

CHAPTER 1

Cleaning Up the 20th-Century Mess: Protecting the Workers Who Do It

In the movie *Ghostbusters*, New York City is gradually being covered by green, oozing slime. Dripping out of building cracks, slipping down into sewer catch basins, even going up library shelves, the slime is the advance party of a force that is going to destroy human life as we know it. Someone must be called to eradicate the slime and the evil force it portends. The Ghostbusters come onto the scene: three guys in hazardous materials suits with sci-fi weapons who zap the slime and turn back the destructive force—and life in the city resumes its happy path.

The story is a lot of fun to watch on the big screen, but perhaps more realistic than it may seem. A slime is creeping across the land and seeping into our water, even polluting the air we breathe. Hazardous wastes, sitting in a great variety of regulated or abandoned sites, harm not only human beings but many other forms of life. Nearly half of all Americans live within 10 miles of a federally listed hazardous waste site (Sapien, 2007)—and that doesn't include the thousands of other sites identified by states or the thousands expected to be found over the next several decades. It all has to be cleaned up, and it is going to take more than three guys in suits with sci-fi guns. It's inherently dangerous work, because the toxic and hazardous substances cannot be made safe. Those who clean them up are providing a national service. They require training and equipment that protects their health and safety while doing the work and enables them to enjoy their lives after that work. Who you gonna call?

THE 20TH-CENTURY MESS

In the 20th century we learned new ways to use our world's many resources, finding new ways to process materials, manufacture goods for production and commerce, and energize our machines. Learning a multitude of ways to synthesize chemicals was one of the most remarkable technological advances of the period. The basis for our modern modes of industrial production was transformed over a few short decades from biophysical to chemical resources. Oil and coal became the basis for new hydrocarbon-based chemicals that opened up a world of new materials, from plastics to chemical solvents to poisons once used to slaughter prisoners in concentration camps and later refined to slaughter insects and plants.

The synthetic chemistry revolution created materials and substances that had never been in the ecosystem before and that often persist in that environment rather

than decomposing rapidly. No life form on the planet has had time to adapt to exposure to these substances. In the case of eradicating unwanted plants, insects, and even other humans, the intention was that the materials would be potent poisons that would do the job. The vast majority were not designed to bring about disease and death, yet many of them cause harm to the life processes that establish healthy organisms, including human beings. Nor were they designed with the intention of causing physical destruction, but it was known that they were often highly acidic, caustic, flammable, and/or explosive.

Related to these technological advancements were advances in the human organization of industrial production and wealth management. Unfortunately, systems of waste management did not advance as rapidly as did the systems for creating waste; by the 1970s, the world faced a hazardous waste crisis that would become so enormous that no planetary region, including the poles, is free of toxic pollution and contamination. Similar advances in nuclear technologies and the military and industrial capacity to use them resulted in an enormous radioactive waste problem. Around the world, the failure of industrial and governmental leaders to appropriately address all the waste related to industrial, commercial, and military activities established the web of poisoned ground, water, and air that surrounds us.

The work of tens of millions of U.S. workers across industrial sectors involves making, using, managing, or moving hazardous materials. Many of them clean up hazardous wastes or respond to accidents and disasters involving these materials and what's left of them after their use in production and consumption. Those workers engage in *Hazardous Waste Operations and Emergency Response*—HAZWOPER work in the industry's lexicon.

The health and safety of HAZWOPER workers must be protected—whether they are cleaning up abandoned waste sites, managing hazardous wastes at industrial facilities, hauling such wastes from one location to another (as we move them around to try to make it appear that they don't exist), or dealing with a catastrophe such as a chemical plant explosion or the derailment of a train with tanker cars filled with pesticides. Sometimes the industrial accidents are less spectacular and more commonplace, things that the public never hears about, such as a pipeline breaking and leaking in a facility or a mechanical process breaking down and causing workers to be overcome by fumes that may kill them. Sometimes workers find themselves exposed to hazardous wastes in jobs that no one thought would present such exposures, as, for example, in the case of a New York City sanitation worker who was killed when the crushing arm of a garbage truck caused a 1-gallon container of hydrofluoric acid to pop and spray the worker's face with the acid (Slatin & Siqueira, 1998; Van Gelder, 1996). Sometimes school janitors are exposed to asbestos from deteriorating pipe insulation or from PCB dust resulting from deteriorating caulking. As our industrial processes contaminated our environments, both outdoor and indoor, more and more workers were being exposed to hazardous waste materials on the job.

