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Educate and Organize

Workers in at least 60 occupations have higher death rates from cancer than the general population.² Blue-collar workers bear the brunt — especially the non-unionized — but chemotherapy nurses, chemists, dentists and many others also experience higher rates of cancer.

Getting organized is tough work in the Canadian and American labor movements these days. Unions in the United States, and to a lesser extent Canada, have lost both ground *and* political clout since corporate-driven international trade deals have triggered the exodus of highly paid manufacturing jobs.³

It's tragic enough to lose good jobs across international borders, but losing tens of thousands of *lives* every year to preventable, work-related cancers is devastating. Over the past decade, several labor groups have said "Enough!" and gathered the inspiration to take action.

Bud Jimmerfield was a machinist, or "grinder," for 31 years, exposed every working day to cancer-causing metalworking fluids at an auto parts plant in Amherstberg, Ontario, near the Canada-US border cities of Windsor and Detroit. He contracted esophageal cancer in 1996 and died 18 months later at age 49, leaving his wife Diane and eight children.

The poignant sequences of Jimmerfield in the 1997 documentary film *Before Their Time*, which focuses on workers facing premature death from occupational cancers, spurred his union, the Canadian Auto Workers (CAW), to launch the first major Canadian labor campaign against cancer.

The CAW held three Canada-wide cancer prevention conferences on occupational health,

For most chemicals, we're still living in the Wild West. Anything goes.

— Rachel's Democracy & Health News⁴

environmental health and workers' compensation. The educational aspect of their campaign emphasized in-depth training for health and safety representatives that focused on workplace carcinogens, substitution with less hazardous substances and filing Workers' Compensation claims on behalf of members with cancers that might be related to toxic exposures at work.

In 2005 the CAW launched a new phase of its campaign, stepping up the pressure for a worldwide ban on asbestos, joining many international labor organizations under the umbrella of the International Ban Asbestos Secretariat. Exposure to asbestos directly causes mesothelioma, a lung cancer that is indeed a Canadian-made epidemic, as the CAW asserts. One of the most striking tools in the CAW's kit is *Pure White: Asbestos, A Canadian Scrapbook*, a book of photographs exposing the nonchalance and negligence of the asbestos industry, especially as it affects unprotected workers and their families who have no notion how deadly asbestos is.

Pictures are worth a thousand words when it comes to inspiring people to take action for cancer prevention. Films and videos can be even more persuasive. Look closely at the photo on this page, then meet Bud Jimmerfield in the video *Before Their Time*. It's a powerful, moving experience.

Tools for Your Workplace Cancer Prevention Kit

- The Canadian Labour Congress, with over three million members from 90 public and private sector unions in Canada, held a cancer

Bud Jimmerfield, left, passed away in January 1998 from cancer of the esophagus caused by exposure to metalworking fluids at his workplace.



CANADIAN AUTO WORKERS

prevention symposium in 2003 that drew labor Health and Safety activists from across Canada to discuss and develop strategies to eliminate workplace carcinogens. Its excellent toolkit, *Preventing Cancer: A Campaign for Workers*, is available at www.canadianlabour.ca.

- The US National Council for Occupational Safety and Health (a.k.a. National COSH) doesn't specify cancer as a target disease. But the "Workers' Toolbox" and "Hazards Info" sections of its website have many resources on right to know legislation, American health and safety legislation, workers' rights and links to information on hazardous materials in English and Spanish. National COSH is a federation of 23 local and statewide non-profit COSH groups that coordinate national advocacy campaigns, share educational training materials and spearhead strategies for improving workplace health and safety conditions (www.coshnetwork.org).
- The Workers' Health & Safety Centre, Toronto, has two video documentaries, *Before Their Time* and *Never Walk Alone*, that focus on cancer as an occupational disease and the critical need for prevention (www.whsc.on.ca).
- *Dying for a Living. It's a Crime* is a booklet co-produced by the United Steelworkers (USWA) of Canada and the Workers Health & Safety Centre (www.whsc.on.ca/yw/day_mourn.cfm).
- The Canadian arm of the Steelworkers' Union has numerous cancer resources. Search "Workplace Carcinogens" at www.uswa.ca.

