



WOHRC NEWS

WOMEN'S OCCUPATIONAL HEALTH RESOURCE CENTER
SCHOOL OF PUBLIC HEALTH COLUMBIA UNIVERSITY

OSHA Issues Emergency Asbestos Standard

Permissible exposure level reduced 75 percent. EPA regulation still disputed.

An Emergency Temporary Standard lowering the legal permissible exposure level to asbestos by 75 percent was issued by the U.S. Occupational Safety and Health Administration in November.

The exposure level was lowered from 2 fibers a cubic centimeter of air to half a fiber. The new standard, which was announced by Secretary of Labor Raymond J. Donovan, will go into effect immediately.

Will affect 375,000

The new standard is expected to affect 375,000 workers in manufacturing, construction and maritime industries.

Unions representing such workers had been pressing for emergency action since asbestos has been shown to cause cancer and debilitating lung diseases. Asbestos has been widely used as a fire retardant in buildings, and concern has risen about work sites where buildings are being demolished. The old standard had been in effect since 1976. An OSHA spokesperson said that work would soon begin on a permanent new standard.

Asbestos has also been the subject of a regulation by the Environmental Protection Agency. Last year EPA ordered public and private schools to investigate their buildings and report on the presence of the substance to school employees and parents by May of this year.

Enforcement of this regulation has been the subject of some controversy. About 66 percent of schools have not complied with the regulation, according to a *New York Times* interview with an EPA official published in September. The Department of Education revealed in October that 14,000 schools are affected. According to a report by the

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Physiotherapist Eva Andersson (l.) and safety and hygiene engineer Kerstin Ouchterlony stand before the double checkout station they designed for Swedish supermarkets to eliminate neck and back strains. (See page 5.)

Women Win Victory in Cyanamid Case

Eleven women who are former employees of the American Cyanamid Company, including four of those who had themselves sterilized in order to keep their jobs, have won a grudging victory in their lawsuit against the company on grounds of sex discrimination.

A federal court in Clarksburg, West Virginia, in September accepted an "offer of judgment" by the company — in effect an admission that it no longer wished to defend its case. The eleven plaintiffs, all of whom suffered under a fetal protection policy which barred fertile women from jobs in certain departments at Cyanamid's Willow Island plant in West Virginia, accepted an offer of \$200,000 in damages. Two of the women, whom the plant had refused to hire under the

policy, won an additional \$10,000 plus an agreement from Cyanamid that henceforth it would hire according to the "flow" of applications by men and women.

The case started in 1978 when five women at the Willow Run plant revealed publicly that they had had themselves sterilized because of the company policy requiring female employees at this and other of its plants to present proof of nonfertility in order to continue working in the lead pigment section. The five chose the surgery to protect the high pay grades for which they had worked for many years. All nonsterile women in the department were transferred and demoted after the policy went into effect.

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Maine and Connecticut Will Consider Regulations on VDTs

The legislatures of Maine and Connecticut recently passed bills directing state agencies to study possible regulation of the use of video display terminals.

The Connecticut bill calls on the Product Safety Division of the Department of Consumer Protection and the Connecticut Academy of Science and Engineering to assist the legislature in determining: 1) whether any ocular pathology is associated with the use of VDTs; 2) whether VDTs cause particular visual or musculo-skeletal fatigue; and 3) whether VDTs emit any ionizing or non-ionizing radiation and how the levels of such emissions compare with normal background radiation and other common sources and standards promulgated by the U.S. Department of Health and Human Services.

A report is due on or before February 23, 1984.

The Maine act, which applies only to community, county and state workers, authorizes the State Bureau of Labor Standards to study 1) whether or not the need exists for work-rest rules and the length of time allowed for daily use of VDTs "to minimize visual, muscular and stress problems in terminal operators;" 2) whether or not the need exists for periodic vision testing; 3) the need for

rules governing such ergonomic issues as glare control, optimum viewing distances, and chair heights; 4) possible regulations on terminal maintenance and employee education, and 5) the fiscal impact of such safety measures.

The Bureau is ordered to promulgate any rules it finds necessary and to report them along with the information to the legislature.