By the late 1970s, it was becoming obvious that at least those workers with the most obvious exposures—clean-up workers, workers who treat, store, and dispose of hazardous wastes, those who haul them, the firefighters who have to respond to the chemical fires, and the manufacturing and processing workers who make the

hazardous chemicals—all needed protection from the inherent dangers of work with toxic and hazardous substances.

All of this work needs to be healthy and safe. Regardless of the inherent dangers in this work, workers should not have to sacrifice themselves, their families, and their communities in exchange for their jobs. Societies advanced enough to create and use such technologies and organize the enormous related systems of production, distribution, consumption, and disposal can and should fulfill internationally agreed-upon principles of human rights and not force the abandonment of health for a job.

This book is about workplace health and safety and environmental protection. Its theoretical framework is that the prevention of workplace injuries, illnesses, and fatalities can be maximized, even for inherently dangerous work. Further, it holds that the failure to implement measures to prevent these adverse health effects of work results from a system in which, in the words of Tony Mazzocchi, one of the early labor leaders of the modern health and safety movement, workers “essentially give a subsidy” (quoted in Isaac, 1995) to employers who generate profit and productivity at the expense of workers and their communities. Workplace injuries and environmental pollution result from deliberate financial practices and organizational priorities that shift resources toward corporate wealth accumulation and away from the optimization of workplace health and safety and environmental protection.

THE SUPERFUND WORKER TRAINING PROGRAM

There was a moment at which the strength of the environmental movement, the sharp political eye of labor lobbyists, and the commitment of dedicated labor leaders and public health professionals converged, producing the most extensive government-subsidized worker health and safety training program in U.S. history. This was the Superfund Worker Training Program (SWTP), subsequently named the Worker Education and Training Program (WETP). And this occurred in the face of a rightward shift in American politics that, for the most part, undermined the hard-won (if incomplete) social safety net and abandoned the “environment” to the mercy of the market.

The program’s history is important, not because we can assume that the coalition politics that once worked can be duplicated in these days of “the death of environmentalism” and fragmented “tiny labor”^{*1} but because we require a clear, unflinching eye with which to survey the social and political tasks facing those concerned about worker and community health as well as environmental protection. And we need to understand the importance of political economy and economic policy as constraints on public health success. Lessons can be learned from one of the last great worker health and safety/environmental protection victories of the 1960s–1980s reform era, a victory that came on the cusp of the end of the golden age of regulation and the beginning of the new era of deregulation and the dominance of the market, referred to as neoliberalism.²

* All footnotes are at the end of each chapter under Endnotes.

By the late 1970s, the legacy of decades of chemical-based production and consumption had created a pollution crisis so monumental in its proportions that more than a decade's worth of public health laws had been passed to protect occupational and environmental health. When the Thatcher and Reagan governments called for an end to liberalism and its attempts to regulate capitalism by command and control, these laws and the agencies they mandated came under attack. In the United States, failing to gain public support for their elimination, the Reagan administration quickly learned to implement stealth measures that left the facade of government programs standing, while gutting them and disabling their capacity to engage in effective law enforcement.

Yet, grassroots organizing and pressure not only forced reversals of these strategies but succeeded in passing the Superfund Amendments and Reauthorization Act (SARA) of 1986. Extending the reach and goals of the national Superfund program for hazardous waste cleanups, the legislation was passed one and a half years into President Reagan's second term. The legislation included the Emergency Planning Community Right to Know Act (EPCRA), which required the public reporting of hazardous materials and toxic chemical releases. No less than a year later, Reagan would succeed in getting tax code overhaul legislation passed, ending the remnants of the New Deal compact and setting the stage for an era of privatization and downsizing of government functions at all levels of government.

A small section of SARA was a measure pressed for by labor and won on the coattails of this major environmental victory. It included mandates for a training grant program to protect U.S. workers who engage in hazardous waste operations and hazardous materials incident emergency response, and for the Occupational Safety and Health Administration (OSHA) to promulgate a regulation to protect such workers and require the health and safety training specifically described in the legislation. This book presents the history of how labor unions won those mandates in SARA and worked to give them real meaning.

