies which introduced a smoke-free policy could dramatically improve air quality in their buildings

● Meanwhile Sapa reports from Sydney that an entire Australian town is to be declared a smoke-free zone

Even private homes in Murwillumbah, New South Wales, won't be exempt from the mass stub-out, which will also affect pubs, shops, cafes and footpaths.

Local health chiefs say they have outlawed tobacco to keep the town "fresh and clean"

Poison fear row rocks Anglo farm

STAR 13/3/92

(131)

By Julienne du Toit

Workers on an Anglo American farm near Vereeniging claim they have to work with highly toxic pesticides and herbicides with little protective clothing.

The workers on Uitvlucht farm told a Star investigation team that they regularly work with substances such as Temik, EDB, 2,4-D, Lindastof, Parathion and Paraquat — and the only protection they are offered are nose and mouth masks

"These block so quickly that in half an hour I can't breathe," said one worker who said he worked regularly with pesticides. He said he was issued with a new mask only once a year.

After working up to 11 hours a day spreading pesticides, he said his eyes often burnt, he felt lethargic and sometimes lost the desire to drink fluids.

All workers refused to give their names for fear of reprisal.

The Star found containers of all the toxic substances mentioned above near the farm offices They had not been disposed of, as required by law

But farm manager Louis Bester said the containers were safe because the area was fenced, and they were destroyed at the end of each season

One small storehouse, only metres from the Vaal River, was found to be full of empty containers — some for Parathion, which has been linked to numerous mass poisonings of fish, mammals, bees and birds

Mr Bester said the storeroom was only open because workers were planting that day The Star found the same storeroom open on Sunday.

Anglo American spokesman Glen Finnegan said on investigation that it was found the latch had been damaged It had since been repaired.

Mr Bester and Ms Finnegan said workers were issued with full protective clothing, but took them off because of the heat

She asked: "If the workers take them off, do we have to run after them and put them back on?"

When The Star arrived on the farm on Wednesday, Mr Bester angrily said photographs should be taken of the protective clothing rather than the empty poison containers. But when The Star staff agreed to take such photographs, he refused.

Yesterday, Ms Finnegan supplied a photograph of protective clothing hanging in a shed

Workers told The Star that new masks were bought last week, after a reporter had contacted Anglo American about Dieldrin, a banned and highly toxic chemical, that had been found on another Anglo American farm.

Workers have claimed that women, with no protective clothing whatsoever, have to spread granular Temik by hand before planting.

Temik, according to pesticide and occupational health researcher Dr Leslie London at the University of Cape Town, causes the most fatal poisonings of all pesticides

Mr Bester said Temik was only put into the soil by mechanical injection

In the case of EDB, a powerful soil fumigant, Mr Bester said no protective clothing was necessary for the driver of a tractor which towed the device injecting the substance into the ground However, pesticide researcher Kate Emanuel says the fumigant is so powerful that it can penetrate rubber and plastic

It has been found to be carcinogenic and affects reproductivity

With most pesticides and insecticides, instructions on the containers say that all protective clothing and skin must be washed with soap and water after the substances have been applied.

Asked whether the workers were told they had to wash their clothing after applying pesticides, manager M Davies asked incredulously whether they had to "tell them everything".

Mr Bester said the clothing was washed when appropriate, but would not explain when this was

He scoffed at the dangers of 2,4-D, saying it was hormonal and only affected crops, not humans.

Dr London said that the chemical, one of the components of the notorious Agent Orange, was harmful to humans — and had been linked to soft tissue cancers and birth defects in animals.

Ms Finnegan accused the farmworker's union, the Municipal, State, Farm and Allied Workers Union (MSFAWU) of playing games after union general secretary Phil Masia originally drew the press's attention to the workers' unhappiness with pesticide use

After The Star faxed Ms Finnegan a copy of this report, she sent a reply stating that all the chemical substances mentioned were registered for use in South Africa.

In addition, all personnel involved in the mixing and application of the chemicals had received certificates of merit in their use from the chemical suppliers, FBC Holdings.

However, one man who spoke to The Star, and who said he was also periodically asked to mix chemicals, said he did not have a certificate.

> **‘Masks block so quickly I can't breathe after half-an-hour ... my eyes burn, I feel lethargic and lose the desire to drink fluids’**

Asbestos victim's grim view

(131)

ARG 25/2/12

The Argus Foreign Service

PERTH — A man afflicted with the fatal asbestos cancer, mesothelioma, says he fears for those employed in a motor vehicle brake and clutch factory

Mr Wally Landers, 46, has attributed his cancer to asbestos dust inhaled between 1966 and 1972 while working for Sydney and Perth firms dealing with asbestos brake and clutch linings.

President of the Asbestos Disease Society, Mr Robert Vojakovic, says there are similar cases in the community to that of Mr Landers

He said the industry was large and there had to be many sick people who had not attributed their illness to exposure to asbestos

"I know I'm going to die and there is nothing I can do about it," said Mr Landers, a father of three children

His illness was originally diagnosed as pleurisy and then as pneumonia, which was treated with antibiotics

Asbestos case sets precedent

(131)

JOHN YELD
Staff Reporter ARG 26/2/92

AN APPEAL against a decision not to pay workmen's compensation to a man who eventually died of cancer after 25 years in the asbestos industry is being heard in the Workmen's Compensation Court today.

It is believed to be the first case of its kind

A physician who treated the 46-year-old Transkei citizen before he died said the man had worked for asbestos products manufacturers Everite for about 25 years.

"He developed lung cancer and died. We applied for workmen's compensation for him in 1989 This was refused in early 1990 and we have appealed, with the help of the Legal Resources Centre, against the refusal to compensate."

The physician said they would be presenting comprehensive evidence of the dangers of asbestos to the court

Payout fight continues over cancer death

South 27/2-4/3/92

By Thoraya Pandy (131)

A WORKER'S struggle for compensation for contracting lung cancer after being exposed to asbestos for 25 years continued this week although he died a year ago.

Mr Mangala Nyaka died without knowing whether his wife and four children, who live in Transkei, would be granted compensation.

A medical report submitted to the Workmen's Compensation Court said the history of Nyaka's claim began in March 1989 when he was admitted to the Groote Schuur Hospital.

The report, by the doctor who examined him, said the cancer was caused by his exposure to asbestos

Nyaka was examined again when he developed breathing problems and was unable to work.

The man had a 25-year history of asbestos exposure, and there was a considerable body of medical scientific evidence linking his illness to his occupation, the report said.

In terms of South African law, a worker cannot be compensated for contracting lung cancer at work.

The Legal Resources Centre (LRC) asked the commissioner to grant compensation under the Workmen's Compensation Act because it had been proven the cause of death was as a result of exposure to asbestos.

The commissioner was also asked to schedule lung cancer as a compensatory disease, irrespective of the outcome of Nyaka's appeal.

Nyaka worked at the Everite asbestos plant from 1964 as a machine operator producing asbestos boards until May 1989 when his illness forced him to stop working

The company paid his full salary for two to three weeks after he left work but did not pay any of his medical expenses.

Judgement was reserved at the Compensation Court on Nyaka's appeal

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'No protection' from asbestos

(131) ARG 11/3/92

JOHN YELD
Environment Reporter

UNPROTECTED workmen have been using angle-grinders to cut asbestos roofing sheets during renovations to buildings in Ruyterwacht, according to an anxious resident

Asbestos was extremely hazardous and anyone working with it should wear full protective clothing and use special cutting equipment to minimise dust, an air pollution and environmental health expert told The Argus

The buildings are owned by Communicare (formerly Housing League) and the roofing renovations are being done by one of the Cape's leading roofing firms.

Mr Derick Galloway, a baker who lives in Batavia Street, said the workmen had raised clouds of asbestos dust while using angle grinders

But a director of the roofing company, Mr Stephen Leith, said the workers had all been issued with proper protective clothing and also had the correct cutting machine — a "claw cutter" which runs at half the revolutions of a normal saw

"This is a bit perturbing — they shouldn't be (unprotected)," he said. The workers had probably not been wearing their masks because of the hot weather

Lawyers probe deaths of chemical workers

STAR 17/12/92

Own Correspondent (131)

DURBAN — Lawyers from Medico International, an international human rights group, are in South Africa gathering information from sick employees who worked at a Natal chemical plant and families of those who have died.

The investigations follow an industrial battle between Chrome Chemicals SA and the Chemical Workers Industrial Union and could result in one of the world's biggest pharmaceutical companies, Bayer AG, being sued in the German courts for million of rands in damages for deaths and the poor health of workers at its Merebank plant.

The charges against Bayer, which took over the plant in 1974, include alleged responsibility for eight deaths

Bayer is to be charged with negligent homicide and manslaughter

A former foreman, William Hope (53) who is dying of chronic asthma, skin cancer and other related problems, said yesterday that he never received any compensation despite the promise by Chrome Chemicals to consider compensation for the ailing workers

Hope, who was interviewed by a German lawyer, said he spends about R400 a month on medical bills and visits the hospital at least twice a month. He said he could not work because of his poor health

The sodium dichromate process which was used in the plant was long banned in First World countries.

Last year the company denied that its sodium dichromate plant in Merebank, south of Durban, was closed because of the horrendous health status of its 216 employees The company claimed the plant was closed for economic reasons

The company also denied responsibility, claiming that damage to the workers' health was incurred before it took over the plant in 1974

According to the union, about 30 workers have died from chrome poisoning including migrant labourers who went back to die in rural areas Most of the workers were black labourers with no medical aid or pension Workers were never told of the highly dangerous toxins.

Coma men's families tell of their desperate plight

S/Times 11/10/92. (131)

By RYAN CRESSWELL

TWO workers lie comatose in hospital The victims of severe mercury poisoning, they can feel nothing — not even pain.

They live in a tragic world of their own It is their families who experience the day-to-day suffering caused by their condition — the pain of poverty

Mr Peter Cele, 21, and Mr Engelbert Ngcobo, 25, were the main breadwinners in their families until they were poisoned while working with mercury-based compounds at the Thor Chemicals plant in Cato Ridge, Natal

Trouble

They slipped into comas early this year, and they have yet to receive compensation for their injuries

Mr Cele's mother, Anastasia, said her son was the hope of the family because he was a good soccer player and also got a matric at school

"He used to look after me and five other people in the family I only get work for a few days a month and now we are in trouble," she said

"I don't think Peter will ever get better He is thin like a stick now"

Mr Ngcobo's sister, Zama, said her brother was the oldest of six children and was once the family's main provider

"Now we have a money problem because he is sick," she said

"We don't think he will ever get better He doesn't speak or see It is as if he is dead"

SILENT AGONY: Peter Cele being tended by Sister Thembe Nkwanyene Picture: HORACE POTTER

Mr Cele and Mr Ngcobo are at the King Edward Hospital in Durban, where they are fed through tubes They show no reaction to pain stimuli and are incontinent

Dr Mark Colvin, of Natal University's Industrial Health Unit, said the two men would have to be under constant care for the rest of their lives

"There is no hope of recovery Often these people develop chest infections and die"

Dr Colvin added a third poisoned worker, Mr Albert Dhlamini, who is having problems walking and talking, was still being paid a salary by Thor

Visit

A spokesman for Thor said the company was receiving regular reports on the condition of Mr Cele and Mr Ngcobo, and was negotiating with the Department of Manpower to secure workmen's compensation on their behalf

He claimed their families were receiving monthly allowances from Thor, but relatives of the two men say they only receive money to pay for transport to visit them in hospital

Chemical Worker's Industrial Union organiser Crystal Jannecke said the union was waiting for the findings of a recent Department of Manpower inquiry into Thor to be released before moving on the compensation issue

The mercury-producing section of the factory is now closed

Thor chief blames sabotage for mercury poisoning

ARG 16/7/92 (131)

The Argus Correspondent

DURBAN — Thor Chemicals' British chairman has blamed the mercury poisoning of three employees at the Cato Ridge factory on sabotage

Mr Desmond Cowley, chairman of the Thor holding company and a chemical engineer, was one of the last witnesses called in the three-day inquiry by the Department of Manpower

Mr Cowley said he found that filters in a compressed air line which supplied workers' protective hoods with fresh air were contaminated with mercury

The evidence pointed to the fact that a heavy plug of mercury vapour had passed through the air-line system This could have been done only deliberately.

Dr Mark Colvin of the industrial health unit at the University of Natal gave evidence on behalf of the Chemical and Industrial Workers' Union He did not believe Mr Cowley's explanation for the poisoning of the three employees

He said he had examined the three and if they been poisoned by mercury vapour as Mr Cowley had said, their lungs and kidneys would have been severely damaged This was not the case

Inquiry: Thor boss stays silent

CT 16/7/92 (13)

DURBAN — Thor Chemicals supervisor Mr William Smith yesterday refused to answer certain questions put to him at a Department of Manpower inquiry on the grounds that he might incriminate himself

Mr Smith was giving evidence at an inquiry into the mercury-contamination of employees at Thor Chemicals' Cato Ridge plant

Inquiry chairman Mr Theo Gregersen questioned Mr Smith about a worker, Mr Peter Cele, who continued to work in the mercury plant after the mercury levels in his urine had jumped to levels above 300 parts per billion — as high as 450 parts

Mr Johan Ploos van Amstel, SC, representing Thor Chemicals, intervened and told the inquiry he was invoking the privilege granted witnesses not to answer questions which might incriminate them

Mr Smith earlier gave evidence that employees from time to time were negligent and did not wear their protective equipment

He said there was no discipline to ensure workers wore the equipment. — Sapa

Holomisa alleges assassination plot

LONDON — SA agents were working "around the clock" to assassinate senior Transkei government members, the homeland's ruler Maj-Gen Bantu Holomisa told the Anti-Apartheid Movement's conference on violence in SA yesterday

Holomisa said Transkei's intelligence gathering efforts had found that the SA Police, the SADF's Military Intelligence unit and the National Intelligence Service were trying to establish the addresses of returned exiles in Transkei, particularly Umkhonto we Sizwe and Azanian People's Liberation Army cadres

Holomisa said SA agents had approached members of the public, as well as members of the Transkei Police and Transkei Intelligence Service with a view to "sowing the seeds of discord" in order to influence the political direction of Transkei.

While money had been paid for the information, security force members had passed on the names of the agents and other details, he said

Holomisa said the data gathered by the SA agents about Umkhonto and Apla clearly pointed to the determination of President F W de Klerk's regime to launch pre-emptive strikes against Transkei

Holomisa said it would serve no purpose for the international community to insist on the resumption of Codesa negotiations in the present circumstances.

He added, however, that his government intended writing to De Klerk outlining the activities of his agents provocateurs.

CHRIS BATEMAN reports that SA Council of Churches secretary-general Frank Chikane told the conference vigilance was essential to prevent government from gaining international credibility because it was destabilising the very organisations with which it was negotiating

Chikane said nobody outside government could stop the violence as only it had the legal force.

B/DAY 15/7/92

Thor official refuses to give information

B/DAY 15/7/92

Own Correspondent

A SENIOR Thor Chemicals official told a Manpower Department investigation yesterday that he would refuse to answer any questions from the Chemical Workers Industrial Union

But production manager Bill Smith was warned that he could be jailed for a year and fined R10 000 if he refused to answer (131)

The union's earlier decision to withdraw from the inquiry was only defused late yesterday when inquiry chairman Theo Gregersen received an urgent message from the Manpower Department directing him to exercise discretion in allowing the union to cross-examine witnesses.

The inquiry heard evidence from former Thor casual worker John Hittler that he spent 10 days in hospital last year after being burned, apparently from spilled mercury products.

Smith said he did not see any burn on Hittler's arm at the time and probably told him to go home until the next day

He admitted he did not know who was trained as a first-aider in the factory, and that there was no set procedure to determine whether protective clothing and safety equipment was regularly inspected

Market rates

B/DAY 17/7/92

From Page 1

B/DAY 14/7/92

Trouble at Thor probe

A UNION delegation investigating mercury poisoning at Thor Chemicals in Natal has threatened to pull out of the inquiry into the incident after being refused permission to freely cross-question witnesses. (131)

Chemical Workers' Industrial Union spokesman Richard Spoor told the Camperdown Magistrate's Court it would be pointless going ahead with the inquiry unless the ruling was set aside

Union withdraws from Thor inquiry

ARG 14/7/92 (56) (131)

The Argus Correspondent

DURBAN. — The Chemical Workers' Industrial Union has pulled out of the official inquiry into the running of Thor Chemicals at Cato Ridge because of the refusal by the presiding officer to allow the cross-questioning of a witness.

The decision was taken yesterday, on the first day of a Department of Manpower inquiry, after Mr Richard Spoor, head of a legal team representing the CWIU, was refused permission to cross-examine the manager of Thor, Mr Steve van der Vyver

The presiding officer, Mr Theo Gregersen ruled that only a party which had been incriminated by a witness may question that witness.

Mr Spoor said his team was withdrawing and would ask the Supreme Court to review Mr Gregersen's decision.

Earlier the inquiry was told the three Thor workers who suffered severe mercury poisoning early this year probably inhaled mercury vapour through their safety masks

Thor Chemicals inquiry to be held next month

CT 19/6/92 (131)

MARITZBURG — A public inquiry into Thor Chemicals, where workers have allegedly been exposed to dangerously high mercury levels, is to be held next month

The inquiry will be held under the auspices of the Department of Manpower at the Camperdown Magistrate's Court from July 13, a spokesman of the department confirmed on Wednesday

He emphasised the inquiry was not a trial

Subpoenas will be issued to various interested parties, and members of the public and the media will be allowed to attend

The inquiry follows serious allegations made by industrial health care workers and environmentalists about allegedly adverse working conditions at the factory Thor Chemicals is responsible for the reclamation of mercury from toxic waste imported to South Africa — Sapa

South Africa to check mercury risks at Thor

Guardian (W) (in W/mail) 12/6 - 18/6/92

By David Beresford in Johannesburg

1992

THE uglier face of British capitalism is about to be exposed in South Africa once again

Government officials have confirmed that a public inquiry will be held in Natal at the end of this month which could result in prosecutions against Thor Chemicals — a subsidiary of Kent-based Thor Holdings — over mercury poisoning suffered by its black staff

Thor reclaims mercury from toxic waste brought in from the northern hemisphere South Africa is not a signatory to international treaties banning trade in toxic waste The company has routinely denied dumping toxic waste

Simultaneously, South Africa's longest industrial dispute involving BTR (British Tyre and Rubber), the South African subsidiary of BTR plc, is set to enter yet another bitter round, after a court victory for the union involved

Dunlop is meanwhile lobbying the European Commission to scrap the EC code of conduct governing European companies in South Africa

The public inquiry into Thor Chemicals is being set up by occupational safety officials following the poisoning by mercury of at least three employees, who are lying semi-comatose in hospital with little hope of recovery

The Umgeni River near the Thor plant at Cato Ridge — used for drinking water and bathing by local people — is alleged to be dangerously polluted with mercury

The mercury reclamation plant at Thor — reputed to be the biggest such plant in the world — has been shut down by the government pending investigations

A recent report by an expert on occupational health, Professor Tony Davies, found that levels of mercury in the air were consistently above the maximum allowed, there was evidence "that skin contamination, including burns, are frequent and that contamination of work clothes is frequent"; casual workers were given hazardous jobs without proper training and respirator equipment had had to be dumped after being found to be inadequate

Thor has issued assurances that it will "immediately" implement the recommendations made by Prof Davies

Meanwhile the seven-year dispute at BTR, which began when 1,000 workers were sacked at a rubber plant in Howick, also in Natal, has entered a new phase with an Appeal Court decision in favour of the Metal and Allied Workers Union (Mawu)

A full bench of five judges confirmed an earlier judgment quashing an industrial court ruling in favour of BTR — which started the legal process — on the grounds that the court's deputy president had opened himself to charges of bias

The dispute has had substantial and bloody repercussions over the years

'Mercury madness' at chemical plant

w/mail 14/2-20/2/92 (131)

Workers at a UK-owned firm which imports toxic waste are said to have "gone mad" from exposure to mercury fumes, reports **EDDIE KOCH**

SOME of the worst cases of "mercury madness" seen this century have emerged at the Natal Midlands plant of Thor Chemicals — and it is set to become the focus of the country's biggest environmental controversy this year

The entire workforce at the British-based multi national — which imports toxic waste — may be at risk, according to medical researchers Already at least 12 workers have had their health damaged after being subjected to levels of mercury contamination far in excess of international limits

At least three other victims have been examined by psychiatrists and neurologists who confirm that they display damage to the nervous system, a textbook symptom of mercury poisoning Mercury is a red-listed toxin that also causes congenital defects in unborn children as well as respiratory diseases and stomach ailments

The manufacture of mercury has been subjected to strict controls in most industrial countries since being identified as responsible for one of the world's worst environmental tragedies at Minamata in Japan some 35 years ago Its use in the felt industry during the 19th century led to the phrase "as mad as a hatter" being coined and occupational dangers of mercury have been known for more than a century

According to the workers, two who "went mad" from the exposure to deadly mercury fumes were forced to resign, and at least 10 others are facing a similar fate

Thor Chemicals, however, denies it "We have never sacked an employee suffering from any form of illness, especially an employee who has supposedly 'gone mad' from mercury poisoning"

In a statement yesterday, Thor said the allegations were "the most vicious kind of mischief-making" and were "totally unfounded"

But a company survey conducted in 1991 shows that 87 percent of the workforce had levels of mercury in their urine higher than the international safety standard and that the average level was four times the safety standard

Some of the workers have told Dr Mark Colvin, who heads the Industrial Health Unit in Durban, that tests conducted by the company revealed their blood samples at times contained up to 20 times the accepted international limits

The scandal has already led to calls for a full judicial inquiry into the recycling of imported toxic waste at the Thor plant in Cato Ridge near Pietermaritzburg

The shock findings, which emerged after Colvin managed to track down retrenched workers from the Thor plant, come hard on the heels of news that the firm has been taken to the Industrial Water Tribunal in the Netherlands for polluting a river in Natal with toxic material

Workers told Colvin that the level of mercury found in workers' urine at the time when Mkhize and his colleagues were contaminated had frequently been more than 20 times the World Health Organisation's safety limit.

"It was clear that at least four of them had been affected to a greater or lesser extent by their exposure to mercury They have been seen by psychiatrists and neurologists Two workers have expressed suicidal tendencies and one of them also expressed homocidal intentions," says Colvin

"There are apparently at least another eight former workers who were affected by mercury but these men live in different townships and will be difficult to trace without the co-operation of the company"

Among the retrenched workers is Eric Mkhize (25), who was allegedly made to resign after showing symptoms of chronic poisoning His is one of the worst cases of mercury contamination seen in this country

Mkhize is said to have been retrenched after he went "crazy" and began handing out money, playing with toys and doing other bizarre things in Thor's offices

"Management got him to sign a letter of resignation on the grounds that they would give good references for other employers He still has both visual and auditory hallucinations that cause him great fear For a long time he had to have people watching him when he slept because he used to wake up with anxiety attacks and run into the veld," Colvin said

Thor said that Mkhize had worked there for only seven months, had resigned of his own accord and did not have mercury poisoning when he left three-and-a-half years ago

Mkhize, along with the other victims, has never been compensated for the damage caused to his health He shakes, has frequent mood swings and has twice told doctors he plans to commit suicide "His main worry is that he knows that he is unemployable with his body tremors, facial grimaces and emotional instability and yet he has received no compensation from the company," says Colvin

"This is a textbook case of mercury poisoning and such a severe case should never occur in modern industry I doubt if such a case has been seen in an industrialised country in 50 years"

Another victim is Siphiwe Sibiya (29) He worked at Thor between July 1988 and June last year when he was retrenched for unknown reasons "He is now excessively shy and has staccato-like speech — both typical symptoms of mercury," says Colvin

Both workers were in normal health when they began working at Thor

Thor said that Sibiya had worked in the gardens at the factory and later in the textile manufacturing facility "We find it extremely strange that someone without any exposure to mercury can be suffering from mercury poisoning."

The Natal branch of Earthlife Africa, which first alerted the public to pollution caused by Thor, has announced it will campaign for a full judicial inquiry into the shock disclosures

The Chemical Workers' Industrial Union (CWIU), which organises the workforce at Thor, agrees that the scandal shows the need for an investment code that will oblige foreign companies in South Africa to enforce environmental standards that apply in their home countries

The company has agreed to negotiate with the union around the health and safety problems faced by the workforce and Colvin is confident this will help to improve the situation there

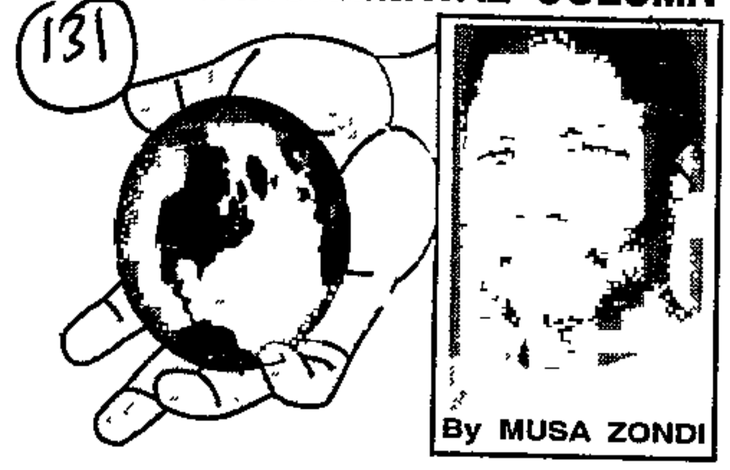
Waiting to die

Sowetan 15/5/92.

ROOTS

AN ENVIRONMENTAL COLUMN

(131)



By MUSA ZONDI

TWO men are lying in St Augustine's Hospital in Durban, waiting to die.

Mr Engelbert Ngcobo is 41 He is unconscious and the only reason he is still alive is because of the life support system he has been connected to.

The other one, Mr Peter Cele, is 21 He is comatose. Like Ngcobo, he is the victim of mercury poisoning

Two other men, almost half the age of Ngcobo, and suffering the same affliction, are also fighting for their lives

Mr Albert Dlamini is two years older than Cele He is also suffering from mercury poisoning

The fourth is Mr Eric Mkhize, who also has symptoms of poisoning These include the inability to walk, blurred speech and failure to recognise other people Mercury attacks the kidneys and the central nervous system It sends its victims into convulsions and they shake all over

According to the Chemical Workers Industrial Union lawyer, Mr Mohammed Motala, these people have no legal option These people can only get compensation through the Workmen's Compensation Act, which does not amount to much

Thor is in Cato Ridge and on the borders of the KwaZulu territory The labour comes from KwaZulu and the rivers in this area are also polluted

Workers have no rights at all in cases like these

Mr Brendan Wolff-Pigget of Earthlife's Africa branch says the issue started to flare up two years ago when workers reported that they were sick The Thor management said there was no problem

The company threatened to sue anyone who claimed sickness because of mercury processing plants

Health records after workers were tested by the company showed that blood samples contained up to 20 times the accepted international limits

Dr Mark Colvin of the Industrial Health Unit managed to track down some of the workers who, like Mkhize, were affected by this The workers told him the level of mercury found in urine at the time Mkhize and others were contaminated was 20 times the World Health Organisation's safety limits

Last week the company announced that they were shutting down the plant where workers were contaminated

But, as Wolff-Pigget says, this is not much help, because they have not closed down the incinerator They still burn waste and the smoke emitted from this burning is also poisonous

"Workers have got a right to be informed about the hazards they work with," says Wolff-Pigget

Is it because it is black people who are affected by this poisoning that the Government has failed to act properly? According to Wolff-Pigget, the Department of Manpower had been aware for a long time of the poisons produced by Thor The company had been sending reports to the department

One can only assume that, if lives of white people were at stake, something would have been done a long time ago

Workers must mobilise and fight all kinds of pollution which affect their very livelihood If not, people in the prime of their lives will be lost to their families and to the economy of this country forever

As these men lie in their beds waiting to die, we should be focusing on other companies who threaten lives and our environment

Growing proof of Thor plant contamination

S/Times 26/4/92 (131)

AN inquiry into Thor Chemicals at Cato Ridge in Natal has uncovered ample evidence of widespread contamination of the plant and the surrounding area by mercury and its compounds.

By RYAN CRESSWELL

A report on the chemical plant — where two former employees were so severely poisoned by mercury that they are now in comas — has been released by Professor Tony Davies of the Johannesburg-based National Centre for Occupational Health.

"Thor Chemicals must accept full responsibility for the transfer of hazardous processes to the plant over the past decade, both in terms of the environmental impact of the plant and the health consequences for men employed at the plant," he said.

Professor Davies also said that, as a result of an inadequate number of inspectors, the Department of Manpower had been unable to ensure self-regulation processes at Thor implicit in the relevant legislation.

Records showed that levels of mercury in the air at the plant had been consistently over the maximum allowed, he said.

"Absorption (by workers) has been mainly via the respiratory tract, but skin and alimentary absorption should not be discounted," Professor Davies said

"There is evidence that skin contamination, including burns, are frequent and that contamination of work clothes is common"

Casual labourers had been recruited and placed in a "hazardous situation" without adequate formal training

Exposure to mercury and its compounds was likely to have been high and available personal protective measures had failed to prevent the accumulation of a large "body burden of mercury" in some workers at Thor

Much of the respiratory protection equipment used until recently had been disposed of.

The report said the fact that no personal sampling had been done by Thor was also a "serious omission", because it made it impossible to estimate the exposure of a worker to mercury anywhere in the plant

In his summary Professor Davies said· "It must be clearly stated that the systematic transfer of a hazardous process from one country to another, the subsequent diversification of process and products, inadequate workplace and biological monitoring, and the lack of an occupational health service have led to an inherently predictable situation in which the health of workers has suffered"

He has called for a new commission of inquiry into occupational health, with special attention to the current imbalance in the legislative provisions

He outlined nine safety moves that Thor should take up before reopening the mercury section of the plant

Thor chairman Des Cowley said "Thor accepts that some of Professor Davies's recommendations will be of undoubted advantage Thor is immediately implementing, for example, simultaneous monitoring of blood and urine, medical examinations at the commencement of employment and use of personal dosometers"

One of the two Thor employees in hospital, Mr Engelbert Ngcobo, 40, is in a coma and hooked up to a life-support system The other, Mr Peter Cele, 21, is comatose and is not reacting to any stimuli

Thor to halt all production involving mercury compounds

B/Day 6/5/92 (131)

Own Correspondent

DURBAN — Thor Chemicals in Cato Ridge will permanently shut down all chemical production involving hazardous mercury-based compounds, the company announced last night.

A number of workers will be retrenched, but the company will continue to produce non-mercuric chemicals

The surprise decision by the company follows the recent poisoning of at least four Thor employees who were involved in the production of mercury-based products and an independent report criticising the company's "inadequate" monitoring of workplace safety

A doctor monitoring the condition of the four employees said last night that at least one worker, Engelbert Ngcobo, 53, was likely to remain in a permanent "cabbage" condition

Thor was thrust into the international spotlight recently as a result of pressure from Greenpeace and the local environmental watchdog body, Earthlife Africa

The company's decision will also bring an end to the re-importation of spent mercury products from overseas customers

Thor MD Steve van der Vyver said the decision to close mercury operations was made jointly by its SA directors and the board of its British holding company, "in the light of certain evidence which was discovered during intensive internal investigations"

The company said it could not comment further until the Manpower Department had completed its probe

The company voluntarily suspended production of mercury products nearly two months ago after three former employees were hospitalised with suspected mercury poisoning

Earthlife spokesman Chris Albertyn has welcomed Thor's decision.

"We hope the authorities will follow the Organisation of African Unity's lead in closely monitoring the increasing movement of unwanted, dirty and toxic European industries to Africa in order to increase profits at the expense of people and the environment."

Dr Rajen Naidoo of the Industrial Health Unit of the University of Natal said last night that Ngcobo was still comatose in King Edward VIII Hospital and his condition was unlikely to improve.

A second worker, Peter Cele, was in a semi-comatose state in Wentworth Hospital while Albert Dhlamini's condition had improved although he still had an unsteady gait.

Thor: Poison 'bomb' risk

(131)

CT 4/4/92

Own Correspondent

DURBAN — There is a serious risk that many healthy-looking workers and ex-workers from Thor Chemicals in Cato Ridge could soon be affected by the progressive and lethal "time-bomb" effects of mercury poisoning.

This is according to a hard-hitting preliminary report into the Thor Chemicals row released this week by Professor Tony Davies of the National Centre for Occupational Health

Professor Davies has recommended that hospitals in the Durban area be alerted immediately and asked to set up monitoring units capable of rapidly detecting brain-illnesses caused by mercury poisoning

Professor Davies criticised the "inadequate" health-monitoring of workers by the company

He concluded there was "incontrovertible evidence" that at least three workers were seriously ill due to the effects of mercury

Thor Chemicals managing director Mr Steve van der Vyver promised yesterday to comply with the report's recommendations

He added that "interested parties are being consulted about the question of compensation for sick workers"

Mercury: Thor consults experts

(131) CT 21/3/92

Own Correspondent

DURBAN — The Department of Manpower has asked for a full report from Thor Chemicals in Cato Ridge following the recent admission to hospital of three workers showing signs of suspected mercury poisoning

The company's managing director, Mr Steve van der Vyver, said yesterday his company was consulting specialists in occupational health to try to establish how the men became ill

Democratic Party spokesman on the environment, Mr Rupert Lorimer, has called for an independent medical examination of the men and the environmental watchdog body, Earthlife Africa, has called for a full judicial commission of inquiry

The men — Mr Peter Cele, Mr Engelbert Ngcobo and Mr Albert Dhlamini — are being treated at three hospitals in Durban Mr Cele and Mr Ngcobo were said to be semi-comatose Mr Dhlamini is reportedly conscious but barely able to walk.

Mr Dhlamini, the only one still employed by Thor, was admitted to hospital by the company this week after showing signs of unsteadiness

Mr Van der Vyver said the mercury level in his urine was slightly under 200 parts per billion — a level at which the company removes workers from the mercuric acetate plant

The Industrial Health Unit's Dr Mark Colvin said poisoning symptoms might show up weeks after exposure

Dr Colvin said Mr Ngcobo and Mr Cele were unlikely to be normal again

Was mercury 'red herring'?

■ A trail of red herrings began a year ago when the body of Mr Alan Kidger, 48, was found in the boot of his car near a Johannesburg township. The mystery continues...

(131) ARG 14/11/92

JOHANNESBURG. — They could be elements in a Hollywood thriller — a controversial toxic-waste plant, a mysterious nuclear bomb component and a dismembered corpse.

There is some doubt about the existence of the bomb component

But, the body is real enough and it has presented Soweto's murder and robbery squad with one of its toughest cases in years

The trail of clues and red herrings began a year ago when the body of British-born Mr Alan Kidger, 48, was found in the boot of his luxury car in the black township.

His arms and legs had been severed and his torso was smeared with a black substance.

"Whoever did this had a lot of time on his hands," said one of the investigators.

Mr Kidger was sales manager for Thor Chemicals, a firm which imports mercury waste for recycling. The substance smeared on his corpse contained mercury.

Enter red mercury, variously reputed to be an essential element in detonators for nuclear bombs, a component of Soviet ballistic missiles, a type of anti-radar paint for "stealth" aircraft or an ingredient in ink used by counterfeiters.

"International arms link suspected in Kidger murder," one Johannesburg newspaper reported as speculation swirled over the motive for the killing.

One of the most intriguing rumours had Kidger being killed by foreign agents over a consignment of red mercury, a commodity increasingly offered in secretive deals since the break-up of the Soviet Union.

But, does red mercury exist and, if so, what is it?

The US Department of Energy issued a report this year saying it first emerged on the international black market 15 years ago, dubbed "red" because it came from Russia

Mr Nic Ligthelm, spokesman for South Africa's Atomic Energy Corporation, said the organisation received "offers every month" from people with red mercury for sale.

A new theory for Mr Kidger's death was put forward by Mr Des Crowley, chief executive of Thor's parent company in Britain

He said the substance smeared on the corpse was similar to the material Thor South Africa imported for recycling, indicating the murder could have been committed by "eco-terrorists" opposed to recycling

Major Charlie Landman is in charge of the murder probe, but he is not saying much

Could foreigners have been involved?

"Possibly."

What about the red mercury theories?

"Nonsense."

What was the substance smeared on the corpse?

"I'm not divulging any more information."

— Sapa-Reuter

W/Mail 8/5-14/5/93 LABOUR

Thor acts on mercury

THOR Chemicals, the British-owned company which has been under pressure from environmental groups and the Chemical Workers' Industrial Union (CWIU) following the suspected mercury poisoning of four workers at its plant in Cato Ridge, Natal, on Wednesday confirmed it would shut down all chemical production involving mercury-based compounds. (131)

A spokesman said about 15 to 20 percent of the plant would be affected by the closure. The company is negotiating with the CWIU on retrenchments.

B/Day 23/3/92

Mercury poisoning (131)

THE Manpower Department has asked for a full report from Thor Chemicals in Cato Ridge on the recent admission to hospital of three workers showing signs of suspected mercury poisoning

MD Steve van der Vyver said yesterday his company was consulting specialists in occupational health to try to establish how the men became ill.

ARG 23/3/92 (131)

Three still critical after chemical-plant poisoning

The Argus Correspondent

DURBAN — The conditions of three critically ill former employees of Thor Chemicals in Cato Ridge, near Durban, are unchanged

Mr Peter Cele and Mr Engelbert Ngcobo were admitted to St Augustine's Hospital in Durban last week with suspected mercury poisoning

They are still semi-comatose and responding only to pain stimuli, while Mr Albert Dlamini is still showing signs of mercury poisoning

Mr Dlamini has experienced difficulty in walking and talking and has lost sensation in both hands

Dr Mark Colvin of the University of Natal's Industrial Health Unit said the unit intended visiting Thor Chemicals this week with a team of medical and engineering experts to establish how the workers had been poisoned

He said the team would consist of local and overseas experts and members of the Chemical Workers' Industrial Union

Dr Colvin said the IHU would also trace other employees who had worked at the mercury plant and would undertake a long-term project to trace all the workers, including casual labourers, who had passed through the plant

Results of tests already done on the employees were still being awaited, he said

Poisoned chemical workers still critical

(31)

STAR 23/3/92

DURBAN — The condition of three critically ill employees of Thor Chemicals in Cato Ridge, who were admitted to hospital suffering from suspected mercury poisoning last week, remaines unchanged

Peter Cele and Engelbert Ngcobo are still semi-comatose and responding only to pain stimuli, while Albert Dlamini is still showing signs of mercury poisoning Mr Dlamini has difficulty in walking and talking and has lost sensation in both hands

Dr Mark Colvin of the University of Natal's Industrial Health Unit said the unit intended visiting Thor Chemicals this week with a team of medical and engineering experts to try to establish how the workers had been poisoned

He said he was surprised at how seriously the three men in hospital had been affected

Results of tests on them were awaited — Own Correspondent

Poisoned worker may die

STAR 26/3/92

DURBAN — The condition of a former Thor Chemical employee, admitted to hospital this month in a critical condition with suspected mercury poisoning, has deteriorated It is believed he may be dying

Dr Mark Colvin, of the University of Natal's Industrial Health Unit, said Engelbert Ngcobo (40), who has been in a semi-comatose state since his admittance to hospital, has now slipped into a deeper coma

Mr Ngcobo, from the township of Fredville, had displayed chronic mercury poisoning symptoms (137)

The condition of employee Peter Cele (21) has remained unchanged He is still semi-comatose and is responding only to pain stimuli

A third employee, Albert Dlamini, is still showing signs of mercury poisoning but is not as severely affected as his colleagues — Own Correspondent

Poisoned men face slow death

S/Times 29/3/92 (131)

THOR CHEMICALS says it is "mystified" by the outbreak of mercury poisoning among its workers

But Dr Mark Colvin, of Natal University's Industrial Health Unit, firmly believes the company is to blame.

Mercury poisoning — for which there is no cure — can lead to a lingering death This is the fate that faces two of three employees at Thor's Cato Ridge plant who are being treated for mercury poisoning in Durban hospitals.

Mr Peter Cele is in a semi-comatose state His hands have been tied to the bed in Wentworth Hospital and he reacts only to painful stimuli. He has no control over normal bodily functions. He lies on his back in the bed, his eyes staring wildly and his legs splayed, hooked up to intravenous tubes through which flow the sustenance and medication he needs.

A few kilometres away, at King Edward VIII Hospital, Mr Engelbert Ngcobo lies close to death, according to Dr Colvin. The condition of both men has deteriorated rapidly since they were admitted to hospital three weeks ago.

CLOSE TO COMA . . Peter Cele

The third victim, Mr Albert Dlamini, was admitted to St Augustine's Hospital when he developed problems with his legs After heavy treatment involving many painful injections he seems to have stabilised

Dr Colvin said: "Mr Ngcobo is probably going to die soon. There is very little chance of workers suffering from mercury poisoning recovering The damage is irreversible "

The first symptoms the men experienced were feelings of numbness in their hands and feet.

"Mr Dlamini, who is still lucid, said he was working at the plant until a week ago He said he complained that he was having difficulty walking but was told to carry on working."

These men are not the first victims of mercury poisoning at the plant Last December, Dr Colvin's unit traced nine former employees and found that five of them had suffered ill effects from exposure to mercury, a potent brain toxin.

Dr Colvin claimed that Thor did not take proper health precautions But Thor managing director Steve van der Vyver says his company is "mystified" because the men's condition is not consistent with levels of mercury in their urine, tested weekly by Thor in accordance with recommended international standards

But according to Dr Colvin, Thor's 1991 company records show that more than 87 percent of the current workforce exceeded the test limits "The average level was four times the World Health Organisation's limit of 50 parts of mercury per billion in urine," he said.

Mr Van der Vyver said his plant used a scale of 200 ppb and claimed "many other" factories did the same

ANC welcomes shutdown of Thor Chemicals

(131)

THE ANC yesterday welcomed the closing down of Thor Chemicals, the Cato Ridge chemical waste import company, pending a public investigation of health and safety standards at the plant.

Three workers at the Natal plant — Peter Cele, Engelbert Ngcobo and Albert Dlamini — are being treated in Durban hospitals for what appears to be organic mercury poisoning.

Their conditions continued to worsen yesterday, according to Dr Mark Colvin of the University of Natal's industrial health unit.

Colvin said the three men were receiving the best possible treatment and were receiving drugs which removed mercury from the body. B/Day 1/4/92

In a statement the ANC said the investigation should include expertise from the World Health Organisation and the trade union movement.

All workers, past and present, should be given a thorough medical examination, the ANC said.

Colvin said Prof A C Davies from the National Council of Occupational Health would arrive in Durban today to begin an independent investigation into Thor Chemicals and apparent mercury poisoning of the three workers.

A Thor Chemicals spokesman said the outcome of the investigation would be passed on to the Department of Manpower, which is conducting a separate investigation. — Sapa.

ANC seeks ban on toxic waste import

(131)

STAR 1/4/92

The ANC has called for a ban on the importation of toxic waste following the hospitalisation of three Durban workers.

Peter Cele, Engelbert Ngcobo and Albert Dlamini, workers at Thor Chemicals in Cato Ridge in Natal, are being treated in Durban hospitals. They are thought to be suffering from mercury poisoning.

Their condition continued to worsen yesterday, according to Dr Mark Colvin of the University of Natal's industrial health unit.

Dr Colvin said Mr Ngcobo was still in intensive care at Durban's King Edward VIII Hospital. Mr Cele's condition remained bad and Mr Dlamini's speech was deteriorating and he was experiencing increased difficulty standing or walking.

The Department of Manpower has announced a public inquiry into the alleged poisoning.

In a statement issued in Johannesburg yesterday, the ANC said "tons of toxic waste, too dangerous to process abroad, has been imported by Thor Chemicals with Government approval". — Staff Reporter.

Kaolin protest to go national

CT 1/4/92

Staff Reporter

A NATIONWIDE campaign to prevent the proposed mining of kaolin on the slopes of Chapman's Peak is to be launched following a national survey in which 70% of all respondents rejected the proposal

Mr Ian Brownlie, chairman of the Save Chapman's Peak Action Group, claimed yesterday that the planned campaign would be the largest environmental campaign ever undertaken in South Africa

He said the findings of an independent survey — undertaken over the past two weeks by Research Surveys — were that an overwhelming 70% of English and Afrikaans-speaking South Africans between the ages of 18 and 50 years were against the proposed mining of kaolin on Chapman's Peak by the Serina Mining Company

The independent survey was undertaken free of charge by the company, as a donation to the action group

Of the remaining respondents, 18% were in favour of the proposed mining development, and 12% "did not know".

"As far as we are concerned this indicates overwhelming support in favour of the mine not going ahead

"In the Pretoria, Witwatersrand and Vereeninging (PWV) areas alone, 70% of respondents were against the mine, and this indicates that support against the proposed mine is countrywide and not localised," said Mr Brownlie

He said a 1990 petition by 55 000 Capetonians against the proposed mine was recently declared "lost" by the authorities

That petition, he said, was signed in six centres over three Saturday mornings

"Seeing that the authorities have treated the previous petition with such disdain, we are embarking on a massive countrywide campaign."

12 held after mob kills man

WINDHOEK — Namibian police yesterday arrested 12 people in connection with the mob execution of a dump-truck driver employed by the Ministry of Works

Mr Johano Mlambo Masemene, 31, was stoned and hacked to death on Monday for killing five people when reversing his heavy vehicle into a queue of job-seekers at a road camp near Kavango

Mr Masemene, who is from South Africa, was working on a road-con-

Mercury poisoning: 3 worse

(161) CT 1/4/92

DURBAN — The condition of three former employees of Thor Chemicals in Cato Ridge near Durban who are thought to be suffering from mercury poisoning continued to worsen yesterday, said Dr Mark Colvin of the University of Natal's Industrial Health Unit

Dr Colvin said Mr Engelbert Ngcobo was still in intensive care at Durban's King Edward VIII Hospital, Mr Peter Cele's condition had remained bad and Mr Albert Dlamini's speech was deteriorating and he was experiencing increased difficulty standing or walking

Dr Colvin said Professor A C Davies from the National Council of Occupational Health would arrive in Durban today to begin an independent investigation into Thor Chemicals and apparent mercury poisoning of the three workers.

A Thor Chemicals public relations spokeswoman said the outcome of the investigation would be passed on to the Department of Manpower, which is conducting a separate investigation.

She said Thor's mercury recycling section remained suspended pending investigations — Sapa

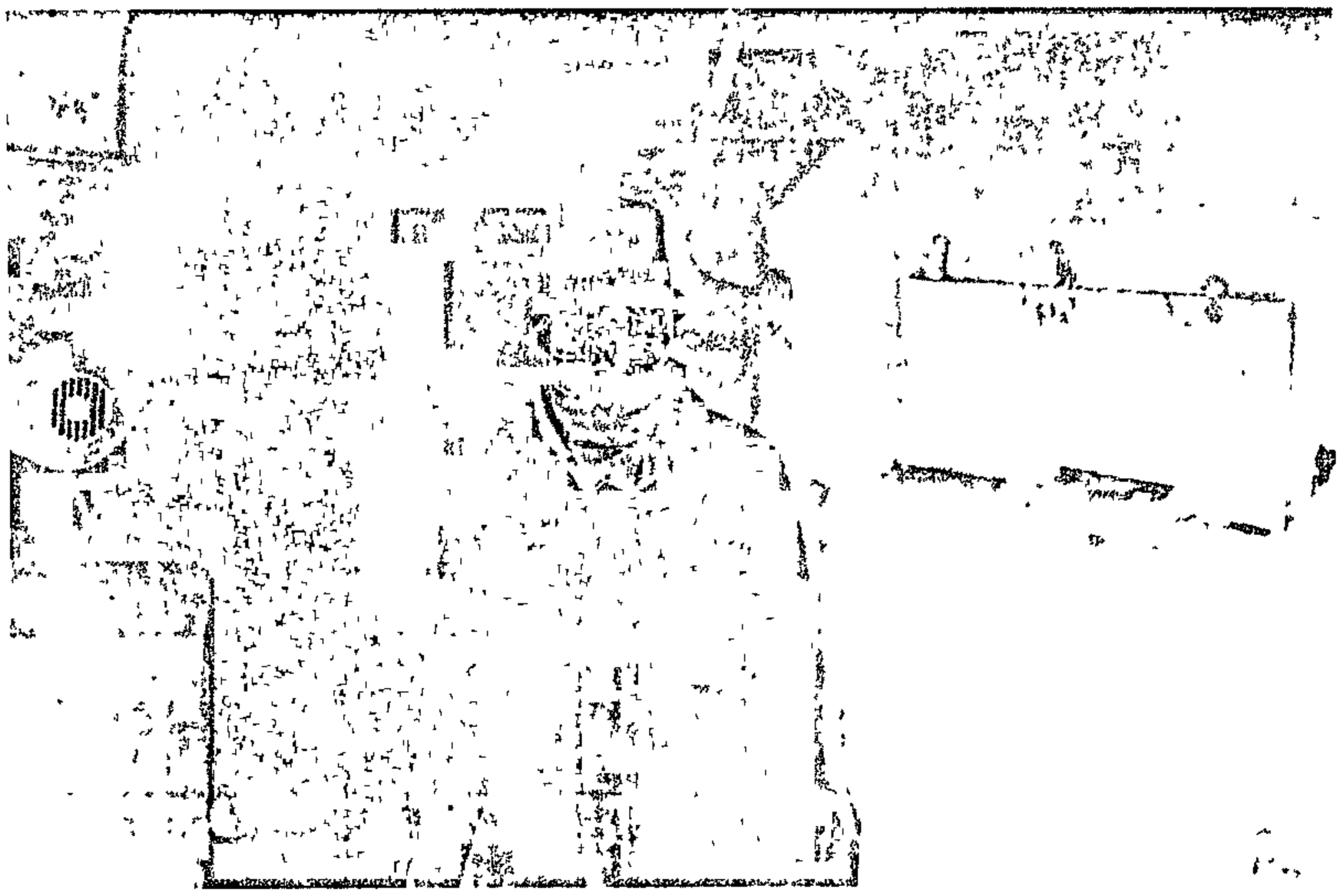
Nude arrest: Journo acquitted

JOHANNESBURG — Ms Karen Lotter, a Johannes-

Heavy safety burden rests on lead industry

(131) South 4/4-9/4/92

Medical specialists and trade unionists agree that the lead in the workplace and in the environment poses a serious health risk **Mbuyiselo Mtshe-ketshe** reports



UNDER WRAPS A worker protects himself using a cloth wrapped round his face

4/4-9/4/92 South

More than 86 000 tonnes of lead are produced in South Africa annually and it is estimated that some 14 500 workers are exposed to the risk of lead poisoning in the industry

This is one aspect of the problem because lead in the environment may be just as harmful to those who do not work with the metal

An industrial health research group at UCT found that many workers in the industry suffer from lead-induced disease and organ dysfunction

According to researchers, the lead content of food and water is difficult to control More attention has been paid to controlling the lead content of air caused mainly by exhaust fumes of vehicles

Lead is emitted during the manufacture of batteries, of alloys, casting and extrusion of a variety of corrosion resistant articles

Recent research conducted at UCT by Dr PB Disler, under the auspices of the Energy Research Institute, shows that lead remains the most widely used non-ferrous metal in industry

Disler says it is not surprising that toxic effects continue to appear among workers, as 2,5-million tonnes are produced worldwide every year

Professor JCA Davids of the National Centre for Occupational Health says lead poisoning is a notifiable medical condition in South Africa

He says lead exposure is carefully controlled by some firms, but many do not have an occupational health service

Davids says evidence of the effects of low-level lead poisoning in children is mounting

He says the exposure of children has been shown to produce behavioural change and to interfere with intellectual development

This indicates that the unrestricted increase of lead in the environment should be avoided, Davids says

The monitoring of lead exposure continues to be controversial

According to Dr RI Ehrlich of the Department of Community Health at UCT, lead absorption is measured by the blood-lead concentration

He says under the legislated standard for removal of a worker, an individual may work with lead for 20 years with a blood-lead level of 78 measured units

"This flies in the face of sound occupational health practice

"We believe that a lower blood-lead level for removal of exposed workers is needed"

Ehrlich says workers should be educated about lead and programmes set up for them

Professor Philip Landrigan of Mount Sinai School of Medicine in New York says the most recent effort to reduce occupational lead exposure and prevent toxicity in the United States was the adoption of a comprehensive lead standard by the Occupation Safety and Health Administration (OSHA) in 1976

He says the adoption of the lead standard has been influential in reducing the incidence of occupational lead poisoning

Landrigan said lead poisoning is the most common disease of environmental origin in the US today

Consideration should be given to banning all unnecessary uses of lead, Landrigan says

This would be the most reliable method of reducing occupational and other exposure to lead

Last year, the Minister of Manpower, Mr Eli Louw, published regulations to protect workers in the industry

The regulations stipulate that the use of lead and number of employees exposed are to be kept to a minimum

Also, every employer has to ensure that the measurement of exposure is carried out after an appropriate safety representative or safety committee has been informed

4/4-9/4/92 South

The regulations prohibit any person from smoking, eating, drinking or keeping food in the work area and no person under the age of 18 may work in the area

However, the regulations were condemned by the Chemical Workers Industrial Union (CWIU)

Union spokesperson Mrs Shirley Miller said the regulations "deal with the situation by the yo-yo method of control, withdrawing workers when their levels are too high and returning them when they are down"

"Employers tend to regard existing standards as a goal rather than a starting point

The government has unilaterally drawn up these regulations without consulting workers and their representatives," she said

According to the union, the starting point for arriving at standards should include the following

- Levels of exposure in the workplace should be reduced to a safe level so that all workers have the right to work
- Jobs and wages should be protected if any removal from work

Acclaimed Green activist jailed by Kenyan govt

4/4-9/4/92 South

SAVING TREES is a criminal offence in Kenya At least, that is the experience of environmental activist Ms Wangari Maathai, recently libelled a 'subversive' and jailed by President Daniel Arap Moi

Maathi is in prison, awaiting a court appearance on April 11, and a trial scheduled for May She was recently discharged from hospital wearing a neck brace after a beating received in prison

Maathi is best known as founder of Kenya's Green Belt Movement In Kenya, as elsewhere in Africa, trees are felled by people with no other source of fuel The result is denuded rain forests, eroded soil, diminished crops

As the desert expands, poverty and hunger increase Maathai's tree-planting project resulted in 10 million new trees and employment for 50 000 people during the 15 years of its existence

But her most recent environmental endeavour landed her in prison

Kenya's first woman PhD and the first woman professor at the University of Nairobi, Maathai was a member of the National Council of Women of Kenya when she established the Green Belt Movement and, with international aid, set up 1 500 tree nurseries to provide seedlings for public and private lands For every tree that survived three months, the women who planted them got four US cents

The movement Maathai started has spread to a dozen African countries In 1987, the Green Belt Movement was a winner of the United Nations Environmental Global Programme 500 award

But the Green Belt Movement threatened President Moi As Maathai herself had acknowledged, he didn't like her organising ordinary, poor people and telling them they could make positive changes to the environment

Moi found out how inconvenient organised environmentalists could be He had arranged publicly guaranteed loans to build a $200-million 60-storey office tower — the tallest in Africa and featuring a mammoth statue of himself — in the middle of Uhuru Park, the capital's largest green space, used largely by poor families

The building was to house the headquarters, newspaper and TV station of Moi's Kenya Africa National Union, then the country's only legal political party

When Maathai organised opposition and filed a lawsuit against the building plan in 1989, the government denied her permission for a public demonstration, ordered the Green Belt Movement out of a state-owned building and threatened to ban the organisation

Moi has since been forced by foreign aid donors to abandon the building project

In January this year Maathai participated in a meeting in Nairobi at which the public was warned Moi might be planning to turn the government over to the military to prevent multi-party elections Her house was surrounded by police and she was subsequently arrested

Under growing internal and external pressure to Kenya's political system, Moi is anxious to intimidate and counter opposition leaders who can challenge his power

Through her environmental work, Wangari Maathai is one of few Third World leaders to gain a mass constituency

If the UN succeeds in its goal of protecting environmentalism, there will be a lot more people like Maathai posing similar challenges to dictatorial regimes

The UN not only needs to galvanise government leaders to pay attention to the environment but also to acknowledge, advocate and defend the rights of those like Wangari Maathai who act for the environment at grassroots level

— Pacific News Service

Mercury: 4th Thor worker hospitalised

(131) CT 3/4/92

JOHANNESBURG. — A fourth former employee of the Thor Chemical company has been hospitalised with suspected mercury poisoning.

Mr Eric Mkhize was admitted to Durban's Wentworth hospital on Wednesday showing early symptoms of mercury poisoning

The condition of three other former employees, all of whom worked on the production of the compound mercuric acetate, has steadily deteriorated.

Present and past workers at Thor Chemicals are at significant risk of developing serious illnesses due to the effects of mercury, according to an interim report yesterday by Professor Anthony Davies, director of the National Centre for Occupational Health. — Own Correspondent and Sapa

Hospitals on mercury alert

(131) C/Press 5/4/92

By FRED KHUMALO

DURBAN hospitals have been asked to set up monitoring units capable of rapidly detecting brain illnesses caused by heavy metal poisoning.

This follows the admission to hospital of yet another former Thor Chemicals employee showing symptoms of mercury poisoning.

Eric Mkhize, 25, was rushed to Wentworth hospital this week suffering from tremors, an unsteady gait and slurred speech, becoming the fourth former employee of Thor Chemicals in Cato Ridge to be admitted to hospital because of suspected mercury poisoning

Meanwhile the conditions of the three other former Thor employees – Engelbert Ngcobo, 40, Peter Cele, 21, and Albert Dlamini, 23 – have worsened.

Cele and Ngcobo are comatose and do not respond to stimuli. Dlamini cannot walk unaided, shows signs of anxiety and cannot recognise relatives

In a punchy preliminary report into the Thor Chemicals debacle, Professor Tony Davies of the National Centre for Occupational Health says there could be more workers and former workers of the chemical plant affected by mercury poisoning

Davies slated the inadequate health monitoring of workers by the company and recommended that a more thorough health-screening process be set up on the firm's premises.

Thor Chemicals managing director Steve van der Vyver appealed to former employees to contact the company for medical examinations.

This is a departure from his earlier stand. He earlier said the three former employees showed signs of mercury poisoning a long time after quitting Thor Chemicals, thereby refusing to shoulder the blame.

Meanwhile, mercury operations at Thor have been closed pending further investigations.

Poisoned men weaken

THE condition of three former Thor employees admitted to hospital last month with mercury poisoning — which is incurable — has deteriorated rapidly (131)

Mr Engelbert Ngcobo, 40, is in a coma and has been hooked up to a life-support system. Mr Peter Cele, 21, is also comatose and Mr Albert Dlamini, 23, is finding it difficult to walk or recognise friends

A preliminary report on the situation at Thor, released last Friday, recommended that all workers in the company's employ be screened for mercury poisoning as soon as possible S/Times 12/4/92

Thor has appealed to all former employees to contact the company so they can be screened for symptoms.

Lawyers seeking poison victims

131

Sowetan 17/12/92

Sowetan Correspondent

LAWYERS from Medico International, an international human rights group, are in South Africa gathering information from sick employees who worked at a Durban chemical plant and families of those who have died

The investigations follow an industrial battle between Chrome Chemicals SA and the Chemical Workers Industrial Union and could result in one of the world's biggest pharmaceutical companies, Bayer AG, being sued in the German courts for millions of rands' damages for deaths and the poor health of workers at its Merebank plant

INDUSTRIAL BATTLE German pharmaceutical company could be sued:

The charges against Bayer, which took over the plant in 1974, include alleged responsibility for eight deaths

Bayer is to be charged with negligent homicide and manslaughter

A spokesman for Medico International said that the criminal charges were pressed in Germany because South African law did not allow for employees to file a civil suit for damages

German law, however, allows private citizens and organisations to sue local companies for malpractices committed in other countries

The sodium dichromate processing which was used in the Merebank plant was long banned in First World countries In Germany it was banned in 1935 Last year the company denied its sodium dichromate plant in Merebank, south of Durban, was closed because of the horrendous health status of its 216 work force

Toxic factory a no-go area

STAR 30/9/92.

By Charmeela Bhagowat and Julienne du Toit

The Midrand Town Council has advised residents to avoid the area around the Rhone-Poulenc chemical factory — which burnt down 10 days ago — until tomorrow, when toxic debris from the site would be completely removed.

The decision was made at an urgent meeting between the Midrand Town Council, Rhone-Poulenc and Waste-Tech — the disposal company hired to remove the toxic rubble — after a second inspection of the site.

The town council said occupants of air-conditioned buildings next to the factory should have their systems and ducts cleaned by qualified contractors to ensure removal of all trace of chemicals.

The council said 70 percent of the toxic waste had been removed by midday yesterday and the operation would be complete by late tomorrow.

"Tests have been conducted at regular intervals since Thursday last week for sulphur dioxide, halogenated hydrocarbons and cyanides. The council is aware that organophosphates are on site," said the council.

Waste-Tech said the clean-up operation of the 50 chemicals which "pose a health hazard to residents and offices in the area" would take up to two weeks.

In a statement, the company said the rubble at the factory was "severely contaminated" and because of the "high level of danger, all staff working on the site had been supplied with protective clothing and gas masks".

Meanwhile, three companies from Midrand's Constantia Park complex, next to Rhone-Poulenc, have moved their staff to other premises after some employees displayed disturbing symptoms.

Constantia Park owner Felix Meyburgh has hired a private research company to conduct tests in the area.

Mr Meyburgh engaged Protechnik on Friday after a number of employees in the complex began complaining of itchy skin, blocked noses, severe headaches, nausea, diarrhoea and burning eyes.

Protechnik research and development manager Dr Phillip Coleman said organophosphates were used in pesticides and could be lethal in large enough quantities.

Businessmen who moved their staff said repeated requests to the Midrand Town Council for more information about the polluting chemicals were unfruitful.

The owner of Stream Computer Service and Cablecom, Bob Sugrue, said the attitude of the council — which has hired a public relations company to deal with the crisis — had been "cavalier".

"They refuse to tell us what is happening. They are risking our lives because of their ignorance," said Mr Sugrue, who has moved his staff into his home.

Movie World producer Paul Raleigh and Panorama Sound manager Sandra Bezuidenhout said they would both be sending their staff home

Chemical plant blast kills five

(131)

Own Correspondent

DURBAN — Five workers were killed in a massive explosion at the Karbochem chemical plant in Newcastle yesterday CT 11/9/92

Police said leaking chemicals last night still posed a threat to the safety of the workers

But a Karbochem spokesman said there was "absolutely no danger to the public or surrounding areas"

FM 7/8/92 (131)

sibility with the CE of an offending company Now users and suppliers of hazardous chemicals who contravene the recently introduced Hazardous Substances Amendment Act could invalidate their insurance cover, says Paul Mare, a consultant at Corporate Liability Services

Amendments to the Act could could have a heavy impact on road transporters, producers and traders of dangerous substances, he says, and "as has become the norm with other pieces of legislation, prosecution is likely to be against the individual as well as the company concerned"

Companies dealing with hazardous substances in any way are now required to apply for a licence. According to Mare, the number of licences granted in specific markets may be limited to ensure their economic viability "Public interest will also be taken into account"

The amended Act introduces the power of embargo, allowing an inspector to remove any hazardous substances, appliance, vehicle or object, if he suspects the licence holder is contravening the Act In the case of a prosecution, the cargo owner would be responsible for expenses incurred in the seizure of the cargo

In addition, previous limits on penalties have been removed to leave these to the court's discretion

Mare warns that a prosecution resulting in a conviction would not be covered by insurance. ■

INSURANCE FM 7/8/92

Personal hazards (131)

Individual — not simply corporate — liability for irresponsible or negligent management is a feature of new legislation Replacement legislation for the Machinery and Occupational Safety Act firmly puts respon-

Mum's the word

17/7-23/7/92

(131)

By TOM ROBBINS

TWO Thor Chemicals managers refused this week at an inquiry into mercury poisoning of two Thor workers to answer questions on the grounds they would incriminate themselves.

The enquiry was prompted by the mercury poisoning of Engelbert Ngcobo and Peter Cele. They are comotose in hospital and have little chance of recovery.

Thor production manager Bill Smith admitted management did not ensure workers followed informal personal safety hygiene procedures at the end of shifts.

Factory manager Gavin Daniels said Thor had no written safety training programme and no formal record of training

Daniel was charged with worker safety. The danger level laid down by the Manpower Department is 200 parts mercury to one billion parts urine.

Asked why he had allowed supervisor Jim Mbanjwa to continue working in the mercury plant with mercury levels above the 200 per billion level, Daniel refused to answer on the grounds he would incriminate himself On the same grounds, Smith refused to say why he had allowed Cele to continue working with mercury levels above 300 parts per billion. The inquiry continues.

Lead safety info privatised

South 11/4 – 16/4/92 (131)

ARE YOU in danger of lead-poisoning? Don't ask the Department of Manpower to enlighten you They won't.

Parliament last year amended the Machinery and Occupational Safety Act to protect industrial workers who are exposed to lead. - but the department refuses to release the information

The new regulations were published in the Government Gazette last year, and every employer is supposed to have an up-to-date copy. Department officials say, however, they are prohibited from giving copies to the public

They'll comment on the regulations, but you can't get a copy from them. Not even the press qualifies for a copy

The reason is because the copyright on this public information has been sold to private companies. So citizens have to buy the nformation in the bookshops

According to department officials, the regulations — which amount to less than 15 pages — cannot be printed, copied or publicly issued unless the officials are authorised by the Minister or by the three major publishers, Lex Patria, Kerlaw Publishers and Juta.

Officals say the publishers have warned the department not to distribute copies to workers as they should buy the copies from them

If you wan't a free copy, you must apply for copyright at the government press in Pretoria

— Mbuyiselo Mtsheketse

Union acts to seal off factory

(131) 23/3/92

THE Legal Resources Centre is to seek an urgent interdict in the Durban Supreme Court today to have Thor Chemicals at Cato Ridge sealed off pending an inquiry

The interdict, which will be sought on behalf of the Chemical Workers' Union of South Africa, comes after two former employees of the company and a present employee were admitted to hospital with symptoms suggesting mercury poisoning

Mr Peter Cele, 21, and Mr Engelbrecht Ngcobo, 40, who worked for the company until January this year, are said to be comatose in Wentworth and King Edward VIII hospitals, respectively. A third man who is still employed by the company, Mr Albert Dlamini, 23, is said to be in St Augustine's Hospital with similar but less severe symptoms.

A spokesman for the management could not be reached for comment yesterday, but a report on Friday quoted a Thor Chemicals spokesman as saying the company notified the Department of Manpower immediately on learning of their condition

"We are treating the matter very seriously," he said The mercury plant has been sealed off temporarily until we know whether the former employees are in fact suffering from mercury poisioning"

Dirty dozen pesticide on Anglo farm

W\Mail 6/3-12/3/92

A dangerous toxin which attacks the nervous system has been found on an Anglo American farm. Workers say it is often used; managers say it is locked away and used only under supervision.

By **PAUL STOBER** *and* **EDDIE KOCH**

(131)

WORKERS on a Free State farm owned by the Anglo American Corporation are exposed to dangerous pesticides that are banned in most parts of the world and illegal for use in local agriculture

Reporters from *The Weekly Mail* this week found a drum of Dieldrin — a highly toxic pesticide listed as one of the 12 most deadly pesticides in the world — in the storeroom of Anglo's Voorspoed farm

Anglo has confirmed the presence of a drum of Dieldrin on the farm, which is located some 20km from Kroonstad, and is undertaking an investigation to establish why it is there

The warehouse on the farm contained large volumes of 24-D, also a dangerous herbicide that can only be used safely under strictly controlled conditions, as well as a range of other pesticides

A labourer told *The Weekly Mail* that dieldrin had been used on the farm about two years ago The pesticide — an organochlorine toxin which afflicts the central nervous system — is banned in 34 countries and severely restricted in 21

In South Africa, dieldrin's registration was withdrawn in 1980 and it may not be used legally for agricultural purposes

"An official instruction regarding the prohibited use of dieldrin was issued by the general manager to all Amfarms operations, including Voorspoed, some seven to 10 years ago and all stocks of dieldrin and other prohibited substances were ordered to be destroyed," said Anglo representative Glen Finnegan

"It must be noted, however, that the manager of Voorspoed has confirmed that dieldrin is not being used and the offending container is under strict security, with the key to the storeroom held only by the farm manager, or the appointed responsible person in his absence."

A group of labourers told *The Weekly Mail* that they frequently worked with 24-D and other chemicals on the farm without any protective-clothing or masks.

Workers say the tractor driver was issued with a rudimentary mask, but they had received no safety equipment Photos. STEVE HILTON-BARBER

Three of the workers said they often walked behind a tractor that sprayed a pesticide mist into the air, which they inhaled The tractor driver was issued with a rudimentary mask but labourers received no safety equipment, they said.

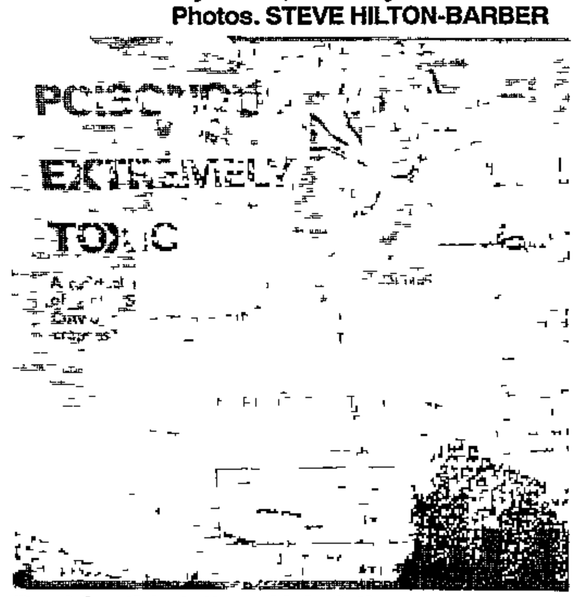
Workers said they experienced itchy eyes, loss of appetite and dizziness after working with the pesticides — classic symptoms of low-level exposure to toxic chemicals

When they complained to the farm manager about the unregulated use of pesticides on the farm, they were allegedly told "These chemicals are safe unless you drink them."

According to Finnegan, Voorspoed is being converted from a crop farm to a ranch and "24-D is used under strict supervision for the controlling of broad-leaf weeds on certain pastures".

"Protective equipment, masks, gloves and goggles are available for the farmworkers when chemicals are being used The workers are constantly reminded to use them, although in most instances they choose not to," she added.

Finnegan said this was the first time Amfarms had received a formal complaint regarding itchy eyes, loss of appetite and dizziness "Amfarms is arranging for the four employees concerned to be examined by a doctor," she said



Besides this tattered label, there were no indications that workers had been warned about the dangers

When *The Weekly Mail* visited the farm, it was apparent that workers had easy access to the chemical storeroom and used their hands, unprotected by gloves, to take scoops of dieldrin out of storage containers There were no visible signs that precautions had been taken to prevent access to the potentially lethal chemicals

Besides a tattered label on the container of dieldrin, depicting a faded skull and cross-bones with a warning that the contents were "extremely toxic", there were no indications that workers had been warned about the danger of handling the pesticides

In November last year, Richard Ramaqabe, an education officer for the Municipal, State, Farm and Allied Workers' Union, was given a list of chemicals which workers at Voorspoed said they had been instructed to mix for use on the land Dieldrin topped the list and was followed by Parathion, which also appears on the "dirty dozen" list of the 12 most deadly pesticides and is banned in many parts of the world

Ramaqabe reported that workers on another Anglo farm, Uitvlucht near Vereeniging, alleged that they had used EDB and Gramoxone These are also on the "dirty dozen" list

Ramaqabe expressed fears for the safety of the labourers "They are still young and we know from experience that if they are handicapped the farmers will dismiss them Whether or not the chemicals are banned, the farmers should not be using them — especially if they do not provide any safety equipment "

There are several thousand cases of workers being poisoned by pesticides on South African farms every year, according to a report being prepared by the Group for Environmental Monitoring (Gem) in Johannesburg.

Gem researcher Kate Emanuel notes that though there are only 129 notified cases of pesticide poisoning in South Africa, including seven deaths, the official statistics reflect only 1,5 to 7,6 percent of the actual cases

"Given the worldwide problem of undernotification, there are at least several thousand poisonings per year in this country and a number of studies have indicated a much higher rate — up to 10 cases of acute poisoning a year "

Emmanuel says she conducted a survey of health and safety conditions on South African farms and found that the majority of farms provide inadequate training and protective gear for the use of pesticides

High illiteracy rates among labourers, who are unable to read the extremely complex warnings and instructions printed on pesticide labels, was identified as another serious problem

Health director in bid to stub out smoking in the workplace

Staff Reporter (131) ARG 20/11/92

THE Department of Health is on a drive to create smoke-free workplaces in an effort to reduce the R289,6 million spent annually on smoking-related medical expenses, director-general Dr Coen Slabber has announced

He said at an Auckland Park seminar attended by top business people that because non-smokers were involuntary exposed for the longest time at the workplace, it was the responsibility of employers to make sure that their employees worked in the healthiest environment possible.

While the majority of South Africans believed that passive smoking was harmful, most failed to act on that knowledge With an estimated 6,85 million adult smokers carrying their habit into the workplace something had to be done to protect non-smoker and smoker alike.

A delegate from African Life, Mr Peter van Dijck, said "We have already created a tobacco-free workplace We held an opinion poll in August and 70 percent of our employees said no-smoking." Smokers were only allowed to smoke in an allocated room, he said.

According to Dr Slabbert if no-smoking became the norm, employers would be happier too. With smokers being absent between 33 to 45 percent more than non-smokers, non-smokers were more economically viable to employ.

Meanwhile, a new book by the Department of Health and Tobacco Action Group (Tag) — which says "tobacco smoke is the most common pollutant of indoor air" — has been disputed by the Tobacco Institute of Southern Africa.

The book also suggests that in order to make the transition to a tobacco-free environment a smooth one, they should provide therapy and incentive programs for smokers.

A statement by the institute said the book did not reflect the lastest scientific information on passive smoking.

NEWS Smoker's out!

To smoke or not to smoke

(131)

■ **Safer controlled environment for all:**

By Mokgadi Pela

BATTLE lines are being drawn in many work- places between non- smokers and those who enjoy a puff

And as the argument about the rights of smokers to do as they wish goes on against the rights of non-smokers to breath clean air, more and more companies are having to define policy on smoking

A few months ago 1 000 companies in the Western Cape supported smoking restriction policies in the workplace The findings followed a national survey by the Medical Research Council which showed that 75 percent of respondents supported the prohibition of cigarette sales to minors Sowetan 19/11/92

The bill providing for the prohibition or regulation of smoking in public places will be tabled next year

The director-general of the Department of Health, Dr Coen Slabber, said the workplace often proved to be unhealthy for non-smokers as they were exposed to tobacco smoke "Workers sometimes have the least control over their environment at work and tend to resign themselves to conditions It is thus the responsibility of the employer to ensure that workers have a safe and healthy working environment," Slabber added

He said smoking was an economic burden to the country

- In 1988 it was estimated that the cost of medical care resulting from smoking was R289,6 million
- It has been estimated that smoking employees are absent from work 33 to 45 percent more often than non-smoking employees
- Tobacco caused about 30 percent of all deaths between the ages of 35 and 69

Professor Harry Seftel of Wits said smoking resulted in lung cancer, bronchitis, heart attacks, increased risks of new asthma and of sudden infant death syndrome

Smoking employees 'burn up the profits'

B/DAY 18/11/92

KATHRYN STRACHAN

(131)

CORPORATE decision-makers heard yesterday how smokers in the workplace could be burning up their profits.

And they were told by medical experts that for many people the workplace had become a danger zone as new research on passive smoking came to light.

National Health deputy director-general Dr Coen Slabber told a Johannesburg seminar on a tobacco-free workplace that smoking employees were estimated to be absent from work between 33% and 45% more than non-smokers The seminar was convened by, among others, the Health Department.

Tobacco caused about 30% of all deaths between the ages of 35 and 69, he said. And latest research showed that companies had to pay half the medical costs, estimated at R289,6m, associated with smoking

The most recent scientific findings from the US claimed tobacco smoke in the environment was responsible for up to 30% of cases of lung cancer among non-smokers

In marriages where only one partner smoked, the risk of lung cancer to the non-smoker was up to 50% higher.

Sapa reports that Slabber said a Bill providing for the prohibition, restriction or regulation of smoking in public places would be tabled next year It would help ensure the health of non-smokers was not impaired by tobacco smoke.

Medical Research Council spokesman Dr Derek Yach said the expected legislation, which would also bar the sale of cigarettes to children, had been "watered down" due to pressure from the tobacco industry It would not include increased taxation of tobacco sales, he said.

Policy document aims to stub out smoking at work

CAPE TOWN — Employers have a duty to protect workers from the health risks of passive smoking, according to SA's first official guide to smoking policy in the workplace. B/DAY 3/11/92

The document, compiled by the National Health Department in collaboration with the Tobacco Action Group, will be released on November 17 at a seminar in Johannesburg on attended by top company executives

Titled Towards a Smoke-Free Workplace, it offers employers practical advice and information on how to set up and implement smoking controls in the workplace — ones which, it says, will guarantee non-smokers the right to breathe clean air while taking into account the needs of smokers. (131)

It also notes that the absentee rate for smoking employees is up to 45% higher than that of non-smokers, and that a preferential hiring policy — hiring non-smokers ahead of smokers, or not hiring smokers at all — does not constitute an unfair labour practice.

"People who must work to earn their living should not be subjected to added risk because of an unnecessary and dangerous habit," it says

The document offers a step-by step guide to ways in which smoking policies, ranging from segregated areas to a total ban, could be implemented

"The essential elements include strong support from top management, participation by employees, adequate information, advance notice, addressing all issues and questions and firm action once the policy has been implemented" — Sapa.

● See Page 15

Workers exposed to radiation

S/Times [Cape metro] 18/10/92. (131)

By CHIARA CARTER

ALMOST half the radiation workers at Koeberg Nuclear Power Station outside Cape Town received a detectable radiation dose last year and a "few" received more than the internationally accepted maximum dosage.

This is the finding of the fourth annual report of the South African Forum for Radiation Protection The forum was established in 1987 by the Medical Research Council (MRC) and is funded by the Atomic Energy Corporation, the Department of National Health and Population Development, the Council for Nuclear Safety and the MRC

The forum's report says that of 1 400 radiation workers at Koeberg, 646 received a detectable radiation dose — sufficient exposure to radiation that it can be measured However, the total dose workers received dropped from 2 520 mSv in 1990 compared to 1 637 mSv.

The report said the maximum radiation dose to a member of the public was less than a tenth of the maximum acceptable limit and no increased radioactivity in the environment or in food due to the Koeberg Power Station was observed

Dr Reynecke le Roux, the vice-chairman of the Forum, said the report showed that Koeberg was "very safe"

He said some workers had received more than the internationally acceptable radiation dosage of 20 mSv, but there was no cause for alarm since the limit had only recently been lowered from 50 mSv

"That workers received a detectable radiation dose is not significant The report shows that if anything Koeberg is too safe," Dr Le Roux said

Mr Mike Kantey, a former member of the now defunct pressure group Koeberg Alert, agreed that the report indicated Koeberg had a "good record" and was minimising the risks

However, he said it was debatable whether there was such a thing as an acceptable minimum for radiation exposure Mr Kantey said radiation exposure increased the risk of cancer and birth defects

"We should be concerned that workers are exposed to these risks at all"

He said that while Koeberg had a good record this did not rule out the possility of an accident and did not answer more long-term questions about how nuclear waste and the components of the Koeberg plant would be disposed of

Midrand task group chemical fire probe

B/DAY 14/10/92

KATHRYN STRACHAN

THE Midrand Town Council on Monday night initiated a task group in response to inadequacies in dealing with the Rhone-Poulenc chemical fire last month.

A council spokesman said the fire showed a number of gaps in dealing with the disaster, and steps had to be taken to ensure the situation was not repeated.

Representatives from chemical companies, residents' associations, pressure groups and various experts came together to work out a strategy so that any situation such as the Rhone-Poulenc fire might be averted, or, at least, that its impact be reduced.

The task group's primary function is to identify deficiencies in legislation concerning chemical companies and to put together an initiative which would ensure that residents and businesses in the area are better protected.

Midrand mayor Alan Dawson said the main problem his council faced in dealing with the crisis was the lack of information as to what chemicals were stored on the property

Competition B/DAY

Blazing chemicals poison 19 firemen

B/DAY 1/10/92

NINETEEN firemen of the Midrand and Sandton fire departments were admitted to hospital with chemical poisoning last week after fighting a fire that destroyed the Rhone-Poulenc chemical factory in Midrand

Boksburg fire chief Nick Swanepoel confirmed yesterday the firemen were being monitored after symptoms of vomiting and headaches re-occurred after an average three-day hospital treatment for organo-phosphate poisoning New blood tests were being done

The firemen had been poisoned despite wearing full protective clothing, he said.

Swanepoel investigated the factory premises yesterday with the Johannesburg and Roodepoort fire chiefs, brothers Ronnie and Allan Cloete They were instructed to do so in terms of the Fire Services Act by TPA community development deputy director-general Len Dekker A report will be issued next week

Swanepoel claimed Rhone-Poulenc supplied insufficient information to the fire departments about the presence of dangerous chemicals and their likely effect on the environment when fire fighters arrived at the scene.

Two officials from the Department of National Health and Population Development were appointed to probe the incident, and attended yesterday's investigation

Other government departments, including Water Affairs and Environment, had visited the site "and the situation there now seems to be under control", Swanepoel added

Rhone-Poulenc MD Simon Grimbeek yesterday denied allegations he had withheld information on the chemicals present in the factory, saying he had personally supplied a list of products to the Midrand deputy fire chief at a meeting on Tuesday B/DAY 1/10/92

He said Midrand residents would be invited to inspect the site, from where all chemical debris had been cleared by yesterday afternoon — Sapa

ANC blamed for release of Malaza

B/DAY 1/10/92

RAY HARTLEY

CORRECTIONAL Services yesterday accused the ANC of putting gangster Lucky Malaza's name on a list of political prisoners whose release was agreed at the weekend summit.

Malaza, who was jailed after killing a policeman in a bank robbery, was released at the weekend after posing as a necklace killer.

A Correctional Services spokesman said the ANC had originally submitted a list of 1 292 names, including that of Malaza, for consideration for release as political prisoners

The spokesman was unable to say what checks had been made of the ANC list after meetings between the Human Rights Commission and the department, to "audit" claims to political prisoner status, were broken off last year. An announcement by senior government officials on the release of political prisoners is expected today

Correctional Services spent yesterday in discussions with legal advisers on how to resolve the crisis, which has soured the goodwill generated by the weekend summit

ANC spokesman Gill Marcus said a final list of about 500 names was drawn up jointly by the HRC, ANC regions and the prisons service

It has been established that 21 of the 148 prisoners released at the weekend were placed on the list by the ANC and Correctional Services, while the remaining 127 were supplied by the HRC

Marcus said she did not have time to comment on allegations made by Correctional Services that Malaza had been placed on the list by the ANC.

Sapa reports that a Correctional Services spokesman said Malaza could not be summarily re-arrested as he had been released unconditionally

Meanwhile, ANC spokesman Carl Niehaus yesterday retracted a statement he made earlier in a Radio 702 interview that the SA Police had manipulated a "Mr Lagordier" into targeting Magoo's Bar for the 1986 bombing for which recently released Robert McBride was jailed.

A brief ANC statement said Niehaus regretted "the incorrect statement made regarding Mr Lagordier, colleague of Robert McBride, and apologises for any inconvenience, embarrassment or misunderstanding caused"

Police spokesman Maj-Gen Leon Mellet earlier rejected Niehaus's suggestion that security police were linked to the bombing, describing it as "a calculated effort to vilify the SA police.

"I question Mr Niehaus's motives in making such slanderous allegations, especially in the light of the contradictory statements made by himself regarding the existence of arms caches in Angola," he said.

Meanwhile, a row has erupted between Unisa journalism professor Koos Roelofse and Rapport editor Kobus van Rooyen over the newspaper's decision to pay released "Wit Wolf" Barend Strydom for an exclusive story.

"Rapport will boost Strydom's image and give him a celebrity status Extremists may become unhinged when they think they will be rewarded rather than punished for their actions," Roelofse said.

But Van Rooyen defended his newpaper's decision He said murderers had been paid for their stories in the past and would be paid for them in the future

Rhone-Poulenc faces police probe

FRENCH pharmaceuticals giant Rhone-Poulenc, already under threat of possible civil suits following a blaze at its warehouse north of Johannesburg, now faces a police probe, the Midrand Town Council announced on Wednesday

In a letter to residents, the council said it would ask police to investigate the fire on September 19 in conjunction with the National Health Department, which issued the licence for Rhone-Poulenc to store chemicals

Midrand town secretary Tom Pieters said the police and the department should make sure any party involved in the "disaster" had complied with the regulations

The council has complained that Rhone-Poulenc did not warn its fire brigade about the chemicals on site until about two-and-a-half hours after fire crews arrived, and did not make a full disclosure until six days later

Eighteen firemen were taken to hospital suffering from nausea, vomiting, skin irritation and diarrhoea, and six were found to have non-lethal amounts of organo-phosphates in their blood

On Monday, Rhone-Poulenc appointed the Atomic Energy Corporation to conduct soil and air tests and put together a dispersion model to see where a cloud formed during the fire might have deposited toxins The scientists were looking for dioxins, which may have been formed when phenol-related products in the warehouse burned, said warehouse general manager Simon Grimbeek

Grimbeek said the samples may be sent to the US for analysis Results would take at least three weeks to come back An independent search for dioxins by a Pretoria company, based on samples around the site, is expected to yield results earlier

Tests for organo-phosphate, benzene and other chemical poisoning carried out on Rhone-Poulenc's 49 workers and some 27 people in neighbouring offices, have come back negative.

The council has advised the nearby offices to have their air conditioning systems cleaned out. — Sapa-AFP

Code of conduct approved for the timeshare industry

ANDREW KRUMM

THE Harmful Business Practices Committee had approved a code of conduct for the timeshare industry, said committee chairman Prof Louise Tager

The code of conduct had been drawn up by the Timeshare Institute of SA and would allow the industry to regulate itself

Tager added that a newly established industry watchdog, the Timeshare Standards Council would administer the code of conduct, and could turn to the committee for enforcement against unscrupulous timeshare operators.

Retired Judge Cecil Margo would act as industry ombudsman and head the council The code would apply to all timeshare companies and developers to ensure that consumers were protected.

Resort Condominiums International MD Steve Griessel said the formation of the council was only part of a broad initiative by the institute to clean up the industry's image, and boost slowing sales

Speaking at the launch of the Timeshare 2000 initiative yesterday, Griessel said the customer would benefit directly from a range of innovative programmes which would come into effect on November 1 this year

One innovation was the introduction of a mandatory five-day "cooling-off" guarantee, which did away with pressure-selling tactics by salesmen.

"The cooling-off period gives purchasers the option of cancelling agreements within five days, should they feel they have been pressured into buying

"This is one of the most significant changes as salesmen are going to have to become far more creative in their selling methods," he said

Among other things the institute would offer a 15-year warranty to provide holidays to timeshare buyers whose resort had been liquidated, or who had lost their occupation rights, Griessel said

Satour director Kobus Roux endorsed Timeshare 2000

"The far-reaching changes will ensure the continued growth of this vital part of the tourism infrastructure, while at the same time eliminating undesirable practices"

WS Mail

Chemical clean-up botched

2/10-8/10/92

By CAROL GALES (131)

A GROUP of doctors claims company and town officials bungled their response to the chemical inferno at the Rhone-Poulenc animal feed plant in Midrand a fortnight ago.

As a result 18 firefighters were hospitalised and clean-up workers still risk injury, frightened area residents are clamouring for information and complaining of symptoms, and litres of chemicals were allowed to soak into the ground before clean-up began a week after the fire

Two weeks after the fire, officials are still trying to explain their response to angry people who live and work in the area.

