

Workers at the root of a bill to introduce a health record

In Belgium, a former union representative has uncovered a cluster of cancers in a telephone plant closed 15 years earlier. The mobilisation of former employees and the media coverage of their case have drawn the attention of two MPs to gaps in the legislation on the health surveillance of workers. Or how to shake things up through a local fight.

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October 1993, Colfontaine (Belgium). Striking workers block the entrance to Alcatel Bell to protest against planned lay-offs. Over the 20 years that followed the factory's closure in 1997, at least a third of its past employees died or suffered from serious illnesses.

Image: © Belga



His thick greying moustache makes him look like José Bové. He also seems to share with that famous French farmer and activist a determined air of perseverance. Willy Ray is a sturdy "Borain" who for years has been struggling to get the illnesses suffered by some of his former colleagues recognised as occupational diseases.

"Bowel cancer, breast cancer, leukemias, various thyroid problems, and so on", lists the former employee of Bell Telephone, a company that made telephone terminals and radio transceivers for Belgian army tanks.

Following several restructurings and a spell in the fold of the French multinational Alcatel, the plant in Wasmes, a village close to the town of Mons (western Belgium), finally closed its doors in 1997. Fifteen years later, a few nostalgic employees led by their former union representative decided to send out an invitation to a "festive gathering", just to find out what had become of their colleagues.

Unfortunately many could not attend. "We learned that a large number had already died or were ill, in many cases from cancer", Willy Ray recalls. With the assistance of a former administrative employee, who had kept lists of the staff, he drew up his own list of 387 former employees. He gathered together the former union activists from the company and they exchanged information on the health problems suffered by their former colleagues. At the last count, in March 2016, there had been 52 deaths and 82 people were seriously ill², i.e. a good third of workers affected, not including those who preferred not to speak about their health.

A little piece of paradise

On this February morning, four former Bell Telephone workers are meeting in a room that the Belgian trade union CSC makes available to the *Collectif amiante et produits dangereux* (CAPD) or Asbestos and Hazardous Products Group, a workers' association that was originally set up to support the workers of an asbestos-cement plant³. The group is

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Willy Ray

also helping the Bell Telephone workers to prepare their case for the recognition of their occupational diseases.

Harry is 67. In 2008 this keen sportsman, who watches his figure and has never touched a cigarette, was diagnosed with colon cancer. "I used all sorts of products: my first job involved drilling into the cases of transmitters for the army's tanks. We used petroleum and oil for this drilling, and then I had to clean the part with compressed air, which generated a cloud of oil. Later on, I worked in electroplating⁴, where I was responsible for cleaning the parts. I used perchlorethylene and trichlorethylene and I also plunged the parts into baths of cyanide and hydrochloric acid, which were used to clean the aluminium. When you placed a part in the bath, a violet vapour was released", this worker remembers. Out of the 12 workers in the electroplating unit, at least four are already dead, according to their former colleagues. Harry also remembers the cadmium: "It looked like *pétanque* balls, which we plunged into acid baths ..." The worker was equipped only with safety goggles.

François was responsible for inspecting the parts. "I used nickel to treat the parts against rust", he recalls. So far he has been spared from cancer, but has various muscular and skeletal conditions. "I joined the group out of solidarity for my former colleagues, and because I don't know what the future may hold."

Franco was taken on by Bell Telephone when the plant opened in the late 1960s. An industrial designer, he was not in direct contact with the hazardous products, but still believes that his thyroid problems may be related to his 30 years of working in the plant: "We were all bathed, manual workers and white-collar workers alike, in a polluted environment. There were hoods above the acid baths that sucked up the vapours, but, once discharged outside, these vapours were driven by the wind towards the ventilation equipment situated on the plant's roof. This foul air

1. Inhabitant of the Borinage, a sub-region of Wallonia (southern Belgium).

2. Most of the deaths resulted from cancers of the digestive system.

Among the sick, many are suffering from thyroid diseases.

3. For more information: Grégoire D. (2006) Former asbestos cement workers search for justice, *HESA newsletter*, March 2006, 29, 35-38.

4. Electroplating is a process that involves covering an object with a layer of metal. This technique is mainly used in industry as an anticorrosion treatment.

was therefore returned inside the plant", says this former member of the company's Health and Safety Committee.

At the time, few employees voiced any concerns. "We were unaware of the harmful effects of the products, or we pretended not to know", François reports. He remembers how he celebrated when he was hired by Bell Telephone: "People had a clean apron; it was totally different from what I had known when I worked as a mechanic in a garage."

"Bell Telephone was regarded as a little piece of paradise for those of us who had known our fathers coming home from work with their faces completely black. Most of the Bell workers were sons of miners. For us, having a 'clean' job represented progress on the social scale. And our salaries were 30% higher than the regional average", explains Willy Ray.

"Many of the people affected by cancer think that this is just part of the natural order. They make no connection with their work", he adds.

Tongues start to loosen

For Willy and the CAPD activists, who were already seasoned media users as a result of their previous mobilisation for the victims of asbestos, there was no question of burying their heads in the sand. They alerted the press who, between May and December 2012, published around 10 articles on the case. Following this media coverage, tongues started to loosen.