THE LABOR MOVEMENT, THE FOLKS WHO BROUGHT YOU THE WETP

What does it mean to be part of a union—part of a labor movement? How do most citizens learn about trade unions these days, when our schools teach children little about labor unions and our newspapers no longer have labor sections? With fewer than 13% of the U.S. workforce belonging to unions, most children don't grow up learning anything about unions at home. And even most union members don't know much about what their unions and the labor movement do to improve the quality of life for the working class.

This book presents the story of how union leaders, staff, and allied professionals worked to secure health and safety protections for HAZWOPER workers. These efforts create potential for improving the working conditions of all workers, not just union members. But they may never directly increase anyone's take home pay. Rarely will workers, even union members, know that labor unions were responsible for the legal requirement for employers to better protect their employees or for the worker-oriented health and safety training that would not be available otherwise.

The goals of the building trades unions that worked to secure HAZWOPER worker protections were as much about creating a way to open the hazardous waste remediation sector to union contractors as they were about creating safer work. There again, though, most union workers on these sites will never know that their union worked to create the work opportunities for them. It's just like the bumper sticker I sometimes see: "The Labor Movement, The Folks Who Brought You the Weekend." It probably doesn't make much sense to most people who see it. Perhaps we should have another slogan: "Workplace Health and Safety, Brought to You by the Labor Movement."

THE CASE STUDIES

Between 1997 and 1999, I conducted the research necessary to write the history of how the WETP came to be and the first 5 years of the effort to establish a sustainable national worker health education program. This involved learning about the origins of the idea and how labor was able to get Congress to pass the measures as part of the Superfund Amendments Reauthorization Act of 1986 (SARA). Labor worked for legal measures—legislation, regulations, and administrative measures—for a period of 8 years, between 1979 and 1986. I studied many volumes of legislative history and interviewed many people involved in the efforts to get the law passed and to develop the program. I conducted three case studies. One focused on the Worker Education and Training Program (WETP) administration within the National Institute of Environmental Health Services (NIEHS), while the other two examined two union programs funded by the WETP—one operated by the Oil, Chemical, and Atomic Workers International Union (OCAW) and one by the joint labor-management trust fund of the Laborers Union and the Associated General Contractors (the Laborers—Associated General Contractors [Laborers-AGC] Education and Training Trust Fund). Both of the union programs provided strong leadership in the national program and both represented workers in key hazardous waste sectors: OCAW members produce hazardous materials and waste, and the Laborers clean it up. Each union was focusing on worker health and safety in the context of increased management resistance to joint labor-management cooperation alongside decreasing job security. The union case studies provided an opportunity to explore how health and safety struggles are shaped by industry-specific contexts as well as by the overall political economy.

The research included reviews of documents related to each organization. It also included observations of each program's activities as well as participation in program events. At the time, I directed a university-based WETP awardee organization and was actively involved in WETP meetings and discussions. As an insider-researcher I was able to access my own notes and the notes of others in the national program. Throughout the book I include quotations from people who were interviewed during the research. Quotations that are not otherwise cited resulted from these interviews.

The book is primarily about the first 5 years of the WETP and each union's program. In 2007, however, the WTEP was in its 20th year of operation, with the strong likelihood that it would continue. I have included updates on the WETP and the two union programs in order to provide a fuller picture of the WETP's successes,

its constraints, and the context within which it operates. On September 15, 1987, NIEHS awarded 11 grants to nonprofit organizations (unions and university programs) so that they could develop and deliver training to targeted worker populations. By 2007, the agency's WETP was funding 18 awardees representing more than 80 organizations.

The WETP's boundaries have been established by multiple forces. Certainly most powerful has been the turn to free-market fundamentalism (neoliberalism) coupled with a conservative political consensus in Washington, DC. The greatly weakened labor movement largely withdrew from its never-too-strong platform on worker health and safety. The weakened environmental movement had largely abandoned hazardous waste issues to pursue sexier issues that would recruit more members, donations, and foundation dollars. Often this has taken the form of looking toward a sustainable future without sufficiently addressing the past-to-present environmental destruction and its ever mounting legacy of degradation and disease, which disproportionately burdens people of color and the working class. As this history will demonstrate, the WETP has steadfastly and successfully pursued its collective goal of developing excellent worker health and safety training and using HAZWOPER worker protections as a focus for addressing hazardous waste management and remediation and hazardous materials incident prevention and response issues.