"We don't know what's in the air," said Richard Loring, whose theatre is next to the plant "At the moment, what's in the air is fear"

Dr Murray Coombs, spokesman for the South African Society of Occupational Medicine, blamed officials of both Midrand and Rhone-Poulenc for injury to the firefighters

Rhone-Poulenc officials didn't say there were chemicals in the building until after firefighters who had battled the blaze for three hours complained of burning sensations

Coombs said that workers for Waste-Tech, the firm hired by Rhone-Poulenc to demolish the building and dispose of the rubble, had not worn protective clothing

Coombs' group faulted the Midrand Town Council for not immediately forming an action committee of residents, company and town officials to arrange evacutation and monitor possible chemical contamination

Rhone-Poulenc finally released a list last week of 140 chemicals and compounds that were stored in the building. Experts will not know until at least next week how the chemicals interacted with each other, fire and water, nor whether they linger in the air or groundwater Testing done by Waste-Tech has found no contamination on the plant grounds

Workers, residents tested after toxic gas exposure

STAR 2/10/92. (131)

By Charmeela Bhagowat

Residents and workers, exposed to toxic gases released from the Rhone-Poulenc chemical factory fire in Midrand recently, yesterday took medical tests, paid for by Rhone-Poulenc, to determine whether they were contaminated

And police yesterday said they were investigating the possibility that the death of a 35-year-old man, whose body was found in a relative's deep freeze in Alexandra two days ago, was related to the fire

SAP spokesman Warrant-Officer Andy Pieke said police searched for Sefrao Ngoma's body after his employer, Bob Sugrue, reported the death to the police

Mr Sugrue, told The Star that Mr Ngoma died in his outbuilding early last Wednesday morning, allegedly after walking past the gutted chemical factory on Tuesday afternoon

He said the man died at about 1 am after saying he was thirsty.

He said policemen who came to the scene told him Mr Ngoma had died from natural causes before taking the body to a mortuary.

But when numerous attempts to trace Mr Ngoma's body in the past week failed, he decided to go back to the police to demand an autopsy, said Mr Sugrue

Warrant-Officer Andy Pieke said the SAP formally opened an inquest docket on Wednesday after Mr Sugrue spoke to the police and Mr Ngoma's body was found in Alexandra.

Midrand electronics technician John Rich, who works near the gutted chemical warehouse and was one of the people who visited the Carstenhof Clinic for tests yesterday, said his nose started bleeding on Monday

Among about 20 people who went for tests yesterday was television personality Richard Loring, who owns a company in Constantia Park — an office complex next to Rhone-Poulenc.

He said he was having his family and all 35 staff members tested

metro

Firms flee in poisoning scare

(131) STAR 29/9/92

By Charmeela Bhagowat and Julienne du Toit

Three companies from Midrand's Constantia Park complex, next to a chemical factory which burnt down last week, have moved their staff to other premises after employees suffered a number of symptoms, including headaches, nausea and burning eyes

An urgent meeting was held last night between the Midrand City Council, the owners of the destroyed Rhone-Poulenc factory and the company handling the disposal of the rubble, Waste-Tech, to decide whether the area should be evacuated

The decision was not known at the time of going to press

Constantia Park owner Felix Meyburgh has hired a private research company to conduct tests in the area after Rhone-Poulenc burnt down 10 days ago, releasing a number of toxins into the air

Mr Meyburgh hired Protechnik on Friday after a number of employees in the complex began complaining of itchy skin, blocked noses, severe headaches, nausea, diarrhoea and burning eyes

Protechnik research and development manager Dr Phillip Coleman said organophosphates, the chemicals which are polluting the air, were used in pesticides and could be lethal if people were exposed to large quantities

At least three irate businessmen, afraid of exposing their employees to the poisons vacated their offices yesterday to work from home or other premises they had hired

They said repeated requests to the Midrand City Council for more information about the polluting chemicals had been turned down

Owner of Stream Computer Service and Cablecom, Bob Sugrue, said the attitude of the Midrand City Council, which has hired a public relations company to deal with the crisis, has been "cavalier"

'They refuse to tell us what is happening They are risking our lives because of their ignorance' said Mr Sugrue, who yesterday moved his staff to his home

Movie World producer Paul Raleigh said he would send his staff home They had suffered from symptoms related to organophosphate poisoning for the past week, he said

Panorama Sound manager Sandra Bezuidenhout said she was also closing down

Ms Bezuidenhout said the company doctor would perform blood tests on all employees today before sending them home

While the Midrand City Council has told Constantia Park companies that there was no need to vacate the building, Waste Tech, a hazardous-waste removal company, last week told Midrand residents to keep away from the factory to ensure their safety

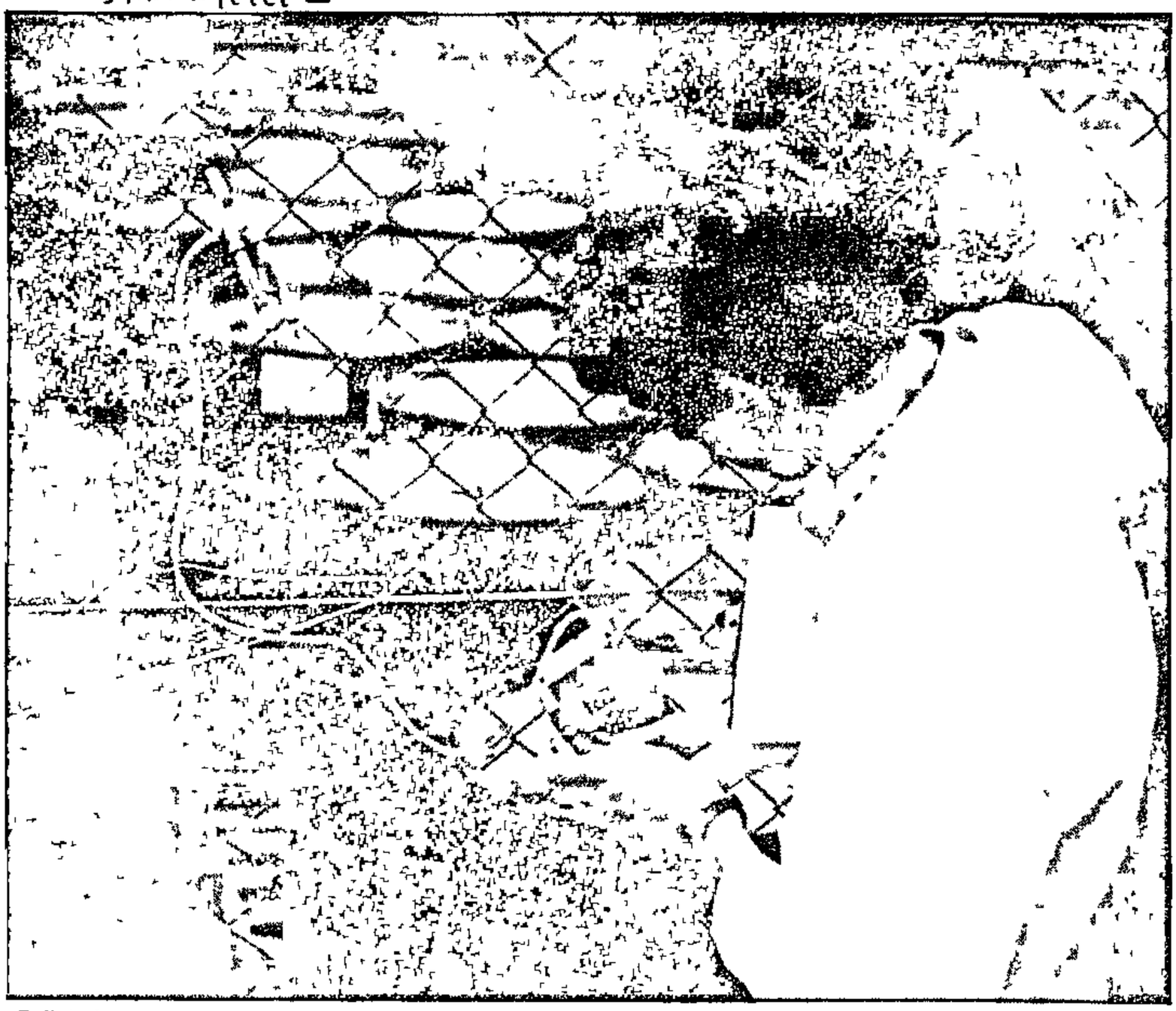
Star reporters yesterday saw a number of Waste Tech staff at Rhone Poulenc wearing gas masks while clearing away the contaminated rubble

Next door, at Constantia Park, employees remained uncertain of the dangers they faced Mr Sugrue said a Midrand City Council spokesman told him the symptoms were "superficial" and would go away after a while

Rhone Poulenc chief executive Michel Chretien said the company was taking advice from a toxicologist at the University of the Free State to clean up the area

He had advised them to ensure all rubble was removed and put in air-tight containers

Waste-Tech technical director Dr David Baldwin said that because various chemical products burnt in the fire they were treating all rubble very carefully



Polluted a Protechnik researcher tests pollution levels on the perimeter of Rhone-Poulenc, a Midrand chemical company which burnt down on September 19 Picture Gary Bernard

ARG 22/9/92. (131)

Companies pay for sick buildings

JOHANNESBURG — Independent tests by American scientists show that sick building syndrome — or SBS — can cost companies billions in lost production, lower productivity, medical expenses and material damage.

Dr John Girman, of the American Environmental Protection Agency, said at a seminar here that two SBS experiments conducted in recent times, one called the EPA Chamber experiment and the other the Molhave Chamber experiment, showed participants complained of respiratory irritation, depression, irritation in the eyes and nose, and fatigue, after being exposed to 22 compounds in a test chamber.

The compound mixtures — containing formaldehyde and methyl ethyl ketone, both health-affecting substances — were similar to that found in the air in many buildings.

He said one of the major contributing factors to SBS was tobacco smoke, and the effect of this was being studied by the EPA.

A final report is expected by December this year.

Faulty ventilation 'bigger risk than passive smoking' — expert

(131)

ARG 21/9/92

The Argus Correspondent

JOHANNESBURG — Smoking had little, if any, effect on absenteeism in the workplace, says visiting American "sick building syndrome" expert Gray Robertson

Addressing the second South African conference on indoor environmental quality at Midrand, he set the cat among the pollution pigeons with claims that 80 percent of indoor problems were not because of passive smoking, but faulty operation and careless maintenance of ventilation systems

Smoking carried the blame because it was visible, while major invisible factors responsible for "sick building syndrome" such as fungal spores, low humidity, fibrous glass and exhaust fumes were largely ignored, Mr Robertson said

He clashed head-on with National Council Against Smoking's Dr Yussuf Saloojee, who labelled smoking the "commonest source of indoor air pollution in this country"

"More than 600 scientific studies have linked passive smoking with ill-health Six expert international committees have reviewed these studies and concluding that passive smoking is a significant health concern, and have recommended policies to protect the non-smoker," he said.

Discussing indoor environmental quality (IEQ), ventilation expert M B Aerobee said legislation regarding IEQ was "ambiguous" and many regulations were not complied with.

He warned of an increase in demands for compensation from owners whose buildings with poor IEQ affected the health and productivity of occupants

Reacting to claims by CSIR scientist M A Oosthuizen, Mr Robertson once more raised eyebrows, refuting the assertion that a combination of plant, soil and micro-organisms was needed for the removal of indoor air pollutants

He said tests had shown that over a period of one year, there was no difference between offices with or without plants

After Miss Oosthuizen admitted up to 70 spider plants would be needed to purify the air from formaldehyde in a 167 sq m house, he said. "While plants have an undoubted psychological effect on indoor conditions, there is at this stage no proof that they improve the quality of air"

Another issue which attracted lively debate was the incidence of Legionnaire's Disease, which CSIR water technologist N A Grabow claimed could be traced to badly maintained air-conditioners and cooling towers on buildings

You may be sick of your building, but cure in doubt

(131) ARG 6/8/92

The Argus Foreign Service

LONDON — Extensive research has found no identifiable cause or cure for "sick building syndrome" according to a report by Britain's Health and Safety Executive

An HSE review published here said the cause of the syndrome — in which office workers blame buildings in which they work for symptoms such as headaches, dry throats, mental fatigue and dizziness — remained a mystery, and the syndrome was unlikely to go away in the short term

The Institution of Environmental Health Officers said last year that local authorities had received a total of 500 sick-building complaints

The HSE said the issue was hard to quantify because some workers might not blame their offices for the symptoms

Dr Pam Buley, a senior health policy official at the HSE, said the situation was "as confused as ever" in spite of extensive research.

She said "Sick building syndrome is often associated with air-conditioned buildings and seems to affect women more than men, especially workers who are in a building for a long time."

She said the complexity of the issue meant that a quick answer was unlikely

The report said the syndrome occured in even the best-designed buildings Poor air quality and inadequate ventilation, high temperatures and bad lighting have been identified as risk factors

Easing of HP terms has not benefited taxi sector

B/DAY 20/7/92.

THEO RAWANA

THE taxi industry has not benefited from the hire purchase relaxations announced by government in March and this has left owners with a burden of higher deposits and shorter repayment periods

And for a taxi operator who barely makes R5 000 a month on his vehicle, it is an uphill struggle when expenses such as fuel, labour and maintenance are taken into account, says one bank official

Instead of the new 10% deposit and 54-month repayment period set by government, taxis have to pay an average 25% deposit and settle their debt within the old 42-month period, in line with finance scheme arrangements with banks

This leaves them with a higher monthly repayment burden than they would have had under the longer period

Banks with taxi finance schemes cite the minibus taxi's short life span as the reason for the different terms

"The taxi will have run up a high mileage at 54 months and we are guarding against default," says FutureBank GM Phil van den Heever

Because the bank is conducting the scheme for business purposes, it is not governed by any stipulation regarding the repayment period

FutureBank has taken over the Sabta Foundation scheme and requires a first-time buyer to to put up a guarantee of 30% of the purchase price and vehicle insurance into a fund He then has to pay R3 000 as a first instalment

A taxi operator who has been with the fund for three years puts up 20% and R3 000, while a client with a proven record of good payment has to contribute 15% and pays no deposit

Confidential

Money deposited into the fund is a safeguard against default, is surety for the individual member and is refundable at the end of the repayment period, Van den Heever says

On minibuses ranging in price between R55 000 and R70 000, owners paid between R3 500 and R3 700 monthly

Van den Heever says the rate of defaulters had been constant, but he refuses to give a percentage

"That is confidential information"

Stannic passenger transport finance manager Veli Mokoena says his bank, which deals with the National African Federated Transport Organisation (Nafto), requires an applicant to pay 15% of the value of his debt, including finance, into the finance fund This works out at between R10 500 and R11 000

"To lessen his debt burden, we ask him to pay a R3 000 deposit including insurance," says Mokoena

"The 15% is refundable once the account has been cleared"

Interest is put into a separate interest account, which covers any defaults

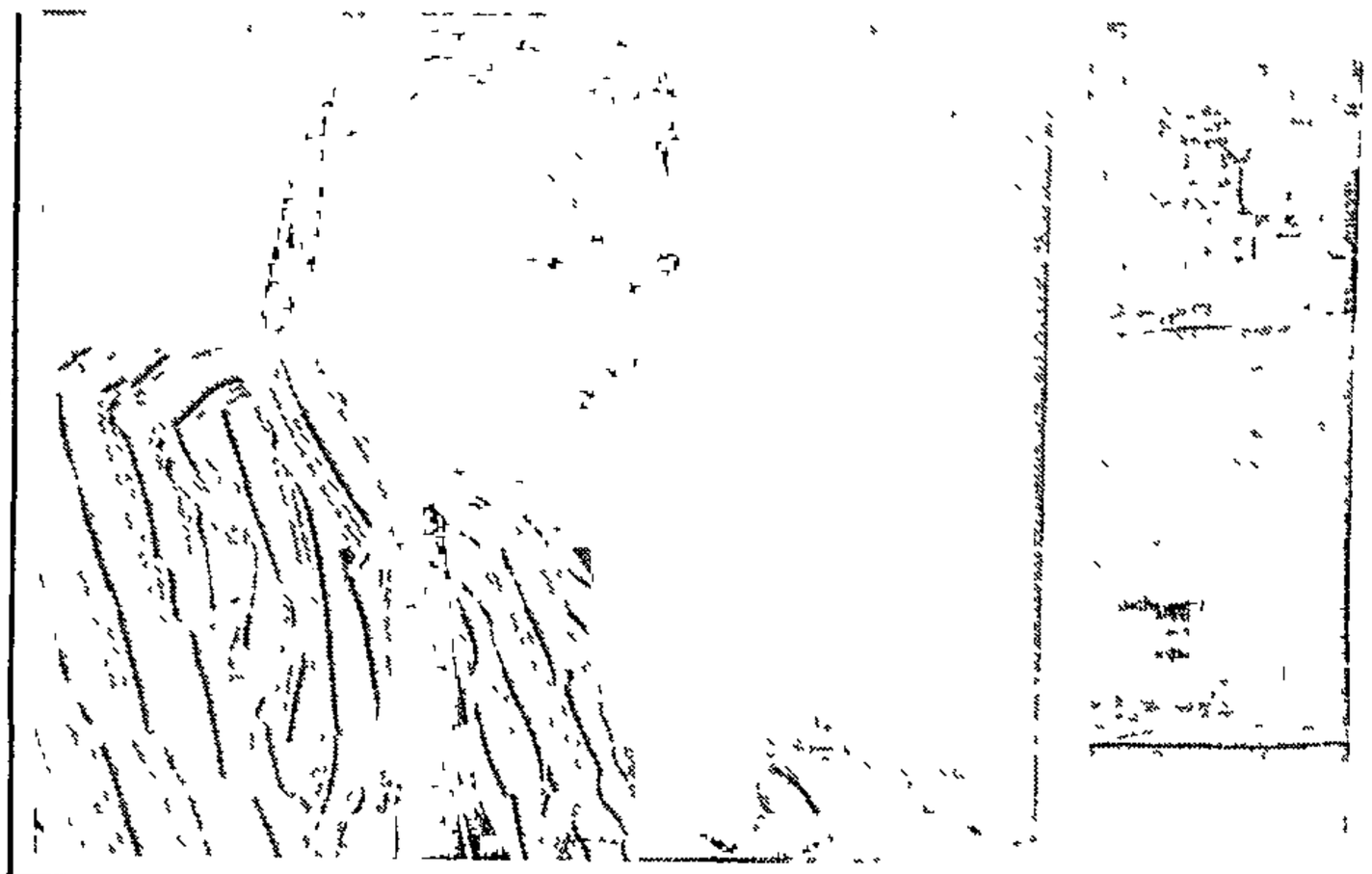
"We have to make the repayment period 42 months because of the short life span of a taxi," he says.

Mokoena says the default rate is not too high

"We have a bad debt of 18% which we hope to recover, and have written off only 2%"

Asked if, in his opinion, the taxi operators could manage under these terms, Mokoena says "The taxi industry has been oversold as the industry and has attracted a lot of people, including a host of consultants bent on making a fast buck The operators are far from making money and the maximum monthly income for a taxi operator is R5 000

"So, with all the expenses he has to contend with — from fuel to labour and the repayments — the man is left with precious little at the end of the month"



Jo'burg plans a healthier environment

B/DAY 20/7/92

131

ADRIAN HADLAND

A CITY health plan to reduce worker absenteeism and medical care costs was being investigated by the Johannesburg City Council, environmental health director Yer von Schirnding said last week

The ultimate goal of the plan, the Healthy City Project, was to improve the health of all people living or working in the city, Von Schirnding said

The project is part of a World Health Organisation initiative to improve city communities' awareness of health and environmental issues The WHO scheme includes technical and cultural exchanges between different cities of the world

Possible programmes include community action to clean up streets, finding better methods of waste disposal and food and nutritional advice schemes

Von Schirnding said a project office staffed by professionals from different disciplines would be established to develop and implement health plans for Johannesburg Surveys would also be conducted on health and environmental issues to establish the needs of different social groups

"The time is right in Johannesburg for the launching of a healthy city project, with increasing community concern about the impact on the environment, the housing crisis, rapid urbanisation and industrialisation," Von Schirnding said

(131) CT 29/6/92

Skin disease in canning industry

Staff Reporter

MANY canning-factory workers in the Western Cape are suffering from chronic skin diseases, says a report in the latest edition of the South African Medical Journal (SAMJ).

The leading Cape Town doctors who wrote the report state that skin diseases are an important cause of absenteeism and loss of productivity in the industry.

The survey revealed that there was strong evidence that the main cause of skin disorders in the industry was chronic exposure to the mild alkali solutions on the canning lines

The Food Workers' Medical Benefit Fund and the Industrial Health Research Group undertook a study of dermatitis among 686 woman workers in a canning factory in the Western Cape

The study demonstrated the presence of dermatoses — an inflamation of the skin — as an occupation-related hazard in a canning-factory workforce.

In addition, the subjects indicated that these skin diseases are chronic, recurrent and very distressing. A fairly large proportion of workers rely on self-bought medication for treatment, presumably as a result of inadequacy or unavailability of existing forms of treatment, the survey found.

Dr L B Krause said yesterday evidence suggested that the main cause of skin disorders in the industry was chronic exposure to mild alkali solutions. Prevention and treatment of skin diseases would have to focus on the correct use of protective equipment in which the use of gloves was crucial

It's lethal living down on the fa

IQUID DANGER
hemicals are used extensively in
griculture in South Africa and
roughout the world, and may
resent serious but preventable
ealth hazards. MARIKA SBOROS
ports.

STAR 5/6/92

(131)

VISIT a farm regularly and the sight of labourers slopping hazardous chemicals around as if they were cool drinks will probably be familiar.

Many of these farm labourers unwittingly poison themselves with these substances, and expose themselves and their families to possible later illness through carcinogenic or teratogenic (foetal abnormalities) effects,

farms, through environmental contamination and pesticide residues on foodstuffs, says Dr Lee in an editorial in the SAMJ

Agrichemicals are used extensively in South Africa and throughout the world, and may present serious health hazards, says Dr Lesley London of the University of Cape Town's community health department in an article in the

agricultural use is vast, more than 700 agents are registered with the Department of Agriculture as pesticides and fungicides, says Dr London

Legislation controlling registration of agrichemicals in South Africa is based on a toxicity classification by the World Health Organisation and Food and Agricultural Organisation However, this assessment of toxicity

worker has left the land

Estimates of death or illness internationally from agrichemicals are difficult to obtain because of poor data collection systems Data on agrichemical poisoning in South Africa are equally sketchy

However, a western Cape study has shown gross undernotification of between 50 and 500 percent, says Dr Lon-

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STAR . . — 18/6/92

(131)

VISIT a farm regularly and the sight of labourers slopping hazardous chemicals around as if they were cool drinks will probably be familiar

Many of these farm labourers unwittingly poison themselves with these substances, and expose themselves and their families to possible later illness through carcinogenic or teratogenic (foetal abnormalities) effects, says Dr Nic Lee, editor of the South African Medical Journal (SAMJ).

Dr Lee has devoted the journal's latest edition to environmental health in the 1990s.

And before saying "Ag, shame" about the plight of farm workers, reflect for a moment that the use of agrichemicals can have much wider effects on populations far removed from farms, through environmental contamination and pesticide residues on foodstuffs, says Dr Lee in an editorial in the SAMJ

Agrichemicals are used extensively in South Africa and throughout the world, and may present serious health hazards, says Dr Lesley London of the University of Cape Town's community health department in an article in the SAMJ

The agricultural sector is one of the largest employers in South Africa, employing 1,18 million people on 62 050 farms in 1990 — 15 percent of the economically active workforce. As well, a large informal sector exists in agriculture and is likely to grow as the economy enters a transitional phase in the future

The range of chemicals available for agricultural use is vast; more than 700 agents are registered with the Department of Agriculture as pesticides and fungicides, says Dr London

Legislation controlling registration of agrichemicals in South Africa is based on a toxicity classification by the World Health Organisation and Food and Agricultural Organisation However, this assessment of toxicity does not take into account many crucial factors such as the presence of impurities from the production process and frequent or repeated exposure, says Dr London.

The assessment takes no account of chronic health effects from long-term low-grade exposure, and it does not reflect acute (non-fatal) morbidity

Many health effects of agrichemicals may manifest long after the farm-worker has left the land

Estimates of death or illness internationally from agrichemicals are difficult to obtain because of poor data collection systems Data on agrichemical poisoning in South Africa are equally sketchy

However, a western Cape study has shown gross undernotification of between 50 and 500 percent, says Dr London

Other than notifications, it is clear that pesticide poisoning remains an important cause of admission to intensive care units at the major referral hospitals, and constitutes a large proportion of poisonings dealt with by posions centres at university teaching hospitals

Safety measures in agriculture in South Africa have been poorly addressed to date, he says. A weste Cape study found that low levels safety training were practised and th re-use and improper disposal of emp containers were preventable hazards

Problems of agrichemical hazar in the farming sector must be seen the context of the wider health nee of farmworkers, both occupational a non-occupational, says Dr London

As important discussions over futu health services are unfolding in S farmworkers' health must not rema the neglected stepchild of a future p mary health care service

"Agrichemical safety should be i tegrated in a comprehensive heal service aimed at health promotion a disease prevention for all South Af cans," he says

Workers 'inhale skin, faeces'

(131) CT 16/6/92

By MAGGIE ROWLEY
Property Editor

DEAD skin cells and the faeces of the "humble house mite" are among the horrors being inhaled by office workers in buildings plagued by the sick building syndrome (SBS).

Mr Clive Lewis, a London-based chartered surveyor, told the recent conference of the South African Property Owners' Association at Sun City that the Building Research Establishment and the European Community had studied the syndrome and it seemed the problem was the "humble house mite" whose population grows fast in the soft furnishings of offices.

"The studies show office cleaners use vacuum cleaners that pick up and disintegrate small mites and worse still, the faeces are then blown through the filter back into the air where they hang in suspension for the whole day as they are recirculated by the air-conditioning"

He said the solution to this problem was to avoid any recirculation and to have the cleaning done with disinfectant or regular steaming

South Africa, he said, could well be affected by EC developments in designs for office buildings.

Dead skin cells were also a major contributor to office dust, according to Mr Johan Grobler, Sanlam's internal architect.

"It is surprising the amount of dead skin cells that grate off people during the working day and are recirculated in the air." He said due to high levels of pollution and carbon monoxide, "fresh" air could be more harmful than recirculated filtered air.

"A holistic approach is required to reduce pollution levels and improve the working environment. SBS not only refers to air-conditioning systems but also radiation levels, furniture and lighting"

He said $12m^3$ to $15m^3$ of air per person per hour was required in an office environment. If there was smoking, $30m^3$ to $40m^3$ an hour was required per person.

Mr Lewis said South Africa was slow to introduce post-occupancy evaluations of new buildings

"Architects and others have to evaluate how healthy buildings are for future developments

"We really must find alternative systems which respond positively to sick building syndrome, for these issues are of paramount importantance to the financial success of the organisation using the building"

Some jobs can cause respiratory disease

STAR 4/6/92

The link between respiratory diseases and certain occupations is just about as old as civilisation.

When people work year after year in dusty, poorly ventilated shops, mines and factories, and breathe in high concentrations of one or more foreign substances, lung diseases are inevitable.

Death

All of these diseases cause discomfort, varying degrees of disability, and sometimes death.

Three basic kinds of agents that can cause occupational lung diseases have been identified: organic dusts, including moulds, animal proteins and plant dusts; inorganic dusts, including heavy metal particles, and airborne chemicals.

Exposed to these agents, smokers are apparently at higher risk than the average worker.

Among the various diseases of the respiratory system triggered off by organic dusts are farmer's lung which affects field workers who handle hay; brown lung which is associated with the milling of cotton and other fibres, and mushroom worker's lung from mushroom spores.

Some occupational lung diseases caused by inorganic dusts include silicosis, from quartz dust, sand, stone dust, and silicon; black-lung disease, caused by coal dust, and beryllicosis, from the beryllium used in making fluorescent lamps.

Also implicated is asbestos which when processed yields a fine dust that obstructs the airways, and scars the lungs.

The resulting disease, asbestosis, makes breathing difficult and hampers the body's efforts to take in oxygen and get rid of carbon dioxide.

Miners, factory workers, and construction workers are most at risk, but people in buildings in which asbestos has been used may also be exposed to excessive levels of it.

Job-related chemical offenders include the solvents used in paints and substances used in pesticides.

Doctor

131

If you suspect you have a job-related lung problem, you should discuss it with your physician. If you cannot change your working conditions, you may have to find a new job.

The Body Book by Reader's Digest

Hot time lies ahead for smokers

(131) STAR 26/11/92.

THE next time a colleague lights up, prepare to take a puff Although the cigarette will probably not be passed around the office, the smoke will

South Africa is not in the forefront of a worldwide lobby to reduce smoking, but a recent conference in Johannesburg sent out warning smoke signals that the fight for "smoke-free workplaces" is on.

Government is ready to take off the kid gloves — and there won't be any nicotine-stained fingers underneath

In 1984, the Department of National Health and Population Development issued a code of practice for regulating smoking in departmental institutions and offices Warning messages on cigarettes are already common

Next year, says department director-general Dr Coen Slabber, a Bill will be tabled in Parliament providing for the prohibition, restriction or regulation of smoking in public places

The department, together with the Tobacco Action Group, has also issued a policy booklet, "Towards a Smoke-Free Workplace", to speed up development of smoke-free public and workplaces.

According to Slabber most of the estimated 6,85 million adult smokers in

South Africa carry their smoking habit to the workplace Smoking at work was not only a danger to workers' health, but also an economic burden and represented large avoidable expenses, he says.

Medical Research Council's Dr Derek Yach says that, as tobacco consumption declines in the developed world, there is an increase in the developing world as a result of aggressive marketing.

Global expectations are that over the next three decades there will be a substantial shift in the causes of death in developing countries — as the proportion of deaths due to infectious disease declines, so there will be an increase in neoplasms and circulatory disorders.

"A large proportion of this increase is expected to be due to the effects of tobacco," says Yach. "The bottom line is that the cost to society accruing from tobacco outweighs the benefits in a ratio of approximately 4·1."

National Association for Clean Air's Richard Truter says sick-building syndrome is the result of a vast range of indoor pollutants from multiple sources "One major source stands out above all others — tobacco smoke."

Until recently, the concept of Environmental Tobacco Smoke (ETS) was not well known and the effects of passive smoking were believed more a nuisance than health hazard, he says.

However, the importance of ETS is highlighted by the fact that most people spend up to 90 percent of their time indoors.

Truter says there are two groups of tobacco smoke: mainstream smoke which is inhaled and exhaled by the smoker; and sidestream smoke which is released from the burning tip of the cigarette between puffs.

"The chemicals found in both are very similar. However, sidestream smoke contains higher concentrations than mainstream tobacco smoke — as much as 85 percent of the smoke released is in the form of sidestream smoke," he says

A recent survey showed a lack of awareness of the rights of non-smokers Most people were unaware of any smoking policy to protect them, says Truter

And, smokers may have to prepare themselves for an all or nothing approach. "Using the ventilation system to remove environmental tobacco smoke from an office is like cleaning a baby with a filthy rag"

However, according to the Tobacco Institute of Southern Africa, the department's guide on "Smoke-free Workplaces" does not reflect latest research overviews and overall knowledge about environmental tobacco smoke (ETS)

The Tobacco Institute claims the department's guide to employers was based on premises that did not stand up to critical examination.

It says the publication set out to provide advice on smoking policy, apparently on the assumption that ETS is a proven cause of disease. The claim that exposure to ETS caused disease in non-smokers had not been unequivocally demonstrated, says the institute.

Lethal crop of poisons on SA farms

(131) W/Mail 13/3-19/3/92

With little protection and scant knowledge workers on South African farms are being exposed to deadly chemicals.
By **EDDIE KOCH**

FARMERS across South Africa are playing havoc with the health and lives of their labourers by using at least nine of the "dirty dozen" — the red list of lethal pesticides banned in many parts of the world — under conditions that can only be described as scandalous

Aircraft spray clouds of noxious fumes into the lungs of labourers who work in the fields without protective clothing Women spend many hours a day handling a poisonous powder which is absorbed through their skin Drums marked "Highly Toxic" are left lying around on farm premises in easy reach of workers and their children.

Reporters from *The Weekly Mail* who this week visited a farm near Vereeniging owned by the Anglo American Corporation heard that all these events routinely take place on the estate

And the investigative team found empty and half-full drums of Paraquat, 24-D, EDB (dibromethane) and parathion — each on the list of the "dirty dozen" and subject to strict conditions for use on South African farms — lying around inside and outside unlocked storerooms on the farm

These findings follow shock disclosures last week that dieldrin, one of the few pesticides banned for use in local agriculture because of its deadly level of toxicity, was being used on another estate in the Free State owned by Anglo's farming division, Amfarms

Officials from the Municipal, State, Farm and Allied Workers' Union (Musfawu), which organises labourers on the Amfarms estates have launched a campaign to regulate the use of dangerous chemicals

Workers described how women who work from early morning to noon in the vegetable fields on the Uitvlucht estate near Vereeniging are obliged to scatter a powder called Temik by hand Union members said the powder has a stinging effect on their eyes and that the skin often peels off their faces after prolonged use of the chemical

Temik is not on the banned list but is described by Dr Lesley London of Cape Town University's School of Community Health as one of the most poisonous used in the farming sector He says it can easily be absorbed through the skin

If it has to be used, he says, workers should be issued with gloves, masks and overalls and their clothing should be washed immediately after work so that their homes do not become contaminated

Workers said none of these precautions are taken by Amfarms and that while they are in the fields labourers often eat their lunch with hands that have been contaminated by the poison because they are not given access to water and soap during work breaks

"Anglo owns huge estates across the country It is one of the more enlightened employers in the agricultural sector. Yet even on their farms there are minimal and inadequate controls over the use of dangerous chemicals," says Musfawu secretary general Phillip Masia.

"Can you imagine, then, how bad things are on the other farms owned mostly by conservative farmers What we have here is just the tip of a terrifying iceberg"

The "dirty dozen" is a list of dangerous pesticides that have been targeted for strict controls, bans and ultimately worldwide elimination by the Pesticide Action Network International because of the widespread poisoning and environmental damage they cause

A report compiled by the Group for Environmental Monitoring (Gem) in Johannesburg notes that at least three "dirty dozen" chemicals other than those found on the Amfarms estates are still registered in South Africa These are aldicarb, lindane and PCP Except for PCP, which is used as a wood preservative, these are widely used on farms

A survey of regulations governing the use of the chemicals found on the Amfarms estates indicates the following

●Dieldrin is banned in 34 countries and is severely restricted in 21 In 1980 its registration was withdrawn for use on South African farms and it is illegal unless used by licensed pest-control operators Chronic symptoms in humans include liver tumours and it causes birth defects in animals

●EDB, otherwise known as 1,2-dibromethane, is banned in 14 countries and is severely restricted in six It has restricted-use status in South Africa and has caused cancerous tumours and birth defects in test species EDB is highly persistent in the environment and migrates easily in the soil, causing contamination of ground water when it is used as a soil fumigator

●Parathion's registration for use on vines and deciduous fruit was withdrawn in 1972, but it is still used to control pests on a wide variety of crops despite its highly toxic effects

●Paraquat is widely used in South African agriculture. Continued exposure is extremely dangerous to the lungs and can cause irreversible damage within months In December 1990, the environmental activist group Earthlife Africa succeeded in forcing the South African Police to suspend an operation that involved aerial spraying of Paraquat to eradicate dagga plantations in Natal

●24-D is widely used in South Africa but must be strictly controlled, especially under conditions that can cause clouds of the chemical to drift on to neighbouring farms

It is a highly controversial chemical which formed one of the main ingredients in "Agent Orange", the notorious defoliant used by United States armed forces in the Vietnam war. It causes a painful skin condition called chloracne and some epidemiologists believe its mutagenic properties cause birth defects in humans

Masia's warning that abuse of these and other pesticides is rife on South African farms is confirmed by Gem researcher Kate Emmanuels, who last year conducted an in-depth investigation into the use of pesticides in local agriculture

Gem's draft report notes that the extent of pesticide poisoning in South Africa is largely unknown as most acute rural poisonings are not reported and many chronic cases of contamination go undetected because they cause non-specific and insidious symptoms such as headaches, lethargy, nausea and sweating

"It is estimated that the Department of Health's statistics reflect between 1,5 and 10 percent of the actual cases The World Health Organisation estimates a 10 to 16 percent notification rate in most countries If this is so, there are at least several thousand poisonings per year in the country, and a number of studies have indicated a much higher rate — up to 10 000 cases of acute poisoning per year," says the report

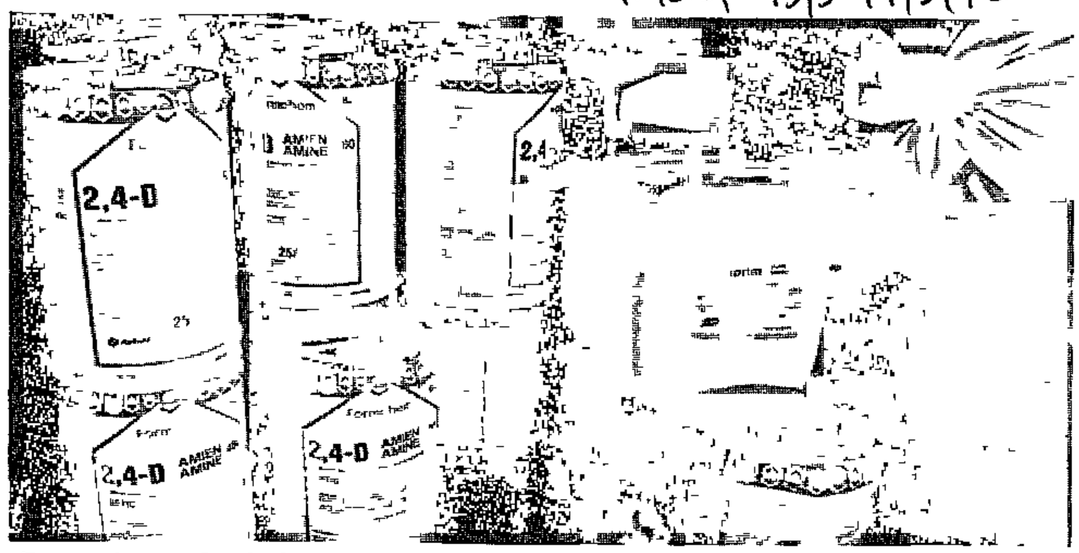
"Daily farmworkers are using chemicals they know little about, with inadequate or no protective clothing," says the Gem report "The situation is too complex, however, to allege simply that all farmers are negligent There are many conditions in the field that contribute to the estimated thousands of pesticide poisonings that occur yearly in South Africa"

The report notes that many poisonings arise because some of the most toxic chemicals are used by the most uneducated workers in the country Pesticide labels are required by law to carry a large amount of information about the hazards of the chemical, but these are seldom read by workers

Another widespread problem is the lack of training in the use of pesticides Gem notes that in the Hex River Valley, for example, only 14 out of every 100 tractor drivers had received any formal training in the use of pesticides

"Lack of adequate protective gear for workers is one of the biggest problems on farms The Machinery and Occupational Safety Act requires that a farmer provide his employees with the necessary safety equipment," says the report.

"This would include protective helmets, goggles, gloves, overalls, chemical-resistant clothing and boots However, often farmworkers are given ordinary overalls, perhaps a paper mask and nothing else"



Pesticides on Anglo farm in the Kroonstad area Photo STEVEN HILTON-BARBER

Anglo denies workers' claims

By PAUL STOBER

THE Anglo American Corporation denies that five of the most dangerous pesticides in the world, widely used on farms owned by their agricultural division, are exposing workers to serious health hazards.

Responding to complaints by workers that they are not issued with protective clothing, senior communications officer Glen Finnegan sais this equipment was "available to workers at all times". This equipment included goggles, respirators, overalls, rubber gloves, boots and plastic rain suits.

Finnegan denied reports of drums of the poisons left lying around on the farm inside and outside unlocked storerooms. According to Finnegan, a storeroom near the Vaal River is locked and only two keys exist.

However, *Weekly Mail* reporters who went into the shed on Sunday and again on Monday found the shed unlocked and unguarded on both days.

Anglo denied workers claims that they are unable to wash pesticides off their hands before eating and said five water points and hand cleaner were freely available for workers in the fields

Finnegan said: "Strict supervision is enforced by the farm manager with regard to the mixing and application of the chemicals. The personnel involved in chemical application have attended courses given by the chemical suppliers FBC Holdings on the application of chemicals."

Finnegan admitted that Temik, a highly toxic insecticide, is used on the farm but said that workers do not handle the chemical with their bare hands Photographs supplied by Anglo show the workers applying the chemical, which has been diluted with water, by means of a coke bottle and rudimentary funnel attached to a stick

Dieldrin not used

IN our article about the use of dangerous pesticides on Anglo farms on page 6 of *The Weekly Mail* March 6, the sub-heading incorrectly cites farmer managers as saying that dieldrin, a dangerous toxin that attacks the nervous system, is used under strict supervision The main text in fact clearly quotes Anglo management as stating that "dieldrin is NOT being used and and the offending container is under strict security, with the key to the storeroom held only by the farm manager, or the the appointed responsible person in his absence".

INDUSTRIAL RELATIONS & HEALTH

1993

Justice has to be done, says mum who severed arm at work

By MOSES MAMAILA C/Press 17/1/93. (131)

A 45-YEAR-OLD woman's dream of working for herself has been shattered after her left arm was severed by a machine at work.

Nditwani Sophia Magidi of Hamagidi village near Thohoyandou said she was waiting for the homeland's manpower department to intervene and help her get compensation.

"As you see me now I can no longer work or even plough in my little field because I am handicapped," said Magidi from her home.

Speaking about her misfortune, Magidi said she was injured two weeks before Christmas

Magidi, who was a casual worker at a firm which manufactured bricks in Sibasa, said she was busy taking away damaged bricks when suddenly the machine rolled on to her arm and cut it off completely.

"It was a terrible thing. I don't know exactly how I managed to stand the pain. I could see that many of my colleagues were more hurt than me because they actually cried," said the ZCC member.

She was taken to Tshilidzini Hospital where she stayed for several days She was operated on and her arm was futher cut as the bone of the upper arm had also been crushed.

The single parent, who was earning a monthly salary of R180, said she only hoped that justice would be done and she would be given money in order to survive.

She said although injuries were common at the brickyard, hers was the worst she had ever seen.

The spokesman for the company could not be reached for comment at the time of going to press.

"Overseas" percent food inflation? I wonder I should hope not.

and asked to change

Fines to cut job hazards

S/Times [Cape metro] 17/1/93 (131)

By FRED ROFFEY

EMPLOYERS face fines of up to R100 000 or two years' imprisonment for major contraventions of the proposed Occupational Safety and Health Act (OSHACT) which is expected to replace the Machinery and Occupational Safety Act (MOSACT) towards the end of the year

Businesses are being urged to prepare now for OSHACT because of its wide-ranging regulations, which are far greater in scope than MOSACT and will affect every concern, whether it employs one person or thousands

Much more consultation will be required between management and the workforce and safety and health representatives will have to be elected or nominated after meaningful consultation

Workers elected as representatives will have the right to investigate incidents

Where circumstances warrant, employers will be entitled to go directly to an inspector

"Greater responsibility for the safety of his workers will fall on the shoulders of the employer," said Ted Rowen, group loss control manager for Cape Town-based Irvin & Johnson

"An employer will have to draw up a strategy to minimise risks

"He will have to ensure that the mandatory training programme is in place

"The onus will be on the employer to see that employees adhere to safety precautions

"It is also possible that a medical practitioner may have to report any occupational disease to the Department of Manpower"

Mr Rowen suggests that employers

- Start planning now and set time scales
- Decide what is to be changed in present procedures and to what extent
- Decide on the methodology to be employed
- Be definite about who is to implement the various steps, as these cannot be left to untrained employees
- Decide where the resources will come from

"It is clear that the draft bill seeks to enlarge significantly the parameters of the legislation," says Ken Thom, a director of Corporate Liaibility Services, a risk management division of PFV Insurance Brokers

"Penalties to be applied under OSHACT should grab the attention of management.

"They are five times more severe than those under MOSACT

"The drastic penalties should be seen as an indication to the courts and the authorities just how serious a view is being taken of transgressions in safety and health in the industrial workplace"

In another development, the Department of Manpower has published an Injured Employees Compensation Draft Bill, 1993, for information and comment.

This is intended to replace the Workmen's Compensation Act, 1941, and to insure employees or their dependants in the event of disablement caused by accident or occupational disease

Under the present act only certain employees are protected, but the bill proposes that all employees should be protected irrespective of wages

It also proposes the establishment of a Compensation Board representing employers' organisations, trade unions, the state and the Medical Association of South Africa

Interested parties should submit comments by February 26 to Workmen's Compensation Commissioner (Attention Mr Louis van Assen), P O Box 955, Pretoria 0001

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By MOSES MAMAILA C/Press 17/1/93. (131)

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need for a comprehensive national policy on the subject.

The private hospital sector accounted from the distorted incentive structure in the private sector." There was an incentive for hospitals and doctors to do too much and for patients to demand too much.

Health personnel ask for stronger security

(131)

KATHRYN STRACHAN

CONCERN over the increasing level of danger in their jobs has caused doctors and nurses to call for stronger security measures to ensure their safety.

In a statement issued on Friday, the SA Nursing Association (Sana) expressed its concern at the increase in attempts to free hospitalised detainees.

The statement came in the wake of a report last week that a suspect under police guard at Pholosong Hospital in Tsakane, on the East Rand, was released by five men who shot and killed a policeman with an AK-47 rifle.

Sana executive director S J du Preez said such actions threatened the safety and lives of health personnel and patients. B/Day 18/1/93.

"Hospitals up to now were seen as safe havens for the sick and places where health care, although sometimes given under stressful conditions, could be delivered without fear and exceptional safety precautions."

Du Preez said although in the past it was unthinkable that nurses could be threatened while they were working, it was now a reality.

And police and medical representatives last week formed a working committee to combat a spate of attacks — including the murder of three doctors — on health workers in the Vaal Triangle.

Medical Association of SA (Masa) chairman Bernard Mandell said while attacks on doctors were a national problem, doctors were most under threat in the Vaal Triangle. On Friday morning two doctors were attacked while on their way to work at the Pholosong Hospital. The doctors, both from Germany, escaped uninjured.

Following doctors' statements that the recent attacks in the area could lead to a collapse of medical care, an emergency number has been provided specifically for medical staff and more policemen have been deployed in the Vaal Triangle. Police will also increase their patrols on surgeries and clinics in the area.

Mandell said the nature of health care meant that doctors had contact with all people at irregular hours, which made them soft targets, and security precautions were therefore difficult to implement.

Helicopters for Safair

STEPHEN COPLAN

FOUR Russian helicopters would be delivered to Safair when an Antonov 124, en route to Windhoek, arrived at Jan Smuts today, a Safair spokesman said.

Negotiations were under way to lease the helicopters, which would be used for civil purposes, he said.

The two Kamov-32s and two MiL-17s were used previously by the Soviet Air Force and Aeroflot.

The MiL-17, nicknamed "Hip", seats up to 32 people and has a range of 375km, travelling at a speed of 225km/h, according to Jane's World Aircraft Recognition Handbook.

More than 10 000 of the utility, medium-range aircraft have been built and it was popular with the Indian Air Force and the former East German Air Force.

The Kamov-32, a civil version of an anti-submarine helicopter, has a unique pair of main rotor blade sets, making the aircraft more manoeuvreable, says Flight International.

The publication said the aircraft, nicknamed "Helix", was ideal for search-and-rescue and night flying. Its range was 800km and it had a five-hour endurance time.

US group slated for tobacco links

KATHRYN STRACHAN

LOCAL anti-smoking groups have attacked a visiting US-based organisation, Healthy Buildings International (HBI), for serving the interests of the tobacco industry and opposing local initiatives for smoking controls.

Healthy Buildings International director Simon Turner told a media briefing in Johannesburg yesterday that his organisation's survey of office environments in the city concluded that 72% of office workers experienced symptoms associated with the "sick building syndrome".

But Medical Research Council spokesman Dr Derek Yach said that while the organisation billed itself as an indoor environmental consulting firm it did not disclose its tobacco industry links. B/DAY 26/1/93

"Their efforts have ranged from trying to convince businesses not to adopt 'no smoking policies' to influencing governments not to pass clean indoor air laws," said Yach.

The organisation had been active around the world in supporting smokers' rights groups and business coalitions to defeat specific tobacco control initiatives, said Yach, adding that Turner was the son of the head of the Tobacco Institute of Hong Kong.

National Council Against Smoking executive director Dr Yussuf Saloojee said the organisation had targeted SA at a time when government was preparing to pass legislation controlling smoking in public places.

Saloojee said the dispute arose over the methods to purify indoor air. While the HBI advised employers to upgrade their ventilation systems without implementing smoking controls, the anti-smoking lobby claimed most ventilation systems could not filter out nicotine particles. (131)

Buildings 'cause of ill health'

(131) STAR 26/1/93.

By Shirley Woodgate

Nearly two-thirds of Johannesburg's office workers claim ill health due to sick building syndrome (SBS), says Healthy Buildings International Inc (HBI) director Simon Turner.

Addressing a seminar yesterday, he said a Harris Research Centre survey of 500 people last year showed 42 percent reported feeling tired, 39 percent got headaches, 25 percent suffered from itchy or watery eyes and 20 percent had nose problems.

HBI research from 1980 to 1992 found allergenic fungi (33 percent), dust (26 percent), low humidity (18 percent) and bacteria (10 percent) comprised nearly 90 percent of the pollutants causing SBS

But tobacco smoking accounted for only 3 percent of health problems, Turner claimed.

National Council Against Smoking executive director Dr Yusuf Saloojee queried the findings, alleging strong links had been revealed between the HBI and the tobacco industry in America.

Puffing at work a burning issue

Sowetan 29/1/93 (131)

By Ike Motsapi

DICEY ISSUE *Employers have to make decision on smoking:*

"The rights of smokers and non-smokers in the workplace is an issue which human resources managers find vexing"

SMOKING at the workplace is so prevalent that the World Health Organisation (WHO) has recommended that non-smoking should be the norm in enclosed areas frequented by the public or employees

A Medical Research Council report estimates that smoking-related illnesses account for at least 2,5 million lost working days a year

There is also a risk of lung cancer and heart disease to non-smokers from passive smoking.

A dicey issue facing employers is whether to continue to allow their employees to smoke at the workplace

The Institute for Personnel Management (IPM) has compiled a document outlining suggested smoking policies in the workplace as a guideline for businesses in South Africa.

IPM says that the question of the rights of non-smokers and smokers in the workplace is an issue which human resources managers find vexing

Medical research pointing to the dangers of passive smoking has given an impetus to the debate and a shift in public attitude towards a lower tolerance of smoking as a socially acceptable habit has been evident.

The withdrawal of the non-smoker's near-century-old tolerance at work has presented a new era of potential conflict between those pressing for change and for new restrictive rules and those defending the individual right to smoke in the presence of others

Company smoking policies are still the exception in South Africa but it can be expected that the trend to formal smoking policies at work will continue.

"Other people's smoke may irritate the eyes, cause allergic reaction and exacerbate existing complaints such as asthma and bronchial conditions,"the Medical Research report notes.

"A clear written formal policy should minimise conflict and misunderstanding between employees so that those who wish to smoke are aware of where and when they are free to do so,"according to a recommendation by WHO

The first step in tackling the problem should be to investigate the situation thoroughly.

WHO believes that although it is impossible to generalise, the investigation may well reveal

- That smokers, overall, are in a minority but may form a local majority in some areas,
- That smokers will gracefully concede the rights of non-smokers;
- Perhaps surprisingly, that some non-smokers may defend the smoker's retention of their "rights" and,
- That accommodation problems — shared offices and lack of sufficient space for segregation — present some of the thorniest problems

A key decision will be whether to introduce a total ban on smoking in all working and communal areas or partial ban

Good staff communication is indispensable in the implementation of any workplace policy

"If an informal investigation has not concluded any direct staff communication by this stage, this should now be undertaken,"according to Dr Yussuf Saloojee of the National Council Against Smoking, and Dr Sara Gon of Webber Shepstone Findlay

Both agree that some attempt must be made "to see that the policy operates as fairly as is practicable throughout the organisation, often difficult on a varied site or sites but necessary to persuade individual staff of even-handedness in their treatment."

Gon and Saloojee say there is no legal requirement at present for employers to have a smoking policy

"However, the implementation of a sensible policy will assist employers in complying with various legal obligations," they say

Employers have a common-law duty to take reasonable care to protect their employees.

Gon and Saloojee say it is also the employer's responsibility to keep informed about current practice and developing knowledge and take 'reasonable steps' to protect employees from known hazards

They say employers must also take into account the fears of pregnant women in relation to passive smoking and the risks of these concerns to pregnancy

"The segregation of smokers in one office and the provision of smoke-free offices for non-smokers may be one solution," they say

They contend that the reasonableness of the way in which a smoking policy is introduced is relevant to determine the fairness of a dismissal, where dismissal is the eventual penalty for refusing to abide by the policy

Gon says: "Where rules on smoking are introduced and operated in a reasonable way and fair procedures are followed in dealing with any breaches, employers are likely to be found to have acted reasonably "

Employers who wish to introduce a smoking policy involving the introduction of new rules should

- Carry out adequate consultation with staff before introducing the change However, it should be made clear that the process of consultation involved informing, explaining the proposed change and listening to the views of staff,
- Give plenty of notice of change Ninety days is often suggested as a suitable period and;
- Provide some alternative measures for existing employees who wish to smoke to do so within certain specified areas or outside the building

"It is also advisable to include a term in the contract of new employees whereby they agree to abide by the non-smoking rules," Gon and Saloojee said

Anti-smoking ire at talks on 'sick' buildings

(131)

ARG 29/1/93

ANDREA WEISS
Health Reporter

CONTROVERSY is raging over countrywide presentations by an overseas company on sick building syndrome

The company has acknowledged that the talks have been partly funded by the tobacco industry.

The anti-smoking lobby is up in arms about the seminars, presented by the American company Health Buildings International, claiming they "divert attention away from the hazards of passive smoking".

Mr Simon Turner, a director and technical consultant for the company, acknowledged at a news conference in Cape Town that the presentations were funded partly by the tobacco industry.

He would not disclose how much money was from this source and said another group of companies concerned with office fittings had also backed the presentations.

His company did not automatically recommend blanket smoking bans to building owners because this was often impractical Proper ventilation could minimise inconvenience to non-smokers.

Mr Simon Turner

Mr Turner said the tobacco industry had not "bought" his opinion

Even though smoking was banned in many buildings in the United States, sick building syndrome prevailed These problems could be addressed by better ventilation and filtration

Half the people who reported sick building syndrome experienced respiratory problems. Symptoms included tiredness, headaches, eye and nose irritation, dry throats and flu-like symptoms.

In a street survey of 500 office workers in central business districts in South Africa, more than 72 percent reported health symptoms commonly associated with sick building syndrome. The survey was commissioned by Heath Buildings International and conducted by the Harris Research Centre.

In Cape Town, 69 percent of respondents thought their work would improve if their office environment provided cleaner, fresher air.

Dr Yussuf Saloojee, executive director of the National Council Against Smoking, said NBC news in the United States had reported close links between the tobacco industry and the company.

"The most important thing is that the latest report from the US Environmental Protection Agency has ruled that passive smoking is a cause of lung cancer in non-smokers

"This report clears up any lingering doubts about the hazards of passive smoking and shows the wisdom of banning smoking in public places. Therefore any agency which claims it can reduce the harm of smoking simply by increasing ventilation is going against scientific evidence."

Where there's smoke there's death, says far-reaching US health report

'Seal on coffin of passive smoking'

(131)

ARG 30/1/93

VIVIEN HORLER
Weekend Argus Reporter

■ Second-hand tobacco smoke can kill, and that's official, according to a report published this month by the United States's respected Environmental Protection Agency.

SECOND-hand tobacco smoke has just joined a group of the most toxic substances like asbestos, benzene and radon on a list of 15 "group A carcinogens" in a major United States government report published this month.

The impact of the report is likely to be far-reaching as the American Occupational Safety and Health Association is required by law to issue regulations on the handling and use of any group A toxins

The report should also strengthen the case of workers who have been harmed by second-hand smoke at work, resulting in a greater risk of court action against employers who do not protect workers

Dr Derek Yach, co-ordinator of the SA Medical Research Council's Essential Health Research Group, says the report "seals the coffin" on passive smoking

"The tobacco industry has always said people have the right to smoke, but this report says people have a right to clean air which overrides the right to smoke"

The report estimates that passive smoking causes between 2 500 and 3 000 lung cancer deaths in the United States every year.

But this figure is only the tip of the iceberg Hundreds of thousands more cases of respiratory disease are caused by passive smoking, including bronchitis, asthma and emphysema

And in another report still to be published, it is estimated there are between 35 000 and 40 000 heart disease deaths caused by passive smoking in the United States every year

The landmark report has been published by the Environmental Protection Agency, a US federal agency which has concern for the environment and not public health as its primary function

Its only weakness, says Dr Yach, is that it confines itself to the link between passive smoking and respiratory diseases, and excludes heart disease

But it is damning enough.

Not only does it inexorably detail the dangers of passive smoking to young children and infants, and mention the possible link between passive smoking and cot-deaths, it pre-empts the response of the tobacco industry with objective and detailed counters to the industry's traditional arguments

For instance

"Industry argument· The method of analysis was inappropriate, poorly accomplished, and made the resulting statistics quite misleading

"Response These criticisms were dismissed by the EPA's Science Advisory Board, which thoroughly reviewed the draft report and endorsed its conclusions The truth of the matter is that the tobacco industry is not interested in science It is only interested in profits

"Industry argument "There are other, more serious indoor air pollutants than environmental tobacco smoke

"Response Secondhand smoke is now one of only 15 substances that have been labelled as 'Group A' carcinogens, that is, proven to cause cancer in humans Of those that are found indoors, many are used in manufacturing or are by-products of manufacturing or other processes and exist only in minimal allowable amounts Others, like asbestos, are being removed from buildings In contrast, environmental tobacco smoke is the single most controllable indoor air pollutant

"Industry argument Environmental tobacco smoke can be controlled through improved ventilation systems in buildings

"Response While ventilation can reduce the concentration of indoor air pollutants, the level of ventilation required to adequately clear the air of the smoke is so high that this is not a practical, affordable option The best way to get ride of environmental tobacco smoke is to remove the source

"Industry argument This report is a de facto attempt to regulate smoking, which is not the Environmental Protection Agency's business

"Response While it is not the EPA's business to regulate smoking, it is the EPA's business to identify health and environmental hazards Now that environmental tobacco smoke has been identified as a 'Group A' carcinogen, the only rational response is to eliminate or at least severely restrict smoking in public places."

The evidence relating to the dangers of passive smoking to children is likely to have far-reaching results Because the report carries legal weight, it can be cited in American courts of law as evidence, and already there have been a handful of custody cases in the US in which smoking was the deciding factor

Dr Yach says the report strengthens Western trends against smoking, smoking in public and tobacco advertising

Advertising has been banned in Canada and is being phased out in Australia, which means that in 1995 there will be no more Benson and Hedges cricket competition involving Australians

This year legislation will be introduced that restricts tobacco advertising here, and as Dr Yach says, once the legislation exists, it can always be tightened

"But we don't want to destroy sport we would like to see an increase in the tax charged on tobacco used to sponsor sport and primary health

"It has been found that increasing tobacco tax has the effect of decreasing consumption while still bringing in more money In Canada tobacco tax has yielded a revenue of $2,7 billion in the past decade

"We estimate that if we raised the price of a pack of 20 cigarettes to R3,20 and half of the price went into a tobacco tax, we would raise an additional R1 billion a year

"And we would recommend that half this amount went into the general budget and the other half could be used for primary health care and health promotion — so smokers would be funding their own costs"

Dr Yach believes the South African anti-smoking lobby has three things going for it

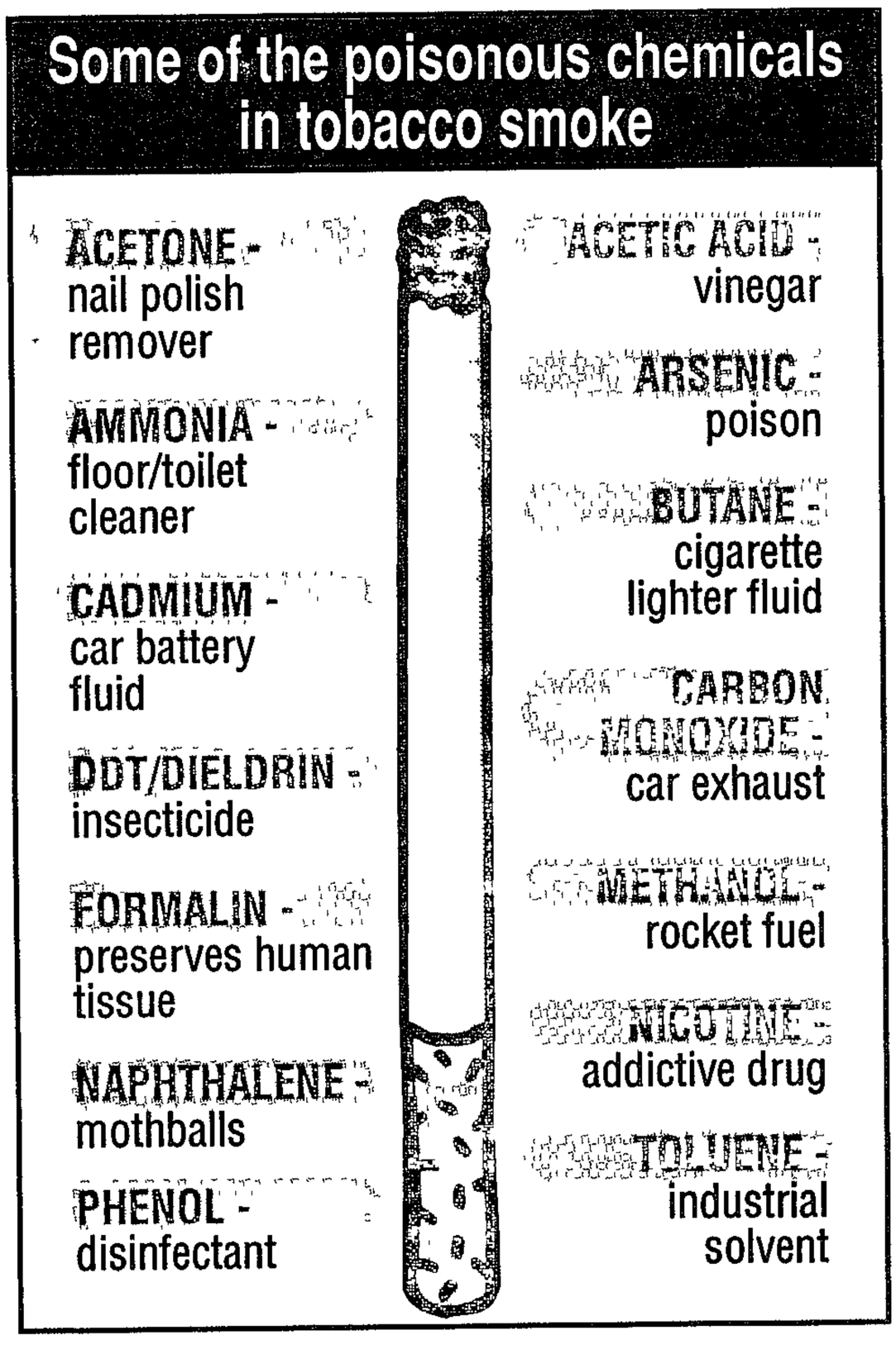
"We have a minister who is committed to tobacco control, which is more than any previous minister

"We also have Mr Nelson Mandela on the record calling for strong action against tobacco, and we have growing public and media support

"But the fact this EPA report has not had a lot of attention here doesn't surprise me

"The tobacco industry is making up for its losses in the industrialised countries by marketing aggressively in Africa, Eastern Europe and Asia

"We must take care that the tobacco industry does not take advantage of our transitional process in South Africa, and make further inroads where while we're concentrating on our political future"



□ **WARNING:** Some of the many chemicals that come with cigarettes and their smoke.

Yech! That smoke ... it's a pain in the lungs

(131) ARG 30/1/93

your freedom to smoke ends when my lungs begin!

VIVIEN HORLER
Weekend Argus Reporter

■ Pressure to introduce no-smoking policies at work is increasing in South Africa Speakers at a recent seminar in Johannesburg discussed the implications of smoking at work, the implications of preventing it and how to go about it

SMOKING costs Not just the price of the pack, either

While the government claims a lot of money from smokers in the form of tobacco tax, a lot more is spent on the effects of smoking

Dr Derek Yach, co-ordinator of the Medical Research Council's essential health research group, says the cost to society from tobacco outweighs the benefits by about four to one.

In a paper delivered to a seminar in Johannesburg on the subject of tobacco-free workplaces, Dr Yach said it made economic sense for companies to control smoking at work.

He quoted an American study which estimated that including insurance, absenteeism, productivity, passive smoking and occupational health costs, the average smoking employee costs the employer about $500 a year

Another study showed

■ Smokers take 50 percent more leave and are 50 percent more likely to be hospitalised,

■ They are more than twice as likely to die before the age of 65,

■ They have twice as many on-the-job accidents;

■ They waste between two and six percent of their working hours smoking;

■ Companies incur increased cleaning, repair and maintenance costs due to smokers;

■ Significant irritation, discomfort and health risks to fellow workers are caused by smokers

Another estimate quoted by Dr Yach was that in the United States medical care for smokers exceeded that for non-smokers by $500 billion — an average of $6 000 for every smoker

At the same seminar Professor Harry Seftel of the University of the Witwatersrand said more South African men smoked than women — "another case of man's inhumanity to women"

And, he said, the leading preventable causes of death in the US were active smoking, followed by alcohol and passive smoking

Other smoking-related topics highlighted at the seminar included.

■ the composition of cigarette smoke.

In a paper by the Johannesburg City Council's Health, Housing and Urbanisation Directorate, cigarette smoke is described as being made up of mainstream smoke, which is breathed in and out by the smoker, and sidestream smoke which is released by the burning tip of the cigarette

Because mainstream smoke is filtered by the smoker's lungs, it contains a lower concentration of pollutants than sidestream smoke.

Most smokers inhale for a total of 24 to 30 seconds out of a 12-minute average cigarette burn, so most of the smoke produced is unfiltered

Tobacco smoke contains 3 000 chemicals and is made up of gas and tiny particles. The gas, which is about 90 percent of the smoke contains poisons such as carbon monoxide, formaldehyde, ammonia, hydrogen cyanide and pyridine.

The particles are made up of tars and nicotine and 30 known probable carcinogens

■ Tobacco smoke and ventilation

Air conditioning is the most common method of clearing air in the workplace These systems usually recirculate 80-90 percent of the air, bringing the rest in from outside

Because fresh air being sucked in needs to be heated in winter and cooled in summer, there is an economic temptation to reduce the proportion of fresh air

The average smoker smokes 1,5 to two cigarettes an hour, which means the ventilation system is still removing the smoke from the first cigarette when the second is added.

Most ventilation systems have filters to remove particles, but most are unable to deal with particles below one micron, the size of most tobacco particles So neither the gases nor the particles from smoke are removed.

"It is therefore not feasible to adequately control exposure to cigarette smoke in the workplace without removing the source of the pollution," say the authors of the paper

Where there is a separate smoking area within a building, the area needs a separate, independent ventilation system to control and remove the smoke at source

"Using the ventilation system to remove environmental tobacco smoke from an office is like cleaning a baby with a filthy rag — it just doesn't do the job"

■ Smoking and occupational diseases

Smoking can interact with materials found in the workplace to increase their effect.

For instance, people who do not smoke and are not exposed to asbestos rarely get lung cancer, says Professor P Zwi, professor of pulmonology at the University of the Witwatersrand.

But people who "are ignorant or foolish enough" to both smoke and work with asbestos have at least 50 times the risk of developing lung cancer compared to those who don't.

Smoking can transform workplace chemicals and make them more harmful Teflon particles stick onto cigarettes and are breathed in, causing a nine-hour sickness similar to flu.

Smoking also contributes to accidents at work This could be because of loss of attention, eye irritation and coughing

■ Tobacco-free workplaces and the law

"A non-smoker who accepts employment at a place where smoking is permitted is bound by the same custom and practice and cannot, at least by law, object to that practice," says Professor A A Landman, head of mercantile law at the University of South Africa

"If he or she wanted to work in a smoke-free environment the employee should have negotiated that as part of the terms and conditions of employement. This is of course easier said than done...'

Professor Landman said it could be possible for a non-smoking employer to sue an employer for damage suffered to his or her health at the workplace as a result of the employer permitting smoking

But the employee would have to prove he or she had suffered harm through passive smoking, the harm was caused by the employer allowing smoking, that the employer negligently allowed smoking, and the employer failed to prevent smoking at work.

Harm or illness caused by passive smoking at work is not covered by the Workman's Compensation Act of 1941

In terms of the Labour Relations Act it could be argued an employer who changed a practice of permitting smoking at work to limiting or banning it committed an unfair labour practice

This question has not arisen in South Africa courts, but the professor said in his opinion the employer would be able to show passive smoking was harmful to non-smokers, which would be reasonable and fair grounds for changing the custom and practice of the workplace.

Non-puffer wins damages — green light for further actions

LONDON — A non-smoker who won compensation for damage to her health caused by passive smoking at work could have opened the floodgates on spectacular claims against employers and the tobacco industry in the British courts

Miss Veronica Bland was awarded £15 000 (about R67 500) in what was hailed as a major victory for non-smokers' rights

The 36-year-old council worker said she developed chronic bronchitis and that her her voice was affected while sitting next to a group of women who smoked 150 cigarettes a day over 12 years

"I took legal action because I felt so terribly ill and felt I should pursue some personal recompense," Miss Bland said "Now it can take me up to three hours in the morning just to get control of the coughing"

Miss Bland's action against Stockport Council is the first successful action of its kind in Britain And the out-of-court settlement is expected to give the green light to others wishing to take action over passive smoking

It comes at a time when a lung cancer victim, Mr Alfred McTear, launched his bid to sue Imperial Tobacco for £500 000 (about R2,25 million), for failing to put health warnings on cigarette packets in the 1960s — Argus Foreign Service

Better air or smoking ban?

STAR 30/1/93. (131)

AS SOUTH Africa prepares legislation to curb smoking in public places, a US firm is talking to local property owners about sick buildings, writes Chief Reporter JOHN PERLMAN.

YOU wouldn't expect an organisation with a cheerful name like Healthy Buildings International (HBI) to attract controversy.

This US-based company, which investigates sick building syndrome — where defects in ventilation foster and circulate bacteria and other nasties, making occupants ill — is holding seminars for property owners in South Africa.

So why all the controversy?

Groups campaigning for curbs on smoking, both here and in the US, charge that HBI's emphasis on ventilation problems diverts attention from the dangers of tobacco smoke — and point out that the tobacco industry is one of its major clients

HBI president Gray Robertson said last year that the tobacco industry "might account for 20 percent of our consulting fees"

Publicity material about HBI handed out in Johannesburg this week made no mention of such an important client, listing only banks, insurance companies, hospitals, universities, government agencies and multinational corporations.

Uncomfortable

HBI technical manager Simon Turner this week presented the findings of a survey — sponsored by the Tobacco Institute of Southern Africa (TISA) — conducted among Johannesburg and Cape Town employees on their attitudes to workplace conditions

"Tobacco smoke is a visible air pollutant, so when people are uncomfortable in a building they will point to that We are really interested in finding the truth about these things, because many of the perceptions are skew But we were not involved in the research in any way," a TISA representative said.

The survey found that more workers complained about temperature, stuffiness and lighting than about tobacco smoke and noise Only 12 percent complained about smoke

Turner said HBI had found that in 97 percent of buildings, smoke was not the major culprit in poor air quality The most significant pollutants were allergenic fungi, dust and low relative humidity

Turner insisted that his company's findings were not influenced by the tobacco industry "We couldn't change what we say just for one client But if you do any work for the tobacco industry you are branded as an apologist for it

"We get ventilation in buildings working properly That is more important than curbs on smoking"

Carcinogen

Turner — a non-smoker — was sceptical about arguments that passive smoking could cause lung cancer. "There are many contaminants in the air that are dangerous and there is controversy about every one. Even cooking meat may be carcinogenic, but you can't stop people cooking hamburgers The solution to all these things is the same — ventilate"

National Council Against Smoking executive director Dr Yusuf Saloojee had no such reservations about the dangers of second-hand cigarette smoke Citing a US Environment Protection Agency report, he said environmental tobacco smoke had been classified a group A carcinogen — "in the highest category of cancer-causing agents"

Saloojee said improved ventilation was not the solution to passive smoking, as most systems merely redistributed environmental tobacco smoke "The only solution is separately ventilated areas for smokers"

He accepted that HBI had a genuine interest in building ventilation.

"Our concern is that they try to divert attention away from tobacco to other causes. We also have to ask why they are here at this particular time, when South Africa is in the process of introducing legislation to curb smoking in public places"

GOING UP IN SMOKE: But whether her fumes will kill you is debatable.

BUSINESS

LAST SHOVEL . . . Sanlam senior general manager Johann Söhnge shovels the last tonne of concrete onto the roof of Sanlam, Bellville, watched (from left) by M & R Cape director Rex Laver, who has been in charge of the project, and Hector Minott, chairman of M & R Cape. John Kosana, team leader, and Mnunge Kula, site worker, handle the concrete hopper. The four-and-a-half year building operation has cost more than R200 million

Local companies move to avoid sick building syndrome

S Times (Cape metro) 31/1/93

(131)

By FRED ROFFEY

CAPE employers are tackling the problem of stressful, unhealthy office environments by moving from the central business district (CBD) or by calling in experts to cure their premises of sick building syndrome (SBS)

Jane Raphaely, editor and publisher of Cosmopolitan and Femina, has just moved offices from a high-rise building in the city centre to the more restful Gardens area, while Simon Turner, a director of US-based Healthy Buildings International, has been talking to Cape Town executives on how to improve the working environment and productivity through cleaner, fresher air

The restructured Avalon building into which Ms Raphaely has moved was marketed by Seeff Properties as an alternative to the impersonal atmosphere of the "concrete jungle"

"It is a beautiful old building and has none of the high-rise stress to which we have been exposed for the past eight years," she says

"Our staff work long hours and our new premises are ideally suited to better working conditions

"The open-plan interior is aesthetically pleasing with lots of open space and the luxury of skylights and windows that can open"

Mr Turner referred to the possibility of combining ventilation systems with open windows in modern buildings when he addressed Cape Town company directors and property managers

"However, engineers generally don't like having windows that open in modern buildings because they upset the air-conditioning system"

He said SBS applied to any building in which a significant portion of the occupants, usually more than 20 percent, experienced a set of symptoms, including headaches, fatigue, eye, nose and throat irritation, that ameliorated when the affected persons left the building

Mr Turner referred to a Cape Town survey which indicated that more than seven out of 10 office workers in the CBD experience symptoms at work commonly associated with SBS, and 25 percent take a day or several days off from work a year due to these symptoms

In addition, 69 percent of Cape Town respondents believe their work rate could improve in an office environment with cleaner, fresher air

"The economic benefits of curing sick buildings can be enormous," said Mr Turner

"The US federal government estimates that absenteeism costs more than $100 billion a year in lost productivity and medical costs, and medical researchers have found that 50 percent of absenteeism is due to upper respiratory problems — common symptoms in sick buildings"

After studying more than 800 major buildings around the world, Healthy Buildings International concluded that more than 75 percent of the problems with contaminated air were due to ignorance of correct operating practices and/or inadequate maintenance of heating, ventilating or air conditioning equipment.

This led to the accummulation of indoor pollutants, especially fungi, bacteria, dusts and various chemical compounds

Specific problems were

- Poor ventilation 54 percent of the buildings were operating with inadequate amounts of fresh air
- Inadequate filtration inefficient air filters found in 57 percent of the buildings
- Lack of hygiene 44 percent of the ventilation systems were dirty and frequently contaminated with bacteria and fungi

"Modern technology , the use of synthetic building materials, plastics and man-made fibres, coupled with sophisticated copying, duplicating and printing equipment and widespread use of visual display terminals coinciding with the more efficient sealing of joints, cracks, door and window frames in offices, have led to indoor pollution," said Mr Turner

"Fortunately, the problem is curable with effective diagnosis, and by employing a practical engineering approach we can provide cleaner, safer, healthier air in a truly cost-efffective manner"

Guidelines favour non-smokers

(131) CT 2/2/93

Own Correspondent

DURBAN. — Smoking-related illness accounts for at least 2,5 million lost working days a year in South Africa, according to the Medical Research Council.

Meanwhile, a document outlining suggested smoking policies in the workplace has been published by the Institute of Personnel Management (IPM) in order to provide guidelines for businesses in South Africa

"No universal solution is appropriate to all organisations: Smoking policies at work should be adapted to the circumstances and culture of the organisation," IPM says.

The institute suggests that a smoking policy should treat fairly the needs and wishes of both non-smoking and smoking employees, but when these conflict, the preferences of the non-smoker should prevail

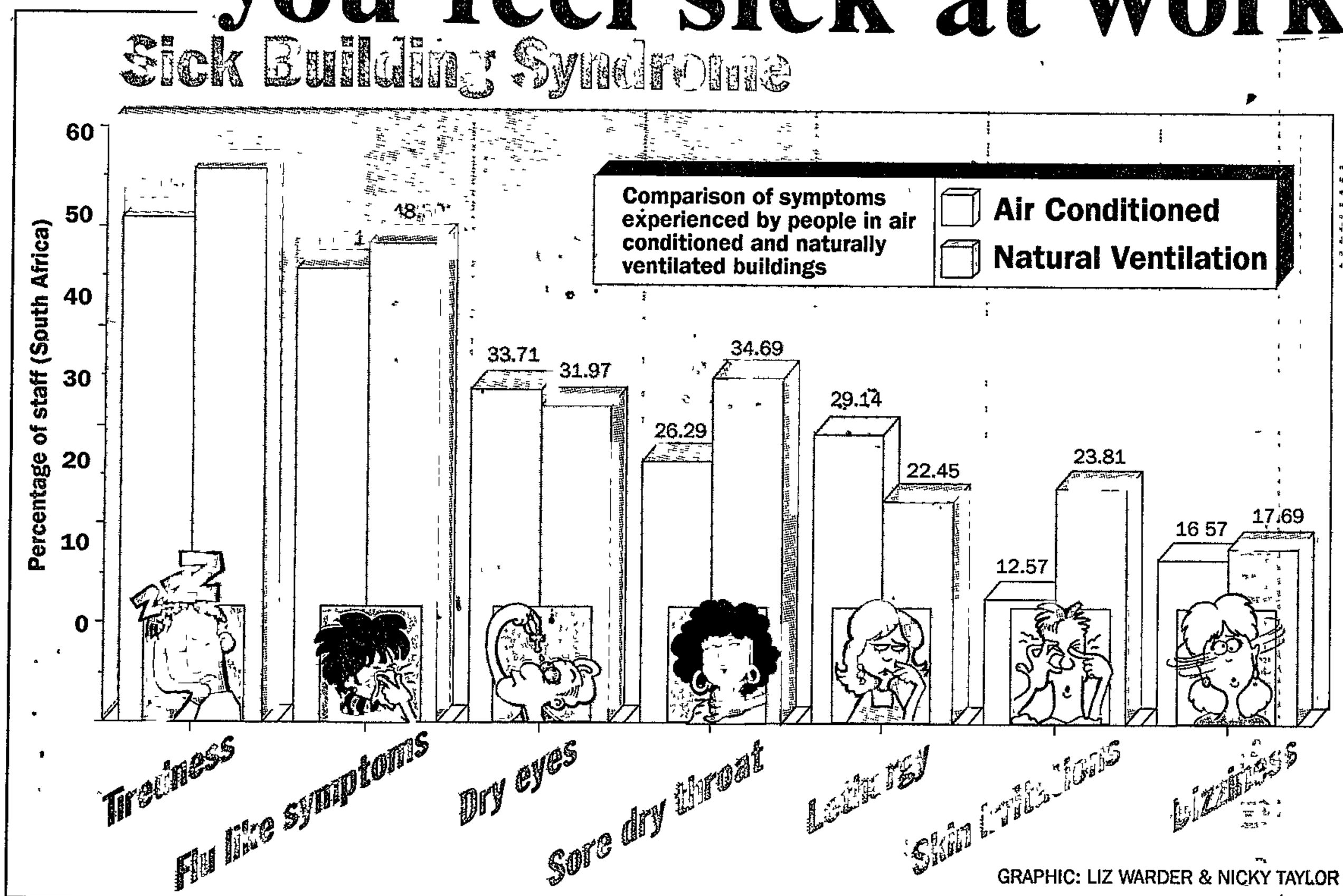
The World Health Organisation has recommended that non-smoking should be the norm in enclosed areas frequented by the public or employees.

"The goal of a policy should be to provide a healthy and efficient enviroment for all employees. Medical research suggesting the dangers of passive smoking has given impetus to the debate."

The IPM has pointed out that it is not a legal requirement at present for an employer to have a smoking policy, but the implementation of a policy would assist employers in complying with various legal obligations.

The culprits that make you feel sick at work

OFFICE BLUES
Air-conditioning has had a bad press lately. But research shows naturally ventilated buildings may be more to blame for "sick building syndrome". **MPINE QAKISA** reports.



TOMORROW
The lowdown on high air fares

STAR 8/2/93.

(131)

IT'S BEEN a hard day's work. Your head is spinning, your heart is pounding. You're convinced it's from the foul air in your office building

South African research shows that naturally ventilated buildings with windows are more to blame for the controversial "sick building syndrome" than oft-targeted air-conditioned buildings with sealed windows

This view is supported by Dr Yasmin von Schirnding, Johannesburg City Council's environmental health director.

Sick building syndome was mostly caused by indoor air pollutants, she said.

Conditions such as cold, excess heat, draughts, humidity, lighting, noise, vibration, radiation, odour and tobacco smoke were considered when a building was assessed, she said.

A building is said to be sick if more than 20 percent of occupants experience the same symptoms, including headaches, fatigue and eye, nose and throat irritations which improve when they leave the building.

To establish the prevalence of sick building syndrome in Johannesburg, the city health department conducted a survey of air-conditioned and naturally ventilated buildings.

Of 1 000 people surveyed by the council, three-quarters of non-smokers were bothered by smoke in the workplace and 73 percent of non-smokers felt that smoking should be restricted

In addition to tobacco smoke, she said, inadequate ventilation was a big culprit in both naturally ventilated buildings and air-conditioned buildings

She said 51 percent complained of poor ventilation in naturally ventilated buildings, caused by poor maintenance standards

Most people who worked in naturally ventilated buildings were from lower socio-economic groups, a range of other factors could have influenced the symptoms of which they complained

It was also found that buildings used by the public sector had a higher prevalence of "sick building syndrome" than those used by the private sector.

Environmental experts have found that when inside air is not replaced it is reused and becomes contaminated.

WHILE office pollutants were a problem, Von Schirnding said, we should not forget our homes Domestic pollutants were likely to be more of a major threat to people's health than the stuffy air in the office.

Coal and paraffin fumes spewed out deadly chemicals, she said.

Old and dilapidated buildings with lead paint also suffered from sick building syndrome. When old paint peeled off it became contaminated with dust and this could also be a major health hazard.

Virtually all sick building problems were curable once diagnosed. Ventilation rates could be increased, ductwork cleaned, germs controlled and filtration systems upgraded

Eliminating air quality problems could reduce worker absenteeism and increase productivity, she added.

SOME THINGS THAT MAY MAKE BUILDINGS ILL

- Synthetic products and plastics emit dangerous fumes and vapours that pollute the air.
- Activities such as copying and duplicating add to air pollution.
- Inadequate ventilation — insufficient outside air is distributed to the occupants of a building.
- Poor filtration from air that is not cleaned and purified by filters in air-conditioned buildings.
- Contamination of the ventilation system is caused by accumulation of bacteria and moulds which thrive on dirt, darkness and dampness of the ventilation system.
- Tobacco smoke in the work place is said to be a major culprit.
- New furnishings give off toxic chemicals.
- Coal burning and paraffin fuels.
- Asbestos can be a problem, but if in good condition, asbestos does not present a health hazard.
- Dilapidated buildings with peeling lead paint.

Blast: Man dies

Staff Reporter

CONTRACT worker Mr Fundisile Jim, who sustained serious burns in an electrical explosion at the Caltex Oil Refinery at Milnerton on Tuesday, died in hospital yesterday.

The refinery was shut down for about two hours after the explosion CT 4/2/93

Caltex spokesman Mr Terry O'Donovan said the explosion occured while Mr Jim was digging a trench to lay electrical cables near a substation (131)

Mr O'Donovan said the exact cause of the accident is not yet known

Worker dies of power burns

A worker has died in hospital after being seriously burnt by the flash of an electrical short circuit at the Caltex refinery in Milnerton, Cape Town The short circuit happened on Tuesday while the employee was working in a ditch near underground power cables

OCCUPATIONAL SAFETY

FM 26/2/93

In suspension

(131)

Keith Anderson, MD of the National Occupational Safety Association (Nosa), which is partly funded by the private sector, has been suspended after an investigation into the financial affairs of the organisation Anderson was informed of his suspension on Monday morning, in a letter delivered to him by Nosa chairman Ryno Kriel after a special meeting of the board last Saturday

The investigation into Nosa's financial affairs came after the *FM* disclosed staff grievances and allegations of mismanagement (*Current Affairs* January 29, February 5 and 19) Following this, Workmen's Compensation Commissioner Louis van Assen asked the Nosa board to discuss the matter

→ contin-D

After the board convened at Nosa's Pretoria headquarters, auditors KPMG Aiken & Peat were appointed to conduct an in-depth investigation

Kriel confirmed Anderson's suspension to the *FM* on Monday "This is with immediate effect pending a hearing," he said Anderson cleared his office immediately after his meeting with Kriel

In an internal memo to the staff, Kriel noted that "it is with regret that I must inform you of the immediate suspension of Keith Anderson As this matter is a Nosa internal affair, it would be appreciated if you would keep this issue within Nosa so as to avoid damage to our image"

Former Aiken & Peat partner John Bone, now a management consultant, has been asked by the Nosa board to head the management team until the outcome of the hearing Bone told the *FM* that his first priority would be to get the Nosa staff settled again

During the last parliamentary session, an amount of R6,5m earmarked for Nosa was tabled Nosa derives its subsidy from the commissioner's Accident Fund which is partly funded by premiums from the private sector

Though Anderson also serves on the Nosa board, he was asked not to attend Saturday's meeting Commissioner Van Assen, who reports to the Manpower director-general, was also present At the meeting, auditor Chris Stephen informed board members of his initial findings

Among the issues investigated by the auditors are.

- ☐ A R75 000 overseas trip by Anderson — billed to Nosa — which the board had been under the impression would be sponsored by Rennies Travel,
- ☐ A free "frequent flyer" Johannesburg/Cape Town return air ticket which Anderson had sold to Nosa,
- ☐ A R48 000 extra payment to management consultant Sydney Shipham, who, at the same time, had been on a R12 000 a month retainer with Nosa; and
- ☐ A R13 000 consultancy fee paid to Shipham's Carpe Diem company after Nosa had purchased computer software programs

Nosa sources say that Shipham's position with Nosa will be cleared up during the week Another matter to be dealt by Kriel this week is the publication of Nosa's annual report for which the deadline is March 2 At this stage, it is uncertain whether it will contain a message from Anderson *Eddie Botha*

NOTICE 266 OF 1993

DEPARTMENT OF MANPOWER

LABOUR RELATIONS ACT, 1956

It is hereby notified for general information in terms of section 17 (8) of the Labour Relations Act, 1956 (Act No 28 of 1956), that the Acting President of the Industrial Court, duly authorised thereto by the Minister of Manpower, has appointed Adv J F A Nel to the Industrial Court to be an additional member for the purpose of performing such functions of the Court as the President may from time to time direct

(2 April 1993)

KENNISGEWING 266 VAN 1993

DEPARTEMENT VAN MANNEKRAG

WET OP ARBEIDSVERHOUDINGE, 1956

Hierby word ingevolge artikel 17 (8) van die Wet op Arbeidsverhoudinge, 1956 (Wet No 28 van 1956), vir algemene inligting bekendgemaak dat die Waarnemende President van die Nywerheidshof, behoorlik daartoe gemagtig deur die Minister van Mannekrag, adv J F. A. Nel as bykomende lid van die Nywerheidshof aangestel het met die doel om sodanige werksaamhede van die Hof te verrig as wat die President van tyd tot tyd gelas.

(2 April 1993)

NOTICE 267 OF 1993

The Department of Finance announces hereby that transfer documents for registration in respect of the undermentioned Republic of South Africa Internal Registered Stock must be lodged with the office of this Department at 301 Abattoir House, 50 Hamilton Street, Arcadia, Pretoria, **not later than 14 April 1993** to qualify for the interest payment on 15 May 1993

The registration of transfer documents thus handed in will be finalised on 23 April 1993 whereafter the registers will be closed until the date of the interest payment.