Eight other bills to regulate or study regulation of the use of VDTs, were introduced earlier this year in states including Oregon, Massachusetts, Washington and Illinois. (See WOHR News, July 1983.) □

NIOSH Studies Formaldehyde in Garment Industry

A NIOSH inquiry into formaldehyde exposure in the garment industry has resulted in recommendations to employers to reduce formaldehyde fumes by better ventilation. In some factories the fumes were found as high as 0.57 ppm.

The inquiry is part of a long-range NIOSH study of health hazards to workers caused by formaldehyde which the agency warned in a 1981 Current Intelligence Bulletin "should be handled as a potential occupational carcinogen." Formaldehyde is also irritating to the eyes, throat and respiratory system. It can cause dermatitis and, in some individuals, allergic reactions.

The garment industry was surveyed, according to NIOSH, because workers there handle cloth treated with formaldehyde-based resins for crease resistance, and "are chronically exposed to low levels of formaldehyde which evolves from the fabric."

The highest levels of formaldehyde fumes were found near heat-treatment operations and at the beginning of the manufacturing process when the fabric is newer. NIOSH recommended that manufacturers use both local exhaust and general dilution ventilation to do away with the fumes.

The complete study, which will cover a number of industries, is scheduled for

completion in late 1984. For further information write to Leo M. Blade, Division of Surveillance, Hazard Evaluations and Field Studies, Centers for Disease Control, National Institute for Occupational Safety and Health, Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio, 45226.

Labor Presses for New Regulations on EtO, Formaldehyde

Labor unions are increasing their pressure on OSHA (the U.S. Occupational Safety and Health Administration) to set new, tougher standards on formaldehyde and ethylene oxide (EtO). More than a million workers are exposed to the two substances, both of which have been shown to produce cancer and birth defects in laboratory animals.

In September, the United Automobile Workers reported that it had asked a Federal District Court in Washington, D.C. to take immediate steps to limit worker exposure to formaldehyde, which is used in more than 60 industrial occupations. The action followed OSHA's rejection in January 1982 of a petition by 14 labor unions for a new standard. The current OSHA standard has a ceiling concentration of 5 ppm (parts per million).

In July, seven AFL-CIO unions appeared at OSHA hearings on a new standard for ethylene oxide, which is used as a sterilizing gas in health care and medical products industries, as a fumigant in libraries and museums, and in the manufacture of anti-freeze, polyester fibers, bottles and films.

Representatives of service employees, clothing and textile workers, government employees, operating engineers, hospital and health care and retail, wholesale and department store unions asked that the present standard of 50 ppm be reduced to 0.1 ppm rather than the 1 ppm proposed by OSHA. The American Federation of State, County and Municipal Employees asked for a standard of 0.05 ppm.

In October, a spokesperson for OSHA told WOHR News that final action on a new ethylene oxide standard is expected in September 1984. A new standard on formaldehyde is "not on the agenda yet," he said. "We are still in the data gathering and analysis stage." □



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WOHRC FACT SHEET

WOMEN'S OCCUPATIONAL HEALTH RESOURCE CENTER



What To Know About Right-To-Know

Cancer now strikes one in four U.S. citizens. According to the National Cancer Institute, 20 percent of cancers detected during the coming decades will be caused at least in part by workplace exposure. In 1980, a scientific committee reported to the President of the United States that 90 percent of all cancers are caused by a combination of environmental factors, including occupation, air pollution and smoking. These are some of the reasons behind recent state and local laws that give citizens and workers the right to know about chemicals used

in their daily environments.

Since 1980, as a result of persistent lobbying by community and labor groups, 13 states and 16 cities and other localities have passed right-to-know ordinances. These include the states of Alaska, California, Connecticut, Illinois, Maine, Michigan, Minnesota, New Hampshire, New Jersey, New York, Rhode Island, West Virginia, Wisconsin, the cities of Philadelphia and Cincinnati, the county of San Diego, and 12 other California local governments.

Most of the state laws give workers the right to know about hazardous substances in their workplaces. But since Philadelphia passed its landmark law extending the right to the entire community, an increasing number of the ordinances have included citizens' right to know about such substances in the local environment. Most of the local laws include this right, as do the state laws of Connecticut and New Jersey.

How the laws work

All the laws require businesses to disclose information about toxic substances they either use, emit or store. However, individual requirements vary greatly.