LAYOUT OF THE BOOK

To provide the historical context for the WETP story, chapter 2 discusses the hazardous waste management industry, a regulated private-sector answer to the hazardous waste crisis. This chapter also provides a short history of the OSHA New Directions training program, an earlier national health and safety training grant program that helped to build an active health and safety movement but was dismantled by the Reagan administration. Chapters 2 and 3 present the history of labor's involvement in obtaining federal government resources to protect HAZWOPER workers, looking at the efforts of the American Federation of Labor—Congress of Industrial Associations (AFL-CIO), the International Association of Fire Fighters, and the building trades unions. The work spans the 9 years between the community uprising at Love Canal in Niagara, NY, that put the hazardous waste crisis on the national agenda and led to the passage of the Superfund law and to the signing of the reauthorization of the Superfund law in 1986.

Chapters 4 and 5 present the process of developing and implementing the WETP within NIEHS. The various actors and their major concerns are considered in detail as they build its architecture and begin training workers. The early concerns of WETP leaders were to establish cohesion across the different awardee organizations, excellence in training and program management, and measures to sustain the program beyond the initial funding cycle. Conflicts arose among the awardees and between the awardees and NIEHS. The skillful conflict management and the willingness of awardees to engage in dialogue and compromise present a glimpse of the sometimes delicate balancing of commitment to coalition building and individual organizational goals.

Chapters 6 and 7 present the case studies of the two labor union programs. Each adopted an emphasis on program excellence that was framed in part within the boundaries set by employer control of the workplace and the industry. Each also intended to use the training to strengthen the union and its capacity to increase workers' ability to secure healthier and safer working conditions and to build confidence from those actions to create stronger unions.

Chapter 8 presents an actor analysis of the political economy of the efforts by labor and its allies to establish and build a national HAZWOPER worker health and safety training program. The analysis assumes that economic forces shape the political decisions arising from and used to engage in class struggle (with worker health and safety protection and environmental quality being aspects of class struggle). An analysis of the roles played by five broad sets of social actors (unions, management, professionals, the state, and social movements) in this history sheds light on the arenas of conflict and cooperation in the political economy of the work environment and the ways in which existing corporate hegemony influences those arenas. This analysis of a social history provides a window into how the existing capitalist state operates, how unions and corporations relate to the state and to each other, and how professionals within labor, corporations, and the government influence these dynamics while also pursuing their own interests. It demonstrates how divisions within social sectors (corporate or labor, for example, as well as social movements) provide points at which temporary alliances can be forged to leverage opportunities for victories— whether they be regulating industrial practices or gaining ideological hegemony through threats of scarcity and competitive weakness. Exploring the interplay between these actors in the political economy of the work environment provides a valuable tool for mapping directions for creating future changes (see Figure 1).

Chapter 9 concludes the book, looking at the hazardous waste crisis today and the limitations of reforming capitalism at the expense of the ongoing degradation of human health and environmental sustainability.

MOVING FORWARD

The history of the Worker Education and Training Program and an analysis of its political economy provide a window into worker health and safety at the end of the 20th-century U.S. liberal reform era. The history demonstrates the limits of public health and labor strategies that have not challenged the mode and control of production, particularly in the face of free market ideology. It can help us gauge the successes and limitations of past strategies as we pursue new strategies for navigating the role of the state and achieving fair and just trade and market systems, the advancement of workers' rights, and global democracy.

United fronts of labor and environmentalists are now needed to fight against the corporate elite's assault on the working class, its health, and the environment. The assault's global dimension has had a core goal of dismantling the capacity and role of the state as a tool for broadening the rights and living standards of the working

