

By Chip Hughes and Len Stanley

NEXT TIME YOU OPEN A BAG of Fritos or a pack of cigarettes, think about Marvin Gaddy. Marvin has worked in Olin Corporation's film division for more than 20 years making cellophane wrapping. He can't see as well as he used to and still gets nightmares once in a while. But he's luckier than some of his fellow workers on the second floor of the Olin plant in Brevard, N.C., on the edge of the Pisgah National Forest.

Olin's film division produces viscose, which is extruded, solidified and dried to form cellophane. Twelve massive vats are kept in constant rotation, each mixing together 100 to 300 pounds of ripened alkali cellulose (raw wood pulp and 16 percent caustic acid).

Marvin used to add carbon disulfide (CS_2) to the rotating vats to quicken the process of breaking down the raw wood pulp into a liquid cellophane-like mixture. Nobody ever told Marvin and his fellow workers that the carbon disulfide could harm them.

"A lot of people would leave," says Marvin. "The younger ones would come in there, work a few days, and then they'd invariably get a big whiff of CS_2 . People would act real unusual, get headaches and think they were getting the flu. After a few overdoses, the nightmares would start coming on them."

"We'd go in and tell the company. 'Damn it, you'd better do something about this CS_2 stuff.' They'd tell us to get the hell out: 'We don't need you. If you don't enjoy your job, then go home.'"

"Course we didn't have a union back then. And we didn't have Jimmy Reese rummaging through their trashcans and filing all those grievances and complaints."

James Reese is a maintenance man at the Olin plant and chairman of the union safety committee for Local 1971 of the United Paperworkers International Union (UPIU).

Olin workers had to stand up and fight for more than 30 years before they got the union in at Olin. The battle left a trail of beaten-up organizers, fired union sympathizers, and heart-breaking, one-vote Labor Board election defeats.

Finally, in 1971, the union won a contract that included a safety committee of company and union representatives. For the past five years, the committee has investigated numerous toxic substances: asbestos, carbon disulfide, formaldehyde, tetrahydrofuran, flax dust, noise, radiation, methyl bromide.

"I had learned the OSHA standards even before we got our union organized, till I almost had them memorized," recalls James Reese. "I was just kind of interested. It represented a kind of challenge to me because I've seen some of the conditions up there and I've been hurt on the job myself."

"I'm not sure what set me off. I think it's just the fact that I'm a kind of militant type of character and this way, for once, I had something that they had to listen to. I finally had a law to back me up."

The OSHA tool

Congress passed the Williams-Steiger Occupational Safety and Health Act of 1970 in response to escalating on-the-job injury rates and intense pressure from national unions. The act created The Occupational Safety and Health Administration (OSHA) within the Labor Department, with responsibility for inspecting the workplace for hazards and imposing penalties of up to \$10,000 when unsafe conditions were uncovered.

In addition, the act gave rights to affected workers to assist OSHA in cleaning up their plants. These workers' rights are the most important aspect of the law, because unions and employees cannot depend on the chronically under-staffed and under-financed OSHA to initiate enforcement. Workers can file a complaint requesting an unannounced inspection, accompany the OSHA inspector during his or her inspection, demand an investigation of potentially harmful substances, and challenge the amount of time given a company to clean up recognized hazards.

James Reese: "Back in September '72 I heard from people that the company was

OCCUPATIONAL SAFETY

OSHA is a life and death matter at Olin plant

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gonna be doing these noise tests, so I went up with them to see what was going on. This guy got on me pretty hot. He tried to get rid of me, and we got into a regular cuss fight over it. He says, 'You get out of here. You got no business in here.' I says back, 'I represent all the people in this union as their safety man.' He kicked me out of there, but I filed a grievance on it."

"I got all fired up. I threatened to file charges with the federal government through OSHA on it. Well, that scared them, so they sent it up to the highest corporate levels. Pretty soon, a letter comes back from the higher-ups saying that we can watch any of their tests and also get all the records of what they find. And that's what I was doing, getting it all down on paper to show what their real attitude is toward safety and health—in spite of those big awards they got plas-

tered all over the cafeteria walls and their reputation as a safe company."

The National Institute for Occupational Safety and Health (NIOSH) was set up by Congress in 1970 as the research arm for OSHA. At an employee's request, NIOSH inspectors will determine whether any toxic substance found in the workplace is causing harmful effects. Unfortunately, NIOSH does not have enforcement powers.