- Occupational Health Clinics for Ontario Workers (Sarnia-Lambton) list of Occupational Carcinogens (www.whsc.on.ca/pdfs/OHCOW_OccCarcinogens.pdf).
- NIOSH Pocket Guide to Chemical Hazards (more than carcinogens) (www.cdc.gov/niosh/npg/default.html).
- *Prevent Cancer Campaign: Devil of a Poison*, a booklet on occupational cancers by the Canadian Auto Workers (www.caw.ca/whatwedo/health&safety/pdf/cawcancer.pdf).
- *Pure White: Asbestos, A Canadian Scrapbook*, Canadian Auto Workers (www.caw.ca/whatwedo/health&safety/pdf/purewhite.pdf).
- *Corporate Corruption of Science*, Special Issue of the *International Journal of Occupational and Environmental Health*, Volume II, No. 4, Oct/Dec 2005⁴ (www.joeh.com).
- "Trade Secrets," transcript of the PBS NOW documentary with host Bill Moyers (www.pbs.org/tradesecrets/transcript.html).
- The British Columbia Federation of Labour and the Labour Environmental Alliance held *Toxins in the Workplace* workshops throughout BC in 2005-06 to help worker activists from scores of Health and Safety committees audit their worksites and then enforce the province's substitution regulations (www.leas.ca/Workplace-toxins.htm).

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Agitate and Compensate

Simple arithmetic reveals the ugly truth about occupational cancers. If just 5% of cancers are linked to workplace exposures — a modest estimate — then 75,000 Canadians and Americans are diagnosed with job-related cancers annually. If the ratio of incidence to death is the same as for Canada and the US as a whole, 30,000 workers, mainly blue-collar, die from cancer — every year.

The actual number is probably much higher. The National Institute of Occupational Safety & Health (NIOSH) and the National Institute of Environment Health Sciences (NIEHS) have calculated that 20% to 40% of all cancers are related to occupational exposures. This ratchets up the worker deaths to between 120,000 and 240,000 annually.

This is shocking enough, but equally tragic is the fact that only a tiny fraction of work-related cancers are ever compensated.

The tide is slowly turning. Spearheading the charge are unions and worker health clinics that have mobilized to identify job-related cancers and to pursue financial settlements relentlessly.

What does compensation have to do with cancer *prevention*? It's simple: when employers are forced to pay compensation premiums for cancers in their workplaces, they're more likely to fix the problem. There are precedents — chemicals in the rubber and dye industries, benzene, vinyl chloride monomer, asbestos, hardwood dusts. Compensating workers for occupational cancers also shifts the huge cost of health care from the public to the employers, who are ultimately responsible.

Our goal must be to protect all communities and workers — whether they are organized in their own defense or not — from chemical exposures that can compromise their health.

— Louisville Charter for Safer Chemicals

Persistence Pays

In the late 1960s, two Italian workers recognized, investigated and documented a cancer epidemic in their workplace, the Ipca dye factory in Cirie near Turin. "Over one hundred workers had died in a bladder cancer outbreak missed by scientists, medics, the company doctor, the factory's owners and managers," the magazine *Hazards* reported in 1999. "Detective work by the two workers led to massive compensation payouts, fines and jail sentences in the late 1970s for the factory owners, managers and even the company doctor," who was also complicit.¹

The deaths of individual workers can help make the case for improvements to an entire workplace, even a whole industry. Months before grinder Bud Jimmerfield died from work-related esophageal cancer in 1998, the Canadian Auto Workers (CAW) helped him file a compensation claim. He lost the first round days before his death, but his union appealed on behalf of the family and won, setting a precedent that has helped many others across Canada.

In 1995 an employee at the Owens Corning fiberglass plant in Sarnia, Bud Simpson, took a list of 34 co-workers who had died or were ill with cancer to his union, the Energy and Chemical Workers. The CEP, as the union is now known, referred Simpson to the Occupational Health Clinic for Ontario Workers (OHCOW) in nearby Windsor. In 1998 Bob Clarke, the first CAW health and safety representative for the Holmes Foundry in Sarnia, and later union plant chairperson, sounded his own health alert. He reported that dozens of workers who had been

exposed to asbestos fibers in three Holmes factories — all closed by 1991 — were sick or had already died from cancer. In both cases, OHCOW and the two unions collaborated to set up worker intake clinics. Simpson and Clarke succumbed to their own workplace-related cancers, but the clinics they inspired assisted hundreds of Sarnia-area workers and their families to receive compensation.