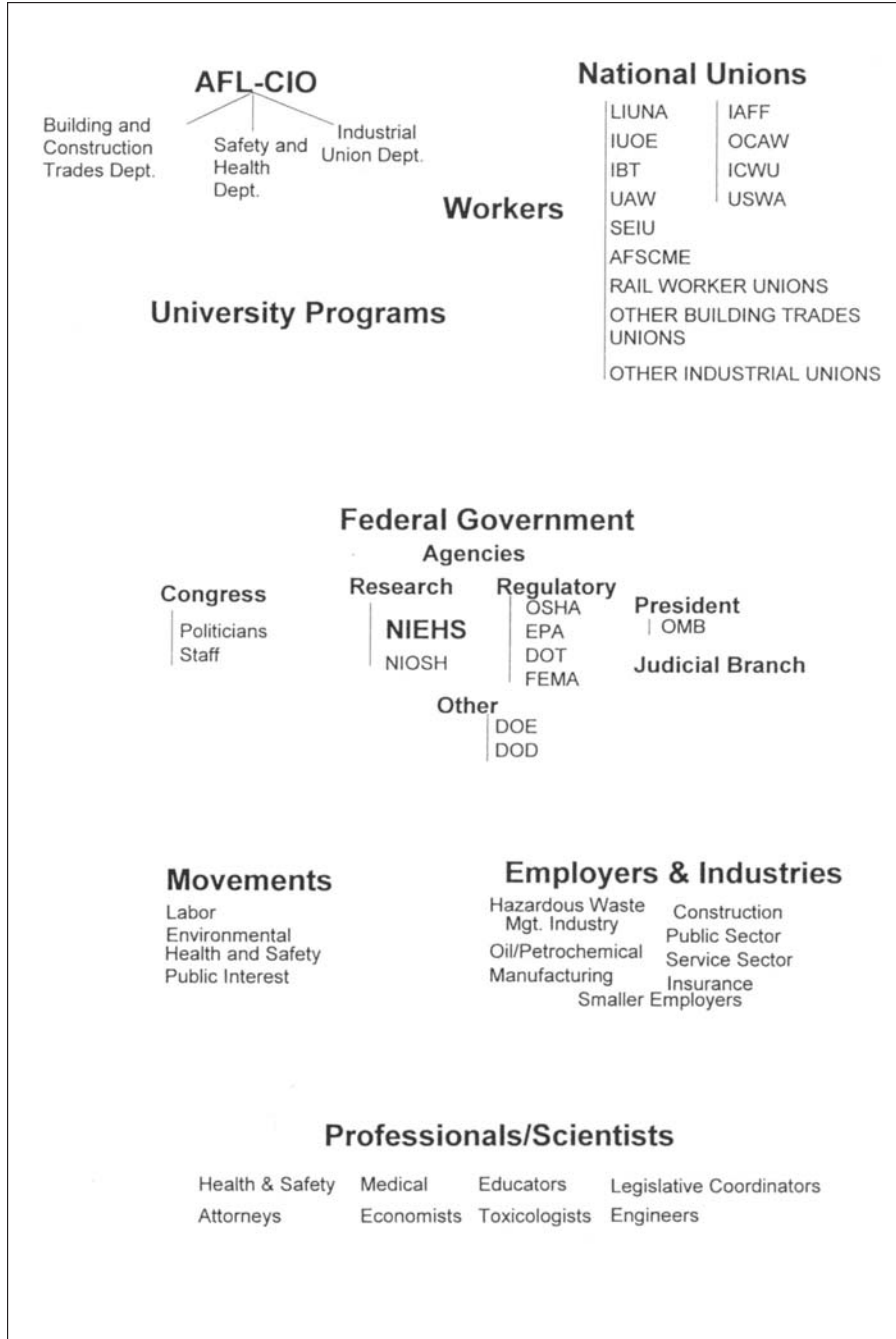


Figure 1. Actors in the political economy of the WETP.

class. The liberal reform strategies of the 1960s and 1970s probably are not replicable in this new era of diminished and less democratic governments—particularly in the United States.

Yet, OSHA, the National Institute of Environmental Health Sciences (NIOSH), the WETP, and the U.S. Environmental Protection Agency (EPA)—the bodies providing the public health regulation and police functions of the state—have made a substantial difference for many workers. These reforms have been successfully used to make work safer and healthier and to make health and safety an issue of greater social concern. The EPA's regulation and enforcement of environmental protection has produced a cleaner environment than most people had 50 years ago. Agencies like these will not by their existence alone result in a transformation to environmentally clean and socially just and equitable production, but they certainly could be used to do that if it were the national intention. For now, though, OSHA has played only a timid role and, as already stated, the EPA has not prevented the continuing spread of hazardous waste sites. Hopefully, an examination of the WETP can help us to consider whether we want our great-grandchildren to spend their working lives in and among industrial poisons.

ENDNOTES

1. To better understand these references, see Shellenberger and Nordhaus (2004), and Ehrenreich (2005).
2. In his book, *A Brief History of Neoliberalism*, David Harvey describes neoliberalism as,

a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade. The role of the state is to create and preserve an institutional framework appropriate to such practices. . . . There has everywhere been an emphatic turn towards neoliberalism in political-economic practices and thinking since the 1970s. Deregulation, privatization, and withdrawal of the state from many areas of social provision have been all too common. (Harvey, 2005, pp. 2-3)

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