In July 1973 a NIOSH industrial hygienist came to Olin's Pisgah Forest plant to investigate CS_2 . The NIOSH team went to the second floor and observed the leaky gaskets and pipes, and the air vacuums that clogged every once in a while.

They also tested to see how much carbon disulfide was in the air when the big vats were opened for scraping. The dials of the NIOSH equipment went up as high

Supreme Court makes OSHA's job more difficult

By Tom Young

THE SUPREME COURT, IN A decision announced May 23, has dealt another blow to the already beleaguered Occupational Safety and Health Administration (OSHA). The Court ordered OSHA to cease making factory inspections without a court-ordered warrant.

The case involved arose in Pocatello, Idaho, when Frank Barlow, a plumbing contractor, refused to allow OSHA inspectors into his business establishment. Barlow is a member of the John Birch Society, which has been conducting a campaign against OSHA for several years. Barlow's defense was joined by the American Conservative Union and U.S. Chamber of Commerce and became something of a New Right *cause celebre*.

Although it overturned warrantless inspections, the Court majority allowed rather broad grounds for seeking warrants. For example, the Court said, the statement of an OSHA official that a workplace was in a particularly dangerous industry would be adequate grounds for issuing a warrant.

OSHA might be able to incorporate

securing warrants into its normal inspection procedure and act much as before the decision, though the increased paperwork and costs will tax the already overburdened agency. Moves are already underway to add 100 to 150 new lawyers to OSHA's staff.

Many observers expect problems, however. Eula Bingham, Under-Secretary of Labor for OSHA, echoed the Supreme Court, saying she believed that "the great majority of businessmen can be expected to consent to inspection without warrant." But Anthony Mazzocchi, Oil, Chemical & Atomic Workers (OCAW) vice-president, expects employers to demand warrants as a matter of course: "We already have total resistance; the Supreme Court action is a license for dilatory action."

Mazzocchi also points out that delays currently run three years between initial inspection and actual payment of penalties.

George Taylor, secretary of the AFL-CIO standing committee on OSHA, foresees Chambers of Commerce promoting a pro forma denial of entry, clogging the courts with appeals. "We haven't begun to see the jam up," he says.

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as they could—288 parts per million (ppm). The OSHA standard for carbon disulfide is 20 ppm.

A variety of disorders.

Three months later, NIOSH sent down a physician to do a follow-up medical survey on neurological problems with the workers on the second floor. He interviewed 29 men. Most of them complained about recurring nightmares, abdominal pains, headaches, dizziness and insomnia. He summed up his findings with a short statement: "A number of bizarre neurological findings were noted." Among his findings were the following:

• A 34-year-old man worked 14½ years in the chemical building prior to his transfer. He has a several-year history of numbness, pains and tingling involving the right side of his face. A neurological consultant for the company diagnosed him with "a typical facial neuralgia."

• A 44-year-old man with 22 years exposure. He has been on leave from work for two years with a vague arthritis-like ailment.

• A 37-year-old man with 16 years exposure had the onset of a convulsive disorder two years ago, beginning with a three-day period of status epilepticus. His doctor told him his seizure was due to a "swelled blood vessel in the temporal area." An extensive report by a neurological consultant hired by the company indicates no such finding to explain the onset of his epilepsy. He is currently depressed by his downgraded position (janitor). His neurological exam was normal.

"That last guy you read about, that was Jimmy Massey," explained Bert McColl, who suffers himself from a rare form of hipbone decay that makes walking difficult. "Massey got this stuff worse than anybody. They called it epileptic fits for a long time so they wouldn't have to pay no workers' compensation to him. First time it happened, he was just sitting there eating supper with his wife and kids. Then he started having a fit. So the company said, 'If it just happened at home, then it couldn't have anything to do with his work.' Later on, they found all the tumors."

"Jimmy Massey is still barely living over near Canton. They give him a few more months before the cancer will eat up his brain. His wife just had a baby recently. The family started runnin' out of money with all the medical bills they had to pay, so the company put Jimmy back to work again. They put him on the janitor crew, going around the plant picking up trash. He'd wander round and round not even knowing what he's supposed to do. He'd sit around by the time clock without even knowing when he should punch out."

At the end of April 1974 NIOSH finally released its health hazard evaluation report for the CS_2 . The evidence showed that acute exposures to carbon disulfide had been occurring episodically and these exposures provoked the symptoms in the Olin workers.