Agitate Locally

In Ontario's Chemical Valley, where Sarnia is located, community and union activism grew swiftly in late 1999 when the Ontario Federation of Labour (OFL) launched its campaign, A Job to Die For. Family survivors organized under the banner Victims of Chemical Valley, bolstered by the OFL and CEP, and staged a successful demonstration and sit-in at the head office of the Ministry of Labour. The group secured a commitment from the ultra-conservative Ontario government then in power for some of world's lowest exposure limits for workplace chemicals.

In 2005 the firefighters of Manitoba and British Columbia won hard-fought campaigns to get work-related cancers scheduled in compensation legislation.

Agitate Globally

Large corporations often intimidate local labor campaigns by threatening plant closures — sometimes following through — or by declaring bankruptcy. They can't necessarily do this worldwide, but as *Hazards* explained: "James Hardie



NORMAN CHAN, DREAMSTIME.COM

Industries [in Australia] was a global giant, highly respected and highly profitable. Then the company crossed the unions by trying to evade its asbestos compensation liabilities." Facing an unrelenting international campaign, "the company gave in and signed a deal for what is believed to be the largest personal injury settlement in Australia's history."²

Creating a well-organized ruckus clearly pays off in campaigns for cancer prevention. But health and safety activists are fighting on many fronts, not solely cancer. Hence, it's crucial for activists to insist — at the very least — on rigorous application of existing regulations, including occupational exposure limits, and the right to refuse dangerous work.

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Negotiate, Legislate and Enforce the Rules

On paper, Canadian and American workers are well protected against carcinogens and other hazardous substances. Occupational health and safety laws in both countries have enshrined several fundamental rights:

- The right to know about hazards in the workplace, including carcinogens.
- The right to participate in identifying and removing hazards through joint health and safety committees.
- The right to refuse unsafe work.
- Mandatory labeling of workplace chemicals.
- Right to access and training on use of Material Safety Data Sheets (MSDS) under Workplace Hazardous Materials Information System (WHMIS) legislation.¹

In practice, however, many state and provincial jurisdictions have grossly inadequate occupational exposure standards. Even where more stringent limits have been won, these can fly out the window when a pro-business government takes power or when public debt triggers spending cutbacks. Protective measures may continue to exist in law and regulation, but the resources supporting them may be crippled, enforcement can evaporate and organized labor may be left to haggle over issues such as “acceptable” levels of toxicity for hazardous substances measured by old standards having little to do with health protection.

Contemporary European workplace legislation has much to teach Canadian and American lawmakers. The European Union is putting into

The important thing is you never let up.

— British Columbia union member

practice what virtually all workers here know in theory but remains beyond their legal grasp — that the best way to eliminate cancer-causing substances from the workplace is to oblige employers to adopt two key measures:

- Replace carcinogens and other hazardous substances with the safest possible alternatives, and
- Restrict the use of carcinogenic substances to zero emissions or zero exposure in closed systems.

The European Union’s *Occupational Carcinogens Directive* and its REACH initiative (see Solution 69) also embrace the precautionary principle. If current scientific knowledge cannot establish a level below which health risks cease to exist, this precautionary logic says, any reduction in exposure to carcinogens will reduce the risk.²

There are some promising steps on this side of the Atlantic:

- British Columbia’s landmark Health and Safety Regulation (Section 5.57) requires that, whenever a workplace carcinogen is in use, “the employer must replace it, whenever practicable, with a material that reduces the risk to workers.” When substitution is not practical, “the employer must implement an exposure control plan to maintain workers’ exposure as low as reasonably achievable below the exposure limit”³ (www2.worksafebc.com).
- In early 2006 California labor activists were close to achieving landmark “close the gap” legislation to protect workers from carcinogens

Dick Martin worked his way up through labor movement ranks to finish his career as Secretary-Treasurer of the Canadian Labour Congress. He was a highly respected advocate for health and safety, who died in 2001 at age 57 of colon cancer.