Internal Registered Stock, 8,50 Per Cent, 1996 (R038).
Internal Registered Stock, 9,25 Per Cent, 1999 (R050).
Internal Registered Stock, 9,75 Per Cent, 1994 (R047).
Internal Registered Stock, 9,75 Per Cent, 1999 (R049).
Internal Registered Stock, 10,75 Per Cent, 1999 (R070).
Internal Registered Stock, 11,00 Per Cent, 1997 (R064).
Internal Registered Stock, 14,00 Per Cent, 1993 (R117).

(2 April 1993)

KENNISGEWING 267 VAN 1993

Die Departement van Finansies maak hiermee bekend dat oordragdokumente vir registrasie ten opsigte van die ondergemelde Republiek van Suid-Afrika Binnelandse Geregistreerde Effeke **nie later nie as 14 April 1993** by die Departement se kantoor te Abattoirhuis 301, Hamiltonstraat 50, Arcadia, Pretoria, ingelewer moet word ten einde vir die rentebetaling op 15 Mei 1993 te kwalifiseer

Die registrasie van oordragdokumente aldus ingehandig sal op 23 April 1993 gefinaliseer word waarna die registers tot die dag van rentebetaling gesluit sal wees.

Binnelandse Geregistreerde Effekte, 8,50 Persent, 1996 (R038).
Binnelandse Geregistreerde Effekte, 9,25 Persent, 1999 (R050).
Binnelandse Geregistreerde Effekte, 9,75 Persent, 1994 (R047)
Binnelandse Geregistreerde Effekte, 9,75 Persent, 1999 (R049)
Binnelandse Geregistreerde Effekte, 10,75 Persent, 1999 (R070).
Binnelandse Geregistreerde Effekte, 11,00 Persent, 1997 (R064).
Binnelandse Geregistreerde Effekte, 14,00 Persent, 1993 (R117).

(2 April 1993)

NOTICE 270 OF 1993

DEPARTMENT OF MANPOWER

MACHINERY AND OCCUPATIONAL SAFETY ACT, 1983 (ACT No 6 OF 1983) 131

DRAFT REGULATIONS FOR HAZARDOUS CHEMICAL SUBSTANCES

Under section 35 of the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983), and on the recommendation of the Advisory Council for Occupational Safety, the Minister of Manpower hereby publishes the Draft Regulations for Hazardous Chemical Substances, 1993, as set out in the Schedule. Any comments or representations on these draft regulations should be lodged in writing with the Director-General· Manpower, Private Bag X117, Pretoria, 0001, within **120 days** from the date of publication of this notice

KENNISGEWING 270 VAN 1993

DEPARTEMENT VAN MANNEKRAG

WET OP MASJINERIE EN BEROEPSVEILIGHEID, 1983 (WET No 6 VAN 1983)

KONSEPREGULASIES VIR GEVAARLIKE CHEMIESE SUBSTANSE

Kragtens artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No 6 van 1983), en op aanbeveling van die Adviesraad vir Beroepsveiligheid, publiseer die Minister van Mannekrag hiermee die Konsepregulasies vir Gevaarlike Chemiese Substanse, 1993, soos in die Bylae uiteengesit. Enige kommentaar of aanbevelings met betrekking tot hierdie konsepregulasies moet binne **120 dae** vanaf die datum van publikasie van hierdie kennisgewing, skriftelik by die Direkteur-generaal Mannekrag, Privaatsak X117, Pretoria, 0001, ingedien word

SCHEDULE

DRAFT REGULATIONS FOR HAZARDOUS CHEMICAL SUBSTANCES

Definitions

(131)

1. In these Regulations "the Act" means the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983), and any expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context indicates otherwise—

"action level" means a time-weighted average concentration of a substance in the workplace air that is distinctly below the occupational exposure limit for that substance, and at or above which level certain prescribed preventive measures must be taken;

"action level for a HCS" means one half of the value of the OEL-TWA for that HCS;

"air monitoring" means the monitoring of the concentration of air-borne hazardous chemical substances;

"approved inspection authority" means an inspection authority approved by the chief inspector for—

(a) the monitoring of the concentration of hazardous chemical substances in air;

(b) the analysis of specimens collected from persons exposed to hazardous chemical substances; or

(c) the examination and testing of engineering control measures;

"Asbestos Regulations" means the Asbestos Regulations published under Government Notice No. R.773 of 10 April 1987 in terms of section 35 of the Act;

"BEI" or **"biological exposure index"** is a reference value intended as a guideline for the evaluation of potential health hazards as listed from time to time by the chief inspector in the *Government Gazette*;

"biological monitoring" means the assessment of the overall exposure to hazardous substances in the workplace through measurement of the appropriate determinants in biological specimens collected from the exposed person,

"engineering controls" means controls that isolate or remove the hazard from the workplace by means of engineering methods;

"Facilities Regulations" means the Facilities Regulations published under Government Notice No. R. 2326 of 5 October 1990 in terms of section 35 of the Act;

"General Administrative Regulations" means the General Administrative Regulations published under Government Notice No R 2206 of 5 October 1984 in terms of section 35 of the Act;

BYLAE

KONSEPREGULASIES VIR GEVAARLIKE CHEMIESE SUBSTANSE

Woordomskrywings

1. In hierdie Regulasies beteken "die Wet" die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No. 6 van 1983), en het enige uitdrukking waaraan in die Wet 'n betekenis geheg is, die betekenis aldus daaraan geheg en, tensy uit die samehang anders blyk, beteken—

"aksieviak" 'n tydbeswaarde gemiddelde konsentrasie van 'n substans in die lug van die werkplek wat duidelik onder die beroepsblootstellingsdrempel vir daardie substans is en waarby of waarbo sekere voorgeskrewe voorkomingsmaatreëls nagekom moet word;

"aksieviak vir 'n GCS" een helfte van die waarde van die BBd-TBg vir daardie GCS;

"Algemene Administratiewe Regulasies" die Algemene Administratiewe Regulasies gepubliseer kragtens Goewermentskennisgewing No. R. 2206 van 5 Oktober 1984 ingevolge artikel 35 van die Wet;

"Asbesregulasies" die Asbesregulasies gepubliseer kragtens Goewermentskennisgewing No. R. 773 van 10 April 1987 ingevolge artikel 35 van die Wet;

"asemhalingsbeskermingstoerusting" 'n apparaat wat minstens oor die mond en neus gedra word om die inaseming van gekontamineerde lug te verhoed en wat van 'n tipe is of voldoen aan 'n standaard wat deur die hoofinspekteur goedgekeur is;

"BBd" of **"beroepsblootstellingsdrempel"** 'n drempelwaarde wat deur die hoofinspekteur gestel vir 'n stresfaktor in die werkplek soos van tyd tot tyd deur die hoofinspekteur in die *Staatskoerant* gelys;

"BBd-C" of **"beroepsblootstellingsdrempel-plafonwaarde"** die maksimum beroepsblootstellingsdrempel vir GCS wat op geen tydstip oorskry mag word nie;

"BBd-TBg" of **"beroepsblootstellingsdrempel tydbeswaarde gemiddelde waarde"** die maksimum tydbeswaarde gemiddelde konsentrasie van 'n GCS waaraan 'n persoon blootgestel mag word vir 'n normale 8-uur werksdag en 'n 40-uur-werksweek;

"BBI" of **"biologiese blootstellingsindeks"** 'n verwysingswaarde bedoel as 'n riglyn vir die evaluering van potensiële gesondheidsgevare stowwe soos van tyd tot tyd deur die hoofinspekteur in die *Staatskoerant* gelys;

"behoorlik gebruik" gebruik met redelike versigtigheid en met in agneming van enige inligting of raad wat deur die ontwerper, vervaardiger, invoerder, verkoper of verskaffer, na gelang van die geval, beskikbaar gestel is;

"beroepsgeneeskundige praktisyn" 'n geregistreerde mediese praktisyn wat beskik oor 'n kwalifikasie in beroepsgeneeskunde of 'n gelykstaande kwalifikasie wat deur die Suid-Afrikaanse Mediese en Tandheelkundige Raad erken word,

"HCS" or **"hazardous chemical substance"** means any toxic, harmful, corrosive or irritant substance, which is—

(a) a substance for which an occupational exposure limit is prescribed;

(b) a substance for which an occupational exposure limit is not prescribed, but which creates a hazard to health; or

(c) a mixture of such substances;

"intake" includes inhalation, ingestion or otherwise absorbed through the skin or mucous membranes;

"Lead Regulations" means the Lead Regulations published under Government Notice No. R. 586 of 22 March 1991 in terms of section 35 of the Act;

"medical surveillance" means regular health evaluations by an occupational health practitioner which may include physical examinations and biological tests;

"monitoring" means the planning, carrying out and recording of the results of a measurement programme;

"OEL" or "occupational exposure limit" means a limit value set by the chief inspector for a stress factor in the workplace as listed from time to time by the chief inspector in the *Government Gazette;*

"OEL-C" or **"occupational exposure limit-ceiling-limit value"** means the maximum occupational exposure limit for HCS which shall not be exceeded at any time;

"occupational health practitioner" means an occupational medicine practitioner or a person who holds a qualification in occupational health recognised by the South African Medical and Dental Council, or the South African Nursing Council;

"occupational medicine practitioner" means a registered medical practitioner who holds a qualification in occupational medicine or equivalent recognised by the South African Medical and Dental Council,

"properly used" means used with reasonable care and with due regard to any information or advice made available by the designer, manufacturer, importer, seller or supplier, as the case may be;

"reasonably practicable" means also having regard, *inter alia,* to considerations of risk, feasibility, time, effort, cost and surrounding circumstances and conditions;

"regional director" means the regional director as defined in regulation 1 of the General Administrative Regulations;

"respiratory protective equipment" means a device which is worn over at least the mouth and nose to prevent the inhalation of contaminated air and which is of a type, or conforms to a standard approved by the chief inspector;

"respirator zone" means an area where the concentration of an airborne hazardous chemical substance exceeds the occupational exposure limit for that substance;

"SABS 072" means the South African Bureau of Standards Code of Practice for Safe Handling of Pesticides, SABS 072,

"SABS 0228" means the South African Bureau of Standards Code of Practice for the Identification and Classification of Dangerous Substances and Goods, SABS 0228,

"beroepsgesondheidspraktisyn" 'n beroepsgeneeskundige praktisyn of 'n persoon wat beskik oor 'n kwalifikasie in beroepsgesondheid wat deur die Suid-Afrikaanse Mediese en Tandheelkundige Raad of die Suid-Afrikaanse Verpleegstersraad erken word;

"biologiese monitering" die beraming van die algehele blootstelling aan gevaarlike substanse in die werkplek deur meting van die toepaslike determinante in biologiese monsters wat van die blootgestelde persoon versamel is;

"Fasiliteitsregulasies" die Fasiliteitsregulasies gepubliseer kragtens Goewermentskennisgewing No. R 2326 van 5 Oktober 1990 ingevolge artikel 35 van die Wet;

"GCS" of **"gevaarlike chemiese substans"** enige toksiese, skadelike, verwerende of irriterende substans, wat—

(a) 'n substans is waarvoor 'n beroepsblootstellingsdrempel voorgeskryf is;

(b) 'n substans is waarvoor 'n beroepsblootstellingsdrempel nie voorgeskryf is nie, maar wat 'n gevaar vir gesondheid skep; of

(c) 'n mengsel van sodanige substanse;

"goedgekeurde inspeksie-owerheid" 'n inspeksieowerheid deur die hoofinspekteur goedgekeur vir—

(a) die monitering van die konsentrasie gevaarlike chemiese substanse in die lug;

(b) die ontleding van monsters versamel van persone wat aan gevaarlike chemiese substanse blootgestel is; of

(c) die ondersoek en toetsing van ingenieursbeheermaatreels;

"ingenieursbeheermaatreëls" beheermaatreëls wat die gevaar van die werkplek isoleer of verwyder deur middel van ingenieursmetodes;

"inname" ook inaseming, ingestie of andersins geabsorbeer deur die vel of slymvliese;

"Loodregulasies" die Loodregulasies gepubliseer kragtens Goewermentskennisgewing No. R 586 van 22 Maart 1991 ingevolge artikel 35 van die Wet;

"lugmonitering" die monitering van die konsentrasie luggedraagde gevaarlike chemiese substanse;

"mediese surveillance" gereelde gesondheidsevaluasies deur 'n beroepsgesondheidspraktisyn wat fisiese ondersoeke en biologiese toetse mag insluit;

"monitering" die beplanning, uitvoering en rekordhouding van die resultate van 'n metingsprogram,

"redelikerwys prakties uitvoerbaar" ook met betrekking tot onder andere oorwegings van risiko, haalbaarheid, tyd, inspanning, koste en omliggende omstandighede en toestande,

"respiratorsone" 'n gebied waar die konsentrasie van 'n luggedraagde gevaarlike chemiese substans die beroepsblootstellingsdrempel vir daardie gebied oorskry,

"SABS 072" die Suid-Afrikaanse Buro vir Standaarde se Gebruikskode vir die Veilige Hantering van Plaagdoders, SABS 072,

"SABS 0228" die Suid-Afrikaanse Buro vir Standaarde se Gebruikskode vir die Identifisering en Klassifisering van Gevaarlike Substanse en Goedere, SABS 0228,

"SABS 0229" means the South African Bureau of Standards Code of Practice for Packaging of Dangerous Goods for Road and Rail Transportation in South Africa, SABS 0229;

"safety standard" means the safety standards which have been incorporated into these regulations in terms of section 36 of the Act;

131 **"substance"** includes any solid, liquid, gas or combination thereof;

"OEL-TWA" or **"occupational exposure-limit time-weighted average value"** means the maximum time-weighted concentration of a HCS to which a person may be exposed for a normal 8-hour workday and a 40-hour workweek.

Scope of application

2. (1) Subject to the provisions of subregulation (2), these regulations shall apply to every employer and self-employed person who carries out work which is liable to expose any person to the intake of a hazardous chemical substance at the workplace.

(2) The provisions of regulations 3 (1), 6 and 7 shall not apply to—

(i) a self-employed person; and

(ii) a person who is not an employee.

(3) Where the Lead Regulations and Asbestos Regulations are applicable, the provisions of these regulations shall not apply.

Education and training

3. (1) Every employer contemplated in regulation 2 shall ensure that every employee exposed to a HCS is adequately and comprehensively informed and trained at the commencement of his employment and periodically thereafter at regular intervals, or at intervals as may be recommended by the safety committee, with regard to—

(a) the contents of these regulations;

(b) the potential sources of hazardous chemical substances in the workplace;

(c) the potential risks to health created by exposure to HCS;

(d) the precautions to be taken by an employee to protect himself against the health risks associated with such exposure, including the wearing and use of protective clothing and respiratory protective equipment;

(e) the correct use, maintenance and limitations of use of safety equipment and facilities provided;

(f) the need for personal air sampling, biological monitoring and medical surveillance, and

(g) the importance of good housekeeping and personal hygiene.

(2) Every employer and every self-employed person shall ensure that he himself and any person who in any manner assist him in the carrying out or the conducting of his business has the necessary information, instruction and training sufficient for him to know the potential risks and the precautions which should be taken

"SABS 0229" die Suid-Afrikaanse Buro vir Standaarde se Gebruikskode vir die Verpakking van Gevaarlike Goedere vir Pad- en Spoorvervoer in Suid-Afrika, SABS 0229;

"Streekdirekteur" die streekdirekteur soos omskryf in regulasie 1 van die Algemene Administratiewe Regulasies;

"substans" enige vaste stof, vloeistof, gas of kombinasie daarvan;

"veiligheidstandaard" die veiligheidstandaarde ingevolge artikel 36 van die Wet by hierdie regulasies ingelyf.

Toepassingsbestek

2. (1) Behoudens die bepalings van subregulasie (2) sal hierdie regulasies van toepassing wees op elke werkgewer en persoon in eie diens wat werk verrig of wat enige persoon moontlik kan blootstel aan 'n gevaarlike chemiese substans by die werkplek.

(2) Die bepalings van regulasies 3 (1), 6 en 7 sal nie van toepassing wees nie op—

(i) 'n persoon in eie diens, en

(ii) 'n persoon wat nie 'n werknemer is nie.

(3) Waar die Loodregulasies en Asbesregulasies van toepassing is, sal die bepalings van hierdie regulasies nie van toepassing wees nie.

Onderwys en opleiding

3. (1) Elke werkgewer bedoel in regulasie 2 moet verseker dat elke werknemer wat blootgestel is aan 'n GCS voldoende en omvattend ingelig en opgelei is by die aanvang van sy indiensneming en periodiek daarna met gereelde tussenposes of met tussenposes soos aanbeveel mag word deur die veiligheidskomitee, ten opsigte van—

(a) die inhoud van hierdie regulasies;

(b) die potensiële bronne van gevaarlike chemiese substanse in die werkplek;

(c) die potensiele gesondheidsrisiko's veroorsaak deur blootstelling aan GCS;

(d) die voorsorgmaatreels wat getref moet word deur 'n werknemer om homself te beskerm teen die gesondheidsrisiko's wat met sodanige blootstelling geassosieer word, met inbegrip van die dra en gebruik van beskermende klerasie en asemhalingsbeskermingstoerusting;

(e) die korrekte gebruik, instandhouding en beperkings van die gebruik van veiligheidstoerusting en fasiliteite wat voorsien is,

(f) die behoefte aan persoonlike lugmonsterneming, biologiese monitering en mediese surveillance, en

(g) die belangrikheid van goeie huishouding en persoonlike higiene

(2) Elke werkgewer en elke persoon in eie diens moet verseker dat hy homself en enige persoon wat hom op enige wyse bystaan in die uitvoering of onderneming van sy besigheid die nodige inligting, instruksie en opleiding het wat vir hom voldoende is om die potensiele risiko's te ken en te weet watter voorsorgmaatreels getref moet word

Duties of persons who may be exposed to hazardous chemical substances

4. Every person who may be exposed to a HCS shall abide by any instruction given by or on behalf of the employer or self-employed person regarding—

(a) the prevention of a HCS from being released into the environment;

(131)

(b) the wearing of personal protective equipment and clothing as prescribed by these or any other regulations;

(c) the wearing of personal air samplers, when necessary, to measure personal exposure,

(d) the reporting during normal working hours for such health evaluations and biological tests as may be required by the regulations;

(e) the necessity to allow biological specimens to be taken;

(f) the notification of pregnancy or possible pregnancy,

(g) the disposal of waste materials containing HCS and the cleaning of any site contaminated by a HCS; and

(h) the adherence to instructions regarding housekeeping, personal hygiene, environmental and health practices.

Assessment of potential exposure

5. (1) Every employer or self-employed person contemplated in regulation 2 shall cause an immediate assessment of the potential exposure to a HCS to be made in his workplace and thereafter at intervals not exceeding two years to determine if any person is liable to be exposed to a HCS by any route of intake.

(2) The employer shall inform the safety representatives and safety committees in writing of the arrangements made for the assessment, and ensure that the results of such assessment are made available to the safety representatives and safety committees who may comment thereon.

(3) When making the assessment, the employer or self-employed person shall keep a record of the assessment and take into account such matters as—

(a) the HCS to which persons are likely to be exposed;

(b) what effects these substances can have,

(c) where the substances are likely to be present and in what physical form they are likely to be;

(d) the routes of intake and extent to which any person could be exposed, taking into account the nature of the work and process and any reasonably foreseeable deterioration in, or failure of, any control measures provided.

(4) If the assessment made in accordance with subregulation (3) indicates that any employee is likely to be exposed to a HCS, the employer shall ensure that monitoring is carried out in accordance with the provisions of regulations 6 and 7

Pligte van persone wat aan gevaarlike chemiese substanse blootgestel kan word

4. Elke persoon wat aan 'n GCS blootgestel kan word, moet hou by enige instruksie wat deur of namens die werkgewer of persoon in eie diens gegee word betreffende—

(a) die voorkoming van die vrystelling van 'n GCS in die omgewing;

(b) die dra van persoonlike beskermingstoerusting en klerasie soos voorgeskryf deur hierdie of enige ander regulasies,

(c) die dra van persoonlike lugmonsternemers, wanneer nodig, om persoonlike blootstelling te meet,

(d) die aanmelding gedurende normale werkure vir sodanige gesondheidsevaluasies en biologiese toetse soos wat deur die regulasies vereis mag word,

(e) die noodsaaklikheid om biologiese monsters te laat neem,

(f) die aanmelding van swangerskap of moontlike swangerskap;

(g) die wegdoening van GCS- bevattende afvalmateriaal en die skoonmaak van enige terrein wat met 'n GCS gekontamineer is; en

(h) die navolging van instruksies rakende huishouding, persoonlike higiene, omgewings- en gesondheidspraktyke

Beraming van potensiële blootstelling

5. (1) Elke werkgewer of persoon in eie diens in regulasie 2 bedoel moet toesien dat 'n onmiddellike beraming gemaak word van die potensiële blootstelling aan 'n GCS in sy werkplek en daarna met tussenposes wat nie twee jaar oorskry nie om vas te stel of enige persoon moontlik deur enige roete van inname aan 'n GCS blootgestel kan word.

(2) Die werkgewer moet die veiligheidsverteenwoordigers en veiligheidskomitees skriftelik in kennis stel van die reelings wat vir die beraming getref word en verseker dat die resultate van sodanige beraming beskikbaar gestel word aan die veiligheidsverteenwoordigers en veiligheidskomitees wat daarop mag kommentaar lewer

(3) Wanneer die beraming gedoen word, moet die werkgewer of persoon in eie diens rekord hou van die beraming en rekening hou van sulke sake soos—

(a) die GCS waaraan persone moontlik blootgestel kan word;

(b) watter effek hierdie substanse tot gevolg kan hê;

(c) waar die substanse moontlik teenwoordig kan wees en in watter fisiese vorm; en

(d) die inname-roetes en mate waarin enige persoon blootgestel kan word, met inagneming van die aard van die werk en proses en enige redelik voorsienbare agteruitgang in, of mislukking van, enige beheermaatreels wat voorsien is

(4) Indien die beraming wat in ooreenstemming met subregulasie (3) gedoen is, toon dat enige werknemer moontlik blootgestel kan word aan 'n GCS moet die werkgewer verseker dat die monitering in ooreenstemming met die bepalings van regulasies 6 en 7 uitgevoer word

(5) Where a change is made in a process involving a HCS or in the methods and procedures in the use, handling or processing of such HCS, the employer shall cause a further assessment to be made forthwith, and the provisions of subregulations (2) and (3) shall apply.

Air monitoring (131)

6. (1) Every employer shall take steps to ensure that the measurement of concentrations of airborne HCS to which employees have been exposed, is—

(a) carried out in accordance with the provisions of these regulations;

(b) carried out only after the appropriate safety representative or safety committee has been informed of and commented on the measurement programme,

(c) carried out by an approved inspection authority or by a person whose ability to do such measurements can be verified by an approved inspection authority;

(d) carried out in accordance with an acceptable safety standard;

(e) representative of the exposure of employees to airborne HCS in accordance with the provisions of subregulation (2); and

(f) verified in accordance with the provisions of subregulation (4) where such measurements are carried out by a person who is not an approved inspection authority

(2) In order to comply with the provisions of subregulation (1) (e), the employer shall institute a measurement programme in accordance with the following procedure.

(a) The total number of potentially exposed employees shall be divided into groups doing identical or similar tasks in the same workplace;

(b) groups performing similar tasks in different buildings or rooms, or working on different shifts, shall be dealt with separately,

(c) group exposure shall be determined by personal sampling;

(d) the average exposure of at least 10 per cent of the employees per group shall be regarded as representative for that group,

(e) the employees whose exposures are to be determined, shall be selected at random, and

(f) representative measurements shall be carried out at least once a month during each shift: Provided that the frequency of these measurements may be decreased where the average monthly measurement for a particular group over three consecutive months is less than or equal to the OEL-TWA, but more than the action level for a HCS, in which case such measurements may then be carried out in accordance with a strategic sampling procedure at least once every six months: Provided further that, whenever a substantial change in the operating procedure is affected at that workplace or the average measurement for a particular group exceeds the occupational exposure limit for a HCS, monthly measurements for that group shall be resumed and the provisions of paragraph (f) shall again apply

(5) Waar 'n verandering gedoen word in 'n proses waarby 'n GCS betrokke is of in die metodes en prosedures in die gebruik, hantering of prosessering van sodanige GCS, moet die werkgewer toesien dat 'n verdere beraming dadelik gedoen word en die bepalings van subregulasies (2) en (3) sal van toepassing wees.

Lugmonitering

6. (1) Elke werkgewer moet stappe doen om te verseker dat die meting van konsentrasies luggedraagde GCS waaraan werknemers blootgestel is—

(a) uitgevoer word in ooreenstemming met die bepalings van hierdie regulasies;

(b) uitgevoer word slegs na die toepaslike veiligheidsverteenwoordiger of veiligheidskomitee ingelig is van en kommentaar gelewer het op die metingsprogram,

(c) uitgevoer word deur 'n goedgekeurde inspeksie-owerheid of deur 'n persoon wie se vermoe om sodanige metings te doen, geverifieer kan word deur 'n goedgekeurde inspeksie-owerheid;

(d) uitgevoer word ooreenkomstig 'n aanvaarbare veiligheidstandaard;

(e) verteenwoordigend is van die blootstelling van werknemers aan luggedraagde GCS ooreenkomstig die bepalings van subregulasie (2); en

(f) geverifieer is ooreenkomstig die bepalings van subregulasie (4) waar sodanige metings uitgevoer word deur 'n persoon wat nie 'n goedgekeurde inspeksie-owerheid is nie.

(2) Ten einde aan die bepalings van subregulasie (1) (e) te voldoen, moet die werkgewer 'n metingsprogram ooreenkomstig die volgende prosedure instel·

(a) Die totale aantal potensieel blootgestelde werknemers moet verdeel word in groepe wat identiese of soortgelyke take in dieselfde werkplek doen,

(b) groepe wat soortgelyke take in verskillende geboue of kamers verrig of wat op veskillende skofte werk, sal afsonderlik behandel word;

(c) groepsblootstelling moet deur persoonlike monsterneming vasgestel word;

(d) die gemiddelde blootstelling van minstens 10 persent van die werknemers per groep moet as verteenwoordigend van daardie groep beskou word,

(e) die werknemers van wie blootstellings vasgestel moet word, sal lukraak geselekteer word; en

(f) verteenwoordigende metings, minstens een keer per maand gedurende elke skof uitgevoer word: Met dien verstande dat die frekwensie van hierdie metings verminder mag word waar die gemiddelde maandelikse meting vir 'n bepaalde groep oor drie opeenvolgende maande minder is as of gelyk aan die BBd-TBg, maar meer is as die aksievlak vir 'n GCS, in welke geval sodanige metings dan minstens een keer elke ses maande ooreenkomstig 'n strategiese metingsprosedure uitgevoer word. Met dien verstande verder dat wanneer ookal 'n substansiele verandering in die werkprosedure by daardie werkplek teweeggebring word of die gemiddelde meting vir 'n bepaalde groep die beroepsblootstellingsdrempel vir 'n GCS oorskry, maandelikse metings vir daardie groep hervat sal word en die bepalings van paragraaf (f) sal weer van toepassing wees.

(3) In order to comply with the provisions of subregulation (1) (f), the employer shall obtain the service of an approved inspection authority who shall, at intervals not exceeding 12 months—

(a) verify, by examining the measurement and analysis equipment of the employer and questioning the person referred to in subregulation (1) (c), whether the measurement programme of the employer complies with the provisions of this regulation;

(b) carry out the measurements prescribed by subregulations (1) and (2) for any one group, and

(c) enter the results of the investigation and measurements referred to in paragraphs (a) and (b) respectively in the record required by regulation 9.

(131)

Medical surveillance and biological monitoring

7. (1) Every employer shall ensure that every employee is under medical surveillance if—

(a) the employee is employed in a respirator zone; or

(b) the occupational health practitioner certifies that the employee should be under medical surveillance.

(2) In order to comply with the provisions of subregulation (1) the employer shall ensure that—

(a) an initial health evaluation is carried out immediately before or within 14 days after a person commences employment, which comprises—

(i) an evaluation of the employee's medical and occupational history;

(ii) a physical examination; and

(iii) a special examination at the discretion of the occupational health practitioner.

(b) subsequent to the initial health evaluation and at intervals not exceeding 2 years, or at intervals specified by the occupational medicine practitioner, the employees referred to in subregulation 7 (1) undergo examinations as contemplated in subregulation (2) (a) (ii) and (iii).

(3) The employer shall not permit an employee who has been certified unfit for work by an occupational medicine practitioner to work in an area in which he would be exposed to a HCS, unless he complies with the conditions specified in writing by the occupational medicine practitioner.

Respirator zone

8. Every employer shall take steps to ensure that—

(a) any workplace under his control, where the concentration of a HCS in the air is, or is likely to be, such that the exposure of employees working in that workplace exceeds the occupational exposure limit for that HCS, is zoned as a respirator zone;

(b) respirator zones are clearly demarcated and identified by notice indicating that the area is a respirator zone and that personal protective equipment must be worn, and

(c) no person enters or remains in a respirator zone unless he is wearing the required personal protective equipment

(3) Ten einde aan die bepalings van subregulasie (1) (f) te voldoen, moet die werkgewer die diens van 'n goedgekeurde inspeksie-owerheid verkry wat, met tussenposes wat nie 12 maande oorskry nie—

(a) deur die metings- en ontledingstoerusting van die werkgewer te ondersoek en deur die ondervraging van die persoon waarna in subregulasie (1) (c) verwys word, moet verifieer of die metingsprogram van die werkgewer voldoen aan die bepalings van hierdie regulasie;

(b) die metings voorgeskryf deur subregulasies (1) en (2) vir enige enkele groep moet uitvoer; en

(c) die uitslae van die ondersoek en metings waarna verwys word in paragrawe (a) en (b) onderskeidelik aanteken in die rekord wat deur regulasie 9 vereis word.

Mediese surveillance en biologiese monitering

7. (1) Elke werkgewer moet verseker dat elke werknemer onder mediese surveillance is indien—

(a) die werknemer in 'n respiratorsone in diens is, of

(b) die beroepsgesondheidspraktisyn sertifiseer dat die werknemer onder mediese surveillance moet wees.

(2) Ten einde te voldoen aan die bepalings van subregulasie (1) moet die werkgewer verseker dat—

(a) onmiddellik voor of binne 14 dae na 'n persoon se indiensneming 'n aanvanklike gesondheidsevaluasie uitgevoer word wat bestaan uit—

(i) 'n evaluasie van die werknemer se mediese en beroepsgeskiedenis;

(ii) 'n fisiese ondersoek; en

(iii) 'n spesiale ondersoek na goeddunke van die beroepsgesondheidspraktisyn;

(b) na die aanvanklike gesondheidsevaluasie en met tussenposes wat nie twee jaar oorskry nie of met tussenposes soos deur 'n beroepsgeneeskundige praktisyn gespesifiseer is, die werknemer bedoel in subregulasie 7 (1), ondersoeke ondergaan soos bedoel in subregulasie (2) (a) (ii) en (iii).

(3) Die werkgewer mag nie 'n werknemer wat deur 'n beroepsgeneeskundige praktisyn gesertifiseer is as ongeskik vir werk, toelaat om te werk in 'n gebied waar hy blootgestel sal word aan 'n GCS, tensy hy voldoen aan die voorwaardes wat skriftelik deur die beroepsgeneeskundige praktisyn gespesifiseer is

Respiratorsone

8. Elke werkgewer moet stappe doen om te verseker dat—

(a) enige werkplek onder sy beheer, waar die konsentrasie GCS in die lug sodanig is, of moontlik sal wees, dat die blootstelling van werknemers wat in daardie werkplek werk die beroepsblootstellingsdrempel vir daardie GCS oorskry, as 'n respiratorsone gesoneer is;

(b) respiratorsones duidelik afgebaken en geïdentifiseer is deur kennisgewing wat aandui dat die gebied 'n respiratorsone is en dat persoonlike beskermingstoerusting gedra moet word; en

(c) geen persoon die respiratorsone ingaan of daar bly nie tensy hy die vereiste persoonlike beskermingstoerusting dra

Records

9. (1) Every employer shall— (131)

(a) keep records of the results of all assessments, air monitoring, biological monitoring and medical surveillance reports required by regulations 5, 6 and 7, respectively,

(b) make such records available for inspection by an inspector, except that this shall not apply to personal medical records,

(c) allow a registered medical practitioner or the employee concerned, upon written request of the employee, to peruse the records with respect to that particular employee;

(d) make the records of all assessments and air monitoring available for perusal by the safety representatives or safety committees;

(e) keep all records of assessments and air monitoring for a minimum period of three years, and

(f) keep all biological monitoring and medical surveillance records for a minimum period of 30 years: Provided that if the said employer ceases activities, all such records shall be forwarded to the regional director

Control of exposure to HCS

10. (1) Every employer shall ensure that the exposure of persons to hazardous chemical substances in the work environment is either prevented or, where this is not reasonably practicable, adequately controlled· Provided that where there is exposure to a hazardous chemical substance for which an occupational exposure limit has been prescribed, the control of such exposure, as far as the inhalation of that substance is concerned, shall be regarded as being adequate if the level of exposure is reduced to below the occupational exposure limit.

(2) Every employer shall control the exposure of persons to HCS in the work environment by applying the following measures where appropriate—

(a) by limiting the amount of hazardous chemical substances used at the workplace which are liable to contaminate the working environment,

(b) by limiting the number of employees who will be exposed to or are likely to be exposed to hazardous chemical substances at the workplace,

(c) by introducing engineering control measures for the control of exposure to hazardous chemical substances, which may include the following.

(i) Process separation, automation or enclosure;

(ii) the installation of local extraction ventilation systems to processes, equipment and tools for the control of emissions of airborne hazardous chemical substances,

Rekords

9. (1) Elke werkgewer moet—

(a) rekord hou van die uitslae van alle beramings, lugmonitering, biologiese monitering en mediese surveillance-verslae vereis deur regulasies 5, 6 en 7 onderskeidelik,

(b) sodanige rekords beskikbaar stel vir inspeksie deur 'n inspekteur, behalwe dat dit nie op persoonlike mediese rekords van toepassing sal wees nie,

(c) op skriftelike versoek van die werknemer, 'n geregistreerde mediese praktisyn of die betrokke werknemer toelaat om die rekords met betrekking tot daardie bepaalde werknemer te ondersoek;

(d) die rekords van alle beramings en lugmonitering beskikbaar stel ter insae van die veiligheidsverteenwoordigers of veiligheidskomitees;

(e) alle rekords van beraming en lugmonitering hou vir 'n minimum tydperk van drie jaar; en

(f) alle biologiese moniterings- en mediese surveillance rekords vir 'n minimum tydperk van 30 jaar hou: Met dien verstande dat indien die genoemde werkgewer aktiwiteite staak, alle sodanige rekords aan die streekdirekteur gestuur moet word.

Beheer van blootstelling aan GCS

10. (1) Elke werkgewer moet verseker dat die blootstelling van persone aan gevaarlike chemiese substanse in die werkomgewing óf voorkom word óf, waar dit nie redelikerwys prakties uitvoerbaar is nie, toereikend beheer word. Met dien verstande dat waar daar blootstelling is aan 'n gevaarlike chemiese substans waarvoor 'n beroepsblootstellingsdrempel voorgeskryf is, die beheer van sodanige blootstelling, sover dit die inaseming van daardie substans betref, dit as toereikend beskou moet word indien die blootstellingsvlak verminder is tot onder die beroepsblootstellingsdrempel.

(2) Elke werkgewer moet die blootstelling van persone aan GCS in die werkomgewing beheer deur die toepassing van die volgende maatreels waar toepaslik—

(a) deur beperking van die aantal gevaarlike chemiese substanse wat by die werkplek gebruik word wat moontlik die werkomgewing kan kontamineer,

(b) deur beperking van die aantal werknemers wat blootgestel sal word aan, of moontlik blootgestel sal word aan gevaarlike chemiese substanse by die werkplek,

(c) deur instelling van ingenieursbeheermaatreels vir die beheer van blootstelling aan gevaarlike chemiese substanse wat die volgende mag insluit·

(i) Prosesskeiding, outomatisasie of insluiting;

(ii) die installasie van plaaslike uitsuig-ventilasiestelsels aan prosesse, toerusting en gereedskap vir die beheer van die vrylating van luggedraagde gevaarlike chemiese substanse,

(iii) use of wet methods where appropriate; and

(iv) separate workplaces for different processes;

(d) by ensuring that emissions into the atmosphere shall comply with the provisions of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965), and

(e) by introducing appropriate work procedures which employees must follow, where materials are used or processes are carried out which could give rise to the exposure of persons to hazardous chemical substances in the work environment and such procedures shall include written instructions to ensure—

(i) the safe handling, use and disposal of hazardous chemical substances;

(ii) the safe use and maintenance of process machinery, installations, equipment, tools and local extraction and general ventilation systems;

(iii) the regular cleaning of machinery and work areas by vacuum cleaners, which are fitted with filters which will retain 99% of particles havining an aerodynamic diameter of 1 micrometre which prevents the particles from contaminating the environment; and

(iv) a system whereby changes in work procedures and processes that may indicate the need for early corrective action, can be readily identified.

Personal safety equipment and facilities

11. (1) In circumstances where it is not reasonably practicable to ensure by engineering control measures that the exposure of an employee is below or equal to the occupational exposure limit for an airborne HCS, the employer shall provide such an employee with approved respiratory protective equiment which will reduce the concentration of the substance inhaled by the employee to a level which is below the OEL-TWA for that substance.

(2) Where respiratory protective equipment is provided, the employer shall ensure that—

(a) the equipment is capable of controlling the exposure to below the OEL-TWA,

(b) the equipment is approved by the chief inspector;

(c) the equipment is correctly selected and properly used; and

(d) such equipment is kept in good condition and efficient working order

(3) Every employer shall—

(a) ensure that all persons employed in or entering a respirator zone are provided with protective clothing and safety equipment as may be required. Provided that when working with a substance which can be absorbed through the skin, such employees are provided with impermeable clothing,

(iii) die gebruik van nat metodes waar toepaslik; en

(iv) afsonderlike werkplekke vir verskillende prosesse;

(d) deur die versekering dat vrylating aan die atmosfeer sal voldoen aan die bepalings van die Wet op die Voorkoming van Lugbesoedeling, 1965 (Wet No. 45 van 1965); en

(e) deur die instelling van geskikte werkprosedures wat werknemers moet volg waar materiale gebruik word of prosesse uitgevoer word wat die blootstelling van persone aan gevaarlike chemiese substanse in die werkomgewing tot gevolg kan hê en sodanige prosedures moet skriftelike instruksies insluit om te verseker dat—

(i) gevaarlike chemiese substanse veilig gehanteer, gebruik en mee weggedoen word;

(ii) prosesmasjinerie, installasies, toerusting, gereedskap en plaaslike uitsuig- en algemene ventilasiestelsels veilig gebruik en in stand gehou word;

(iii) masjinerie en werkgebiede gereeld skoongemaak word met stofsuiers wat toegerus is met filtreerders wat 99% behou van deeltjies met 'n aerodinamiese deursnee van 1 mikrometer wat verhoed dat die deeltjies die omgewing kontamineer; en

(iv) 'n stelsel waarby veranderinge in werkprosedures en prosesse wat die behoefte mag aandui vir vroeë korrektiewe aksie, geredelik geïdentifiseer kan word.

Persoonlike veiligheidstoerusting en -fasilliteite

11. (1) In omstandighede waar dit nie redelikerwys prakties uitvoerbaar is nie om deur ingenieursbeheermaatreels te verseker dat die blootstelling van 'n werknemer onder of gelyk aan die beroepsblootstellingsdrempel vir 'n luggedraagde GCS is, moet die werkgewer sodanige werknemer voorsien van goedgekeurde asemhalingsbeskermingstoerusting wat die konsentrasie van die substans wat deur die werknemer ingeasem word, sal verlaag na 'n vlak wat onder die BBd-TBg vir daardie substans is.

(2) Waar asemhalingsbeskermingstoerusting voorsien word, moet die werkgewer verseker dat—

(a) die toerusting in staat is om die blootstelling te beperk tot die BBd-TBg,

(b) die toerusting deur die hoofinspekteur goedgekeur is;

(c) die toerusting korrek geselekteer en behoorlik gebruik is; en

(d) sodanige toerusting in 'n goeie en doeltreffende werkende toestand gehou word.

(3) Elke werkgewer moet—

(a) verseker dat alle persone in diens in 'n respiratorsone of wat daar ingaan, voorsien is van beskermende klerasie en veiligheidstoerusting soos vereis mag word: Met dien verstande dat wanneer daar gewerk word met 'n substans wat deur die vel geabsorbeer kan word, sodanige werknemers van ondeurdringbare klerasie voorsien is;

(b) take steps to ensure that no respiratory protective equipment or protective clothing is reissued for use by another person unless it has been thoroughly cleaned and serviced in accordance with the instructions of the manufacturer, and in the case of respiratory protective equipment, disinfected;

(131)

(c) provide containers or storage facilities for protective equipment and protective clothing when not in use; and

(d) take steps to ensure that all protective clothing in use is stored only in the place provided therefore.

(4) Every employer shall ensure that the protective clothing issued in terms of subregulation (3) (a) is laundered and handled in accordance with the following procedures:

(a) Where such clothing is laundered on the premises, care shall be taken to prevent the emission of dust during handling, transport and laundering;

(b) where such clothing is sent off the premises to a laundry for cleaning purposes, the clothing shall be packed in dustproof containers, and such containers shall be tightly sealed and clearly identified as containing contaminated clothing; and

(c) where a laundry is used, the employer shall ensure that the contractor is fully informed of the requirements of these regulations and understands the precautions necessary for the handling of contaminated clothing.

(5) Every employer shall ensure that no person removes dirty or contaminated protective clothing or equipment from the premises, except for the purposes of cleaning and subject to the provisions of paragraphs (b) and (c) of subregulation (4).

(6) Subject to the provisions of the Facilities Regulations, every employer shall provide employees working in a respirator zone with—

(a) adequate washing facilities in order to enable such employees to meet a standard of personal hygiene consistent with the adequate control of exposure, and the need to avoid the spread of such substances and such washing facilities should be conveniently accessible and located in an area where such facilities will not become contaminated; and

(b) two separate lockers separately labelled "protective clothing" and "personal clothing", and ensure that such clothing is kept separately in its appropriate locker: Provided that if an employer uses or processes a HCS to the extent that the HCS could endanger the health of persons outside the workplace, separate "clean" and "dirty" change rooms are also to be provided.

(b) stappe doen om te verseker dat geen asemhalingsbeskermingstoerusting of beskermende klerasie heruitgereik word vir gebruik deur 'n ander persoon tensy dit deeglik skoongemaak en versien is ooreenkomstig die instruksies van die vervaardiger, en in die geval van asemhalingsbeskermingstoerusting, ontsmet is nie;

(c) houers of bergingsfasiliteite voorsien vir beskermende toerusting en beskermende klerasie wanneer dit nie gebruik word nie; en

(d) stappe doen om te verseker dat alle beskermende klerasie wat gebruik word, slegs in die plek daarvoor voorsien, geberg word.

(4) Elke werkgewer moet verseker dat die beskermende klerasie uitgereik ingevolge subregulasie (3) (a) skoongemaak en gehanteer is in ooreenstemming met die volgende prosedures:

(a) Waar sodanige klerasie op die perseel skoongemaak word, moet daarteen gewaak word dat stof nie losgelaat word tydens die hantering, vervoer of was- en strykproses nie;

(b) waar sodanige klerasie van die perseel verwyder word na 'n wassery vir skoonmaakdoeleindes, moet die klere in stofdigte houers verpak word en sodanige houers moet verseël word en daar moet duidelik aangedui word dat dit gekontamineerde klere bevat; en

(c) waar 'n wassery gebruik word, moet die werkgewer verseker dat die kontrakteur ten volle op hoogte is met die vereistes van hierdie regulasies en dat hy die voorsorgmaatreëls verstaan wat by die hantering van gekontamineerde klere nodig is.

(5) Elke werkgewer moet verseker dat geen persoon vuil of gekontamineerde beskermende klerasie of toerusting van die perseel verwyder nie, behalwe met die doel om dit te was en behoudens die bepalings van paragrawe (b) en (c) van subregulasie (4).

(6) Behoudens die bepalings van die Fasiliteitsregulasies, moet elke werkgewer werknemers wat in 'n respiratorsone werk, voorsien van—

(a) toereikende wasfasiliteite ten einde dit vir sodanige werknemers moontlik te maak om te voldoen aan 'n standaard van persoonlike higiëne in ooreenstemming met die toereikende beheer van blootstelling en die behoefte om die verspreiding van sodanige substanse te vermy en sodanige wasfasiliteite moet maklik toeganklik wees en in 'n gebied geplaas wees waar sodanige fasiliteite nie gekontamineer sal word nie; en

(b) twee afsonderlike sluitkaste wat afsonderlik "beskermende klerasie" en "persoonlike klerasie" gemerk is en verseker dat sodanige klerasie afsonderlik in 'n eie toepaslike sluitkas gehou word: Met dien verstande dat indien 'n werkgewer 'n GCS gebruik of prosesseer tot die mate dat die GCS die gesondheid van persone buite die werkplek in gevaar kan stel, afsonderlike "skoon" en "vuil" kleedkamers ook voorsien moet word.

Maintenance and documentation of control measures

12. (1) Every employer shall— (13)

(a) ensure that all control equipment and facilities provided in terms of regulations 10 and 11 are maintained in good working order; and

(b) ensure that thorough examinations and tests of those engineering control measures are carried out at intervals not exceeding 24 months by an approved inspection authority or by a person whose ability to do such measurements is readily verifiable by an approved inspection authority

(2) Every employer shall keep a record of the investigations and tests carried out in terms of subregulation 1 (b) and of any repairs resulting from these investigations and tests and such record shall be kept available for at least three years from the date on which it was commenced.

Prohibitions

13. No person shall—

(a) require or permit a female employee who is pregnant or likely to be pregnant to work in a respirator zone where any of the following hazardous chemical substances are used·

(i) Lead in a form in which it can be inhaled, ingested or otherwise absorbed,

(ii) organic mercury compounds,

(iii) Polybromophenylene (PBB) and polychlorobiphenylene (PCB),

(iv) arsenic;

(v) cadmium;

(vi) carbon disulfide;

(vii) estrogenic compounds;

(viii) aromatic chlorinated hydrocarbons;

(ix) organophosphate pesticides;

(x) nicotine;

(b) use compressed air to remove particles of hazardous chemical substances from any surface or person or require or permit any other person to use compressed air to remove such particles from any surface or person; and

(c) smoke, eat, drink or keep food or beverages in a respirator zone or require or permit any other person to smoke, eat, drink or keep food or beverages in such zone.

Labelling, packaging, transportation and storage

14. Every employer shall, in order to avoid the spread of contamination as far as it is reasonably practicable, take steps to ensure that—

(a) all hazardous chemical substances in storage, in transit or distributed are properly identified, classified and contained in accordance with SABS 0228, SABS 0229 and SABS 072, and

Instandhouding en dokumentasie van beheermaatreëls

12. (1) Elke werkgewer moet—

(a) verseker dat alle kontroletoerusting en fasiliteite voorsien ingevolge regulasies 10 en 11 in goeie werkende toestand gehou word, en

(b) verseker dat deeglike ondersoeke en toetse van ingenieursbeheermaatreels uitgevoer word met tussenposes wat nie 24 maande oorskry nie, deur 'n goedgekeurde inspeksie-owerheid of deur 'n persoon wie se vermoe om sodanige metings uit te voer geredelik deur 'n goedgekeurde inspeksie-owerheid geverifieer kan word

(2) Elke werkgewer moet rekord hou van die ondersoeke en toetse uitgevoer ingevolge subregulasie 1 (b) en van enige herstelwerk gedoen as gevolg van hierdie ondersoeke en toetse en sodanige rekord sal beskikbaar gehou word vir ten minste drie jaar vanaf die datum waarop dit begin is.

Verbodsbepalings

13. Niemand mag—

(a) vereis of toelaat dat 'n vroulike werknemer wat swanger of moontlik swanger is, werk in 'n respiratorsone waar enige van die volgende gevaarlike chemiese substanse gebruik word.

(i) Lood in 'n vorm waarin dit ingeasem, ingeneem of op 'n ander wyse geabsorbeer kan word,

(ii) organiese kwikverbindings;

(iii) Polibromofenileen (PBB) en polichloorbifenileen (PCB),

(iv) arseen;

(v) kadmium;

(vi) koolstofdisulfied;

(vii) estrogeenverbindings;

(viii) aromatiese gechloreerde koolwaterstowwe,

(ix) organofosfaat insekdoders;

(x) nikotien,

(b) saamgeperste lug gebruik om deeltjies gevaarlike chemiese substanse te verwyder van enige oppervlak of persoon vereis of toelaat dat enige ander persoon saamgeperste lug gebruik om sodanige deeltjies van enige oppervlak of persoon te verwyder nie, of

(c) rook, eet, drink of kos of drank in 'n respiratorsone hou of vereis of toelaat dat enige ander persoon rook, eet, drink of kos of drank in sodanige sone aanhou nie

Etikettering, verpakking, vervoer en berging

14. Elke werkgewer moet, ten einde die verspreiding van kontaminasie te voorkom sover as wat dit redelikerwys prakties uitvoerbaar is, stappe doen om te verseker dat—

(a) alle gevaarlike chemiese substanse wat geberg word, in transito is of versprei word, behoorlik geïdentifiseer, geklassifiseer en behouer is ooreenkomstig SABS 0228, SABS 0229 en SABS 072, en

(b) the containers or the vehicles in which such substances are transported are clearly marked in accordance with SABS 0228

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Disposal of hazardous chemical substances

15. Every employer shall—

(a) as far as is reasonably practicable, recycle all waste which contains HCS, but not into non-HCS production processes;

(b) ensure that all collected HCS dust, swarf and other waste is placed into containers that will prevent the escape of HCS dust during handling;

(c) ensure that all HCS sludge, not for recycling, is placed in properly sealed containers to prevent spillage;

(d) ensure that all such waste is disposed of only on sites specifically designated for this purpose in terms of the Environmental Conservation Act, 1982 (Act No. 100 of 1982), in such a manner that it does not cause a hazard inside or outside the premises;

(e) ensure that all employees occupied in the collection, transport and disposal of HCS waste, who may be at risk of exposure, are provided with suitable protective clothing and respiratory protective equipment;

(f) ensure that all vehicles, re-usable containers and covers which have been in contact with HCS waste are cleaned after use;

(g) give written instructions and appropriate training to the drivers of vehicles carrying such waste, on the action to be taken in the event of accidental spillage of HCS waste; and

(h) if the services of a waste disposal contractor are used, incorporate a provision into the contract stating that the contractor shall also comply with the provisions of these regulations

Offences and penalties

16. Any person who contravenes or fails to comply with any provision of regulation 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 or 15 shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding six months and, in the case of a continuous offence, to an additional fine of R100 for each day on which the offence continues or additional imprisonment of one day for each day on which the offence continuous. Provided that the period of such additional imprisonment shall in no case exceed 90 days.

Short title

17. These regulations shall be called the **Hazardous Chemical Substances Regulations, 1993.**

(2 April 1993)

(b) die houers of die voertuie waarin sodanige substanse vervoer word duidelik gemerk is ooreenkomstig SABS 0228.

Wegdoening van gevaarlike chemiese substanse

15. Elke werkgewer moet—

(a) sover dit redelikerwys prakties uitvoerbaar is, alle afval wat GCS bevat, hersirkuleer, maar nie in nie-GCS produksieprosesse nie;

(b) verseker dat alle versamelde GCS-stof, snysels en ander afval in houers geplaas word wat die vrystelling van stof tydens hantering sal voorkom;

(c) verseker dat alle GCS-slyk, wat nie hersirkuleer word nie, in behoorlike verseelde houers geplaas word om te voorkom dat dit uitloop;

(d) verseker dat alle sodanige afval slegs op terreine spesifiek vir hierdie doel aangewys ingevolge die Wet op Omgewingsbewaring, 1982 (Wet No 100 van 1982), mee weggedoen word op so 'n wyse dat dit nie 'n gevaar binne of buite die perseel veroorsaak nie;

(e) verseker dat alle werknemers betrokke by die versameling, vervoer en wegdoening van GCS-afval, wat die risiko van blootstelling loop, voorsien is van geskikte beskermende klere en respiratoriese beskermingstoerusting;

(f) verseker dat alle voertuie, herbruikbare houers en bedekking wat in aanraking was met GCS-afval, na gebruik skoongemaak word;

(g) skriftelike instruksies en toepaslike opleiding gee aan die bestuurders van voertuie wat sodanige afval vervoer ten opsigte van stappe wat gedoen moet word in die geval van toevallige storting van GCS-afval; en

(h) indien die dienste van 'n kontrakteur vir die wegdoening van afval gebruik word, 'n bepaling by die kontrak inkorporeer wat vermeld dat die kontrakteur ook moet voldoen aan die bepalings van hierdie regulasies.

Misdrywe en strawwe

16. Enige persoon wat enige bepaling van regulasie 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 of 15 oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete of met gevangenisstraf vir 'n tydperk wat nie ses maande oorskry nie, en, in die geval van 'n voordurende oortreding, met 'n addisionele boete van R100 vir elke dag waarop die misdryf voortduur. Met dien verstande dat die tydperk van sodanige addisionele gevangenisstraf in geen geval 90 dae mag oorskry nie.

Kort titel

17. Hierdie regulasies heet die **Regulasies vir Gevaarlike Chemiese Substanse, 1993.**

(2 April 1993)

LABOUR

How to deal with drinking at work

WMail 8/4 - 15/4/93.

Alcohol is part of the South African culture — but both companies and unions struggle to come to terms with what to do about drunkenness at work.

JACQUIE GOLDING *reports*

BETWEEN five and 35 percent of employees at all South African companies — at executive level and on the shop floor — suffer from drinking problems which affect their work.

And, according to Mike McCann, co-author with lawyer Chris Albertyn of the newly published book *Alcohol, Employment and Fair Labour Practice* (Jutas), many managers are afraid of confronting the issue of alcohol in the workplace — in part because they fear trade union opposition

The book, introduced by Mr Justice Richard Goldstone, who describes it as "compulsory reading for business, trade unions and labour lawyers", promises to stir heated debate between management and labour on how to handle workplace drunkenness

McCann is currently completing his doctorate at Trinity College, Dublin, in occupational medicine relating to liquor in the workplace He is chief medical officer at Sappi-Saiccor and Forest in Natal

Numerous surveys, McCann said in an interview this week, had shown that although drinking often caused injuries and fatalities, "unions and management are ill-equipped, and wait for a disaster before addressing the problem"

He quoted one startling case study a contract painter with a blood alcohol level of 280mg per 100ml at 9am had sustained massive injuries in a three-storey fall Twenty minutes later, a colleague with a blood alcohol level of 310mg/100ml had fallen and died

Too often employers and unions were unaware of alcohol problems among the workforce Ignorance also abounded One personnel manager, asked how he would deal with an employee with a drinking problem, had quipped "I would give him a job next to a bottle store, so he makes a quick job of it."

"Educating managers, supervisors and shop stewards is essential," said McCann, "and collective preventative action is always better than individual treatment and cure The onus is on everyone to get involved"

Employers frequently avoided confronting the issue for a range of reasons, including.

- Fear about a situation of which they know little, and uncertainty about how to deal with it.
- A respect for individual privacy and a fear of involving the organisation in a programme in which the lifestyles of individuals might be exposed or jeopardised.
- Peer group pressures.
- Fear of committing management to a policy which they perceived would be unpopular with employees, other managers and perhaps even the community at large
- Fear of confrontation with the trade unions

"I am not an anti-drinker," says McCann, "but the ramifications of intoxicated people at work, both on the ground and in their high chairs are frightening."

McCann stressed that simple disciplinary action by management was inadequate "The rigid all-or-nothing approach is often unsuccessful Because of this, the involvement of unions is important.

"To negotiate and bargain over the dismissal of workers, for example, one has to talk from knowledge Unions and management ought to know the procedures that govern alcohol abuse and alcohol dependence and the rules to deal with this have to be applied fairly"

McCann said that before acting against an alcohol abuser, consideration had to be given to changing the working environment "if it encourages or condones the abuse of liquor"

His 10 years of research had shown that corporate culture was the most potent factor in excessive workplace drinking.

Corporate cultures can affect all employees, he said "The attitude of management can give misleading messages and be inconsistent Their preventative measures can be weak and non existent or there may be double standards regular managerial drinking at lunchtime and after hours on the premises, but a disciplinary policy for workers which prohibits all drinking

"Extended business lunches affect afternoon productivity Indulged in by mainly senior managers, they set a poor example to other employees"

In South Africa, it was easy for workers to drink during working hours Mobile shebeens run predominantly by women hawkers stationed themselves near factory gates, selling liquor when workers arrived at work or emerged from the factory at lunchtime Shift workers were especially vulnerable because of irregular hours, poor sleeping patterns and poor supervision

"Alcohol is often smuggled inside the premises and is distributed under the guise of soft drinks This cover-up is developed as a form of camaraderie"

McCann warned against attempts to introduce a "caring alcohol policy" against the background of an authoritarian corporate culture "The policy will be regarded with suspicion and distrust by employees, and without change in the management style, results will fall short. A policy tailor-made to suit each company is needed."

Many employees with alcohol problems could conceal their problem for up to five years, and hardened drinkers could hide the effects of liquor

"It has been estimated that a company can expect anything between five and 35 percent of its workforce to have an alcohol problem which in some way will affect their work," added McCann.

"For this reason it's vital that health care workers play a role in developing an alcohol programme It's equally important that any collective agreement should strive to protect the health worker from being pressurised into disciplinary moves, siding with either of the players."

depth and that we get modern, up-to-date legislation on the Statute Book in this connection

Debate concluded

QUESTIONS

†Indicates translated version

For oral reply

General Affairs

Transport Advisory Council: Grosskopf Commission

*1. Mr M RAJAB asked the Minister of Transport:

Whether the Transport Advisory Council has (a) examined and (b) reported on the report of the Grosskopf Commission in regard to compulsory balance of third party insurance, if not, why not; if so, what are the relevant details? D162E

The MINISTER OF TRANSPORT:

(a) Yes

(b) Yes, the Transport Advisory Council, taking note of the recommendation by the Grosskopf Commission that the compulsory balance of third party insurance not be made compulsory as well as similar recommendations by the Wessels Commission and the South African Insurance Association, reported to me that it does not see its way clear to recommend that such insurance be made compulsory

Purchase of school textbooks: tender basis

*2 Mr A RAJBANSI asked the Minister of State Expenditure

(1) Whether school textbooks are purchased on a tender basis by the various education departments, if so, what are the relevant details, if not, (a) why not and (b) what is the position in this regard,

(2) whether he will make a statement on the matter? D169E

The MINISTER OF CORRECTIONAL SERVICES (for the Minister of State Expenditure)

(1) Yes, in respect of schools under the control of the Administration House of Delegates, the Administration House of Representatives and the Department of Education and Training Purchases of school books are made in accordance with the State Tender Board Act and regulations issued in terms thereof

No, as far as schools under the control of the Administration House of Assembly are concerned, including those which are administered by the four Provincial Administrations.

(a) Seeing that state sponsored schools (Model C-schools), which constitute 94% of all the schools under the control of the Administration House of Assembly, do their own purchases, no period contracts are arranged on a tender basis.

(b) The remaining public schools, which are primarily smaller primary schools, purchase their textbooks on an individual tender basis under the standing powers delegated to state departments by the State Tender Board as the arranging of period contracts are not cost effective

(2) No

Mr A RAJBANSI Mr Chairman, arising out of the hon the Minister's reply, is he aware that the schools under the Administration House of Delegates adopted the same procedure as that adopted by Model C schools under the Administration House of Assembly, and that the State Tender Board gave instructions that the order for textbooks be placed out to tender? Secondly, will the hon the Minister agree that it is unfair competition for a firm—publishers, wholesalers, authors, bookbinders, retailers, etc—to compete with retailers only?

The MINISTER Mr Chairman, as I am replying to this question on behalf of the responsible hon Minister, I suggest that the hon member table his questions so that he can receive a reply from the hon the Minister of State Expenditure

Mr A RAJBANSI Mr Chairman, further arising out of the hon the Minister's reply, having made that request, will he be prepared to convey to his colleague that it is unwise for White

Schools not to follow the tender procedure which is imposed on Indian schools?

The MINISTER Mr Chairman, as I have indicated, I am replying to these questions on behalf of my hon colleague, and I do not have an intimate knowledge of what is going on with regard to the procedures of the State Tender Board. I request that the hon member table his question again so that my hon colleague can reply to it in full

Production of nuclear devices: cost

*3 Mr A RAJBANSI asked the Minister of Defence:

What was the total cost of producing the nuclear devices referred to by the State President in the course of the joint sitting on 24 March 1993? D171E

The DEPUTY MINISTER OF DEFENCE:

About RM 800.

Mr A RAJBANSI Mr Chairman, arising out of the hon the Deputy Minister's reply, I would like to ask whether, in view of the fact that R800 million was spent, it would not have been wise to have referred the dismantling of these nuclear weapons to the multiparty negotiating forum before dismantling them?

The DEPUTY MINISTER It is not quite clear to me what the hon member for Arena Park's question is Could he repeat it?

Mr A RAJBANSI My question was that since R800 million was spent—if one takes inflation into consideration this amount would be higher today—should the multiparty negotiating forum not have been privately informed of the State's intention to dismantle the nuclear weapons before such dismantling took place?

The DEPUTY MINISTER Mr Chairman, I can reply to the hon member for Arena Park by saying that the situation which existed when this project was started, which was some 15 years ago, has no bearing on what is happening at the moment I think the hon the State President was quite entitled to enlighten South Africa and its people about this project

I can expand by saying that the amount which I mentioned covers the cost of the whole project and not only of the devices I think that the spin-offs South Africa has had, such as the fact that we have become world leaders in the medical field with regard to the production of isotopes for medical use, and that money is going to accrue from enriched uranium, are sufficient to justify this amount of money

Dr K RAJOO Mr Chairman, arising out of the hon the Deputy Minister's reply, I would like to know whether, in view of the particularly low cost of R800 million in respect of this nuclear device, and considering the fact that this project was started 15 years ago, is this the final figure for this project, or are we going to discover later on that more monies were spent?

The DEPUTY MINISTER Mr Chairman, this amount was announced by the hon the State President This is the total amount for the whole project since its inception It was not started with a view to making these devices, but as a uranium enrichment plant As a result of the difficulties experienced during those years, it eventually came about that these devices were also produced To the best of our knowledge R800 million is the final figure for the whole project

Toxic gases: deaths

*4 Mr M RAJAB asked the Minister of Manpower

(1) Whether any deaths as a result of incidents involving toxic gases were reported during the lastest specified period of three years for which statistics are available, if so, how many,

(2) whether he or his Department has taken or intends taking steps to prevent a recurrence of such incidents; if not, why not, if so, what steps? D174E

The MINISTER OF MANPOWER

(1) Yes Nine

(2) Yes Formal inquiries were conducted by inspectors of the Department in terms of section 24 of the Machinery and Occupational Safety Act, 1983

These incidents were assessed to review current safety standards and were statistically classified, but no prosecutions resulted from any of them

As I indicated earlier on, during the debate on the interpellation, we plan to

cont p

have new legislation placed on the Statute Book in this connection

*5 Mr A RAJBANSI—Local Government [Withdrawn]

INTERPELLATION

The sign * indicates a translation The sign †, used subsequently in the same interpellation, indicates the original language

Own Affairs

Durban-Westville : establishment of dental faculty

1 Mr M RAJAB asked the Chairman of the Ministers' Council

(1) Whether a decision has been taken by the Ministers' Council in respect of the establishment of a dental faculty at the University of Durban-Westville, if not, why not, if so, what are the relevant details,

(2) whether he will make a statement on the matter?

D172E INT

The CHAIRMAN OF THE MINISTERS' COUNCIL Mr Chairman, in reply to the first part of the interpellation, the health function was transferred to the Department of National Health and Population Development by proclamation on 1 April 1993 This included the transfer of all dental faculties to the Department of National Health and Population Development

With regard to the second part, the Ministers' Council believes that the establishment of a dental faculty at the University of Durban-Westville is essential to serve the needs of the people of Natal, especially in view of the very large indigent population in that province

The present training of oral hygienists and dental therapists is highly relevant in the national health policy plan with respect to primary health care Some 22 000 patients received treatment at that institution during 1991, and approximately 24 000 during the ensuing year. This Administration remained committed to funding the institution, and an amount of R2,838 million was included in the budget for 1993–94, and transferred to the Department of National Health and Population Development owing to rationalisation

My Ministers' Council and I undertake to pursue the matter with the hon the Minister for National Health and Welfare

Mr M RAJAB Mr Chairman, I am quite taken aback by the deftness with which the hon the Chairman of the Ministers' Council has completely sidestepped the thrust of my interpellation He tells us this afternoon that the health function has been transferred to the Department of National Health and Population Development from 1 April 1993 We all know that the health function under this Administration was, in fact, being carried out on an agency basis by the provinces in any case.

The fact of the matter is that the University of Durban-Westville falls within the jurisdiction of the hon the Minister of Education and Culture in this House My interpellation referred to the University of Durban-Westville as well

I was quite pleased to hear from the hon the Chairman of the Ministers' Council that he would support such a move, and that he would, in fact, make representations to his counterpart to try to ensure that a faculty was established at the University of Durban-Westville

I just want to say that it is a crying shame that Natal, which accounts for some 26% of South Africa's population, does not have a single school of dentistry at present This is further evidence, in our view, that Natal is treated as a Cinderella province when it comes to getting its share of Government funds

As I have already indicated, as far as the UDW is concerned, I believe that this Administration must fully support the recent call by its rector to establish such a dental hospital under the control of that particular university At present there is no adequate facility at the UDW to treat dental patients I believe that the establishment of a dental hospital at this institution would provide a convenient academic institution for Natal whilst providing much-needed dental and oral hygiene care to the economically deprived people in the greater Durban development region at the same time [Time expired]

Mr K PANDAY Mr Chairman, the hon member for Springfield indicated that the hon the Chairman of the Ministers' Council did not quite

answer the interpellation, but had sidestepped the issue In very much the same vein he has conceded to the point that the hon the Chairman of the Ministers' Council together with the Ministers' Council was fully supportive I am happy that there is a tremendous degree of support in this House for the transfer of the health function to the Department of National Health and Population Development It is important that that matter be addressed

However, I might just state that education is the key to freedom What is education without training? Can a dentist be a dentist if he does not have training? Imagine the problems one would encounter if there were no dental faculty I agree wholeheartedly with the hon member that there is no dental faculty in Natal and that such a faculty is a necessity

Rev C PILLAY Mr Chairman, I must state that it is totally unacceptable to us in the rejuvenated Solidarity that the dental faculty at the University of Durban-Westville did not come to fruition despite the numerous representations and the loud outcry of the deprived community in Natal

We must not use the transfer of power on 1 April, as it were, as a scapegoat The question I want to ask is what the Ministers' Council's recommendation was prior to health services being transferred to general affairs I also wish to ask what the Department of National Health and Population Development's response was to this matter I say Natal needs a dental faculty It was approved by the Government, but a moratorium was placed on this essential faculty

Solidarity feels that there is a dire need to establish a dental faculty at the University of Durban-Westville If this is not done, we will say, "Bring Dookie back, bring Dookie back!" [Interjections]

Mr A RAJBANSI Mr Chairman, against tremendous odds and in the face of political pressure the Cabinet decided in 1987 that there should be a dental faculty at the University of Durban-Westville I suggest to the hon the Chairman of the Ministers' Council that he look at our budget allocations for that particular year Money was set aside

I think the problem was between an individual at the university, who wanted to structure the faculty in his own way and go against established norms, etc, and our Administration At the time we had a brilliant director-general, namely Dr Gilliland If he had had his way, the dental faculty would no doubt have been established What happened was that a different party came to power after we made the announcement, so we did not get the Phoenix Hospital and the dental faculty

They robbed us of our faculty long ago and gave it to the University of the Western Cape They started a dental faculty at the University of the Western Cape with Indian staff, an Indian head and Indian students That was a political decision

Mr M RAJAB Mr Chairman, I am afraid that the comments made by the hon member for Montford do not ring true The question could well be asked, and in fact has been asked by the hon member for Arena Park, as to what Solidarity has done in this regard in all the years it controlled this Administration [Interjections]

I am aware that in April 1989 approval was, in fact, obtained for a dental hospital in Natal with 61 dental chairs All that remained was for the Treasury to approve this particular project We know that recently money was found to build two hospitals in Durban and we appreciate that I wish to take this opportunity to call on the hon the Chairman of the Ministers' Council, who in fact is a member of the NP and the Cabinet of this country, to use whatever influence he has to prosecute the claim for the establishment of a dental faculty at the University of Durban-Westville

I am not interested in the personality clashes that may have occurred in the past I do not believe that we should allow personalities to deprive us of a dental faculty

The CHAIRMAN OF THE MINISTERS' COUNCIL Mr Chairman, I would like to thank hon members for their contributions to this debate I must place on record the efforts made by the hon member for Arena Park as well as the hon member for Red Hill in trying to secure a dental faculty for the University of Durban-Westville

Last year we had a meeting with the rector of the university Perhaps I should quote briefly from a statement that was issued jointly

A delegation from the University of Durban-

Condom use emphasised

(131) WILSON ZWANE

EMPLOYERS should take urgent steps to minimise the risk of their employees contracting AIDS, including providing condoms in the workplace, says the Institute of Personnel Management (IPM) B/DAY

Employers should also put programmes in place to educate staff on the proper use of condoms. 27/4/93.

The institute has compiled guidelines for employers on how to ensure effective condom distribution. These are:

- ☐ Condom distribution should be carried out in relation to education so that all myths related to condoms can be dispelled;
- ☐ Condoms should be made freely available to staff and the supply should be easily accessible and unlimited;
- ☐ A full range of condoms should be kept in stock to allow employees to choose the ones they feel most comfortable with; and
- ☐ Certain staff members should become condom "distributors".

The IPM has stressed these guidelines will be ineffective unless employees are shown how to use condoms correctly.

Commission to probe mining safety

Buss. Day 1/6/93

LINDA ENSOR

CAPE TOWN — Government has appointed a commission of inquiry into safety, health and compensation in the mining industry because of concerns raised by the Mining Industry Summit representing the Chamber of Mines and mineworkers' unions

The commission will make recommendations to President F W de Klerk on improvements to, and implementation of, legislation already in existence

(131)

Mineral and Energy Affairs Minister George Bartlett announced on Friday that the commission would investigate all aspects of the legal regulation of safety and health in the mining industry, including compensation for injury, illness and death

The inquiry's frame of reference excluded the principles contained in the Workmen's Compensation Act and proposed in a draft Bill on the Compensation for Occupational Injuries and Diseases The commission would consist of a chairman and two assessors

A long wait for inquiry into mine health and safety

Buss-day 3/6/93

PAUL BENJAMIN

(131)

MINISTER George Bartlett's announcement last week that a commission of inquiry would be appointed into the legal regulation of occupational health and safety in SA's mining industry at last added a new note to the familiar refrain that followed the tragic accident at Middelbult Colliery.

Fifty-three miners were killed in the Middelbult methane explosion three weeks ago.

The SABC's news bulletins, without a trace of irony, spent as much time describing Middelbult's status as a five-star "Noscar" mine as they did describing the accident. The bulletins also conveyed government's condolences to families and the assurance that it took mine safety seriously. The unions, as they have done after each major mining accident of the '80s and '90s, called for full inquiry into mine health and safety

Middelbult is the sixth major mining tragedy in less than 10 years in which 30 or more workers have died.

Most of these mines have been holders of high safety ratings from the National Occupational Safety Association of SA (Nosa) or the Chamber of Mines' own "international" safety rating system.

A mine where two major tragedies occur within eight years (30 miners died at Middelbult in a 1985 accident) must provide comprehensive evidence that these safety rating systems have little to do with safety — an issue discussed by Jean Leger (Business Day, May 18). What it also indicates is that the SA mining industry spends a considerable amount on public relations exercises designed to reassure the world that it is doing all it can Unfortunately, the all too frequent mining disasters give the lie to this.

The commission of inquiry has been a long time in coming. It is the first since the Marais commission of the early '60s, appointed after the Coalbrook disaster in which more than 400 miners died The full report of that inquiry was never published.

The urgent need for an inquiry and the delays in its appointment indicate that powerful voices in the industry have opposed public and independent scrutiny Middelbult was one disaster too many for them to have their way and the Minister announced he would be establishing, with some modifications, the commission of inquiry requested by the mining summit last November.

In the past expressions of state concern over mining safety have not been borne out by subsequent events After the Kinross accident in September 1986 in which 77 workers were killed, then Mineral and Energy Affairs Minister Danie Steyn promised a judicial inquiry. But this did not materialise.

The mine was prosecuted and acquitted but the mine inspectorate refused to hold a public inquiry. It did so only after the threat of legal action. Even then the inquiry into the largest mining accident in 100 years of SA gold mining lasted three hours and representatives of the NUM — about 60 of whose members died in the accident — were not allowed to question witnesses This led to further litigation.

No public inquiry has been held into the Middebult accident of 1985. Middelbult was a methane explosion. All the major disasters of the past 10 years, except Kinross, have involved methane gas. In only two of these — Hlobane in 1983 and Ermelo in 1987 — have there been full public inquest-inquiries at which those representing workers killed in the accident were able to participate.

Evidence of massive neglect and disregard of safety procedures was established in both these cases.

In 1987 the country's senior mine safety officer, the government mining engineer, gave an address entitled "Methane explosions completely unnecessary". Yet Middelbult is the second mine to have a major methane accident in both the '80s and the '90s. At Ermelo Colliery 33 workers were killed in a 1987 methane explosion; in 1992 another seven died in a similar accident.

The SA mining industry does not welcome public scrutiny and is slow to learn its lessons. In 1983 evidence of the dangers of polyurethane emerged at an inquest into an accident at the Vaal Reefs gold mine. Nothing was done to regulate its use in the mines although its dangers had been known internationally since the late '60s. Even the Kinross disaster did not lead to its banning; it took the deaths of seven miners in a further accident at Western Deep Levels mine at the end of 1988 for the government mining engineer to ban the use of polyurethane underground.

Despite the importance of mining to the SA economy, mining safety legislation remains well below the standard of other industries and international standards.

To give a few examples: the Machinery and Occupational Safety Act which regulates safety in other industries requires employers to pay for the costs of necessary safety equipment. There is no equivalent provision in the Minerals Act and deductions for the cost of safety equipment are a common complaint among miners.

International standards require that workers elect their safety representatives. Elected worker inspectors have been a feature of the British mining industry for 150 years. Our legislation allows management to appoint safety representatives, depriving the system of any chance of credibility or effectiveness

Rockbursts and rockfalls kill and maim more miners than any other cause, but there are no detailed regulations on safeguarding workplaces against these hazards.

Finally, the law lacks effective sanctions the fines imposed for breaches of regulations which lead to major accidents are usually on a par with traffic fines.

The commission's ambit of inquiry includes compensation for victims of occupational disease, an area providing the strongest evidence of the special dispensation allowed to mining Payment of compensation on the mines is still discriminatory, with benefits and contributions being racially based

Benefits are up to 13 times higher for white miners than their black colleagues. At some mines the contribution made to the compensation fund on behalf of a black worker is less than 3% of that for a white miner Not surprisingly, the fund is massively underfunded.

Late last year a draft Bill to deracialise the Act was published. This Bill, which enjoyed the support of the Chamber of Mines, also sought to pass the cost of this legacy of apartheid on to black workers by depriving many, particularly lower-paid groups, of benefits they could receive at present But massive union opposition sent the legislation back to the drawing board.

The compensation system is not an aberration; it is indicative of the malaise that surrounds the regulation of health and safety on the mines. While the job of the commissioner and his two expert assessors has not been made easier by the years of neglect, they have the opportunity to make recommendations that will lead to a system of regulation that mine workers deserve.

☐ Benjamin is an associate professor at the Centre for Applied Legal Studies, Wits University, and an adviser to mining unions on health and safety matters.

NEWS Electricity supply tariffs normal

news in brief

Sowetan 9/6/93.

Clover denies claims

MANAGEMENT of Clover Dairies in Mayfair, Johannesburg, yesterday denied allegations that a white supervisor had poured toxic acid into a tea urn used by blacks (131)

On Monday more than 800 workers downed tools demanding the dismissal of the supervisor Company chairman Mr Ronnie Botha said the store supervisor, Mr Johan Berger, had washed the urn with citric acid.

Sowetan 9/6/93

Bid to end strike

MANAGEMENT of Checkers/Shoprite stores and the union representing striking workers will meet today to try and resolve the five-week long industrial action

Spokesman for the SA Commercial, Catering and Allied Workers Union Mr Jeremy Daphne said yesterday "The meeting will be held to address the total situation that centres on the present dispute " A management spokesman confirmed the meeting

Sowetan 9/6/93

ANC on death penalty

THE African National Congress has warned the Government not to reimpose the death penalty as the organisation marks the 10th anniversary today of the execution of three MK cadres

Jerry Mosololi, Simon Mogoerane and Marcus Motaung were executed at Pretoria Central Prison on June 9 1983 after being convicted of treason relating to attacks on the Wonderboom police station in Pretoria and the Orlando and Moroka police stations in Soweto

The ANC said "Mosololi, Mogoerane and Motaung were part of MK's Transvaal urban machinery involved in guerilla operations which instilled confidence in our people "

Workers to march

Sowetan 11/6/93

THE striking 10 000 workers at Checkers/Shoprite stores will today march to the Johannesburg Stock Exchange to urge the company's shareholders to force management to accede to their demands This is despite the on-going talks between management and the SA Commercial, Catering and Allied Workers Unions to resolve their dispute.

(31)

Pictures BRENTON GEACH, The Argus

WORKER HEALTH: Sister Annie Tattersall takes maintenance worker Gerald Gabriel's blood pressure at the Mondi Timber Products clinic in Stellenbosch.

Sawmill counts cost of workers' illnesses

ARG 16/6/93 (131)

☐ Clinic opens to boost staff health — and profits

ANDREA WEISS
Health Reporter

WHEN a prefabricated timber showhouse appeared to be outliving its usefulness, a Stellenbosch sawmill company decided to put it to good use by converting it into a clinic for its 326 workers

The health and safety centre is the brainchild of Sister Annie Tattersall, risk control manager for Mondi Timber Products She believes the company's commitment to occupational health will pay for itself several times over in productivity returns

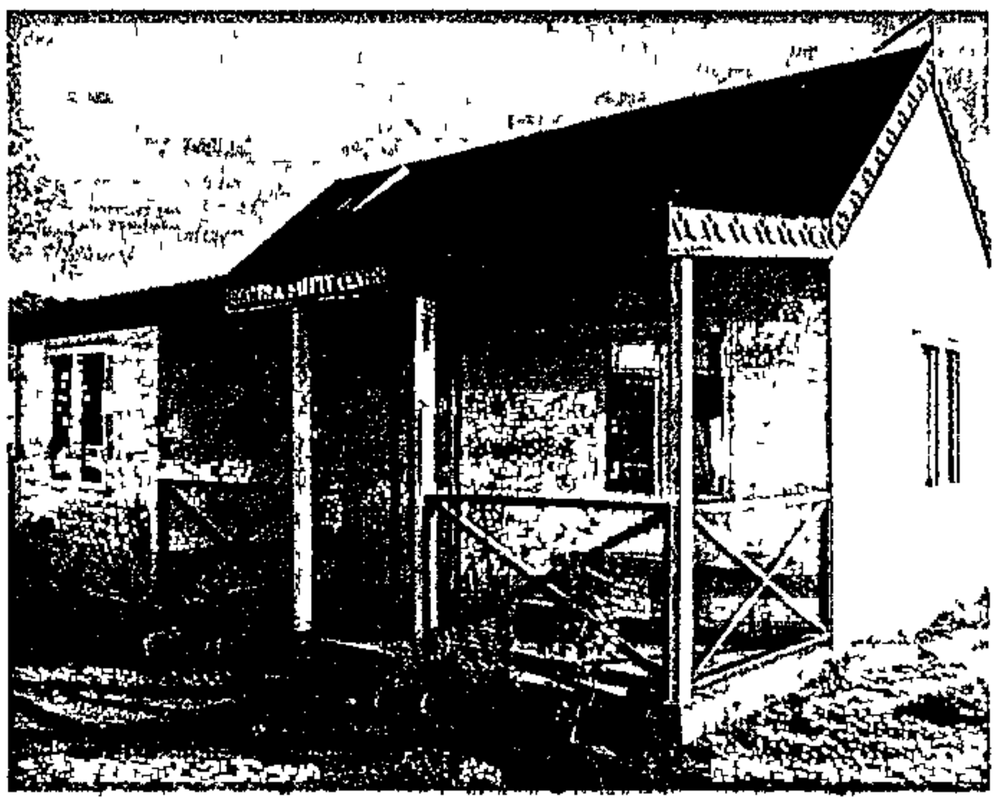
Sister Tattersall saw the cottage's potential for conversion into a fully fledged clinic and was given the go-ahead by management to set up the project

Examples of how the clinic will save the company money include the time workers might otherwise take to seek medical help for minor ailments and the identification of chronic conditions that can be managed with medication

The centre has already established that many employees have high blood pressure

Family planning, TB treatment and occupational health checks, such as regular hearing tests for people who work with noisy machinery, will be offered there

During her two years with Mondi, Sister Tattersall has introduced a variety of innovations and incentives which bring home to workers the importance of occupational health She says she loves her work, and it shows



ON SHOW: The new clinic, a former prefabricated timber showhouse.

She has started a weight club, which includes a weekly weigh-in Those who have put on weight pay a forfeit of 50c, which goes to the person who has lost the most for that week

Departments get a R5-a-person prize if they come out tops in a monthly hygiene inspection If they win twice in a row, each gets a T-shirt For a third consecutive victory, the company organises a braai for the department

Every month, the company also stops work for a 30-minute health lecture

During non-smoking week, the company's canteens did not sell cigarettes and workers were encouraged not to smoke

Similar programmes are planned for every month of the year covering topics from Aids to dental health Sister Tattersall believes education on Aids is an important way of preparing the company for the onset of the disease If workers and management are educated they are less likely to reject a co-worker with the disease.

Among the tasks the new clinic has taken on is issuing the daily pills many TB patients need

For mining houses worker safety is a deadly serious issue

B/Day 18/6/93

HORST WAGNER

RECENT mining accidents have again focused attention on safety in the industry This is as it should be. One fatality or one injury is simply one too many

The industry is sometimes branded as having no regard for the safety of its workers and being driven only by profit Nothing is further from the truth

The SA mining industry is a world leader in safety SA mining men have often helped other countries' mining industries in providing technological expertise and with rescue operations This year the 25th International Congress on the Safety in Mines Research Organisations will be held in Pretoria.

What this illustrates is that mine safety is an international issue. The workforce operates in a confined space which usually has to be artificially ventilated. Poisonous blasting fumes have to be extracted. Dust must be suppressed. Methane gas — a common danger in coal mining but also found in some metal mines — has to be diluted by the ventilation system to safe levels and, in the event of high methane emissions, the gas has to be extracted before mining operations can begin. Coal dust, when mixed with air, can form a highly explosive atmosphere which has to be suppressed or made inert.

Closely linked to ventilation is the problem of heat flowing from surrounding rock into the mine workings This is a particular problem in SA's deep gold and uranium mines where virgin rock temperatures often exceed 40°C. Cool air and chilled water are used in large quantities to ensure a safe thermal environment for the workforce.

The engineering infrastructure needed to achieve this is enormous. In gold mines, more than 10 tons of air and three tons of water have to be pumped underground for every ton of rock mined.

Rockfalls and rockbursts are the major hazards in SA gold mines About 600-800km of tunnels are excavated every year, and 20km² of gold bearing reef extracted annually to produce the 600 tons of gold which earn almost R19bn in foreign exchange

Because of the great depth at which mining takes place, rockfalls and rockbursts account for more than 50% of all gold mine fatalities. Rockbolts, hydraulic props, timber and concrete packs and deslimed tailings material pumped underground to backfill mined-out areas, are used to combat these hazards

The confined space in which mining operations take place and the limited access to underground workings also affect safety in several ways Firstly, the operation of mining equipment in a confined space can result in accidents Secondly, confined space makes mechanisation difficult and demands labour intensive operations which, in the event of accidents, can lead to multiple fatalities. Thirdly, the restricted access to working places often makes rescue operations difficult.

None of these hazards is unique to SA What makes the SA situation more difficult is the depth at which mining takes place and its labour-intensive nature

The industry's primary strategy to reduce hazards is to engineer them out of the mining environment. The development and application of mine-cooling methods has largely eliminated heat-related accidents despite the ever increasing depth of operations

Where rockfalls and rockbursts are concerned, the layout of underground workings and the sequence of operations are critical factors Advanced numerical models have been developed, locally and in collaboration with overseas specialists, to assist with mine design and the planning of mining operations Backfill systems are still under development, and when introduced on a large scale should significantly reduce rockfalls and rockbursts in deep mines

Advances in other areas of deep level mining engineering such as hoisting and underground transport have been good.

The second strategy in combating mining dangers is to protect the workers in the event of accidents There are many forms of protection ranging from types of clothing, underground support, self-contained self-rescuers for use in the event of fires and explosions, the provisions of rescue-bays and the introduction of warning systems. Development of rockburst warning systems, although receiving considerable attention, is still in its early stages.

The third major strategy is safety management. The major area of dispute is that of employee involvement in safety management While there is general agreement that worker participation in safety matters is important, disagreement centres on the manner of this involvement. Each of the major mining houses represented in the Chamber of Mines has its own approach.

In the light of recent disasters and serious accidents, it has to be asked whether the industry is making real progress in improving mine safety If a long-term view is taken then the answer is a clear yes as is evident from safety statistics (See graph) However, a disconcerting factor is that the rate of improvement has slowed down in recent years and, in coal mining, the safety situation has, in fact, deteriorated. No simple answer can be given for this trend

Gas explosions have been the major hazard in coal mines in the past 10 years This requires urgent attention by mining authorities, mine operators and workers.

On gold mines, rockbursts and rockfalls continue to be the major hazard despite improvements in mine design and support systems One reason is that mining conditions have become more difficult.

Is a zero fatality and injury rate achievable? On individual mines, zero fatality rates have been achieved. A number of mines have worked without fatal accidents for many years

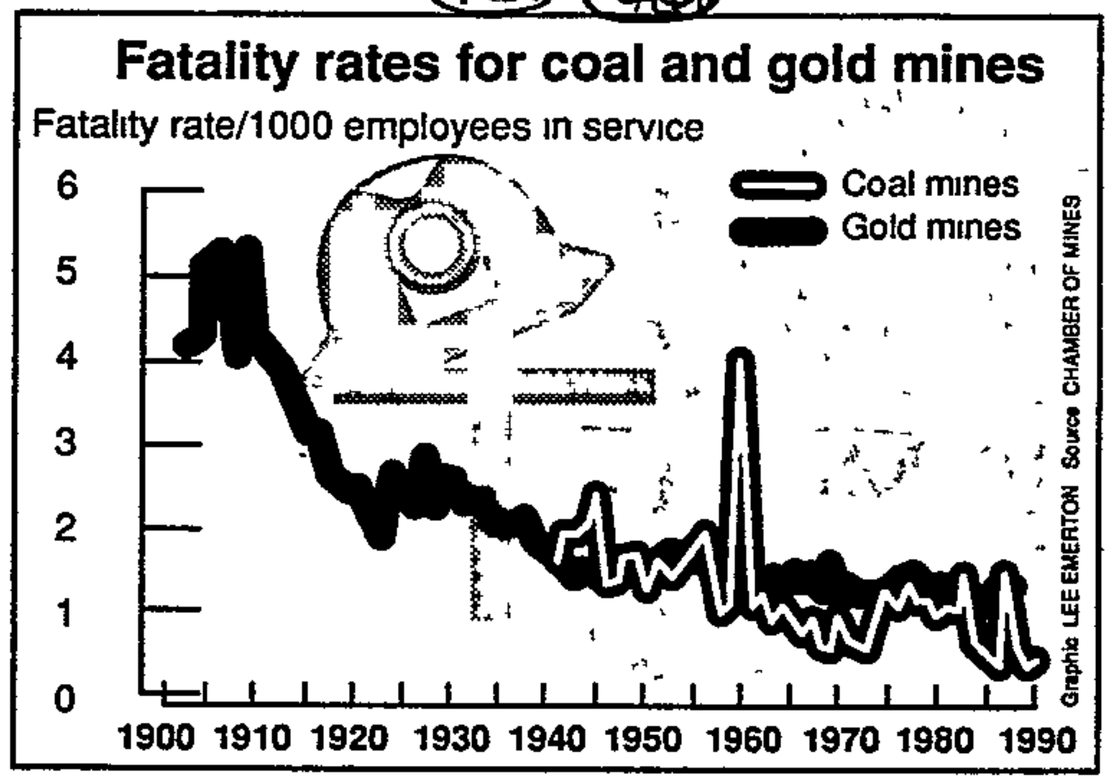
However, in the short term, the only way to stop all fatalities is to stop mining The consequences of such a decision would obviously be far-reaching in terms of employment and foreign exchange earnings. In the case of coal mining, SA's electricity generation infrastructure is almost exclusively coal-based.