A former maintenance engineer invited the group to investigate the aspect of chemical products and ambient air pollution, particularly at the welding posts, whereas the CAPD activists had mainly focused on the asbestos contained in the plant's fire doors.

A general practitioner, in particular, came forward. As part of a prevention programme organised by a regional public health body, between 1985 and 1987 he carried out cancer screening consultations among some of the female staff at Bell Telephone. In an email sent to the group, this doctor recalls "having noted at the time an abnormally

high proportion of cancers in this company, including thyroid cancers." The doctor confirms in this email that he alerted his managers to the worrying results of his examinations of the female workers. The following

year he was not re-appointed to carry out the screening at this plant ...

These revelations clearly reinforce the belief of the former workers in the link between their medical condition and their

Table 1 Substances used by the company and their health effects

Substances used by the company	Health effects
Solvents	
Hydrochloric acid	Acute toxicity (oral, dermal, inhalation)
Sulfuric acid	Acute toxicity (oral, dermal, inhalation) Neurotoxic substance
Cyanide	Risk of release of hydrocyanic acid Cyanides are highly toxic products by ingestion, inhalation and skin contact, and can quickly lead to death.
Methanol	Damage to the nerves Affected systems: Respiratory and Gastrointestinal - liver
Trichlorethylene	Carcinogenic to humans (IARC* = group 1; CLP** = category 1B) Suspected of causing genetic defects
Acetone	Neurotoxic substance
Metals	
Nickel	Possibly carcinogenic (IARC, CLP) Corrosive product by contact, inhalation and ingestion: irritation, burning, lesions, ulcerations (skin, respiratory tract, eyes, digestive tract)
Cadmium	Carcinogenic to humans (IARC* = group 1; CLP** = category 1B) Substances with possible mutagenic effects in humans Neurotoxic substance (level 1)
Mixtures	
Tin-lead solder	Soldering fumes are classed as possibly carcinogenic to humans by the CIRC (group 2B).
Cutting and petroleum oils	Skin conditions Studies show an association between cutting fluids and several types of cancer (rectum, bladder, skin, scrotum, larynx, pancreas).

Sources: Risctox database, IARC, INRS

* International Agency for Research on Cancer

** European Regulation on classification, labelling and packaging of substances and mixtures (CLP)

former trade. The problem is that, when they try to get their hands on the medical reports from the screening campaigns, the body that initiated these campaigns replies that these files have disappeared.

They have not been any more successful with the *Fonds des maladies professionnelles* (FMP) or Occupational Diseases Fund, which is the public institution responsible for compensating workers who have suffered an illness due to their work.

Willy Ray bemoans the situation as follows: "We have filed around 20 cases, mainly involving cancer. All have been refused by the FMP. There is nothing medical about this organisation. They are just officials who put on a medical hat to justify their lack of action, and they never recognise anything. Their main concern is to ensure that as little money as possible leaves their coffers".

The trust of the former Bell Telephone employees in the compensation organisation has been lost. The CAPD is now concentrating its efforts on improving the regulatory framework. "There has been a failure to implement and comply with the workers' health surveillance system", they claim.

Improving the legislation

In order to bring about change, they have not shied away from contacting politicians. Two MPs, Catherine Fonck and Muriel Gerken, responded to their call. These two women have been interested for a long time in cases involving the intersection between work and health. The former is a doctor by training, while the latter has been trying to improve the operation of the *Fonds amiante*⁵, a fund designed to compensate victims of asbestos-related diseases.

They took the initiative of setting up a working group responsible for preparing a bill to improve the 2003 Act on the surveillance of workers' health. An initial meeting was organised in October 2014. In addition to the CAPD representatives and the two MPs, medical specialists – in particular a pulmonologist – FMP doctors and representatives of associations combating inequalities in access to health were also present.

The workers and the MPs agreed to acknowledge the merits of the 2003 Act, which provides for a "health record" to be drawn up. The problem lies in the transfer of information from this record, particularly to general practitioners. The bill, which was introduced to the Belgian Parliament at the end of April 2016, will make it automatic and mandatory for the general practitioner, or the specialist if the worker is not being monitored by a GP, to be provided with the worker's health record. The text also provides for the occupational health record to be incorporated into the patient's comprehensive medical record⁶. If workers change employer, the bill makes it mandatory for the medical information to be transferred to the new occupational doctor. Another major advance in terms of transparency is that the bill states that the worker has a right "to consult the personal medical information and exposure data included in their health record".

"For too long the labour movement has focused on compensation for damage to health caused by work. The experience of the Bell Telephone employees, whose cases for recognition of their occupational diseases have not yet been successful, shows that action must also be taken further upstream and more generally. Our goal is to ensure that information on workers' health is shared, that it is no longer the sole preserve of employers and institutional representatives", concludes Willy Ray. ●

5. In February 2016 she tabled a bill to allow compensation for lung cancers caused by asbestos, to allow legal proceedings to be brought on behalf of those having received compensation, to increase contributions to the Fund for convicted employers, and to increase the time-limit between exposure to asbestos and appearance of the disease.

6. The comprehensive medical record brings together all of a patient's medical information: operations, ongoing treatments, vaccinations, hospitalisations, test results, etc. It should be pointed out that the existence of such a record is not mandatory; it is established only on behalf of those persons who have specifically requested it from their general practitioner.