

2005

Dusting the lungs: environmental health and safety in sewers, printeries and mines

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Publication details

Post-print of: Webb, R 2005, 'Dusting the lungs: environmental health and safety in sewers, printeries and mines', *Seeing Red: Forum of social, political and cultural dissent*, vol. 4.

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Dusting the Lungs: occupational health and safety in sewer-works, printeries and mines.

Conventionally there are three parties to the labour relationship – unions/workers, employers, and government. Underlying these there's a fourth - the working environment. In the workplace, occupational health and safety governs job security, health, and life. This isn't a new link. Historically, occupation-related diseases have been known, documented, and ignored by employers.¹ Profit has always sent ohs to the tip. The international labour movement has fought – and often lost - on issues as varied as sugar workers against weils disease in cane fields, meat-workers against contact with infected meat, agricultural workers and hairdressers against work-related dermatitis and poisoning, shearers against scabby sheep, match-workers against 'phossy jaw' in the early 20th century, manufacturing workers against lack of protective clothing and unshielded machinery, and battery workers against lead poisoning. The 8 hour day movement spearheaded shorter hours campaigns targeting exposure to life-threatening workplaces. Along with the miners', printers' and smelter workers' struggles described below, these have all been fights between workers and employers over environmental and physical dangers at work.

Elsewhere, Bill Tully describes the protracted asbestos dispute at the National Library in Canberra. In the context of this and James Hardie, this article raises some other respiratory-related occupational disputes and identifies some of the factors influencing outcomes on justice and protection for at risk workers. Some of these are widely recognised, others less so. Miners' agitation for shorter hours, cleaner air and safer underground workplaces is part of the Australian grand narrative. However, it's not only coal dust and asbestos fibres that choke the lungs and kill. Historically, quarry workers, construction workers, lead miners, printers involved in bronzing work (usually women), potters working with lead glaze (also women), painters with lead paint, have also sickened and died of dusted lungs caused by the workplace. Generally, injuries have gone on being inflicted decades after risks were known. Early 20C British government studies, supported by unions and published in government

reports and union journals, found Staffordshire potteries workers polishing lead glaze (usually women), and house painters, to be at high risk. At the same time, French government studies reported that, statistically, constant exposure to lead made house painting the most dangerous of all work.ⁱⁱ Even so, workers and populations continued to be exposed to lead. Labour historians including Peter Sheldon, Beris Penrose, and Pamela Kinnear have written at length on some of the Australian disputes. My own research is uncovering ohs abuses in the printing industry.

In the late 19th and early 20th centuries, as with the 21st, Sydney was a construction site. Rail and rail-tunnels were expanding, telephone tunnels were being dug, buildings were going up, and out, and the sewer was being built. Sheldon's work focuses on the rockchoppers who, as skilled labourers, dug the trenches while rock miners (trained in coal or metal mines) dug, blasted and refined the tunnels for all of these works. Work with picks and (by the miners) by blasting with dynamite released the fine quartz in silica dust that causes silicosis, known as a killer well before World War One. In Sydney, silicosis was known as 'sewer miners' disease'. The employer was the NSW Government – first as the Public Works Department and then, when the sewer was near complete, the Water Board, using contractors to provide labour¹. Rockminers did much of the early work on the main tunnels, being forced to blast as well as to dig, adding to the underground dust clouds. The dangers were so apparent that they won a 6 hour day in 1902, years before other industries won the 8 hours.ⁱⁱⁱ

By 1900 the large sewer main was largely complete. Work shifted to rockchoppers digging submains, tunnels or trenches 20ft deep and only two ft wide, and working so closely that 'looking down the trench you could see nothing of them, only a cloud of dust that was coming from their picks.'^{iv} Comparatively good pay and regular work attracted labour, but invariably workers became terminally ill, or at best unfit for other work. The impact on families and neighbourhoods was devastating. Frustrated by the ineffective United Labourers' Protective Society (ULPS), which had covered them since 1899, the rockchoppers formed the Rockchoppers and Sewer Miners Union of NSW (RSMU) and implemented immediate industrial action. Targeting contractors one by one they first secured payment of award rates as skilled

labourers, then the six hour day already conceded to rockminers. The next step was the employer's formal recognition of the RSMU, and reclassification of work for better wages.