To stop mining is therefore no solution The solution lies rather in continued efforts to improve mining technologies, to enhance management systems including worker participation and to develop a better trained and educated workforce.

Against this background the Chamber of Mines had no difficulty in supporting the call by the unions at the mining summit for the establishment of a commission of inquiry into health and safety The industry believes that an independent inquiry can make an important contribution to the safety debate and establish once and for all whether there are inadequacies in our country's mine safety legislation

● Wagner is a senior GM at the Chamber of Mines.

(131)



LRC Review in

Close examination of the medical kind

W/Mail in 18/6 - 24/6/93

BEFORE Mahendra Chetty started working at the Johannesburg LRC as an attorney, he never dreamt that he would become so well-informed about the medical problems of Aids patients And Matthew Walton in the Cape Town office never thought he would get to know so much about the disfigurement skin lighteners can cause

But clearly, if a man comes to the LRC after having been bitten in the groin by a dog and having become impotent as a result, or a woman arrives with a needle left in her uterus after having had a Caesarian operation, the lawyers handling their cases need to co-operate closely with medical experts when assessing claims for damages Unlawful shootings are another area leading to many damages claims.

In all these cases, the LRC has to work closely with medical specialists — neurosurgeons, psychiatrists, orthopaedic surgeons, pathologists Expert medical opinions do not come cheap, but the importance of the evidence in a damages case can make an enormous difference to a client's life

The LRC deals with a considerable number of cases where close co-operation with medical experts is necessary Aids is a relatively new area of work

One important Aids-related issue is whether an employee may be dismissed purely on the grounds of testing HIV-positive Lawyers increasingly encounter people who were tested for Aids by their employers, often on a false pretext such as being asked to donate blood, and were then dismissed when found to be HIV-positive

Reinstatement actions in the Industrial Court have produced favourable settlements in some cases, usually in the form of retrenchment packages To sue each time deals with the individual case, but the practice needs to be addressed and the LRC aims to help educate employers

Many domestic workers have approached the LRC on this issue recently. Their employers require them to have an Aids test, and they are generally advised to have the test as those who refuse are usually dismissed.

Workmen's Compensation Act cases inevitably draw in the medical profession The Cape Town office has brought cases to challenge exclusions from the Act and the Occupational Diseases schedule Objections are also made against low assessments of permanent disability The office has called for the publication of important case decisions in order to give guidelines, and has submitted proposals regarding the new draft Bill

Lawyers' work often demands co-operation with medical specialists on a wide range of topics — from a dog bite to health problems arising in the workplace

In the case of *Brutus Nyaka v Everite*, a worker died of lung cancer as a result of exposure to asbestos for 25 years at the factory where he worked There is a considerable body of evidence linking his illness to his occupation, but in terms of South African law, a worker cannot be compensated for contracting lung cancer at work His compensation application was therefore unsuccessful, but a summons on behalf of his widow has been issued for damages

The Durban office has worked with clients who suffered occupational illnesses due to contact with chrome dust at the Chrome Chemicals factory, a subsidiary of the German Bayer group

The workers suffered nasal septum perforations and chronic sinus problems The LRC worked closely with the Industrial Health Unit at the University of Natal and met with support groups from Germany who are attempting to extract an ex-gratia payment from Bayer

Workers are limited to the Workmen's Compensation payouts, which were initially assessed at three percent, calculated on the workers' wages as at the date of first diagnosis — which for many of the Chrome Chemicals workers was over 20 years ago

Claims were lodged on behalf of a large number of these workers, as well as applications for increased compensation The compensation was increased to 15 percent, though calculated on the same basis Appeals have been lodged against the degree of compensation as well as the basis for calculating it

Clients who suffered health problems after working at the Western Platinum Refinery received settlement payments of R5 000 each and a company undertaking that it would help them to obtain the statutory compensation available in terms of the Occupation Diseases in Mines and Works Act

The Pretoria office was instructed by over 100 workers at a vanadium mine in Bophuthatswana Vanadium is linked to numerous medical problems The National Centre for Occupational Health concluded in its report that a more comprehensive approach to occupational health and safety was required at the mine

The real solution to these issues lies in enforcing strict safety measures in the workplace, rather than in dealing on a case-by-case basis

While on the one hand needing their input, the LRC is also sometimes required to sue the medical profession The Cape Town office succeeded in getting a contribution towards emotional shock in the cases of the deaths of two babies who were given a poisonous fluid instead of one to combat dehydration The hospital was held to have been negligent and clients' claims were settled for R20 000

In a case handled by the Johannesburg office, a woman's baby died of cerebral asphyxia 18 hours after birth because the delivery was held back by a nurse who feared the doctor's wrath if the child was born before he arrived An inquest is to be held into the cause of death and an action for damages may be instituted.

Service gives help to small businesses

S/Times 4/7/93 E C Metro

A SMALL firm advisory service has been launched by the National Occupational Safety Association (NOSA).

It says developments under way in South Africa regarding occupational safety and health in the growing informal business and small firm sectors "demand a fresh and vigorous approach".

The service will allow the smaller business to cost-effectively address the need for protecting staff while at the same time meeting legal requirements

It is aimed at the business which does not have the manpower or finances to employ a part or full-time safety manager

On-site evaluation of safety in 73 key areas is involved, resulting in the implementation of crrect control procedures (131)

A comprehensive safety programme "starter kit" containing all the necessary documentation is available.

It enables a company to maintain records of those items that should be monitored to maintain the safety and health of the worker.

'Workers exposed to fatal viruses'

Sowetan 5/7/93

THE lives of cleansing workers in South Africa are being threatened by exposure to medical waste materials that could be infected with Aids or Hepatitis B

This is disclosed in a report to the Maritzburg City Council by its Medical Officer of Health, Dr Iain Walters

He says in his report that municipal cleansing staff and many other workers come into constant contact with such medical wastes without being aware of the dangers involved

Walters said the health departments of the country's local authorities were aware of the dangers and were re-assessing their waste disposal legislation.

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Definition

He defined medical waste as "injection needles, syringes, ampoules, scalpel blades as well as drip sets, blood, tissue, any article which has been in contact with body discharge, and any other infectious substance or dangerous chemical"

He calls for a set of by-laws for Maritzburg that will control the disposal of a wide range of wastes He also included suggested amendments to existing bylaws to control such wastes

"At present in South Africa there is no legislation that specifically defines or regulates the storage, collection and disposal of medical waste," he said

His report was greeted with "great interest" by a spokesman for the Natal Provincial Administration, who said the NPA wanted to study it in detail and would comment later

He gave an assurance that all medical waste coming from provincial hospitals was incinerated or removed by "professional disposal experts"

Nidy Sonaqy — PPA: Prepare Primary Health Care.

Man dies in chemical fire

(B1)

CT 6/7/93

JOHANNESBURG — A man died and 18 people were injured in a fire at the explosives and chemical company AECI's Modderfontein plant yesterday, management said

Four of the injured had suffered serious burns and the cause of the blaze was still being investigated, a statement said — Sapa

Aluminium is killing us, say Alusaf workers

W/Mail 9/7-15/7/93. (131)

Employees claim exposure to aluminium oxide results in a disabling chest condition and even death. The company blames tuberculosis which is endemic in the area. By **ENOCH MTHEMBU**

A SEVERE asthma-like condition has disabled numerous workers employed at the giant aluminium plant Alusaf, near Richards Bay.

Workers and some medical experts say that years of exposure to aluminium oxide causes the disease, but the company says the workers are being affected by tuberculosis, which is prevalent in the area

Concerns about conditions at the plant have been heightened by the leaking of an internal Alusaf memorandum, which lists 17 permanently disabled employees whose cases were dealt with over a two-week period between March 25 and April 5 this year. The cause of disablement is not mentioned. Management has refused to comment on the document on the grounds that it is confidential

The chest condition was first identified in Alusaf workers in 1987 by Dr Mark Colvin of the Industrial Health Unit in a report written for the company and the National Union of Mineworkers.

It was dubbed "potroom disease" because it affects those workers who run the long passage-shaped "pots", where the aluminium is processed.

Alusaf, the biggest aluminium smelter on the continent, has three potrooms, each about 1,3km long

NUM shop-steward Bheki Ntuli told *The Weekly Mail* that many workers were being declared permanently disabled by the company, pensioned off and sent home to die. He said three of his friends had died in the last year and he knew of many others, but it was difficult to keep track of people once they had been sent home.

"The company doctor always tells workers that they are suffering from tuberculosis, but we worried about why only Alusaf workers were suffering from TB," said Ntuli Most workers who were affected were in their early 30s and worked at the carbon plant, potroom, casthouse and stores

Colvin said that he made a number of recommendations to the company in his 1987 report. But on a follow-up visit two years ago, he found that few had been implemented.

He said that lung problems were caused by gases in the potroom. "The fluoride gases, fumes and dusts are released into the atmosphere by the cryolite flux that is used in the pots. The pots are contaminated and this poisons the atmosphere."

The fluoride poisoned calcium was deposited in the ligaments and around the joints and caused skin cancer and lung cancer

He said the symptoms of the disease were difficult to pinpoint, but included difficulty in breathing, weakness, and an irritated dry cough, worsening at night A victim lived a disturbed life and depended on medication Potroom disease was not curable, he said

Among other things, Colvin recommended surveys should be conducted in all areas where pitch is used in order to determine the levels of fumes or dust in the air

Ntuli agreed that Colvin's recommendations had not been followed, except that the company had closed pots in Potroom A last year "The company has been refusing to hold a meeting with workers and the Industrial Health Unit They are breaching the health and safety agreement they signed," he said

"Instead, they asked a man who is not a medical doctor to inspect the carbon plant after workers complained about heat We don't trust him since he works for Alusaf."

An employee, Patrick Shange, said. "I was getting flu regularly and it was an abnormal thing for me to get sick I was coughing regularly, I went to the company doctor who gave me asthma spray, but there was no difference. Then I went to a private doctor who advised me to resign because there were dangerous gases in my lungs "

A private doctor, who cannot be named for professional reasons, said he had treated many Alusaf workers with chest infections. "Chemicals and fumes make them more susceptible to chest infection — it depends on how many years the worker has been with the company The longer they have worked for the company, the more likely they are to be infected. Most of my patients from Alusaf have chest problems," he said

"I haven't noticed TB symptoms, but most have bronchitis problems "

No scientific study has been conducted on the environment situation in the company.

Alusaf personnel manager Dr JC van der Walt denied that there was a chest problem and said there was "no dust and heat" in the Potroom Of 2 800 workers, only eight had chest problems last year, he said

Those who had chest problems were given X-rays "If the employee is too ill to work, we give him a disabled salary We are the only company doing that in Richards Bay "

Later, however, he conceded "the environment is not comfortable, but we are trying hard to improve the situation". He said Alusaf was spending R900-million on safety plans to stop the dust in the potrooms and make the place more comfortable.

He also maintained that the dust in the potrooms — aluminium oxide — was inert and not a danger to workers.

Thor mercury victim dies (131)

Own Correspondent

DURBAN — Mr Peter Cele, 22, the Thor Chemicals worker who was in a coma for more than a year, has died in King Edward VIII Hospital here CT 9/7/93

A casual worker at Thor in Cato Ridge, he was admitted to hospital with mercury poisoning in March last year

Thor Chemicals subsequently closed its mercury acetate plant and the department of manpower held an inquiry

Its finding have not been made public

Thor company warned

DURBAN — Natal's attorney-general said yesterday that the Thor Chemicals company could be charged with culpable homicide following the death of Mr Peter Cele, who apparently had mercury poisoning (131) CT 10/7/93

Widows of seamen are left without any benefits

ARG 7/8/93 (131)

GLYNIS VAN ROOYEN
and WILLEM STEENKAMP
Weekend Argus Reporters

HERMANUS. — Mounting bills face the widows and families of the seamen who drowned when the fishing trawler, the Augusta, sank off Danger Point in April

Despite the fact that several of the crew who died on the vessel had been working for more than 10 years, they were considered "casual" workers and have no rights to pension or other benefits They will also not be paid out by Lusitania Fishing Company, in terms of the Workman's Compensation Act, until the men have been declared dead by the Supreme Court

But a spokesman for Lusitania's lawyers said the men's families had been given ex-gratia payments in addition to wages owing to the men

The Seamen's Maritime Union has taken up the case of the widows of Mount Pleasant and Hawston and will "take the matter to court for redress", Pat April of the union said

One widow, Rhona Klaase, has two children and is unemployed She takes care of other children to make a few rand to feed herself and her children. Her future is bleak but it is the way in which the company, South Seas Trawling Co (pty) Ltd, part of the Lusitania fold, handled the whole affair that makes her bitter

Mrs Klaase, whose fisherman father drowned when she was five, said "We were given no assistance for the memorial service Weeks after the boat went down we were told they would hold a service but nothing happened Later we see in the local newspaper that they were afraid to hold a service because the ANC might disrupt it That is nonsense

"In the end we held a memorial service ourselves and the company did not bother to attend or assist My husband worked for them for 11 years yet they still considered him a casual"

Mrs K Spandiel lost a son in the disaster which cost 13 crewmen their lives "My son was on the Prins Willem when it was wrecked on the rocks near the harbour a year ago He was unharmed but all his belongings on the boat, clothing, blankets and so on, were lost in the wreck and he was never given a cent to replace them

Mrs K Brown is one of the worst affected She has five children and although she works, she cannot feed them on her wages, let alone pay the rent, their school fees, books and clothing

Ms April of the Seamen's Union said it was shocking that fishing companies did not insure the lives of crewmen Only the vessels are insured

"Often the full particulars of the crew are not even kept by the company. This is not the way to treat men who leave behind a wife and children every time they step on board a boat"

The Hermanus Child and Family Welfare Society has been assisting the widows with food, clothing and other necessities and will continue to do so until such time as their maintenance grants are approved

A spokesman for the legal firm that acts on behalf of Lusitania said that the company had made several ex-gratia payments to the families of the deceased fishermen

These payments were made over and above money owed to the deceased fishermen as part of their wages

"Before any applications can be heard on workmen's compensation, the fishermen who went down with the vessel have to be declared legally dead by the Supreme Court

Unions set sights on small firms

ARG 14/8/93

SHARON SOROUR

Labour Reporter

(132)

SMALL businesses should brace themselves for increased pressure in the labour relations arena before and after the election, according to Cape Town labour consultant Michael Bagraim.

Eighteen months ago small businesses with more than 75 employees were being targeted by unions, but recently businesses with as few as four employees had become targets.

"With unions gearing up for the election, unionisation and politicisation will be stepped up, and industrial relations will increasingly become a part of small business," he said

After the election voters would be expecting promises by union and political "commissars" to be fulfilled, like higher salaries, more jobs, better houses

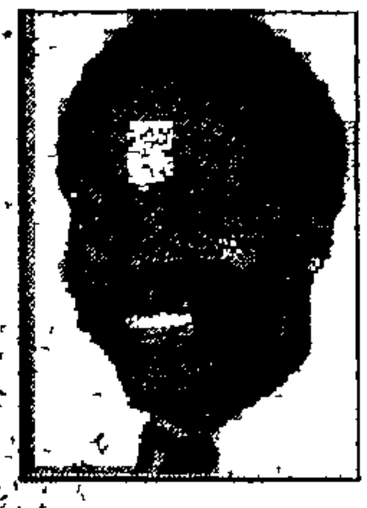
"Unfortunately, what has been promised cannot be delivered. This is going to create a lot of pressure in the industrial relations arena, especially for small business," he said

He has set up a labour relations hotline to help smaller companies. The number is 22 2860 (office hours)

focus on unions

Sowetan 17/8/93

Mudini Maivha of Nactu recounts the many violations committed by the State and business against emergent trade unions in the '70s:



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STATE REPRESSION OF TRADE unions and unionists has been part and parcel of the legacy of apartheid in South Africa since the advent and rise of the African Labour movement

Trade unionists have been seen by the regime as responsible for shop floor rebellions, rather than fighting against inadequate wages, appalling working conditions They have also been seen as the agents of general political rebellion

To begin with, the South African regime has for many decades legislated against African trade unions Domestic and farm workers are only now about to have their right to belong to trade unions protected by legislation

It was only in the '70s that the Wiehahn Commission was appointed and produced a report recommending legislation allowing African trade unionism on condition that such unions were registered with the Government

This constituted yet another violation of trade unionism and the freedom of association because an unregistered trade union was not recognised by the bosses

Trade union leaders at the head of the resistance to these conditions and involved in other campaigns bore the brunt of State harassment, detention and physical torture They also lost their jobs, with management bringing in a variety of petty accusations against them

Part of the reason for the unleashing of the State machinery was the campaign by unionists to get the international community to impose sanctions against South Africa's racist minority and illegitimate regime as well as their campaign for disinvestment from the country

Into exile

Many trade unionists were locked up while others fled into exile However, relative reforms of the Labour Relations Act were carried out, conceding to many demands of the labour movement supported by the international community However, this did not mean an end to violations of trade union rights as State hostility towards the unions and unionists continues to date

State hostility towards the unions is exemplified by the non-existence of legal protection against the dismissal of workers on a legal strike It is exemplified by the nationwide raid on Nactu offices by huge contingencies of security forces on the morning of May 25 1993

Nactu headquarters was burgled, with police claiming to be acting on information that attacks on security forces and the public and bank as well as car robberies were being planned from those offices They raided and besieged the regional offices but in the end found nothing

But, as in the typical of African tale, a thief who finds nothing of value to steal in a homestead will take the hearth stones and leave them at the entrance to the kraal

Face to face — marchers clash with police.

Managements have tended to assist or establish spurious unions and staff associations at plants where workers have been strongly organised This action is aimed at destabilising established unions

In several instances management reduced staff through retrenchment or legitimate but disciplinary action New employees, workers informed us, were given jobs on condition that they did not join the operating union or that they set up their own

They employ members of conservative political organisations to take jobs of striking "radical" workers, thereby creating conditions for conflict. There are instances in which management turned a blind eye to shop floor violence caused by division among workers because management derives advantages from it.

These are just classic examples of what is happening in our society Harassment of trade unions is common in this country We have also seen some unionists murdered just because they worked for better working conditions for their colleagues

Body will tackle workers' safety

ERICA JANKOWITZ

THE Occupational Safety and Health Organisation, intended to redress SA's "appalling safety record", will be launched on Friday.

Statistics show that 240 people are killed and 39 000 are permanently or partially disabled every month in industrial accidents

The group's interim co-ordinator Jace Naidoo said it would be an amalgamation of three organisations — the Industrial Health Unit, the Industrial and Safety Education Project and the Workplace Information Group (131)

Its aim would be to encourage workers' "participation on the issues of health and safety", Naidoo said.

He said the organisation had been in contact with the National Occupational Safety Association (Nosa) and hoped to develop the relationship.

Nosa spokesman Ron McKinnon said his association welcomed any organisation which promoted occupational health and safety. Nosa was concerned about the increasing incidence of industrial accidents. B/Day

He attributed the rising accident rate to increased tension within SA and the effect of the recession

Retrenchments led to increased work pressure and often safety programmes were cut to save costs, McKinnon said 25/8/93

Workers' health under spotlight

JOHANNESBURG — Occupational accidents and diseases claim the lives of thousands of workers each year

Yet access to health and safety facilities, resources and skills have been restricted to a select few, according to the national co-ordinator of the Occupational Safety and Health Organisation of South Africa, Jace Naidoo (131) ARG 28/8/93

The organisation was launched in Johannesburg yesterday.

Mr Naidoo said the development of health and safety service organisations over the past decade had led those involved to conclude that only a national organisation, working with the progressive trade union movement, could begin to redress the inequities that existed in this area of workers' lives.

He said the new body was committed to initiating national programmes to reduce workplace diseases and accidents, and to establish internationally accepted standards and legislation in occupational safety in South Africa. — Sapa

Safety body launched (131)

JOHANNESBURG. — The Occupational Safety and Health Organisation of South Africa was launched here yesterday. CT 28/8/93

Sowetan 30/8/93

50 000 miners march

MORE than 50 000 National Union of Mineworker members marched in Welkom to protest against "the inadequacy of safety and other measures on the Free State goldfields".

The marchers handed in a memorandum at the office of the Department of Mineral and Energy Affairs on Saturday, saying that in the past 10 years 1 492 miners had been killed and 30 649 seriously injured on the goldfields

It added that the underground fatality rate of 1,04 per 1 000 a year and an injury rate of 21,77 per 1 000 a year was unacceptable.

Mine management

Num also criticised mine management for allowing semi-skilled personnel to work underground, and said on average workers were trained for 14 days with two-to three-day refresher courses at the beginning of each new contract (131)

This was inadequate, it said, and added that safety representatives were also inadequately trained and not democratically elected - *Sapa*

JOBS

The disabled seek jobs, not quotas

S/Times [Buss] 12/9/93

The Institute for Personnel Management says imposing quotas for hiring disabled employees would be detrimental to both the disabled and employers. **TERRY BETTY** reports.

(131)

AMID the fuss about affirmative action in favour of blacks and women, little is said about employment for the disabled

They do not need charity, merely jobs they are capable of doing, says Institute of Personnel Management affirmative action division member Chareen Grobler

The disabled comprise more than 12,7% of South Africa's population, yet only 1% of them are employed

Miss Grobler defines disability as anything that prevents someone from doing a normal job The affliction could be the result of accident, a stroke, heart attack or some illness

Miss Grobler says the disabled generally work in administrative jobs which do not require much physical effort.

Only 2% of employers take a poor view of hiring disabled people Such employers may have had a bad experience with the disabled

"You find people with disabilities in all spheres of life Some are nice and some are not so nice It is important to select the right person in the first place"

Miss Grobler would like to see the end of stereotyping of the handicapped

"People often think blind people can be employed only as switchboard operators But a blind person can be fully productive in many jobs, such as working with computers"

Miss Grobler admits that a few disabled people choose not to work because they would forfeit welfare benefits which give them security "However, they would be people drawing on their disability insurance policies The State grant is only R370 a month from September

"People prefer to work — it is important for their dignity and pride

"Work solves many problems It encourages people to accept their disability, it stops them from withdrawing into themselves and it boosts their image of themselves"

The biggest barriers to employment opportunities for disabled people are the negative attitude of some employers, lack of public or other transport and the poor access to many buildings

Another problem is that some employment agencies refuse to find work for the disabled Some like to be seen to have on their books only the glamorous and the good looking

The disabled are often exploited People phone the Association for the Physically Disabled thinking they can get cheap labour

Miss Grobler says "Fortunately, we have a countrywide network and know who these people are

"The advantage of hiring a disabled person is that he or she is generally prepared to work harder than average Because of SA's high rate of unemployment and the prejudice they face, disabled people capitalise on their opportunities"

Miss Grobler says a quota system for employment of the disabled has been suggested

"But some businesses would hire disabled people merely to fill their quota. That would often result in the wrong people being hired, someone being paid a pittance to do nothing," she says

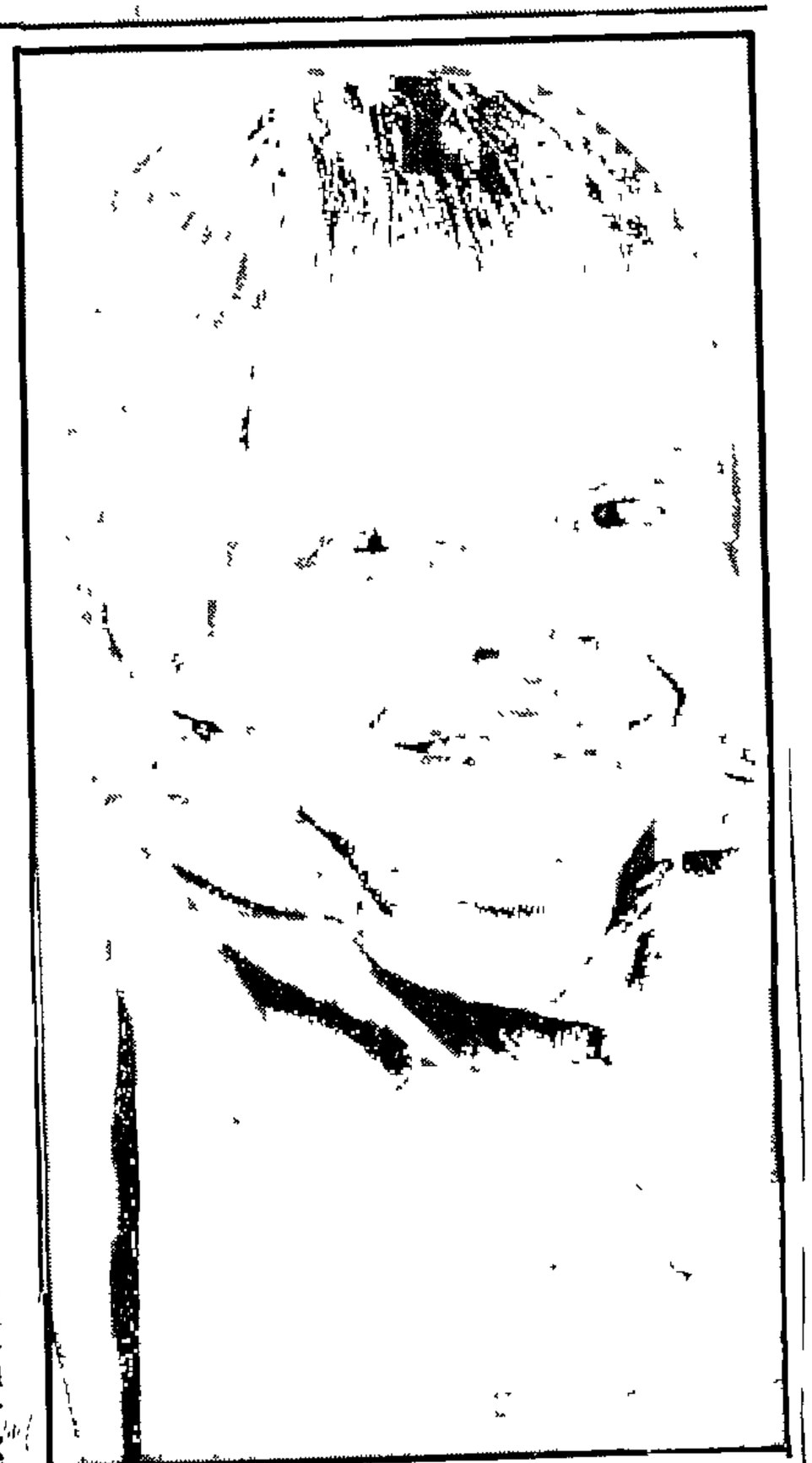
"This kind of tokenism is detrimental to disabled people and to their employers"

Renwick Management Services managing director John Sherratt says prejudices against handicapped people are less prevalent at higher levels

"Prejudices seem to be greater at lower levels in an organisation where individuals may be less worldly or intelligent"

He says the trend is to pay people according to their performance rather than status, and people are assessed holistically based on whether they fit into the culture and are capable of doing the job.

Mr Sherratt says most new buildings are being designed according to European standards, such as having ramps, so that handicapped people can get on with their own business



CHAREEN GROBLER . work is important for dignity

Chemicals death: Bosses in court

(131)

CT 6/9/93

Own Correspondent

DURBAN — Three executives of the Cato Ridge Thor Chemicals plant could face massive fines if they are found guilty of charges relating to the death of one worker and the suspected poisoning by methyl mercury of another

The managing director of the factory, Mr Steve van der Vyer, factory manager Mr Gavin Daniels and chief supervisor Mr William Smith appeared in the Camperdown Magistrate's Court last week and were released on bail The matter has been adjourned to September 15

They were arrested in connection with charges of culpable homicide. They also face 42 counts under the Machinery and Occupational Safety Act following the death in July of Mr Peter Cele

Another employee, Mr Engelbert Ncgobo, 44, has been in a coma for more than a year

MANAGEMENT

Safety a priority under new Act

B/Day 16/9/93

ERICA JANKOWITZ

HOW do health and safety rate in SA companies? As just another administrative headache when management is forced to get its records together for an inspection, or as a continuing campaign against accidents, injury, and disease?

From January 1 new legislation is likely to force management to take a more careful look at all workplace health and safety issues

Management, whether self-employed or a manufacturer, installer or importer of any article or substance used at the workplace, may be held liable for health or safety problems in terms of the new legislation

On average, five workers die every day in SA factories, a sobering thought in the context of current levels of violence Violence, however, makes the headlines, while industrial accidents seldom do

One that has is the Thor Chemicals case, with the recent arrests of two managers facing 42 charges, mainly relating to negligence

Though health and safety has been on the trade union agenda for a while, the issues have taken second place to wages and campaigns aimed at mobilising support

The new Occupational Health and Safety Act, which has been passed and should be promulgated from January 1, obliges employers to consult workers or their representatives on the appointment of safety representatives and committees Workers may also report perceived breaches of legal requirements

This will make it necessary for employers to take a much more active role in managing workplace health and safety "Window dressing" in the form of keeping accessible records will no longer be enough

But, says the newly formed Occupational Safety and Health Organisation's national coordinator Jace Naidoo, the shortage of Manpower Department inspectors — there are 16 for the whole Johannesburg area — will make enforcing provisions or following up complaints difficult

(131)

The new Act will impose larger fines on employers charged with non-compliance The present Machinery and Occupational Safety Act provides for a maximum R10 000 penalty, but this will be raised to R50 000

And should this not be enough to focus management minds, the penalty for Section 28 2 contraventions will double to R100 000 in terms of the new legislation

But it is not only the penalties imposed which are important, the whole occupational health aspect of the new Act is extremely significant, a Safety Management Systems spokesman said Safety Management aims to offer companies a comprehensive service to help them comply with the new requirements

Consultants will determine whether current management systems afford effective protection for employees, assess stress factors such as noise and ventilation, and check protective equipment, machinery installation, dangerous substances and first aid requirements

On the issue of safety representative training, the spokesman said Safety Management planned to give on-the-job and factory-specific training to representatives, believing this to be more effective than lecture courses

The Occupational Safety and Health Organisation's Naidoo agreed training was an essential component in implementing an effective safety management system, and his organisation resolved to devise a programme aimed at ensuring safety representatives have the required skills

Employers will be expected to foot the safety training bill If death and injury rates drop, it will be worthwhile in the long term, both spokesmen agreed

Safety Mangement said the major problem in the past had been employer apathy on safety issues, with companies sidelining safety in the battle to survive the recession Hence the need to legislate standards according to international trends and impose heavy financial penalties

When the Act is promulgated, companies will be given four months in which to adjust their existing health and safety programmes to comply with the new regulations

Naidoo's organisation is planning to collaborate with trade unions on a health and safety campaign He hopes that under a new government more funds will be released for training and inspection

Thor under fire from all sides

(131) WM 17-23/9/93

Farouk Chothia and Peter Auf de Heyde

IN what is believed to be the first prosecution of its kind, three senior executives of British-owned Thor Chemicals appeared in court this week in connection with the death of a worker who allegedly contracted methyl mercury poisoning while working at the company's Natal factory.

Their court appearance came against the backdrop of two other developments: the death of a second Thor Chemical worker and a decision by environmentalists to launch an international campaign next week to force the British government to act against the firm.

Thor Chemical's managing director, Steve van de Vyver, factory manager Gavin Daniels and chief supervisor William Smith appeared briefly in the Camperdown Magistrate's Court on Wednesday, facing charges of culpable homicide relating to the death of an employee, Peter Cele (22), in July.

Cele was allegedly poisoned with methyl mercury while working at the plant in Cato Ridge, near Durban — the biggest of its kind in the world.

In March last year, the Department of Manpower ordered Thor to suspend its operations producing mercury effluent until problems with waste disposal were under control

Thor is a subsidiary of the British multinational Thor Holdings; it recovers mercury from toxic waste imported from the United Kingdom to South Africa.

Apart from the culpable homicide charge, the trio also faces an additional 42 charges of contravening the Machinery and Occupational Safety Act.

After being arrested last week, Van de Vyfer and Daniels were released on R20 000 bail each, and Smith on R10 000 bail.

In the 106-page charge sheet, the three are accused of having failed to conduct routine biological tests, thus causing Cele's death.

The charge sheet states that the trio failed to introduce a training programme for workers in order to make them aware of the fact that they were dealing with high-risk substances.

They are also accused of not ensuring that Cele was removed from the plant when he showed high levels of mercury contamination.

A spokesman for Earthlife Africa (Natal), lawyer Chris Albertyn, described the case as historic, saying it was the first of its kind in South African history.

He added that in terms of the Workmen's Compensation Act, neither the victims nor the families could sue the company. They can only sue individuals who, in this case, have been charged.

But Albertyn intends to turn the screws on Thor.

Before flying out to London this week, he said he was examining the possibility of suing the parent company, Thor Holdings, on behalf of workers.

The Environmental Justice Networking Forum, an umbrella body of environmental groups, said this week it intended launching a series of demonstrations next week against the UK government.

A representative, Mandy Jackson, said the idea was to force the UK government to disclose all its information on toxic-waste dumping in South Africa and other African countries.

Jackson said petitions with several thousand signatures would be handed to the British embassy and consulates in South Africa. Environmental groups in London also intend holding demonstrations.

The heightened action coincides with the disclosure by the Natal attorney general's office that Thulumuzi Shenge (65), a painter at Thor, died about three weeks ago.

A senior advocate at the AG's office, Dave Demerell, said a post mortem examination had been carried out and he was awaiting the results of a full toxicological examination of tissue samples taken from Shenge's body. Once these results were known, the AG's office would know whether to prosecute Thor executives in connection with Shenge's death, said Demerell

A Thor spokesman was quoted in a local newspaper as saying that Shenge had a history of tuberculosis and had been off duty for seven months

The spokesman said Shenge was not working at the plant at the time of his death.

Safety group under fire

S/Times [Buss] 19/9/93

By DON ROBERTSON

THE National Occupational Safety Association (Nosa) is coming under pressure to put its house in order and carry out the task it is paid to do

Allegations are that it gives prior warning of factory inspections, does not record all accidents, fails to consult trade unions about safety and is unresponsive to the health of employees

In the year to February 1992, Nosa received grants of R8,5-million from the Workmen's Compensation Commissioner, the Federated Employers Mutual Association, the Directorate of Civil Aviation and the Building Industries Federation of SA For this, it inspected about 3 500 factories out of a total of about 230 000 Last year it trained about 45 000 people in safety.

(131)

Dissatisfaction with some of its activities led to the formation of the Occupational Safety & Health Organisation (OSHO) last month It incorporates non-government organisations such as the Industrial Health Unit in Durban, the Industrial Health and Safety Information Group in East London and the Workplace Information Group in Johannesburg

It has the support of the Congress of South African Trade Unions (Cosatu) and the National Council of Trade Unions (Nactu)

Jace Naidoo, the first coordinator of the OSHO, says safety in the factory is largely a matter between Nosa and management and seldom involves workers

In spite of many factories holding a Nosa five-star rating, accidents cause five deaths a day. There are 300 000 industrial accidents a year

Last year, accidents cost SA 22-million workdays

Nosa general manager for marketing Ron McKinnon says that because the organisation has no legal standing, it is obliged to give notice of an inspection

"There has been criticism that companies stop production to get their house in order before a Nosa grading Nosa, its executive management and the board of directors have taken steps in an effort to combat abuse of the system

"Unannounced visits to plants to verify whether the safety programme is operating effectively in a Nosa-graded factory are being investigated"

Nosa will in future involve shop-floor representatives in occupational safety It has asked unions to report major clean-ups at plants or the concealment of injuries before a Nosa inspection

Nosa has plans to prevent companies from misusing its gradings

Mr McKinnon says low insurance premiums for businesses with low accident rates are not automatic

Nosa receives 40% of its income from the State Accident Fund.

Because of the long lead times in assessing claims, the Accident Fund reports three

The fund's report for the year to February 1988 says R95,6-million was paid back to companies which achieved a lower than average accident rate This was for the three years from 1986 to 1988

The next rebate for the three years to 1991 will be paid in January next year.

In the year to February 1992, the Accident Fund received R496-million from company contributions and had reserves of R198-million

South 15/10 – 19/10/93

Worker, 22, dies of mercury poisoning

(131)

British chemical company Thor to face culpable homicide charges

MR PETER Cele, a former employee of Thor chemicals, has died after lying in a coma for a year as a result of chronic mercury poisoning He was 22

A charge of culpable homocide will be laid against Thor Chemicals, a British-owned toxic waste processing facility outside Pietermaritzburg, according to the Natal attorney-general, Mr Tim McNally

If it can be proved that Thor knew the dangers of dealing with mercury and that the operations were potentially life-threatening, the charge could be one of murder, said Mr Richard Spoor, the lawyer representing the Chemical Workers' and Industrial Union

There are also charges outstanding against Thor arising from the Department of Manpower's investigation into the safety of the plant.

Cele's colleague, Mr Engelbert Ngcobo lies in a coma in hospital

According to Dr Mark Colvin, an occupational health expert involved in the examination of workers at the Thor Chemical plant near Pietermaritzburg, mercury poisoning does not always present dramatic physical symptoms, like skin ulcers, but may take the form of psychiatric disorders

The patient displays "profound auditory and visual hallucinations, followed by severe anxiety attacks", says Dr Colvin

In cases of severe poisoning the victim may go into a coma and eventually die, as happened with Peter Cele.

●The ANC's national co-ordinator on science and technology, Mr Roger Jardine, says his organisation "is committed to developing a system of subsidies and incentives that will encourage clean technologies and would like to see strict liability applied to hazardous waste generators"

DUDLEY MOLOI
— New Ground

POISONED: Peter Cele's last days

Thor man falls ill — new probe

(131) CT 22/9/93

Own Correspondent

DURBAN. — The department of manpower has been called in to investigate the sudden illness of another Thor Chemicals worker who was hospitalised this week with suspected mercury poisoning.

The worker, Mr Petros Gwamanda, was admitted to hospital early on Monday and is being treated at the expense of Thor Chemicals.

Mr Gwamanda's sudden illness follows the recent deaths of two former employees of the Cato Ridge chemicals factory, Mr Peter Cele and Mr Thulumuzi Shange. However, health officials were unable to say yesterday whether the cases are related.

The department of national health said occupational illness in factories was the responsibility of the department of manpower.

"The Machinery and Occupational Safety Act attempts to establish the principle of self-regulation. In extreme cases such as the one in question, the factory inspectorate may well see fit to close the factory, but this is their (the department of manpower's) decision."

A manpower department spokesman did not respond to requests for comment yesterday.

A Thor Chemicals spokesman said Mr Gwamanda spent part of the weekend at the factory, apparently because he feared for his life in the townships.

"He went beserk on Saturday night, knocking over drums, and could not be restrained by security staff or police."

Thor said he left the factory in the early hours of Sunday and the company immediately arranged to find him and take him to hospital.

The company said it was unable to comment on the cause of his illness until medical tests were completed.

Mr Rod Crompton, general secretary of the Chemical Workers' Industrial Union, expressed "serious concern at the recent series of tragic consequences at Thor".

Safety and health standards at the factory had been "less than adequate", he said, and the union was negotiating new standards with the company.

"The results of mercury poisoning do not seem to be immediately visible. Indications are that the symptoms only become apparent once a certain threshold has been crossed," Mr Crompton said.

Radioactive pipe loss: Control hitch

JOHANNESBURG. — A breakdown in control procedures at the Palabora Mining Company was responsible for contaminated material leaving the copper mine, general manager Mr Bruce Farmer said yesterday CT 25/9/93

The mine last week admitted that radioactive stainless pipes found at a scrap yard in the Transvaal town of Phalaborwa were from the mine

"Our own investigations have shown that other contaminated material has left the mine," he said. Management was taking measures to prevent its re-occurrence — Sapa (131)

Sick Thor worker: 'No mercury poisoning'

(131)

CT 28/9/93

Own Correspondent

DURBAN — Thor Chemicals worker Mr Petros Gwamanda has been discharged from hospital — and indications are that his illness was not related to mercury poisoning

Mr Gwamanda was admitted to Westville Hospital early last week Dr Mark Colvin of the Medical Research Council suggested at the time that his symptoms pointed to mercury poisoning

In a statement yesterday the hospital said Mr Gwamanda was discharged on Saturday and that "his mercury levels are within normal limits"

Rallies to mark safety day

B/Day 11/10/93

ERICA JANKOWITZ

THOUSANDS of workers are expected to mark national health and safety day today with several memorial services, rallies and marches planned from today until Sunday, Cosatu said yesterday.

In the first eight months of this year about 424 workers were killed and 5 725 injured in more than 5 860 reported accidents, Cosatu said.

It called on government to enforce health and safety regulations, and to immediately implement the International Labour Organisation conventions on health and safety. (131)

Other demands were the integration of all health and safety departments and legislation into single entities, and a commission of inquiry into all aspects of health and safety.

Cosatu proposed the disbandment of the National Occupational Safety Association and that it be replaced with a "tripartite forum to be funded by the state and employers". This forum would be charged with "the responsibility of setting workplace safety standards and regulation".

Cosatu also proposed that workers and their representatives be given the right to conduct their own investigations after accidents

October 1 was declared national health and safety day after the Kinross mine disaster in 1986 in which 177 workers lost their lives.

White teachers told to get out

BIDay 1/10/93

KATHRYN STRACHAN

WHITE teachers in black schools should expect to be attacked if they resisted calls to vacate their jobs by the end of the year, the Azapo-aligned Azanian Students Movement (Azasm) warned yesterday.

Azasm publicity officer Aslam Tawana said white teachers had been warned to hand in their resignations before the end of the year Once the new year began, students would take action against uncooperative teachers

"We will use all means necessary to remove them, even if it involves force. They are only inviting trouble for themselves if they refuse to go," he said.

The organisation said the Department of Education and Training (DET) employed white teachers at the expense of thousands of well-qualified black teachers who were unemployed.

It was also only white teachers who could not get jobs at white schools who were employed by the DET.

Azasm condemned the proposed strike by SA Democratic Teachers' Union (Sadtu) members in Soweto The children of most Sadtu members attended private schools and were not affected by the disruptions, he said.

"Sadtu doesn't have the aspirations of black students at heart — they care only about their salaries," he said.

The organisation threatened mass action next year if the DET refused to reset the matric exam papers in a way that examined only the sections that pupils had been taught

The DET said it followed an affirmative action policy and only employed white teachers when suitably qualified black teachers could not be found.

□ An area the size of an international soccer field would be needed to store the 9,5-million textbooks and prescribed works to be distributed to black schools next year, Sapa reports.

The DET said yesterday it had spent R75m buying the books, which would be stored from October 4 and distributed to schools from January 15.

There was 4 500m² of space at the department's storage depot at Hermanus, but an additional 5 000m² of space was needed.

A team of 100 people would be required to pack books for eight hours daily over a 15-day period and a contractor would deliver the books to schools by tender arrangement.

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Cosatu call for health, safety

South 8/10 – 12/10/93

THE Congress of South African Trade Unions (Cosatu) marked Health and Safety Day last week Friday by launching a campaign to press the government to implement the International Labour Organisation's conventions on health and safety (131)

Cosatu declared the day in 1986 after the Kinross mine disaster which claimed 177 workers' lives

Cosatu said there had been 5 860 workplace accidents in the first eight months of 1993, with 424 workers killed and 5 725 injured

According to the statement, workplace disasters would continue as long as the government failed to enforce health and safety regulations and employers regarded workers' safety as less important than profits

The South African working environment continued to deteriorate, leaving millions exposed to diseases directly linked to hazardous material such as dust, noise, toxic chemicals and radioactivity, it added **SAPA**

IN BRIEF

Sasol worker 'torn to shreds' by pump

(131)

PRCT 27/10/93

JOHANNESBURG — The Chemical Workers Industrial Union has called for an inquiry into safety at Sasol installations after one of its members was "torn to shreds" by a large pump when he fell into a cooling pool at Sasol 3 yesterday All that could be found of William Mafokong's remains was shredded clothing, said CWIU secretary-general Rod Crompton .

Videos show way to office safety

(131)

ARG 27/10/93

SHARON SOROUR, Labour Reporter

AMERICAN videos known as Safety Shorts — which deal with topics like workplace safety, ergonomics, the environment, occupational safety and sexual harassment — are now available in South Africa.

The National Occupational Safety Association (Nosa) has obtained exclusive rights to market the series, according to Ron McKinnon, Nosa general-manager (marketing)

He said the series would not only contribute to safe-work procedures, but would also be effective educational and training tools because of the powerful message and visual impact

"The fact that each video is between five to seven minutes long makes it ideal for any safety training and safety-awareness programme, as minimum time could be used most effectively and constructively"

The product was suitable for risk managers, safety managers, loss-control officers, occupational health professionals, safety supervisors and training personnel

The video series would ease "frustrating" problems like monotonous safety meetings and expensive training videos

It would provide any company with a viable means to reduce accidents, minimising human pain and suffering, workers' compensation cost, health insurance cost, risks of property damage, and risk of fines and litigation

Mr McKinnon said various subscription options were available with four videos a month costing R880 plus VAT and two videos a month costing R500.

● Contact David Stone or the Nosa Video Centre at ☎ (012) 217 736 for more information

Danger! Industry at work . . .

The death of two factory workers, allegedly from mercury poisoning contracted at Thor Chemicals in Natal, and the arrest of three of the company's executives, has focused attention on health and safety conditions in industry Argus Correspondent DAVID ROBBINS discovers that some industrialists show little interest in the prevention of occupational diseases

ARG 29/10/93 (131)

IT'S not as though nobody's watching what goes on in the nation's factories and mines

In the basement of the National Centre for Occupational Health in Johannesburg, scores of square red boxes line the walls They're used to transport the lungs and hearts of deceased miners for detailed analysis in the centre's laboratories About 3 500 organs are processed each year, and the results carefully stored

In this way, the world's largest bank of data relating to lung disease in miners has been built up The centre also knows something about health in specific industries other than mines But not enough

As long ago as 1976, the Erasmus Commission on Occupational Health was saying that, "industrial health not only occupies a secondary position in industry in this country, but that industrialists have put very little time, money and organisation into the prevention of occupational diseases"

Personnel at the National Centre for Occupational Health (NCOH) believe that the situation has not changed There is still no uniform industrial health system in place, and there simply are not enough sufficiently qualified inspectors to cover all the ground

So it was a group of environmentalists who first focused attention on Thor Chemicals, a British-owned factory specialising in the incineration and distillation of waste material from overseas (batteries, medical equipment and catalysts in the plastics industry) to extract the mercury it contained

It was in 1989 that traces of mercury were discovered in streams near the Cato Ridge plant The controversy has raged since then, drawing into the argument trade unions, students, ecologists, a traditional Zulu Chief in the area — and the NCOH which reported on the situation early in 1992

Meanwhile, workers have allegedly become ill with mercury poisoning, and so far two have died

Thor Chemicals managing director Steve van de Vyver, factory manager Gavin Daniels and chief supervisor William Smith have already appeared in the Camperdown Magistrate's Court on charges of culpable homicide relating to the death of one of the workers and also for contravening the Machinery and Occupational Safety Act

But the NCOH report makes comments and recommendations which go far beyond the specific conditions at Thor Chemicals, and which indicate the general state of play in South African industry Among the most important are

- That most occupational diseases are not treatable, and that once there has been excessive exposure to a noxious agent, a progressive disease may have been started It is "dangerously simplistic" to assume that removal of the victim from the noxious agent would mean an improvement in the condition

- That factory managements and government departments should listen carefully to what is being said by workers through their union structures, and be prepared to discuss the matters raised in detail

- That the Department of National Health should urgently address the void in respect of the provision of occupational health services,

- That the Department of Manpower, since it has too few inspectors to ensure that the self-regulation of factories is being carried out, should emphasise to management organisations the responsibilities (implicit in existing legislation)

Yet the situation in most South African factories remains far from satisfactory

The head of the National Centre for Occupational Health, Professor Tony Davies, goes so far as to say "In the majority of factories there is a total absence of a systematic and scientific approach to protecting workers from the hazards of the job, although injured or diseased workers are often retrenched

"Only a negligible number of cases are reported by doctors working in industry itself," says Professor Davies "The tendency is to diagnose something other than occupational disease as a cause of symptoms

"What is urgently needed to sort out these problems is a team approach," Professor Davies asserts "People both inside and outside the factory must become involved As a rule, there are no environmental measurements, and when disease occurs it always comes as a great surprise We need to take control, to be one jump ahead, so that our factories stop being places

Health Writer David Robbins finds some bosses in this country show little interest in preventing occupational diseases on their factory floors

Employers will have to deliver

Star 29/10/93

(131)

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Workers are said to have become ill with mercury poisoning Two have died

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- That most occupational diseases are not treatable, and that once there has been excessive exposure to a noxious agent, a progressive disease may have been started It is "dangerously simplistic" to assume that removal of the victim from the agent would mean an improvement in his condition

Address void

- That factory managements and Government departments should listen carefully to what is being said by workers through their union structures, and be prepared to discuss the matters raised in detail
- That the Department of National Health should urgently address the void in respect of the provision of occupational health services, and that the Department of Manpower, since it has too few inspectors to ensure that the self-regulation of factories is being carried out, should stress to management organisations the responsibilities (implicit in existing legislation)

Yet the situation in most South African factories remains far from satisfactory

NCOH head Professor Tony Davies goes so far as to say "In the majority of factories there is a total absence of a systematic and scientific approach to protecting workers from the hazards of the job, although injured or diseased workers are often retrenched"

Sixty percent of all occupational lung diseases in South African industry is reported by a single clinic, that attached to the NCOH itself

The bulk of the remainder of the cases is reported by two voluntary institutions: the Work Health Clinic attached to Groote Schuur Hospital in Cape Town and the Industrial Health Unit situated on the Durban campus of the University of Natal (It was the Industrial Health Unit which did a lot of the initial work in the Thor Chemicals case)

"Only a negligible number of cases is reported by doctors working in industry itself," says Davies "The tendency is to diagnose something other than occupational disease as a cause of symptoms"

Examples of this tendency are dust disease of the lung diagnosed as tuberculosis, and usually treated as tuberculosis, and occupational asthma diagnsed as bronchitis and not infrequently attributed to smoking

"What is urgently needed to sort out these problems is a team approach," Davies asserts "People both inside and outside the factory must become involved As a rule, there are no environmental measurements, and when disease occurs it always comes as a great surprise We need to be one jump ahead, so that our factories stop being places where fit people are cycled into diseased ones"

The old days, when accountability was hardly profound and impossible to enforce, are over As South Africa moves towards democracy, the demands from the shop floor will become greater, not less Managements will be compelled to deliver in the field of occupational health

Latest demands from the National Union of Mineworkers in the Free State, for example, contain 27 clauses, all of which relate to health and safety issues.

Yet the general carelessness about worker health remains

"When we have tried to explain to various managements that they're sitting on dynamite, they think we're exaggerating," says Davies

Judges rules keyboard strain 'does not exist'

(131) CT 29/10/93

LONDON. — Thousands of British keyboard operators who had hopes of being compensated for Repetitive Strain Injury (RSI) had their hopes dashed yesterday when a High Court Judge ruled that there was no such thing.

Judge John Prosser rejected Reuters journalist Mr Rafiq Mughal's claims for compensation on the grounds that keyboard work had crippled him saying RSI was "meaningless" and had "no place in the medical books". The condition probably arose from Mr Mughal's lack of confidence in his skills.

Journalist wins stress injury case

ARG 2/11/93

(131)

LONDON. — A British journalist has won an out-of-court settlement in a case involving repetitive stress injury (RSI) after a judge had ruled the disability did not exist

Sarah Munson, a sub-editor on the Portsmouth News, won £11 371 (R58 685) in the settlement.

Munson, who worked long hours on a computer keyboard, was diagnosed as having RSI in 1991. The paper's own doctors had confirmed the diagnosis

She was sacked after taking sick leave.

The award was hailed by the National Union of Journalists, which has 70 other cases pending

High Court Judge John Prosser had dismissed a damage suit brought by Reuters journalist Rafiq Mughal, 44, who claimed he had been disabled by RSI acquired while working at computer keyboards.

Judge Prosser found RSI "is in reality meaningless It has no pathology, is too easy a term to use, and its use serves to confuse"

Therapists and union spokesmen say thousands of employees in Britain who work at computer terminals have RSI symptoms of disabling hand, wrist, forearm and shoulder pain — Sapa-AFP.

Safety bodies seek closer ties

ERICA JANKOWITZ

THE National Occupational Safety Organisation (Nosa) and the Occupational Safety and Health Organisation of SA (Osho) have held exploratory talks in Pretoria B/Day

Representatives of both organisations exchanged information yesterday with a view to sharing resources and establishing closer ties

However, Nosa with its management thrust and Osho with its involvement in shopfloor and trade union structures, appeared far apart in their approaches 2/11/93

With new legislation due to come into effect in January, the organisation was reworking its workplace audit to incorporate a sixth section on occupational hygiene, director Ron McKinnon said (131)

Osho national co-ordinator Jace Naidoo said his organisation had been approached by several businesses which preferred not to use Nosa programmes because of their lack of worker involvement. Last year it trained about 3 500 representatives.

However, its programme had not been approved by Nosa McKinnon agreed to assess the programme.

The organisations agreed to further discussions and co-operation

We were sabotaged — Thor

GARNER THOMSON (131)
Weekend Argus Foreign Service

LONDON. — A top executive of Thor Chemicals — the British company embroiled in worldwide controversy over alleged mercury contamination in South Africa — has claimed its Cato Ridge plant was sabotaged

Managing director Desmond Cowley told the Daily Mirror here that he was "surprised" at the charges being faced by the company's executives in South Africa.

He added. "We deny it is culpable homicide"

Mr Cowley said the whole incident had been caused through sabotage by "persons unknown"

He told Mirror investigator Peter Hounam. "We don't dispute that there was mercury contamination of the workers, but it was a result of the sabotage of the breathing system.

"We discovered several grams of mercury in the intake filter."

Mr Cowley claimed that the barbed wire fence around the plant was breached with wire-cutters in 1989 and drums of mercury compound were overturned ARG 13/11/93

10 injured in factory blast

By YAZEED FAKIER

TEN employees were injured last night when a relay pipe carrying deadly ammonia gas burst in the packaging section of a Worcester chicken factory

The explosion occurred when a screw-cap was dislodged about 9.45 at Rainbow Chickens, about 3km outside Worcester. (131)

The packaging section was filled with about 40 employees working the night shift, which is staffed by 355 All were later sent home

Rescue workers from two ambulances and two fire engines and using breathing apparatus were on the scene within minutes CT 4/11/93

Two of the 10 people worst affected were still being treated early today at Eben Donges Hospital Their condition was described by a rescue service spokesman as "not serious"

Safety charter after gas leaks

(131)

DURBAN — A special charter is soon to be adopted between AECI's Umbogintwini complex and the surrounding communities following gas leaks at the factory earlier this year

The charter provides for improved emergency warning systems, community involvement in safety drills and participation in new developments at the complex.

CT 8/11/93

'Women more likely to develop strain injury than men'

(131) ARG 19/11/93

WOMEN may be more likely to develop repetitive strain injury (RSI) than men, an American expert told a conference on occupational health in Cape Town this week

Larry Fine, director of the division of surveillance and health hazard evaluation at the United States' National Institute of Occupational Safety and Health (NIOSH), said the reason for the slightly higher reporting of RSI among women was unclear

Many women tended to be in the high risk category because of their double responsibility. Typically in industrialised societies women went home after completing their formal daytime job and then worked in the home

But he said it could also be that women simply reported the disorder more accurately than men

NIOSH had not identified physical strength as a protective factor against RSI

Dr Fine, who participated in a recent two-year NIOSH study of the Los Angles Times newsroom, also said in an interview that most journalists, who were generally highly committed to their jobs and working under deadlines, tended to ignore early symptoms of RSI

In addition to introducing conservative and simple therapies and good office ergonomics, newspapers should also look at ways of eliminating major problems and stresses

Commenting on a recent British case in which a judge ruled against a compensation claim by a former Reuter journalist and questioned the existence of RSI, calling the condition "meaningless", Dr Fine said RSI was a disorder with no clear diagnostic criteria or signs

Such disorders, where there were no distinctive physiological findings or lab tests, were the ones that the legal and compensation systems were going to have the most difficulty dealing with — Sapa

part of the celebration in Johannesburg on Saturday during which streets were blocked off to allow crowds to join the party. Picture ABDUL SHARIFF

Hyper burnt down in February .

until the final outcome of the application.

tensive local government experience.

New Act will result in greater civil litigation

B/Day 22/11/93

ERICA JANKOWITZ

THE Occupational Health and Safety Act, due to come into operation on January 1, would result in increased civil litigation, Webber Wentzel labour lawyer Gasant Orrie said. (13)

Speaking at a conference last week, Orrie warned of maximum fines of up to R100 000, two years' imprisonment or both if an employer was found to have been negligent, resulting in a death or injury.

"Apart from providing and maintaining safe systems of work, plant and machinery, an employer is required to provide such information, instructions, training and supervision as may be necessary to ensure, as far as is reasonably practicable, the health and safety at work of his employees," he said.

Employers also had to take all the necessary measures to ensure that the requirments of the Act were complied with by any person on the premises where machinery was being used.

He said it might be necessary for employers to stipulate any breach of these requirements as a disciplinary offence

Employers should also consider making employees' functions and duties clearer in job descriptions so as to encompass safety standards These should be communicated to all employees.

On the issue of non-employees directly affected by an operation, Orrie said companies faced possible criminal prosecution for failure to ensure their safety.

This now fell under a statutory duty of care. Previously, a claimant had to show that the employer owed a duty of care.

Employees were given statutory duties in terms of the new Act, including being obliged to take reasonable care of their personal health and safety, he said.

In the event of an accident, Orrie said employers should arrange for trained, competent and properly designated employees to inspect the scene as soon as possible after it occurred.

He emphasised the need for employers to keep proper records and to have properly trained and qualified health and safety officers "It will become more difficult for industrial relations officers and managers to act as health and safety officers".

A further cost complication was that until the amended Workmen's Compensation Act was promulgated in April 1994, high-earning employees would be able to sue employers for damages arising from negligence in regard to workplace health and safety issues

☐ At a ceremony on Friday, the National Occupational Safety Association honoured Consol Ltd and Telephone Manufacturers of SA for achieving three million work-hours without a disabling injury

Azapo will not take part in election

B/Day

HARARE — The Azanian People's Organisation (Azapo) and the Black Consciousness Movement of Azania (BCMA) will not take part in SA's first non-racial election in April next year, Ziana news agency said.

The parties are holding two-day consultative talks in Harare.

Azapo deputy secretary-general Lybon Mabasa yesterday labelled as a "sell-out settlement" the adoption of an interim constitution by negotiators last week. 22/11/93

He said Azapo and the BCMA would launch a campaign to persuade South Africans not to vote in the election.

"We hold the opinion that a sellout settlement is in place in SA and that sham elections are going to be held to legitimise the continuation of white rule

"We will try to convince our people not to sell their birthright and freedom by casting votes that will put them in perpetual slavery," he said.

Illiterate blacks in SA were ill-informed about the implications of the choices they would make in April

"Azapo will explain why the elections cannot be supported and why the Kempton Park package cannot satisfy the interests of blacks in the country."

Azapo and BCMA demanded "total freedom" that enhanced the status of the oppressed, he said Mabasa also predicted violence would escalate in the wake of the election — Sapa.

Inkatha launches campaign

B/Day 22/11/93

Own Correspondent

DURBAN — The Inkatha Freedom Party has launched a massive publicity campaign despite its president Mangosuthu Buthelezi insisting he will not lead it into elections for a constitution making body.

In full-page newspaper advertisements, Inkatha appealed to the public to "join the crusade" and declared itself to be "a power for good".

And according to the language Buthelezi and Inkatha spokesmen have been using lately, it would appear that Inkatha is under increasing pressure to rejoin the mainstream political process.

This could be clarified by the KwaZulu chief minister at a public meeting in Durban's City Hall tonight

At a rally in Pretoria on Saturday Buthelezi, although rejecting the constitution endorsed by negotiators at the World Trade Centre, said the Freedom Alliance would "come second if an election were to be held tomorrow"

However, he said the alliance did not have to enter an election to prove its support and would demonstrate its power by fighting the "treachery in negotiations"

Buthelezi told the crowd "I will not make the illegitimate consitution legitimate by participating in an election under it" He repeated earlier promises to hold a special general conference of Inkatha to decide on poll participation.

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B/Day 22/11/93

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Thor to close mercury plant

CT 24/11/93 (131)

Own Correspondent

THOR CHEMICALS will shut down its mercury-related operations in Cato Ridge by the end of 1996 because of continuing public controversy, the company announced yesterday.

Managing director Mr Steve van der Vyver said the controversy about the company's mercury operations was taking up a disproportionate amount of management time, money and effort and was also affecting staff morale

However, environmentalists have suggested that the "real reason" for the decision was that Thor's mercury plant was running out of local supply sources and the operation would not be able to justify itself financially unless additional mercury waste products were imported from overseas

Dispute 'affecting morale'

Mr Chris Albertyn, spokesman for Earthlife Africa and the environmental justice networking forum, also expressed fears that the decision could lead to increased atmospheric pollution from Thor Chemicals in the months leading up to the mercury plant closure

Thor said in a statement yesterday that the decision was not an admission that mercury operations posed a risk to the environment or the safety of employees

Mr Van der Vyvyer and two other senior Thor executives recently pleaded not guilty in the Camperdown Magistrate's Court to charges of culpable homicide folloing the death of former employee Mr Peter Cele, allegedly as a result of mercury poisoning

He said the decision would mean that South African waste products containing mercury could no longer be recycled at Thor and there would be no environmentally-satisfactory way of disposing of these materials

Thor is believed to be the only company in the country that recycles mercury from waste industrial products

Mr Van der Vyver also said that the AECI company would no longer supply Thor with mercury waste products for recycling after 1996

He dismissed fears of increased air pollution as "a typical Earthlife statement"

INDUSTRIAL ACCIDENTS & ~~RELATIONS~~ HEALTH, —

1994

Thor Chemicals faces big claim in UK court

(131)

ARG 31/1/94

☐ Families of affected workers plan to sue

LONDON — A British company at the centre of one of South Africa's worst poisoning scandals, in which one worker died, another was left in a coma and 27 others were injured, could face a huge damages claim in London courts.

The families of three of the employees at Thor Chemicals mercury reprocessing plant, at Cato Ridge in Natal, are alleging it failed to protect the workers from the potentially deadly effects of the heavy metal, which attacks the brain

They are planning a test case against the factory's Manchester-based parent company — Thor Chemicals UK

The claim arises from events at the plant, reputed to be the biggest in the world, in early 1992, when two workers, Peter Cele and Englebert Ngcobo, collapsed, showing symptoms of mercury poisoning

Mr Cele, 21, has since died and Mr Ngcobo, 54, remains in a coma It is their families who intend to launch the test case, along with Albert Dlamini, 26, who has been unable to speak or work since he was employed at the plant

If successful, actions by the other workers found to have toxic levels of mercury in their bodies could follow

An inquiry by the South African health authorities found "ample evidence of widespread contamination of the plant and the surroundings with mercury and its compounds"

A report by an occupational health expert, Tony Davies, found that casual workers were given no proper training or respirator equipment, that levels of mercury in the air were consistently above the maximum allowed, that "skin contamination, including burns, are frequent, and that contamination of work clothes is common"

The South African government has since charged three executives with culpable homicide and 42 other offences covering breaches of health and safety procedures

Concerns over Thor were first raised at its factory in Margate, Kent, in the Eighties, when allegations of excessive levels of mercury in the air and in workers' urine were investigated

The company gradually transferred its mercury operation to Natal, leading Professor Davies to conclude "Thor Chemicals must accept full responsibility for the consequences of the transfer of hazardous processes to the plant at Cato Ridge"

But the families are faced with starting the legal proceedings in the UK because under South African law they are prohibited from suing their employers in that country

Similar legislation in Britain, which provided minimal compensation for work injuries or death but prevented civil court actions, was repealed in the 1940s

No one at Thor Chemicals in Manchester was available to comment — The Independent

Gas leak hits nearby school

CT 22/2/94 (131)

Own Correspondent

DURBAN — Community representatives in Merebank here have called for stricter safety measures after schoolchildren and factory workers were evacuated because of a bromine gas leak at the nearby C G Smith chemicals factory yesterday

Pupils from the Alipore Road primary school and workers at nearby Chrome Chemicals were told to evacuate shortly after 11am

Merebank ratepayers association spokesman Mr Adhir Maharaj said a number of pupils from Ganges secondary school were also told to go home after complaining of nausea

C G Smith factory general manager Mr Brett Stewardson said he requested the evacuation of the primary school and neighbouring factory as a safety precaution, as bromine gas was corrosive and could cause burns

The cause of the leak was still being investigated yesterday

Area evacuated after gas leak

(131)

ARG 22/2/94

The Argus Correspondent

DURBAN — Schoolchildren, factory workers and other people were evacuated from the area surrounding C G Smith Chemicals' premises here after a bromine gas leak.

The alarm was raised at 10 30am yesterday and by 12 30pm the fire department said the situation was under control

A fire department spokesman said today that a pipe had broken in one of the chemical company's plants, causing the leak. Two fire engines and back-up vehicles raced to the scene.

But he believed the evacuated people were still being kept out of the immediate vicinity

The spokesman said bromine gas was poisonous and corrosive

C G Smith general manager Brett Stewardson said the leak had happened at a plant which manufactures pharmaceutical products

"Because bromine is classified as a hazardous substance, we activated all international requirements for a gas leak of this kind.

"The factory next door was evacuated, as was anyone downwind of the leak"

He said the Department of Manpower, the fire brigade and various environmental groups had been notified, and all were satisfied that any danger that might have existed had passed.

Safety body ready soon

JACQUIE GOLDING

A HEALTH and safety commission would be in place before the elections and would make recommendations to SA's next president, NUM general secretary Kgalema Motlanthe said yesterday

The commission, with representatives from the NUM, the Chamber of Mines and government, would investigate all existing regulations on occupational health and safety in mines B/Day

The implementation of new mine labour legislation would have to be carefully devised, with international standards catered for, said Motlanthe 2/3/94

The NUM said it would consider state control of mining houses which did not meet the basic health and safety standards (131)

Cosatu said it would focus on compensation claims, adding that compensation costs had to be high enough to prevent companies from transgressing safety standards

SAFETY and SEC

Tough new laws to ensure worker safety

S/Times [C/Metro]

20/3/94

By FRED ROFFEY

COMPANIES can be fined up to R100 000 under the new Occupational Health and Safety Act (OHASA), which came into effect this year and replaces the Machinery and Occupational Safety Act (MOSACT) of 1983

The fines have been adjusted to bring home the seriousness of the regulations — in the past, transgressors often cheerfully paid low fines because it cost less to pay them than to take corrective measures

Formerly only employers were entitled to appoint safety representatives

Now, under OHASA, employees will be able to participate in the process of appointing health and safety representatives, who will now have the right to inspect employers' documents relating to the new Act

They will also be able to attend investigations carried out by inspectors

Legal responsibility is placed on employers to provide a working environment that is safe and without risk to employees

OHASA spells out these duties and also compels designers and manufacturers to ensure that articles comply with prescribed safety standards

In the case of hazardous substances, the supplier must inform the user on the safe use of the substances

Employers are compelled to implement programmes dealing with hazardous working conditions

The programme must include biological monitoring, medical surveillance and precautionary measures

OHASA says employees must be informed by employers of their work conditions, particularly potentially dangerous work, and be trained to handle emergencies resulting from dangerous situations

Employees also have duties towards their employers, as they must comply with formal health and safety procedures

They must report unsafe or unhealthy conditions to their employer, and they must not misuse or interfere with equipment

Members of the public are also covered by the new legislation, as it protects them against health and safety risks which may result from the activities of employees, employers and self-employed people

(131)

OHASA extends to farm workers under certain conditions

A health and safety representative must be appointed where there are more than 20 permanent workers on a farm — a welcome move in view of mechanisation

Safety agreement a first for workers

B/Day 30/3/94

JACQUIE GOLDING

A HEALTH and safety agreement between the NUM and Marlin Granite allowed workers to refuse to carry out dangerous work without risking dismissal, the NUM said yesterday.

The deal satisfied one of the demands on worker rights made at Cosatu's weekend conference

The demands would become law if accepted by the TEC, the NUM said.

NUM health and safety head Sazi Jonas said the agreement allowed better relations with management

Shop stewards would have increased responsibility, and health and safety inspections would be conducted at least once a month.

They would also be allowed to take part in the investigation of accidents and inquiries.

(131)

Laws change health care at work

B/Day 30/3/94

BEATRIX PAYNE

TWO new laws intended to tighten the control of and compensation for occupational diseases, introduced early this year, could have a far-reaching effect on workplace health care provision.

Both the Compensation for Occupational Injuries and Diseases Act, which took effect in March, and the Occupational Health and Safety Act, which took effect in January, placed greater responsibility for the control of workplace health and safety conditions with the employer.

Employers had to pay the first three months' compensation, according to the Compensation for Occupational Injuries and Diseases Act of 1993, which had replaced the Workmen's Compensation Act, Centre for Applied Legal Studies associate professor Paul Benjamin said yesterday.

Employers would be reimbursed by the state later Previously, all compensation was paid directly by the state

This would cut out many of the delays in compensation payments, Benjamin said

Businesses would also have to pay premiums based on risk assessment for all employees. Under the previous Act such premiums covered only employees earning R5 000 or less a month.

Benjamin said the Act had increased the number of compensatable diseases.

This, said National Centre for Occupational Health head Dr David Rees, could lead to many industrial relations problems as the list of diseases had become more open-ended

(131)

Under the new Act, workers exposed to quartz could be compensated for contracting TB at the workplace Repetitive strain injury was covered by the list.

The Occupational Health and Safety Act of 1993 had replaced the Machinery and Occupational Safety Act It contained provisions which obliged doctors to report work-related disease to the Chief Inspector of Factories

"Doctors have been notably lax in this respect," the centre's director Prof Tony Davis said yesterday

Warning on work safety

B/Day 14/4/94

ERICA JANKOWITZ

INCREASED penalties under the Occupational Health and Safety Act should be seen as a warning to management to take the law seriously, according to Webber Wentzel associate partner Clive Hertog

At an International Executive Communications seminar, Hertog said management should take note of the possible costs to companies found guilty of contravening the regulations

Not only did the Act broaden the range of reportable incidents, but it also made it easier to for damages Companies had a duty to safeguard workers from potentially harmful substances and work practices

The Act should not be taken lightly as "the consequences could be horrendous"

Trade unions were becoming more involved in this area of management with expertise in union ranks being developed and used during investigations and inquiries In terms of the Act, unions were deemed to be interested parties and could not be precluded from this function

He said despite the manpower constraints of the inspectorate enforcing the legislation, informal monitoring of health and safety issues meant companies could no longer be sure of getting away with small admission of guilt fines for unsafe work practices

(131)

In terms of the Act, maximum penalties were increased to R100 000 or two years' imprisonment or both and the inspectorate was now obliged to pass findings to the attorney-general for possible prosecutions

Trade union or employee representatives would have to be elected on to health and safety committees and would be entitled to initiate studies into work practice Comprehensive records of all such studies and recommendations would have to be kept and could be seized by inspectors following an incident

Hertog urged employers to take care in completing required reports. "Employers need to create a method of sifting facts, considering the use of senior management with technical expertise, the appropriateness of legal privilege and the use of independent experts."

He said the Act provided for stopping production in certain areas of a business until steps were taken to minimise risks to employees' health or safety

Fool around at work at your peril

Labour Reporter (131)

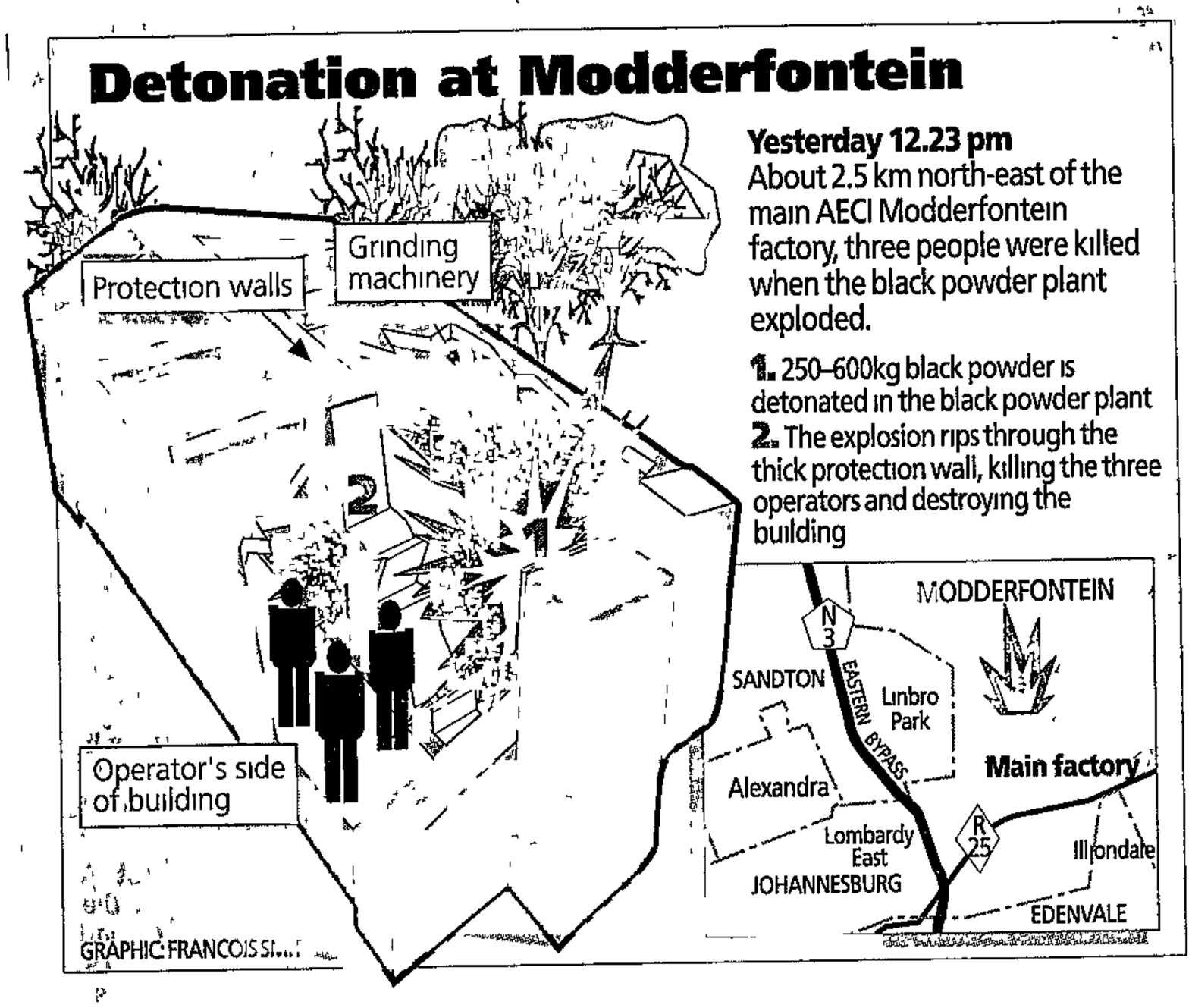
EMPLOYEES who fool around in the work place, ignore health and safety regulations and thereby endanger the lives of colleagues could be fired in terms of the new Occupational Health and Safety Act

The Act, which came into effect this year, places greater responsibilites and duties on employers and employees regarding occupational health and safety, according to Celeste Allen of industrial relations firm FSA-Contact

The Act states that employers, who personally face fines of up to R100 000 and two years' imprisonment, were guilty of contraventions until proven innocent, she said

ARG 28/4/94

Unless employers could prove that an incident occurred when an employee had no permission or authority, or that employers had taken all reasonable steps to prevent the incident, they could be convicted



3 die in AECI explosion

Star 13/4/94

BY CHERYL HUNTER and CHARMEELA BHAGOWAT

An explosion at AECI's black powder plant in Modderfontein, near Johannesburg, killed three employees instantly and demolished the reinforced area in which they were working yesterday.

Between 250 kg and 600 kg of semi-processed black powder detonated just after midday and caused a grass fire, said AECI operation services director Boet Coetzee

The area was evacuated immediately after the explosion and all operations had been halted until the highly explosive debris could be cleared away and all evidence gathered from the site, he said.

AECI "expected incidents of this sort because of the nature of the process, but was saddened that lives had been lost", Coetzee added

No one could speculate on the cause of the explosion and preliminary investigations would be completed in about a week, he said.

AECI declined to name the dead employees until their families had been notified. The victims lived at a hostel in Modderfontein.

The black powder is apparently sensitive to both friction and heat and either could have detonated it

Thor men cleared of some charges

CT 6/5/94 (131)

Own Correspondent

MARITZBURG — Thor Chemicals, its managing director Mr Steven van der Vyver, and employees Mr Gavin Daniel and Mr William Smith were found not guilty on more than a quarter of the 42 counts relating to contraventions of the Machinery and Occupational Safety Act, in the Maritzburg Regional court yesterday

Magistrate Mr F Heuer said the four parties were acquitted of 12 counts on which they were charged with the alleged failure to report the monthly mercury in urine tests from January 1991-1992 of employees with levels in excess of 200 parts per billion.

Effectively the parties now face 30 counts involving the failure to inspect the compressor room or its air filter, to provide adequate training or control in the handling use or storage of high risk substances and providing false monthly test results

In addition, they face two charges of culpable homicide in which two former employees died as a result of mercury poisoning They have pleaded not guilty to all counts

Thor 'supplied wrong figures'

(131) CT 10/5/94

Mercury readings 'held back'

Own Correspondent

MARITZBURG — Thor Chemicals supplied incorrect Mercury in urine figures to the department of manpower in their monthly reports, the Regional Court here heard yesterday.

"In most cases the lower figures are reported to us where there is a higher one recorded on the laboratory analysis sheets," Mr Colin Murphy, a department of manpower senior inspector, told magistrate Mr Fred Heuer

"Peoples' levels are way over (the acceptable level of 200 parts per billion) yet the figure supplied is way below In some cases they are as high as 1 700 They just don't appear anywhere," said Mr Murphy

Mr Murphy was giving evidence in the Thor Chemicals mercury poisoning trial in which the British-based company, its managing director Mr Steven van der Vyver, Mr Gavin Daniel and Mr Bill Smith are charged with being responsible for the deaths of two former employees Mr Peter Cele and Mr Frank Shange

They are also charged with 30 counts of related offences in terms of the Machinery and Occupational Safety Act involving a further 30 employees

Mr Murphy said he accepted the figures as correct as Thor were the experts, but had not been able to ascertain why the abnormally high figures were not supplied to him on the monthly mercury in urine sheets from the company

He said when he pointed out these major discrepancies to Mr Daniels, a production manager, he was told the figures reflected certain "trends" which he had not been able to detect through his own investigation

Contamination

Mr Murphy said only after he had seized the time books belonging to Mr Smith — a Thor Chemicals supervisor — had he been able to ascertain that certain employees who showed high levels of contamination had not been removed from these high-risk areas

He told the court he had only become aware that Thor Chemicals employed casual labour after Mr Van der Vyver had phoned him on March 19, 1992 informing him that three employees had been hospitalised The employees were Mr Peter Cele, Mr Albert Dlamini and Mr Engelbert Ngcobo

The hearing continues tomorrow

Pictures produced at Thor hearing

ARG 12/5/94

(131)

The Argus Correspondent

MARITZBURG — Evidence of haphazard control over mercury and the use of safety equipment at Thor Chemicals one month after the mercuric acetate plant was closed down has been produced in the regional court here

More than 30 photographs illustrating mercury in a bucket left unattended in the mercuric chloride feeder room contaminated clothes mixed in with clean overalls, food and drink and spillages were shown to the magistrate, Fred Heuer

Some of the photographs were taken on April 16 1992, one month after three Thor Chemicals employees, Peter Cele, Albert Dlamini and Engelbert Ngcobo, were taken to hospital with symptoms of mercury poisoning and the plant was closed down

Testifying yesterday, senior Department of Manpower inspector Colin Murphy said some of the photographs also related to an inspection on March 27 and showed an orange juice container stored in the change rooms.

"Under no circumstances is food or drink allowed to be consumed in these areas," he told the court

During one of his inspections he found two workers walking into a contaminated area with no masks on

There were dirty handbasins and contaminated gloves were lying around

The hearing continues tomorrow

Chemical industry has care programme

MICK COLLINS

THE SA chemical industry yesterday launched a responsible care programme to minimise adverse environmental effects and protect the health and safety of employees and the public

At a seminar in Midrand the Chemical and Allied Industries' Association (CAIA) said its programme was in line with the norms and guidelines of the International Council of Chemical Associations (ICCA)

To date 15 local chemical companies, including Sasol, Sentrachem and AECI, had signed up and the CAIA expected many smaller firms to sign up in the near future

Sentrachem GM, health, safety and environment, Peter Hart, who has been seconded to the programme, said chemical companies would commit themselves to a three point philosophy This, he said, would embrace B1 Day

- ☐ Excellence in health, safety and environmental (HSE) performance,
- ☐ Effective communication with the public, and (131)
- ☐ Inter-company assistance and sharing of experience in HSE matters 25/5/94

The CAIA had produced a manual to assist members in developing HSE programmes, covering health and safety, waste management and pollution control, transportation of chemicals and storage and distribution of chemicals, he said

"By the end of 1994 the manual will include sections on community awareness, emergency response and product stewardship," Hart said

Self-regulation was an integral part of responsible care, Hart said

"The CAIA will promote this by issuing self-evaluation questionnaires to evaluate performance against CAIA standards

"The association will then have the data on individual companies which will be consolidated into an industry progress report," Hart said

Five hailed for safety record

Labour Reporter (131) ARG 26/5/94

FIVE top companies have been honoured for their accident prevention record in the past 21 years by the National Occupational Safety Association

Sasol One in Sasolburg, Samcor (Pty) in Port Elizabeth, AECI in Somerset West, Engen Refinery in Durban and Foskor in Phalaborwa each received a "Noscar" at a special function in Kempton Park

Safety awards were presented to 55 South African companies and one international company, a Nosa spokesman said

The top five companies had maintained "a disabling injury rate of not more than one percent over the past 21 years and achieved not less than 95 percent in official health and safety gradings conducted by Nosa"

"This is indeed testimony of commitment to health and safety in the interests of employees," the spokesman said

Seven companies received their first "Noscar" They were Amalgamated Beverage Canners (Wadeville), Haggie Rand's Jupiter Rope Works (Johannesburg), Hulett Aluminium (Maritzburg), PFG Building Glass (Springs), Pretoria Portland Cement (Hercules, Pretoria) and Pretoria Portland Cement (Pienaarsrivier)

A Brazilian copper mine in Rio Paracatu Mineracao clinched the fist award given to a foreign company

A delegation from the mine flew to South Africa to receive the award.

Occupational health and safety council appointed

Weekend Argus Labour Reporter

MINISTER of Labour Tito Mboweni has appointed a 17-member Advisory Council for Occupational Health and Safety, acting Director-General of Labour Joggie Kastner has announced

The 17, selected from a list of 64 nominations, are A D du Plessis (Department of Labour), J R Serfontein (SA Society for Occupational Health Nurses), I J P Pretorius (building and construction industry), J C F Botha (Seifsa), M A C la Grange (Nosa), A I Dreyer (Transnet), W P Coetzee (Fitu), L N Cilliers (Sacol), S Miller (Cosatu), R de Waal (Fedsal), R J Page-Shipps (specialist on occupational hygiene), B A French (Department of Labour), J H L Flint (assistant director Compensation Fund), J C A Davies (Department of National Health), and the chief director of the office of the government mining engineer S Burger

(131) ARG 6/7/94

The advisory council will have its first sitting in Midrand on September 2

Be nice to those who stay away

ARG 9/7/94 (131)

DALE KNEEN
Weekend Argus Reporter

PEOPLE who take sick leave without good reason are draining the economy, but things won't improve until everyone has adequate housing and a balanced diet

That's the view of economists and medical specialists who are acutely aware of the problem of absenteeism at this time of the year, when colds and flu viruses run rampant

Charl Adams of the Cape Town Chamber of Commerce and Industry says it is difficult to quantify the exact cost of absenteeism to the economy because sick leave is taken haphazardly — but it's "sizeable" in the winter months

Employers are forced by law to grant sick workers leave, but some employees exploit this, regarding it as part of their normal leave benefits and making sure they use all their sick leave every year

Weekend Argus learned that the city's municipal staff of close to 16 000 took a total of 108 317 days off sick in just six months last year — the equivalent of 297 years of leave taken in just half a year, paid for by Cape Town ratepayers

Cape Town's assistant personnel manager, Garth McKenzie, said the city council, like all employers, was obliged to grant sick leave and municipal workers had a "generous" six weeks a year.

■ Employers should create pleasant work environments for their employees if they don't want workers taking sick leave when they aren't ill.

He said the city council was also trying to develop a comprehensive health programme for its workers and steps had been taken to improve their health

Except for designated areas in the Civic Centre, the building is smoke-free It also houses a gym and workers can train on machines or take aerobic classes

The South African Municipal Employers' Association has sports facilities such as soccer fields and bowling greens in Rondebosch which can be used by municipal workers

The city's medical officer of health, Michael Popkiss, said "one has to start with the basics" to have a healthier workforce

"A shack can be adequate if it is properly built and therefore remains dry It must have electricity, a supply of fresh water and proper nightsoil removal"

There was little anyone could do to avoid contracting colds and flu, but people who already had the virus should avoid exposing others to it

Illnesses that occur in the Western Cape in winter are tuberculosis and typhoid — more common when there is flooding or damage to sewers and drains.

"People should strive to be more healthy by having a balanced diet, eating fresh fruit, vegetables and lots of fibre No-smoking buildings are healthier environments for employees"

Mr Adams said employers dealt with absenteeism by punishing their employees or by creating an environment which was pleasant and stimulated productivity

"A punitive action would be for employers to insist that employees have a medical certificate even if they take only one day's sick leave

"There's a school of thought that people take sick leave when they don't want to be at the workplace Attempts should therefore be made to make the workplace as attractive as possible"

Mr Adams said he knew of certain companies which experienced very low levels of absenteeism

Employees at these businesses were keen to go to work because they enjoyed being productive

Support for mine inquiry

(131)

Own Correspondent

JOHANNESBURG — The Chamber of Mines yesterday expressed its support for the Commission of Inquiry into Health and Safety in the mining industry

Chamber president Mr Jurie Geldenhuys said there was no other issue that generated more concern in the mining industry than the safety and well-being of its 500 000 employees

About R1,5bn had been spent on safety since the 1970s.

CT/8/7/94

Compensation Act now covers higher earners

Star 13/8/94

THE Compensation for Occupational Injuries and Diseases Act has replaced the Workmen's Compensation Act, broadening and increasing benefits to employees, reports LEIGH ROBERTS.