Most laws mandate that employers file an OSHA-designed information form called a Material Safety Data Sheet for each hazardous chemical used. Included is such information as product name, chemical name, trade name and manufacturer; hazardous ingredients; physical data such as appearance, boiling point and vapor density; fire and explosion hazard data, including flashpoint and special firefighting procedures; health hazard data, including effects of overexposure and emergency first aid procedures; information about materials with which the product is incompatible or other conditions that could cause it to react hazardously; spill or leak procedures, including clean-up and waste disposal methods; and special protective measures that should be taken when



Members of the Delaware Valley Toxics Coalition hold a demonstration during their successful campaign for a right-to-know law in Philadelphia.

handling the material.

Under worker right-to-know laws, Material Safety Data Sheets and other such material are generally required to be kept on file by the employer so that workers can see them. Community access laws usually require the information to be filed with a government agency, such as a health department.

Fire departments and firefighters' unions have been particularly interested in knowing about toxic substances they may encounter during fires. In Philadelphia, the fire department is planning to install computer terminals in every fire-

house to furnish such information.

Some right-to-know laws, such as those of West Virginia and Wisconsin, also require employers to post information in the workplace. Others, like New York's and California's, provide educational and training programs about toxics for workers.

Many laws include protection against employer retaliation for workers who request right-to-know information. Some, like those of New York and Connecticut, also give the worker the right to refuse to work with a substance suspected of being hazardous if the employer does not pro-

vide such information within a specified number of days.

A few laws go on to include some regulation of toxics. In Philadelphia, for instance, the fire department is given authority to regulate where and how they are stored, and the health department is empowered to limit their emission into the air.

Labeling

A number of right-to-know laws require labeling of containers of toxic substances in the workplace. The New Jersey statute, the toughest and most comprehensive at this writing, requires this labeling of all containers, even if their contents are non-toxic. "Labeling that is not universal has an element of doubt," explained one of the activists who worked for the law. Now if it looks like water and pours like water, we'll know if it really is water."

Under the New Jersey law, the information on the label must include both the contents' chemical name and its Chemical Abstract Services number. The latter correlates with the information on the Material Safety Data Sheet, so that workers can look it up easily and know what they are dealing with.

Other laws are less stringent about labeling. Some require labeling only of containers above a specified size or weight. Not all require the Chemical Abstract Services number.

Information required

The type of information requested from industries in the various laws includes chemicals used, manufactured and stored; and toxics released into the air, discharged into sewers and waterways, and disposed of as wastes. Local California laws require disclosure of the location of old dumpsites as well as present ones.

Almost all the laws rely upon particular lists of toxics that have been developed by specialized agencies such as OSHA (the U.S. Occupational Safety and Health Administration), NIOSH (the National Institute for Occupational Safety and Health) and the EPA (Environmental Protection Agency).

The most extensive list, covering about 57,000 substances, is the NIOSH Registry of Toxic Substances. This is the list most favored by community activists and is used in some states like New York. The shorter OSHA 1910 Subpart Z list of 378 workplace contaminants is used in

Wisconsin and Connecticut. Other lists, which are sometimes added to that of OSHA, include *Human and Animal Carcinogens* compiled by the International Agency for Research on Cancer, the *Second Annual Report on Carcinogens* by the U.S. Department of Health and Human Services, EPA Waste Stream Codes and lists of hazardous substances compiled by the U.S. Department of Transportation and the American Conference of Government Industrial Hygienists.

Since right-to-know laws are the results of political negotiations, the lists used generally represent a compromise and in some cases are expandable at a later date. The New Jersey law sets up an 11-member advisory council including representatives of environmental, public interest, labor and community groups which will advise the State Department of Health as to revisions of its list.

The New Jersey legislation also empowers the State Department of Environmental Protection to order companies to complete and make available to the public environmental surveys covering nearly 200 toxics. The surveys tell in what quantities these toxics are produced, how they are consumed, shipped, emitted into the air, discharged into water and disposed of as waste.

The New Jersey law is also noteworthy in requiring almost all information to be translated into Spanish, since Hispanic workers often have the dirtiest and most hazardous jobs.

Who must comply

A right-to-know law may cover every business and government agency within its area, but many exempt small businesses or those handling small quantities of potentially hazardous materials. Even in such cases, however, the law may require reporting of well-known carcinogens.

The stringent New Jersey law ignores size and covers all firms that fall within specified Standard Industrial Classification codes.

