

STRUGGLES AROUND INDUSTRIAL DISEASE

We have seen how management obstructs workers from gaining the full benefits offered by the Workmen's Compensation Act.

However, there are particular problems with the struggles around compensation of industrial disease as opposed to industrial accidents or injuries.

Industrial disease is illness caused by the work environment. Many illnesses are known to be "related" to the work environment but often one is not exactly sure of the extent to which working conditions are responsible for the ill health of workers. The major causes of such ill health are the inequalities of income, housing, nutrition and health care, as well as poor working conditions. It is against this background that the particular struggles around industrial disease are fought.

Firstly there is the struggle to get industrial diseases defined as being caused by certain work environments ie. scheduled*. This is a difficult task and requires adequate research and depends on accurate records being kept of who worked where doing what. Many factors interfere with this difficult task.

Most workers have irregular medical check-ups while changing technologies at work create new hazards for workers all the time. There is insufficient funding for research and suppression of unfavourable results of research by employers.

Secondly, there is a struggle for compensation for scheduled diseases. Even if a disease is scheduled a worker needs to know that his/her illness is in fact due to his/her work.

Furthermore, they need to prove it before being compensated. This requires a rigorous medical examination and for some diseases, proof of having worked in a particular industry or having done a particular job for a certain length of time.

There is often a time lapse in the development of a disease. Mesothelioma (asbestos cancer) may take up to 25 years to develop. Workers may well no longer be in the industry in which they contracted the disease. The migrant labour system aggravates this problem as workers are sent away to widely dispersed areas and may have no access to proper health services or the means necessary to claim compensation.

There is therefore a need for increased awareness of industrial disease amongst workers, health workers and the general public.

Very little information is available to those most at risk about the dangers of their work.

"Scheduled diseases" are recognised by the WCA commissioner as compensatable. Only the following 16 diseases are scheduled: hookworm (in workers other than indians and africans); anthrax; arsenical poisoning; benzene poisoning; cyanide rash; dermatitis; poisoning by halogen derivatives of hydrocarbons; lead poisoning; mercury poisoning; disease related to the use of radium or x-rays; phosphorous poisoning; disease related to the inhalation of silica dust, asbestos dust, or other mineral dust; chrome ulceration; TNT poisoning; cancer of the skin; and manganese poisoning. These are listed in more detail in Schedule 2 of the Workmen Compensation Act.