(131)

EMPLOYEES have gained from the new legislation governing accidents and diseases in the workplace

Earlier this year, the Workmen's Compensation Act was replaced by the Compensation for Occupational Injuries and Diseases Act

The new Act both broadens and increases benefits to employees

The highlight of the new Act, says Old Mutual actuary Butch Judge, in its publication Interface, is that all employees are now covered by the Act

The exceptions remain domestic workers, and members of the military and police forces

In the past, only employees who earned less than R55 068 a year were covered by the legislation

While more employees — from unskilled labourer to managing director — may claim benefits in the event of occupational disability or death, the amount payable to higher-income employees is unlikely to be adequate, says Judge

The new Act caps the maximum annual salary on which benefits are based at R55 068

For employees earning less, the benefit is based on their actual monthly earnings, including the value of food or quarters

In addition to compensation, the Act stipulates that medical expenses will be paid for a period of up to two years after the accident Any money received under the Act is tax-free to the employee

The Act limits benefits to those accidents and diseases which occur in the workplace It does not cover other events leading to the employee's inability to work These risks, says Judge, can be covered by assurance companies

Under the Act, employees are entitled to claim benefits — within 12 months of the accident — if they suffer injury from an accident in the course of their employment

Judge says accidents comprise those which entail expense for medical treatment, absence from work for longer than three days, permanent disablement or death

The Act lists the occupational diseases for which benefits will be paid However, the commissioner retains a discretion to pay out for any other diseases

Disability is defined in the Act as disablement for employment, or permanent injury or serious disfigurement (for example the loss of a limb)

The amount of disability benefit payable to the employee depends on the extent of his injuries, which are defined in the Act as

- Temporary partial disablement — inability to perform the work in question or to resume work at the same remuneration.
- Temporary total disablement to perform the work in question
- Permanent disability — the degrees are set out in schedule 2 of the Act

The accompanying table shows the disability benefits payable

The usual procedure for claiming benefits is for the injured employee first to report the accident to his employer, and then submit a claim form (obtainable from the employer or the Office of the Compensation Commissioner, at Box 955, Pretoria 0001)

All employers — even those with only one employee — are obligated to register with the commissioner's office

A monthly fee is payable, determined by the number of employees and the nature of the employer's business

THE EMPLOYEE'S DISABILITY BENEFITS

DISABLEMENT	BENEFITS	DURATION	CALCULATION
Temporary total disablement	periodical payments	Until recovery, resumption of work or permanent disablement	75% of monthly earnings
Permanent disablement of 30%	Lump sum	One off	15 x monthly earnings
Permanent disablement of less than 30%	Lump sum	One off	Calculated as above in the proportion of 30%
Permanent disablement of 100%	Monthly pension	Until death	75% of monthly earnings
Permanent disablement of more than 30% but less than 100%	Monthly pension	Until death	Pension calculated as for 100% disability in the same proportion as the disablement

R384m accident bill

ERICA JANKOWITZ B/Day

ACCIDENTS in the building sector were estimated to cost a staggering R384m a year — enough to build almost 26 000 low-cost houses, the National Occupational Safety Association (Nosa) said on Friday 15/8/94

In 1992, compensation totalling R54m was paid to construction workers injured in accidents If indirect costs, including wages paid, were taken into account, the actual cost of these accidents was about seven times that figure, it said In addition, more than 1,6-million working days were lost to the sector as a result of fatal and non-fatal accidents (131)

In response to these findings, major players in the sector formed a construction health and safety forum to address these issues Among the participants were Nosa, the Building Industries Federation, the Construction and Allied Workers' Union and the SA Federation of Civil Engineering Contractors

Members were charged with developing a strategy to address health and safety in the industry

Nosa MD Leo Strydom said· "It is in the interest of industry and each and every employee that we find solutions to the problem. Inadequate health and safety standards and practices must be eliminated, as it is costing the country millions of rands."

Mining safety gets 4% of department's budget

B/Day 15/8/96

JACQUIE GOLDING

ABOUT 4% of the Mineral and Energy Affairs Department's total budget of R708m was allocated to health and safety matters, government mining engineer Jan Raath said at the weekend

Testifying at the commission of inquiry into mining health and safety under cross-examination by NUM legal counsel Paul Benjamin, Raath said the money was not allocated separately to health or safety but the 4% had to cover both sectors

The department's budget was expected to increase to R730m for the next financial year, Benjamin said.

On the 1986 Kinross disaster where 177 miners were killed due to a fire involving polyurethane, Benjamin asked Raath why it took so long to ban the product when the dangers had been known since 1967.

Its use had been banned after seven workers were killed at Western Deep Levels some time after the Kinross disaster

Benjamin also asked Raath whether he was aware that the NUM was denied the right to participate in an inquiry at a Free State mine in December 1992

According to Benjamin, the NUM's health and safety officer in the area had not given the mine manager prior notice about attending the inquiry and his name was ommitted from the list of witnesses drawn up by management

The official objected to this, after which he was charged with interrupting the inquiry and was prosecuted He was, however, acquitted last year

Commission chairman Judge Ramon Leon said the behaviour of the presiding officer at the inquiry at the time was "deplorable" Raath said the behaviour showed the NUM was against regulations

He said the Mineral and Energy Affairs Department supported the union's view that safety representatives should be elected and that they should undergo additional training He added that the onus of training should be on mine management

Benjamin said the NUM submitted that safety representatives needed to be elected by workers and represented full-time on mine shafts, adding that permanent safety representatives had to be responsible for co-ordinating safety activities with management in their areas (131)

Raath also said the department was under-resourced and that the inspectorate was underpaid. This had resulted in an inability to attract new staff and maintain current staff levels

Demons of the deep: Radon and her dusty 'daughters'

131

WM12-18/8/94

Research reveals that gold miners are exposed to dangerous levels of radioactive gases, reports **Eddie Koch**

WORKERS in South Africa's gold mines now have to deal with a new set of underground demons: radon and her "daughters".

New research shows more than 10 000 miners are exposed to doses of subterranean radioactive gases that exceed international safety limits

Union and government officials fear that clouds of radioactive gas released during blasting underground are causing higher than normal rates of lung cancer in gold-mine workers.

The industry and organised labour have only recently paid serious attention to the radioactive menace on gold mines, although the presence of radon gases in underground workplaces has been known since the 1940s

The Council for Nuclear Safety (CNS), a government body that monitors occupational health hazards in the nuclear industry, revealed last week that 9 600 workers in the gold mining industry are exposed to a radioactive dose of between 20 and 50 milliSieverts each year A safety standard set by the International Commission on Radiological Protection (ICRP) is 20 milliSieverts a year

Recent CNS statistics show that another 1 100 workers are probably breathing in more than 50 milliSieverts of radioactive dust a year The statistics are based on regular records of dust underground

"These kinds of exposures are known to cause cancer in the bronchial area of the lungs," said CNS researcher Bert Winkler "This cannot be distinguished from tumours caused by smoking and other types of dust and so it is difficult to identify workers who have been affected by radioactive dust. But it is possible that exposed workers are more vulnerable to cancer and that there has been an increase in the incidence of lung cancers due to the presence of these materials."

Winkler's statistics show, however, that most workers are exposed to levels of radioactivity that are not regarded as dangerous More than 200 000 employees breathe in far less than 20 milliSieverts each year

Research shows that since the 1930s, eight to 15 out of every 1 000 white and coloured mineworkers have contracted occupational lung diseases, including cancers No accurate statistics have been kept for black workers but "the rate for them will be higher because they work in more dangerous conditions", said health and safety researcher Dr Imran Patel

Sazi Jonas, health and safety officer for the National Union of Mineworkers, says his union had been aware that radon released during mining was a danger to workers' health Now it has emerged that the gas combines with other radioactive toxins — the "radon daughters" (polonium, bismuth and lead) and uranium and thorium — which cling to dust particles that can penetrate the lungs' lining

Dust devils ... As many as 10 000 miners are exposed to excessively high levels of radioactive materials PHOTO JUSTIN SCHOLK

Radon and its "daughters" escape from gold-bearing rock and are distributed during blasting, when underground rock is removed and when gold ore is extracted on the surface

Unlike pure radon gas, which is inhaled and exhaled relatively quickly, the "daughters" and dust particles can remain in workers' lungs for substantial periods As a result, exposure to even small doses of radioactive materials can be dangerous if workers breathe in the dust over a long time

The new details about radioactive threats to mineworkers emerged during the current commission of inquiry into health and safety on gold mines

Until four years ago, there were no regulations controlling the presence of radioactive gas clouds and inhalation Since then mines have begun adapting ventilation systems to remove dangerous dust clouds

"Traditionally, the mining industry has been allowed to regulate itself But the example of contaminated material discovered last year to be fairly widespread revealed to the CNS that the industry was reluctant to take responsibility for protecting its workers from the effects of radioactivity," said Dr David Fig, research director of the Group for Environmental Monitoring

Winkler says the CNS's statistics are based on measuring radioactive doses in the general environment These were not necessarily an accurate assessment of the actual amounts of radioactive dust that workers inhale each year

"We are working closely with the industry to find a simple system of measuring exposure doses of individual workers to radioactivity Substantial reductions (in radioactive dust underground) can be made by planning and improving ventilation systems at little extra cost," said Winkler "But with 250 000 workers underground and the extremely deep levels of our mines we have a unique set of problems to contend with "

Sources in the gold mining industry said the CNS "got its act together" in terms of monitoring radioactive exposure when high radioactivity levels were discovered at Phalaborwa metal scrapyards where waste material from gold mines is stored

CNS acknowledges at least 20 mines in the Transvaal and Free State generate radioactive by-products

Sources in the Anglo American Corporation say the Chamber of Mines is conducting research into the problem

The West Rand Consolidated mine is repoprted to have high levels of radioactivity which has seeped into ground water that flows into parts of Kagiso township Randgold is resisting a takeover bid from West Rand's owners on the grounds that it will inherit liabilities that derive from radioactivity at West Rand

Employers warned on safety

B/Day 18/8/96

SUSAN RUSSELL

IT WAS an unfair labour practice for employers to force employees to work in an unsafe environment, said Johannesburg attorney Robin Carr this week.

It was also contrary to the Bill of Rights

He said making unreasonable job demands on unskilled and unsupervised workers could also make the work environment unsafe and, therefore, unfair for other employees.

The Bill of Rights provided for every person's right to fair labour practices and an environment which was not detrimental to his health or well being.

Employers were exposed to many potential risks and liabilities from the legal relationship with employees

"These risks are unnecessarily increased when unskilled workers are employed to do tasks requiring skills which they do not have (131)

"Employers should evaluate skills and training and take appropriate steps to reduce their potential exposure to civil and criminal liability"

He said an employer would find it difficult to avoid liability for negligence even if the unskilled employee consented to the risks associated with a particular job

Unsupervised and unskilled people could expose other workers or members of the public to danger.

An employer could be held criminally liable for the unlawful acts or omissions of employees.

The production of a defective product could also be in breach of a statute or by-law, resulting in criminal prosecution.

He pointed out, however, that "The employment of unskilled workers is not necessarily itself a risk for an employer, provided that the tasks given to such people do not require skills which they do not have"

Management needed to assess the risks inherent in particular jobs to reduce their potential exposure to liability

Keyboards to carry injury warning

LONDON — Two of the world's largest computer companies are to label their keyboards with a warning on the risks of developing hand and wrist injuries and how to avoid them

The move comes as computer manufacturers in the US face a growing number of damages claims from firms whose employees have won compensation for repetitive strain injuries (RSI) after using computer keyboards (131)

The manufacturers believe this to be a responsible move, but it is already being interpreted as a defensive action, with suggestions that labelling may be an attempt to strengthen legal protection against litigation CT 20/8/94

Keyboards from Compaq Computer based in Houston, Texas, will carry the new labels within months, following a court ruling in February in the US which the company won but on grounds that there was insufficient knowledge about the risks of RSI at the time the equipment was sold

Microsoft, the US software company, insists its new labels will carry "tips" for users, and are not intended as warnings The company is to begin marketing a new design next month, designed to reduce the risk of RSI The Natural keyboard is split and contoured, with slanted keys and wrist rests, designed to be a better fit to human hands

Other companies have been selling such ergonomic keyboards for almost two years

eptember 6 1994

Thor workers 'not given medical tests'

B/Day 6/9/94

Own Correspondent

MARITZBURG — Certain Thor Chemicals workers were not removed from their workplace when their biological levels of mercury were high, a former Manpower Department inspector told a Maritzburg regional court yesterday.

Testifying during the resumption of trial, occupational safety inspector Greg Woolley said that in addition workers told him they had never undergone medical examinations while employed at the Cato Ridge factory.

Thor Chemicals, its MD Steven van der Vyver, Gavin Daniels and Bill Smith are being charged with the mercury poisoning of two former employees, Peter Cele and Frank Shange.

In addition the four parties face 29 contraventions of the Machinery and Occupational Safety Act.

Woolley told Magistrate Fred Heuer the issuing of personal protective equipment to casual employees was done "very casually" and it would have been hard to control a work force with "records of that nature".

He said the administration records of casual employees was not as accurate as those of permanent workers.

On his inspection of the plant on April 3 1992, Woolley told the court, he found masks being stored in the spray-painting room.

In 1991 he had found a makeshift paint tin and a metallic flask used to contain metallic mercury, without a lid, in the compressor room which supplied fresh air to workers

He said he had recommended — among other things — that the masks should be cleaned and stored in an uncontaminated place.

Once he saw the standard of training was not at the required level, Thor Chemicals had said they would implement a formal, document-type of training instead.

Woolley said he had not been able to investigate or analyse whatsubstances were contained in the paint-tin and flask, but that Daniels seemed "surprised" at the discovery.

Despite assurances that the company would analyse the substances, he had never received any indications as to what they were from Daniels.

He said when he visited the maintenance staff, whose duty it was to repair faulty equipment, it was clear they had not had any instruction on what to do with possible contaminated equipment.

The trial continues today.

(131)

Two-week strike at Durban hospital ends

B/Day 6/9/94

STRIKING health workers at Durban's King Edward V111 Hospital returned to work yesterday after a two-week strike, a union official said in Johannesburg.

The national executive committee of the National Education, Health and Allied Workers' Union (Nehawu) met for three days in Johannesburg to discuss the strike and other issues. Union President Vusi Nhlapo said at a news briefing that Nehawu had resolved that two commissions of inquiry should be set up — one specifically to look into worker grievances at King Edward, and the other a judicial commission to look into problems related to health workers in KwaZulu/Natal.

The union would be "pushing" KwaZulu/Natal's health MEC to establish the commission of inquiry for King Edward V111 hospital as soon as possible, he said

Nhlapo said Health Minister Nkosazana Zuma had already announced that a judicial commission would be set up. — Sapa

'Thor workers not removed'

CT 6/4/84

MARITZBURG. — Certain Thor Chemicals workers were not removed from their workplace when their biological levels of mercury were high, a former Department of Manpower inspector told a regional court here yesterday.

He also said workers told him they had not undergone medical examinations while employed at the factory.

(131)

Thor: Claim of sabotage

Own Correspondent

MARITZBURG — Thor Chemicals could have been sabotaged when a paint tin and flask, which contained metallic mercury, were found in the compressor room shortly after a worker was killed and three others hospitalised, the Regional Court heard yesterday. (131)

Former Department of Manpower official Mr Greg Woolley said he was told this by Mr Gavin Daniels, production manager and one of the four accused, when he went to inspect the factory on March 20, 1992, after Mr Peter Cele, Mr Engelbrecht Ngcobo and Mr Albert Dlamini were taken to hospital

Mr Daniels, Thor Chemicals, managing director Mr Steven van der Vyer, and a supervisor, Mr Bill Smith, are facing culpable homicide charges for the death by mercury poisoning of Mr Frank Shange and Mr Cele.

The trial continues today CT 7/9/94

Safety laws in SA 'are poor by world standards'

BiDay 14/9/94

KATHRYN STRACHAN

SA LAGGED far behind the rest of the world in its approach to occupational health and safety, National Centre for Occupational Health chief director Prof Tony Davis said yesterday.

Davis said because of its isolation, SA had fallen way behind ILO conventions and standards.

Although much progress had been made in changing legislation, there were few services in place to support new laws. He said the deficit lay in developing regulations and standards for occupational safety, and in ensuring legislation was enforced.

Outside Johannesburg there were few occupational health centres. There were also too few health personnel trained in recognising occupational diseases, which meant the link between the disease and the workplace was seldom made, and therefore few affected workers were compensated and rehabilitated.

However, even where occupational health services did exist, they failed to adequately detect occupational diseases.

This was made clear by the fact that the Accident Fund compensated only 118 cases of occupational disease over the past year out of a workforce of more than 7-million.

● DAVIS Picture: NICKY DE BLOIS

Davis said while few workers were compensated under the General Accident Fund, the fund had been exploited by the private health sector. Most of the funds went to the doctors who dealt with the cases, and occupational health cases were only allowed to be treated in private hospitals.

The mining industry was more vigilant, with 6 000 workers qualifying for compensation last year, he said. However, there were still problems here as compensation was paid out as a lump sum rather than linked to pensions.

He said health and safety were seen as added costs to be borne by industry, and not an integral part of human resource development. While many companies paid lip service to improving working conditions, the centre found its recommendations were rarely followed.

On the whole, working conditions in SA were poor Dust and noise levels were high, and harmful substances were often poorly managed.

Compensation costs could escalate in an era of social justice, he said, and therefore industry should shift its focus from compensation to prevention and early detection.

Far more attention had to be paid to neglected areas, such as agriculture where workers were often unaware of the highly poisonous substances they dealt with.

There was also no access to information, services and training in the informal sector. (131)

Davis said workplace accidents were regularly blamed on negligence on the part of employees, but inspections by the centre found the blame lay in a lack of training and information about dangers, as well as a hazardous working environment.

Modderfontein

Seven killed in factory explosion

Sowetan 15/9/94

■ AECI BLAST Full investigation into tragedy will be launched today:

Sowetan Correspondent

SEVEN MEN were killed when a powerful blast rocked the AECI explosives factory in Modderfontein, near Kempton Park, yesterday.

There were no other casualties.

AECI group communications manager Mr Michael Blizzard said the explosion occurred at 4.43pm in the nitroglycerine packaging area where explosives are made, primarily for the coal mining industry.

A preliminary internal investigation began soon after the blast but a full probe would be launched today.

"The incident will be investigated fully by the Director Occupational Health (Explosives) and Safety, a Government authority who is a chief inspector of explosives.

"We sincerely regret the loss of life," Blizzard said, adding the company was not in a position to release names of the deceased until their next of kin had been informed.

Blizzard said manufacturing at the five "houses" in the plant area was stopped after the explosion, "as a precautionary measure and as procedure" and it was unlikely to resume today.

The explosion totally destroyed the packaging building. However, damage to surrounding buildings had been "minimal". The area was structured in such a way that, should an explosion take place, it is contained.

Explosives

"Productions houses are far from each other. The distances vary depending on the number of explosives that are being handled," said AECI managing director Dr Vernon Liddiard.

There had been no fire and no danger to other buildings.

Blizzard said the last fatalities had occurred in February 1974 in that particular manufacturing area when five workers were killed.

The last deaths at the factory had occurred in February when three people died in a different part of the plant.

AECI explosives plant blast kills 7

(131) CT 15/9/94

Own Correspondent

JOHANNESBURG — At least seven people died and a building was destroyed in a blast at the AECI explosives manufacturing plant at Modderfontein yesterday afternoon

AECI Modderfontein general manager Mr Boet Coetsee said the explosion occurred in the nitroglycerine packaging area where mining explosives are made

Although the building was destroyed, only minimal damage was caused to surrounding buildings

Employees had been evacuated in the surrounding areas and facilities shut down He said the process to amass evidence would begin today

Two inquiries will be held, one by an Occupational Health and Safety (explosives) official and an internal one which will involve employees "because we believe they have something to contribute"

He could not release the names of the people who died as their next of kin have not been informed

Mr Coetsee said the explosion in the packaging area was the first in 20 years, the last explosion in this area had occurred in February 1974

An explosion had occurred at a fuse department of another AECI factory at Modderfontein in April this year Three people died in that explosion

AECI communications manager Mr Mike Blizzard said police would not be called in as the explosion was purely an industrial accident

Former Thor worker testifies

MARTIZBURG — "Someone tried to kill me at the Thor Chemicals factory," a paralysed former employee told the Regional Court here yesterday (131)

Mr Albert Dlamini, 27, was speaking during the company's culpable homicide trial.

Mr Dlamini said when he fell ill in March 1992 he "felt tired, as if carrying something heavy, and I could not speak I had cramps under my feet and could not walk." He was admitted to hospital with suspected mercury poisoning

The trial continues today — Sapa

16/9/94

Blast: AECI closes 4 plants

JOHANNESBURG — AECI yesterday said it had closed four explosives plants in Modderfontein near Kempton Park after seven people were killed in an explosion at another plant on Wednesday.

Spokesman Mr Mike Blizzard said the closures were a standard safety procedure. The plants would re-open when investigators declared it safe.

A company investigation into the cause of the blast had resumed yesterday morning — Sapa

16/9/94 (131)

Workers want danger pay following blast

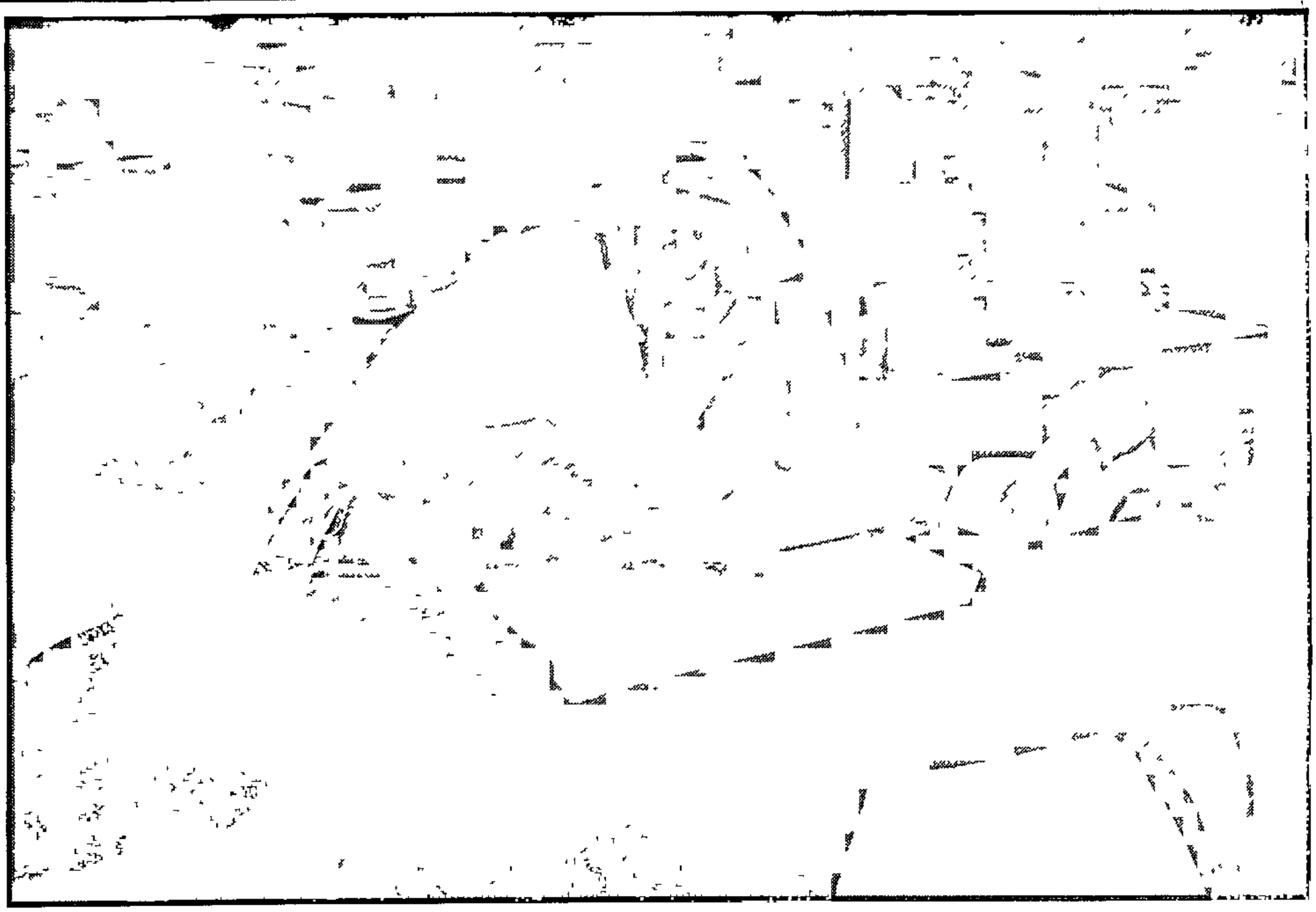
CT 21/9/94

JOHANNESBURG — Staff at AECI's explosives plant, where eight people died in an explosion last week, have gone out on strike.

Unions at Modderfontein are demanding the plant be certified safe by the Department of Labour and outside experts before they return to work. (131)

They also want danger pay of R500 a month and a one-time "anxiety payment" in compensation for last week's blast

An AECI spokesman said the firm would comment later — Sapa



Pictures OBED ZILWA, Weekend Argus

☐ **STILL BAFFLED:** Irene Adams was one of the workers who became dizzy after the gas leak

Choking staff sent to hospital

ARG 15/10/94 (131)

MXOLISI MGXASHE
Weekend Argus Reporter

MORE than 60 workers, including five pregnant women, became dizzy and some collapsed and fainted on the shop floor after a suspected gas leak from a machine at the Olympic Flair shoe factory in Parow yesterday

Ambulances rushed the panic-stricken workers to N1 City and Tygerberg hospitals where they were treated and discharged

Paramedics feared one pregnant women might have a miscarriage

The workers pleaded unsuccessfully with management to let them go home

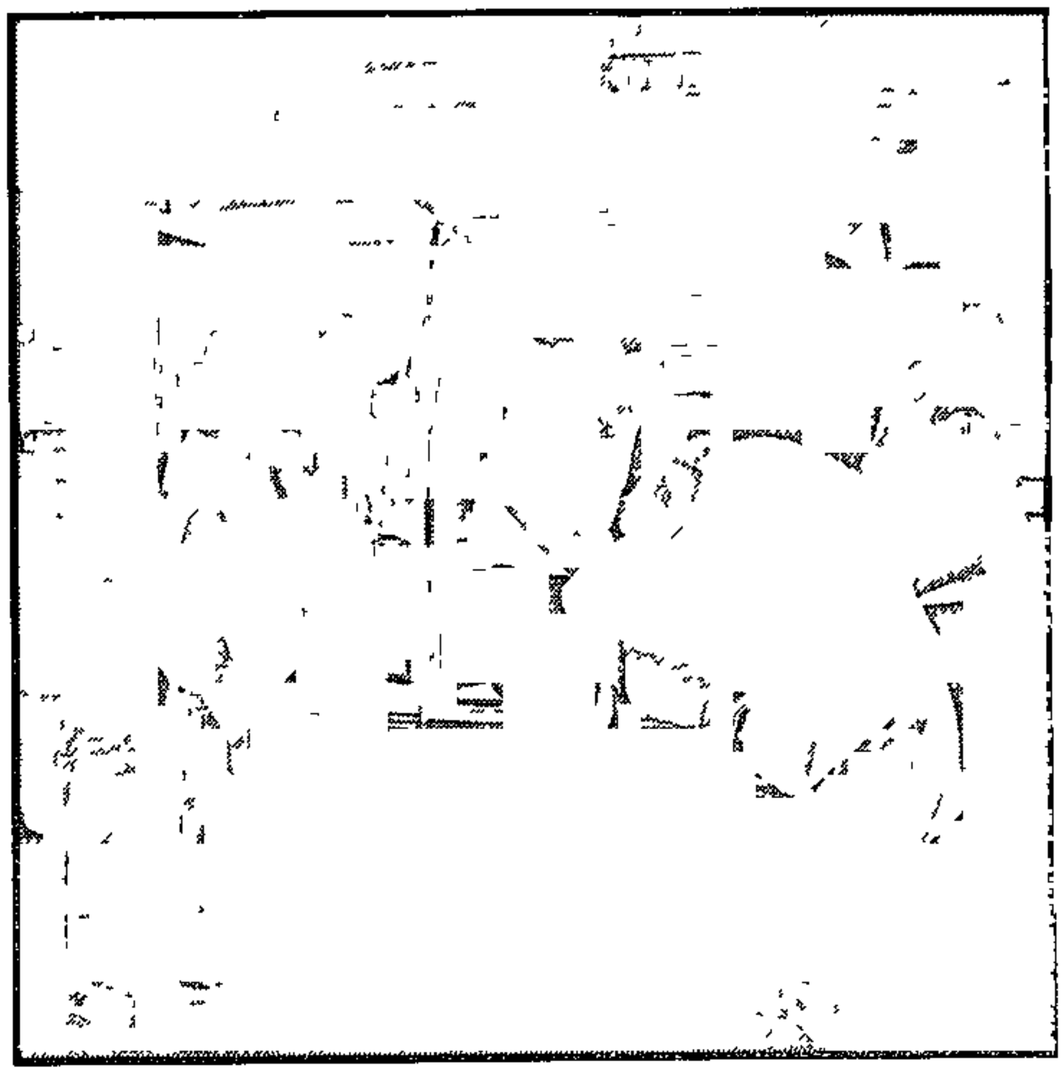
Later, a team from the National Union of Leather Workers (NULW) negotiated for their release from work

When Weekend Argus arrived on the scene, there was excitement among the workers, some of whom shouted "The truth must come out No more lies," and "Slave drivers must be exposed As long as the bosses' pockets are full, they don't care about the safety of the workers"

Human resources manager Robert Bell, who was negotiating with the unionists, rushed out and tried to remove Weekend Argus from the factory premises

He said "No comment, no comment, I'll call the police if you do not leave my premises"

William Desai from the NULW said this was the third incident of its kind in a month, but nobody appeared able to identify the cause of the problem in the malfunctioning machine



☐ **STRETCHER CASE:** A pregnant woman is rushed to hospital

A team from the University of Cape Town's industrial health research group also investigated the incident

Among the slogans pasted by management above the entrance to the factory was one that read "The safety of the workers is important to us"

Mary Davids, a shop steward in charge of NULW's desk for women's rights, said her union and all factory workers were concerned about the effect of the incident on pregnant women

She carried posters from her union reading "Pregnant women demand healthy and safe working conditions"

Unionist excluded from blast inquiry

B/Day 31/10/94

DEBORAH FINE

A BID by chemical worker unions to call an overseas industrial hygienist as an expert witness in the statutory inquiry into the recent explosion at AECI's Modderfontein plant failed on Friday after the hygienist was found to be inexperienced in the field of explosives.

However, Occupational Health and Safety deputy-director and inquiry chairman Shaun Darlow ruled that Oil, Chemical and Atomic Workers' International Union hygienist Charles Barrett could attend an inspection at Modderfontein site where eight workers were killed in an explosion on September 14 as a union representative.

Darlow said UK Transport and General Workers' Union senior representative Ian Gibbs — also called as an expert witness by the unions — could assist the inquiry in assessing the cause of the explosion.

The in loco inspection, carried out on Friday afternoon, was attended by Darlow, Gibbs, AECI experts, union representatives, Barrett, AECI health and safety (explosives) deputy-director Lucas Potgieter and health and safety (explosives) director Retief Kok.

Kok will present a report to the attorney-general once the inquiry is completed for a decision on whether any person is criminally liable for the deaths of the workers.

AECI group communications manager Michael Blizzard said an internal probe into the explosion was being hampered by a strike called after the incident and the company's refusal to accede to demands for better safety measures and a R500-a-month danger allowance.

The statutory inquiry, which could take up to two years, is to continue on November 17. Friday's inquiry was also attended by AECI production director Rod Prior, ICI Explosives operations manager Andy Begg, Modderfontein area manager Deon Jooste and AECI staff association chairman Herman van Staden.

The Chemical Workers' Industrial Union was represented by health and safety officer Shirley Miller and the SA Chemical Workers' Union was represented by national organiser Manene Samela.

Sipho Madhlopa appeared as the union's attorney and Graham Edwards appeared for AECI.

Compensation audit ordered

CT 4/11/94 (131)

Mboweni gets tough with firms

Political Staff

A MAJOR crackdown on companies that have underpaid or evaded Compensation Fund contributions is under way, Labour Minister Mr Tito Mboweni announced yesterday.

A recently formed team of internal auditors, backed by a new computer system and private sector auditing advisers, is expected to examine the books of up to 600 companies over the next 12 months

One company had already been charged R1,7 million for a debt to the fund that had been outstanding for three years

Another firm had received a bill for R880 000, Compensation Commissioner Mr Louis van Assen told a press conference

Employers, who are the sole contributors to the fund, must pay 10% of the outstanding amount as a penalty

Mr Mboweni said his ministry was considering publishing a list of defaulters

The fund, which has reserves of R223 million and was in a sound financial position, was experiencing problems in collecting contributions, however

Expenditure for the last financial year had increased by 33% but revenue by only 9%

"One reason for this discrepancy is the negligent or fraudulent understatement of a contributor's total wage bill"

Mr Van Essen said more than R11m in outstanding contributions had already been brought in by the new team

He said 47% of the 190 000 accidents in 1993 had resulted in the severing or permanent damage of employees' fingers

Head injuries accounted for 8%, leg injuries for 12%, and hands for 5% of the reported accidents.

Mr Mboweni said the use of gloves or helmets, together with improved training, could have prevented many of the injuries

Safety records of employers would be scrutinised with a view to increasing the assessment rates of those with a bad record

Mr Mboweni said the ceiling for benefit payouts would be increased from R55 058 to R80 000, and cover had been extended to all employees irrespective of their earnings

The overhaul of workmen's compensation — including swifter payment procedures, increased cover and the encouragement of improved health and safety standards — was one of the objectives of the Reconstruction and Development Programme White Paper published last month

New Thor probe ordered

(131) Own Correspondent BD 9/12/94.

DURBAN — The Cabinet has ordered a new probe into the activities of the Thor Chemicals factory in Cato Ridge, and its mercury waste problem.

Environment Affairs Minister Dawie de Villiers said yesterday the commission was appointed to investigate the problem of mercury sludge at the factory as well as the manner in which mercury stockpiles were processed and disposed of. The commission members are Prof DM Davis, Prof AM Crouch, Dr FW Petersen and Dr DEA Williams-Wynn

However, the environmental watchdog group Earthlife Africa said it was "very disappointed" by the manner in which the commission was appointed and the exclusion of independent foreign experts

Earthlife spokesman Chris Albertyn said. "We see this as an attempt by the Environment Affairs Department to be seen to be doing something — but without actually rocking the boat too much"

He claimed there were no suitably qualified experts on mercury waste in SA. "We offered to bring in the world's leading expert — Prof O Lindqvist of the University of Götteberg, Sweden — but the department has decided to go behind our backs and select its own members"

He was also concerned that the commission might only hear evidence, rather than uncover evidence

Thor Chemicals has welcomed the move.

New probe coming on Thor Chemicals

CT 9/12/94

(131)

Own Correspondent

DURBAN — The cabinet has ordered a new probe into the activities of the Thor Chemicals factory in Cato Ridge and its mercury waste problem

Environment Affairs Minister Dr Dawie de Villiers said yesterday the cabinet had approved the appointment of a four-man commission to investigate the way in which mercury stockpiles at the factory are processed and disposed of and the problem of mercury sludge on the premises

The proposed commission members are Prof D Davis (chairman), Prof A Crouch, Dr F Petersen and Dr D Williams-Wynn The commission must still be approved by the president.

However, the environmental watchdog group Earthlife Africa said yesterday it was "very disappointed" by the way in which the commission was appointed and the exclusion of independent foreign experts.

Spokesman Mr Chris Albertyn said Earthlife and trade union recommendations were deliberately ignored

"This is an attempt by the Department of Environment Affairs to be seen to be doing something, but without rocking the boat too much"

Mr Albertyn said there were no suitably qualified experts on mercury waste in South Africa

"We offered to bring in the world's leading expert in this field — Prof O Lindqvist of the University of Gotteberg in Sweden — but the department decided to choose its own members"

Thor Chemicals has welcomed the commission. "We have always maintained our recycling technology represents the best way of handling mercurial residues

"We have called for an open inquiry ever since our premises were called into question"

INDUSTRIAL ACCIDENTS & HEALTH

1995

Leak at Rand chemical plant

JOHANNESBURG. — The Alberton fire department cordoned off a section of Potgieter Street in Alrode on the East Rand yesterday after a chemical leak was detected at the HAF chemical manufacturing company.

A company employee, who requested not to be identified, said a "small" oleum leak was detected from a tank.

The chemical is a liquid "fuming sulphuric acid" and although it is highly corrosive it is not dangerous, the employee claimed — Sapa

Coal mining 'less safe'

CT 13/1/95

GENEVA — Around 11 000 people are killed every year in coal-mining accidents and in some parts of the world the industry is becoming more dangerous rather than less, the International Labour Organisation said yesterday.

(131)

AECI inquiry is completed

BD 8/2/95 (131)

RENEE GRAWITZKY

THE statutory commission of inquiry established in terms of the Occupational Health and Safety Act to investigate the explosion which killed eight people at AECI Modderfontein in September 1994 was completed yesterday.

The report, once compiled, will be presented to the attorney-general

The Chemical Workers' Industrial Union said it was considering appealing against a decision made by the inquiry chairman not to allow the Labour Department's explosives director, Dr Retief Kok, to give evidence at the inquiry

The union's health and safety representative, Shirley Miller said Kok's evidence was crucial to ascertaining the cause of the explosion and had a direct bearing on the case.

Probe on Thor worker

(131) CT 15/2/95

MARITZBURG. — A pathologist from Cape Town will perform a post-mortem on the body of former Thor Chemicals worker Mr Engelbert Ncgobo on Friday

Mr Ncgobo, who had been in a coma since 1992, died on Saturday night

He handled substances containing mercury at Thor Chemicals' Cato Ridge plant and was suspected to be suffering from mercury poisoning

The Thor Chemicals culpable homicide trial here was adjourned yesterday to allow the prosecution to call an overseas expert — Sapa

Chemical firm's fine 'too lenient'

THE Chemical Workers' Industrial Union yesterday called the R13 500 fine imposed on Kwazulu Natal-based Thor Chemicals on Friday "too lenient" and "a mockery of justice". (131)(1[illegible]) ST 19/2/95

The company's management was found guilty of negligence after three workers suffered from mercury poisoning. Two workers, Peter Cele and Englebrecht Ngcobo, died and Albert Dlamini was hospitalised.

Thor Chemicals fine 'a mockery of justice'

BD 20/2/95

THE Chemical Workers' Industrial Union at the weekend called the R13 500 fine imposed by the Pietermaritzburg Magistrate's Court on KwaZulu/Natal-based Thor Chemicals on Friday "too lenient" and "a mockery of justice". (131)

The company's management was found guilty of negligence after pleading guilty to negligently injuring three workers who had suffered from mercury poisoning while working for the company.

Peter Cele and Englebrecht Ngcobo, died from mercury poisoning, and Albert Dlamini was hospitalised.

The company also pleaded guilty to 12 counts of contravening the Machinery and Occupational Safety Act.

"We are shocked that the magistrate chose to ignore the seriousness of the offences," the union said.

The union said each case carried a maximum penalty of R20 000 under the old Machinery and Occupational Act, and the fine imposed was negligible. — Sapa.

Rocky still waiting to attend cabinet session

MARK ASHURST

OUSTED Northwest agriculture minister Rocky Malebane-Metsing, who was restored to a senior position after intervention by the ANC national executive committee, has yet to attend a cabinet meeting in the province

In terms of a settlement brokered by the ANC national leadership and President Nelson Mandela, Malebane-Metsing was appointed special adviser to Northwest Premier Popo Molefe last month with the right to sit in the cabinet. Molefe dismissed Malebane-Metsing in November for — he alleged — "undermining his leadership"

Molefe would not implement the settlement until the legislature had approved a constitutional amendment granting non-ministers the right to attend cabinet meetings, said former Department of Agriculture director-general John Lamola.

The legislature, where Molefe commands overwhelming support, rejected proposals in December from a delegation of ANC national executive committee members aimed at accommodating Malebane-Metsing in the government.

Meanwhile, a spokesman for the provincial agriculture department has said the cabinet will decide whether to institute a judicial inquiry into an irregular loan of R16,6m by Northwest parastatal Agribank. An internal inquiry into the loan, granted to Jamaican businessman Norman Escoffery during Malebane-Metsing's tenure as agriculture minister, was completed last week.

Inquiry chairman Anais Karodia said its recommendations were based on "sufficient evidence" to enable the government to order a judicial inquiry, although Malebane-Metsing and a number of other people had not testified

Karodia had written to Molefe requesting that Malebane-Metsing give evidence, but had not received a reply

IFP scorns allegations

BD 20/2/95

SUSAN RUSSELL

THE Inkatha Freedom Party has dismissed allegations of a 200-member Inkatha hitsquad network by self-confessed para-military commander, Daluxolo Luthuli, and has called for an inquiry into what it calls "state terrorism"

IFP spokesman Ed Tillet said the allegations, which first appeared in the Weekly Mail on Friday, were laughable. "The IFP challenges the Weekly Mail to come clean on its relationship with the former NIS and the ANC's department of intelligence and security.

Luthuli has entered a state witness protection programme. Originally a member of MK and the grandson of former ANC president and Nobel Peace Prize winner Albert Luthuli, he claims to have masterminded an attack near Amanzimtoti in January 1987 — which left 13 people including seven children dead — and that he was involved in the murder of ANC Kwazulu/Natal midlands leader Reggie Hadebe in October 1992.

Death row prisoners wait

SUSAN RUSSELL

FOR the 335 prisoners on death row, some since the moratorium on capital punishment in 1990, it is now only a matter of weeks before they hear whether they are to hang or not when the Constitutional Court hands down a final ruling on the issue.

The controversial question of whether the death penalty is a violation of the interim constitution was the first case chosen for adjudication by court president Judge Arthur Chaskalson and the other 10 members of the bench.

The court adjourned on Friday after hearing two-and-a-half days of argument, both for and against retaining capital punishment. No date was set for judgment, but it is expected to be some weeks before the court hands down its decision on whether to retain or scrap the death penalty.

Central to the argument was whether the death sentence violated section nine of the Constitution which guarantees every individual the right to life and to what extent, if any, the limitation clause in section 33 could accommodate the retention of capital punishment.

Section 33 provides for the reasonable and justifiable limitation of a right as long as the limitation "does not negate the essential content" of that right.

Pro deo counsel, Wim Trengove SC and Gilbert Marcus SC, acting for two death row prisoners, argued the death penalty was unconstitutional and a violation of section 9 as well as those sections guaranteeing the right to dignity and protection from cruel and inhuman treatment.

Trengove and George Bizos SC, who appeared on behalf of government, which also wants capital punishment abolished, submitted that there was no evidence the death penalty served as a deterent.

Witwatersrand Attorney-General Klaus von Lieres und Wilkau SC argued on behalf of the attorneys-general and the police in favour of retaining capital punishment.

BD 20/2/95

THE WEEKLY MAIL & GUARDIAN
February 24 to March 2 1995

Thor judgment condemned

(131) WM 24/2-2/3/95

Two workers have died but the Thor chemical company escaped with a fine at the court case this week, By **Weekly Mail Reporter**

ENVIRONMENTAL and labour organisations this week sharply condemned a court ruling that let United Kingdom-based Thor Chemicals off the hook with a mere R13 500 fine in the culpable homicide trial following the mercury poisoning of three of its workers, two of whom have died.

Englebrecht Ngcobo was the second Thor worker to die last week after being in a coma for more than three years

Chris Albertyn, a spokesman for the Environmental Justice Networking Forum (EJNF) said the "fundamental mystery" was "why, when the state had expert evidence on hand to prove their case of culpable homicide, they agreed to drop the charges" against Thor managing directors Steven van der Vyer, Gavin Daniels and Bill Smith

Albertyn said Dr Laslo Magos, an international expert on mercury poisoning, was waiting to give the crucial evidence that would have established that workers Peter Cele, Albert Dlamini and Ngcobo had suffered from chronic mercury poisoning, indicating that leakages at Thor's Cato Ridge mercury treatment plant had been continuous

But Magos was never called after the Thor managers changed their plea to admit negligence, arguing that the poisoning resulted from one or two acute exposures to the toxic substance. Thor was found guilty of negligent injury, and the company was fined R13 500 in the ruling by Pietermaritzburg magistrate Fred Heuer

Chemical Workers Industrial Union (CWIU) general secretary Muzi Buthelezi lashed out at the ruling, saying that the magistrate had even failed to impose the maximum fines of R20 000 on each of the accused, as permitted under the Machinery and Occupational Safety Act. "It appears that workers' lives are still not counted for much in the new South Africa

The judgement has heightened calls by the EJNF and CWIU for broad terms of reference in a judicial commission of inquiry due to be set up soon to investigate what Thor should do with some 4 500 tons of toxic waste now stockpiled at its Natal Midlands premises

The two groups had pushed for the inquiry into Thor's activities claiming Thor was illegally importing toxic wastes. But Albertyn said this week that neither group had been allowed access to the proposed terms of reference for the commission and feared that the commission would operate within a limited mandate

The EJNF and CWIU want the commission to investigate the origins of Thor's dangerous stockpiles, as well as the reponsibility of the relevant authorities who allowed Thor to carry out its operations in violation of South African and international laws

They also want the right of full access to information produced by the commission.

But Albertyn says this can only be guaranteed if the commission's terms of reference stipulate such a right and De Villiers has shown reluctance to even allow the groups access to the proposed terms of reference

De Villiers office also failed to respond to a *Weekly Mail & Guardian* request for comment on the issue

The EJNF enlisted the help of Water Affairs and Forestry Minister Kader Asmal on the issue, but said he also had failed to provide them with the access they say is their right as "interested and concerned parties"

A spokesperson for Asmal said he had "done everything possible to assist in seeking clarification of issues and establishing the role of international assessors", but that it was not Asmal's "ministerial line function to deal with questions about the commission or Thor Chemicals".

Call for transparency on nuclear safety issues

BD 2/3/95

(131)

RENEE GRAWITZKY

A CALL has been made for greater public participation, transparency and accountability in nuclear safety.

Speaking at an international conference on radiation protection in the mining and minerals processing industries, Anglo American's labour law unit legal adviser Caspir Lötter said a new model for radiation protection should be implemented that would reflect the ideals of the constitution and a changing society.

He argued that the Council for Nuclear Safety, which was empowered to safeguard "persons against nuclear damage (and) to regulate and exercise control through the issue of nuclear licenses" should be restructured to allow for this.

Radiation protection was an issue "of an acceptance of risk by society in exchange for benefit", therefore, society should ultimately decide.

The council should not see itself as the "sole custodian of value judgments on behalf of society in issues of radiation protection".

Certain constitutional rights would encroach on radiation protection, he said. Rights such as the right to life, the right to access to information, the right to an environment which was not detrimental to a person's health or well-being would impact on the functioning of the council.

"The search is for a model of radiation protection which allows for public participation, transparency and accountability but nevertheless provides for effective radiation protection management," he said.

The Nuclear Energy Act of 1993 provided for the establishment of the council, which was empowered to exercise "discretion" in the construction of nuclear installations and the discarding of radioactive waste, he noted. It would also advise the Mineral and Energy Affairs Minister on incidents relating to nuclear damage or issues referred by the Minister.

In terms of the Act, council members were appointed by the Minister following consultation with a number of scientific bodies.

As a statutory body, the council's funding is derived from Parliament as well as other sources. However, it was claimed that more than 70% of its income is derived from the issuing of nuclear licenses.

Lötter also noted that the Act made no provision for appeal against the granting of a license

"Nuclear activity and the acceptance of its associated risks are regarded as the exclusive province of the council. Not even the Minister may overrule it.

"This implies that no political accountability is possible in important nuclear policy issues."

It was envisaged that the council would have representation on a national council for occupational health and safety, which was in the process of being established under the auspices of the Labour Department.

The council, which would include the major role players, would formulate a national policy on health and safety and would be able to determine, for example, whether nuclear safety should remain under the auspices of the Mineral and Energy Affairs Department.

Occupational health and safety chief inspector Andre du Plessis said the nuclear council's structure would have to change because it would be represented on the occupational health and safety council.

A Mineral and Energy Affairs Department spokesman said the Nuclear Safety Council had formed a working party with the Atomic Energy Corporation to investigate an amendment to the Nuclear Safety Act.

He said the working party would consult the main stakeholders. An amendment to the Act meant that the Nuclear Safety Council would be restructured.

Sources claimed that although the council acknowledged that it had to be restructured to play an effective role in dealing with nuclear waste issues and to allow greater participation, it wished to direct the transformation of the council, without the involvement of outside parties.

Mineral and energy select committee chairman Marcel Golding said the council should be restructured to represent stakeholders and interested groupings.

He said the council could not be both "player and referee".

The council could not be reached for comment.

Thor tackles top environmentalists

(131) BD 6/3/95

NICOLA JENVEY

DURBAN — Thor Chemicals, recently fined R13 500 for negligence, is sueing environmental activists Chris Albertyn and Mark Colvin for alleged defamation.

Earthlife Africa and the Environmental Justice Forum will also be cited as defendants

Thor attorney Roy Monk said he had "no doubt" his client had a prima facie case for defamation.

Attempts to contact Albertyn and Colvin were unsuccessful.

INGRID SALGADO reports that Water Affairs and Forestry Minister Kader Asmal visits Thor Chemicals at Cato Ridge near Durban today to discuss the disposal of large amounts of toxic waste.

Mercury has been detected in the waters emanating from springs below Thor, and the Minister wanted to obtain a first-hand view of the situation, the department's director in KwaZulu/Natal Joe Hansmann said at the weekend.

Asmal would also assess options of removing about 10 000 drums of stored toxic waste at the site. Water Affairs was watching Thor "very carefully".

Hansmann said the Minister was "very environmentally aware" and had "some very strong views".

was persuaded not to by a psychiatrist and policeman. Police and traffic officials, bottom
telling him to jump. The man, who agreed to seek psychiatric help, was later led away by a me

Minister wants laws to govern waste control

MICHAEL MOON

IT WAS high time many proposals and guidelines on controlling waste in SA were turned into law, Water Affairs Minister Kader Asmal said yesterday.

Principles such as the "polluter pays" and "cradle to grave" control of waste should be included in such legislation, Asmal said in a speech read on his behalf at a Sandton workshop on waste management.

There should also be incentives — "perhaps in the form of tax benefits" — to entice manufacturers and other generators of hazardous wastes to reduce wastes and work towards "greener" forms of manufacture and clean technology.

"Ideally, waste minimisation and recycling in all their forms should become part of this country's everyday life. If this is not done, we will have failed in our duty and our citizens will have to live with the appalling consequences," said Asmal.

In future there had to be proper zoning of waste disposal sites. Areas suited to the establishment of waste transfer stations and disposal sites should be earmarked and specially zoned well in advance of the planning of new residential areas.

Public participation in waste management decisions was compulsory, he said.

It was obvious that SA's waste management needed attention. It was almost non-existent in many communities, and apart from health hazards and negative effects on the environment, the situation was demoralising and corrosive of a community's self-esteem, said Asmal.

Duard Barnard of legal firm Duard Barnard & Associates told the workshop it was necessary for the plethora of environmental laws to be rationalised, codified, simplified or streamlined.

However, he warned against undue haste and did not support "supply side" rationalisation in which lawyers formulated laws which they thought people might need. A wiser approach would be to apply existing measures, with problems that become apparent forming the basis for rationalisation of the legislation, said Barnard.

BD 7/3/95

It was inevitable that an important part of waste control would be command and control measures, but Barnard suggested shifting the burden of proof from the state to companies to prove that they did not contravene regulations or cause environmental damage.

He believed the development of economic instruments, to link economically advantageous options to environmentally beneficial options, should be left in the hands of industry.

Mercury probe into water at Thor plant

INGRID SALGADO

WATER Affairs and Forestry Minister Kader Asmal yesterday ordered an investigation into high mercury levels in a spring at Thor Chemicals' plant in Cato Ridge near Durban.

After a visit to the site yesterday, Asmal instructed officials to conduct a "prosecution test" to determine mercury levels in the spring, the department's KwaZulu/Natal director Joe Hansmann said. Details would be forwarded to the attorney-general for a decision on whether to prosecute.

BD 7/3/95

The water runs into the Mingeweni River, a tributary of the Emgeni River.

Hansmann said a test conducted by the department last Friday showed mercury levels to be 40 parts per billion of water. Levels above 10 per billion were considered unsafe for human consumption because mercury was bio-accumulative in the body.

(131) (188)

Sapa reports that outgoing Thor Chemicals MD Steven van der Vyfer criticised Asmal's decision to launch the investigation. He said Thor had never denied the elevated levels of mercury in the spring and was surprised the issue was being raised again seven years after the contamination had been discovered.

Thor mercury probe on cards

Durban — Thor Chemicals, embroiled in the controversial mercury poisoning saga at Cato Ridge near Maritzburg, faces another inquiry.

Water Affairs and Forestry Minister Professor Kader Asmal said yesterday after a fact-finding mission that he would call for an investigation into mercury contamination of a spring near the plant.

Outgoing Thor Chemicals managing director Steven van der Vyfer criticised Asmal's decision, saying Thor had never denied the elevated levels of mercury in the spring, and was surprised the issue was being raised again seven years after it had been discovered. — Sapa.

(131) Star 7/3/95

Thor faces fresh inquiry

(131)

CT 7/3/95

DURBAN: Thor Chemicals, embroiled in the controversial mercury poisoning saga at Cato Ridge near Maritzburg, faces yet another inquiry.

Water Affairs and Forestry Minister Professor Kader Asmal said yesterday he would call for an investigation into mercury contamination of a spring near the plant.

Outgoing Thor Chemicals managing director Mr Steven van der Vyfer criticised the minister's decision, saying the company had never denied the elevated levels of mercury in the spring. He expressed surprise that the issue was being raised again seven years after the contamination had been discovered. — Sapa

Pollution: Firm may be prosecuted

(131)

The Argus Correspondent

DURBAN — There is a case for prosecuting Thor Chemicals for the mercury contamination of a ground spring feeding the Mgeweni River, says Minister of Water Affairs and Forestry Kader Asmal

He made the announcement after an investigation of the Cato Ridge plant but said the decision would ultimately lie with Attorney-General, Tim McNally

The decision on possible prosecution comes after the closure of a criminal case in which Thor Chemicals was charged with the deaths of two former employees The company and three senior employees were acquitted on these charges but fined R13 500 for negligence

THe miniaster said his department would also make a "frank, cogent and full" submission to those responsible for the establishment and terms of reference of the pending commission of inquiry

Referring to the department of health and population and development's issuing of a permit in 1989 to burn mercury waste — a practice which ended at the factory only last year — and the fact that the company did not have a permit to store more than 3 000 tons of mercury waste at the Cato Ridge premises, he said "this would not have happened today and in future all permits would be advertised"

ARG 8/5/95

Outgoing Thor Chemicals managing director Steven van der Vyver said the company was "not surprised" by the minister's announcment and said "We have known about this for seven or eight years — we just wonder what took the government so long"

Minister moves on Thor

(131) WM 10-16/3/95

Eddie Koch

WATER Affairs Minister Kader Asmal this week instructed his officials to investigate pollution charges against the controversial Thor Chemicals factory in the kwaZulu/Natal Midlands.

The minister's move follows a personal inspection of the factory where at least two workers have died of mercury poisoning and scores of others have been exposed to dangerous levels of contamination.

The departmental probe follows an investigation conducted by Greenpeace International five years ago in which soil samples from a river near the British-owned plant in Cato Ridge indicated that sediment in the river had high levels of mercury contamination

Paul Johnson, a scientist from Queens College at London University, wrote in his report for Greenpeace that samples taken from the river contained the highest levels of mercury that he had ever observed in the environment and that it posed a serious health hazard to people living downstream from the plant.

The company responded by saying the Greenpeace report was exaggerated and that the mercury in the river was in the form of a heavy metal that could not be ingested through domestic use of the water Mercury poisoning causes serious malfunctions of the nervous system and sustained exposure can be fatal

"Now the minister has instructed officials in the department to take samples from the area and to investigate whether the company is guilty of breaking water pollution controls. Once the departmental investigation is complete he will forward the findings to the attorney general for a decision about whether the company should be prosecuted," said Asmal's spokesman Themba Khumalo

Meanwhile Thor says it has decided to sue green activist Chris Albertyn and Marc Colvin, a doctor who specialises in occupational health in Natal, for making allegedly libellous statements about Thor Chemicals' health standards

The company's public relations officer John MacDonald said lawyers had been instructed to file for damages as the pair had made a "litany of unsubstantiated allegations" about the effects of mercury exposure on the health of workers at Thor He said an amount had not yet been attached to the libel claim but the case would probably be filed in the Supreme Court.

Albertyn replied by saying he "welcomed the opportunity to deal with Thor in court" He said a recent court case, in which Thor was fined R13 500 for negligence relating to the death of two workers from mercury poisoning, had failed to uncover the true extent of occupational hazards at the factory.

"We have a vast amount of information including work conducted by international experts and are looking forward to a legal forum in which this can be presented especially as the recent case did not get to the root of the matter"

Checkout work may affect health

CT 22/3/95

(131)

LONDON: Working on a supermarket checkout may damage your health, scientists at Britain's Health and Safety Executive laboratory in Sheffield have found.

They have been using high-tech equipment to measure the effect of sitting or standing at a checkout and shifting as much as eight tons of merchandise a day across the barcode readers

"It's too soon to say that checkouts definitely are harmful," Mr Mike Grey, of the laboratory, said at the launch of Science Week.

"We are comparing various ways the job can be done to see which causes the least strain."

In particular, the laboratory has studied whether vertical scanners, preferred by shops because they are less easily damaged, cause the operator more stress than horizontal ones

About 5,5 million working days a year are lost in the UK and employers lose about £1,25 billion (about R7,125bn) a year through injuries at work. — The Times plc

Secrecy of inquiry could mean a cover-up, says environmentalist

Objection to Thor probe

Star 30/3/95 (131)

COURT action threatened if 'sinister' terms of reference are not scrapped

■ BY ANITA ALLEN
SCIENCE WRITER

Earthlife Africa (Maritzburg), with the support of the grouping of 180 organisations under the umbrella of the Environmental Justice Networking Forum (EJNF), has asked President Mandela to overturn the terms of reference and proclamation of the commission of inquiry into Thor Chemicals

A letter to the president by the Legal Resources Centre in Durban has given him seven days in which to strike down Friday's Government Gazette notice, failing which Supreme Court action will be instituted, according to Chris Albertyn, director of the EJNF, which includes the Chemical Workers' Industrial Union as well as Earthlife Africa.

Albertyn said the commission's terms of reference were too narrow and would constitute a secret inquiry

"The terms of reference of the commission are very sinister There is an attempt at a cover-up here and South Africans need to know this," he said

The terms of reference of the commission are

■ To investigate the history and background of the acquisition of spent mercury catalyst as well as mercury-containing sludge stockpiled by Thor on its premises and to report on the further utilisation or disposal thereof.

■ To recommend the best practical environmental option to deal with the problem of mercury containing catalyst and/or waste currently present on Thor's premises

Albertyn said this effectively precluded any investigation into other toxic waste at Thor's Cato Ridge plant, as well as what had happened while all the toxic waste had been there and possible complicity of various government officials during that time

He claimed that various clauses in Friday's proclamation, which have in the past been standard clauses in commissions of inquiry, could result in the Thor commission being held in secret.

"It is my understanding that these are precisely the secrecy clauses which Mr Justice Edwin Cameron objected to," he said

Albertyn claimed that, as now framed, the Thor commission of inquiry would prevent the EJNF from obtaining access to information given during the hearing which would be crucial to making an informed submission "The result would be that those incriminated would be protected from public scrutiny," Albertyn said

He claimed that the EJNF had been deliberately excluded and prevented from contributing to the drafting of the terms of reference, which was its right under the constitution

The EJNF has spearheaded a drive for public disclosure of the activities of Thor Chemicals at its Cato Ridge plant for a number of years This included mercury contamination of the Umgeni River and mercury poisoning of workers at the plant.

Earlier this year, Thor Chemicals was fined R10 000 after being convicted of negligence in the mercury poisoning of two workers

Thor probe will 'comply'

BY ANITA ALLEN (131)
SCIENCE WRITER

The chairman of the commission of inquiry into Thor Chemicals, Professor Dennis Davis, has given the assurance that the hearings will be held in accordance with constitutional values of openness and transparency.

Davis said yesterday: "Everything in SA has to comply with the constitution This means the development of an open and democratic society based on freedom of speech We will run the commission on the basis of the values of that constitution."

Davis said he could not comment further because he had as yet not met with his fellow commission members Professor Andrew Crouch, Francis Petersen and David Williams-Wynn.

The announcement of the terms of reference of the commission in last Friday's Government Gazette has evoked strong negative reaction from environmentalists and trade unions which have been at the forefront of a drive for public disclosure of mercury contamination at Thor's Cato Ridge plant over the past six years.

Star 31/3/95

Thor under the spotlight again

(131) WM 31/3-6/4/95

Eddie Koch

A COMMISSION set up this week to probe Thor Chemicals' importation of toxic waste to South Africa may be presented with evidence of links between employees of the British multinational and a covert weapons programme

The Environmental Justice Network Forum (EJNF), a coalition of environmental groups, this week said it feared the commission would not be able to probe "very serious matters" regarding Thor's past activities

But commission chairman Dennis Davis said he would investigate all evidence regarding Thor's past activities in South Africa even though its main task is to finds ways of dealing with a stockpile of toxic waste on Thor's premises in the Natal Midlands.

"We will interpret our terms of reference broadly. Whatever evidence comes up, we will have to examine that," said Davis

Mine staff responsible for slimes dam burst

(131)

ARG 1/4/95

SHIRLEY WOODGATE
Weekend Argus Correspondent

JOHANNESBURG. — Mining consultants Fraser Alexander and Randgold's Harmony Gold Mine, whose staff have been found responsible for last year's Merriespruit slimes disaster, now face the possibility of multi-million rand claims for damages.

Prominent lawyers say massive legal action will probably be instituted against the two organisations after Mr Justice Dirk Kotze yesterday found six staff employed by the two organisations criminally liable for the disaster which claimed 17 lives on the night of February 22 last year.

After the 192-page finding of the judicial commission of inquiry headed by Judge Kotze and two assessors had been heard over two days in the Virginia Magistrate's Court, Theuns Linde, who was employed by both Fraser Alexander and Harmony Gold Mine, senior employee Johan Mouton, regional manager Frik Botha, foreman A J J Uys, superintendent R Bantjies, and B Ayrton-Jones were found guilty of gross negligence.

Judge Kotze said they faced the possibility that the families of the 17 victims could charge them with manslaughter.

Earlier the court was told how the officials had deliberately lied and in some cases colluded over their evidence. Judge Kotze accused officials of dereliction of duty, laziness and sheer incompetence.

Judge Kotze kept the final shock for last — another slimes dam disaster occurred one year before, not far from Merriespruit.

That slimes dam catastrophe was at Free State Saaiplaas No 5 and the owners were Randgold — the same company which owned Harmony Gold Mine.

Gary Rae, chairman of Fraser Alexander's tailings division, said the findings of the inquiry would be carefully considered by his company, which was reserving its rights with regard to any further proceedings.

Mine blamed for slimes disaster

(131)

ST 2/4/95

By PETER de IONNO

THE Merriespruit dam collapsed because senior officials of the Harmony gold mine chose to pump thousands of tons of sludge into dams they knew were weakened and overfilled, a judge has found

Although they must have known they were putting the village of Merriespruit at risk, their only alternative would have been to stop production at the mine, says Judge Dirk Kotze in his 192-page judgement handed down in Virginia in the Orange Free State this week

"They are used to taking chances because as long as the machines are running the money is coming in."

He says the officials, led by Johan Mouton, Harmony's deputy manager in charge of slimes dams, had been aware of the risk

Judge Kotze found six employees of Harmony and mining consultants Fraser Alexander, who managed the dam, criminally liable for the disaster which spilt a four-metre wall of mud on to Merriespruit in February last year, killing 17 people.

While the individuals could have taken action to prevent the disaster, Judge Kotze says, it was particularly irresponsible of them not to have raised an early warning that could have saved lives on the night of the collapse

He says Mr Mouton, Theuns Linde, regional manager Frik Botha, foreman A J Uys, superintendent R Bantjies and Derek Hatton-Jones should be charged with manslaughter His recommendations have been referred to the Free State attorney-general

Judge Kotze's judgment, delivered over two days, repeatedly emphasised that the officials were grossly negligent, irresponsible and inexcusably lazy in their management of the slimes dam, which had been threatening collapse since March 1993.

Despite an instruction issued in March 1993 that the dam should not be used because of weaknesses in the wall overlooking Merriespruit, some 220 000 tons of sludge were dumped on the dam before the wall gave way at exactly the point where inspectors had detected seepage.

Judge Kotze's ruling opens the way for millions in damages claims from the families of the victims and survivors who lost everything they owned when their homes were swept away.

Harmony and Fraser Alexander announced a R10-million fund for uninsured victims of the disaster on Friday Both companies said they were reserving their rights on further legal proceedings.

Greens threaten court action over Thor regulations

(131)

By CARMEL RICKARD

ENVIRONMENTAL lobbyists this week warned President Nelson Mandela to withdraw regulations and terms of reference relating to an inquiry into Thor Chemicals or face court action

The regulations, published in the Government Gazette last Friday, establish a probe into the company's spent mercury stockpile and sludge containing mercury.

Durban's Legal Resources Centre, acting on behalf of Earthlife Africa, wrote to the President on Thursday to say some of the provisions, such as that for secrecy, flew in the face of the Bill of Rights and should be withdrawn

The centre contends the regulations ignore the right to equality before the law, the freedom of the media, the right to have disputes resolved in independent and impartial forums and the right to access information held by the government.

The government's failing to consult concerned environmental bodies and the decision not to investigate important aspects of the environmental problem posed by Thor infringed the right to administrative justice, the centre said. The letter complained that Earthlife and other organisations were not allowed to contribute to framing the terms of reference, despite repeated requests and an appeal to the President

It said Earthlife would go the Supreme Court if the reference terms are not withdrawn within seven days A new commission of inquiry into Thor should be set up

Speaking on behalf of the Environmental Justice Networking Forum, of which Earthlife is a member, Chris Albertyn said the law professor appointed to chair the commission, Dennis Davis, was "incorruptible" But the regulations were so restricting that little of significance would emerge

ST 2/4/95

30 percent of world's new office buildings cause illness and absenteeism, says Washington report

CT(BR) 7/4/95 (131)

By David Nicholson-Lord

The Independent

London — At least 30 percent of the world's new office buildings are "sick", causing widespread illness and absenteeism among their occupants and costing hundreds of billions of dollars in lost productivity, according to the influential Worldwatch Institute in Washington.

The spread of the international style in architecture, rendering office and apartment blocks "virtually identical" whether they are in Philadelphia, Budapest or Singapore, is creating building-related pollution on a global scale, says the institute in a new report, A Building Revolution

The report says the construction boom that is accompanying rapid economic growth in countries such as China, India, South Korea and Argentina, is devastating the world's landscapes because of its heavy use of energy and resources

Le Corbusier, the pioneer of Modernism, proposed "one single building for all nations and climates"

In fact, says the institute, architects should return to the "organic beauty" and ecological economy of traditional, local building materials such as earth, wood and stone

Because of its use of expensive air-conditioning, and of materials such as steel and concrete, which consume large amounts of energy to manufacture and transport, the modern office block has become one of the world's biggest polluters, according to the report

Worldwatch Institute recommends returning to traditional materials

Forty percent of the annual global consumption of materials and energy goes into buildings, which rank alongside the private car as a source of environmental damage

According to the report, their contribution to environmental destruction makes modern buildings "more primitive than traditional structures".

Japan's building boom of the 1980s was fuelled by its "mining" of the timber resources of its Pacific Rim neighbours Building a typical 160 sq m American home generates seven tons of building refuse

Both the United States and Europe generate as much demolition waste as household rubbish

Two billion people now live and work in "resource-intensive" buildings, spending 90 percent of their time indoors In half a century, this figure will rise to 8 billion, making already severe environmental problems much worse, the report says

Sick building syndrome, where "sealed" buildings recycle stale air and trap indoor pollutants, affects 30 percent of new buildings The syndrome causes headaches and nausea, assists the spread of colds and influenza and may increase the risk of cancer and immune-system disorders because of toxic gases from paint and furnishings

The report says traditional materials such as wood, stone and adobe consume less energy to produce and provide a better working and living environment

Firms in the United States and Europe are already producing compressed earth blocks for new housing Production of the blocks requires only 0,2 percent of the energy used in brick manufacture

One of the world's best-known "green" buildings, the ING bank in Amsterdam, uses only 10 percent of the energy of its predecessor and has cut absenteeism by 15 percent The naturally ventilated "ecological office" uses less mechanical heating and cooling and thus gives enough room to insert one more floor in every four

A recent survey of eight such buildings in the United States identified productivity gains of 6 percent to 16 percent

In Malaysia, skyscrapers built on "bioclimatic" principles — planted with trees and angled to make best use of the sun and wind — use up to 80 percent less energy than conventional buildings

Thor hearing challenged

(131)

CT 7/4/95

SPECIAL CORRESPONDENT

DURBAN: An environmental organisation is to take legal action against President Nelson Mandela for alleged violations of the constitution

Acting on behalf of Earthlife Africa and the Chemical Workers' Industrial Union, the influential Environmental Justice Networking Forum is taking action against the publication of the terms of reference of a virtually secret commission of inquiry into the affairs of the Thor Chemicals company

Thor's plant at Cato Ridge, near Maritzburg, has been the subject of controversy for some years, particularly over hazardous substances

Legal papers will be served today, after weeks of representations to two cabinet ministers had apparently failed to have the terms of reference of the commission changed

Mr Mandela is being taken to court in terms of section 29 of the constitution, which guarantees every person the right to an environment which is not detrimental to his or her health and well-being, as well as section 24, as the government has, it is contended, failed to provide "lawful and fair administrative and procedural justice".

In a letter to Mr Mandela, the Legal Resources Centre in Durban, on behalf of the Environmental Justice Networking Forum, says it "became aware of the intention of the government to appoint a commission following widespread public disquiet about the operations of Thor and publicity regarding the deaths of Thor workers"

Environmentalists claim they should have been consulted before promulgation of the commission, and that the commission had not been empowered to "inquire into important aspects of the problem", despite evidence about alleged irregularities at Thor

Environmental group poised to sue Mandela over Thor inquiry

(131) Star 8/4/95

NORMAN CHANDLER

A TOP internationally linked environmental organisation says it will sue President Mandela over alleged violations of the constitution.

The action arises from the publication of the terms of reference of a commission of inquiry into the affairs of the controversial Thor Chemicals company

Earthlife Africa says it will serve legal papers early next week. This development follows representations to two cabinet ministers who, according to Earthlife Africa, failed to explain allegations made by environmentalists and chemical workers about conditions at the plant, situated at Cato Ridge, near Maritzburg

On March 30 Mandela was given a week to withdraw the notice establishing the commission.

It is believed to be the first time an SA president will have been sued in his personal capacity on a constitutional matter.

He is being taken to court in terms of two sections of the constitution — section 29, which guarantees every person the right to an environment not detrimental to health and well-being, and section 24, as the Government is held as having failed to provide "lawful and fair administrative and procedural justice".

Unhappiness

Acting on behalf of Earthlife Africa (Maritzburg) and the Chemical Workers' Industrial Union, the Environmental Justice Networking Forum (EJNF) — the body bringing the action — has spelt out its disquiet.

EJNF is linked to many international environmental groups

In a letter to Mandela, the Legal Resources Centre (Durban), acting on behalf of EJNF, says it "became aware of the intention of the Government to appoint a commission following widespread public unhappiness about the operations of Thor and publicity in the media about the deaths of the chemical firm's workers"

Environmentalists claim they should have been consulted in advance of the promulgation of the commission, and that the commission has also not been empowered to "inquire into important aspects of the problem" despite information having been provided about alleged irregularities at the company.

According to the legal papers, the possible production and sale of the so-called red mercury substance should also have been part of the terms of reference, as well as how the alleged substance might have been "stored, utilised, processed, disposed of or dealt with in any way".

Other irregularities, the papers say, are the alleged secret hearings of the commission; cross-examination of witnesses to be only at the discretion of the chairman, the prohibition on dissemination and perusal of documents, a virtual prohibition on media reporting of the proceedings; and a restriction on access to the premises where the inquiry is to take place.

Much of this, the papers say, is in contrast to promises to environmentalists from Minister of Water Affairs and Forestry Kader Asmal.

The papers claim Asmal gave assurances that all aspects relating to Thor would be investigated, that the inquiry would be open and democratic, that all information would be made available and that overseas experts would have full access to information.

In a letter dated March 9, Asmal wrote that he believed the commission provided "the mechanism for an open and democratic process to address the problems"

He also said it appeared that "an incomplete press release" from the office of Minister of Environment Affairs and Tourism Dawie de Villiers, issued in December last year, had initially contributed to "concerns on the terms of reference" (of the commission)

Thor Chemicals is part of an international organisation, with headquarters in England

It has subsidiaries in the United Kingdom, other parts of Europe and in the United States

The South African branch of the company has been embroiled in controversy over the disposal of dangerous materials which, environmentalists claim, are on the company's premises outside Maritzburg in contravention of the Hazardous Substances Act

Greens to sue the president

ARG 8/4/95 (131)

Action linked to secret inquiry into Thor Chemicals

NORMAN CHANDLER
Weekend Argus Correspondent

■ President Mandela is being dragged into the battle between environmentalists and an international chemical giant.

PRESIDENT Mandela is being sued by an internationally linked environmental organisation over alleged violations of the constitution

The action is because of publication of the terms of reference of a virtually secret commission of inquiry into the affairs of the controversial Thor Chemicals company

Thor has been embroiled in controversy for several years, particularly over hazardous and dangerous substances

Legal papers were served yesterday after weeks of representations to two cabinet ministers apparently had failed This was in regard to allegations by environmentalists and chemical workers about conditions at the plant at Cato Ridge near Maritzburg

Mr Mandela was given a week, from March 30, to withdraw the notice establishing the commission

It is thought to be the first time the president has been sued in his own capacity on a constitutional matter

He is being taken to court in terms of Section 29 of the constitution — which guarantees every person the right to an environment which is not detrimental to his or her health and well-being — as well as Section 24 It is contended the government has failed to provide "lawful and fair administrative and procedural justice"

Acting on behalf of Earthlife Africa (Maritzburg) and the Chemical Workers' Industrial Union, the influential Environmental Justice Networking Forum (EJNF) — which is bringing the action — has spelled out to the president its disquiet. EJNF is linked to many international environmental groups

□ **NELSON MANDELA:** Being sued by environmentalists

In a letter to Mr Mandela, the Legal Resources Centre on behalf of EJNF, says it "became aware of the intention of the government to appoint a commission following widespread public disquiet about the operations of Thor and publicity in the media about the deaths of Thor workers"

Environmentalists claim they should have been consulted in advance as to the intention to establish a commission, that the commission has not been empowered to "inquire into important aspects of the problem" in spite of evidence having been provided about alleged irregularities at the company

According to the legal papers, the suspected production and sale of the so-called red mercury substance also should have been part of the terms of reference as well as how the substance has been "stored, utilised, processed, disposed of or dealt with in any way"

Other irregularities, the papers say, are the alleged secret hearings of the commission, cross-examination of witnesses to be only at the discretion of the chairman, the prohibition on dissemination and perusal of documents, a virtual prohibition on media reporting of the proceedings and a restriction on access to the premises where the inquiry is to take place

Much of this, the papers say, is in contrast to what Minister of Water Affairs and Forestry Kadel Asmal assured environmentalists would not take place

According to the papers, it is claimed Professor Asmal gave assurances that all aspects relating to Thor would be investigated, that the inquiry would be open and democratic, that all information would be made available and that overseas experts would have full access

In a letter dated March 9, Professor Asmal commented he believed the commission provided "the mechanism for an open and democratic process to address the problems".

He also said it appeared that "an incomplete Press release" from Minister of Enviromental Affairs Dawie de Villiers's office, issued in December last year, had initially contributed to "concerns on the terms of reference" (of the commission).

Thor Chemicals is part of an international organisation, with headquarters in England It has subsidiaries in the United Kingdom, other parts of Europe and in the United States.

The South African branch of the company has been embroiled in a controversy relating to the disposal of hazardous and dangerous substances which, environmentalists claim, are in contravention of the Hazardous Substances Act

The Chemical Workers' Industrial Union is suing Thor in British courts over alleged mercury poisoning at the Cato Ridge plant

UK judgment against Thor

(131) CT 13/4/95

OWN CORRESPONDENT

MARITZBURG· The kwaZulu/Natal relatives of two mercury poisoning victims and a third person, himself a victim, were given permission by the High Court in England yesterday to continue with their claims against Thor Chemical Holdings Ltd, which owns the Cato Ridge subsidiary Thor SA (Pty) Ltd

The claims arise out of the poisoning of the late Mr Peter Cele, the late Mr Engelbert Ngcobo and Mr Albert Dlamini, who is severely disabled

The claimants are Mrs Anastasia Cele, Mrs Busisiwe Ngcobo and Mr Dlamini

Mr Justice James Stewart yesterday dismissed an application by Thor in England and its chairman, Mr Desmond Cowley, to have the case thrown out of English courts

British attorney Mr Richard Meeran, who acts for the claimants, said companies that exported lethal processes to developing countries should be made to compensate those they exploited

Reaction to workplace is vital

BD 20/4/95 (131)

BLOCKED noses, burning eyes, itchy skin and congested chests make office workers uncomfortable, unhappy and unproductive

"Sick building syndrome" has been blamed, but speakers at the recent Workplace Comfort Forum in London agreed that it was people's reaction to the workplace environment that was critical, not the environment itself

While many buildings leave much to be desired in quality of air and light, it is the feeling of being master of one's own destiny that is essential for workplace health

"Master" may mean being able to open a window, turn down the heat or get a sympathetic and speedy response from the facilities manager

Ill health is much more prevalent among those doing repetitive work as a part of a process that is unintelligible to them than those fully involved with the relevance and outcome of their task New work practices not only improve effectiveness but also reduce workplace-related illness

Nigel Vaughan, one of the authors of research into worker health, by the Welsh and Bartlett schools of architecture for the Science & Engineering Research Council and the department of trade and industry, found the best response from a company where employees had a strong sense of belonging, and the worst where a dominant manager would not listen

The issue of workplace health is holistic Businesses need to consider their workers in the broadest possible context and managers need to consider themselves part of the process

Enablement of the workforce means giving people control — but also responsibility Workers treated as adults must behave as adults, and in partnership with management look after their health, effectiveness and comfort

Increasingly, only goals are set and the way tasks are accomplished is being left to the individual

In presenting workers with only the ends, the means become their responsibility

But their choice of means may involve unwise physical work practices that could lead to physical injury

Physical strain can be avoided by redesigning the job (to allow a variety of activities to take place), redesigning the workstation to fit a particular individual and by encouraging employees to take responsibility

Psychological strain, however, is a trickier problem to come to grips with, especially in these "right-sizing" days Insecurity reduces loyalties and the sense of belonging, and that has created difficulties for management and workers Companies can redress the balance by giving thought to the physical surroundings In a recent survey windows that could open polled top out of 80 possible attributes

In some workplaces new employees will soon be measured for their workstation size, while smart card technology will enable their chairs to move to the appropriate height and angle

Workers need workplaces that fit their bodies and where they feel "at home" And as more people work from home (even if only part-time), the demand will be for less contrast between home and office

The grey space of many offices, with fluorescent lighting and windows 15m from the workstation, appears particularly unattractive when compared to a home environment

Architect Alexi Marmot warns, however, that the home environment can be unhealthy too passive smoking, VDU use, domestic demands and unsuitable lighting can aggravate workplace-related ailments

Of course, problems in the workplace are not new The "stitcher's wrist", the "bricklayer's shoulder" and the "cotton-twister's hand" have been around for centuries

What should be new is our response to potential work-related problems that job content, safety and the physical environment matter But most of all the quality of the partnership between workers and management should matter, as it is this relationship that creates the effective workplace — Financial Times

Thor mercury waste probe to start soon

Business Staff (131)

THE Cabinet appointed four-member commission of inquiry into standards of treatment of mercury waste at the Thor chemical plant in Cato Ridge is to invite written evidence as the first step in its probe

Thor Chemicals was fined R13 000 in February last year after Mercury waste killed two of its employees and injured another 28

ARG 29/4/95

Francis Petersen, a senior lecturer at the Cape Technikon and a member of the probe, told Weekend Argus the request for written evidence would be advertised in the press.

The probe, whose appointment was recently confirmed by President Mandela and his two deputies, would visit the Thor plant as soon as possible, Mr Petersen said

The commission is chaired by Dennis Davis, professor of commercial law at the University of Cape Town, and the other members are Williams Winn, of the University of Natal and the University of the Witwatersrand's Andrew Crouch

The commission's brief was to study Thor's methods of dealing with mercury and to test whether the company's methods of disposing with mercury waste were adequate, Mr Petersen said

If Thor's measures were found to be lacking, the commission was expected to propose new methods of dealing with the substance in a safer and more environmentally sound way

The four-man team's objective was not to assess whether there should be further punitive measures against Thor, he said

Mr Petersen said the commission included members with extensive technical experience, but it was still possible that foreign experts would be invited to join the probe

Some observers have labelled the outcome of the Thor Chemicals case as "a cover-up" and a "sham"

Environmental Justice Network Forum spokesman Chris Albertyn questioned why "when the State had expert evidence on hand to prove their case of culpable homicide, they agreed to drop the charges"

But Thor Chemicals plans to take legal action against Albertyn and other environmentalists for making repeated accusations of toxic waste importation which it strongly denies.

Thor spokesman John MacDonald said yesterday the company's lawyers were formulating a lawsuit

The company also plans to phase out its mercury operations over a period by the end of 1996

Nosa to get tougher on factory safety standards

ST(BF) 30/4/90 (131)

By DON ROBERTSON

UNANNOUNCED audits by the National Occupational Safety Association could result in factories losing their safety gradings, which could have financial implications

From last month, Nosa initiated a modified grading system which involves inspecting companies without notification to ensure that safety standards are maintained on a continuous basis.

Nosa managing director Leo Strydom says he believes a number of factories will lose their stars

"Many do not warrant a five-star rating on an unannounced basis"

In the past, Nosa was charged with giving prior notice of factory inspections, failing to consider the comments of trade unions and being unresponsive to the general health of workers

Companies with a high rating are, in some instances, able to obtain insurance cover at reduced rates and may claim a rebate from the compensation commissioner for the compulsory contributions made for each employee.

Built into the new approach is an unannounced audit of clients' premises This will cover the physical aspects of housekeeping, general awareness and compliance, as well as worker involvement

If the company wishes, the statistical and systems audit will remain a pre-arranged audit to avoid any possibility of the relevant documentation or personnel not being present, says Mr Strydom

The audits will be followed by detailed evaluation, feedback and reports to enable the company to take specific action or to remedy deviations from required standards.

Mr Strydom says occupational and community health will become a major consideration in the new nine-point audit process Environmental issues such as soil and water pollution will be monitored as well.

"It is like taking Nosa out of the building and putting it into the community."

Nosa aims to become more industry specific and intends developing special ratings for the mining, marine, chemical and agricultural industries as well as for schools, hospitals and office blocks

Worker participation will be enhanced and Cosatu and the National Union of Mine Workers will have observers at all Nosa meetings

Nosa will continue with its operations in Chile where its system has been accepted by a mutual compensation fund, ensuring that 80% of the workforce adheres to it. The British Oxygen Company has shown an interest in adopting the system in Africa, Asia and the Middle East

FACE VALUE Anglo's Michael Spicer, who says Randgold's bid for JCI's gold mines may not do

Bosses 'risk criminal records' under safety law

(131)

BDS 5/5/95

ERICA JANKOWITZ

FAILURE by an employee, a director or CEO to comply with obligations set in the Occupational Health and Safety Act could culminate in personal criminal records, the Webber Wentzel Bowens brief warned

In terms of the Act, all employees — including executive directors — are charged with responsibilities to

- ☐ take reasonable care of their own health and the health of others,
- ☐ co-operate with their employers to enable the company to comply with its duties in terms of the Act;
- ☐ carry out reasonable orders in the interests of health and safety; and
- ☐ notify their employers or health and safety representatives of unsafe or unhealthy situations

The latest brief suggests directors would be covered by these obligations as the definition of "employee" in the Act is so wide as to force executive directors to comply with general duties imposed on employees

Beyond this, directors may be considered better placed to prevent accidents as, by virtue of their positions, they have access to information used to assess the standard of health and safety procedures

They are also well placed to warn employers of potential hazards and steps which may be taken to promote a safer working environment

"With this knowledge at hand, executive directors have more responsibility on themselves to determine whether the conduct of employers meets the requisite standards for health and safety and to take steps to meet those standards."

The brief further warns that directors are particularly vulnerable to prosecution due to a provision in the Criminal Procedures Act "which provides that when a crime is committed for which a corporate body can be prosecuted, a director of the corporate body is deemed to be guilty of the crime" unless he is able to prove he could not prevent it.

This defence could not rest on a claim of ignorance based on his turning a blind eye and refusing to look into the issue.

"To avoid personal convictions, directors should be alert to situations which contravene the Act and should do all in their ability to address contraventions if they wish to avoid a personal criminal conviction," the brief concludes

SA faces safety shake-up

(131)

■ BY HELEN GRANGE

South African industry will soon have to comply with internationally-accepted health and safety conventions, Johan Olivier, a Johannesburg labour law expert, said yesterday

Addressing a seminar on Occupational Health and Safety in Midrand, Olivier said the Labour Department and National Economic Development and Labour Council (Nedlac) were in the process of making recommendations on labour legislation which would comply with the new Bill of Rights

Star 16/5/95

Various international conventions on the protection of specific risks such as toxic substances and agents, machinery, maximum weight, air pollution, noise and vibration and the handling of radioactive waste would have to be taken into consideration, he said

Carl Mischke, senior lecturer at Unisa's Department of Mercantile Law, pointed out that the responsibility for safety in the workplace should not be the perogative of the state only

While legislation could play a significant role in accommodating danger in the workplace, it was only employees and their supervisors who could, through their actions, try to balance out work and peril

The Leon Commission of Inquiry into health and safety in the mines has strongly criticised the present safety management system on the mines.

The Commission has also called for the drafting of a new health and safety act by representatives of the state, industry and the unions as a matter of urgency

Focus on safety in the workplace

Star 18/5/95 (131) (212)

REDRESSING THE BALANCE

Last week's mine tragedy has focused attention on the largely neglected area of occupational health and safety South Africa's record is not good **GLENDA DANIELS** reports

A healthy workforce and environment contribute to increased productivity and growth in an economy, yet South Africa has no overall policy on occupational health and safety, says Ray Vuyo Mabope

There is also no distinct link with occupational health and safety and the Reconstruction and Development Programme, says Mabope, commissioner for the new health plan and special advisor to Minister without Portfolio Jay Naidoo

Seminar

Mabope spoke at a Professional Society of Occupational Health Nurses seminar on the subject last week

Coincidentally, last week South Africa experienced one of the worst industrial accidents this century, when more than 100 mineworkers were killed at Vaal Reefs No 2 shaft in the western Transvaal

Inquiries currently taking place will focus on why safety measures did not work as they should have done

Mabope says that the nurses' society should get out of its passive mode and advise the ministry about policies that could be instituted to ensure that work environments are healthy and safe

He advises them to be pro-active and approach the Labour ministry, the National Economic Development and Labour Council (Nedlac) and the RDP office to tell the Government how to ensure safe work environments

Lost time

'In this way you will be contributing to the reduction in the number of deaths, lost time from work, disorders, diseases and trauma, both physical and emotional," he says

Mabope says that in an unfolding democracy people are going to ask more questions as they become aware of their rights

Previously, people just accepted a medical injection, but now they want to know what's wrong with them and what's in the injection

He also predicts that work environments will become powerful places for workers

Workers will start to demand comprehensive care for their families In the past this used to be only the boss's prerogative

He suggested more "one-stop shops" For instance, a clinic that could treat both mother and child at the same time would be more cost effective

These are some of the challenges for health in the work place

Mabope adds that both workers and managers have to think about what constitutes a good, basic, comprehensive package for the workplace

South Africa's legislation regarding the work environment is relaxed, compared with major western industrialised countries

However, the right to information is now entrenched in the Bill of Rights, giving workers the right to know what is potentially dangerous in their working environments

He adds that, according to the Labour Relations Amendment Act, decisions have to be taken in conjunction with workers and managements, to democratise health in the workplace

Occupational health nurses, he believes, have an important role to play in the democratisation of the work environment and the overall restructuring of health They have to intervene between unions and managements to minimise conflict and to ensure safety while keeping in mind the worker's right to information

Dr Lennard Eriksson, expert on psychiatry in occupational health and head of the psychiatric wing of the Rand Mutual Hospital, spoke about the importance of mental health in the work environment

He says that medicine needs to look at the whole individual and have a multi-faceted approach to mental health Often managements only take notice of specific problems as they arise

He spoke about "self-inflicted disorders" Alcohol is one of the biggest problems, but it is not the only one

The use of cannabis (also known as marijuana, dagga or grass) is extremely serious because it alters the neuro-chemical structure of the brain

He is pleased that the Government has not legalised the drug or accepted that it is "recreational" because it is not innocuous and safe'

I have seen what it has done to people and how it alters and impairs judgment '

There are other disorders that managements should help workers overcome among them anxiety, stress and mood disorders Managements often fail to take into account that the environment can trigger emotional and psychological disorders

Speakers at the seminar agreed that the area of health and safety in the workplace needs more attention so that there are fewer deaths and diseases and more support for those who need it

Mine tragedy . . . Despite strict safety precautions accidents are still an occupational hazard PICTURE PETER MOGAKI

Working well within your rights

Know your rights as a worker You have

- The basic right to information on health matters and the work environment
- The right to participate on matters of health and safety with management
- The right to refuse to do dangerous work
- The right to training on health and safety matters
- The right to object to working under dangerously overheated conditions, enclosed environments, in a cage, with mercury that can affect mental health and with diesel fumes that can cause breathing problems

TOMORROW:

Feminist-hater Kierin O'Malley made a few more enemies at the international sexual harassment conference this week

Move towards a safer working environment

Star 19/5/95 (131)

STINGING from the Vaal Reefs disaster, the SA mining industry will soon be subjected to a new health and safety code. Helen Grange looks at the legislative loopholes and how these will be redressed

"Before the world we find ourselves living in became littered with factories, mines, construction sites and other places of human misery, when men and women worked the land, a life of work was by no means the danger it is now.