CANADIAN LABOUR CONGRESS

and reproductive hazards. Lawyer Amanda Hawes, who represents chemically exposed workers with cancer in lawsuits against employers, helped draft Bill AB 815 (a.k.a. Equal Protection for Workers Against Toxics). The goal of the legislation is simple: to close the gap between what is legal on the job and what good science says California must do to protect citizens against the same substances in the general environment. Updates on AB 815 appear at www.worksafe.org. For background, see *Take Immediate Action to Protect Communities and Workers* at the Louisville Charter for Safer Chemicals (www.louisvillecharter.org).

More Steps to a Less Carcinogenic Workplace

- **Whistleblower protection** is essential in collective agreements and labor legislation, to balance the loyalty that employees owe their employers against their right to freedom of expression and disclosure in the public interest and for worker safety.
- **Make corporations criminally responsible.** In 2003 Canadian steelworkers (USWA) lobbied vigorously and led the charge for successful federal legislation that is more far-reaching than any other occupational health and safety legislation in North America. As part of the Canadian Criminal Code, Bill C-45 packs a powerful punch by imposing a legal obligation on employers — and all those who “direct work” — to take reasonable steps to protect employee and public safety or else face hefty fines, probation, even jail time. The 2004 law, inspired by the 1992

Westray mine disaster in Nova Scotia, applies to all offences, including crimes against the environment and workplace safety infractions. (Search “C-45” at www.uswa.ca).

- **Bargain away carcinogens.** Several unions have effectively bargained or worked through Joint Health and Safety Committees to reduce or ban cancer-causing substances. In one recent collective agreement reached with Ford Motor Company and General Motors of Canada, the CAW successfully negotiated to eliminate several carcinogens including asbestos, carbon tetrachloride, PCBs and vinyl chloride.⁴
- **Registries for occupational disease.** An important tool in identifying workplace cancers is the occupational health registry. The Occupational Health Clinic for Ontario Workers in Windsor developed a prototype registry called CROME (Computerized Recording of Occupations Made Easy), with early work identifying elevated breast cancer incidence among area farm women.⁵ Canadian unions are now calling for occupational registries in all provinces, and the Canadian Labour Congress is striving for a national registry similar to Finland’s that tracks toxic exposures, including carcinogens, over a worker’s lifetime.

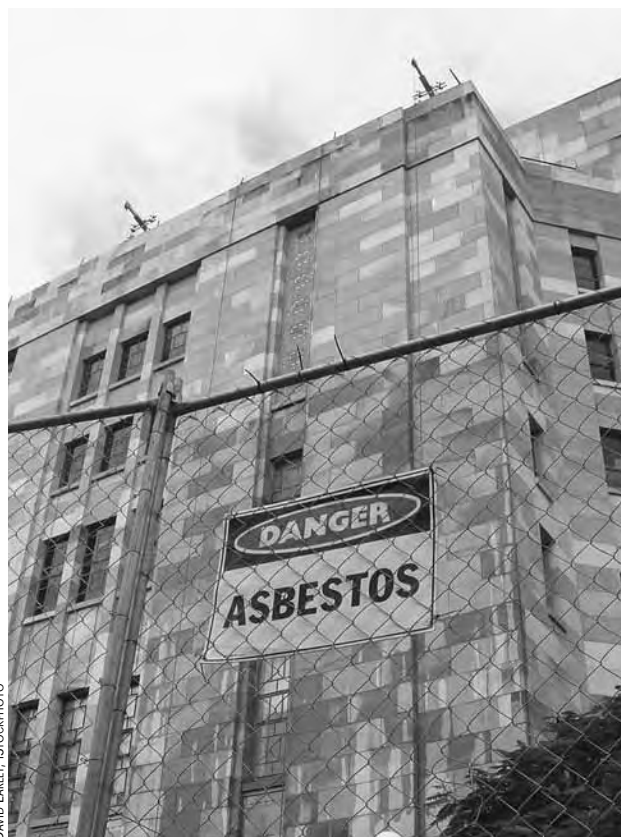
Once protective laws and regulations are in place, the key for labor is to keep insisting on enforcement.

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Go for Just Transition

If there were ever a golden opportunity to put the principles of just transition into action, it is surely asbestos.

The world is not so patiently waiting. In June 2005 Global Unions, an international alliance representing major labor organizations, kicked off an Asbestos Ban at the UN's annual International Labor Organization conference in



DAVID EARLEY, iSTOCKPHOTO

I thought I was living in an age of enlightenment until I listened to Canadian government officials extolling asbestos and telling everyone what a boon it is to the Canadian economy. At that point, I realized that alchemy is alive and well in Canada.