Industry has often opposed right-to-know legislation on the grounds that revealing the ingredients of products will make companies less competitive. To meet this objection, most laws contain trade secret provisions. Many require that the information be revealed only to the enforcement agency, and/or that physicians have access to it.

In Cincinnati for an industry to receive

a trade secrets exemption, it must prove that the substance in question is unknown to a competitor and not discoverable by other means such as chemical analysis. In Connecticut, the substance is given a Trade Secret Registry Number, and the public may receive information about it without its name being revealed.

Enforcement

Getting a law on the books is only the first step, say those who have worked for the right to know. How well the law is enforced will depend upon how easy or difficult it is to carry out, its funding and the level of citizen "watchdogging."

The strength of community interest in right to know has prompted the federal government recently to revive and revise a proposed OSHA right-to-know regulation that had been written under the last administration. The proposed OSHA rule would have nationwide coverage, specifically pre-empting local and state worker right-to-know laws. Many community activists are unhappy with this, claiming that local laws are stronger. If the OSHA regulation is passed, however, it will affect only workers, not community access laws, pressure for which is still growing. □

*Much of the above material is adapted with permission from **Winning the Right to Know: A Handbook for Toxics Activists**, by Caron Chess of the Delaware Valley Toxics Coalition which won the Philadelphia law. The 102-page handbook contains comprehensive information including histories of several campaigns, local and national contacts and resources, and chemical lists. It is available from the coalition at 1315 Walnut Street, Suite 1632, Philadelphia, Pa. 19107 (215) 735-7200. The price is \$7 for individuals and non-profit groups and \$20 for businesses. Add 10 percent handling charge for each.*

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Swedes Design "No Strain" Supermarket Checkout

A new kind of supermarket checkout station that eliminates most of the neck and back strains suffered by checkout cashiers has been designed in Sweden.

The "island for two," as the new station is called, also has psychological benefits, said the chief designer, Kerstin Ouchterlony, in a report she recently sent to WOHRC.

Studied problem in 36 stores

In Sweden, as in the United States and other countries, checkout cashiers frequently complain about headaches and muscular strains. At the company health center for commerce in Gothenburg, their problems came to the attention of Ouchterlony who is employed there as a safety and hygiene engineer. She and the center's physiotherapist, Eva Andersson, studied the problem in 36 stores.

They discovered that, although Swedish checkout cashiers work sitting down, workers still tend to stretch too much, pulling items toward them and then pushing them away without waiting for the conveyer belt to do the job. Seating positions were often incorrect, workers had insufficient work breaks and job rotation, and many felt the stress of having to please both management, which wanted speed, and customers who expected courtesy and helpfulness.

"Islands" are raised

Ouchterlony and Andersson began by teaching better working methods, but then, in consultation with management, went on to design the islands for two. These are raised enclosures in which two cashiers are seated back to back, one pulling items toward her on the belt, the other pushing items away. When the cashiers take turns at the two positions, which is part of the plan, they vary the muscular load on the upper part of their bodies. Changing positions also makes for greater alertness, although the designers prefer that cashiers be given an opportunity to break monotony by doing other jobs in the store.

Psychological advantages include the social support derived from working close together and a place of one's own where it is possible to place family pictures and the like. The slightly raised platform also brings the cashiers to more of "the same level" with the customers, making for more of a feeling of equality, which they had requested. □

PUBLICATIONS

Office Automation, Jekyll or Hyde? Highlights of the International Conference on Office Work & New Technology, edited by Daniel Marschall and Judith Gregory. Working Women Education Fund, 1983. 229 pages. \$12.95.

Don't think you've read everything there is to say about office automation until you've read this provocative collection of speeches and papers from the landmark conference held by 9 to 5, National Association of Working Women, in the fall of 1982.

The point of the conference is perhaps best summed up by Leslie Schneider of the John F. Kennedy School of Government at Harvard who says, "If there has been any single theme to emerge from this conference, it is, perhaps, that technological change and the direction it takes is a matter of social choice."

The speeches by the 39 government, labor, management and academic specialists from nine countries deal with the substance of these choices; whether clerical workers are to be laid off or retrained for better jobs; whether the gap between skilled and unskilled workers will widen or be narrowed; whether the stress caused by machine monitoring and other assembly-line aspects of the automated office will be accepted or changed; and what job redesign may or may not mean.