"But those days are gone and the task facing us is how to accommodate work with the dangers that work involves"

This comment, by mercantile law lecturer Carl Mischke at a seminar on occupational health and safety this week, illustrates the inherent dilemma of all industry and one which the South African mining industry has failed to address

Although the common law stipulates that the employer has a duty to provide employees with safe working conditions, our courts have endorsed the view that the employer is not an insurer, that he is not bound to furnish the safest machinery, and so on

Of significance to the mining industry, though, is the effectiveness of the legislation governing health and safety, contained mainly in the regulations of the Minerals Act.

This Act provides for the establishment of mine safety committees, and places a broad responsibility for occupational health and safety on certain persons.

The bulk of day-to-day safety falls on the regional mining engineer, followed by the mine owner, who has to appoint a health and safety manager Thereafter, the burden is shared by the subordinate managers, engineers, shift bosses and so on

A failing in the Minerals Act, says labour lawyer Professor Willem le Roux, is that, unlike the Occupational Health and Safety Act which governs safety in other industries, there are no general principles dealing with health and safety obligations

"The regulations are too prescriptive in some respects, which means individuals concerned do only what is prescribed in the specific situations outlined."

The recently released report of the Leon Commission of Inquiry has highlighted the fact that such loopholes effectively allow a lack of day-to-day safety management on mines, and that individual responsibilities have been further eroded.

The commission has recommended that a body drawn from the mining houses, the State and the unions draft a stand-alone Health and Safety Act containing tighter provisions to govern the industry.

The emphasis in the commission's recommendations for the new Act lies in affording workers a say in the structure of mine safety, thus broadening responsibility for safety to the employee.

The National Union of Mineworkers, which made submissions on the report to the parliamentary standing committee on mineral and energy affairs early this week, has singled out some issues which it says must be addressed urgently

One is the condition of the mining inspectorate, which, it says, is inadequate Another is the workers' right to information about safety

Mischke, in his seminar address, focused on the need for safety awareness, saying legislation was no guarantee.

In the drafting of the new Health and Safety Act, a number of considerations will have to be taken into account

It is expected that South Africa will ratify the International Labour Organisation (ILC) draft convention which will be adopted at the next ILC, and, if so, the new legislation will have to conform to the principles contained in the ILO convention

Also, ne[illegible]our legislation must comp[illegible] with the Bill of Rights, whic[illegible] guarantees that every person [illegible]all have a right to life, and [illegible]ry person shall have the righ[illegible] to an environment which is not detrimental to his or her health or wellbeing

In interpreting the Bill of Rights, the courts will probably have regard to international treaties such as the Universal Declaration of Human Rights and the European Social Charter in terms of safety for the worker

South Africa is not party to the majority of these conventions, but the Labour Department and the National Economic Development and Labour Council is looking into this situation and are expected to make recommendations soon

OGY

No laws about VDU hazards

(131) BD 1/6/95

SA seems to be lagging behind as far as legislation to deal with computer-related health problems is concerned

At this stage, there is no legislation to protect individuals against the health hazards associated with spending their working hours staring at a computer screen

Numerous surveys have been conducted abroad in attempts to establish whether or not long term VDU users can suffer from eye strain, myopia, migraines, headaches, tension, stress, pregnancy problems and subsequent birth defects

In May 1990, a European directive was published, giving minimum safety and health requirements for work with display screen equipment It requested that EC members implement the regulations from the beginning of 1993, and to date there have been mass claims by unions on behalf of their members

According to the National Occupational Safety Association's communications manager, Marius Garbers "In SA, no claims have been made concerning VDU related health problems" A Labour Department spokesman confirms that no cases have been reported

Lobbyists within the computer industry have made submissions to the Health Minister concerning the need to introduce legislation, but have not yet received any response. "Discussion groups may have been set up, but this issue does not appear to be a government priority at this stage," says one source

According to Worksafe Screen Filters' Michael Fry, complaints by individuals suffering from the effects of long hours in front of their VDUs are being made, and managers are dealing with the problem by investing in screen filters

However, in organisations, no general company policy regarding protection for all operators is being implemented Fry says the trend seems more towards the selective purchasing of screens for complainants.

Until SA legislates on behalf of the individuals who spend their days glued to computer screens, computer-related health problems will have to be dealt with by the companies and individuals themselves

Labour bill should be passed this year

CT(BR) 8/6/95 (131)

My Turn

Labour minister Tito Mboweni addressed yesterday's 82nd International Labour Conference on labour safety standards

Significant progress has been made in South Africa towards creating a democracy, but challenges remain that need to be tackled before we can achieve our goals

Our friends and colleagues internationally should not be alarmed when differences of opinion are expressed — sometimes fairly forcefully — by the various political, social and business forces in our country

On May 10, 1995, we received news of an accident at Vaal Reefs gold mine A 12 ton carriage and locomotive plunged into a shaft and fell on to a cage, killing all 104 mine workers inside

This shameful and tragic accident raised awareness of health and safety in the workplace, especially on the mines A commission of enquiry has been appointed to investigate this accident

South Africa has a history of mining accidents For example, in 1960, 437 mine workers were killed in a coal mine disaster when a roof collapsed In 1986, 177 were killed in a polyurethane fire at the Kinross Gold Mine

Commission of Enquiry, headed by the Supreme Court judge Mr Justice Leon, found that our mining legislation was inadequate

The commission recommended the overhaul of our mine legislation Special emphasis was placed on the education of mine workers and the importance of implementing internationally accepted worker rights Health and safety will only improve once a culture of occupational health and safety awareness is created in South Africa

It is against this tragic background that we will support the regulation of safety and health in mines internationally

On February 18 this year, we launched a statutory body called the National Economic Development and Labour Council (Nedlac) aimed at building social partnership in South Africa The development of this council will ensure that the spirit of the International Labour Organisation (ILO) is alive in our country

One of the key issues before Nedlac is a draft Labour Relations Bill submitted by the department of labour for negotiation and finalisation Sparks have flown on some of the more important issues such as centralised bargaining, the closed shop and workplace forums

Business and labour have tabled their opening negotiating positions and, despite what may look like a breakdown in negotiations, the process is on track

It appears that all the parties are determined to reach agreement for the bill to become law this year It has been carefully drafted with the technical and financial support of the ILO

Global restructuring and the post-Marrakesh developments have magnified the three main challenges which face labour, namely poverty, unemployment and social disintegration

The Social Summit provided an excellent opportunity for us to seek international co-operation and co-ordination in addressing these problems

The Social Clause has provoked one of the most contentious yet fruitful debates in recent ILO history

We have a far clearer idea of the type of relationship that should exist between labour standards and international trade as well as how such a relationship can be established

Global restructuring should not be at the expense of social development and justice and we should therefore continue to oppose the undermining of social justice on the pretext of economic growth.

It is unacceptable for any country to achieve a competitive edge over other countries on the back of sub-human labour standards

We believe that the ILO should play a decisive role in achieving and maintaining civilised international labour standards

We support the director-general's initiative in urging member states to ratify core ILO conventions and encourage the office to engage in more promotional activities and technical co-operation These conventions are designed to enable states to ratify and respect key conventions

ILO membership requires respect for rights of association and collective bargaining We believe it is time to expand the net of axiomatic rights to include forced and child labour, as well as blatant forms of discrimination

Our Cabinet has approved ratification of the conventions which deal with freedom of association and collective bargaining These have been submitted to Parliament

A group of "human rights" conventions may warrant a supervisory mechanism that is both more specific and more agile than the existing structures

Tighter budgetary planning and implementation should be a permanent feature of all our organisations However, this cannot be attained by indiscriminate budget cuts

Last year's conference adopted a resolution committing the ILO to a programme of technical co-operation in South Africa The office has met all their obligations Although, not all the items contained in last year's resolution have been dealt with. That is largely because the technical co-operation actually delivered reflected our South African priorities

Co-operation was in the areas of labour law reform, labour market policy development and the reform of the public service

There are other areas of technical co-operation that are being elaborated, namely in the sphere of capacity building for the department of labour and the establishment of a Commission for Conciliation, Mediation and Arbitration

Our concern now is to ensure that the joint activities started are sustained The policy advice that has enabled us to implement our plans must be consolidated

This demands the training of new personnel and re-training of the old, the development of new structures and programmes

Ultimately, the policy will involve the systematic implementation of a qualitatively new system of labour relations and employment policy in South Africa

The effectiveness of ILO technical co-operation was complicated by the absence of an ILO office in South Africa as well as inadequate international experience of the labour department However, structures will soon be in place to overcome these problems

Negotiations on the establishment of an ILO area office in southern Africa have been completed and an agreement to establish such an office has been signed

These are exciting and challenging times in South Africa and we are determined to succeed in creating a new and healthy world of work

☐ **Also see Background and Analysis page**

Claims set to jump in wake of race ban

(131)

By Bruce Cameron
Political Editor

CT(BR) 9/6/95

A significant leap in claims for occupational diseases is expected this year as a result of recent legislation banning race discrimination in compensation

For the year ended March 1994, the compensation commissioner for occupational diseases paid out R52,9 million in compensation to people suffering from occupational diseases, including tuberculosis and pneumoconiosis

For this year the commissioner, Arina van den Berg, expects payouts to rise to a maximum of R75 million

She said an actuarial evaluation had indicated claims could go as high as R98 million but she felt this figure was too high

The commission is, however, flush with funds, with total accumulated assets of R357 million

Van den Berg said in an interview with Business Report that the high level of accumulated reserves were required because occupational diseases often developed after many years

Most of the claims come from the mining sector (R40,4 million) The mining industry picks up most of the tab through levies imposed by the commissioner with the balance paid by the state

Building industry to launch safety and health forum

(131) CT 21/6/95 (BR)

BY MAGGIE ROWLEY

A widespread initiative to improve safety standards in the construction industry — rated as one of the poorest safety performers with at least one fatality a month — is to be formally launched in August

The latest statistics from the Building Industries' Federation of South Africa (Bifsa) show that while the average number of man-days lost per accident in the industry dropped from 22 in 1992 to 12 in 1993, the direct cost of injuries rose from R10 million to R14,5 million in the same period

In 1993 there were almost 5 000 injuries recorded in the formal building industry alone, at an an average cost of R2 530 Since then there has been an upswing in building activity and small and medium builders have begun to play an increasing role, especially in the provision of housing This has brought with it a very real danger of a rise in the number of accidents and fatalities.

Now employers and employees have together accepted the challenge to improve the situation and have accepted a draft constitution for a national, fully representative health and safety organisation for the construction industry

The initiative was spearheaded last year by Bifsa and the National Occupational Safety Association.

August 8 will see the formal launch and first annual general meeting of the construction industry occupational health and safety forum at Bifsa's headquarters in Midrand The newly constituted forum, which is expected to sit twice a year, will be able to develop an overall safety policy for the construction industry and formulate specific health and safety standards

All roleplayers in the industry will be invited to become members. Among organisations which already subscribe to the constitution are the Amalgamated Union of Building Trade Workers, the Building Construction and Allied Workers' Union, the Construction and Allied Workers' Union, the Electrical Contractors' Association, the Master Builders' Association, the National Association of Black Contractors and Allied Trades Forum, the SA Black Contractors' Assistance Programme, and the Federation of Civil Engineering Contractors

Coal dust health hazard

Call for closure of Dunswart steel mill

(131) (180A) (86) Star 26/7/95

■ BY PATRICK PHOSA

Two Benoni companies have called for the closure of Iscor's Dunswart Iron and Steel mill because, they say, it is a health hazard

Glenvalve production manager Bruce MacKay said Dunswart should close because it was causing respiratory, eye and throat problems for his employees.

He said he was leaving the company on Friday due to health problems that he contracted as a result of the coal dust from the Dunswart plant

"I have chest problems because of the dust. I have had enough and cannot stand it any longer"

Getting worse

He added. "I have been taking one ventolin inhaler on a monthly basis to clear my chest But now I am taking three because it is getting worse"

Andre Karels, who will succeed MacKay as production manager, said the dust was a nuisance because it was mixed with steel. He said the steel was "eating away" the lives of workers and machinery

"We are not overly worried about machines, but the health of our workers is a main concern to us," Karels said

Valvemakers of South Africa general manager Ron Bartlett said the plant should adhere to international standards if it wanted to continue operating

'CAUSING respiratory, eye and throat problems for nearby workers'

A resident of nearby Wattville, Mxolisi Longfoot, said he was concerned because Iscor put its financial interests before community health.

Dunswart maintenance superintendent Nic Ivanovich said it was not true that nothing was being done about the problem. He said Iscor was working with the Department of Health's Air Pollution Control to alleviate coal dust pollution

Pollution Control chief officer Martin Lloyd said the coal dust in the area was probably blown away from the plant by the wind. He added that something "might have gone wrong" with the emission of dust

The standards adhered to by the Dunswart plant were similar to those of the US Environmental Protection Agency, Lloyd said. He said the emission of dust had to be within the legal limits

Benoni Transitional Local Council said the dust pollution had not led to water pollution in the area Chief Environmental Health Officer Leon van Vuuren said there was nothing wrong with the drinking water and that only the water in swimming pools might have been affected by coal dust.

Coal dust health hazard

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Two Benoni companies have called for the closure of Iscor's Dunswart Iron and Steel mill because, they say, it is a health hazard.

Glenvalve production manager Bruce MacKay said Dunswart should close because it was causing respiratory, eye and throat problems for his employees.

He said he was leaving the company on Friday due to health problems that he contracted as a result of the coal dust from the Dunswart plant.

"I have chest problems because of the dust. I have had enough and cannot stand it any longer."

Getting worse

He added: "I have been taking one ventolin inhaler on a monthly basis to clear my chest. But now I am taking three because it is getting worse."

Andre Karels, who will succeed MacKay as production manager, said the dust was a nuisance because it was mixed with steel. He said the steel was "eating away" the lives of workers and machinery.

"We are not overly worried about machines, but the health of our workers is a main concern to us," Karels said.

Valvemakers of South Africa general manager Ron Bartlett said the plant should adhere to international standards if it wanted to continue operating.

'CAUSING respiratory, eye and throat problems for nearby workers'

A resident of nearby Wattville, Mxolisi Longfoot, said he was concerned because Iscor put its financial interests before community health.

Dunswart maintenance superintendent Nic Ivanovich said it was not true that nothing was being done about the problem. He said Iscor was working with the Department of Health's Air Pollution Control to alleviate coal dust pollution.

Pollution Control chief officer Martin Lloyd said the coal dust in the area was probably blown away from the plant by the wind. He added that something "might have gone wrong" with the emission of dust.

The standards adhered to by the Dunswart plant were similar to those of the US Environmental Protection Agency, Lloyd said. He said the emission of dust had to be within the legal limits.

Benoni Transitional Local Council said the dust pollution had not led to water pollution in the area. Chief Environmental Health Officer Leon van Vuuren said there was nothing wrong with the drinking water and that only the water in swimming pools might have been affected by coal dust.

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Deadly bacteria in cooling plants

ARG 1/7/95 (131)

Buildings are health risk

CHARLENE CLAYTON
Property Reporter

SOUTH African buildings house a potentially deadly health risk for thousands of employees who unknowingly breathe contaminated air each working day, according to alarming new figures from researchers.

Disturbing news from the Council for Scientific and Industrial Research is that 77 percent of water samples collected from the cooling towers of buildings tested positive for the legionella bacteria. The inhalation of such contaminated water vapour causes the potentially life-threatening Legionnaires disease.

An increase in poor indoor air quality is a cause for concern by the CSIR and the so-called "sick building syndrome" could not only have a serious impact on the health of workers but leave South Africa with an annual bill of millions of rands.

It has been estimated by the United States Environment Protection Agency that the loss of productivity of employees due to sick building syndrome costs that country about R60 billion a year.

Poor indoor air quality can also aggravate the spread of illnesses from the common cold to serious diseases such as tubercolosis which is rampant in the Western Cape

The implications of sick building syndrome, which reared its head in the '70s when the worldwide oil crises lead to the cutting back of the supply of fresh air into buildings, include a variety of non-specific symptoms such as headaches, eye irritations, nausea and fatigue.

These problems are aggravated by factors such as stress, smoking, and emissions of chemicals from waxing of floors and cleaning operations

According to Mr Richard Truter, product manager of the CSIR's Environmental and Occupational Health centre, decreasing maintenance budgets for South African buildings due to a poor economy is resulting in a loss of air quality which could lead to an increased incidence of sick building syndrome.

The CSIR has expressed concern at the poor quality of indoor air and is encouraging a self-regulatory approach by building owners and managers rather than tackling the problem through legislation

"Allowing market forces to determine the approach is far more powerful than solving the problem through legislation," said Mr Truter

Nevertheless there are at least three pieces of legislation governing the general working conditions in business and industry.

The National Building regulations, the Occupational Health and Safety Act and the Health Act all oblige employers to provide safe and healthy working conditions for their employees, although none of them has specific clauses relating to sick building syndrome

Mr Truter was one of the presenters in a series of countrywide training workshops on indoor air quality and sick building syndrome hosted by the CSIR and the National Association for Clean Air.

The courses were aimed at teaching people to conduct their own surveys on indoor air quality and arming them with information to be pro-active in combating the problem.

"The South African employer is becoming much more aware of his obligations in terms of the Occupational Health and Safety Act in providing a healthy working environment"

In terms of this act any buildings where there are 50 or more workers are obliged to have a health and safety committee.

"Workers can make use of these committees to air grievances regarding indoor air quality," said Mr Truter.

Another pressure tool that could be applied by workers towards a healthier working environment was through the platform of unions.

"Now that unions have reached political maturity, they need to become more pro-active on health and safety issues," said Mr Truter

Another presenter of the workshops, a visiting American specialist, Dr Richard Shaugnessy, from the University of Tulsa's centre for environment research and technology said the demand by employees for a healthy work environment in the United States had led to indoor air quality becoming a selling tool in the marketing of buildings and indoor air quality clauses were being included in lease contracts.

He said the demand for quality air in the working environment in America had taken place without regulation and was driven by a growing awareness of healthy environment and the response from the business sector

The key to avoiding sick building syndrome, according to Mr Truter, is the proper design and maintenance of buildings, especially ventilation systems

Inspections on indoor air quality are conducted by the departments of health and labour, and surveys are undertaken by the CSIR as well as some independent consultants.

'Desperate' need to control chemicals

(131) CT(BR) 1/8/95

By Jon Beverley

Staff Writer

There was a desperate need for legislation that would control chemicals in the workplace and which would include a proper inspectorate, Dr M Colvin of the Industrial Health Unit at the University of Natal told a Durban seminar yesterday

Speaking on cancer prevention, Colvin said there was no health inspectorate in the province which could deal with chemicals

He said developing countries tended to have lower standards to control the storage, transport and use of chemicals than in industrialised countries Standards in South African chemical plants were generally far lower than in Europe

A doctor in practice told delegates that there were 24 500 smoking related deaths each year, compared with 1 000 from Aids and 11 000 that were TB-related

The estimated health-related costs of smoking in South Africa were R290 million a year and a further R1,1 billion was lost due to absences from work, low productivity and early deaths

2 die, 5 hurt in oil rig explosion

(131) ARG 28/8/95

Staff Reporter

TWO people were killed and five injured in an explosion on the Omega oil rig off Mossel Bay early today.

Roland Darroll, spokesman for Energy Minister Pik Botha, said the explosion happened at 1,05 am in the rig's kitchen area, and the dead and injured had been airlifted to the provincial hospital in George.

An investigation into the accident would be launched immediately, Mr Darroll said

"It will have to be investigated to ensure it doesn't happen again — surely a kitchen is an area where you could practice procedures that would prevent this kind of accident"

Mr Darroll said Mr Botha had asked to be given regular updates of the investigation's progress.

Mr Botha expressed his "deepest sympathy" for the families of the two victims who had lost their lives

Mr Darroll said the victims would not be named until their next-of-kin had been informed

George Hospital medical superintendant Renett Crous confirmed that the bodies of two victims had been brought to the hospital for certification of death.

Francois Siebert, a spokesman for the oil exploration company Soekor, which owns the rig, today confirmed that there had been an accident but said he could not supply details of any deaths, injuries or damage

"We're still trying to determine what the damage is and what the cause was," he said

Radio operators said this morning that the rig was not taking any calls, even from families of crew members.

The Omega rig is looking for oil in the Bredasdorp Basin, about 100 km south west of Mossel Bay

BLAST RIG: The Omega rig off Mossel Bay.

Forensic experts probe oil rig explosion

ARG 29/8/95 (131)

Staff Reporter

FORENSIC experts flew to the Omega oil rig today to investigate the cause of the explosion which killed two people and injured five others — three from Cape Town

The dead men are Claude Botha of Oudtshoorn and Mervyn Buis of Mossel Bay Both worked for a catering company

The injured are D Buis and A Marais from Mossel Bay and A Sithole, R Benjamin and A Lane from Cape Town

About 40 of the rig's total crew of 72 have been airlifted "as a safety precaution" and because their services were no longer needed, said Soekor, the off-shore exploration arm of the Central Energy Fund The explosion rocked the oil rig kitchen about 1 10am yesterday

Police said the commander of the Mossel Bay detective branch had been flown to the rig yesterday to investigate the blast The cause is still unknown

Soekor spokesman Francois Siebrits said reports of a gas explosion were unfounded

"We don't normally have gas on board a rig so the rumours are unfounded As far as we can tell, there was no fire "

Mr Siebrits said the rig had a crew of 72 of whom 30 essential people were still on board and safe

Police and officials from the Department of Mineral and Energy Affairs were also involved in the investigation

Police probe oil rig blast

(131)

DAN SIMON
STAFF REPORTER

CT 30/8/95

POLICE and an official from the Department of Mineral and Energy Affairs boarded the Omega oil rig yesterday to establish the cause of an explosion which ripped through the drilling platform's kitchen, killing two people and injuring five

Soekor spokesman Mr Francois Siebrits said yesterday afternoon the cause of the blast on Monday morning had not been established and investigations were continuing.

The oil rig, which was abandoning a well in the Bredasdorp basin south of Mossel Bay, was expected in Cape Town this weekend or early next week, he said

Catering

Mr Claude Botha of Oudtshoorn and Mr Mervyn Buis of Mossel Bay died in the blast.

Both men worked for a contract catering company

The five men who were slightly injured were airlifted to George Hospital.

About 40 other crew members were airlifted off the platform as a safety precaution and 32 essential staff were still on board.

Mr Siebrits said a number of police officers and a mine inspector were airlifted to the oil rig yesterday to help with investigations

Thor workers down tools

(131)

MARITZBURG: Thor Chemicals workers, suspicious of a company doctor who was involved in the mercury poisoning trial last year, downed tools yesterday demanding his replacement.

The labour action came after four workers refused to submit to a medical check-up by Dr Bruce Alexander

CT 5/9/95

Hansard

by the SABC Board and the Co-ordinating Body referred to above

In this regard, it must be noted that the SABC Board is a publicly accountable body, appointed by transparent and public process, which accounts both to the IBA and to Parliament on an annual basis

†Sen A E VAN NIEKERK Mr President, arising out of the hon the Minister's reply, I want to ask, firstly, whether it means that an independent, successful corporation such as the Bop Broadcasting Corporation is going to lose its independence totally, and secondly, whether it means that it is now to be managed from Auckland Park

The MINISTER FOR POSTS, TELECOMMUNICATIONS AND BROADCASTING Mr President, the issue of the independence or otherwise of the Bop Broadcasting Corporation is not the issue in question here What I am saying is that the IBA has recommended, on the strength of the understanding that Bop Broadcasting Corporation forms part of the national broadcasting system, that it should be integrated in a national broadcasting service

Where it will be administered from remains to be seen The headquarters might be in Auckland Park, they might be in Cape Town, they might be wherever the national broadcasting services headquarters are going to be

They might well be in Auckland Park, for that matter, but it means that the IBA has recommended that the Bop Broadcasting Corporation should be integrated, like the other TBVC broadcasters, with the SABC

Incidentally, the IBA has also recommended that the name SABC be retained for that national broadcasting service

†Sen A E VAN NIEKERK Mr President, further arising out of the hon the Minister's reply, will the province that established this broadcasting corporation be compensated in some way or the other for the take-over by the SABC?

The MINISTER Mr President, with respect, I think that the hon Senator will remember that there was no province called the North West Province when the Bop Broadcasting Corporation was set up In fact, there was a so-called independent Bantustan known as Bophuthatswana That entity ceased to exist on 27 April 1994, so I do not see how the question arises [Interjections]

For written reply

(131)

Compensatable diseases in mining: benefits payable

204 Sen A BALIE asked the Minister for Health

(1) What benefits are payable in terms of the Occupational Diseases in Mines and Works Act, 1973 (Act No 78 of 1973), in respect of (a) compensatable diseases of the first and second degree, respectively, (b) compensatable diseases plus tuberculosis and (c) tuberculosis,

(2) whether any differentiation in this regard is made between (a) various categories of mineworkers and (b) members of different race groups in this regard, if not, what is the position in this regard, if so, what are the relevant details?

S417E

The MINISTER FOR HEALTH

(1) All benefits are paid as lump sums in terms of the Act

Benefits are calculated according to a formula set out in section 80(2) of the Act The formula is represented thus

$$(A \times 12) \times B$$

In this formula "A" represents the person's monthly earnings up to a maximum of R2 000 per month, and "B" is a factor by which the annual income is multiplied to arrive at the lump sum payment due to the claimant

(a) In the case of compensatable disease in the first degree the factor is 1,31 Maximum payment for first degree is thus R31 440

In the case olf compensatable disease in the second degree the factor is 2,917 Maximum payment for second degree is thus R70 008

(b) The combination of a compensatable disease plus tuberculosis results in a certification of compensatable disease in the second degree and is compensated according to the formula above

(c) Mineworkers suffering from tuberculosis are entitled to 75% of their loss of earnings while unfit to return to their normal duties, for a period of six

months A benefit examination carried out at the conclusion of treatment will be classified as follows by the Certification Committee

* no disability or a disability less than 10%—no compensation,
* disability more than 10% but less than 40%—first degree,
* disability greater than 40%—second degree

A minimum payment of R7 000 is stipulated in the Act

(2) The short answer to this question is no The amended Act makes no reference to race The amendments were designed to remove reference to race throughout the Act The regulations made in terms of the Act were not amended and still contain references to racial group The regulations do not influence current practice No regulations have been promulgated in terms of the Act since 1973

The regulations governing health and safety in the mining industry are being rewritten by a tripartite group representing that state, organisations representing mineworkers and management organisations This process is taking some time as many new matters have to be regulated There will be no differentiation on grounds of race in the proposed regulations

Sick employees to be protected

ARG 9/9/95 (131)

Business Editor

EMPLOYEES in poor health will benefit from better protection against dismissal in the new Labour Relations Act, due to be passed by parliament.

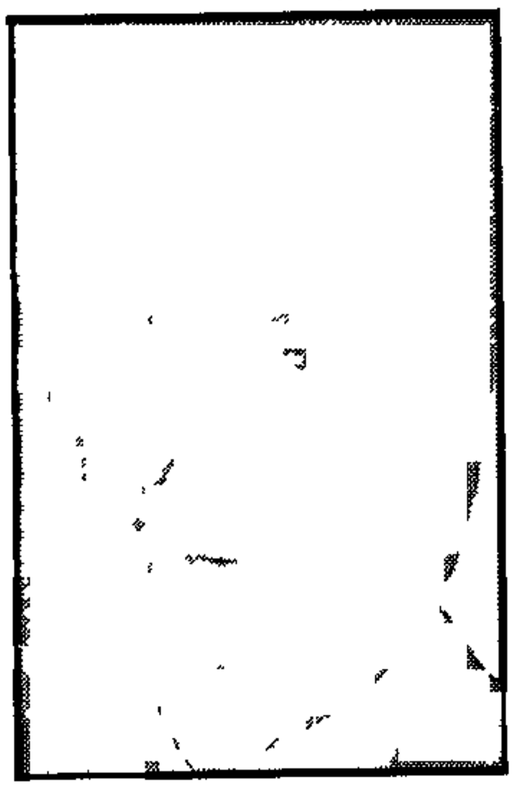
The Act will force employers to go through new procedures before dismissing employees in poor health, according to Southern Life's Don Brown

"The new legislation will make sure people who can work get an opportunity to work and aren't pushed out of jobs," said Mr Brown, deputy general manager of Southern Life's employee benefits division.

In the past employers had used the excuse of ill-health to force employees out of work, particularly during recessions

Often, the employees had not received disability benefits because the insurance policy in force defined disability more strictly

"Insurance contracts often refer to being unable to pursue an occupation, to being unable to do a job. In other words, an insurance company might not pay out if the employee was fit enough to do another suitable job in the same company"



Don Brown

Pressure on insurance companies to accept claims had led to premiums being increased, he said

This process could be reversed in future, as the number of disability claims fell following the passage of the Bill

Employers would now be obliged to investigate alternatives to dismissal of employees in ill-health, taking into account the nature of the job, the period of absence, the seriousness of the illness and the possibility of temporary replacements.

Before dismissing an employee, the employer would have to check whether or not the employee was capable of performing the work for which he or she had been employed. Where the employee could not continue the same work, the employer would be obliged to look into the extent to which his or her duties could be adapted and the availability of other suitable work.

The employer's costs would be increased, Mr Brown said, but any loss of productivity through the employment of employees with some degree of incapacity would be offset by the benefits of lower insurance premiums, the retention of the skills and experience of employees concerned, reduced recruitment and training costs and better relations with the workforce.

World switches on to Nosa's health and safety systems

(131) ST(BT) 17/9/95

By DON ROBERTSON

HEALTH and safety systems developed by the National Occupational Safety Association are in such demand overseas, that the organisation expects revenues from sales to increase to 10% of annual turnover during the current financial year

Leo Strydom, managing director of Nosa, says the systems are competing successfully in markets in Africa, the Americas, Asia and the Pacific Rim without a major marketing campaign

In Australia, CRA, one of the country's largest mining groups decided on the Nosa system

If properly implemented, the Nosa systems reduce accidents and incidents, improve work conditions, enhance worker morale, increase productivity and improve communication in an organisation, he says

An additional factor is that they are firmly based on the prinicple of participation of all people in the organisation

Mr Strydom says further expansion can be expected in South America, North America and in Africa And many new opportunities are opening up in Asia, the Far East, the Pacific Rim, the Middle East and Europe

(131) (~~212~~)

INDUSTRIAL SAFETY

FM 22/9/95

Where the buck stops

Simply employing safety officials no longer protects senior management from prosecution when accidents happen in the workplace A more vigorous attitude to allocating ultimate responsibility has become apparent in, for example, the investigation into the Vaal Reefs locomotive disaster.

Corporate Risk Management senior legal consultant Ken Thom says not only does the new Occupational Health and Safety Act provide penalties five times more severe than the repealed Machinery and Occupational Safety Act, it also explicitly exposes senior executives to possible prosecution — including a CE in his representative and personal capacities and "anyone employed by the company in their personal capacity"

A maximum penalty of R100 000 or two years' imprisonment, or both, for transgressions involving negligence now applies. Thom calls that "a clear indication to the courts to increase the penalties being handed down, and to the authorities to prosecute more regularly and vigorously."

On average seven employees die and 115 are permanently disabled at their place of work in SA every day. ■

Govt stops asbestos research

(131) Star 26/9/95

The Government has ordered a stop to research on the exposure of baboons to regulated asbestos fibre, being carried out at the National Centre for Occupational Health in Braamfontein after a worker there fell sick

Labour Department director-general Sipho Pityana said last week the worker was diagnosed as having mesothelioma, a lung disease caused by exposure to asbestos fibres The matter had not been reported as required by the Occupational Health and Safety Act, he said

The decision to stop the research followed an inspection by the department at the centre after the worker's illness came to light

"It was found that research was being carried out with respect to the exposure of baboons to regulated asbestos fibres

"It was also established that numerous requirements as stipulated in the asbestos regulations, incorporated in terms of the Occupational Health and Safety Act, were not being complied with," Pityana said

He said failure to comply with these regulations could expose people to asbestos fibres

He said an investigation had been launched and it could result in a prosecution – Labour Reporter

MAIL & GUARDIAN
September 29 to October 5 1995

Health centre gives worker cancer

(131) WM 29/9-5/10/95

A health and safety centre has been closed after one of its employees developed lung cancer, reports **Eddie Koch**

A HEALTH and safety centre that has played a major role in highlighting the dangers of asbestos has been shut down by the government — because it failed to report that one of its workers was dying of lung cancer caused by absestos

Department of Manpower spokesman Francois de Villiers this week said officials inspected a government-owned laboratory at the National Centre for Occupational Health (NCOH) in Johannesburg last week after being informed that one of its employees had contracted mesothelioma, a rare form of lung disease caused by inhaling asbestos dust.

They were also told that health and safety regulations were being breached in the laboratory, which uses baboons to study the effects of inhaling asbestos dust.

De Villiers told the *Mail & Guardian* that the centre had failed to report one of its workers had contracted mesothelioma. The disease is categorised as "notifiable" and employers are required by law to report all cases to the manpower department so that these can be investigated and compensation for the victims arranged

Staff at the NCOH have, ironically, conducted pioneering research since the 1950s which has helped victims of mesothelioma and other asbestos-related diseases to be compensated under the Workmen's Compensation Act.

"The case of mesothelioma was not reported to us as is required in terms of the law and the inspectors found numerous requirements were not being adhered to in the laboratory where asbestos experiments are conducted on baboons," said De Villiers. "We regard this as a serious matter that could result in prosecutions. For the time being the laboratory has been ordered to close down."

De Villiers declined to provide details on health and safety safeguards that were not being followed in the NCOH laboratory, but other officials in the department said there was evidence that some workers were not using proper respiratory equipment. The NCOH is run by the Department of Health and the recent action shows that manpower officials are prepared to take action against other government agencies which violate health and safety laws

Professor Tony Davies, director of the NCOH, confirmed the laboratory had been closed and that one of the centre's employees had developed mesothelioma He pointed out that the centre had, over a number of decades, helped lay down safety standards for mines and factories which produced asbestos products. "We don't expect to be treated any differently. We have recently defined ourselves as an industrial user and the recent inspection was valuable and instructive about what went wrong."

Davies said the case of mesothelioma had been reported to the Workmen's Compensation Commissioner, but that his officials had not notified the Department of Manpower, due to an oversight, because the NCOH had only recently come to see itself as an industrial centre subject to the same regulations as other employers.

The asbestos research unit at the centre was designed more than 25 years ago, at a time when the exact dangers of inhaling asbestos were still relatively unknown The employee, who has not been named so that his privacy can be respected, was possibly exposed to the dust more than a decade ago, said Davies Mesothelioma has an incubation period of between 10 and 40 years.

The research laboratory has been using baboons and other primates since 1983 to monitor the rate at which the animals clear asbestos fibres from their lungs The animals are not exposed to high levels of asbes , but are kept in a dust environment that is considered to be the safe threshold for factories and mines

"The aim was to simulate a workplace environment and then test the consequences of exposure to asbestos at the legal limits for industry, which is one fibre for every cubic centimetre of air We are satisfied that nobody has been exposed to dangerous or illegal levels of asbestos in the laboratory "

Davies said the centre had, however, decided to close the plant and terminate the experiments, although the baboons would be kept at the NCOH and monitored "They are a valuable resource for measuring the rates at which asbestos fibres are cleared by the lungs We are planning to get the maximum amount of information from them."

New parks board named

Star 12/10/95

Thor workers to sue in UK

(131)

Maritzburg – The Court of Appeal in England has upheld the right of employees of Thor Chemicals in KwaZulu-Natal who contracted mercury poisoning,to claim compensation in English courts

The court this week granted a motion brought by the lawyers for Thor victims to strike out the appeal by the company against a ruling that victims may sue for compensation in English courts.

The company said it was more appropriate to deal with the claims in South Africa but the High Court rejected that contention in April this year

Thor SA's mother company is British.

The plaintiffs are Anastasia Cele, Busisiwe Ngcobo and Mrs Albert Dlamini.

CT(BR) 13/10/95 (131)

Suppliers of sub-standard safety devices blamed for worker injuries

BY FRANÇOISE BOTHA

STAFF WRITER

Certain manufacturers are selling health and safety equipment that does not comply with requirements set out by the South African Bureau of Standards and risking workers lives, said Ron Anderson, the managing director of Campbell Gardwel, a manufacturer and distributor of occupational safety equipment

"Suppliers of substandard equipment are either ignorant of the laws and the occupational safety requirements or do not care for their workers' safety," he said

He said as a result of these practices, approximately 150 people were injured daily in South African industrial accidents and of those, seven died

By comparison, serious road accidents last year occurred at the rate of 56 a day, but fatalities were higher at 26 a day

Anderson said a number of factors were to blame for poor standards These included the fact that a large proportion of equipment was imported and policing of safety requirements was at an absolute minimum

"Maybe we are more focused on the customs duties than on the safety standards of imports," he said

In terms of the Occupational Health and Safety Act, before a product can be sold it has to comply with certain requirements

The policing of the Act is done by the labour department

Preventative

"Increasing amounts of taxpayers money is being spent on compensation rather than on preventative measures

"The department should take a look at it," Anderson said

Commenting on the number of non-compliant products, he said safety standards had become secondary to getting orders and making money

"If we calculate the usage life of agricultural and industrial safety equipment and assume that all workers who are required to wear safety equipment do so, the annual value of the market is R19 billion," Anderson said

Producers sometimes do not seek approval for their equipment because they see it as too much trouble and are concerned about the cost of bureau testing

Approved products are subject to a levy that finances the running costs of the bureau

"I do not think workers would wilfully and knowingly wear equipment that would not protect them

"Workers need to be educated about the bureau mark as a guide to compliance with national safety equipment requirements, but this will not solve all of the problems

"The industry as a whole needs to adopt a more ethical standard

"Companies may think that they are saving, but the risks to workers' lives far outweighs any supposed financial benefit," he said

Oil rig blast deaths: Probe into canisters

(131) ARG 26/10/95

JOHAN SCHRONEN, Crime Reporter

GAS from an insecticide may have caused the explosion on the Omega oil rig off Mossel Bay in August, in which two people were killed and five injured.

A police source said Soekor investigators were working "hand-in-hand" with the manufacturers of the room foggers to find what role they may have played.

Soekor had used the Omega in its oil exploration activities off Mossel Bay.

The source said there were strong indications that before the blast an "excessive number" of foggers were used in a way not prescribed by the manufacturers.

Three Cape Town residents were among the injured when an explosion in the kitchen area rocked the rig in August.

Most of the 72 crew were airlifted off the rig

A Soekor spokesman said soon after the explosion that they did not normally have gas on board.

Room foggers are marketed in aerosol cans intended to be placed in infested rooms. Instructions on the labels warn that the area to be treated should be sealed off and evacuated.

The device should then be activated, releasing gas and insecticide.

It was believed that an excessive amount of gas from "too many" foggers in the kitchen area had ignited and caused the explosion, the source said.

Soekor spokesman Faffa Siebrits was tight-lipped about the progress of the investigation, but added that the use of foggers could be part of the investigation.

Mr Siebrits would not comment about alleged contact with the manufacturers.

The Omega is expected to be in Cape Town harbour for some time for repairs.

The source said police had a "gentleman's agreement" with Soekor which wanted to release information about the investigation

It is understood that the investigation will not be completed for some time

A spokesman for the Ministry of Mineral and Energy Affairs said the department was awaiting the report on the investigation, pending which it had no further comment.

Call to tackle worker safety

More than 430 workers are injured daily in South Africa, and 52 of them are permanently disabled, Congress of SA Trade Unions president John Gomomo said yesterday

Addressing Cosatu's three-day health, safety and environment policy conference in Johannesburg, Gomomo told delegates that, in the past, the workers' struggle for political liberation had been so high on the agenda that it overshadowed health and safety

He said the trade union federation's role in toppling the apartheid government and replacing it with the ANC-led Government of National Unity was recognised.

Cosatu had also won victories in struggles for a living wage, centralised bargaining and putting the Labour Relations Act into place However, there remained a long agenda of issues that had to be tackled.

"Key in this agenda is the need to struggle for a fundamental change in the policies related to occupational health, safety and the environment," Gomomo said. – Sapa

Star 28/10/95 (131)

Cosatu chief moves focus to health and safety issues

(131) ARG 28/10/95

JOHANNESBURG — More than 430 workers are injured daily in South Africa, and 52 of them become permanently disabled, the Congress of SA Trade Unions president, John Gomomo, said

Addressing Cosatu's three-day health, safety and environment policy conference in Johannesburg yesterday, Mr Gomomo told delegates that in the past, workers' struggle for political liberation was so high on the agenda that it overshadowed health and safety in the workplace

He said the trade union federation's role in toppling the apartheid government and replacing it with the African National Congress-led government of national unity was recognised

Cosatu had also won victories in struggles for a living wage, centralised bargaining and putting the Labour Relations Act into place

"While we claim all the above victories — because we earned them in the battlefield and struggles — we remain with a long agenda of issues that we still have to tackle in pursuit of the struggle to further advance the interests of workers

"Key in this agenda is the need to struggle for a fundamental change in the policies related to occupational health, safety and the environment"

Mr Gomomo said the fight for health and safety had to be waged at industry and government levels

"We work not to be injured or killed but to develop the economy, build the social infrastructure for our country, feed and educate our families, and to support the unemployed"

He called on unions to defend the right of workers to refuse dangerous work

And Mr Gomomo not only slammed management for failing to create a safe working environment, he also gave unions a tongue lashing "We as trade unions have also failed to develop an effective programme for engaging the bosses on health and safety issues."

Occupational accidents, he said, had increased "at an alarming rate"

Furthermore, damage caused by capitalism in South Africa was worse than that caused by socialism, John Gomomo told conference delegates

Mr Gomomo praised socialist countries for having contributed to the liberation of South Africa

Reacting to National Party leader F W de Klerk's call on the ANC to "kick out the SA Communist Party and break its alliance with the socialist trade unions", Mr Gomomo said breaking the partnership was "unthinkable"

Mr De Klerk made the remark at a Western Cape NP meeting on Thursday

Mr Gomomo said the ANC-SACP-Cosatu alliance had for years been at the forefront of the anti-apartheid campaign and worker struggles, which were inseparable — Sapa

New policy to improve work safety

Star 30/10/95 (131)

■ BY LLEWELLYN JONES

The Department of Labour is developing a national policy and strategy on occupational health and safety in a move designed to help cut fatalities and injuries in the workplace, labour minister Tito Mboweni said at the weekend

One of the fruits of this drive will be the establishment soon of a National Health and Safety Council

Addressing a National Operational Safety Association (Nosa) awards presentation, Mboweni said business and labour could not be satisfied with the situation where 913 people were killed in industry last year and almost 9 000 were injured

He said that while the country had made progress in addressing the causes of workplace accidents, it had to face the challenge of practicing health and safety more creatively and innovatively.

This could be achieved through a commitment to employee health and safety, by involving employees in health and safety management and by training employees to identify and control occupational risks and hazards competently

Confident

Mboweni said he was confident that Nosa's newly developed programmes for agriculture and the building and construction sector would contribute towards a reduction of accidents in these industries

He also welcomed Nosa's initiative to establish a programme for small business as an extremely important development

"This programme will equip entrepreneurs and small business people with relevant information regarding legislation and basic health and safety principles"

Examining the need for the restructuring of health and safety competencies, he said that one of the problems in the past was that the country did not have an overall national policy on occupational health and safety, no consistent legislative structures and no uniform method of reporting accidents and disease

It had no statistics on the full extent of loss of life and health problems caused in the workplace

Tito Mboweni

Tito Mboweni

New policy to improve work safety

(131) CT(ex) 30/10/95

By Llewellyn Jones

Johannesburg — The Department of Labour is developing a national policy and strategy on occupational health and safety in a move designed to help cut fatalities and injuries in the workplace, labour minister Tito Mboweni said at the weekend

One of the fruits of this drive will be the establishment soon of a National Health and Safety Council

Addressing a National Occupational Safety Association (Nosa) awards presentation, Mboweni said business and labour could not be satisfied with the situation where 913 people were killed in industry last year and almost 9 000 were injured

He said that while the country had made progress in addressing the causes of workplace accidents, it had to face the challenge of practicing health and safety more creatively and innovatively

This could be achieved through a commitment to employee health and safety by involving employees in health and safety management and by training employees to identify and control occupational risks and hazards competently

Mboweni said he was confident that Nosa's newly developed programmes for agriculture and construction sector building and construction would contribute towards a reduction of accidents in these industries

He also welcomed Nosa's initiative to establish a programme for small business as an extremely important development

This programme will equip entrepreneurs and small business people with relevant information regarding legislation and basic health and safety principles

Examining the need for the restructuring of health and safety competencies, he said that one of the problems in the past was that the country did not have an overall national policy on occupational health and safety, no consistent legislative structures and no uniform method of reporting accidents and disease It had no statistics on the full extent of loss of life and health problems caused in the workplace

Bid to improve safety at work

Sowetan 30/10/95 (131)

Minister Tito Mboweni stresses need to train and involve workers

By Abdul Milazi
Labour Reporter

THE DEPARTMENT OF LABOUR IS currently formulating a national occupational health and safety policy to help cut fatalities and injuries in the workplace, Labour Minister Mr Tito Mboweni said at the weekend

Addressing an awards presentation of the National Occupational Safety Association (Nosa) in Johannesburg, Mboweni said the move would see the establishment of a National Health and Safety Council

Mboweni said there was an urgent need for the restructuring of health and safety in the country, to break away from the past where there was no overall national policy, no consistent legislative structures and no uniform method of reporting accidents

He said workers should be involved in health and safety management and trained to identify and control occupational risks and hazards competently

Mboweni said despite the fact that there had been a 52 percent decrease in workplace accidents worldwide, accidents in South Africa had more than doubled between 1990 and 1994 At least 913 people died and about 9 000 were injured in accidents at work last year, Mboweni said

He welcomed Nosa's initiative to establish a programme for small business "This programme will equip entrepreneurs and small business people with relevant information regarding legislation, basic health and safety principles and knowledge needed to safeguard themselves and their employees"

Cosatu to focus on shop floor

(131)

Renee Grawitzky

AD 30/10/95

COSATU would increase its emphasis on issues directly affecting workers on the shop floor, for instance health and safety, and would call not only for the disbanding of the National Occupational Safety Association but for government to stop funding it.

Speaking at the close of Cosatu's three-day health, safety and environment conference in Johannesburg yesterday, general secretary Sam Shilowa said Cosatu would vigorously campaign on health and safety demands.

He said affiliates should table the demands as formulated at the conference as part of the broader living wage and collective bargaining struggle

Cosatu called on the leadership of affiliates to ensure there was effective co-ordination of the health, safety and environment policies of the federation.

At the start of the conference, Cosatu president John Gomomo questioned the commitment of the leadership of affiliates to issues concerning health and safety.

He said the absence of a number of affiliates' general secretaries from the conference raised the question of who, at the senior level of affiliates, would co-ordinate strategies in line with decisions adopted at the conference.

The conference called for the restructuring and improvement of the Occupational Health and Safety Act (OHSA) and the Compensation for Occupational Injuries and Diseases Act

In terms of the safety committees established under OHSA, the conference resolved to build the capacity of worker representatives in these committees through training, and would call on government and business to provide funding to build this capacity

Other demands related to the automatic prosecution and heavier penalties for negligence imposed on employers, the training and employment of more inspectors; job security, retraining and redeployment of permanently disabled workers, paid time off for AIDS education, and that employers cover medical costs and support families of workers who are HIV positive

Cosatu's fight goes on

Sowetan 31/10/95 (131)

By Brian Sokutu

MORE than 430 workers are injured daily in South Africa, and 52 of them are permanently disabled, said Congress of South African Trade Unions president Mr John Gomomo

Addressing Cosatu's three-day health, safety and environment policy conference in Johannesburg, Gomomo told delegates on Friday that in the past, workers' struggle for political liberation was so high on the agenda that it overshadowed health and safety at the workplace

Living wage

He said the trade union federation's role in toppling the apartheid government and replacing it with the African National Congress-led Government of National Unity was recognised

Cosatu had also won victories in struggles for a living wage, centralised bargaining and putting the new Labour Relations Act into place

"While we claim all the above victories – because we earned them in the battlefield and struggles – we remain with a long agenda of issues that we still have to tackle in pursuit of the struggle to further advance the interests of workers

Cosatu president John Gomomo ... trade unions have failed to develop an effective programme to engage bosses on health and safety.

"Key to this agenda is the need to struggle for a fundamental change in the policies related to occupational health, safety and the environment"

Gomomo said the fight for the rights of workers to health and safety had to be waged at industry and government levels

"We work not to be injured or killed but to develop the economy, build the social infrastructure for our country, feed and educate our families, and to support the unemployed"

He called on unions to defend the right of workers to refuse dangerous work

In his address Gomomo not only slammed management for failing to create a safe working environment, but also gave unions a tongue-lashing

"We as trade unions have also failed to develop an effective programme for engaging the bosses on health and safety issues," he said

"We have not accepted that – despite acknowledgement of the hazardous nature of our working environment – health, safety and environmental issues are organisational in nature and are collective bargaining issues"

Occupational accidents, said Gomomo, had increased in South African industries "at an alarming rate" – *Sapa*

Call for focus on health and safety issues

BD 31/10/95

Renee Grawitzky

(131)

COSATU leadership at a recent health, safety and environment conference called for commitment from affiliates to health and safety issues.

The affiliates' leadership would have to be involved in the co-ordination of strategies in line with decisions adopted at the conference, Cosatu president John Gomomo said

It was the responsibility of shop stewards to educate workers on the reasons for wearing protective clothing and ensure that workers did wear the necessary clothing when provided by a company

Labour lawyer Paul Benjamin said the key problem was that both government and the unions had not taken responsibility for health and safety and had collectively given employers an easy ride.

He said employers would not improve health and safety until it became an expense and up until now it had been cheap for business and expensive for workers

The current health and safety systems were one of the last bastions of apartheid, he said

Responsibility

One of the strategic mistakes Cosatu had made in the past was to separate health and safety from labour law

Benjamin said three government departments — labour, health and mineral and energy affairs — where involved in regulating health and safety which caused major problems in terms of overall responsibility

Minor health and safety problems — which could be avoided — had never been given the necessary attention because they had been overshadowed by the problems inherent to the mining industry

The proposed new health and safety legislation for the mining industry, largely influenced by the new standards adopted at the International Labour Organisation's convention this year, "will put the industry ahead of other industries".

Benjamin said Cosatu should put pressure on the labour department to change the Occupational Health and Safety Act

This Act had weaknesses but it had the capacity to advance worker rights and involvement

Workers had not done much in terms of the Act to get involved in safety committees. Benjamin said a major problem in terms of the Act was related to enforceability and the lack of guidance given by the department in terms of what training should be provided

MANAGEMENT

Safety group sets its sights on environment

(131) BD 9/10/95

THE National Occupational Safety Association, which developed a widely used safety and health programme, has extended the scope of its system to include the field of industrial environmental management

The move will enable SA firms using the system to identify business opportunities flowing from effective environmental management, marketing GM Roland van Gogh says. These opportunities included a reduction in waste and the possibility of entering export markets in environmentally conscious industrialised countries

"With new environmental legislation just around the corner it is important for business to stop viewing environmental regulation as an impediment to effective business activity With a proper environmental management system, it will soon become obvious that there can be many beneficial spin-offs from operating in an environmentally friendly manner," Van Gogh says.

The system would encompass the setting of environmental targets, training and auditing

It would also put firms on the road to meeting requirements of the ISO 14 001 system, which sets out requirements for environmental management systems

Health control is under microscope

Star 14/11/95 (131) ~~85~~

Occupational health problems were under-regulated and under-reported, Labour Minister Tito Mboweni said in Pretoria yesterday.

Opening a conference to discuss the formation of an inclusive national occupational health and safety council, he said laws in this regard were fragmented

They also failed to meet the requirements of reconstruction and development

"South Africa does not have an overall national policy or strategy on occupational health and safety.

"There are no consistent legislative structures, no uniform methods of reporting accidents and occupational diseases, and no statistics that reflect the full extent of the loss of life and health problems caused at the work place," Mboweni said

The government was committed to rectifying this, he added

The readmission of South Africa to the International Labour Organisation had made it evident that legislation related to safety standards had to be reconsidered urgently

At present, the enforcement of health and safety standards were located in different government departments, Mboweni said.

Participants in a central council should include the government departments concerned, employers, trade unions and interested parties such as the medical profession.

"Subsequent changes would flow from the policies developed by this council," Mboweni said

The setting up of such a council had been recommended about 20 years ago by a commission of inquiry on occupational health chaired by Mr Justice A R Erasmus.

Mboweni said the conference's first task was to identify all functions which had a direct bearing on occupational health and safety – Sapa.

Govt wants safety policy co-ordinated

(131) BD 14/11/95

Renee Grawitzky

OCCUPATIONAL health and safety was underregulated because a number of government departments were involved in regulation and administration, which caused problems in terms of overall responsibility, Labour Minister Tito Mboweni said yesterday.

Speaking at the first meeting of a working group to develop a national policy and strategy for health and safety, Mboweni said the health of workers at work had been neglected in the past and government was attempting to rectify this by ensuring better co-ordination of the various agencies and departments involved in health and safety.

The intention of the working group — comprising representatives from government, business and labour — would be to create a national occupational health and safety council

This process would initially be spearheaded by the labour department, but — depending on the approach adopted by the working group — might become a statutory body independent of all departments, a spokesman said

Mboweni said that "existing laws regulating occupational health and safety do not comply adequately with the provisions of the reconstruction and development programme"

Statistics

He said one of the most severe consequences of the fragmentation and division of implementation of legislation relating to health and safety was that "occupational health problems are underregulated and underreported"

He said there were "no consistent legislative structures, no uniform method of reporting accidents and occupational diseases and no statistics that reflect the full extent of the loss of life and health problems caused in the workplace".

SA takes first step toward safety policy

CT(BR) 14/11/95 (131)

By Thabo Leshilo

Pretoria — South Africa took the first step towards developing a national policy on occupational health and safety when the working group established to investigate the matter held its first meeting yesterday

The working group is comprised of representatives from business, labour and the departments of health, labour and environmental affairs

Its brief is to investigate the creation of a national occupational health and safety council and the formulation of a coherent strategy

The process would, when completed, put an end to the under-reporting of occupational accidents and diseases in the country

Tito Mboweni, the minister of labour, said that existing laws did not comply with the provisions of the RDP.

"South Africa does not have an overall national policy or strategy on occupational health and safety," he said

"There are no consistent legislative structures, no uniform methods of reporting accidents and occupational diseases, and no statistics that reflect the full extent of the loss of life and health problems caused at the workplace," said Mboweni

He said the location of responsibilities for enforcement of health and safety standards and the prevention of diseases at work in different government departments had led to under-reporting and uncertainty about occupational health problems

Ineffective

The lack of a national policy was in conflict with the standards set by the International Labour Organisation, and had led to ineffective co-ordination among government agencies and different policies for regulating related aspects of health and safety at work.

Mboweni said the situation was so bad that he would be encroaching on the territory of the department of mineral and energy affairs if he were to comment on health and safety on the mines.

He said the recommendation that a single body cater for all matters related to occupational health and safety was first made 20 years ago by the Commission of Inquiry on Occupational Health and Safety, chaired by Judge Erasmus

Asbestos scare in city docks

(131) CT 17/11/95

STAFF REPORTER

THE HULK of a former sea training ship in Table Bay Harbour was cordoned off yesterday by a Department of Labour inspector who allegedly found scrap workers stripping the vessel of highly hazardous asbestos without taking proper safety precautions

Occupational safety inspector Mr Johan Coetzee confirmed last night that, acting on an anonymous tip-off, he had found workers walking over and handling asbestos panels and pipes from the boiler room of the former training ship RSA

The RSA, formerly owned by the Training Centre for Seamen, was sold earlier this year and is being scrapped

Mr Coetzee said the material was blue asbestos, which he described as "the most dangerous asbestos you can get"

One inhalation of the fine asbestos particles dislodged by handling the material was enough to cause asbestosis, which invariably led to incurable cancer, he said

Some of the workers were wearing dust masks, but Mr Coetzee said asbestos particles were tiny and could easily penetrate the masks

"As it is, it's a big health risk," he said "I think asbestos is something to be aware of"

Mr Coetzee said he immediately called the workers off the RSA and used tape to cordon off the vessel

The next step, he said, would be to appoint an approved asbestos inspector, who would then determine a proper course of action in terms of asbestos regulations and what protection would be necessary for workers

"Then they can go ahead and remove the asbestos," said Mr Coetzee Most older vessels contained asbestos in their boiler rooms, he said

Attempts to contact the contractor in this case, against whom steps are being considered, were unsuccessful

SA building industry's heavy toll

(131)

Star 18/11/95

By ADRIAN HADLAND

Shocking statistics indicate South Africa's construction industry is one of the most dangerous in the world, with an average of 80 workers injured in the sector every working day

Calling for a more humane attitude to the health and safety of the country's workforce, Labour Minister Tito Mboweni said more than 1,6-million workdays were lost in the construction industry every year due to accidents.

Every working day in the sector, one worker was killed, four were permanently disabled, 33 were temporarily disabled and 44 received medical assistance, he told the Federated Employers' Mutual in an address this week.

"Statistics indicate that South Africa's record of fatalities in the construction industry is among the highest in the world," Mboweni said.

To put the figures in context, he pointed out that for every day worked in 1990, almost 7 000 days were lost as a result of accidents. In this time, a team of two masons and three assistants could have laid the brickwork for about 220 915 low income houses

Aside from the human cost implied in such statistics, "the opportunity costs related to lost working days is a cost we cannot afford"

Mboweni said the recent formation of an Occupational health and safety Forum in the construction industry, which among other initiatives intended to launch a major awareness and motivation programme, was to be welcomed

"It is encouraging that the construction industry is taking initiatives to address the critical situation they are facing"

A far more professional and humane attitude needed to be adopted in general, however, towards the health and safety of South Africa's workforce, he said

Recent statistics indicate that almost 200 000 accidents were reported nationwide in 1993 Of these, 47% featured severe damage to or loss of fingers

♦Building toll

(131)

Star 18/11/95

Thereafter, 12% of injuries were sustained to legs and 8% were head injuries, while 6% were inflicted on arms or trunks Hands were damaged in 5% of accidents while eyes (4%), feet (3%) and toes (3%) made up the bulk of the rest

Mboweni warned that "unless the accident rate in our country is reduced, the result will be increased assessment rates, larger premiums paid by employers and a reduction in merit rebate payments".

The labour ministry was currently looking into the formulation of a coherent and unified national policy on occupational health and safety, he said in his address

It was expected that legislation would be tabled in Parliament next year to establish a national occupational health and safety council or agency, he said

Community may be poisoned

CT 22/11/95

JOHANNESBURG: A mining community of more than 1 000 people living near Anglo-Vaal's New Consort Mine near Barberton in Mpumalanga may be suffering the effects of arsenic poisoning, the National Union of Mineworkers (NUM) said yesterday.

The union reported diarrhoea, stomach cramps, headaches and rashes among the 600 mineworkers and the community and said the mine had confirmed drinking water could have been contaminated with arsenic trioxide

"No results from investigations carried out by the departments of Mineral and Energy Affairs, Water Affairs and Health have been given to workers," said NUM spokeswoman Ms Judith Weymont.

Water had been contaminated in October, when the drought in the area forced residents to take drinking water from boreholes and other sources, she added.

"The water supply has proved to be contaminated with arsenic trioxide, human faeces and urine"

Most of the workers had experienced arsenic dermatitis, said the NUM's legal representative Mr Richard Spoor. — Sapa

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Miners may be 'poisoned by arsenic'

BD 22/11/95 (131)

A MINING community of more than 1 000 people living near Anglovaal's New Consort Mine near Barberton in Mpumalanga may be suffering from effects of arsenic poisoning, the National Union of Mineworkers said yesterday.

The union reported widespread diarrhoea, stomach cramps, headaches and rashes among the 600 mineworkers and their community, and said that the mine had confirmed drinking water could have been contaminated with arsenic trioxide.

"No results from investigations carried out by the departments of mineral and energy, health, and water affairs, had yet been released to workers or their families," said NUM spokesman Judith Weymont.

Anglovaal's Eastern Transvaal Consolidated Gold Mines Ltd was aware of the NUM allegations and was involved, with the NUM, in the authorities' investigation, said spokesman Johan Gwillim.

He said the company was "very concerned" about the well-being of employees and the community, but could not comment further until the inquiry had reached a decision.

Weymont said water had been contaminated during October when the drought in the area forced residents to take drinking water from boreholes and other sources around the mine.

Most of the workers had experienced arsenic dermatitis, said NUM legal representative Richard Spoor.

Weymont said the mine started monitoring the poison two years ago, but no tests had been conducted on employees in the past six months.

"It is very worrying that workers are only tested every six months ... given the seriousness of this arsenic poisoning," said NUM regional representative S O Serothwane.

It was not known if the deaths of two young children had resulted from contamination, said Weymont. — Sapa.

Social welfare cuts its cloth

BD 22/11/95

Wyndham Hartley

CAPE TOWN — There is no more money for "underfunded" social welfare services in the short term, newly appointed welfare director-general Leila Patel said.

Addressing Parliament's committee for welfare Patel said yesterday that approaches to Finance Minister Chris Liebenberg had resulted in an undertaking to discuss more money for social welfare services in the future.

But, Patel said, the main source of extra money for services would be from resetting the department's priorities, by eliminating waste and by combating nationwide fraud in pensions payouts and the administration.

Patel and Welfare Minister Abe Williams said more stringent means testing would be applied to pensions' applicants in the future.

Williams said that it was planned to access deeds registers to establish whether those granted pensions or applying for pensions were making money from properties other than those in which they lived.

"Some have income which they do not declare, and I don't think the state should support those who can afford to support themselves," he said.

Williams and Patel undertook to continue efforts to equalise the conditions under which pensioners were paid and to eliminate the long queues in certain areas on payout days.

They said that each and every file in the department of welfare and pensions would have to be reviewed and this would also save money and eliminate fraud. He said that all those who received social assistance would have to reregister in the future.

Cameron McConnachie and Bastienne Klein of the Black Sash in Cape Town said that it was encouraging that the Minister was to target fraud in the welfare system because "people receiving social assistance grants should not be penalised by administrative errors in the department".

They also supported the sentiment expressed by Patel and Williams that welfare should not be the poor cousin of the budgeting process. They stressed that the increase in pensions of 5% was not keeping up with inflation and pensions of R410 a month were not enough to live on

Factory 'ignores' poison dust report

M+G 8-14/12/95 (131)

Hazel Friedman and Fumane Diseko

ABOKSBURG subsidiary of industrial giant Barlow Rand still exposes workers to poisonous dust and fumes in spite of a consultants' report which warned management of the danger in May

Welders at the Boksburg factory Barlows Cat, which manufactures Caterpillar industrial machinery, have been hit by a disfiguring skin ailment. Worker sources claim to have been told by management that protective measures would be "too costly".

The confidential occupational hygiene survey report compiled for Barlows by Environmental Science Services Consultants was this week leaked to the *Mail & Guardian*.

Outlining recommendations for an extensive protective programme for the welders, it concludes that "employees involved in welding operations are at risk of contracting a related occupational disease and the necessary control measures, as outlined in this report, should be implemented"

Seven months later, workers claim nothing has been done to counter the hazard. Says a worker on the company's health and safety commmittee, who requested anonymity· "Barlows management has stated that it is not prepared to spend a million rand on workers' safety The company has been split into two camps because of this "

Joseph Ntipe, a welder at the Boksburg factory, said the problem began 10 months ago when Barlows switched from using micro wire CO2 — a metal alloy used for making drag lines and coal haulers — to Fluxco wire 71600, which is cheaper and more easily available Made in Korea, this wire is widely used overseas, but only alongside stringent safety precautions such as adequate ventilation systems, respiratory and eye protection, as well as protective clothing.

Said Ntipe: "The working area is very small, with hardly any ventilation Sometimes the air becomes so thick with smoke and dust that I can't see or breathe properly". Ntipe's chest is severely disfigured by a puckered, discoloured rash. At least 10 of the 44 welders employed at Barlows suffer from similar symptoms. Workers interviewed this week also complain of burning chest sensations, difficulty in breathing, a foul nasal discharge, pain and lethargy

Barlows management has sent a letter to the workers saying there is no link between the ailments and the welding operations or metal used at the factory. This letter is in the hands of Bharat Hansjee, a constitutional litigation officer with the Black Lawyers Association, who is representing the workers. Hansjee has asked the Industrial Council for the Iron, Steel and Metallurgical Industries to investigate the matter

He says. "It is early days yet, but there seems to be a huge problem at the factory, with management refusing to acknowledge the welders' ailments or taking steps to rectify the health hazard Given the nature of the symptoms and the number of workers affected, we are hopeful of getting some form of restitution under the Compensation Commission."

A Barlows spokesman said this week. "It would be inappropriate to discuss this allegation while we are discussing the allegation with our employee representative committee and the safety committee

● Meanwhile new allegations surfaced this week of New Consort gold mine, near Barberton in Mpumalanga, poisoning the surrounding environment with arsenic trioxide.

In 1991 this newspaper reported that New Consort was contaminating the region with arsenic And last year the arsenic levels in the Noord Kaap River, which runs past the New Consort dump, were measured at one milligramme per litre as opposed to the acceptable 0,3 milligrammes per litre, claimed Richard Spoor, a lawyer for the National Union of Mineworkers. The contaminated river runs through a heavily populated agricultural region and then into the Crocodile River, which flows past Matsulu township.

It was reported this week that bags of arsenic trioxide had burst open after being stored in an open shed at the mine, contaminating surrounding areas

Three government departments, the National Union of Mineworkers and Anglovaal — owner of New Consort — are participating in an investigation which the company has admitted could lead to an official enquiry

Anglovaal said this week it could not comment pending the investigation.

MAIL & GUARDIAN
December 15 to 21 1995

Arsenic in water 'claims first victim'

M+G 15-21/12/95
(131)

Sharon Hammond
and Hazel Friedman

FOUR years after a high concentration of arsenic was first found in drinking water at Anglovaal's New Consort gold mine in Barberton, Mpumalanga, the poison is alleged to have claimed its first victim.

An investigation into the mine started recently after 2 000 residents were poisoned by drinking water in October. *The Weekly Mail* first exposed poisoning in 1991.

Amos Manzini, a 38-year-old underground mine supervisor, died after complaining of severe stomach pains last Tuesday. And Richard Spoor, legal representative for the National Union of Mineworkers, said two children also possibly died as a result of the poisoning, but that this has not yet been confirmed.

Once absorbed by the body, Spoor said, arsenic was retained and built up until it reached a lethal dosage.

A district surgeon has performed a post-mortem on Manzini, but the result will only be known in a few weeks. Anglovaal representative Julian Gwillim said the mine had no medical records of Manzini complaining about stomach aches or headaches and that he could have died of natural causes. He would not comment on government and mine investigations into the poisonings until they were complete.

Spoor said most of the mining residents complained of numb fingertips and toes, stomach pains, headaches, muscle weakness, diarrhoea and skin rashes, and that there were increased chances of respiratory and other forms of cancer.

At the end of October, the drought forced residents to get their drinking water from boreholes, but arsenic levels as high as 0,7mg per litre were found by mine officials. The legal limit in South is 0,3mg per litre, while in the United States it is 0,1mg.

"The river feeding the mine is flowing again since the rains, and arsenic measurements in the water supply are now 0,2mg," said Spoor.

But he warns the poisoned water supply is not as much of a problem as are the several hundred tons of raw arsenic powder being stored out in the open at the mine in ruptured, low-grade packaging. Arsenic is a by-product of gold mining in the region.

The disposal of arsenic dust was, until the late 1970s, considered so dangerous that prison labourers from Barberton were forced to do the job.

Investigations by the Mpumalanga departments of health, mineral and energy affairs, and water affairs are expected to be completed in mid-December.

● Meanwhile, workers at a Boksburg subsidiary of industrial giant Barlow Rand say they are being harassed by management after the *Mail & Guardian* last week exposed a serious health hazard at the factory.

The *M&G* published details of a confidential occupational health survey which warned management at the Boksburg factory of Barlows Cat of the dangers to workers from poisonous particles emitted during welding operations. The report, completed in May, recommended extensive protective measures. But worker sources claimed management had ignored the report because safety measures were too costly

This week 23 workers were ordered to appear before a company disciplinary inquiry. Many are welders who had displayed skin rashes to the *M&G*, complaining of pain, lethargy and a foul nasal discharge.

Playing it safe with health finances

M+G(BM) 15-21/12/95 (131)

Karen Harverson

THE National Occupational and Safety Association (Nosa) may lose the R10-million a year in funding it receives from the Department of Labour next year.

Director General of Labour Sipho Pityana, speaking at a press briefing on Tuesday, said it was unlikely that the department would confirm that level of funding to Nosa in 1996.

"In the area of occupational health and safety, we are looking for more proactive inspectors to train health and safety stewards which means we would have to review the funding given to Nosa." He added that there was no justification to give money to Nosa which is linked to business when the department is committed to the concept of a social partnership.

"We would rather focus on providing resources to train health and safety stewards in whose interests it is to have a safe working environment."

Nosa manager (communications) Marius Garbers said the R10-million from the department accounted for less than 25 percent of the organisation's turnover. "So it will not really influence our activities if we didn't receive it. Future government funds should rather be directed towards the Reconstruction and Development Programme."

He added that from March 1996, the organisation was moving away from providing free industry training and audit grading services to paid services according to market related prices.

"A survey indicated that the majority of our clients would be more than willing to pay for the services we provide."

Pityana said in the past, the department's inspectors had only dealt with issues affecting labour but that now they would be trained to pick up on issues of health and safety. "We want to make maximum use of our resources and are looking to develop one-stop inspection services by restructuring the whole inspection system."

On the training of unemployed people, Pityana said the department would focus on 'demand driven' training.

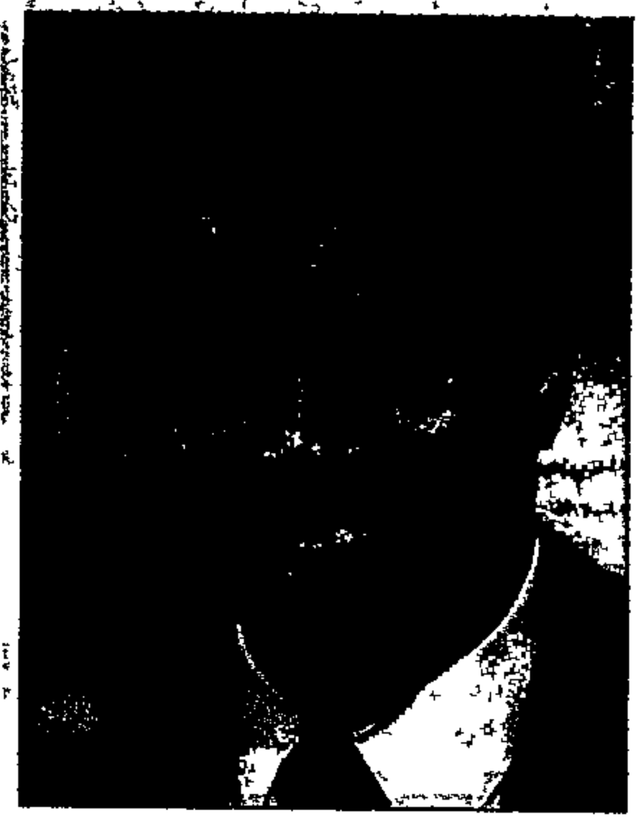
There must be a relationship between the training provided and the skills required by the economy

"Over past 10 years, the government spent R770-million on training about 1,9-million unemployed people of which only 22,5 percent are reported to have found jobs."

He questioned whether such investment was justifiable. "There must be a relationship between the training provided and the skills required by the economy."

Pityana said the department, which had budgeted to spend some R100-million on training next year, was reviewing all training contracts and scrutinising the quality of service provided.

He said his first priority on being appointed 10 months ago was to restructure the department and redefine and fill the positions which were frozen in October 1994 when the new Public Services Act was passed. "In terms of that law, each department had to start establishing a new organisational structure, fill the positions and at the same time, consider those people who were already in the employ of the civil service."



Sipho Pityana: We have to review the funding given to Nosa

He added that the number of top-level management positions were reduced and the demographic profile — previously white and male — changed.

"We now have 30 percent of management made up of women, and 62 percent made up of blacks," said Pityana. He emphasised that these appointments were not made on affirmative action principles although the department was committed to the policy.

SULPHUR STOCKPILE: AECI's managing director, Mr Boet Coetzee, in front of the unburnt section of the company's massive stockpile of sulphur *PICTURE CLIVE SMITH*

Joint committee to deal with aftermath

CT 18/12/95 (131)

JACKIE CAMERON

MACASSAR community leaders agreed with AECI representatives late last night to set up a joint committee to deal with the after-effects of the weekend's chemical fire

This came after AECI managing director Mr Boet Coetzee apologised to the community for the trauma they had suffered in yesterday's fire

The two-hour meeting also decided an independent commission of inquiry into the incident be set up as soon as possible

The meeting stood in silence for a few moments for those who died in Macassar on Saturday night after the area was enveloped in toxic fumes

The community leaders criticised AECI for not having drawn Macassar residents into its emergency planning

They also complained they had been ignored when plans were made for the emergency distribution of food after the disaster

Mr Coetzee said he understood the community had been traumatised He said AECI wanted the community to decide whether it would like a panel of doctors in Macassar to monitor respiratory problems

It was also offering professionals such as psychologists to counsel those traumatised by the experience, and AECI would consider compensation for people who had been affected by the fire on the "merits" of each case

The joint committee will meet for the first time today, and will discuss terms of reference for the inquiry

Mr Coetzee yesterday expressed his deep regret at the weekend sulphur dump fire at Somerset West, its impact on the community and its potential impact on the Cape region

"I do not believe we were irresponsible, but our precautions were not effective enough We never allowed for 70km/h winds at this time of year We are dreadfully sorry"

Pall of toxic fumes hangs over Cape Flats

(131) CT 18/12/95

CAROL CAMPBELL
AND LINDIZ VAN ZILLA

IT took 12 bulldozers, three helicopters, 20 fire vehicles and 150 firemen to douse the sulphur dioxide blaze that raged at a chemical dump outside Somerset West for 15 hours at the weekend, Cape Metro Council chief fire officer Mr Pete Harries said last night.

They had been helped by an equal number of police and traffic police

Ten firemen were admitted to hospital with breathing problems after inhaling the deadly fumes that forced the evacuation of 2 500 Macassar residents

Mr Harries said when the water from the fire hoses mixed with the sulphur dioxide a chemical reaction caused other toxic gases to be released

Eventually firefighters brought the blaze under control by water bombing it from two air force helicopters A police helicopter monitored the blaze from higher up

The bulldozers helped smother the fire with earth while firemen on the ground did their best to douse it with water

"It was a very tricky situation — we had to get it out because the sulphur dioxide fumes being released were very toxic and the south-easter was blowing them towards Cape Town "

Mr Harries said Cape Town was lucky to escape the worst of the fumes, with only small pockets of the gas hitting parts of the city

Police Captain Wicus Holtzhausen said the plant caught fire late on Saturday after a blaze in a field spread to piles of sulphur

Macassar was covered by a thick, grey pall of smoke from the fire, which officials said was the size of two football fields.

The poisonous fumes blanketed most of the Cape Flats — and hung over Macassar, Firgrove, Stellenbosch, Eerste River and Blue Downs yesterday

While residents at the centre of the gas cloud hurried to safety, people elsewhere were caught unawares as thin, nearly invisible traces of toxic fumes spread

Many reports of people suffering from tight, burning chests and throats were received from Mitchells Plain through to Eerste River and Belhar as the fumes spread

People in central Cape Town also complained of a strange smell accompanied by a burning sensation in their throats

A security guard at the Grand Central shopping mall in Eerste River said he first realised something was wrong when he smelt traces of the gas in the air.

"Many people thought it was smoke from a fire," he said

Cabin attendants on flights landing in Cape Town warned passengers when leaving the plane that there was gas in the air

An airport spokesman confirmed that medical personnel were on alert at the airport as the haze of yellow gas blew over the area

"The gas was quite thick early in the morning but by 11.30pm it had lifted We had no severe problems, only a few runny noses."

❑ To Page 3

P.T.O.

TOXIC CLOUD OVER PENINSULA

Many not told of gas peril

CT 18/12/95 (131)

MANY PEOPLE were affected by the fire at Somerset West and the Hottentots Holland Hospital there treated 180 patients yesterday **CAROL CAMPBELL** reports

PEOPLE with lung problems, especially asthma sufferers, faced the greatest health risk from the cloud of sulphur dioxide that hung over the Cape Peninsula after a fire in Somerset West yesterday — and many complained that they were not informed of the dangers

The medical officer of health for Cape Town, Dr Michael Popkiss, said the amount of sulphur dioxide in the air over the city was more an irritant than a major health problem and was not being regarded as a public health risk for the city

Cape Town provincial hospitals confirmed that they were placed on standby in case many patients with breathing problems needed treatment.

The Hottentots Holland Provincial Hospital in Somerset West treated 180 patients but by lunchtime yesterday the situation was under control and most patients were being discharged.

Cape Town's deputy medical officer of health, Dr Johan van Rensburg, said the gas, breathed in large quantities, could cause a bronchial spasm which "closed down" the bronchia and suffocated the victim

The gas also attacked the mucous membranes, causing the eyes, throat and mouth to burn

"When sulphur dioxide is mixed with water it turns into sulphuric acid, which is what causes the burning sensation"

Local radio broadcasts warned asthma sufferers to leave areas like Kuils River, Elsie's River, Somerset West, Belhar and Macassar. Appeals were also made for doctors to go to Somerset West town hall to treat patients who were evacuated from Macassar during Saturday night.

Constable Mlawuli Qutsu from the Lingelethu West police station in Khayelitsha said he had noticed a strange smell in the air but didn't know it was sulphur dioxide gas

He said they were never told of the fire or the toxic gas.

Most Khayelitsha residents seemed oblivious of the potential threat.

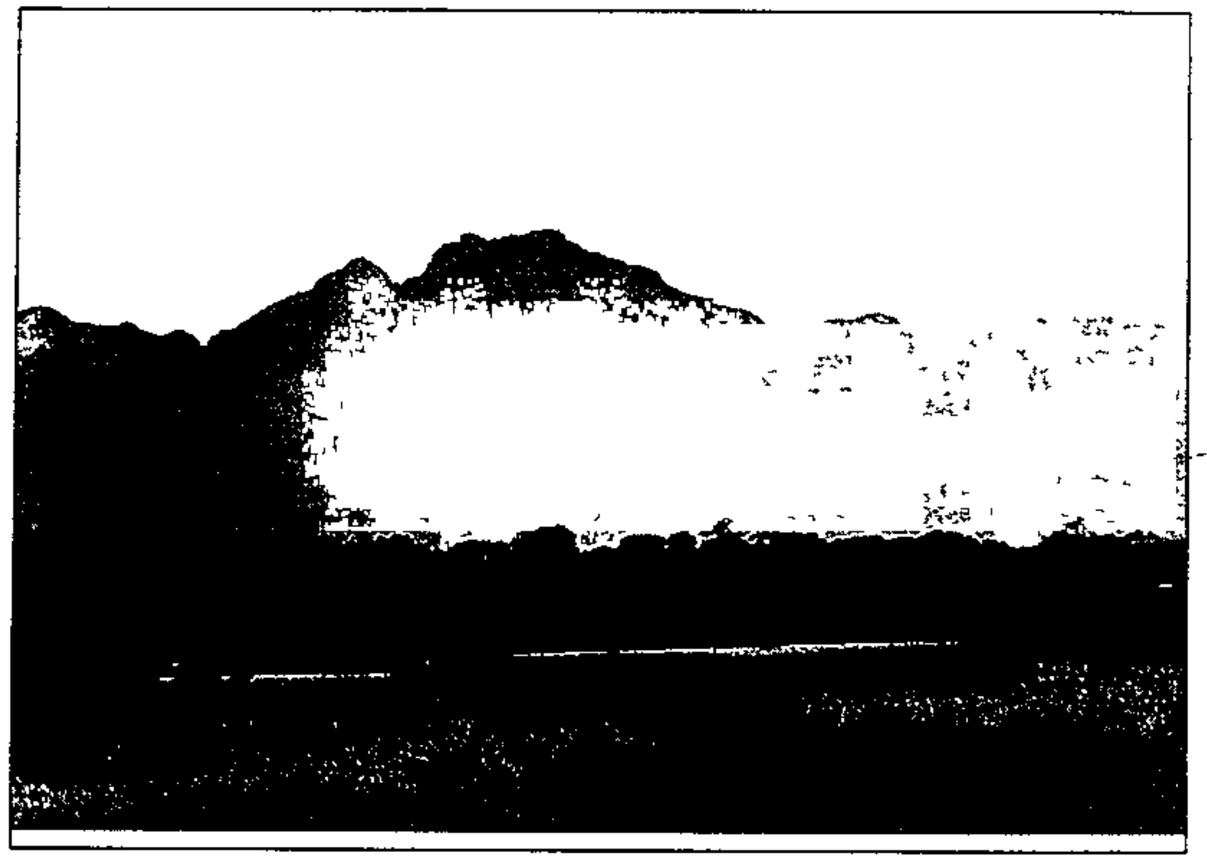
Mr Leslie Booysen of Kleinvlei in Eerste River said he became aware of the gas when his wife complained that her throat was burning

Mr Linton Wartime from Blue Downs said his entire family had woken up with a headache and severe coughing He said. "I immediately phoned the emergency number 10111 and they informed me of the fire out in Somerset West."

He said he was perturbed by the lack of information about the fumes "We were watching TV until the early morning hours They could have put out news flashes to warn the people"

The Cape Times switchboard was flooded yesterday with inquiries about the strange smell Callers said they had been better informed of the situation by CNN and Sky News than by the SABC.

Sulphur over Stellenbosch



SINISTER SMOKE The pall of acid sulphur smoke billows in over the town of Stellenbosch yesterday It also enveloped vineyards and farmlands *PICTURE: CLIVE SMITH*

Nissen hits at 'bad planning'

(131) CT 18/12/95

MACASSAR'S situation near two chemical plants was "really bad apartheid planning", an angry Western Cape Minister of Economic Development Mr Chris Nissen said yesterday

Mr Nissen, who head the ANC in the Western Cape, said the evacuees from yesterday's fire would have been treated differently had they been white.

"Soup and bread in the morning and soup and bread in the afternoon. In our (coloured) culture we get a decent meal every Sunday People's anger is justified."

WILLEM STEENKAMP reports Earthlife Africa slammed AECI last night for "a lack of any environmental standards or procedures"

Earthlife spokeswoman Ms Liz McDaid said the group inspected the area yesterday and concluded AECI had "no contingency plans" for such an emergency

"AECI sat back and let Macassar take the risk because of the lack of safety (precautions) there"

TUESDAY
DECEMBER 19, 1995

GAS DANGER PAST

Farmers want compensation

(131)
CT 19/12/95

THE TOXIC pall that hung over the Cape Flats at the weekend may have gone, but farmers are still counting costs. **EUNICE RIDER** reports.

CITY Medical Officer of Health Dr Michael Popkiss yesterday criticised the siting of AECI's sulphur storage dump at Macassar, saying it was "obviously unsatisfactory — as the sulphur gas fire this weekend has clearly indicated".

But Dr Popkiss said he believed the episode was now over and ruled out any possibility of a pall of toxic fumes still hanging over the Peninsula, saying the heavy cloud of gaseous smoke would have been dispersed by now.

Although there were reports of the toxic smoke being smelt in the city on Saturday night and Sunday, there was "no demonstrable toxic effect" and the Cape Town City Council's environmental health team closest to the fire — at Mitchells Plain — had not received any complaints

Dr Popkiss said that when the gas was inhaled deeply a chemical reaction caused it to form sulphuric acid, which destroyed the tiny hairs in the lungs and caused pulmonary oedema Water from blood in the lungs was released into the lungs' air sacs, resulting in "a kind of drowning"

"Such patients need to be put on steroids and given oxygen as soon as possible, and may also need antibiotic medication to combat infection," he said

Crop losses

Meanwhile farmers near the AECI storage dump in Macassar are counting their losses of fruit and vegetables "burnt" by an acid rain effect caused when rain fell on sulphur gas powder that had settled on their crops.

Mr Tjieks Roos, owner of the Rust en Vrede wine farm near Stellenbosch, said that although his mature vine crops had escaped severe damage, he had suffered serious setbacks to his tobacco crop and in his nursery

Mrs Pat Cook of Brian Pickering's Vegetable Farm and Packaging Shed, said the company, which supplies upmarket hotels and retail stores with organically grown prepacked lettuce combinations and salad ingredients had suffered severe losses and would probably be out of business for the next six weeks "

One Rust en Vrede farmer said his entire crop of lettuce, spring onions and cocktail tomatoes had been burnt by acid fallout

Another said he had suffered losses of about R100 000 because of the acid rain

Farmers in the area are planning to form a committee to ask AECI for compensation

Responding to a statement by AECI managing director Mr Boet Coetzee that AECI had not made safety allowances for the possibility of winds measuring 70km/h in December, Met office forecaster Mr Johan Combrinck said "For us a south-easter of 70km/h is really nothing " December was always a windy month, with gusts of 140km/h

Foul play not ruled out in sulphur dump blaze

(131)

WHILE the exact cause of the weekend's disastrous sulphur dump fire in Somerset West had not been established yesterday, police had not ruled out the possibility of foul play.

The fire at the AECI site coincides with company plans to retrench about 90 employees soon as it is downscaling its explosives manufacturing operation in the area.

The sulphur dump, surrounded by massive fire breaks, has been lying at the Somerset West site untouched by fire for more than 10 years, an AECI spokesman told the Cape Times.

CT 19/12/95

He said sulphur required intense heat to ignite and that the company had taken every effort they believed possible to secure the government stockpile, which they have managed since the apartheid era.

He said it was "normal" to stock sulphur without protection from the elements

Small bush fires started up last Wednesday and kept recurring despite attempts to extinguish them.

The company spokesman dismissed speculation that the fire was started deliberately and said it was believed the incident was an "act of God"

An independent board of inquiry and police will conduct investigations into the cause of the fire — Crime Reporter

ACID RAIN: Stellenbosch farm employee Mr Denver Williams shows a crop of lettuce he claims was burnt when fine sulphur that fell on them after the fire at an AECI dump was turned into mild sulphuric acid by rain on Sunday night ● See Page 5 *PICTURE: NIC BOTHMA*

AECI to aid victims of sulphur gas disaster

(131)

CT 19/12/95

STAFF REPORTER

CHEMICAL giant AECI is to set up a health-care centre at Macassar to treat victims of the weekend's sulphur gas disaster, and is to foot the medical bills of people affected by the noxious gas

This was decided at a meeting between community representatives and AECI yesterday, when the broad terms of reference of an inquiry into the matter were also decided upon

AECI group communications manager Mr Mike Blizzard said last night that "great strides" had been made at the meeting and that "a solid relationship" had been forged between AECI and the community

He conceded that the community was angry about the disaster but said it was calmer after the meeting, which "addressed many of the concerns"

Mr Blizzard said AECI had agreed to set up a health-care centre at Macassar to deal with any "residual" medical treatment and cases of trauma and to administer the payment of residents' medical bills

Another meeting will be held today to discuss the composition of the inquiry

Provincial Minister of Housing and acting Premier Mr Gerald Morkel, who visited the area yesterday and attended the meeting, said last night "It was conducted in a very good spirit from both sides"

He said AECI was meeting its obligations "without shying away", and the Macassar residents were "a forgiving community"

Voluntary workers who helped feed the 2 500 Macassar residents after the fire have slammed regional ANC head Mr Chris Nissen for complaining that the evacuees had only been given soup and bread

One of the Somerset West Rotary Club volunteers, Mrs Bernice Marsh, who worked from dawn on Sunday until late afternoon preparing food for the evacuees, said yesterday "This man needs to be told his fortune Where was he when we were feeding the people?