On 20 October 1908 Charlie Withers at Willoughby sewer works contravened union rules by using blast instead of the pick. The RSMU fined him, he refused to pay, the Water Board paid his fines, refused to transfer him, and workers went on strike for 3 weeks. The strike took place in a climate of labour anger over Premier Wade's punitive 1908 Industrial Disputes Act: the rockchoppers made their strike central to labour movement resistance. Shortage of labour on other public works reduced the employer's wage leverage by providing alternative work. Picketing, prosecutions, and imprisonment of four leaders for non-payment of fines led to angry rallies at Trades Hall. Sheldon highlights support from the International Socialists, including Harry Holland and Harry Scott Bennett, contrasting this with weakness and even hostility from McGowen's Labor Party. Ultimate victory was so complete that, when the strike ended on 16 November, contractors had paid the leaders' fines, workers had the six hour day, agreement on their own ohs standards, and Withers, who had triggered the strike, was forced to resign.

In the printing industry, long hours exacerbated the terrible dangers from machinery and disease from contact with dust. PIEUA (Printing Industry Employees' Union) evidence in the 1927 Federal 44 Hours Case presented ohs hazards including lead poisoning, and 'nervous exhaustion ... necessitating limited hours working with dangerous substances.'^v The union campaigned for a five day week to give workers two clear days away from 'the injurious dust and vitiated atmosphere of the printing office'.^{vi} The warnings weren't new. In NSW, Women's organiser Mel Cashman had for years been fighting breaches of time limits on bronzing work: since 1915 the award had stipulated two hours maximum on this work ('No employer shall permit any employee under this Award to do bronzing or dusting-off work for more than two hours a day').^{vii} Department of Labour investigators were often coopted by employers. For example, in 1924 Cashman had notified the Industrial Registrar that T. Leigh & Company in Sydney had 'girls' working full days on bronzing in their tin-printing department. Even though she and her NSW officials were vigilant and militant negotiators, T. Leigh successfully argued against prosecution.^{viii} Pending better

outcomes, workers commonly took sick leave or moved to other work. For female printers, both options were problematic because bosses consistently docked wages despite award sick leave, and male printers monopolised most other craft jobs through male apprenticeships. Shorter hours plus improved physical safety were the only real fix. However, the five day week wasn't achieved until after WW2, through the 40hour week.

Mt Isa Mines in Queensland typified another industry in which long hours heightened the risk of lung disease. In 1931, at the beginning of the Depression, the company introduced new smelter equipment without installing hoods and filters against lead dust and fumes, and failed to provide protective equipment against the dust and fumes. Beris Penrose shows how MIM blamed workers and local doctors (who issued sick certificates) for increasing compensation claims from both miners and smelter workers.^{ix} The CPA and the AWU reported victimisation of unionists. MIM aggravated risks by employing young, inexperienced workers willing to accept speeding up of work. To limit payouts, the company exploited a gap in legislation whereby compensation only covered lead poisoning itself, and not nephritis (where the lead enters the skeleton causing life-long poisoning) or long-term post-poisoning arthritis. Workplace health notices misleadingly made workers responsible by emphasising hand-washing to avoid ingesting lead, even though it was long known that inhalation, not ingestion, caused lead poisoning.

The 1932 election of the Forgan-Smith Labor government brought about a government inquiry, with more claims being addressed. However, government officials focused on controlling claims rather than fixing ohs breaches. Employers punished resistance: after a lockout in 1933 only 350 of 1200 workers were reinstated. Time, rather than successful action, reduced visible impact. Once the most exposed workers had left MIM, claim numbers declined. However, the problem wasn't gone – aside from ongoing injury to former workers, Mt Isa's lead went on being a health hazard, leaking into the environment and into drinking water.