In the section on Occupational Health and the Computerized Office, speakers from Norway and Sweden document with research figures the well-known complaints of VDT operators about strain on eyes, necks, shoulders, heads, backs and wrists. "Time and time again, and all over the world, similar findings have been reported," notes Olov Ostberg

of the Swedish Central Organization of Salaried Employees. "We now know for sure that the number of complaints from VDT operators tend to increase with increased degrees of such negative job design features as monotony, fragmentation, pacing, control, repetitiveness, social isolation and job insecurity."

WOHRC's Jeanne Stellman and Mary Sue Henifin go on to describe a new disease, "officeitis," much of which they say can be tied not only to automation but to the entire design of many offices with their lack of walls and windows, and their often bad lighting, air pollution, safety hazards, lack of privacy, and inability of workers to control either the environment or the equipment they work with. "The current lack of control and adjustability is remarkable," they note. "In one office that we surveyed, 80 percent of the occupants were not allowed to hang a picture or personalize their work area in any way."

Gym breaks in Sweden

A tantalizing look at advanced job redesign is provided by Brita Tornqvist and Svea Hermansson of Televerket, the state-owned Swedish Telecommunications Administration. At Televerket, VDT operators sit before their machines for only two hours before being transferred to other work to avoid stress. There are gym breaks once a day. Management figures out how much work must be done and how many operators are required to do it, but the workers themselves set up their own schedules.

In addition to such major papers, there are small gems, such as the description by Lucy Suchman of the Xerox Palo Alto Research Center of her inquiry into the way office work really gets done. It is not by following specified, sequential procedures as the "prevailing folk theory of office work" would have it, she discovered. On the contrary, "the actual work is the business of applying general descriptions to actual events in all their real worldly detail." We ought to learn more about this process before designing machines, she suggests.

Copies of the book, a paperback, may be ordered from the Working Women Education Fund, 1224 Huron Road, Cleveland, Ohio 44115. Add \$1.50 to the \$12.95 price for shipping and handling.

Asbestos continued from page 1

Service Employees International Union, which represents school custodial personnel, about a million school staff members and 4 million children are potentially exposed.

The EPA has chosen not to order removal of loose and flaking asbestos from school buildings, according to Deputy Administrator Alvin Alm, because it feels that notification of parents and teachers is "most effective."

Critics of the EPA effort assert that many schools, especially in poor and small districts, do not have the funds or the expertise to carry out the regulation. The Department of Education has estimated that it would cost \$1.4 billion to clean out all the asbestos, which was widely sprayed and trowelled on ceilings, walls, beams and machinery between 1945 and 1978, when it was banned by the federal government.

House authorization defeated

A House authorization of \$50 million to aid schools in their cleanup efforts was recently voted down in the Senate.

As we went to press, the asbestos industry had filed a legal appeal of the temporary emergency standard.

WOHRC is issuing a fact sheet telling how to assess asbestos hazards in your workplace. It will include suggestions about resources available for asbestos enclosure or removal.

For a copy, send 50 cents and a stamped self-addressed envelope to WOHRC, Columbia University, 21 Audubon Avenue, 3rd floor, New York, NY 10032.

Cyanamid continued from page 1

The case took an ironic twist the following year, when Cyanamid shut down the lead pigment department altogether and "bumped down" the sterilized women into other sections with complete loss of seniority.

With the help of the American Civil Liberties Union, four of the five sued. They claimed, among other things, that lead has been shown to be harmful to the health and reproductive systems of men as well as women, and that the company should have cleaned up the section rather than barred fertile women on the questionable assumption that any fertile woman necessarily would become pregnant. The other seven plaintiffs, affected in various other ways by the policy, joined the suit.

"We see this as a victory," commented Joan Bertin, the ACLU attorney who handled the lawsuit. "It's a victory for the individual women who fought a long and hard battle and, in conjunction with the Olin case, it will prevent companies from adopting policies like this in the future."

In the Olin case, a Federal Court of Appeals in the same district decided in December 1982 that a similar policy adopted by the Olin Corporation in Pisgah Forest, North Carolina, constituted a prima facie case of sex discrimination.

Although it required further hearings by a lower court, the Olin decision is considered particularly significant because it places the burden of proof on the employer to justify discriminatory policies involving harmful substances in the workplace. It also requires employers to prove that there is no harm to the children of exposed male workers and that there are no acceptable alternate policies. (See WOHRC News, February/-March 1983.) □

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