"If he feels so strongly, why didn't he come with food and volunteers instead of criticising the hundreds of people who gave up their time to do the best they could in the circumstances"

Reacting to Mr Nissen's criticism that in his culture people had "a decent meal every Sunday", Mrs Marsh said "There was no way we could have made roast chicken We had over 2 000 people to feed and just one small stove to make soup on"

Another Rotary volunteer, Mrs Wendy Mercer, said "This was an emergency and soup is an emergency food We sent people home to Macassar with loaves of bread and tins of food. Mr Nissen is really being unfair to the hundreds of volunteers, including doctors and nurses, who gave their services free"

MORE REPORTS – PAGE 5

Strong mandate for sulphur fire inquiry

ARG 19/12/95 (131)

□ *AECI meets residents, agrees to set up trauma unit for victims*

Staff Reporter

THE proposed commission of inquiry into the AECI Somerset West sulphur dump fire is to have a strong mandate that could have serious implications for industry throughout South Africa.

The interim terms of reference for the inquiry were agreed to yesterday after a meeting of Macassar residents and AECI officials

They included such items as "civil defence responsibilities" and "the question of emergency response systems", which could have nationwide implications

In addition to the terms of reference for the proposed fully fledged inquiry, the meeting agreed to set up a "trauma unit" to deal with the effects of the disaster and to assess damages

The unit would be established in the new local civic centre where, it was hoped, a chest specialist from Groote Schuur Hospital's chest unit would be in attendance from today

"We have also agreed that the terms of reference should include an investigation into whether the legislation presently in place is sufficient for dealing with disasters like this one," said the vice-chairman of the province's Standing Committee on Environment Affairs and Agriculture, Russell McGregor

Macassar, about two kilometres downwind from AECI's 15 000 ton sulphur stockpile, bore the brunt of the disaster when the stockpile erupted into flames late on Saturday

The entire 2 500-strong population was evacuated, two brothers died and at least 150 residents were treated in hospital as a huge vapour cloud swiftly enveloped the suburb

Farmers reported huge losses as rain turned sulphur fumes into acid, which severely burned vegetable and fruit crops

Asthma sufferers, brothers Ronald and Andrew Williams, who died in the fumes, are to be buried on Thursday

AECI officials yesterday held discussions with Macassar community leaders in a municipal office in Macassar to set up the inquiry and trauma unit.

The parties agreed to keep detailed records to help the commission of inquiry

Community members, yet to be appointed, are to "authenticate and check medical claims of residents" and give advice.

AECI officials gave the undertaking that "Incident-related, verifiable costs will be paid" Other possible payouts will form the basis of later discussions

Parties to yesterday's meeting included the mayor of Macassar

The independent commission of inquiry has won cross-political party support

Minister of Local Government Pieter Marais said in a statement last night he believed a commission should be appointed immediately and would be contacting Premier Hernus Kriel in this regard at the earliest opportunity

Mr Nissen, the Western Cape ANC leader, said he intended raising the issue when the provincial cabinet first met in the new year

Agriculture experts called in

Staff Reporter and Sapa

CHEMICAL giant AECI has briefed a team of agricultural experts to assess crop damage caused by the huge sulphur fire in the Somerset West area

At the meeting between company representatives and Macassar community leaders yesterday, AECI was told that in addition to claims for farm crop damage, the company could also expect a number of claims from Macassar residents whose gardens were destroyed.

AECI officials told the meeting their agricultural specialists would offer support and advice to farmers

The company also assured consumers that food which came into contact with the sulphur should not be destroyed

"In food processing, sulphur dioxide has a wide range of applications including treating vines for bacteria, sterilising wine casks, as a preservative for dried fruit, as a bleach for grain and in the refining of sugar.

"On the basis of this, and the information we have available, we believe the release of sulphur dioxide would not have resulted in any spoilage of stored food or affect its subsequent consumption," a company statement said.

Meanwhile, Somerset West mayor Leon Deacon said the mounds of sulphur left at the AECI site near Somerset West after the weekend's chemical blaze should be removed.

Mr Deacon said he was sure African Explosives and Chemical Industries' management would act on this immediately.

AECI should also ensure there were no other potentially hazardous substances on the site that could lead to a repeat of the fire which left two dead and forced thousands of Macassar residents to evacuate their homes

Blast rocks Iscor's Pretoria works

(131) ([redacted]) 20

The Argus Correspondent

PRETORIA — A huge blast at Iscor's Pretoria West works rocked the city, sending shock waves for several kilometres and a large red cloud high into the air ARG 20/12/95

The blast — at 6 59 am this morning — was heard as far away as Garsfontein in the east and was the result of molten steel being poured into a wet container, an Iscor spokesman said

"It happens fairly regularly, especially when it has been raining a lot and there's water everywhere," he said.

"The works is not sealed off and water does make its way into the smelting area When you pour molten steel on to water it traps the steam, which causes an 'explosion' when it escapes," he said

No-one was hurt in the blast and no damage was done.

"We regard these 'explosions' as a normal occurrance," said the spokesman

The reason the blast was so loud was because the volume of water and of molten steel coming into contact was large

That illness may be incubating at the office

Star 28/12/95 (131)

New research places stress at the core of mainstream medicine and the workplace is a major source of it, report Liz Hunt and Marika Sboros

Doctors don't like stress, because it's difficult to treat They prefer magic-bullet medicine, where a drug or operation will cure the disease or alleviate the symptoms

This has been a barrier for more than 50 years to their acceptance of stress as a potential trigger for a range of illnesses

Now, whether they like it or not, new research study obliges them to place stress at the core of mainstream medicine, as a cause of ill-health

The link between breast cancer and stress reported recently by a team of British doctors and psychologists has significance beyond its clinical conclusion Previous studies have hinted that major traumas such as bereavement, redundancy or divorce, are associated with the disease but the latest evidence, published in the British Medical Journal, is the most compelling to date

It begs the question that if stress really does cause disease, what can doctors do about it?

Patients have recognised stress and its associated risks more readily Everyone has felt "stressed out" at some time or other, it was the classic '80s disease And when people are under stress they know, almost intuitively, that they are more vulnerable to coughs, colds, and other infections

This may sound like common sense, but it is only with scientific evaluation that stress will be taken seriously

Cary Cooper, professor of organisational psychology at the University of Manchester Institute of Science and Technology, says "Studies like the BMJ study can only help What we have needed is a scientific approach to evaluating stress and, until recently, few doctors and psychologists have worked together on this"

An Austrian physiologist, Hans Selye, working in Montreal in the '30s, is widely regarded as the father of modern stress research He noted that adverse stress – physical or emotional stimuli including internal conflicts, significant life events or physical violence – were risk factors for a range of illnesses

Selye hypothesised in medical journals and lectures that these forms of stress disturbed the production of certain vital hormones in the body, resulting in pathological changes to some tissues His work attracted some attention from fellow doctors, but it was not until the changes in working practice brought about by World War 2 that stress became more widely recognised as a subject worthy of research.

Long hours and extra night shifts in munitions factories and the aircraft industry took their toll on people's health, reflected in absenteeism and behavioural changes such as increased drinking and smoking

In the '50s and '60s, the rise in heart disease among men was identified and since they then made up the bulk of the workforce, it was suggested that stress - possibly related to new technologies in the office and modernisation of manufacturing industries - might be a contributory factor

"It was a gradual dawning that something was going on here and that stress could play a part," Cooper says

The real springboard for the emergence of stress as a modern disease was the work of two cardiologists in the late '60s in San Francisco Dr Meyer Friedman and Dr Ray Rosenman showed a direct relationship between what they termed "type A" behaviour (ambition, aggressiveness, competitiveness, hostility, restlessness etc) and heart disease

Compelling evidence ties trauma to diseases

Their eight-year study of more than 3 000 men in California concluded that those who showed type A behaviour ran twice the normal risk of developing coronary heart disease This was comparable to the risks associated with smoking and drinking

Their study remains controversial, since several attempts to confirm the findings have failed to do so However, it remains a landmark in stress research, and funding for further work by the growing number of interested psychologists and scientists was forthcoming as a result

A variety of studies – some good, some dubious – have linked stress to a series of major and minor illnesses cancer, mouth ulcers, infertility, and post-viral fatigue syndrome

Selye's hypothesis is now the accepted view that when coping with stress the body responds by increased production of certain hormones such as adrenalin and cortisol, which affect heart rate, blood pressure and metabolism However, at a certain level and under continued exposure to stress, these physiological changes affect a person's ability to cope, and possibly cause damage to vital organs In some susceptible individuals, this may trigger disease

Johannesburg neurosurgeon Dr Ian Weinberg believes psychoneuro-immunology (PNI) is one way to go

PNI, the newest branch of the medical science tree, is the scientific study of the effects of the mind on the immune system

He has been using neuro-linguistic-programming (NLP), one the the techniques of PNI, on patients with brain tumours with "encouraging results"

Negative effects on the immune system function may lead to severe and frequent infections, and the body may lose its defence against tumour growth, leading to malignant tumours

Research shows that the most damaging state of mind is pessimism, he says, in which people subjectively perceive that they cannot control their lives and are permanently "doomed" to certain negative situations

The long days stretching ahead of retrenched and retired people are extremely stressful

An optimistic state of mind, on the other hand, is vitalising to the body and impacts positively on body function, says Weinberg

There are many areas of primary health care in which the individual can and should take an active role in preventing conditions, for example malnutrition, cardio-respiratory conditions and cancer

Preventive action against the bad effects of stress is, then, largely up to the individual, by learning how to reduce or manage their stress levels GPs can help by referring patients to therapists, but those who do are the exception rather than the rule

Alternatively, Cooper sees a growing role for employers in reducing stress

By reducing stress levels at work or helping people cope through access to counselling, employers will be getting more out of their employees while enabling them to manage stressful events outside work more effectively

The way forward may be through the workplace rather than the surgery.

Stress lines ... being in the workplace can be as major a source of stress as being forced out into depressing unemployment lines.

INDUSTRIAL ACCIDENT AND HEALTH

1996 — 1997

Thor Chemicals in court over pollution

(131) ARG 16/11/96

MARITZBURG. — Thor Chemicals of Cato Ridge has appeared in the regional court here on a charge of polluting water surrounding the plant

Charges were filed by the Department of Water Affairs after pollution on March 30 and 31 last year

The company allegedly caused unpurified water containing elevated levels of mercury concentrates to be discharged into the Mngeweni stream and/or into the undergound water under and adjacent to Thor's land

No evidence was led and the case was postponed to March 4.

The company was fined for occupational safety contraventions last year but acquitted on culpable homicide charges arising from the death of workers from alleged mercury poisoning. — Sapa

Union protest begins

MEMBERS of the SA Telecommunications Association began striking yesterday at Telkom's Roseville repair workshop in Pretoria, in protest against unsafe working conditions The union said continuous demands for the provision of sufficient air cleaning and cooling systems had been ignored.

(131)

REPORTS Business Day Reporters, Sapa

BD 19/11/96

Agreement to widen mercury probe

(131) (68)

By Troye Lund and Anita Allen

Star 24/1/96

An inquiry into the importation of mercury waste by Thor Chemicals in KwaZulu Natal has been widened after protests by environmental groups, commission head Prof Dennis Davis has said

He made the announcement last night following complaints by Earthlife Africa that the scope of his commission was not wide enough

Earthlife also complained that they would not have enough time to testify, but Davis said the commission was willing to have special sittings at a date convenient to the organisation.

When Earthlife complained that the effects of disposal methods on workers and the environment were not part of these terms, Davis included them, he said.

He has a letter dated January 17 from Earthlife Africa's lawyers to say the new terms were "perfectly acceptable"

The original terms of reference were

- To investigate the history and background of the acquisition of a spent mercury catalyst stockpile by Thor Chemicals, as well as additional mercury-containing sludge on the premises, and to report on the further utilisation or disposal thereof
- To recommend on the best practical environmental option to deal with the problem of mercury-containing catalyst and/or waste currently on Thor's premises

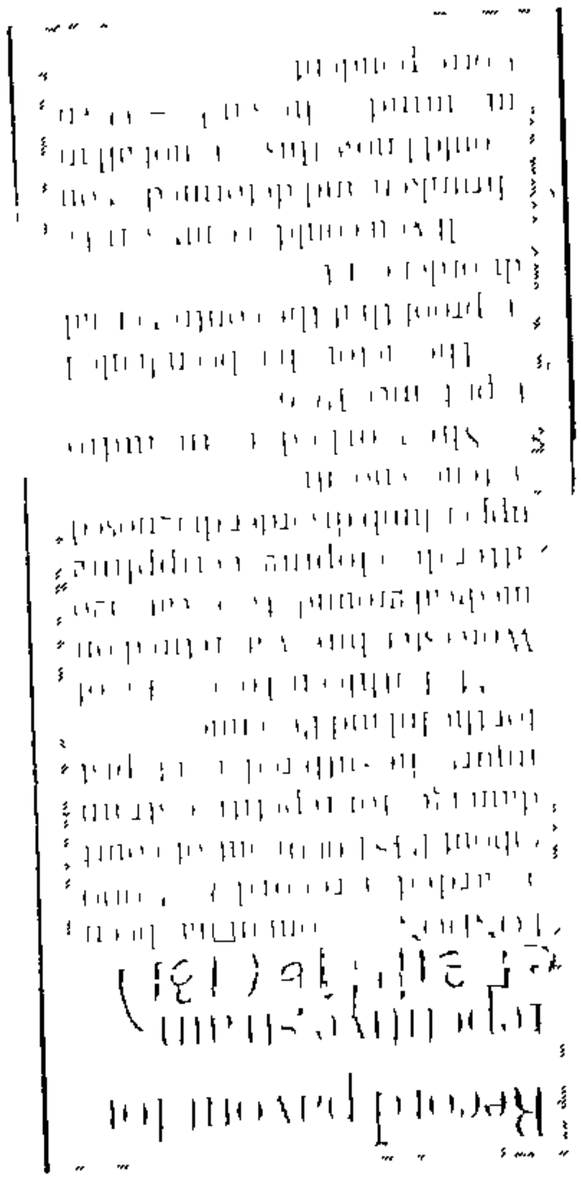
Davis said last night the changes included "workers and environmental issues which were agreed on at the meeting with Earthlife in June"

When the commission was appointed by President Mandela in March 1995, the Environmental Justice Networking Forum (EJNF), the Chemical Workers Union of SA and Earthlife Africa immediately gave notice that they would seek legal advice on what was claimed to be a deliberate attempt to exclude the grouping from helping to frame the terms of reference

The basis for objections was that it would effectively preclude any investigation into other toxic waste at the site and what happened while the toxic waste was there, as well as possible complicity of various government officials

Another objection was that taxpayers were effectively being asked to pay for a study which should have been conducted and paid for by Thor Chemicals.

Davis said any changes to the terms of reference that did not include the worker and environmental issues were "utterly news" to him



disclosed at Simpson's stores last week that he go, and again when he [illegible]

Thor probe to cover mercury processing controls

President Nelson Mandela has agreed to extend the mandate of the commission of inquiry investigating Thor Chemicals to include a probe of mercury-processing controls, commission chairman Prof Dennis Davis said yesterday.

The agreement followed a request to Mandela to extend the commission's terms of reference The commission would be required to recommend steps to help minimise risk, and protect workers and the environment.

Davis said the commission would first complete the initial part of its brief, which included:

- Investigating the background to Thor's acquisition of spent mercury catalyst stockpiles and other sludge on its premises.
- Reporting on use or disposal of the sludge
- Recommending how to deal with catalyst and waste.

The commission, appointed in March last year, will hold its first public hearings early next week. – Sapa

(131) Star 3/2/96

Water policy document completed

Wyndham Hartley

CAPE TOWN — Dramatic changes to the way water is managed in SA — including its transformation into a national resource not subject to private ownership — are investigated in a document which will be handed to Water Affairs Minister Kader Asmal today.

The report is the work of a high-powered group appointed by Asmal to investigate the principles and objectives of water policy. It is the first step in a long process which will culminate in a new water Act.

Chairman of the investigating committee Geoff Budlender (newly appointed director-general of land affairs) stressed that the committee was asked to start from scratch and that "we are still a long way from a water Act".

Sources close to Asmal said it would be wrong to assume that everything in the report would go into legislation There would be an extensive consultation and negotiations process

Some of the committee's findings will prove controversial It moots the possibility of forcing industry to locate only where there is adequate water, limiting farmers in dry areas to certain crops, substantial increases in water tariffs to subsidise the poor and the exportation of water from water-rich to less well-endowed provinces.

Agreement reached on students' debts

BD 6/2/96

Kevin O'Grady

STUDENTS and management at the University of the Western Cape yesterday reached agreement on the repayment of R21m in student debt that will allow the campus to reopen today after its closure because of violent protests last week.

University spokesman Stan Ridge confirmed an agreement was signed between the university executive and the students' representative council, ending a five-day stand-off

Students walked out of talks with management last week in protest against the exclusion of academically qualified students on financial grounds. The university had said it could not afford to pay students' debts

In terms of the agreement, students who are unable to settle their debts will be expected to make minimum contributions — the amount depending on the size of the debt — with the remainder being advanced as loans.

Students owing less than R1 000 will have to pay their account in full before registering for this academic year. Discussions will be held with one student who owes R30 348 to determine his contribution.

Students owing between R1 000 and R25 000 will be permitted to register following payment of their minimum contribution.

This ranges from 60% for a debt of between R1 001 and R3 000 — 40% being advanced as a loan — to a R4 500 contribution and a R7 000 loan for debts over R15 000.

Additional debt will be rolled over into students' accounts for this year

"Where students are unable to pay the minimum amount required, their cases will be examined individually so as to determine how further assistance could be extended," the agreement, signed by rector CA Abrahams and student council president JJ Tabane, said.

The university expected all students to make an upfront payment at registration each year "in order to ensure that the university has adequate operating funds for the first three months of the year before it receives its first subsidy payment".

Following yesterday's talks, the university and the student council agreed to jointly appeal to government to "address the national student debt and especially the backlog faced by historically black universities".

They also announced plans to launch a relief fund and a fund-raising campaign to increase the pool of student financial aid Ridge said registration would begin today.

Most Cape black pupils fail at least once

BD 6/2/96

SEVEN out of 10 black pupils in former department of education and training schools in the Western Cape fail at least one standard, contributing to overcrowding and increased costs, a study by EduSource shows

The results were released yesterday, and the study found there was a low rate of standard repetition in coloured schools

The standards most repeated were sub A and standards six, eight and nine "These standards would therefore require a more direct form of intervention if schooling efficiency is to be improved," EduSource said.

The authors called for intervention by government, schools and non-government bodies in providing more in-service training, particularly for primary school teachers, and reducing class sizes. — Sapa.

Thor Chemicals inquiry hits snag

BD 6/2/96 131

Farouk Chothia

DURBAN — The government-appointed commission of inquiry into Thor Chemicals ran into problems at its first sitting yesterday after concern was expressed that it would prejudice a legal case pending against Thor.

Thor director Stephen van der Vyfer asked commission chairman Prof Dennis Davis not to ask questions related to water pollution at Thor This was because the water affairs department had charged Thor with polluting a stream in Cato Ridge. Thor could be prejudiced during the trial if it was questioned by the commission on water pollution

Davis said he would discuss the matter with KwaZulu-Natal attorney-general Tim McNally McNally was entitled to press ahead with charges, but this could create "difficulties" for the commission

Thor could exercise its constitutional right to refuse to answer pollution-related questions. This would make it difficult for the commission to investigate whether the Thor plant had a negative impact on the environment, although the commission's terms of reference required it to do so, Davis said.

The commission was appointed by President Nelson Mandela after continued pressure from environmental and health groups who blamed Thor for the death of two company employees from mercury poisoning. Thor was acquitted in a criminal case on culpable homicide charges, but was found guilty of contravening legislation on occupational safety

Davis said the commission would continue taking evidence on two other areas of its terms of reference — on the most effective way to dispose of mercury residues and on wastes stored at the Thor plant.

Van der Vyfer said there seemed to be only two ways to dispose of waste containing mercury One way was by the process of recycling, which Thor had adopted. The other was by immobilisation and landfill, which US experience showed could result in leakage of toxic waste

Incineration cheaper than using landfills, Thor Chemicals probe told

Durban – A presidential commission probing mercury waste at the Thor Chemicals plant in KwaZulu Natal began yesterday to assess the company's waste-recycling programme over the costlier alternative of burying it.

Commission chairman Dennis Davis told reporters his team was investigating the problem of stockpiles of spent mercury catalyst waste at Thor Chemicals

Its brief was to recommend to President Nelson Mandela the best practical method for dealing with the waste with as little environmental impact as possible, he said

In his submission to the commission, Thor director Stephen van der Vyver said the company incinerated the waste instead of dumping it in landfills – which tended eventually to leak and pollute the environment with concentrated toxic waste

"The advantage of the process of incineration is that the metallic mercury is obtained in a form in which it can be returned to industry and, therefore, does not contaminate the environment."

He said the dumping programme was also costlier than incineration. "At about R1 000 a barrel, I estimate the landfill option would cost R30-million compared to the R2-million a year it costs to run the recycling plant."

The investigation into the British-based company was commissioned in March 1995.

Van der Vyver and two other senior Thor employees were acquitted last year of charges of culpable homicide arising from the death of two workers from alleged mercury poisoning in 1993.

– Reuters

(131) Star 6/2/96

Supreme claims will be opposed

Deborah Fine

SEVERAL large financial institutions have been granted leave by the Rand Supreme Court to defend summary judgment applications involving millions of rands lodged against them by the liquidators of Supreme Holdings and Supreme Investment Holdings.

These include Fidelity Bank, Liberty Life and Boland Bank as well as attorneys, Macauley and Riddle, and financial consultants Alexander Forbes Executives.

The liquidators claim the companies are liable for the R270m in losses suffered by public investors — who allegedly acted on advice of the companies' brokers — in the unsecured debentures offered by the Supreme Group between 1987 to '92. Supreme collapsed in November 1992, amid allegations of fraudulent and reckless practices.

The liquidators have submitted the brokers were negligent by failing to establish that Supreme was financially sound before offering the investment advice, and that their conduct was, in law, also their employers' conduct. The institutions were thus liable for Supreme's debts to investors.

Fidelity Bank has been granted leave to oppose a claim of R2,4m; Boland Bank a claim of R2m; Liberty Life R4,1m, Alexander Forbes R1,3m, and Macauley and Riddle a claim of R136 384.

An application by First National Bank for leave to resist a claim of R25,4m will be heard today.

Swazi trade unionist arrested in Mbabane

BD 7/2/96

Business Day Reporter

SWAZILAND Federation of Trade Unions assistant general secretary Jabulani Nxumalo was arrested in the Swazi capital of Mbabane yesterday, days after the federation had announced another national stayaway on February 19 to press its political demands.

The arrest — reportedly on charges of fraud and perjury dating back to the 1980s — came two weeks after the arrest of the federation's general secretary, Jan Sithole. Charges against Sithole were later withdrawn

On Monday King Mswati III assured British Overseas Development Minister Lynda Chalker that the country's 1968 constitution would soon be revived.

He told Chalker that the revival of the constitution was one of a number of recommendations by the Swazi people to a special political reform review committee which sounded public opinion in the country two years ago

During her visit Chalker urged the king not to be too slow in introducing changes.

The arrest of Nxumalo, as he was leaving the offices of the Federation of Swaziland Employers, is likely to further raise tensions in the kingdom, which was hit by a five-day pro-democracy stayaway a fortnight ago

Meanwhile, the leader of the largest pro-democracy party in Swaziland, the People's United Democratic Movement, has denounced as "undemocratic" Mswati's announcement that the 1968 constitution is to be restored.

Kislon Shongwe said constitutional issues could only be decided at a convention of political parties and other organisations.

Premier shares dream of Ulundi as capital

Farouk Chothia

DURBAN — KwaZulu-Natal premier Frank Mdlalose said yesterday that his dream was to see Ulundi become the "hub of the wheel of development" for the whole of KwaZulu-Natal.

Addressing IFP supporters who are pushing for Ulundi to be proclaimed the provincial capital, Mdlalose said a constitution for KwaZulu-Natal would have to be passed, followed by legislation making the town the capital.

His vision included "spokes of development", connecting Ulundi to different areas. Ulundi would be connected to a port, and all the towns would become "great cities".

Govt backs Thor's recycling operation

BD 7/2/96 (131)

Farouk Chothia

DURBAN — Government officials from the environmental affairs, water affairs and labour departments yesterday threw their weight behind Thor Chemicals' plans to continue recycling toxic waste at its Cato Ridge plant, giving the company a boost in its fight against the environmental lobby.

KwaZulu-Natal air pollution control chief officer Gerrit Coetzee said mercury emissions from the plant were "much less" than emissions from some coal mines. He said the media had "blown out of context" the [illegible] emissions from the Thor [illegible].

Coetzee was giving evidence to a government-appointed commission of inquiry which has to decide what should be done with 3 000 tons of toxic waste at the plant.

The plant was the only kind in the world. Its clients were in the plastics industry, including AECI and US-based Borden Chemicals.

Commission chairman Dennis Davis said the NP government had been "cavalier" in its approach by failing to pass legislation in the 1980s to control the importation of toxic waste to SA.

If recycling was to continue, stringent regulations would have to be in place. Coetzee conceded that this was necessary The Air Pollution Control Act was passed in 1965 and had become a "bearded man with a walking stick".

Labour department occupational and health safety chief director Faiza Saleh said recycling posed dangers but a better option was unknown. Water affairs department water quality director Sakkie van der Westhuizen said Thor had co-operated in monitoring pollution levels.

The Environmental Justice Network Forum, which led protests against the plant after the deaths of two workers, would give evidence in May. Forum national co-ordinator Chris Albertyn said Thor was lea[illegible] departments "by the no[illegible] cycling posed "far greater dangers" then initially thought, he said.

Holfontein water not contaminated, says report

By Tamsen de Beer

A laboratory test has revealed that the smelly brown water which drained into a trench last month below EnviroServ's Holfontein hazardous waste site near Springs had a metal content and traces of sewage – but no definitive contamination from the site was evident

The trench was intended to drain stormwater away from the road just below the site, but neighbouring Holfontein Brickworks objected because of the colour and smell of the water The trench was later refilled

Dr Henry Abbot of the Department of Water Affairs and Forestry (DWAF) said the water appeared not to be contaminated by leachate (liquid seepage) from the waste site.

"If it is contaminated, it is at a very low level We cannot say there is no indication whatsoever of pollution, but there is no definitive evidence of pollution from leachate," he said

The main trace metals present in the water were dissolved manganese and iron, with small traces of chromium, vanadium and nickel

A second sample taken from the water contained aluminium, zinc and lead These metals might occur in the soil, Abbot said

Both samples contained an elevated E coli bacterial count, indicating the presence of faecal contamination, possibly from cattle or workers' ablutions on site

But the DWAF is concerned about the stability of Holfontein's dam walls in the light of continuing high rainfall

Abbot has recommended the construction of a containment system to retain leachate that might escape through a breach in one of the site's walls.

"The improvements they (EnviroServ) have promised are becoming more urgent The more rain we have the greater the risk becomes," he said

But EnviroServ spokesman Kevin de Villiers said the company was confident that rain would not cause a problem· "We cannot envisage a situation, even with severe rain, that our walls would be threatened," he said

Prof Harold Annegarn, of Wits University's Schonland Nuclear Research Centre and president of the National Association for Clean Air, has been contracted by the DWAF to undertake a study on the impact of Holfontein's additional waste load and the effect of certain liquid chemicals on air quality in the area

(131) Star 8/2/96

The spectre of deadly dust settles over mine

ST 11/2/96 (131)

By PETER De IONNO

THERE is something ominous in the clang as workers put the finishing touches to a shed around a massive stockpile of powdered arsenic at a Barberton gold mine

Like a stable door slammed shut after the horse has bolted, the enclosure of the huge store of poison has come too late to reassure workers at Anglovaal s New Consort Gold Mine.

Fear that they and their families are being poisoned has gripped the 700-strong workforce since October last year when drinking water was found to be contaminated with arsenic trioxide, a by-product of the mine's refining process

Extended exposure to arsenic trioxide has been linked to an eight-fold increase in lung cancer and increased risks of liver and skin cancers

The deadly dust has been blamed for the deaths of two infants and a mine supervisor although these claims have not been substantiated.

Workers have pointed fingers at the mine's management, saying they have tried to cover-up the poisoning crisis and had been racially prejudiced in their safety measures

Independent industrial health researchers have further accused the management of obstructing their investigation

The Sunday Times was refused access to the mine this week

But workers who spoke on condition of anonymity confirmed reports that until last year the mine had operated a racial double standard in its issuing of protective clothing for workers in contact with arsenic trioxide.

A man found to have chronic symptoms said. "The whites and the supervisors were given one-piece suits complete with hoods and overshoes, but blacks were given two-piece oilskin suits that did not stop the dust from getting to the skin. The dust stayed on your body and you were not allowed to leave the plant to wash."

His wrists were marked with circular scars which he said had been caused by rashes after his arms were coated with arsenic dust.

"They have treated us like fools. In the past when we complained of stomach pain and diarrhoea we were told it was because we had eaten fish with too much arsenic in it."

The chairman of the National Union of Mineworkers, Ephraim Sikhonde, said workers had become angry after white residents on the mine were sent written warnings about the arsenic pollution in the water while hostel residents had merely been notified by public address messages.

"This management must learn that double standards for blacks and whites are not acceptable," he said.

Anglovaal spokesman Julian Gwillim denied the workers' allegations. He said the Cape Town-based Industrial Health Research Group had been allowed free access to conduct a study at the mine.

The group found symptoms of chronic, long-term arsenic poisoning in all 16 workers it examined last month.

The symptoms included rashes, blisters, itchy eyes, and nasal sores

Stomach cramps and bloody diarrhoea, which are symptoms of acute short-term exposure to arsenic, were recently widely reported by people on the mine when the water was contaminated at levels of 0,7mg of arsenic per litre, more than twice the maximum limit of 0,3mg a litre. It was the second contamination episode in four years.

Urine tests of 19 other workers, conducted by the mine 10 days ago, also show high levels of recent exposure to the poison.

According to figures shown to the Sunday Times by Mr Sikhonde, all of the workers had arsenic levels of between 50,9 and 94,4 micrograms per gram. Levels above 50 are regarded as abnormal and in need of attention.

Mr Gwillim said the company would release the urine test results only to a government inquiry into the pollution of the mine's water supply

A public hearing will be held at the mine on February 27

Mr Gwillim said the results of the tests were "inconclusive" However, workers who had shown arsenic levels in excess of accepted limits had been given counselling and would be tested weekly

An NUM attorney, Richard Spoor, said mine management's attempt to restrict the investigation by Dr Mohammed Jeebhay, of the Industrial Health Research Group, had left the workforce confused and angry

"Relations with management are so bad that we have not given them the names of people whom we have found to be poisoned for fear that they will get rid of the problem by getting rid of the people."

Dr Jeebhay said management had refused access to the gold plant, where arsenic trioxide dust is extracted and bagged for storage, and to the roaster section, where crushed ore gives off arsenic fumes and hydrogen sulphide

He said workers in the recovery plant had reported that fumes were escaping from the roaster into their section but management had not responded to their complaints.

Dr Jeebhay said that, when his team were finally allowed to examine 16 of 24 named workers, they were refused access to records of ongoing industrial hygiene and biological monitoring of workers

"It creates the impression that somebody has got something to hide.

"It is unreasonable to prevent an industrial health investigation from inspecting the workplace," he said.

"How can we help solve problems if we cannot see the conditions the workers are exposed to?"

Although his team was escorted directly to the mine clinic, Dr Jeebhay reported seeing white dust, believed to be arsenic, on the road leading to the powder storage shed.

Mr Sikhonde and Hendry Sambo, the chairman of the mine health and safety committee, said mine managers had appealed to them to dismiss Mr Spoor and to deal with the poisoning issue in-house.

"They are afraid for the world to see what is going on inside here," said Mr Sambo

PREJUDICE. Ephraim Sikhonde at the mine where arsenic has contaminated drinking water Picture: HERBERT MABUZA

Thor appeal fails against SA claims in England

(131) ARG 14/2/96

MARITZBURG — A final appeal by Thor Chemicals to the British House of Lords to prevent South African Thor mercury workers from pursuing claims against the company in England, has been rejected

London attorney, Richard Meeran, who represents three Thor claimants, Anastasia Cele, Busisiwe Ngcobo and Albert Dlamini, said he was "amazed" at the lengths to which Thor had gone to try to deny justice to the victims

The company had been unsuccessful in two earlier applications last year

Proceedings have so far been lodged in England on behalf of another 20 Thor workers

Thor Chemicals loses appeal to prevent workers' claims

Star 15/2/96 (131)

Pietermaritzburg – A final appeal by Thor Chemicals to the British House of Lords to prevent South African Thor mercury workers from pursuing claims against the company in England was rejected on Tuesday London attorney Richard Meeran of Leigh, Day & Co, who represents three Thor claimants, Anastasia Cele, Busisiwe Ngcobo and Albert Dlamini, said "The decision means that we can at last press ahead with the claims for compensation" Proceedings have been lodged in England on behalf of another 20 Thor workers – Own Correspondent

Health-care workers risk injury

(131)

At least 170 South African health-care workers were injured on duty at hospitals last year, a National Occupational Safety Association (Nosa) study has found.

Back and hand injuries were most common, at 38% and 39% respectively.

Increasing demand for health-care services, and nursing and medical staff shortages, increased the risk of injury, says Nosa's occupational health consultant Nell Browne

Nosa has since launched a programme to help hospitals, clinics and medical stations maintain a safe and healthy working environment – Medical Correspondent

Star 28/2/96

Work injury statistics released

(131) CT (BR) 28/2/96

By Roy Cokayne

Pretoria — The latest statistics available from the compensation commissioner show that about 1 792 people died and 236 512 were injured — equivalent to five deaths and 648 injuries a day — due to work-related injuries over a 365-day period.

The figures are for the 1990 calendar year They are indicative only of the cases which were reported to the compensation commissioner

Donn Mitchell of the National Occupational Safety Association's (Nosa) communications division said the statistics and the quest for transparency in occupational health and safety practices had prompted Nosa to introduce a new auditing procedure

Leo Strydom, the managing director of Nosa, said the organisation had 2 200 graded South African companies and from March 1 these companies would be audited on an unannounced basis

Organised labour welcomed the new auditing procedure

Lawyer here to prepare case against Thor

(131) M+G 1-7/3/96

A substantial damages claim against the Thor company in South African will be heard in a British court, writes **Eddie Koch**

ENGLISH lawyer Richard Meeran arrived in South Africa this week to prepare a multi-million-rand lawsuit in the British courts against Thor Chemicals for damages suffered by 20 workers, exposed to high levels of mercury toxins, at the multinational's subsidiary in KwaZulu-Natal

The case is a landmark one because it is poised to help ensure that British companies operating in South Africa and other developing countries are forced to apply the same strict health and safety standards, which apply in their home country, to subsidiary operations in the Third World

The opportunity to sue in British courts arose when the House of Lords, the highest court of appeal in England, this month refused to entertain an appeal by Thor for the litigation to be heard in South Africa where the health and safety legislation is less advanced than in Britain.

Meeran originally sued the parent company in mid-1994 on behalf of three workers whose health was seriously damaged after being exposed to high levels of mercury at a Thor plant in Cato Ridge that was importing toxic waste from the United States and other countries, which refused to process the material because of its dangers

Two of the workers, Peter Cele and Engelbert Ngcobo, died while the third victim, Albert Dlamini, is permanently disabled at the age of 28

It was this case Thor appealed against, arguing South African courts were the most appropriate forum for it to be heard The House of Lords's rejection of that appeal this month cleared the way for South African victims of Thor to litigate in England

Preparing case: English lawyer Richard Meeran in South Africa

PHOTOGRAPH CAROLINE SUZMAN

The milestone decision encouraged Meeran to come to South Africa and prepare a case for another 17 workers whose health was seriously impaired, allegedly by chronic exposure to mercury toxins at the Cato Ridge plant

He is currently collecting information to quantify the extent of the claims these workers will bring against the company

An official commission of inquiry has been appointed by President Nelson Mandela to probe why the previous government allowed Thor to bring such dangerous waste into the country — and the company has since been forced to shut down its mercury recycling plant

Meeran believes civil claims lodged in England by the victims of British subsidiaries will help force multinationals operating in the Third World to abide by the same health and safety standards that apply in their home country

He has gathered evidence which shows Thor moved part of its British plant to South Africa in the 1980s after that country's health and safety executive, which monitors health standards in local firms, expressed concern about the high levels of mercury in blood and urine of workers in England

Meeran argues the parent company should bear major responsibility for the damage caused to its South African employees because Thor management in England played a strong role in the design of the Cato Ridge factory and moved some of the British plant and its personnel to KwaZulu-Natal

The lawyer has not completed an assessment of the damage caused to the South African workers through loss of income, pain and suffering but estimates their claim will come to a total of £1-million The British company has a turnover of about £50-million a year

Thor management in South Africa argues the health of the first three workers was caused by acute exposure to mercury from an act of sabotage rather than bad company practice at the Cato Ridge plant — a claim which Meeran says was refuted by Dr Lazlo Magos, an internationally-renowned toxicologist, who examined the victims' medical and work records in preparation for the case and found they suffered chronic exposure over an extended period of time.

The company also refuses to accept the health of the other 17 workers is in any way related to mercury exposure

Chemical explosion kills man

JOHANNESBURG: An inspector was killed and two artisans were injured yesterday in an apparent vapour explosion at Impala Platinum Ltd's refinery at Springs, the company said

One of the two injured was in a critical condition and was airlifted to the private Milpark hospital here to be treated at the clinic's burns unit, Impala said.

The company said the accident happened during a routine inspection of a sulphur dioxide vessel at the base metals refinery by the three men, two of whom were inside the vessel when the explosion occurred The inspector died after being unable to climb out of the vessel

The names of the three have not yet been released. — Reuter

(131) ST 1/3/96

AECI unhappy with own safety procedures

BD 1/4/96 (131)

Mungo Soggot

AECI's community safety procedures at its Somerset West operations — a sulphurous fire there killed two and injured many last December — had been wanting, the Anglo American chemical group said in the annual report.

Chairman Mike Smith said. "At Somerset West, where operations have been reduced and many plants closed in recent years, the quality and effectiveness of the community awareness programme left much to be desired "

He said the fire "underscored the wisdom of the group's policy to encourage, through its community awareness and emergency response committees, open-door, interactive contact with the communities adjacent to each operational site"

Although the cause of the fire had yet to be explained, AECI had accepted full responsibility and paid out the victims' claims

It was reported earlier this year that these claims amounted to about R20m However, AECI made no provision for these in its accounts

Smith said that, apart from this incident, compliance with environmental and safety regulations had been of a high order. He noted that the injury rate for AECI employees away from work was three times higher than when they were at work.

Smith said AECI should boast some further earnings growth this year, cashing in on improved access to world markets and a sprightlier performance from the RDP

The chemical group — which lifted share earnings 37% to 255c in the year to December — was "achieving satisfactory results ... in the present somewhat weaker international markets".

When it unveiled its year-end accounts on March 6, AECI announced plans to issue shares in subsidiary Afex Holdings, to cut its hefty debt.

The group's borrowings, which have long been a source of concern for analysts, swelled to R1,4bn from a previous R1,01bn.

Smith said AECI had made "good progress" restructuring its businesses during the year. Its ammonia and urea operation at Modderfontein continued to receive critical attention.

Speciality company Chemical Services had again proved immune from the vagaries of the commodity cycle, which had hit plastics company Polifin badly at the end of last year, he said.

One of the more eye-catching features of the company's income statement was the R2m spent on "equity related incentives"

It said this included "bonus units realised by the chairman on relinquishing executive director status", but declined to give a breakdown.

'Bosses using RDP to replace workers with cheaper casuals'

CT 3/4/96 (131)

JOHANNESBURG: A growing number of employers, using the Reconstruction and Development Programme as an excuse, were flouting safety and health regulations as well as minimum wage agreements, human resources consultant Mr Sirk van Wyk of the firm FSA-Contact said yesterday

Van Wyk said companies increasingly were hiring casual labour at wage rates that were lower than those that had been paid to retrenched unionised workers

"The use of casual labour is particularly prevalent in the construction and forestry industries, two industries with the worst safety records and the highest incidence of injuries on the job," Van Wyk said

To cut costs, employers did not equip casual employees with basic protective clothing, and safe work practices were ignored

"It's trite to say that the unions should protect these employees, because by the time the relevant union gets on site and has recruited sufficient workers to initiate a recognition process, the job is over and the workers are dismissed "

Van Wyk said trade unions were concerned about the trend as union members were being retrenched and replaced by casual workers at lower rates of pay

"In addition, RDP rates, which are substantially lower than the industry rates, have been introduced — for example, on the public works projects — with insufficient consultation with these unions," he said

"A ludicrous result of what is known as the 'labour-intensive framework agreement' is that permanent employees lose their jobs so that companies can compete for RDP projects using casual labourers who are paid substantially less than the employees they displaced

"This is a cynical manipulation of the RDP and undermines the unions' standing."

Van Wyk suggested that the Public Works Department introduce a limited "closed shop" on future RDP construction projects as a way of preventing exploitation of workers

Workers would be given a choice of unions to join and there would be an organised labour presence from the first day of the contract to ensure fair treatment

Instead of creating jobs, the Public Works Department's policies had led to as many as 30% of long-serving permanent workers losing their jobs in the construction and related industries, Van Wyk said — Sapa

Govt control of waste imports 'chaotic'

(131) CT 11/4/96

DURBAN The South African government's "nightmare" control of hazardous waste imports had been characterised by chaos, confusion and inadequate legislation, the commission of inquiry into Thor Chemicals heard yesterday

Commission member Professor Francis Petersen said the one hand of government didn't seem to know what the other hand was doing, and commission chairman Prof Dennis Davis suggested there was "complete chaos" and that certain departments were "not doing their jobs properly"

The commission, which was appointed by President Nelson Mandela last year, is examining ways of disposing of nearly 3 500 tons of mercury waste and sludge stockpiled at the Cato Ridge chemical factory

The commission heard evidence in Umhlanga yesterday from several witnesses, including Mrs Ina Cronjé, head of the KwaZulu-Natal portfolio committee on the environment

Mrs Cronjé expressed concern that hazardous waste management policies were either "non-existent, inadequate or fragmented"

Because of this, it was extremely difficult for authorities to monitor offences or enforce the law.

Government departments were short-staffed, there was no Class 1 disposal site for highly hazardous waste in the province and laws on waste management were scattered over at least 39 separate pieces of legislation.

Mr William Scott, the Department of Environment's deputy director of hazardous materials, admitted there was a serious "lack of capacity" in the department

Safety plan for workers

(131)

THE Get Ahead Foundation and the National Occupational Safety Association yesterday announced a plan to provide safety and health training for agricultural workers Sowetan 16/4/96

The programme, aimed at helping farmworkers to improve their health and safety in the workplace, was officially launched by Get Ahead Foundation chairman Dr Nthato Motlana.

The project will provide training in all aspects of occupational safety legislation.

Get Ahead Foundation managing director Mr Don McRobert said some of the most common injuries affecting farmworkers were back injuries and contamination from the handling of pesticides

"Agricultural work is the second most hazardous occupation in South Africa, yet the most neglected when it comes to health and safety," he said – *Sapa*

New study shows high rate of illness among ex-miners

ARG 27/4/96

(131)

DAVID ROBBINS
Staff Reporter

HUNDREDS of thousands of ex-miners could have occupational diseases and compensation payable could run into several billions of rands

This disturbing evidence of the high burden of mining-related disease in South African rural areas has emerged from a scientific study in the Transkei When the results are extrapolated over all areas in southern Africa from which mining labour has traditionally been drawn, an alarming picture emerges

However, Bobby Godsell, chairman of Anglo American Corporation's gold and uranium division, has warned against extrapolation

"I say emphatically that we need to be extremely cautious The study needs to be supported by other research.

"In particular, I would like to see a control study done in a rural area where no recruitment to the mines took place This could help to show how much disease – in particular tuberculosis – should be attributed to mining and how much to other causes"

Mr Godsell has nevertheless referred to the study as "an important event in the life of the mining industry in South Africa"

"We are distressed at what the study has revealed," he said

"There is clearly a serious problem which the industry will have to address

"But I don't know whether it's ever possible to fully compensate for the past

"In a mature and declining gold mining industry the choice may well be between redressing past injustices and protecting present jobs"

The preliminary results of the study, undertaken by the Epidemiology Research Unit (ERU) in March this year, indicate that about 55% of a sample of ex-miners in the Libode district of the Eastern Cape have pneumoconiosis (dust diseases, including silicosis) with or without tuberculosis, to a degree that would allow for compensation in terms of the Occupational Diseases in Mines and Works Act

Details of the research are contained in a preliminary report to be published in the South African Medical Journal

In mid-1995 researchers Anna Trapido and Nokuzola Mqoqi visited hospitals in and around Umtata to assess the level of compliance with the Act, which stipulates that mineworkers are entitled to an annual medical examination and to compensation if they have an occupational disease

Ms Trapido and Ms Mqoqi found little awareness of these statutory provisions among doctors and health administrators

Their subsequent study, which examined a random selection of miners taken from the recruitment records of the Employment Bureau of Africa for the Libode district confirms a huge burden of untreated disease.

The ERU study provided for a full hospital examination, including X-rays and lung-function tests, of about 500 ex-miners over a 12-day period

The results show that of the first 150 men examined, 13 percent had tuberculosis only, 23 percent had tuberculosis and pneumoconiosis and a further 32 percent had pneumoconiosis only

These results were confirmed by a second medical opinion and are now being re-examined by the certification committee of the Medical Bureau of Occupational Diseases.

Tony Davies, the recently-retired chief director of occupational health and the doctor who did the random sample and volunteer examinations at Libode, estimated that around R5 million in compensation would be required for the men he had examined

When these results are extrapolated to the total population of miners recruited in Libode between 1969 and 1980, the estimate leaps to around R70million

The ERU's director, Brian Williams, has pointed out that if the miners from this single magisterial district were to be compensated according to the law, nearly all the national compensation fund of about R80 million a year would be consumed.

"It also probably means that compensation payable across all the mine recruitment areas in South Africa and some neighbouring states could easily amount to several billions of rands

"It is now imperative," he added, "that the key players in mining sit down with government and seriously address the issues which this research has raised"

Picture ROY WIGLEY, The Argus

WINNER: Jubilant Health Care Worker of the Year Shadrack Molokoane with *Soul City's* Sister Bettina, Lillian Dube

Health worker gets 'asbestos' work award

(131) ARG 3/5/96

Fought to get pay-outs for exposure victims

JENNY VIALL
Health Reporter

A VOLUNTARY worker from the Northern Province, who has fought tirelessly to get pay-outs for people suffering from asbestos exposure, has been named Health Care Worker of the Year

Shadrack Molokoane from Mathabatha was awarded the honour at a ceremony in Cape Town yesterday

He wins R10 000 for himself and R25 000 for his project

Mr Molokoane has worked for many years for the Mathabatha Asbestos Health Association, which has set up a screening programme for people whose health has been affected by asbestos mining in the area

Mr Molokoane has worked unpaid in his community, and has also helped set up preschool and community health workers' programmes

The award, organised by Soul City, a popular prime-time television drama that deals with health and development issues, Bona magazine and BP, aims to recognise health care workers who are not necessarily doctors and nurses and who contribute and enrich the communities in which they work

Garth Jaffett, manager of Soul City, said health workers struggled daily with limited resources and were never publicly honoured

Other finalists were Mamre community health worker Mercia Arendse, Zolela Ngcwabe, a doctor in Tsakane, Gauteng, Theresa Tshabalala, a nursing sister from Ladysmith, KwaZulu-Natal, Pamela Tshwete, a health worker in the Kei Road community near King Williamstown, and Koba van Wyk, a community worker in Ladybrand, Free State

Paying tribute to the finalists, Ebrahim Rasool, Minister of Health in the Western Cape, said community participation in health and development issues was vital and that health workers played a notable role in this regard

"Health workers understand that primary health means a preventative approach to illness and the adoption of a healthy lifestyle

"They also know that a holistic approach includes not only physical and mental health, but also means securing a healthy living environment for all people"

'Care for all is on the way'

Health Reporter

ACCESSIBLE health care for all people in South Africa was well on its way, but it would still take a long time to achieve the World Health Organisation's goal of health for all by the year 2000

So said Olive Shisana, Director General of Health, speaking at the Soul City/Bona/BP Health Care Worker of the Year awards yesterday

"We inherited a health care system in shambles It will take a while to get it into great shape," said Dr Shisana

She said the health department had taken many initiatives to bring health care to all South Africans, including the introduction of free primary health care and free medication from an essential drugs list

"This is significant because people often waited until the end of the month to buy medication Now they don't have to any more"

Mercury monitoring 'inadequate'

Arend Hoogervorst (131) BD 10/6/96

DURBAN — Local health department inspectors had monitored the Thor Chemicals' site inadequately and had not communicated the build up of mercury waste, a senior health department official told the reconvened Thor Chemicals commission of inquiry on Friday

The commission, appointed by President Nelson Mandela, is examining ways of disposing of mercury waste and sludge stockpiled at Thor's Cato Ridge chemical factory It will also recommend ways in which workers and the environment can be protected against mercury waste and sludge

The department's director of food control, Dr T F Venter, the department's director of hazardous substances at the time, said the strict licence conditions laid down by various government departments (including his own) for Thor operations as a supplier of Group 1A hazardous substances were supposed to be monitored by the local offices of his department.

Commission chairman Dennis Davis questioned Venter about why his officials had not reported the build up of mercury waste on the site Davis also asked why breaches of conditions had not come to Dr Venter's notice until the Environmental Justice Networking Forum told him about them

Davis said· "If regional officers had done their job, this problem (the disposal of 10 000 barrels of mercury waste) might have been avoided" to which Venter replied, "one can make that assumption, yes "

Environmental Justice Networking Forum national co-ordinator Chris Albertyn, speaking on behalf of the Pietermartizburg branch of Earthlife Africa, gave detailed evidence of his seven year opposition to Thor Chemicals He told the commission of his organisation's concerns regarding the build up of hazardous waste

Albertyn recommended that a multi-pronged treatment and disposal strategy be employed This included negotiating with the governments of the original waste generators for repatriation of the mercury waste, a recommendation that AECI take back all its waste and treat it internally and that all existing waste be stored in environmentally secure warehousing until a solution could be found

The commission adjourned until June 28, when Davis said he would hear final evidence from Thor Chemicals and the Chemical and Allied Workers Union. He gave advance notice that he would accept any additional written submissions and evidence up to 10 days after the final verbal hearing

Building injuries rocket in 1994

CT (BR) 9/7/96 (131)

By Roy Cokayne

Pretoria — Injuries in the building industry more than doubled between 1993 and 1994, according to the latest statistical yearbook of the Building Industries Federation of South Africa (Bifsa)

The ratio of the number of injuries to the number employed jumped from 3 percent to more than 6 percent in the period

Ray Strydom, a safety management consultant to Bifsa, said these figures were based on compensation insurance claims and were more accurate than accident statistics provided by the regions

According to the regional accident statistics, the building industry employed 332 622 in 1994 and recorded .6 554 injuries, including 16 fatalities

The report said that 74 559 man-days were lost because of injuries at an average cost of R2 336 an injury

Bifsa said the injury rate had been rising since 1991. Though there were fewer fatalities in 1994, the "all injuries" category rose sharply

"The poor standard of scaffolding, formwork and edge protection, both in excavations and at heights, contributes greatly to the poor record of injuries in the industry," Bifsa said

"The use of poor-quality scaffold components, especially scaffold boards, and poor erection methods and the use of totally inadequate edge protection are, compared to some other required preventative measures, fairly simple and straightforward to eliminate and improve upon

"As the housing and other RDP-related building activities increase, and the high cost of accident and medical costs rise, accidents and injuries are becoming less and less affordable and the training of all echelons of workers, from supervision to labour, in the basic methods of working safely is more and more an urgent necessity

"This warning has been sounded loud and clear for a number of years, but has not, generally, been heeded by the building industry

"It still has an extremely poor record in the equipping of its most valuable resource It is hoped that this will change before it is too late," Bifsa said

The report said that hands and feet were the parts of the body most injured, showing that workers required training in manual handling, the correct use of hand tools and the wearing of the necessary protective clothing

The economy was expected to grow by between 3,5 percent and 4 percent this year, which would increase investment in buildings

Tourism and the RDP should boost investment significantly, and higher rentals would also provide a stimulus for private-sector building, it said

"Overall, the building industry should grow by up to 10 percent this year," said Bifsa

Putting role of health nurses in perspective

Multi-disciplinary teams of occupational hygienists, doctors and engineers should be formed to deal effectively with illnesses linked to the workplace

(131)

Star 23/7/96

By David Robbins
Health Writer

Occupational health nurses should be playing a vital role in safeguarding the health of the nation's workforce Instead, they are often seen by employers as being able to provide little more than a "band-aid and panado" service

This is the view of senior representatives of the South African Society of Occupational Health Nurses (SASOHN) which believes that nurses should be put to more comprehensive use in the fight against occupational disease

"Many South Africans get ill because of where they work and what they work with," says Beverley Hoggins, chairman of the Gauteng Central branch of SASOHN

"No one can argue that this constitutes a major health problem Yet, not a lot is being done about it"

Hoggins points out that in 1995 there were only 14 accredited occupational hygienists working in Gauteng, and nationally, according to recent research, at least 75% of health professionals employed in industry have no special occupational-health skills

"Many enrolled nurses (staff nurses) are employed," Hoggins explains, "rather than registered nurses (professional nursing sisters) We're not saying that the enrolled nurse doesn't have a role to play

"But this category has no special occupational health knowledge They're very often used incorrectly by companies wishing to be seen to be doing something – especially after the introduction of the 1993 Occupational Health and Safety Act

"Enrolled nurses are often unable to make much impact on the occupational health environment of the workers under their charge"

Meanwhile, workers continue to suffer from work-related ailments Just how many of them are affected is difficult to determine, but various forms of dermatitis, lead poisoning, lung fibrosis or cancer, and byssinosis (caused by exposure to cotton) are on the list of occupational diseases which are compensated for each year

The Government, too, is taking occupational health seriously A task team has been formed which brings all the various occupational health and safety agencies together to work out a proposal on how a national Occupational Health and Safety Council could be established And the national Health Department's National Centre for Occupational Health is currently undergoing a major restructuring

Now the SASOHN is adding its voice to the general clamour.

"We're not trying to become quasi-doctors," says the society's national president, Penny Mead. "We're really not trying to become quasi-anything. We're simply trying to fill an urgent need by pressing for occupational health teams of which the nurse would be a member

"We can't, and don't want to, work in isolation from doctors, occupational hygienists and engineers On the other hand, these people need our input too."

The SASOHN has developed a three-point plan to promote the nurse as a legitimate member of the occupational health team

■ Improve the training of occupational health nurses: Occupational health has formed only a small component in the "community nursing" qualification. There are also certificate and diploma courses But the SASOHN believes that a new training approach needs to be pursued "We've developed our own curriculum for nurses, which focuses much more on actual occupational health issues," says Mead, "and we're in the process now of taking it to the Nursing Council for approval."

■ Change management attitudes to occupational health "We need to raise awareness of the problems and the solutions," Mead explains "It's imperative that managers understand the links between occupational health and productivity It's obvious that high absenteeism and low morale doesn't help in the pursuit of profitability It should be equally obvious, as well, that if in-house primary health-care programmes, including specific occupational health measures, were properly run they could have a marked beneficial effect on the financial viability of company medical aids."

For these reasons, the SASOHN recommends that occupational nurses have direct access to top decision-making machinery, and be entrusted with managing the in-house health service, with doctors acting as expert advisers

■ Prepare occupational health

At risk ... many South Africans get ill b

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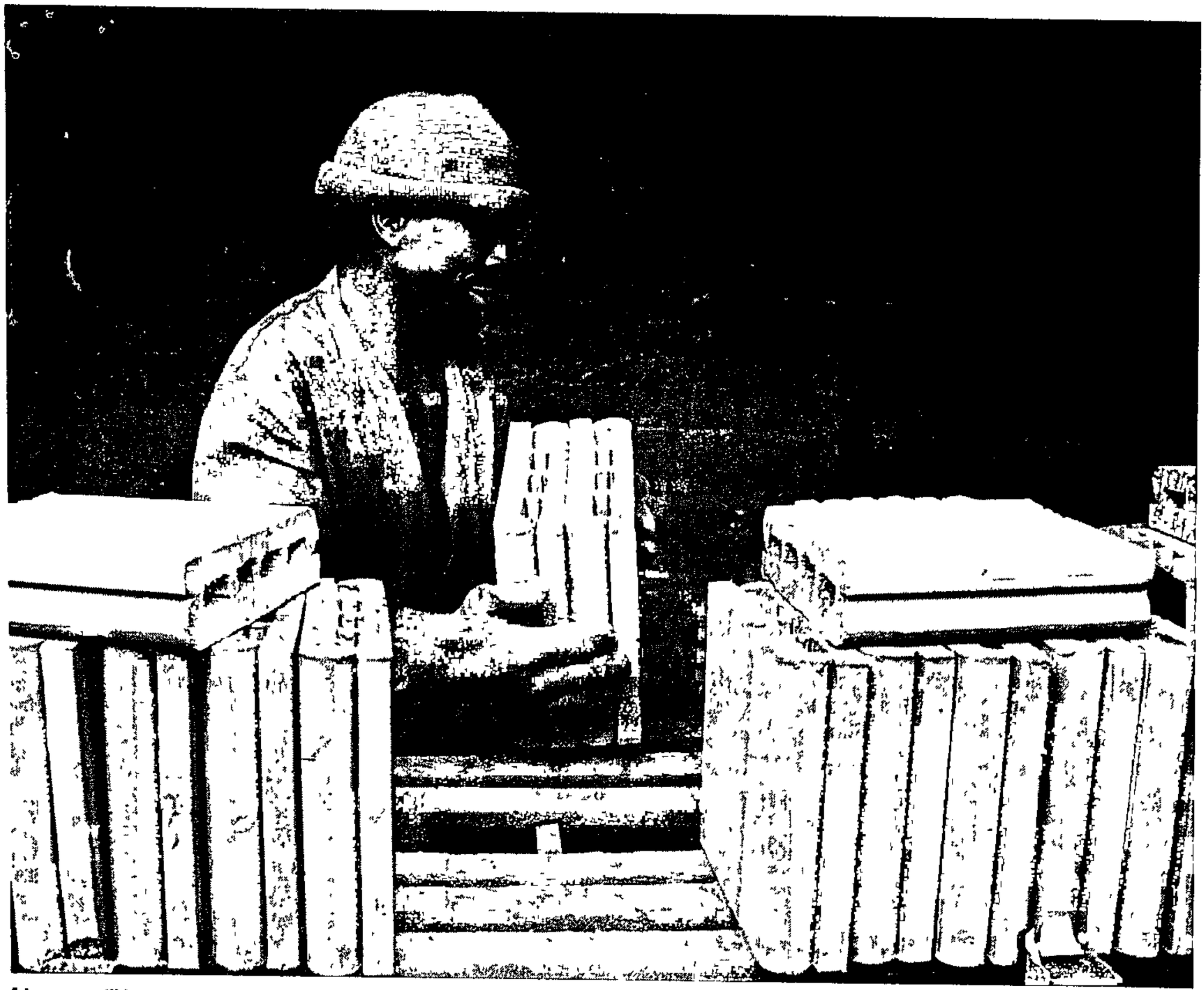

fricans get ill because of where they are employed, but 75% of health professionals in industry have no special occupational health skills.

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nurses for a decision-making role. "Too many South African nurses have trained and worked in a highly autocratic environment," Hoggins says "The maxim has been don't think too much, just do as you're told Occupational health nurses can't afford to adopt this approach For this reason, the new training which we propose is designed to change this attitude The emphasis will be on decision-making and communication And we're planning a system of accreditation for those who pass the course

"This will encourage companies to employ SASOHN nurses knowing that they will be getting people capable of working on their own, and yet as part of the occupational health management team"

What should be the typical duties of an occupational health nurse?

In reply to this both Hoggins and Mead speak of the ideal, rather than what all too often exists the nurse sitting in her clinic at the edge of the factory, but with no power to translate what she sees in the clinic to the procedures followed on the factory floor

The nurse, Mead and Hoggins say, should act primarily as "gatekeeper" or first contact for the multidisciplinary occupational health team Daily clinics and frequent access to the factory floor would detect health problems and be able to pinpoint the area in the factory where these are happening Statistics derived should be used for the planning of interventions (improved ventilation or the use of customised safety equipment, for example) and to influence other managerial and engineering decisions

In addition, the occupational health nurse would be responsible (with the team) for the risk analysis and biological monitoring now required by law for some substances (lead, for example) The nurse would also be in charge of employee assistance programmes that cater to the mental and social well-being of individual workers It's now something of a truism to say that mental disorders like depression often have a greater negative impact on productivity than does physical illness or injury

"Our role, as you can see, is a multi-faceted one," says Hoggins "We are health professionals on both the physical and psychological sides We are the collectors and interpreters of statistics And we must also perform as managers, not only in maintaining the service we provide, but in making an input into the multidisciplinary occupational health team"

"That's the ideal," Mead says "In all but a few of the largest factories, however, the ideal does not pertain Our task is to get the message down into the medium and small firms where, at the moment, the most blatant holes in the national occupational health initiative are to be found"

■ A multidisciplinary approach is the best way of coping with occupational disease, says the South African Society of Occupational Health Nurses (SASOHN)

Instead of the current compartmentalised system, with occupational hygienists and engineers often working in isolation from doctors, who, in turn, leave nurses to do their own thing, multidisciplinary teams should be formed to tackle the often complex health problems classified under the occupational health umbrella

And the SASOHN isn't just talking about inter-disciplinary co-operation. They've joined forces with the South African Society of Occupational Medicine (a doctors' organisation) to produce the country's first occupational health journal

Occupational Health Southern Africa is already in its second year of publication and is aimed at being of practical use to both doctors and nurses working in the field

For subscription details, telephone (011) 886-1050

MAIL & GUARDIAN
August 30 to September 5 1996

Supreme court backs Sasol secrecy

(131)

Mungo Soggot

SASOL has won an extraordinary case against a magistrate who ordered the synthetic fuel company to disclose documents relating to a devastating mining accident which killed 53 workers.

A commission of inquiry into the explosion — which took place at the company's Middelbult colliery in 1993 — was suspended last year when the magistrate chairing it, Mike Jungbluth, demanded Sasol hand over documents which included interviews about the accident.

Sasol hit back saying the documents were confidential — as they had been prepared for its lawyers — and took the magistrate and the Chemical Workers' Industrial Union (CWIU), which also wanted the papers, to court.

Lawyers acting for the union this week expressed great disappointment at the result, but said the CWIU wanted to see Pretoria Supreme Court Judge Pierre Roux's written argument before considering an appeal.

The union's legal team fears Sasol is using legal privilege to cover up the cause of the accident, claiming the company has yet to say what triggered the explosion.

The judge rejected the union's argument that Sasol had waived its privilege by showing the papers to the legal team representing the shift bosses who had been in charge at the time of the accident. The union reasoned that there were three separate sides at the inquest — the company, the shift bosses and the workers. Sasol, however, argued the shift boss lawyers were working for Sasol so there was no breach of privilege.

The inquest has so far examined whether the accident was caused by a methane explosion, or a coal-dust explosion which would imply Sasol was negligent. The CWIU says some of the international experts who spoke at the inquest said there had been a coal-dust explosion and blamed Sasol.

Sasol had a similar victory in the Supreme Court in 1989, when it succeeded in barring the attorney general from gaining access to secret documents relating to an explosion at a synthol plant in Secunda which left 13 workers dead.

Sasol said this week it would like to see the speedy resumption of the commission. "We are, however, not in a position to say when this will happen, as the matter is in the hands of the public prosecutor."

A new team, comprising medical doctors and other specialists, aims to shed new light on the largely neglected field of respiratory diseases in the workplace, thus opening the way for more preventive and protective measures for workers

Tracking down SA lung diseases

(131) (~~Sec~~) Star 11/9/96

DEBBIE YAZBEK

OBBINS
Health Writer

It's been established in the United Kingdom that about 4% of adult asthma cases are work-related, and that a quarter of all occupational asthma is caused by the isocyanates (a harmful group of chemicals) encountered in the spray-painting industry

What's the position in South Africa? Nobody knows

Think of almost any question regarding respiratory occupational disease – in the foundry or chemical industries, for example – and the answer is the same

"The current reality," says Dr David Rees, acting director of the National Centre for Occupational Health (NCOH), "is that we know very little about the extent of occupational lung disease

"We don't know for certain which diseases are most prevalent or where in the occupational terrain the high-risk areas are"

Occupational health bodies don't know where to target their interventions, and because of this can't compete for scarce resources within government departments

As Rees puts it "We have too few specific targets in the occupational health field, and this places us too far down on budgetary priority lists"

But all this is set to change with the introduction, later this month, of Sordsa – Surveillance of Work-related and Occupational Respiratory Diseases in South Africa In other words, our days of ignorance concerning the multifarious hazards to the lungs of South Africa's workforce are numbered

The Sordsa team will provide the NCOH, the Department of Labour, and indeed industry itself, with data which can be used to counter the hazards by improving working conditions and increasing protection to workers in high-risk areas

As it grows, the Sordsa database will present an increasingly useful picture of what occupational diseases are occurring where

The obvious question is how are the data to be collected?

Dr Eva Hnizdo, Sordsa's manager, explains "We have entered into a collaboration with the South African Pulmonary Society and the South African Society of Occupational Medicine

"These are both specialist doctors' organisations whose members – more than 500 of them – will be asked to report occupational respiratory diseases to us

"These doctors represent our front line But we're also hoping that general practitioners throughout the country can be persuaded to participate

"Clearly, the more doctors, who can be persuaded to do so the more accurate will be the data," says Hnizdo

In the dark wool being prepared for the loom But is it a health hazard? Little is known about respiratory occupational diseases in South Africa Now a new surveillance programme is set to assist in the protection of workers' lungs

The front-line doctors will be required to fill in special forms which will be sent to the Sordsa database each month

These forms will provide important basic information concerning respiratory diseases, in which industry it occurred, in which job or working environment, and the suspected chemical or other agent which caused or aggravated it

Hnizdo says "After only a few months we should see the outline patterns beginning to emerge – diseases according to region, to industry – and we should start getting an idea of disease frequency as well"

The main diseases on which Sordsa is seeking data include asthma, bronchitis, chronic obstructive airways disease, tuberculosis, pneumoconiosis (dust diseases), various forms of lung cancer and non-malignant lung diseases

"It was through the British equivalent of Sordsa that the linkages between occupational asthma and spray-painting were highlighted," Rees explains

"In fact, Sordsa is based on British and American models which we have studied in detail These overseas systems are extremely cost effective and are working well And we're hoping to follow their lead"

Hnizdo says that Sordsa is planning to produce a quarterly report which will highlight the main trends emerging from the data Sordsa is a surveillance system which is urgently required in South Africa

Only about 115 cases of non-mining occupational disease are compensated annually But this should not be taken to mean that the non-mining sector is relatively hazard free

The British surveillance system, Sword, has unearthed more than 10 000 cases of occupational respiratory disease since its inception in 1989 And there's no reason to believe that the South African initiative will uncover any less than this number of cases

Adds Hnizdo "The data will enable occupational health personnel to make contact with problem industries with a view to assisting in improvements We have also established linkages between ourselves and the departments of Health and Labour, as well as the trade union movement We see Sordsa primarily as a tool for improving the working conditions of South African workers

"If the system works for respiratory diseases, we will extend it to cover other areas as well"

Sordsa is funded by a grant from the World Health Organisation, however, Rees says it is also on the lookout for funding locally

Builders trapped in collapsed mall

(131)

ARG 17/10/96

ARGUS CORRESPONDENT

Pretoria - More than 100 rescue workers, helped by police rescue dogs, are seaching for three trapped construction workers who are buried under tons of rubble after a partly built multimullion-rand shopping centre collapsed early today.

Shortly before 1pm rescuers managed to pull a fourth worker from the rubble but he died minutes later Twenty-one other workers have been rescued from the site

Rescue workers were removing rubble brick by brick by hand because they feared a further collapse

Emergency equipment was being used to cut through steel reinforcing rods, and rescue workers with cranes, airpumps and jaws of life were standing by.

The trapped workers, whose positions were identified by police rescue dogs, are thought to be buried under about six metres of concrete.

"We can hear nothing from the trapped men, but rescue personnel are trying to reach them," said police spokesman Captain Morne van Wyk.

The three-storey building collapsed with about 25 workers on site

The rescued workerts were being treated at a temporary trauma centre set up in a nearby parking area. Eight seriously injured men were taken to the Eugene Marais and Muelmed hospitals One was reported to be in a critical condition. Another 14 people were slightly injured

The cause of the accident is not yet known.

City council engineers and police experts are on the scene

NEWS

Survivors tell of disaster chaos

'I looked up and saw the wall falling on my head'

ARGUS CORRESPONDENT

Pretoria – Chaos erupted "and everything stood still for a moment", a construction worker said of the seconds before he and 26 colleagues were buried under tons of rubble when a section of a shopping complex collapsed here

Thabiso Nkabinde, 27, of Hennopsmeer, near Centurion, was bleeding from a head injury when he was admitted to the Eugene Marais Hospital.

He also had cuts on his legs, but his condition was satisfactory, said a spokesman for the hospital.

Mr Nkabinde said he had been working shortly before 9am when he heard a loud noise

"I looked up and saw the wall falling on my head Then I lost conciousness," he said.

Francisco Mojove said from his bed in the Meulmed Hospital that he had not recovered from the shock.

"All I want is to get out of here to see my wife and eight children My home is a squatter camp called Ivory Park in Tembisa."

Mr Mojove is being treated for a fractured hand and head injuries

A colleague, Frans Maroloko, also from Tembisa, had the same sentiments He told reporters "I want to be released from hospital."

Mozambican Sebastian Mthimane,18, – probably the youngest worker at the site – could not recall what happened "I just found myself in hospital," he said

The other construction worker admitted to the Eugene Marais Hospital is on a ventilator in the intensive care unit after emergency surgery on his fractured pelvis He also has head injuries

Eugene Marais Hospital spokesman Mariette Slabbert said Samson Novelle, 40, who had undergone surgery, was in a critical and unstable condition with internal bleeding and a fractured pelvis

Johan de Meulenaere of Meulmed Hospital said two of the eight workers admitted were in a serious but stable condition Three were doing well and two had been discharged.

Dogs called in: two police rescue dogs were used to help find bodies buried under rubble after the collapse of the North Park shopping centre in Pretoria

A worker admitted late in the afternoon was not in any danger "I hear he ran away when he was about to be admitted to the hospital He probably will be treated and discharged in the evening," he said.

Employers could not say what would be done to help victims of the disaster

Hannes van Deventer, the project manager for the site, said most of Staal & Beton's workers were contract workers He was unable to say what measures the company would take to help the injured or the families of the two dead men.

Mr Van Deventer was holding a meeting on the first floor with his three foremen shortly before 9am while the company's 204 workers were busy around the site when the roof caved in.

"We heard a noise – and then we just saw dust. I got a big fright. It was very bad," said Mr Van Deventer

None of these four was hurt.

Help for injured. rescue workers carry one of the injured workers to safety

(131) ARG 18/10/96

Rescue halted as collapsed mall declared unsafe

ARGUS CORRESPONDENT

Pretoria – One person is still missing after yesterday's North Park shopping mall collapse, but the search for him is temporarily on hold as the Pretoria North site has been declared unsafe

This news came today as the Pretoria City Council said that the section that fell on workers yesterday was being built without planning approval.

Police say charges of culpable homicide are being investigated and an inquest docket has been opened.

Four bodies have been pulled from under an avalanche of rubble and seven workers are still in hospital, three of them in intensive care

Police spokesman Captain Morne van Wyk said a decision on when to go ahead with the search and rescue operation would follow stabilisation of the site

Building plans had not been approved by the Pretoria City Council during the construction of either of the two phases of the building of North Park, the council disclosed yesterday, and none of the building operations had been inspected

Louis Schoeman of the council's legal services said all steps possible had been taken to stop construction of phase one

"We even went to court and obtained an interdict to stop building until plans were approved But it was ignored, as was an earlier notice from the council," Mr Schoeman said.

In terms of the regulations, local authority building inspectors can only inspect sites for which plans have been approved. 'No inspections were carried out on phase one and I have now asked, as a priority, that tests be done on this completed phase in the light of yesterday's tragedy," Daan Visser, the council's chief director of building control, said today

Tons of concrete and reinforcing collapsed yesterday on to about 200 workers at the site

Many either crawled to safety or were rapidly pulled out by police and rescue services working with rescue dogs

Shortly before noon a critically hurt man was freed, but he died four minutes later Another body was found an hour later, and two more during the night.

Two dead, three missing after building collapses

(131)

B/18/10/96

PRETORIA — Two people died and three more were feared dead when a Pretoria building, allegedly under construction without approved plans, partly collapsed yesterday.

The number of injured rose to eight in the afternoon as rescue workers battled to remove tons of rubble One man was in a critical condition, emergency staff said.

A corner of the second building phase of the R75m Pretoria North shopping mall crumbled when workers removed the supporting scaffolding at about 9am

Witnesses said three workers on the roof tumbled down with the collapsing concrete, while about 24 others on the ground fled in all directions Fourteen managed to escape the falling debris.

A rescue operation involving more than 100 emergency staff from all over Pretoria was launched, and seven trapped workers were freed within the first hour Three were slightly injured, while four of them suffered arm and leg fractures, Pretoria Emergency Services spokesman Chris Jacka said.

Rescue workers heard the shouts of two men trapped underneath. "We could see the head and arm of one and the foot of the other," Jacka said. "They asked for oxygen, which we gave them by digging a narrow tunnel through 2m of rubble

"The man whose head was visible was screaming with pain. We managed to administer intravenous pain killers through a tube," Jacka said

The worker was freed shortly afterwards. After being treated on the scene he was rushed to hospital in a critical condition

Lionel Thielke, who was in charge of the rescue operation, said the man's arm would have to be amputated, and possibly one of his legs.

The second man was freed at lunch time, but died while receiving emergency treatment

Thielke said police rescue dogs had indicated three more men were still buried under the debris Three other workers were unaccounted for, according to a building constructor

City development controller Daan Visser told a media briefing yesterday the second phase of the building had not been approved by the Pretoria council

Visser said the first phase of the shopping mall had also been started without permission. An interdict obtained by the council to stop building was not heeded Plans for the first phase were approved six months after construction started

"Basically the same thing happened with the second phase," Visser said

"It was also started and progressed well until today"

He said the council had ordered engineering tests to be conducted on the completed first phase, which housed two banks

"After the events of this morning, I cannot help asking myself. Are there perhaps structural shortcomings in the first phase?"

Chief structural engineer of the police Willie du Preez said the collapsed corner of the building had been cast on Saturday

"The most obvious reason for the disaster is that the concrete has not matured properly, and that it gave way when the supporting structures were removed this morning."

Du Preez said police engineers would start quality tests on the concrete without delay.

A labour department official earlier in the day served an order prohibiting any building activities on the site until further notice

It also barred entrance to the building — Sapa

Prescription for a shopfloor disaster

(131) Star 24/10/96

By David Robbins
Health Writer

Factory clinics help keep workforce healthy and absenteeism down

It's a familiar procedure, in hundreds of factories, for workers to go to the shopfloor medical clinic for their basic health-care needs Indeed, South African industry (excluding the mines) spends in excess of R150-million a year on on-site health-care facilities

The advantages are obvious for the workers there's swift treatment of both minor ailments and chronic diseases such as hypertension and diabetes, for the factories this means a healthier workforce, reduced absenteeism and minimum disruption to productivity.

But now the whole system of on-site care is in danger of collapsing.

Amendments to the Pharmacy Act and the Medicines and Related Substances Control Act, if enacted, will prohibit industrial clinic staff from dispensing medicines – except for the treatment of occupational diseases

This is being seen as a retrogressive step by both the South African Society of Occupational Medicine (Sasom) and the South African Society of Occupational Health Nurses (Sasohn) The linkages between occupational health and general primary health care (PHC) are now internationally accepted, say these societies

"It seems as if the Department of Health is moving in a totally different direction to the World Health Organisation, the International Labour Organisation, the rest of Africa and many developed countries," writes Dr Jim Murphy, a senior representative of Sasom, in a recent letter to the Department of Health in Pretoria

To more fully understand the present situation, we need to look at some of the history

To begin with, as industries began to realise the value of dispensing PHC from their occupational health facilities, all sorts of uncontrolled practices with regard to scheduled medicines began to take place

In the early 1980s, Sasohn and Sasom took the initiative, approaching the nursing and pharmacy councils, as well as the national health department, with a view to working out a system of proper control

The result was the introduction of a permit system This allowed registered industrial clinics to practise general PHC by dispensing up to and including schedule four drugs which they were allowed to buy direct from pharmaceutical wholesalers on condition that they were dispensed free

Other controlling conditions were that nurses had to be under the supervision of doctors, and that record-keeping and drug security had to be maintained to a specific standard

The permit system worked well During the 10 years following its introduction, around 1 500 permits were issued, and the practice of in-factory PHC became widespread among the country's larger industries

Dr Mike Baker, past chairman of Sasom, takes up the story "But the whole system is now under threat Some doubt has been cast on the legality of the permits The result is that hundreds of permit applications are outstanding, and the procedure for obtaining a permit has been made much more difficult

"Over the past three years, both Sasom and Sasohn have held several meetings with the Department of Health in an attempt to resolve the problems, but there seems to be a lack of willingness to take decisive action And now, of course, the proposed amendments to the relevant legislation will probably end the system altogether"

Baker makes no bones about his suspicions He talks forthrightly about "the vested interests of the South African Pharmacy Council and some pharmacists" Indeed, he quotes a case in KwaZulu Natal where a pharmacist reported to the police a factory clinic which was dispensing medicines repacked from a bulk container

The drugs were confiscated, resulting in a discontinuity of treatment for workers who were being regularly treated for, among other things, tuberculosis and alcohol abuse

Says Baker "This is clearly just another way in which the pharmacy sector is trying to increase their market share But they know nothing about occupational health, and although some of them have now been issued with permits to practise PHC, there is no way they could effectively replace the qualified occupational health nurse working on the factory floor"

One of the theories as to why the department is expressing such reluctance to support the delivery of PHC on the factory floor concerns the overall funding of health care in South Africa It's no secret that the department is hoping to introduce a hospital insurance scheme among the formally employed not covered by medical schemes, to be financed jointly by workers and employers

It has already been calculated that such a scheme could inject billions into state health coffers via cost-recovery tariffs at state hospitals To allow employers to commit resources to the delivery of free PHC (in direct competition with the state service) might make the introduction of hospital insurance more difficult

One of the main reasons for occupational clinics being maintained is that the general PHC they deliver helps to reduce sickness absenteeism and improve productivity

As it is, only just over 1 000 PHC/dispensing permits are still valid out of a total of over 200 000 registered employers To deliberately discourage the existing clinics from continuing could leave hundreds of thousands of workers without adequate occupational health care as well

"If it's overall health care coverage we're talking about, especially the principles of PHC, and especially to the poorer sections of the population, then the department's response makes no sense," says Baker

"For this reason, we've decided to take the matter to the highest possible levels in the Department of Health, and also in business, Nedlac and the trade union movement whose members clearly benefit from the in-factory clinics"

■ *The views of the Department of Health will be expressed in a separate article to be published soon*

Why working is bad for your health

(131) M+G (BM) 25-31/10/96

Sedentary occupations may still be classified as low risk, but the growing reality is that more and more people are cracking up, reports Anne Montague in London

WORK is a dangerous business Every year, millions of people suffer ill health that is directly caused by, or made worse by their jobs And although hazardous occupations still carry the highest risk of injury there is now growing evidence that even apparently safe, sedentary occupations may present a significant threat to health

Traditional work hazards certainly haven t disappeared Construction remains a high-risk occupation Many men are still dying as a result of cancers and other illnesses related to coal dust or asbestos — individuals paying the price for the poor safety standards of the past

The number of people developing debilitating allergies, such as occupational dermatitis and asthma, seems to be increasing Occupational asthma now affects up to 600 000 people both in high-risk industries like chemicals, plastics and pharmaceuticals A recent Health and Safety Executive (HSE) investigation in Britain found that one in 10 of the underground construction workers on the new Jubilee Line extension in London is suffering from occupational dermatitis

But as physical work dangers are reduced — there has been a dramatic drop in the rate of work-related injuries and fatalities over the past two decades — they are more than matched by a growing and more subtle threat to people's mental health The European Community's 1992 report on European health and safety at work identified stress and back pain as the most common health problems After last year's landmark case, when social worker John Walker successfully sued his employers for his nervous breakdown brought on by stress, the HSE emphasised employers' legal responsibility for the mental as well as the physical health of their staff

40% of health service staff reported that they suffered violence at work — intensifies the pressure

Andrew Thomas, formerly a medical liaison scientific officer in the haematology department of a Swansea hospital, recognised the dangers and got out "In 16 years in the health service, I never worked less than 100 hours a week," he says "The pressure increased, with fewer people to do more work, and I realised I was becoming depressed "

By January 1992, when he decided to leave, he says he would have taken any job, just to get out He has now retrained as a solicitor

The shifting pattern of job-related risk is being recognised by the insurance industry Sedentary occupations are still classified as low risk, while jobs in industries like construction carry the heaviest weighting, but work pressures are affecting premiums

'There are fewer people doing more work and longer hours — there is this macho idea that if you've left the company carpark by 7.30pm you're a wimp'

"Stress-related disorders are increasingly a feature of disability claims," says Alex Isted, underwriting manager for Munich Reinsurance in the UK "It's happening across a range of occupations — teachers are a good example It's not just the increasing physical hazards of the job Additional mental strains on teachers bring their risk level closer to that of the light manual worker "

Colin Foster (not his real name) knows all about those stresses A late entrant to teaching, having given up a career in the insurance industry to retrain, he has retired after 20 years because of ill health "I was totally committed to the children and loved my job," says Foster, now 53 It was in the early Nineties that the strain started to show "It was a constant battle with the system There was intense pressure on resources — there was no management support and morale was very low," he says Foster started visiting his GP regularly His blood pressure went up he developed stomach problems, vomiting and insomnia.

At first he didn't link his ill health with work "Then in October 1994, my doctor asked me if I'd consider leaving teaching because it was badly affecting my health " At first Foster resisted, but as he became more ill, he realised that he had to get out He retired earlier this year

It is becoming a familiar story Within the last eight years, the numbers of teachers retiring as a result of ill health has more than doubled Dr Albert Ferrante is a family doctor in London, his patients are traders, bankers and other professionals

Job-related risks: Stress and back pain have been identified as the most common health problems in the workplace PHOTOGRAPH DANNY HOFFMAN

'People come in here complaining of irritable bowel syndrome, concentration difficulties, depression, fatigue, palpitations, chest pain and low back pain What they're exhibiting are the physical manifestations of stress," Ferrante says

"The old coping mechanisms — the drinking, the collegiate atmosphere where Bill helped Fred who wasn't managing very well — have gone Companies have trimmed down, there's no one to take your problems to The global market means that some people have to be in a high arousal state 24 hours a day "

What makes the current situation so alarming, according to Harrington, is that there is virtually no area of work that is unaffected "It is getting worse," he says "And the quick-fix reaction — send the employees on a stress-management course or to see counsellor — will no longer do " The answer, according to Williams, lies in good job design, improved management and a work culture that enables people to admit to, and deal with, stress

It is starting to happen Seven years ago, telecommunications giant Cable & Wireless (C&W) developed an integrated occupational health programme, which encourages every employee to complete a pressure management indicator once a year This provides information about how people are coping

The result, says Dr Robert Wilcox (C&W's occupational physician), is a work culture where people are not afraid to admit problems, feel a responsibility for the solution and, importantly, have a real sense of control The programme has cut both sickness rates and stress levels "I would say that we have actively prevented about 1% of our employees from cracking up," Wilcox says

Cont

At the root of all this is a changing workplace. Between 1973 and 1993, employment in service sector occupations increased by nearly four million "Workplace pressures have increased," says Malcolm Harrington, professor of occupational health at the Institute of Occupational Health, Birmingham University. "There are fewer people doing more work and longer hours — there is this macho idea that if you've left the company carpark by 7 30pm you're a wimp We are living in a short-term contract world and people have a greater sense of job insecurity "

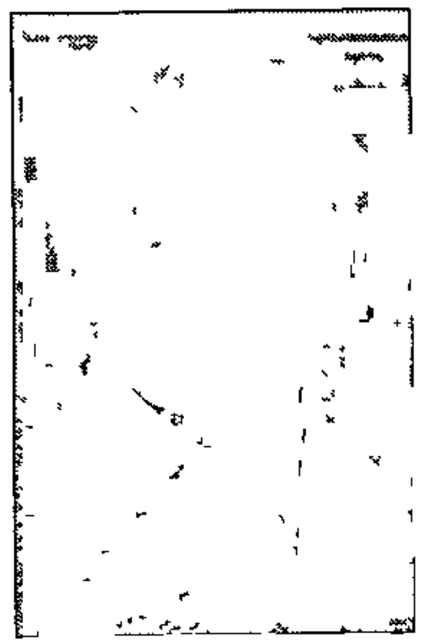
Hi-tech offices pile on the pressure "It used to take a day or two for a memo to reach you — now we have instant e-mail, which demands an instant response," says organisational psychologist Dr Stephen Williams

These pressures manifest themselves in any number of ways: depression, anxiety, panic attacks, irritable bowel syndrome, fatigue and headaches Last month the Institute of Management reported that every day 270 000 people take time off work owing to job-related stress — at an annual cost of $10,9-billion Some industries seem particularly vulnerable Social services staff and, ironically, health workers, have higher than average sickness rates

Increasing client and patient violence — in a recent Unison survey

Shopfloor Primary Health Care: no substitute for national health insurance

Star 30/10/96 (131)



By David Robbins
Health Writer

It would be ridiculous for minor ailments not to be treated at on-site factory clinics This type of service, where some primary health care (PHC) is delivered via the factory-employed occupational health nurse, is clearly here to stay

This is the opinion of Department of Health's chief director in charge of national drugs policy Bada Pharasi

His statement is in reaction to concerns expressed in The Star last week by occupational health bodies that the coupling of PHC services with occupational health in South African industry is now being discouraged

Industry already spends R150-million a year on these services, but around a hundred applications to extend the service appear to be stuck in the bureaucratic pipeline

Only 19 permits, which exempt factory nurses from certain provisions of the Medicines Control Act and allows them to dispense up to schedule 4 drugs, have been issued so far this year

"If it's overall health care we're talking about, then the department's response makes no sense," says the South African Society of Occupational Health

Pharasi says "We don't have a moratorium on the issuing of the necessary permits On the other hand, we do have certain reservations"

He lists these as

■ Changing circumstances

With the beginning of the 1990s, the quality and availability of PHC services beyond the factory fence have improved and are continuing to do so

This has reduced the need for factory-floor services, which provide only partial services in any event

■ Exemption from the Medicines Control Act There is a possibility, according to Pharasi, that this exemption could be taken as applying to individual nurses

"But it would definitely be against departmental policy to allow nurses to use their dispensing powers to set up in private practice"

Another reason could be a certain anxiety among officials over what Pharasi himself admitted was a "proliferation of applications" in recent months Why the proliferation?

There are no definite answers

But it's no secret the department is hoping soon to introduce hospital insurance to protect those formally employed workers not currently covered by medical aids

Could it be that health authorities are dragging their heels over the permit issue because they fear industries are attempting to install PHC facilities to strengthen their argument against contributing to this form of insurance?