In contrast, after WW2 coal miners successfully agitated for high level protection against another respiratory-caused health disaster, 'coal workers pneumoconiosis (CWP) or 'black lung'. Unlike with lead poisoning, there was no

raft of medico/scientific literature supporting miners' knowledge of coal dust as a cause of disease. Pamela Kinnear has shown how once again the employer lied in the face of known evidence, claiming coal dust was inert. Mine-owners ducked compensation by arguing that miners' lung disease was silicosis, from metal dust, at that time not covered by the NSW Workers Compensation Act. Like the RSMU, the Miners' Federation was in a good bargaining position. The importance of coal strengthened post war agitation on working conditions and dust disease. The union was reinforced by rank and file concern – miners' fear of 'dusted lungs' was a powerful weapon. Kinnear cites a press description of George Bryson of Wollongong as one of 'the walking dead of the South Coast'.^x Nonetheless, the Davidson Royal Commission, set up to reorganise the post-war coal industry, claimed that the extent of 'dusted lungs' was a beat-up by the CPA and activists. To its credit, Chifley Labor rejected that position, passing the Coal Industry Acts of 1946, and setting up the Coal Industry Tribunal (Commonwealth) to arbitrate disputes and the Joint Coal Board (NSW) to oversee conditions. The Menzies opposition bagged the government for resisting the employers' perspective 'legitimised' by the Commission. The union kept up pressure on the NSW Government in the face of CIT and JCB administrative delays. Eventually, 1947 amendments to the NSW Coal Mines Regulations Act forced mine owners to minimise dust by watering the coal-face and ventilating mines –the only effective strategy against dust hazards. Meaningful compensation and rehabilitation regulations, desperately needed by dusted lung victims, weren't implemented until 1948.^{xi}

OHS legislation has come a long way since 1908. However today's workplaces and financial systems aren't proof against silicosis, nor other airborne lung and body pollutants. One on-going impact of 9/11 is respiratory-related diseases in emergency workers and others caught near the World Trade Centre, poisoned from ingesting and inhaling the building's cocktail of lethal substances and fumes. Modern construction methods might be nominally safer, but buildings themselves are poisoned. The Workers' Health Centre (<http://unionsafe.labor.net.au>) warns that construction booms expose workers to lethal substances, and still has them cutting or drilling concrete, or rock, often with inadequate breathing protection. The evidence of workers being set up for long-term lung damage is all around us. James Hardie has simply shown once again the lengths employers will take to avoid duty of care.

Labour still needs to invest the hard yards not only for fair payment in the labour contract, but for worker protection, and for justice against past crimes. However, savage cuts to union right of entry under the Howard government have blocked union organisers' informal and expert monitoring of ohs risks and breaches. After July those yards could get a lot harder.

ⁱ In a special edition of *Labour History* focusing on occupational health and safety, Michel Quinlan cites some 19th and 20th C British medical writing on the effects of working machinery, and of exposure to substances like lead on potters, plumbers and painters. He also discusses systematic improvements to professional strategies against poor ohs standards. Quinlan, 'The Toll from Toil does Matter' in *Labour History*, no 73, Nov. 1997, p. 5.

ⁱⁱ Records of the National Union of Printing, Bookbinding and Paper Workers, TUC Archives London.

ⁱⁱⁱ Peter Sheldon's 'Job control of Workers' Health: the 1908 Sydney rockchoppers' strike', originally published in *Labour History* and now also on the Ozleft web site at <http://members.optushome.com.au/spainter/Choppers.html>, is the source for these paragraphs and is the most thorough study of these workers and this strike.

^{iv} Sheldon, 'Job Control of Workers Health', p. 7.

^v *Printing Industry vs. Arbuckle Waddell P/L*, Bound transcripts of proceedings and rulings in cases heard by the Commonwealth Court of Conciliation and Arbitration, Series B1958, item 1927, National Archives of Australia. p. 32.

^{vi} *Ibid.*

^{vii} As worded in *Industrial Arbitration Act* (1912) Printing Trades Group, no. 6 (Female Employees Board) 1915.

^{viii} Correspondence to and from the Industrial Registrar 1920-1951, T39/40, PIEUA NSW, NBAC.

^{ix} Beris Penrose, 'Occupational Lead Poison at Mt Isa', in *Labour History*, no 73, Nov 1997, pp. 123-141. The paragraphs on Mt Isa draw heavily on this research.

^x Pamela Kinnear, 'The Politics of Coal Dust' in *Labour History*, no 80, May 2001. Information on the coal dust campaign is sourced from Kinnear's work.

^{xi} In the US, coal dust disease wasn't formally recognised in the US coal mining industry until after 1968, and then only after labour mobilisation. Kinnear, 'The Politics of Coal Dust', p. 65.