— Paul Brodeur, author of *Outrageous Misconduct: The Asbestos Industry on Trial*, 1986

Geneva: “We will extend our appeal to every employer, trade union and civil society organization within every country to get involved in the ban, as a matter of urgency and human decency.” At that time, nearly 40 countries had already banned asbestos; 80 more still actively using asbestos were being called upon to join the prohibition.¹

Labor activists have got it right: “There are no jobs on a dead planet.” For Earth to carry on supporting life, asbestos and other unsustainable industries such as petrochemicals, nuclear energy and coal mining will need to be phased out and replaced with sustainable alternatives. Critical to success is the fair and equitable shift of workers from old, toxic industries into green jobs and a sustainable future — officially known as “just transition.”

Just transition is far more than the usual safety-net supports for workers who lose jobs — unemployment insurance, social assistance and ad hoc retraining efforts. While these programs are necessary, and do soften the blow on a short-term basis, they don't eliminate job loss fears or focus on a more promising future.

Just transition embraces a set of initiatives grounded in two central principles:

1. Workers displaced for environmental reasons have a right to education, retraining programs *and* alternative employment at an equivalent level of compensation.

- Canadian Labour Congress manual on just transition: www.canadianlabour.ca
- Communications, Energy & Paperworkers Union Just Transition Policy: www.cep.ca/policies/policy_915_e.pdf
- *Hazards* magazine: sustainable jobs and just transition: www.hazards.org

2. New jobs will serve long-term ecological and community sustainability and will, therefore, be more secure than work in toxic industries.

Early and sustained government involvement is crucial. As British Columbia-based activist Delores Broten of Reach for Unbleached and Prevent Cancer Now points out, “Typically, governments have addressed transitional problems only *after* a crisis has occurred. An agency will undertake an economic diversification study after the industry in a one-industry town has been shut down, for instance. That is not the idea.”² In addition to developing appropriate sets of transition programs, identifying where programs will be needed and applying them in an anticipatory way, governments must foster environmentally desirable initiatives that generate more green jobs, Broten explains.

Two programs that facilitate just transition are *clean production* and *extended producer responsibility* (EPR). Both are based on the principle that manufacturers must be responsible for the environmental impacts of their products through their entire life cycle, beginning with the selection of materials, including the complete production process and finishing with the environmental consequences of their ultimate recycling or disposal.

Extended producer responsibility is embedded into law in several European countries and is already creating more jobs in the auto industry, for example, where used car parts and components are refurbished and recycled instead of trashed. Many North American unions are

actively involved in campaigns to implement clean production and EPR programs.

As for the Canadian asbestos sector, it is well past time that the governments of Quebec and Canada stopped using tens of millions of taxpayers’ dollars to fund the Asbestos Institute to promote this deadly substance internationally. These funds, with an appropriate share from the asbestos industry, should be spent instead on cleaning up polluted Quebec communities and financing the transition to sustainable employment for workers.

For its part, Canadian labor needs to be solidly behind this just transition effort. To date, however, the asbestos issue has been extremely divisive and has undercut union efforts on the entire cancer prevention front.

If you promise to make sustainable jobs a product of environmental protection, we will promise to make environmental protection our most important job.

— David Foster, United Steelworkers of America, District 11, Minneapolis

When the gasoline additive tetraethyl lead was banned in Canada, there wasn’t a living, breathing human being who said this wasn’t best for our environment and our health, particularly the health of children. But in the process, 2,000 Sarnia-area petrochemical workers paid a heavy price as a direct result of the ban. Many remained unemployed years later.

— *Dying for a Living: It’s a Crime*

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Link Up With Other Activists

As the last line of the grand old labor anthem goes, “The union makes us strong.” While organized labor struggles to maintain memberships in Canada and the United States, many unions are linking up with new and unusual allies. With neighborhood and grassroots organizations, health professionals, scientists and cancer agencies, they are establishing cancer prevention campaigns and striving for healthier workplaces and communities beyond the plant gate.