Pharasi denies this

He says the question of the quality of the prescribing and dispensing service is of far greater importance

"We need to re-examine the whole question of setting minimum standards in the public and private sectors," he says

"There's been a lot of neglect in both sectors for a long time That's why the Pharmacy Act and the Medicines and Related Substances Control Act are being amended"

Pharasi refers to a recent World Bank study which indicates that in many developing countries only 12% of the pharmaceutical budget is actually consumed by patients

The rest is wasted through poor buying practices, over or under-ordering, inefficient procurement and distribution including theft, irrational prescription, and patient non-compliance

"We are taking steps to improve the situation in all these spheres, and the amendments to the legislation are designed to further control medicine use at PHC facilities and thereby to enhance the overall efficiency of the service"

To fulfil the demands of the new legislation, extensive training will have to be provided

> **"Amendment to law aims to improve services"**

"How many nurses, whether in the private or public sectors, are competent to deal with the whole essential drugs list?"

But Pharasi is adamant that the new legislation does not differentiate between the private and public sectors

He nevertheless points out that while the training of public sector nurses takes place, the service must continue

In the private sector, on the other hand, the requirements must be met immediately.

"There can be little doubt that provincial health authorities are sifting carefully through the permit applications for this reason as well

"At the moment we're engaged in working out guidelines for competency training and new standards for exemption from the provisions of the law

"We're currently talking to the provinces about this But I think it's going to be quite a long process"

Competency standards, says Pharasi, are there to ensure patient safety rather than to limit the service

"If industries want to provide PHC, then they must employ competent people," he points out

"Meanwhile, we do have a problem when people want to increase the range of ailments that they treat

"We should never lose sight of the fact that uncontrolled prescribing forms part of the over-provision syndrome with which South Africa's private sector is plagued"

But perhaps the most pressing argument for the limiting of PHC services in factories comes from an unnamed health official who asked with disarming directness

"Could the limited PHC available at factory clinics ever be a substitute for good medical aid or national health insurance cover?"

Govt to be tough on firms

By Waghied Misbach
Political Reporter

THE Government is to prosecute employers who illegally reduce the number of people they employ to pay less to the State Compensation Fund (131)

A one-off audit of two companies in Gauteng revealed that the companies owed the fund about R5 million, said senior compensation commissioner Ms Bongi Magojo at a Press conference in Parliament yesterday.

The Compensation Fund, which replaced the old Workman's Compensation Act, covers all workers in cases of injury on duty

Magojo said the Government was expecting to get a lot more money from continuing audits at companies.

She did not want to name the two companies that were involved.

Employers are required to declare the wages of all their workers up to R80 000 a year

However, Magojo said the Government was still relying on companies to provide them with accurate figures.

Labour Minister Tito Mboweni warned that the Government will go ahead with prosecutions if employers do not come into line with correct statistics.

Sowetan 31/10/96

includes an amount of R11 320 received by sub-offices later found to be made up of counterfeit notes

Numerous other cases of potential losses are still under investigation In some cases arrests have been made and various court cases are pending There are examples of warrant vouchers which either were stolen or disappeared These warrant vouchers were then fraudulently presented for payment In a number of instances financial institutions may have wrongly effected payment Hence, in so far as such potential losses are concerned, it is possible that in the end in such cases, there may be no loss The final determination of responsibility in each case needs to be made through investigation and/or court cases

It is not possible at this stage to say what the total cost to the department will be with regard to matters at present under investigation The total amount being investigated in respect of various warrant vouchers is R15 649 594 The actual final loss to the Department cannot be determined, but will be considerably less, if any

False insurance claims

*8 Mr D M BAKKER asked the Minister of Finance †

(1) Whether his Department has any statistics in respect of false insurance claims, if so, what is the amount involved for the past financial year,

(2) whether he will make a statement on the matter?

N1796E

The DEPUTY MINISTER OF FINANCE

(1) The Registrar of Insurance informs me that no statistics are available in respect of false insurance claims

(2) No

Transkeian migrant labourers: lung diseases/ disablement

*9 Mr J J NIEMANN asked the Minister of Health

(1) Whether, in respect of Transkeian migrant labourers, her Department has any statistics on (a) mine-related lung diseases and (b) labourers who are disabled, if not, what is the position in this regard, if so, what is the figure for the past financial year, in each case,

(2) whether she will make a statement on the matter?

N1797E

The MINISTER OF HEALTH

(1) (a) The Department does not have any statistics on mine-related lung diseases that are region- or area-specific

(b) The Compensation Commissioner, a branch of the Department of Labour in terms of the Occupational Injuries and Diseases Act, 1993, deals with all labourers' disabilities other than mine-related lung diseases, so I cannot answer that

(2) No

Mxenge murder: case against certain person

*10 Mr A FOURIE asked the Minister of Justice †

(1) Whether the Attorney-General has received any docket on the Mxenge murder in regard to the case against a certain person, whose name has been furnished to his Department for the purpose of his reply, and other persons, if so,

(2) whether the Attorney-General intends to institute any prosecutions in this regard, if not, why not, if so, what are the relevant details?

N1798E

The MINISTER OF JUSTICE

(1) Yes

(2) Yes, the person referred to has already been indicted together with four other persons by the Attorney-General, Pietermaritzburg on a charge of murder and a charge of robbery The case is set for trial from 2 to 13 December 1996 in the Supreme Court, Durban

Mr A FOURIE Mr Chairperson, arising out of the hon the Minister' reply, may I ask him whether there is any chance that the Truth and Reconciliation Commission will intervene in this case, and what the attitude of the attorney-general will be

The MINISTER Chairperson, I am not in a position to say what the Truth and Reconciliation Commission will do Now that the charge is pending, if the trial were to proceed, then it may only be stopped with the consent of the attorney-general I do not know what the situation will be between now and the date of trial itself I am not aware of the process currently taking place in the commission itself, but I am prepared to check up and furnish a reply, if I am asked that question

Business interrupted in accordance with Rule 199 (3) of the Standing Rules for the National Assembly

Labour Relations Act: sections consistent with Constitution

*11 Mr P G MARAIS asked the Minister of Labour †

(1) Whether he or his Department has obtained legal opinion on the question whether the provisions of sections 25 and 26 of the Labour Relations Act, 1995 (Act 66 of 1995), are consistent with the provisions of Chapter 2 of the Constitution of the Republic of South Africa, 1996, if not, why not, if so, what was the content of this legal opinion,

(2) whether he will make a statement on this matter?

N1799E

The MINISTER OF LABOUR

(1) Legal opinion has been sought on whether sections 25 and 26 of the Labour Relations Act, 66 of 1995 are in accordance with the provisions of the new text of the Constitution The content of the opinion is as follows

Sections 25 and 26 of the Labour Relations Act regulate the conclusion of collective agreements that provide for union security arrangements, in particular agency and closed shops

Section 23(5) of the new text of the Constitution specifically provides that the "provisions of the Bill of Rights do not prevent legislation recognising union security arrangements contained in collective agreements".

Section 23(5) of the new text was specifically introduced in order to shield legislative provisions like sections 25 and 26 from constitutional attack on the grounds that these institutions infringe the right to freedom of association (if that right includes the right not to associate) or the right to join trade unions (if that right includes the right not to join trade unions)

In any event the provisions of sections 25 and 26 of the Labour Relations Act were specifically drafted to meet the constitutional objections against union security arrangements that have been made in comparative constitutional and public international law jurisprudence

The important features of the agency shop regulated in section 25 of the Labour Relations Act that demonstrate that the provisions have been narrowly tailored

the trade union or trade unions party to the collective agreement must represent the majority of the employees,

an agency shop agreement is not binding if provisions compel non-members to join the trade union,

the agency fee must be equivalent to or less than the amount of the trade union subscription,

all deductions, including member and non-member deductions, must be paid into a separate account administered by the Union,

the trade union is obliged to provide an annual financial statement and auditors report in respect of that separate account,

no part of the money deducted under an agency shop may be paid to a political party, or contributed to a political party or a person training for political office,

conscientious objectors can request that their deductions be paid to a fund administered by the Department of Labour,

subject to certain time periods, an agency shop agreement terminates if the trade union is no longer able to demonstrate is representivity

Thor Chemical case a first

By CHRIS MAKHAYE (131)

CP 19/11/96

TWO WEEKS after the London High Court rejected UK Thor Chemical's appeal against a civil suit by 20 of its Cato Ridge plant ex employees, the stage is set for the world's first-ever suit where employees of a foreign subsidiary claim damages from the holding company.

The UK-based Thor Chemical had appealed against the claim on the grounds that it cannot take responsibility for incidents that happen in its foreign subsidiaries

This follows a case put forward by the ex-employees' London lawyers after a number of workers were discovered to have mercury poisoning, which has led to at least three deaths and scores of disablements

In April 1992 an inquiry into the health of Thor workers, conducted by Professor Tony Davis of the National Centre of Occupational Health, revealed that more than 28 percent of the Thor workforce were in danger of permanent damage from mercury poisoning

In 1992, the Pietermaritzburg Supreme court found Thor Chemical SA guilty of negligence in its handling of mercury processing in the Cato Ridge plant

The company and its executives were fined R13 500 after a plea bargain

Richard Meeran, the UK lawyer who is handling the case on behalf of the Cato Ridge plant ex-employees, is expected to arrive in the country this week.

He is expected to stay for a week while briefing the claimants on the London case proceeedings

Environmental organisations have praised the London judgement

"We welcome such a judgement and we feel that it will set a precedent," said Bobby Peek, spokesman for the Environmental Justice Networking Forum (EJNF).

"It will prevent major companies from exporting dirty technology from the North to the South," Peek said

Probe into worker radiation scare at Koeberg

Faulty lock may have let man enter off-limits section of nuclear station

ARG 22/3/97 (131)

PIETER MALAN
STAFF REPORTER

Koeberg managers are still investigating the circumstances that led to a power-station worker entering a room next to the reactor vessel, exposing himself to potentially lethal radioactivity

Officials said the employee had low-level radiation but would have no long-term effects

It is believed that a lock fitted incorrectly when the power station was built about 20 years ago might have been partly to blame The incident happened last week when a quality controller and two assistants accidentally opened a door, exposing themselves to high levels of radiation, while the station's reactor was shut down for refuelling and routine maintenance

During the refuelling process all nuclear fuel is mechanically removed from the reactor vessel, in the middle of the dome-shaped buildings, and moved to an adjacent storage building

After this staff can enter the reactor building for maintenance work, although some rooms, called red sectors, might still be out of bounds

Station manager Peter Prozesky said one such team was sent to a room adjacent to the reactor vessel to service a device used to insert testing instruments into the nuclear fuel when the reactor is in use

But by mistake they opened a heavy steel door leading to one of the red sectors

The man in front briefly entered the room before he realised the mistake and turned back The room is right under the reactor vessel – the part of the power station where the radioactive process takes place – and one floor below the level the men were supposed to be on.

The radiation they were exposed to came from five test instruments, each slightly bigger than a ballpoint pen, which were "parked" in their storage place in the corner of the room After realising their mistake the men closed the door and immediately reported the incident to the power station s manager

Mr Prozesky said the man who had entered the room was exposed to 32 milli Sieverts radiation, less than the 50 milli-Sieverts a year laid down by Council for Nuclear Safety It is however, more than Eskom s more stringent in house guideline of 20 milli-Sieverts a year

Mr Prozesky described the accident as a failure of procedures put in place to prevent incidents like this from happening.

He said the incident and the outcome of a commission of inquiry would be reported to the international nuclear community to enable other countries to learn from the mistakes.

One question being investigated by the commission was why the key the men had with them fitted the door to the "wrong" room. It is believed that when Koeberg was built the lock on that door may have been fitted the wrong way round.

Mr Prozesky said the locks fitted in the reactor building were designed so that all keys could open doors from the inside, but each door had only one key that could unlock it from the outside This was a safety measure to ensure no one could be locked in a room.

Mr Prozesky said a similar incident had been reported at a French nuclear power station a few years ago

After the incident last week the refuelling process was immediately stopped for one day and all staff fully briefed

He said the level of radiation to which the men were exposed was not anywhere near the level at which physical damage couldbe caused

As one of the men was exposed to radiation in excess of Eskom's own limits, he would not be allowed to work in nuclear controlled areas for a year

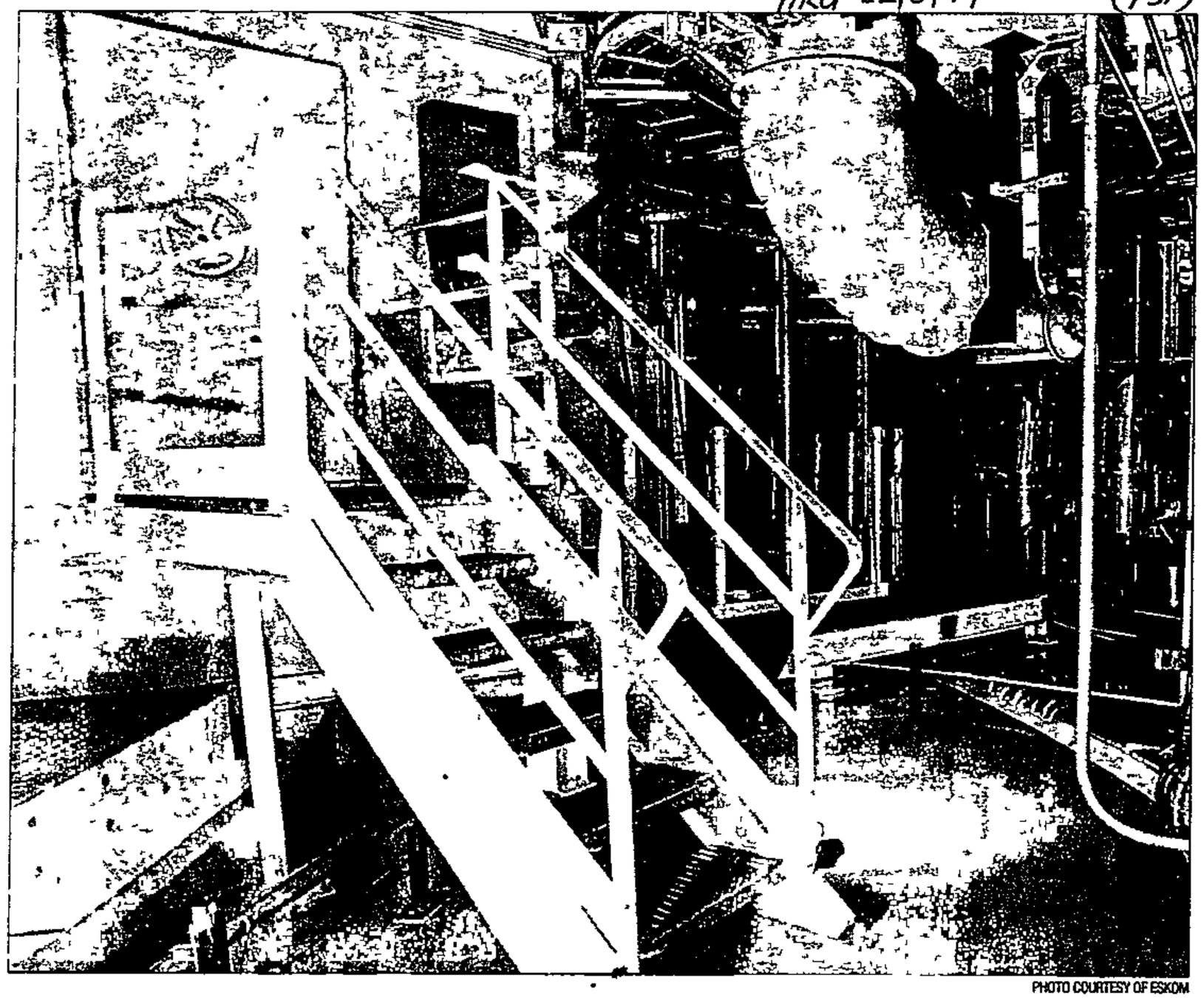


PHOTO COURTESY OF ESKOM

Out of bounds: the heavy steel door mistakenly opened by employees at the Koeberg nuclear power station

Low-level incident on world scale

STAFF REPORTER

The incident at Koeberg nuclear power station in which a worker was exposed to radioactive material was described as a level-two incident on the International Nuclear Event Scale

The scale was developed by the International Atomic Energy Agency and the Nuclear Energy Agency to describe the severity of any incident or accident at a nuclear facility

The scale has seven levels ranging from "anomaly" (level 1) to "major accident" (level 7) The first three levels are classified "incidents" while the top four are "accidents"

The Chernobyl disaster in the former Soviet Union in 1986 was classified as a level 7 accident, while the Three Mile Island accident in the United States, where the reactor core was damaged, was a level 5 accident.

A level 2 incident is described as one "resulting in a dose to a worker exceeding a statutory annual dose" It also means a "significant failure" of safety provisions, but with sufficient defence remaining to cope with additional failures

As all nuclear facilities are designed so that a succession of safety layers act to prevent major on site or off-site impact, these safety layers must all fail before significant consequences occur A level 3 incident has no off site impact at all.

South African workers accuse UK companies of poisoning them with asbestos and mercury

London – About two dozen workers from South Africa are to give evidence in London against British companies which they say poisoned them with asbestos or mercury

Four workers have died from mercury poisoning and hundreds from asbestos-related diseases after working at plants set up by British firms

In three separate legal actions, the companies are accused of allowing their subsidiaries to flout safety standards which would have been required in the United Kingdom.

A claim for damages will be served this week on Cape plc, of Middlesex, England, by solicitors acting for workers at asbestos mines run by the company's subsidiary in South Africa

Employees from Penge mine will produce evidence that children were made to trample asbestos and pack it into bags while bosses with whips watched over them

The workers, who were paid £1 a week in the immediate post-war years, later died or became seriously ill from asbestos-related diseases. They allege Cape was fully aware of the dangers of the material from 1931, when Britain's asbestos regulations were introduced.

As part of the same action, two Afrikaner families living near an asbestos mill at Prieska in the Northern Cape are also seeking damages from Cape plc Studies have shown that 14% of deaths in the town are from mesothelioma, a form of cancer caused only by asbestos

In October, 20 workers and relatives of dead employees will fly to London to give evidence against Thor Chemicals Holdings Ltd of Margate, Kent, which they accuse of exposing them to potentially lethal doses of mercury

In 1992, two workers died from mercury poisoning Actions against Thor were started by their families and 18 other workers, two more of whom have since died

Thor's lawyers have fought to stop the cases being heard in Britain The company has declined to speak about the case

Yet another case – brought against RTZ, the London-based multinational, by a former worker at the company's Namibian uranium mine – will go before the House of Lords this month, when a decision will be made on whether it should be heard in Britain

Edward Connelly, now of Glasgow, alleges that the company breached safety standards in exposing him to uranium dust. He has throat cancer

RTZ, which strongly denies responsibility, believes the case should be heard in Namibia – The Independent, London.

(131) Star 1/4/97

Poisoned workers win R9m settlement

BD 9/4/97 (131)

BRITISH transnational chemical company Thor Holdings yesterday made a R9m settlement in a UK civil court case brought by 20 SA workers

The workers claimed they had suffered mercury poisoning at the company's Thor Chemicals plant in Cato Ridge in the KwaZulu-Natal midlands

Thor chairman Des Cowley said the settlement was "ransom money" as half of it would go to the UK lawyers representing the workers

He said the balance would be shared by the 20 past and present employees and their families

"It is not an admission of liability, but a product of the UK's distorted legal aid system," Cowley said

He said Thor had been optimistic about successfully defending the court action after new evidence relating to the origin of mercury poisoning came to light, but had chosen to settle rather incur punitive legal expenses

"Thor has never denied that three specific employees suffered mercury poisoning as a result of mercury vapour entering their breathing apparatus The company provided compensation for the poisoned men and their families"

President Nelson Mandela appointed a commission of inquiry last year after pressure from environmental and health groups who blamed Thor for the death of the two company employees from mercury poisoning

Thor was acquitted of culpable homicide in a criminal case, but was found guilty of contravening legislation on occupational safety

Thor was fined R13 500 by a Maritzburg magistrate for negligently injuring the the workers who suffered mercury poisoning while working for it

The Chemical Workers' Industrial Union and the Democratic Party criticised it as "a slap on the wrist" and "a mockery of justice"

The commission also examined ways of disposing of almost 3 500 tons of mercury waste and sludge stockpiled at Thor's Cato Ridge chemical factory

It recommended ways in which workers and the environment could be protected against mercury waste and sludge

The commission also heard evidence that state control of hazardous waste was in disarray and characterised by "complete chaos" and inadequate legislation — Sapa

Thor pays R9m in mercury case

(131)

LONDON: British trans-national chemical company Thor Holdings yesterday made a R9 million settlement in a United Kingdom civil court case brought by 20 South African workers, who claimed they had suffered mercury poisoning at the company's Thor Chemicals plant in Cato Ridge in KwaZulu-Natal

Thor chairman Des Cowley said the settlement was "ransom money", not an admission of liability. He said the company had chosen to settle rather incur punitive legal expenses. CT 9/4/97

Thor offers R9-m settlement in SA mercury case

(131) Star 9/4/97

Pietermaritzburg – Thor Holdings in Britain has made a R9,42-million offer in a court case brought in London for the more than 20 South African victims of mercury poisoning at Cato Ridge

Thor chairman Des Cowley described the money as "ransom money"

Cowley said it was not an admission of liability, but a product of the United Kingdom's distorted legal aid system Defending the case would have cost Thor at least R36-million even if Thor won, whereas the UK legal aid paid all the plaintiffs' cost irrespective of the outcome.

The settlement included R4,7-million in costs run up under legal aid by the plaintiffs' lawyers, compared with Thor's legal costs of R616 000 Had Thor proceeded and lost, its legal costs would have been more than R70-million.

Cowley said that the company had been optimistic about successfully defending the action in the light of new evidence, but chose to settle rather than incur punitive legal expenses. – Own Correspondent

Compensation 'not agreed'

BD 10/4/97 (131)

LONDON — A lawyer representing 20 SA workers in a UK civil court case against British transnational chemical company Thor Holdings denied yesterday that they had reached a settlement to the compensation claim on behalf of the workers

The workers claimed they had suffered mercury poisoning at the company's Thor Chemicals plant at Cato Ridge in the KwaZulu-Natal midlands

On Tuesday the parent company, Thor Holdings, claimed it had made a R9m settlement in the civil court case brought by the SA workers

The claimants' lawyer, Richard Meeran, said that it was untrue that a settlement had been reached because Thor Holdings had not yet accepted the offer

He said the suggestion by Thor that legal costs might be 50% of the amount of any compensation was totally incorrect

Meeran is expected to address a news briefing in Durban tomorrow — Sapa

R9,4m won't heal poisoned workers

ST 13/4/97 (131)

MICHAEL SCHMIDT

WHEN Petros Gwamanda heard this week that he and 15 of his colleagues had won R5,3-million in compensation from the British chemical giant which allegedly exposed them to mercury poisoning, he went home to pray

While other members of the Chemical Workers' Industrial Union downed beers in celebration of the out-of-court settlement with Thor Chemicals Holdings, Gwamanda, 35 — who used to be "as strong as an ox" — simply prayed for God to restore to him the strength and ability to provide for his family

The settlement — R4,1-million in legal fees and R5,3-million in compensation — was a legal first for Britain and set an important precedent for Third-World workers who are taking multinational corporations to court over unsafe working conditions.

But Gwamanda's only concerns following the settlement are that after 11 years of working with mercuric sulphide at Thor Chemicals SA's recycling plant in Cato Ridge, Kwazulu Natal, he feels weak, has been unable to work and is seldom capable of making love to his wife, Janet

Four other Thor workers — Peter Cele, Frank Shange, Langehile Dlamini and Engelbert Ngcobo — died agonising deaths as a result of mercury poisoning.

Thor Chemicals SA, a wholly-owned subsidiary, has admitted that mercury poisoning caused the deaths of the four workers and continues to pay annuities to their widows The women will also receive part of this week's settlement.

Another 14 former workers are unlikely to ever work again due to ill health Among them is Albert Dlamini, of Hammarsdale, who suffers a variety of brain disorders, walks on crutches and cannot speak properly.

Gwamanda also has difficulty speaking "I worked as a chemical mixer at the Thor plant with two or three people under me. Our goggles did not fit properly and this black mercury powder used to get into our eyes Our gloves were too short and powder sometimes got inside them.

"We wore paper masks over our faces, but we could still smell the fumes and it gave us headaches," he said

"My chest did not feel right and, when I sneezed, sometimes there was blood I was worried, but the bosses never told us the powder was poisonous

"Then in 1995, they laid me off because they said I was no longer fit"

The complainants' lawyer Richard Meeran, said this week that Thor "avoided having to maintain adequate working conditions by rotating plant workers to work in the garden as soon as the mercury levels in their blood and urine were too high

"If they were temporary workers, they would just be laid off It's simple exploitation of black South African workers"

Thor 'Chemicals Holdings' mercury recycling plant in Kent shut down in 1987 after being harried for seven years by British safety authorities

Meeran charged that it simply moved the same dangerous technology to its Cato Ridge plant

Thor spokesman John MacDonald said the settlement was "not an admission of liability, it's simply the cheapest way to settle this"

Meanwhile, Gwamanda prays for a better future for the five-month-old son he conceived against all odds

Thor agrees to pay R9,4-m to 20 claiming mercury poisoning

ARG 14/4/97 (131)

Durban – Britain's Thor Chemicals Holdings Ltd has reached a R9,4-million settlement with 20 workers who say they suffered mercury poisoning at the company's South African plant, a lawyer has announced.

"Today my clients have accepted the total offer of a R9,4-million settlement for damages and costs from the parent company in the United Kingdom," Richard Meeran, representing the workers and their families, told a news conference

He accused Thor of exploiting the health of workers at the Cato Ridge chemical plant in KwaZulu Natal where toxic mercury catalyst waste products were recycled

"The only recycling Thor did was of workers who were sent to work in the gardens or laid off when the level of mercury in their blood and urine reached a certain level," said Mr Meeran

"In that way they avoided implementing proper working practices "

Thor chairman Desmond Cowley, questioned in London, said the settlement did not mean the company acknowledged blame

It was more cost efficient to settle the case out of court than pay court costs even if the company won

"It is a commercial settlement which comes out of the legal aid situation in the United Kingdom," he said

"If the case had gone to conclusion and we had won, we would have still had something like £5-million (about R36-million) costs which we would have been unable to recover as the plaintiffs are legal aided and legal aid refuses to pay the cost of a successful defence," added Mr Cowley

The company has admitted that three workers at the Cato Ridge facility took ill after mercury vapour entered their breathing apparatus

Two died later and a third has neurological problems

Mr Meeran said another 17 workers had been affected to varying degrees and this had formed the basis of the legal action against Thor Mr Cowley said the company did not accept that the 17 remaining defendants suffered from mercury poisoning.

The South African plant still manufactures chemical products, but has been instructed by the government to cease its mercury operations pending an investigation

A presidential commission is investigating ways of getting rid of 3 000 tons of mercury waste products stored in corroding drums at the plant. – Reuter

Lawsuit launched against asbestos companies

(131) M+G 18-24/4/97

Jim Day

THE London-based lawyers who recently won more than R9-million for workers poisoned by mercury contamination in KwaZulu-Natal have launched a suit against a British company that ran asbestos mines in South Africa.

Richard Meeran, a solicitor with Leigh, Day & Co, has filed proceedings against Cape plc of Middlesex, the parent of two South African subsidiaries: Egnep, which ran the Penge Mine near Burgersfort in the Northern Province until 1979, and Cape Blue, which ran asbestos operations in the north-west Cape Province until 1964.

No sum of damages has been specified. The attorneys represent seven claimants from the two operations who developed lung diseases related to asbestos exposure.

Asbestosis is an untreatable and potentially fatal lung disease which causes shortness of breath. Inhaling asbestos fibres can lead to lung cancer and mesothelioma — a particularly dangerous lung cancer that can take 40 years to develop.

Asbestos was used widely in the past for insulation, cement, brake pads and thousands of other things.

Although the victims and the mining were all in South Africa, the claimants maintain that Cape plc developed the technology, was fully aware of the conditions at the mines and had the final say in the operations.

"The key decisions were made in Britain," Meeran told the *Mail & Guardian* from his London office. "They had the power to protect the victims."

Meerans last week won R9,4-million in damages and costs for 20 workers who said they were poisoned at the Cato Ridge plant of the UK-owned company, Thor Holdings. Their claim was lodged in 1992.

Lawyers for Cape plc were unavailable for comment this week. But they are expected to object to Meeran's case on the grounds of jurisdiction: they will maintain that as the activities occurred in South Africa, it is inappropriate to hear the case in a British court.

This issue will come before court in the next few weeks. If the court agrees to hear the case, it will take two to three years to be decided, Meeran predicted.

The South African National Centre for Occupational Health and the National Union of Mineworkers have lent support to the claimants bringing the case.

That asbestos causes severe health problems was well-known even before Britain enacted regulations in 1931 to protect people against exposure to the fibres.

South Africa enacted asbestos regulations in 1954, but these were routinely flouted, and workers continued to be exposed to levels hundreds of times what was widely considered acceptable.

One study of black asbestos workers at the Penge Mine who died between 1959 and 1964 showed that 80% had asbestosis. Their average life expectancy was 43.

No one knows how many people suffer from asbestos-related diseases in the Northern Province mining area.

But Tony Davies, professor-emeritus of occupational health at the University of the Witwatersrand, who has studied lung diseases in the region for years, talks in terms of hundreds of thousands.

Many miners were migrants from Malawi, Zambia and Mozambique who spent years covered in asbestos dust in the mines, only to return home to wheeze their lives away.

Davies has heard of entire communities in Zambia today, where former asbestos miners who worked in South Africa are dying of lung diseases. But such communities seldom have the means to document such diseases.

Koeberg workers exposed to high radiation levels

(131)

ADELE BALETA
STAFF REPORTER

ARG 3/5/97

Three Eskom workers have been exposed to excessive radiation levels at Koeberg nuclear power station, said the plant's nuclear assurance manager Tony Stott.

He said the incident was the most serious case of its kind since Koeberg, on the Cape West coast, began operations in 1984.

Two workers and a radiation protection officer were replacing filters for the water that is used to cool the spent fuel when they were exposed to radiation levels above the statutory limit of 50 millisieverts a year. One worker was exposed to 50 units, another to 90 and the third to 105 units.

Mr Stott, however, said the Council for Nuclear Safety's (CNS) limit was conservative and there was no health risk from exposure to radiation less than 200 millisieverts. The workers suffered stress and were receiving counselling.

The spent fuel pool has been sealed off and the CNS has begun an urgent independent inquiry into the accident to ascertain if it was a result of human error or technical malfunction.

Mr Stott added that the matter had been reported to the International Atomic Energy Agency in Geneva.

NP blamed for Thor's chemical stockpile

Jacob Dlamini

BD 14/5/97

CAPE TOWN — The National Party (NP) government had grossly mishandled the importation of hazardous material by allowing Thor Chemicals to import toxic mercury while failing to ensure that the company was adequately held accountable for its activities, a commission of inquiry has found

The commission, set up to probe Thor's mercury recycling operations at its Cato Ridge plant in KwaZulu-Natal, said it had found that both the company and the previous government were to blame for the stockpiling of more than 3-million kilograms of toxic waste in the country

In a report presented to Environmental Affairs Minister Pallo Jordan yesterday, the commission said Thor had exploited loopholes in SA's fragmented legislation to bring in toxic waste it could not handle

The commission, chaired by academic Prof Dennis Davis, had uncovered evidence showing that government departments had failed to co-ordinate their activities to stop Thor's continued importation of waste material Davis said the evidence had revealed a total absence of co-ordination between the departments responsible, as well as "inexplicable inefficiency and unexplained omission"

The commission recommended that the existing stockpile be treated in an environmentally friendly manner by incineration or roasting the waste

Meanwhile, Jordan said the government had initiated a process designed to develop integrated pollution control policy which was nearing completion. Jordan said this would be followed by the development of a joint waste management strategy

Josey Ballenger reports that the Environmental Justice Networking Forum, a network of 380 organisations, was outraged at the commission's recommendation that Thor Chemicals "burn millions of kilograms worth of imported toxic waste materials".

The forum's national co-ordinator Chris Albertyn said the standards set for further incineration of toxic wastes at Thor posed a potential risk to public health and the environment

The forum questioned government's probing other options for the disposal of the foreign waste, which included burning and burying the materials.

See Page 7

Cosatu given 'green light' for strike

Reneé Grawitzky

BD 14/5/97

THE Congress of SA Trade Unions (Cosatu) was given the "green light" yesterday to go ahead with its 24-hour protest strike on June 2 after the National Economic, Development and Labour Council (Nedlac) had considered its notice to embark on such action

The meeting was held in order to ensure Cosatu complied with section 77 1 (c) of the Labour Relations Act, which required that a matter giving rise to protest action had to be considered by Nedlac

At the same time Cosatu formally announced its intention to approach the Labour Appeal Court for the right to appeal to the Constitutional Court on the court's interpretation of the right to engage in socioeconomic protest.

Cosatu general secretary Sam Shilowa said last night it was not the federation's intention to seek to overturn the Labour Appeal Court judgment handed down on Friday, but to appeal to the Constitutional Court on the interpretation of exercising the right to protest.

A majority decision of the Court held that Cosatu, in calling for protest action on May 12, had not complied with section 77 1 (c) of the Labour Relations Act. Cosatu has rejected this position and yesterday reiterated its view that the matter had been endlessly considered since the release of the green paper on employment standards last year

Two of the three judges presiding ruled that the matter had not been properly considered by Nedlac

In compliance with this ruling, the overall labour, government and business convenors met in Nedlac yesterday where they considered Cosatu's notice of intention to protest on June 2 They agreed that the series of meetings held since last Monday had considered the issues giving rise to Cosatu's planned protest action. The parties acknowledged the differences remained unresolved.

Labour department director-general Sipho Pityana said yesterday's meeting was a properly constituted structure to consider Cosatu's notice of intention to embark on protest action on June 2, as well as to acknowledge that negotiations were taking place through structures created under the auspices of Nedlac. Even though the parties agreed the issues remained unresolved, extra effort would be put into trying to resolve the matters by June 2, with the overall conveners joining the negotiations. However, if differences could not be resolved, Cosatu had the right to proceed with the action.

Meanwhile, **Jacob Dlamini** reports from Cape Town that Cosatu warned yesterday it would withdraw from parliamentary consultations unless the budgetary process was reformed to allow for effective public participation.

Cosatu deputy president Connie September said there was little value in making submissions on budgets which could not be changed, or holding hearings and taking part in debates after the budget had already been set by government

September told the parliamentary labour committee the constitution required a transformation of the "secretive, top-heavy" budget process inherited from the previous administration.

She called for reform to allow effective participation by civil organisations and to ensure Parliament and its committees played an overseeing role in determining expenditure and revenue priorities

Cosatu's warning came in the wake of Finance Minister Trevor Manuel's announcement of plans to reform budgeting to make it an active exercise matching policy priorities to available resources

Cosatu expressed concern over the decline in the labour budget from R657m to R620m. The reduction in the allocation to the human resource development programme would affect training offered to the unemployed and contradicted government's commitment to skills development economic growth and job creation

Cosatu's concerns were echoed by the Afrikaanse Handelsinstituut, which said it had found it difficult to deal with the budget in detail as it had not been involved in its formulation.

New welfare paper wants fundraising policy shift for NPOs

David Greybe

BD 14/5/97

CAPE TOWN — The welfare department released a policy document for NGOs arguing for a fundamental shift from the Fundraising Act, from government control and intervention to a climate of freedom and voluntary association with the emphasis on accountability

The proposals would provide the basis for writing new legislation for the renamed "nonprofit organisations" (NPOs), to replace the Fundraising Act, welfare chief director: social development Graeme Bloch said yesterday

The welfare department planned to present Cabinet with a draft bill next month, and to bring it before Parliament in September for final approval and adoption, he said.

The ministerial forum (Minmec) for Welfare Minister Geraldine Fraser-Moleketi and her provincial counterparts recently approved the policy document.

The new legislation would be administered in the form of a national register by the welfare department, "but with a clear supportive role by the provinces in the process"

The new system, the policy document states, would signal government support for NPOs and promote confidence in the nonprofit sector "by encouraging certain basic governance standards"

Bloch said "It will create an environment in which NPOs can function more effectively with minimal government control and regulation, but with the necessary checks and balances."

Many NPOs had struggled to make the transition to a new environment of government-to-government aid routing, tighter donor funding and demands to quantify performance and delivery outcomes before competing for scare resources, he said.

This crisis led to the demise of many effective organisations which often delivered services to the most disadvantaged and those least able to afford services

The new system would be based on a voluntary registration system requiring the submission of basic documents and the meeting of requirements promoting "accountability and good governance"

Registration, Bloch said, would be encouraged through a system of incentives Failure to register would be to the detriment of NPOs

There would be no restrictions on fundraising under the new legislation, and "fraudulent fundraising" would be dealt with under the normal provision of the law

Minister assured Thor that ban did not apply

Star 14/5/97 (131)

Inquiry finds that company knew it couldn't recycle hazardous waste but continued importing it

By Jovial Rantao
Cape Town

Damning evidence against the former NP government and Thor Chemicals has been released by a commission of inquiry into the history and background of the hazardous mercury stockpiled by the Pietermaritzburg-based company

The commission, headed by Professor Dennis Davis, found that Thor Chemicals, which recently paid out a R9,4-million settlement to 20 former workers, exploited the total lack of co-ordination between departments, and continued to import waste knowing it would be unable to recycle it

The former government's gross mishandling of the matter meant that Thor was never adequately held to account by the relevant concerned

In the report released in Parliament yesterday, the commission found that in 1990, soon after the then environmental affairs minister Gert Kotze announced in Parliament a total ban on the importation of toxic waste, he wrote to Thor Chemicals assuring it that the ban did not affect the company

Davis said the concession to Thor was never explained to the commission because Kotze was not called to testify

"Whatever the explanation, it reveals the extent of government culpability in the creation and development of the environmental problem at Thor Chemicals, which caused the appointment of this commission," Davis said.

'They were never held to account adequately'

The commission of inquiry was instituted after three workers at the plant died of mercury poisoning Thor told the commission it had acted within the law as permitted by government departments at the time

The commission recommended that the only option to get rid of the 3,4 million kilograms of mercury waste would be via incineration or roasting

Davis warned that the Government should act speedily to address the stockpiling of toxic waste.

He said evidence obtained by the commission had revealed a pattern of government commission and omission which allowed the problem to develop

The acts of commission afforded Thor Chemicals the authority to continue with the practices, while the omissions meant that Thor was never adequately held to account

The commission found that the patchwork nature of existing applicable legislation and its unsystematic nature had contributed to the lack of co-ordinated supervision

The commission said Thor Chemicals, after realising that it did not have capacity to recycle the waste, should have refused to accept further waste and initiated fresh but urgent steps to solve the problem.

Environmental Affairs and Tourism Minister Dr Pallo Jordan said the Government had identified a weakness in waste management and pollution control He said his department had set processes in motion to correct the situation

Thor slammed for toxic waste imports it

BETWEEN 1980 and 1995 there was no co-ordination between government departments responsible for the environment, a probe has found. Environment Writer **MELANIE GOSLING** reports.

THOR Chemicals, the British-owned company in KwaZulu-Natal which became a hotbed of controversy after two workers died of mercury poisoning and local rivers were polluted, has been slammed by a commission of inquiry for continuing to import thousands of tons of toxic waste when it was clear there was no way it could be processed

The company had shown a "disturbingly careless attitude" to the environment and instead of taking steps to solve its problems, had continued to import more toxic waste

In a report released in the city yesterday, commission chairman Professor Denis Davis also slammed the government of the late 1980s and early '90s for creating a situation "by omission or commission", whereby companies were able to bring toxic waste into South Africa in a fairly uncontrolled fashion

The report said events relating to waste mercury between 1980 and 1995 revealed "a picture of total absence of co-ordination between the relevant government departments responsible for the environment" and "inexplicable inefficiency and unexplained omission"

Davis said there was a "litany of evidence" that various government departments had not been up to the task of co-ordinating and controlling the industry and Thor Chemicals had exploited this

"The commission was never able to pinpoint what (Thor's) motives were, but there is no doubt that they were able to exploit a situation when they knew full well they were not able to handle the toxic waste. It is also clear there was not sufficient surveillance or policing of Thor (by the authorities)," Davis said

The commission was appointed by President Nelson Mandela in March 1995 to investigate the background to Thor Chemicals (Pty) Ltd acquiring a three-million-kilogram waste mercury stockpile

Davis said "There were officials who knew there were problems and who reported them, but they were lost in the archipelago of government departments"

Although then-Environment Minister Mr Gert Kotzé had banned the importing of hazardous waste in 1990, he later wrote to Thor Chemicals, allowing them to continue to import waste mercury

"One can only ask, what was Mr Kotzé doing? There are only three explanations: Either he had extremely poor advice, or he had a very cavalier attitude, or representations were made to him showing some benefit to the country which were never made clear to the commission

"What is clear to the commission is the level of government culpability," Davis said

The commission decided to recommend that the best practical environmental option for dealing with the huge stockpile of mercury waste on Thor's premises was to incinerate it

Returning the waste to sender, as suggested by environmental groups, was rejected as transporting the mercury posed serious environmental problems There was also no legal guarantee that the countries would be willing to accept the returned waste

The costs of disposing of the mercury should be borne by Thor Because of the government's culpability, all other costs should be borne by the government

Responding to the commission's findings, Environment Minister Dr Pallo Jordan said yesterday the fragmentation of national waste management and pollution control had been identified as a weakness early in the life of his ministry

He had initiated developing an integrated pollution control policy to address this The policy was nearing completion and would be followed by a joint waste management strategy

Jordan said that although a ban on importing toxic waste had been announced in 1990, there had been no legislation to enforce this at the time

A second phase of the commission will investigate the regulations and enforcement of monitoring and control of mercury processing, and recommend steps that could help to minimise the risk to workers and the environment This should be completed by the end of June or July

● The discovery in 1989 of mercury pollution in the rivers near the Thor factory led to a government investigation, which acknowledged there had been mercury spillages, but it was felt there was no cause for alarm

Later a Greenpeace video of the plant showed mercury levels 8 200 times higher than the US standards for hazardous waste Thor at the time admitted no responsibility

Later two Thor workers, Mr Peter Celé and Mr Engelbrecht Ngcobo, died of mercury poisoning in the early '90s, and a third, Mr Albert Dlamini, was severely disabled

Thor's executives were acquitted on a charge of culpable homicide in 1994, but were found guilty of negligence and fined R13 000

Concerns over Thor were first raised in the 1980s at its factory in England, after allegations of excessive levels of mercury in the air and in workers' urine

When the British authorities threatened the company in 1988 with legal action, Thor moved its mercury production facilities to South Africa, where there was little control over the industry

In July 1994 Thor was refused permission to continue importing mercury waste into South Africa because it posed a serious threat to public health and to the environment Tests had found that mercury emissions from Thor's incinerator were well above the maximum allowable concentrations

Thor Chemicals objects to commission's 'inaccuracies'

(131)

CT 15/5/97

DURBAN: Thor Chemicals company in Cato Ridge — slammed this week in the findings of the Davis Commission of Inquiry — has objected to what it described as "inaccuracies" in the commission's findings.

The commission, chaired by Professor Denis Davis, found that the British-owned company had shown a "disturbingly careless attitude to the environment" and that instead of taking steps to solve problems related to mercury waste, it had continued to import more waste.

Responding in a press statement, Thor managing director Ms Lesley Thornton said. "The report contains many inaccuracies which do not do justice to Thor — for example, the allegation that customers chose to stop returning (mercury) catalyst to us, when the truth is that we refused to accept further deliveries when it became clear that there would be no speedy resumption of re-cycling

"In this context, it is nonsense to suggest that Thor deliberately built up a catalyst stockpile knowing there was no prospect of ever processing it "

However, she said that the commission's conclusion that re-cycling the waste stockpile was the best option "fully vindicates our stance and bears out what we have been saying all along".

"We have always insisted that re-cycling is the only viable option and that the stockpile would not have accumulated had we been allowed to continue operating the recovery plant."

● A spokesman for the Environmental Justice Networking Forum, which was instrumental in exposing environmental and workers' health problems at the factory in the late 1980s, could not be reached for comment — Own Correspondent

Quarter of compensation for dermatitis

(131)

BD 16/5/97

Bonile Ngqiyaza

BETWEEN 25% and 30% of compensation paid to SA workers was for contact dermatitis, an occupational skin disease The frequency of occurrence was similar to other industrialised countries, the National Centre for Occupational Health said yesterday

At the National Occupational Safety Association's annual convention, representative Jenny Stark said the extent of the problem in SA was unknown.

The figures were obtained from disability payments or compensation statistics, notorious worldwide for gross underrepresentation.

She said that the disease could be more widespread.

Applying prevalence estimates of other countries (0,5%-11,8%) to the 1994 census figure of 10-million employed South Africans, Stark estimated that between 50 000 and 1,2-million employed adults were suffering from hand eczema.

If only half of these have eczema due to work exposure, between 25 000 and 600 000 people have work-associated contact dermatitis "For every SA worker who receives compensation, there are 10 000 silent sufferers," she said

The figures did not take into account informal sector workers or those with occupational diseases such as infection, photosensitivity, trauma and nettle-rash which did not qualify for compensation

She said complications caused by an extended latency period from first exposure to development of symptoms made people often assume that a workplace agent was not responsible.

Quantum World CEO Brenda Clur said yesterday that SA's safety performance record was characteristic of the country's First and Third World mix.

Campaign to cure country's sick buildings

(131) Star 3/6/97

ENVIRONMENT REPORTER

An estimated 30% of renovated or newly built buildings suffer from the sick-building syndrome in which occupants are exposed to stale or chemical-laden air

Studies have also shown that the environmental quality of the workplace has links to employee morale, productivity and ultimately profitability.

In recognition of the 52nd World Environment Day tomorrow, South Africa's green-buildings initiative will be officially launched to promote more energy-efficient and environmentally friendly buildings

The agreement will be signed by the Department of Mineral and Energy Affairs, the International Institute for Energy Conservation (IIEC) and building owners at the University of Pretoria at 2pm

Close to 100 of the largest property owners in the country are expected at the launch

A spokesman for IIEC-Africa said the initiative was being supported with funding from the US Environmental Protection Agency and is a component of the Mbeki-Gore bi-national commission which encourages co-operation between the two countries.

The signing of the agreement is only one of a number of events taking place to encourage residents to become more environmentally friendly during World Environment Week, this week

In line with this year's theme – litter and recycling – the Gauteng department of agriculture, conservation and environment, has launched an extensive recycling drive in conjunction with the Benoni City Council, recycling companies and school children.

A spokesman for the department said one of its aims was to form ecoclubs which will be held responsible for keeping their environment clean.

The clubs will be paid for recyclable goods collected and the money will be used to upgrade school facilities.

Awareness programmes will also be presented in Chiawelo and Pimville today, Sebokeng tomorrow, Kagiso on Thursday and Soshanguve on Friday, where clean-up projects will be initiated

T-shirts and posters will also be distributed

Recycling bins will be placed in the Johannesburg city centre to encourage recycling.

The environment education division of the Germiston department of parks, sport and recreation has also launched a recycling competition where children from schools and youth clubs are encouraged to create art works made from recycled materials

Appeal for medical help as asbestos scare burgeons

Star 4/6/97

(131)

By Priscilla Singh
Health Reporter

The Northern Cape health department is appealing for volunteer doctors countrywide to screen at least 1 000 people in the Prieska area for signs of asbestos poisoning

Last month, Dr Ahmod Randeree of Kimberley hospital distributed questionnaires to more than 1 000 people in his region to identify people who thought they had respiratory problems.

Preliminary investigations revealed that most people who filled in the forms seemed to have symptoms of asbestos poisoning and therefore needed further screening and tests.

Northern Cape health spokesman Ann Talbot said the volunteer doctors would not be paid, but the department would pay for food and lodging.

The survey was initiated following the reported dumping of toxic substances allegedly discarded by companies which mined asbestos in Prieska until the early 1980s

The health department said the dumping had resulted in an enormous health risk and a threat to the local community, particularly children, who swam in a "polluted" river

They would also be exposed to asbestos fibres from deteriorating ceilings in their homes

Talbot said high winds in the area blew asbestos fibres off dumps and into the river and residential areas

"The people's asbestos ceilings in their homes are also falling apart, presenting an added risk of asbestos poisoning," she said.

At least 25 doctors a week will be needed to examine all the people possibly affected, do clinical assessments, test lung functions, and do overall reports on each individual.

Director of Aids and Communicable Diseases in Gauteng, Dr Liz Floyd, said if there were large volumes of asbestos in victims' lungs, it could well mean an outbreak of *mesothelioma* – or cancer of the lungs – due to an asbestos scourge.

SA adopts 'green building' programme

BD 6/6/97 (131)

Josey Ballenger

SA's market-based "green building" programme put the nation "at the forefront" of global efforts to prevent climate change caused by environmental hazards, and improved business's bottom line, environmentalists said yesterday at the programme's formal launch on World Environment Day

Buildings designed to reduce energy costs and the dissemination of harmful gas emissions were in business's best interest, said International Institute for Energy Conservation executive director Stewart Boyle They reduced employee illness and absenteeism, boosted morale and productivity and brought down costs

The US Environmental Protection Agency has pledged R550 000 towards a revolving loan fund to catalyse the SA private sector's involvement in the programme.

New hope for families living on deadly poisonous mine dump

(131) Star 14/6/97

By BUNTY WEST

Moses Mngomezulu was born among the gold mine dumps in Roodepoort and recollects making sand castles from the cyanide-laden sand his family's shack was built on

Along with 30 others families, his parents worked in the sand quarry there, not realising that the radon in the ground was highly radioactive, causing their many skin complaints, and ultimately destroying their lungs through cancer. Now the entire community is to be moved to safer and healthier ground following a visit by the Western council's executive committee.

Executive committee member Ros Waldron said that when the social and welfare services went out to the site, adults and children had serious skin problems caused by the soil and sand. The residents were drinking water from a polluted stream and there were no toilet facilities.

The shack settlement which is hidden from passing cars by the gold dumps, has grown considerably in the nearly 30 years it has existed Today more than 130 families live there, in what is now called Davidsonville West, yet the conditions have not changed much.

It has become more settled and several "permanent features" have been added, including a golf putting green which an enterprising sports fan has made along the central path, where holes are sunk into the stamped-down soil.

Although the sand quarry is no longer operational, dust still fills the lungs, clings to the washing and gets under the doors of the neat rows of shacks

The Western council, realising conditions were bad there, bought land adjacent to where the families are living and will erect low-cost housing and provide services

Several single men and women were living in large concrete pipes covered at the open ends by underfelt and tarpaulins

"We put in drinking water and chemical toilets as an interim measure until we were able to acquire land for development It cost us R800 000 to buy the land but it fulfils the Government's land development objectives as it is close to work opportunities and shops The 30-square-metre houses and services will be paid for through the subsidy scheme," added Waldron

Meanwhile, Mngomezulu is happy that he will soon live in a brick house and be able to close his doors and windows at night, with no fear of the deadly dust invading his home

Mine dump a health hazard say residents

(131)

Sowetan 16/6/97

By Sello Seripe

THOUSANDS of residents in Doornkop, Soweto, live under a constant threat of contracting lung ailments because of the existence of a mine dump at their doorstep

The dump belongs to Durban Roodepoort Deep gold mine on the West Rand

According to the residents, life becomes hell for them on windy days when dust from the dump is blown into their houses and their yards

The dust gets into everything, their food, their utensils, their water and their clothes

The dust is so bad it also invades the shacks and houses of residents of Dobsonville Extensions Two and Three, which are situated further away from the dump than Doornkop

The National Civic Organisation (Sanco) has charged that local councillors and the health services are ignoring the plight of the community and that Sanco itself has not been able to establish what the plans, if any, for the troublesome dump are

Local Sanco secretary Doctor Mabona said residents had identified the mine dump as a health risk People were worried about their health and the health of their children who were continually exposed to the dust

Mabona said health workers had previously said they could only address health issues in the area once they had received a mandate from local councillors

Mabona also indicated that differences of view between local councillors and health workers had resulted in an impasse, and that residents were suffering as a result

The ANC's chief whip in the Western Metropolitan Substructure, Ika Magasa, described Sanco's charge that residents were being ignored as unfounded

He said meetings were held regularly, and to prove a point said the next meeting was to be held on Sunday

Magasa said a number of issues were on the agenda for discussion at the meeting

Work, where every man is his brother's keeper

CT (BR) 20/8/97 (131)

CARLOS DE NOBREGA

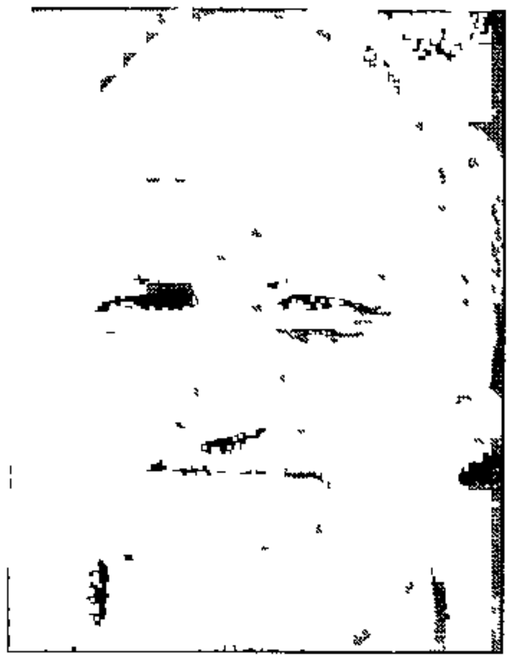
Worksite wellness programmes have been regarded with more than their fair share of scepticism though not without good reason There is little evidence they have any value — they have been implemented in isolation from other health services and sound business objectives, making it extremely difficult to evaluate their worth objectively

What value is there in an expensive annual "executive medical examination" when the executive is told after the examination he is stressed and overindulges, is overweight, doesn't get enough exercise or other recreation, and then comes back the following year and is again told that he is overweight and still overindulges in x, y and z?

What value is there in telling a migrant labourer to maintain a balanced diet and wear a condom during sexual contact when he lives in an overcrowded single-sex "hostel" and his family lives 600km away?

The backdrop against which health promotion must be seen in South Africa is rather a sad one The healthcare delivery system in this country has a depressing history of lack of vision, inadequate planning, poor control and ineffective management

South Africa has a complex society with many complicated problems, of which healthcare is not the least The population is over 40 million, 73 percent of which is women and children



MANAGED HEALTH *Carlos de Nobrega of Indocumed*

The majority have inadequate access to basic services including health, clean water and basic sanitation Statistics for 1994 suggest that between 35 percent and 55 percent of the population live in poverty

The introduction of managed healthcare in South Africa will certainly go some way in curtailing spiralling direct medical costs, that is, for those fortunate enough to be able to afford some form of medical aid

Unfortunately there remains a huge sector of the population which, like any other third-world country, is locked in a vicious cycle of low income, under-nutrition, low productivity and disease This situation is aggravated by poor levels of education, lack of housing and other public amenities including healthcare

Added to this, there are a vast number of people exposed to hazardous substances or conditions at work, often carrying out tasks as part of their daily routine, which are potentially harmful to their health Noise-induced hearing loss, asbestos-related pulmonary disease, pneumoconiosis, occupational asthma and eczema are but a few examples, not to mention disabilities sustained as a result of physical trauma at work

The introduction of legislation such as the Occupational Health and Safety Act and the Mines Health and Safety Act has done much to focus the attention of employers and employees alike on the prevention of work-related accidents and diseases

The Compensation for Occupational Injuries and Diseases Act also has an important role to play as it places the onus on any medical practitioner, who diagnosis any condition which he suspects may be as a result of a workplace exposure, to report this condition to the employer and the relevant authority

Spiralling healthcare costs, with medical inflation several percentage points above average inflation, have caused many employers and employer groups to begin taking cognisance of these costs In an effort to curtail costs, we have seen the beginnings of the introduction of managed healthcare, albeit amid substantial public scepticism and resistance from many healthcare and service providers

Whether managed healthcare will contribute to improving the quality of healthcare delivery and the curtailing medical costs remains to be seen

In the past, there have been few organisations which have understood the integral relationship between medical aid, pension or provident fund, absenteeism, and productivity Responsibility for each of these functions is generally dealt with by individuals within the same organisation, or is outsourced to management companies or administrators who are completely independent from one another

Much has been published in the lay press and medical literature alike about conditions such as myocardial infarction ("heart attack"), cerebrovascular accidents ("stroke"), certain types of cancer, Aids, cirrhosis of the liver and many other conditions which are directly or indirectly related to particular elements of lifestyle including diet, stress, habits, hobbies and sexual behaviour

Clearly it is important that people start realising the negative impact particular lifestyles can have on their health

Taking this into account, it becomes glaringly obvious that no amount of generic substitution, hospital pre-authorisations, management of service providers, or manipulation of benefit structures can have a sustained effect on curtailing healthcare costs until individuals begin to realise they have a moral responsibility to take care of themselves, each other and of their environment

Only through the process of health promotion can people be enabled to control and improve their health Individuals or groups must be able to identify and realise aspirations, to satisfy needs, and to change or cope with the environment

The central government has a vital role to play Its obligation is to ensure fundamental conditions and resources for health, which are peace, shelter, education, food, income, a stable ecosystem, sustained resources, social justice and equity

With approximately 8,5 million people employed in the formal sector, where better than in the workplace to begin empowering people to achieve their full potential?

The scene is already set With health and safety legislation in place, it is a statutory requirement that the working environment be monitored and controlled in order to eliminate or minimise any health or safety risk Dissemination of information regarding potential risks to health is mandatory, and under certain circumstances medical surveillance of employees is a prerequisite

In terms of the Occupational Health and Safety Act everyone in an organisation, from the chief executive to the casual worker, is responsible and can be held accountable for his own and others' health and safety within the organisation

☐ *Carlos de Nobrega works for Indocumed*

'Injuries' bill under attack

BD 26/8/97 (131)

Jacob Dlamini

CAPE TOWN — A new bill on compensation for occupational injuries contained provisions which could threaten the survival of mutual associations, Rand Mutual Assurance managing director Gene Fivaz said yesterday

Fivaz told the parliamentary labour committee that the Compensation for Occupational Injuries and Diseases Amendment Bill would negatively affect the functioning of mutual associations if it became law

The bill, designed to bring old legislation into line with the 1996 Unemployment Insurance Act, contains provisions which would give the labour minister powers to grant a mutual association a licence to operate, but subject to a yearly review

Fivaz said the yearly review would inhibit financial growth and prevent sound financial planning The provision would also negatively affect Rand Mutual Assurance's asset base, estimated at R3bn, Fivaz said

He called on the licence to be given over an indefinite period, saying this would assist the company in its planning

The bill also came under attack from the Federated Employers' Mutual Assurance company GM Cliff Saville said it would be unreasonable to restrict the company's service to an annual licence

Business SA spokesman Bokkie Botha told the committee there was no "parity of representation" for employers and employees on the compensation board

In terms of the bill, the board would have five worker representatives and three for employers, while mutual associations would have their own two representatives, Botha said

This was erroneous as mutual associations were independent organisations which could not be regarded as being on the side of employers, he said

Botha also criticised the 12-month licence proposed by the bill, saying it would be unreasonable to expect a company with assets worth a total of up to R3bn to operate on a licence valid for a year Botha therefore called for the associations to be given indefinite licences

Soldiers 'killed thousands of Nigerians'

BD 27/8/97

Nomavenda Mathiane

MORE than 3 000 Nigerians had been killed by soldiers in Ogoniland in Nigeria since the Commonwealth Organisation suspended the Nigerian membership in 1995, visiting Movement for the Survival of Ogoni People president Ledum Mitee said yesterday.

Mitee is on a four-day visit to SA to lobby for the expulsion of Nigeria from the Commonwealth.

Mitee said the situation in Nigeria had deteriorated, particularly in Ogoniland where villagers feared seeking medical attention at hospitals for fear of abduction by soldiers who were now permanently deployed in the area.

He said more than 30 000 Nigerians had been displaced while some had sought asylum in neighbouring countries.

Mitee, who is exiled from Nigeria and lives in London, said he had held talks with Deputy Foreign Affairs Minister Aziz Pahad, top-ranking African National Congress members and a number of influential South Africans.

He said South Africans had a moral obligation to call for the expulsion of Nigeria from the Commonwealth, and the call should be accompanied by other punitive measures such as sanctions against Nigeria.

Supporting Mitee's call, SA Nigerian Support Group spokesman Rashied Gallant said SA must vote for the expulsion of Nigeria from the Commonwealth because it was clear Nigerian military ruler Gen Sani Abacha was not prepared to usher in democracy in that country.

He said his movement was concerned about African leaders who seemed silent about atrocities committed on the continent.

Movement for the survival of the Ogoni People president Ledum Mitee at yesterday's press conference. Mitee is on a four-day visit to SA to lobby for the expulsion of the Nigerian government from the Commonwealth Heads of State. Picture COBUS BODENSTEIN

Call for enforced law on compensation

BD 27/8/97 (131)

Jacob Dlamini

CAPE TOWN — There was a need for effectively enforced legislation to provide for the compensation of workers injured in the course of their employment, Congress of SA Trade Unions spokesman Kenneth Creamer said yesterday

In a submission to Parliament's labour committee during hearings on the Occupational Injuries and Diseases Amendment Bill, Creamer said compensation laws should be in line with the principle of redressing historical imbalances.

Workers faced health and safety problems which needed the serious attention of Parliament.

Present law on compensation suffered from three weaknesses: lack of a remedy for historically excluded black workers; discrimination against low-wage earners and the failure to cover domestic workers.

He called for a special amendment to allow workers who suffered permanent disability in excess of 30% before 1977 to be given compensation.

Creamer also called for the bill to be amended to allow for scaling up benefits for low-paid workers and for coverage to be extended to domestics. There were fundamental policy shifts which needed to be made to give the bulk of workers access to compensation.

Business, ANC clash over compensation bill

ARG 28/8/97 (131)

DONWALD PRESSLY
ARGUS CORRESPONDENT

Cape Town – Representatives of business and the mutual assurance industry have clashed with the African National Congress over the compostion of a council which makes recommendations on compensation for workers injured on duty.

Business South Africa, represented by Bokkie Botha, said that the Compensation for Occupational Injuries and Diseases Amendment Bill being considered by the National Assembly labour portfolio committee under-represented employers on the compensation council

In terms of the bill, only three employers sit on the board, while workers would be represented by five people drawn from the building and mining industries.

ANC MPs, including former trade unionist Philip Dexter, said however, that workers should have a "veto" right of at least 50% on the council to protect their interests.

He pointed out that workers did not see the representatives of the two mutual assurance companies as necessarily being on their side of the camp

During deliberations of the portfolio committee on the bill, the Rand Mutual Assurance Company (RMAC) which handles claims for compensation for workers in the mining industry – was also questioned on the racial composition of its board.

In reply to Mr Dexter's probings, RMAC managing director Gene Fivaz acknowledged that due to historical reasons his board was rather pale and male

However, the company was doing its bit in redressing inequalities through training programmes, but was not in the business of tokenism

He said the National Union of Mineworkers, the Mine Workers' Union and the Surface Officials Workers' Association were represented on the 13-member board.

Mr Fivaz said there had not been complaints from the unions about the board's make-up, which also included six employer representatives (of mining companies), one Chamber of Mines representative and three staff representatives

He pointed out that the shareholders were the policyholders in his company and they would have to determine such policy.

Both RMCA and the Federated Employers' Mutal Assurance Company – which provides benefits to employees in the building industry – presented argument that the bill should not provide the Labour Minister with the right only to give trading licences to the assurance companies for one year at a time

Mr Fivaz said that his company would prefer a system where the licence could be removed under specific conditions but was granted indefinitely

This would help remove the uncertainty attached to the industry, Mr Fivaz said

Pressure blamed for building trade deaths

Star 29/8/97 (131)

Figures on deaths and injuries in the industry differ but all stakeholders agree that they are far too high

By Lee-Ann Alfreds
City Desk

Increased competition is fuelling negligence in the building industry, making it one of South Africa's most dangerous jobs

Statistics show that hundreds of workers are killed or injured on building sites every year In 1995 114 deaths were officially recorded in the building industry

The issue has been highlighted by a spate of accidents on construction sites in the past months, the most recent occurring on Tuesday, when three workers were killed after scaffolding collapsed at a site in Sandton

According to the Compensation Commissioner's Office, 64 workers were killed in 722 accidents last year – breaking a five-year rise in the number of deaths

But this figure is disputed by unions and stakeholders who feel the "over competitiveness" of the industry is putting more and more workers at risk

Elvis Dube, Construction and Allied Workers' Union spokesman, said he estimated that at least two workers per province were killed every day. This would that mean close to 200 workers are killed every year.

About 25 to 30% – more than 20 000 – of workers were also injured, Dube claimed

But Building Industries Federation of SA (Bifsa) statistics show that only 6 778 workers were injured during 1995

Despite the difference in statistics, stakeholders agree that safety is cause for concern

Colin de Kock, Gauteng Masterbuilders' Association executive director, said more accidents could be occurring because of pressure on contractors to finish their jobs quickly

"The industry is under incredible pressure to push contracts in an amazingly short space of time This could lead contractors into taking shortcuts like stripping out scaffolding quicker . . we are very concerned that there is not enough focus on safety in the building industry," he said.

SA Institute of Building president John Smallwood said, while construction had always been troubled by fragmentation, high illiteracy, lack of commitment to safety and inadequate supervision, the economic situation was having an impact on the building industry

"People are working close to the bone and they are likely to compromise on standards ... and clients don't help because they compress the contract period," he said.

National Occupational Safety Association spokesman Dean Harding said he believed the problem was that the building industry was largely self-regulatory

The Labour Department was supposed to apply the regulations, but their supervision had decreased notably over the years, he said. "You generally find that employers have taken to becoming a little more blasé about the situation."

■ A formal inquiry is to be held into the deaths of the three workers in Sandton on Tuesday, Labour Minister Tito Mboweni announced yesterday

Building site tragedy puts focus on industry's risks

Star 30/8/97 (131)

By CRAIG URQUHART

The boom in the construction industry, marked by the number of cranes towering above the Johannesburg skyline, is coming at an enormous loss in terms of human life

Construction safety authorities have reacted with outrage at the latest tragedy, where three workers were killed and 16 injured at a Sandton building site this week, claiming that the industry needs to get its act together immediately

In recent years, hundreds of construction workers have been injured or killed, and developers are now being accused of taking short-cuts to meet their deadlines and avoid penalties

"The South African construction industry has serious health and safety problems – statistics don't lie We must remember that accidents don't just happen – they are caused," said John Smallwood, a construction safety specialist

Smallwood, who has inspected sites in numerous countries, including Australia, Singapore, the UK and US, said safety standards in South Africa are dangerously inferior to most countries

The Construction and Allied Workers' Union has called on employers to put the health and safety of workers before profits.

"It has always been our argument that employers in this industry do not consider safety and health as issues on which money should be spent Moreover, the training of workers, which is not done seriously, is not geared towards creating a safe working environment," union general secretary Thabo Moralle said

Building consultant Rodney Scott said there is generally a total lack of awareness of the importance of safety on construction sites countrywide.

"The building industry shouldn't have an excuse There are strict safety standards in place throughout the industry But with builders taking short-cuts near their deadlines because they face penalties, it sometimes becomes more of a window-dressing situation," he said.

Scott said most accidents in South Africa usually result from a lack of line-management awareness of personal responsibility and potential liability, an inadequate number of safety specialists on site, and pressure to complete contracts

Site inspectors who this week removed material from the Investec building for testing say they have no incriminating information at this stage.

However, a formal inquiry will be launched after reports from technical experts have been completed and the injured workers have been discharged from hospital

"The findings will be passed on to the senior public prosecutor's office and the attorney-general, who will decide whether they will prosecute," said Tibor Szana, a special investigator for the Department of Labour

With about 250 000 people being injured in the workplace each year, the national compensation fund is paying out a staggering R1-billion annually

"While the number of accidents remains relatively stable each year, we find we are paying out more and more in compensation for injured and disabled workers," said James Flint, assistant commissioner for the Compensation Commission

The compensation the injured workers and families of the deceased will receive from the Investec tragedy will be determined once the accident reports have been submitted

The Occupational Health and Safety Act, in effect, makes the chief executive of a company criminally and civilly liable in the case of accidents in the workplace The maximum penalty for non-compliance with the act is a fine of R100 000 or two years in prison, or both.

In a similar accident last year, four construction workers were killed and nine injured when a supporting scaffolding collapsed and a half-completed Pretoria North shopping mall collapsed It was later established that building plans for the second phase of the project had not been approved by the council, and the attorney-general's office is expected to prosecute the owners of the company involved

Long-awaited Housing Bill is tabled in Parliament

BD 2/9/97

Jacob Dlamini

CAPE TOWN — The long-awaited Housing Bill, giving broad effect to government's housing white paper and abolishing the National Housing Board, was tabled in Parliament yesterday

The bill provides for the scrapping of the R9,7bn local government debt to the National Housing Board, which is to be replaced by an advisory body called the SA Housing Board The provincial housing boards will remain, although there is an opening for them to be abolished at some unspecified time in the future

The bill is intended to facilitate co-operation between government, the private sector and communities through a sustainable housing delivery programme It also seeks to repeal the existing host of legislation on housing and to establish a constitutional framework for the programme

There will also be a national housing code which will be used to ensure there is a legal basis for the publication of the national housing policy and all frameworks set by the ministry

In terms of the bill, private and public development will be encouraged only in areas that allow access to health, social and educational amenities and offer access to economic opportunities.

The bill lays down a set of basic guidelines for local authorities, provinces and national government A memorandum attached to the bill states that the guidelines are designed to create certainty among stakeholders over government housing policy in order to accelerate delivery

The bill provides for the housing department's director-general to control and manage state money set aside for housing and to disburse this to the provincial housing boards.

It also provides for the establishment of a national housing data bank and an information system to boost the delivery of houses

Eight people murdered by gunmen in violence-torn Eastern Cape

UMTATA — Armed attackers murdered eight people in violence-torn Qumbu in the Eastern Cape on Sunday night, a day after four people were shot dead by balaclava-clad men

Police spokesman Supt Monde Nqadini said six women and a four-year-old boy were slain by the gunmen in one homestead at Debeza on Sunday

Nqadini said the attackers burst into the homestead about 11pm and opened fire indiscriminately on the nine occupants, leaving seven dead and one woman seriously wounded One woman escaped unhurt.

The attackers, armed with R-4 and R-5 rifles, set the homestead on fire after the shooting

"The unhurt woman tried to pull the deceased the same neighbourhood and shot dead a 41-year-old man.

The gunmen set the body on fire and fled.

There was no immediate explanation for the massacre Qumbu and the nearby area of Tsolo have been wracked by violence that has claimed a number of lives.

On Saturday night, gunmen wearing balaclavas shot dead four men in separate incidents in Qumbu's Ngcoti location. Nqadini said one man was shot dead in front of his wife.

He said the gunmen

Committee approves new work injuries bill

Jacob Dlamini

CAPE TOWN — Parliament's labour committee yesterday approved a bill reforming legislation on compensation for occupational injuries.

The Compensation for Occupational Injuries and Diseases Amendment Bill is intended to make old legislation compatible with the provisions of last year's Unemployment Insurance Act

In terms of the bill decision making and the 595-strong staff of the compensation commissioner are to be placed under the labour director-general.

The bill provides for the payment of benefits and medical expenses to the dependants of workers who sustain fatal or disabling injuries or diseases in the course of their work.

Meanwhile, Business SA has expressed concern over inadequate employer representation provided by the bill, calling it a "flagrant denial of social partnership"

The bill, which will also be discussed by the National Economic, Development and Labour Council, makes provision for five members to represent the interests of all employees on the compensation board, but only three to represent employers' interests

"Business SA believes sincerely that a balance of power between business and labour in national institutions is necessary if their respective interests are to be equitably represented," spokesman Bokkie Botha said.

BD 2/9/97 (131)

Γ 1997

Accidents in construction industry to be probed

Star 3/9/97 (131)

By Gasant Abarder

The death of five construction workers in two on-site accidents in Johannesburg in the past week has prompted two investigations and turned the spotlight on one of South Africa's most dangerous industries

The Labour Department announced yesterday that it would launch an investigation into the death of two men on a construction site in Illovo, northern Johannesburg, on Monday

Leslie Heaney (49) of Bramley and a co-worker, who may not be identified, fell to their death when the scaffolding they were standing on to install a television antenna collapsed after being knocked over by the wind

Monday's accident followed the death of three people on a construction site in Sandton last Tuesday Several other workers were injured when scaffolding collapsed

According to the compensation commissioner, the building industry ranks among the most dangerous in the country, with 64 workers dying last year Thousands others were injured

Jo Bradley, deputy director of occupational health and safety for the Labour Department, said "We are investigating both the Sandton and Illovo incidents in terms of the acts concerned, whether there was negligence either on the side of management or unsafe actions of employees"

Meanwhile, the Building Industries Federation of South Africa has offered to spend R1-million on training new building contractors

Domestics 'to be considered'

(131)

CAPE TOWN — New legislation to improve compensation benefits for victims of occupational injury and disease needed to take into account cover for domestic workers, the National Assembly's labour committee said yesterday.

In its report on the Compensation for Occupational Injuries and Diseases Amendment Bill, the committee recommended other aspects of the bill be further investigated by the labour department and discussed at the National Economic, Development and Labour Council.

These included pensions for black workers who prior to June 1977 were excluded from the Workmen's Compensation Act, and discrimination against lower-paid workers due to payouts being based on a percentage of earnings and a percentage assessment of the injury and not on a loss of earning capacity.

The committee called for the legislation to be reviewed as soon as possible. — Sapa

BD 5/9/97

State buildings go ecofriendly

BD 15/9/97 (131)

Josey Ballenger

WHAT is made of bricks and mortar and is green all over? The Union Buildings — or possibly all of the president's offices and residences, if environmentalists have their way

Three central government departments, in consultation with international organisations, are conducting an environmental audit of the seat of government — or at least President Nelson Mandela's office, and possibly his official homes in Pretoria, Johannesburg and Cape Town.

This would be SA's highest-profile undertaking of this nature to date, just as the "greening" of the White House, and later the Pentagon, were the US hallmarks for energy efficiency and waste-reduction campaigners

Following US President Bill Clinton's promise on Earth Day in 1993, the White House fitted its windows with double-paned glass, replaced old table lamps with compact fluorescent ones, upgraded its exterior lighting, installed an energy-efficient refrigerator, intensified its recycling and composting efforts and upgraded its heating, ventilation and air conditioning system

An official from the SA president's office has met the environmental affairs and tourism, public works, and water affairs and forestry departments — along with the International Institute for Energy Conservation, housed at SA's minerals and energy department, and the US's Environmental Protection Agency (EPA) — to discuss similar initiatives

Government could undertake such a programme under Green Buildings for Africa, launched last year by the EPA to reduce global emissions.

Howard Benkenstein of the environmental affairs department said another possibility was ISO 14 001 certification, an internationally recognised environmental management system standard. A third possibility was the public works department's shared energy savings programme, by which a contractor makes improvements at its own expense and splits the savings with the department, which owns the Union Buildings

The environmental affairs department was evaluating options, he said.

Death hangs in the Athlone air

(131) M+G 3-9/10/97

Asbestosis has killed two employees and threatens the lives of hundreds more at the power station near Cape Town. **Andy Duffy** *reports*

Terry Hudson's reward for providing electricity to the people of Cape Town is the prospect of a slow, agonising death. His friend, John MacGillycuddy, and seven others share the same fate Two of their former colleagues at the Athlone power station are already dead And another 157 workers — more than half the station's workforce — will spend the rest of their lives wondering who among them will be next

Depending on who is talking, the men are either victims of a tragic accident for which no one can be blamed, or victims of gross negligence The only certainty is the identity of the killer asbestos

Athlone power station sits alongside the N2 on the outskirts of the city, is owned by the municipality and provides up to 30% of Cape Town's electricity needs When it was built in the early 1970s, it was insulated extensively with asbestos, particularly around the boiler room section Asbestos, if not properly maintained and coated, flakes easily and breaks down into airborne fibres

"At times it was so dusty that if you were working alongside someone, you couldn't see their face," says Hudson, a former supervisor He left in 1994 after 26 years at the Athlone station "They used air hoses to blow the dust away, but it settled everywhere, coating everything " Hudson adds that large chunks of asbestos material routinely fell from the walls, and were left unattended

"Exposure could be described as frequent to continuous," says the work-history report Athlone's management later compiled for Hudson

The same report, however, says "measures to control the release of asbestos fibres" were introduced in 1987 Until then, apparently, no one had realised the dangers of the material The municipality's medical surveillance of the employees — 168 at the time, 166 now — also began

And from that point, the municipality says, the asbestos problem should have stopped "Precautions were taken," says the city's chief electrical engineer, Fred Berwyn-Taylor, who is responsible for Athlone "With asbestos one is playing with a time bomb, and if you know it's dangerous and you still play, you're an idiot."

Nevertheless, city council minutes from August 1997 show asbestos insulation sat exposed — with fibres even in the station's mess room — five years after such safety precautions were supposed to have taken effect The same minutes also discuss allegations that exposed fibres still permeated the plant in 1995, and are now blowing out into the neighbouring residential areas (both allegations were denied)

The minutes also show Athlone will have to wait until December 1998 before all its asbestos is finally removed Hudson also has pictures, purportedly taken inside the station in 1991 and 1994, which show crumbling walls and exposed metal gauze — because the sealant holding the asbestos has failed — with fibres thinly carpeting the surrounding ground

Confirming the validity of the pictures is difficult Athlone's management is barred from comment, referring all queries to Berwyn-Taylor, who says the asbestos problem surfaced and was dealt with long before he took up his job in 1993.

There are also some questions among some workers about the medical checks Such testing somehow failed for three years to detect anything wrong with Hudson But then he developed back pains, and then chest pains, and then each time he breathed his chest sounded like "crackling paper"

In 1990 he went to an outside specialist, who diagnosed asbestosis Asbestos fibres had buried themselves into his lung-lining over the years His lungs responded by building scar tissue over the fibres — gradually incapacitating themselves in the process

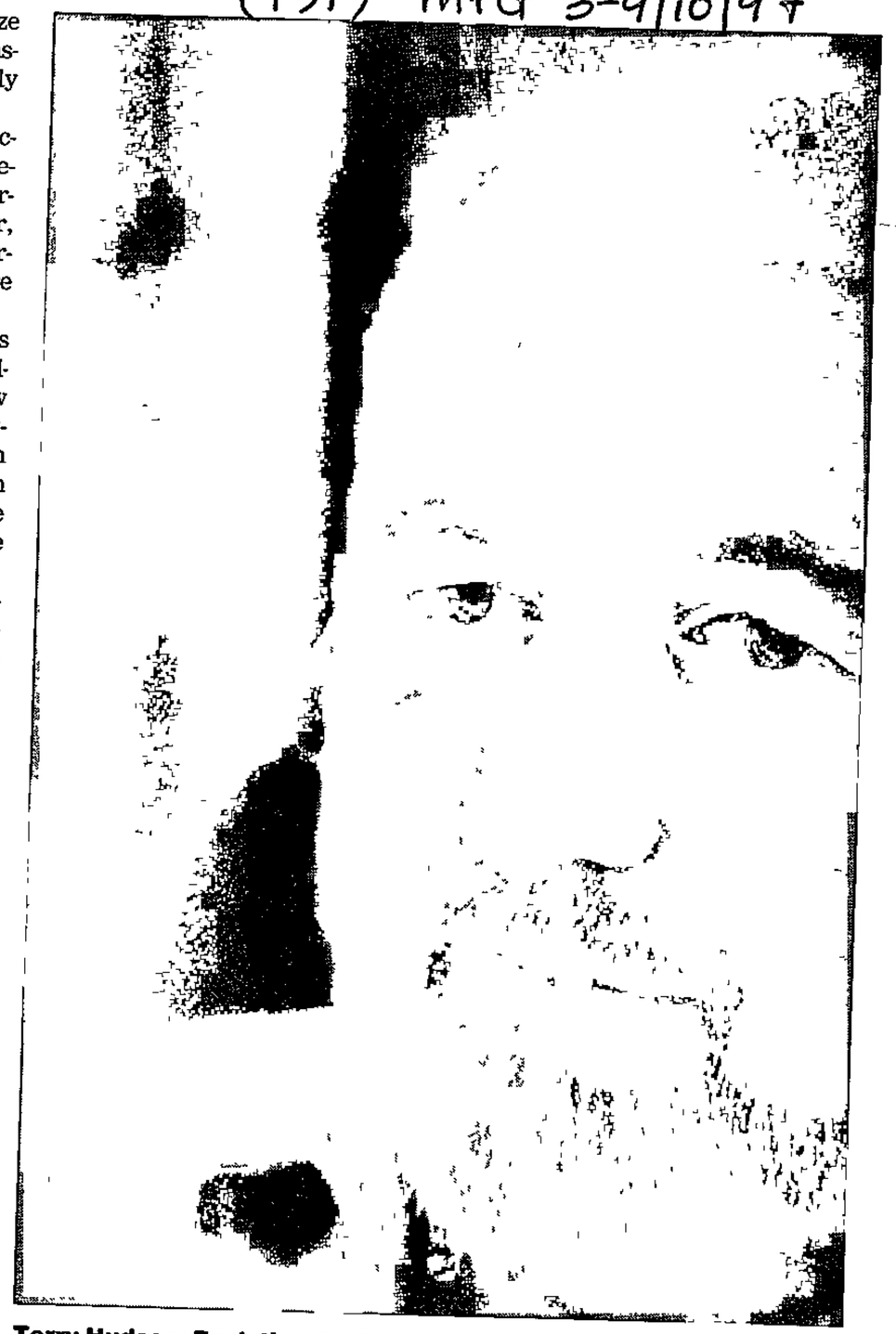
Hudson now has less than 50% of his normal lung capacity The disease, which can take up to 20 years to fully take grip, is debilitating and leaves its victims gasping for breath It is not always fatal However, in around 90% of asbestosis cases, lung cancer usually follows

Hudson says his colleagues greeted news of his illness with resignation "Everybody by then knew about the dangers, and it was just like 'someone else has got a problem' The blokes wouldn't stand together because they were scared of losing their jobs "

Hudson also bickered with another shift supervisor, AJ "Porky" van Rensburg, about the dust and whether the men should have to work in such conditions "I told him, 'You're going to change your tune when you find out you have a problem '

"As it turned out, he didn't have time for that " Van Rensburg died in 1995, six months after he fell ill, it is thought, from mesothelioma This disease, directly related to asbestos, is a particularly painful form of lung cancer, which spreads by eating into the chest wall and nerve endings It cannot be treated and usually kills within three to six months

Dr Neil White, head of the occupational medicine clinic at Groote Schuur hospital, says the average incidence of mesothelioma is two cases per million people a year Athlone has confirmed one case among the 168 tested employees so far



Terry Hudson: Each time he breathes his chest sounds like 'crackling paper'. PHOTOGRAPH: RODGER BOSCH

White treats Hudson and a number of other Athlone employees He declines to be drawn on the measures the municipality has taken on the health tests But he adds that much of his work with the Athlone victims is getting the Department of Labour through the Workman's Compensation Scheme, to respond to the workers' plight

"There are a lot of frustrations in dealing with that system," he adds "They are not well equipped to evaluate medical claims "

Hudson now 51 lives with his wife, daughter and grand-daughter on a small pension which will be cut by 60% when he dies He receives R750 a month as compensation for his illness

His main memory of the last days working at Athlone was the letter he received from the office of the former mayor of Cape Town The letter apparently written in consultation with the power station's management, wished Hudson well and a "speedy recovery"

More inspectors needed as accidents increase

Star 9/10/97 (131)

By Matthew Burbidge

The number of fatal accidents on building sites this year has prompted the Department of Labour to look more closely at the industry to ensure that everyone complies with health and safety standards.

Chief inspector of occupational health and safety at the department, Faiza Salie, said this formed part of a new approach to cut down on hazards in workplaces.

Speaking at the opening of the Safety, Health and Environment exhibition at Gallagher Estate this week, Salie said the department needed more inspectors to police the industry, and had applied to Government for a budget increase.

In the face of these constraints the department has decided on a different tack, by following a "robust (accident) prevention culture at the workplace" and co-operative partnership with management.

Salie said the current theory was that compliance with minimum safety standards was costly, when in fact the reverse was true: "Over time, it is often more profitable to do more in terms of prevention than the law requires ... the motivation to establish a culture of prevention (of accidents) must come from the employer."

Salie said Labour Minister Tito Mboweni had, in 1996, appointed a committee of inquiry into the state of occupational health, safety and compensation. The committee pegged the costs of occupational diseases and injuries at R17-billion for 1996. It found that 300 000 work-related injuries had been reported during 1996 and 1997.

Salie said she would like to see one body governing health and safety standards, under one piece of legislation, unlike the different legislation that applies to above-ground workers, miners and the shipping industry.

Case made for office 'wellness'

(131)

Josey Ballenger

BD 21/10/97

EMPLOYERS need to incorporate "wellness" programmes into the workplace to help build a healthier, prosperous nation, while at the same time reducing overhead costs, says Janina Slawski, manager of Southern Life's risk management consultancy

"Sceptical" employers who believed "wellness" programmes held during working hours were too costly and affected productivity negatively, should consider the implications of employee illness on their profitability, Slawski said in a recent report

The average healthy employee took six days worth of sick leave a year, typically costing the company 2,5% of its salary bill. An unhealthy workforce could cause sick leave costs to rise to 3% or 4% of the bill, which could mean millions of rands.

Slawski claimed companies were having to pay more and more towards staff medical aids "A typical company allocates about 15% of its payroll to medical aids, but this could be reduced to about 12% just by introducing wellness programmes that help avoid preventable illnesses"

INSIDE LABOUR

Unions shift focus to workplace health with profits

CT (BR) 28/11/97 (131)

A union poster in a Cape Town garment factory reads "Health before profits" It is a sentiment shared throughout the trade union movement — and with good reason, since South Africa's record of industrial health and safety is far from glowing

"In health and safety terms, we are about 30 years behind the rest of the world," said Jan van Tonder, a professor at the University of Pretoria

Van Tonder is one of the country's seven ergonomists specialists who study how people function in a work environment, to improve health and productivity "Health and profits are not opposed to one another," said Van Tonder

"Not at all," agreed Dr Bob Bridger, the head of the University of Cape Town's (UCT) ergonomics group "Healthier workers mean more productivity and improved profits"

But the persisting mindset on both sides of the industrial divide is that healthier conditions cost money, which detracts from profits

TERRY BELL

"But money spent on health and safety is an investment, not an expense," said George Molebatsi, the spokesman for the National Union of Mineworkers (NUM).

On the other hand, many workers accepted poor and often dangerous working conditions as the norm, he said "Many are not yet aware of their rights under the new legislation, let alone ergonomics"

Bridger said "However, there is a growing awareness of the importance of well-designed work environments"

However, he agreed the short-term view still prevailed "Employers tend to see absenteeism, for example, as an operating cost, while they see making changes to the work environment as an expense"

Sometimes only minor changes can bring about less absenteeism, fewer accidents and more productivity "It really is a question of health with profits," said Bridger

Equipment and procedures should be the best possible for both the task and the person performing it, he explained "In an office environment, for example, furniture should fit the user in the same way as a pair of shoes or trousers — and meet the requirements for the job"

As far as the ergonomists were concerned, their field comprised one of the few real win-win situations in industrial relations "But there has been a mean-minded attitude among many employers," said Van Tonder "And unions have had so many other priorities," noted Bridger

This scenario is changing Trade unions are now starting to focus more clearly on health and safety issues

"Until now, we have been dealing with immediate, life-and-death situations," said Welcome Mboniso of the NUM health and safety unit.

The unit is looking at ways of developing training and awareness of areas such as ergonomics One NUM member has completed one of the short courses offered by Bridger at UCT this year, and the union is looking into the diploma course offered at the University of Pretoria

This one-year distance-learning course, the only one of its kind in the country, has 18 students in its first intake this year and will make one free place available each year for a trade unionist The course equips graduates to train health and safety officers "It is a small beginning," said Van Tonder

In September next year, however, South Africa will host its first international ergonomics conference, as part of a year-long awareness campaign on ergonomics in the country

"But one of the main issues remains hours of work," said Nowetu Mpati, the Cosatu spokesman "The fight for 40 hours continues"