In 1998 the **Labour Environmental Alliance Society** (LEAS) was organized in British Columbia to help defuse an ugly “jobs versus the environment” impasse between forest workers and environmentalists. Since then, Vancouver-based LEAS has successfully bridged several gaps between labor groups, environmentalists and consumers, with much of its work focused on cancer and cancer prevention.

LEAS led off with a workplace campaign called Cleaners, Toxins and the Ecosystem. Executive Director Mae Burrows explains how the program works:

“We cooperate with health and safety committees at workplaces around BC,

- Blue Green Alliance of Minnesota (one of several Blue Green alliances in the US): www.bluegreenalliance.org
- Green Labor, a project of the Public Health Institute: www.greenlabor.org
- Steelworkers & Sierra Club: Good Jobs, a Cleaner Environment, a Safer World: www.uswa.org/uswa/program/content/1922.php

Why is the amount of funding to investigate cancer in the workplace so disproportionately low in relation to the 'success' of confirming human causes of cancer by studying blue-collar workers?

— Dr. Peter Infante, former director of Standards for the Occupational Safety and Health Administration (OSHA)

reviewing all cleaning products used at a particular site and identifying ingredients that are hazardous. Then the health and safety committee works with the employer and its suppliers to replace toxic products with safer alternatives.”¹

Next LEAS produced the *CancerSmart Consumer Guide*, applying what it learned in the workplace to home pesticides, pesticide residues in food, cleaning products and plastics (www.leas.ca).

New Jersey's Work Environment Council (WEC) is dauntless. In a state with sky-high occupational disease rates, over 9,000 toxic waste sites and where 85% of waterways are too polluted for fishing or swimming, WEC faces huge challenges. Its goal of “safe, secure jobs in a healthy, sustainable environment” is a bold mission in a state where occupational blackmail — the threat that demanding less hazardous workplaces will kill those jobs — is very common.

Still this coalition of over 50 unions and locals and a host of community groups has achieved some impressive victories:

- Helped more than 5,000 citizens get vital information about toxic risks on their jobs and in their neighborhoods.
- Compelled the state labor department to notify 200,000 employers that they must post notices of employee rights to speak out for safety and a clean environment under the Conscientious Employee Protection Act.
- Successfully defended New Jersey's Right to Know law from industry attacks and worked

with the state health department to ensure that vital information about hazardous chemicals reaches workers, firefighters and the public.

- Helped win the US's first county Right to Know law, giving Passaic County workers and neighbors the right to conduct onsite surveys of hazardous facilities (www.njwec.org).

Back in the 1940s, President Franklin D. Roosevelt remarked, “If I were a worker in a factory, the first thing I would do would be to join a union.” Until recently, that “first thing” has not been feasible for Wal-Mart “associates” or workers in thousands of small, unorganized factories. But the **United Steelworkers of America’s Associate Member Program** has opened up union affiliation to workers and activists “no matter where they work or what they do — even if they are unemployed or in college.” The Steelworkers Associates “join a powerful organization of 700,000 workers fighting for social and economic justice — and for a healthy environment,” as well as signing up for membership benefits such as low-cost dental and vision services, prescription drugs and legal assistance (click on “Associate Member Program” under “Organizing” at www.uswa.org).

The Alliance for Sustainable Jobs and the Environment, Washington State. Its motto: “Where nature is protected, the worker is respected and unrestrained corporate power is rejected.” The Alliance merges the goals of two movements with distinct social bases into a bloc focusing its energy on achieving “good work in a healthy community” (www.asje.org).

Canadian labor is playing a key role on the **National Environmental and Occupational Exposures Committee** (NEOEC) of the Canadian Strategy for Cancer Control. NEOEC’s excellent report, *Prevention of Occupational and Environmental Cancers in Canada: A Best Practices Review and Recommendations* has prompted numerous cancer and public health agencies to pay more attention to occupational hazards.² In 2005 the Canadian Cancer Society adopted a position statement asserting that Canadian workers “should not be exposed to known or probable carcinogens in the workplace, [and] where exposure cannot be eliminated, it should be reduced to the lowest achievable level.”³ NEOEC is a good example of a national stop cancer alliance uniting labor, cancer organizations, national environment groups, progressive industries and academics specializing in occupation and environment issues.



LORETTA MICHAUD

Labor, health and environmental health activists link up every year in Canada to raise funds in the Run, Walk & Roll for Cancer Prevention. (www.StopCancer.org)