However, the report said, "there does not appear to be sufficient medical evidence at this time to warrant a conclusion that chronic exposure is occurring in a sufficient degree to provoke illness. Without question, several atypical and unexplained illnesses were encountered during the study. Time may eventually resolve these diagnostic problems."

The report concluded: "It is difficult to postulate that such diverse and asymmetric neurological problems are due to common exposure to toxic substances or due to some unusual personal susceptibility. Local problems of this type are probably related to chance distribution."

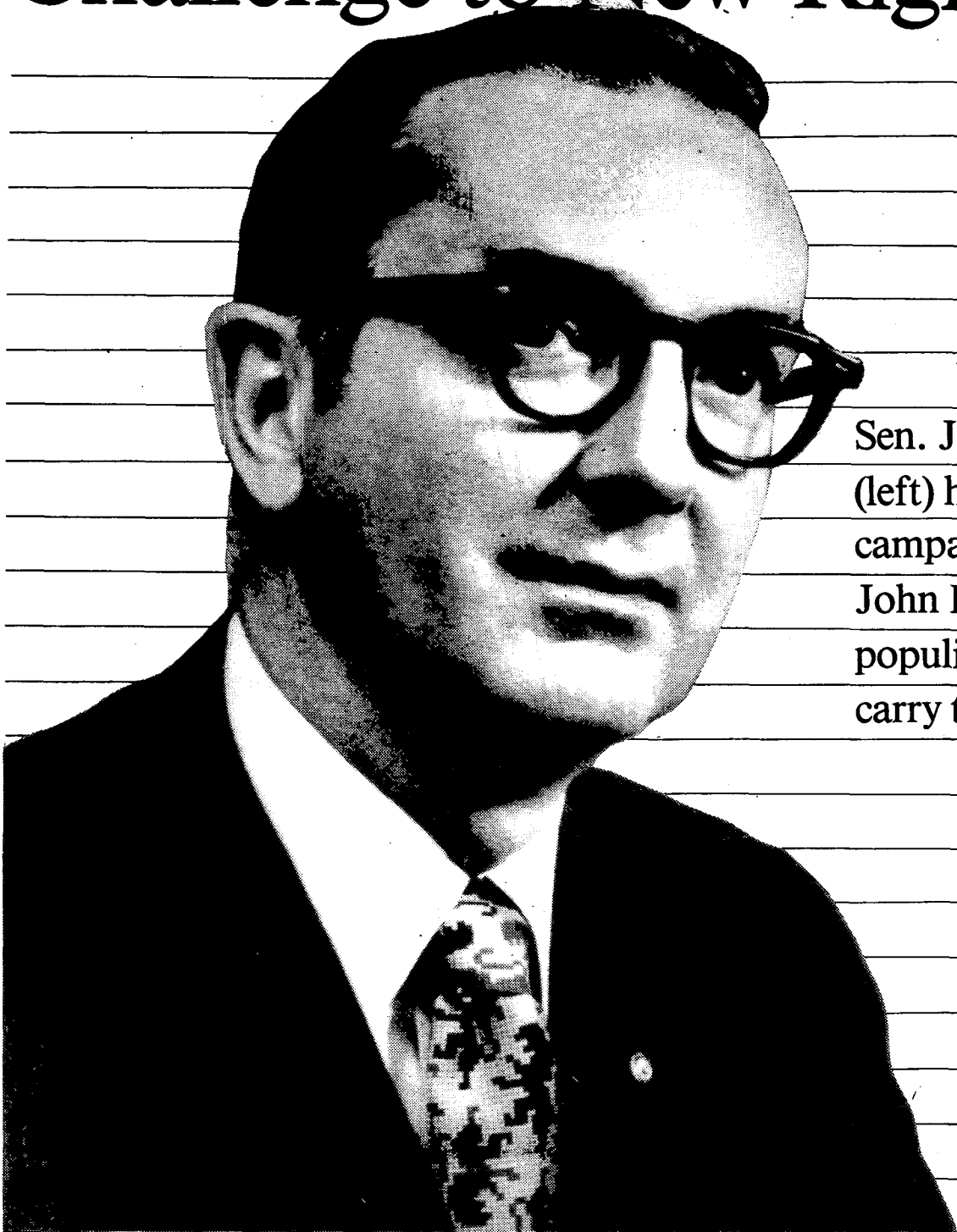
Marvin Gaddy: "That's all wrong. We can definitely show you why at least 12 out of these 24 people have all these weird problems. They all worked with the CS_2 . You see, it's really a nerve gas, at least that's what they used it for back in the war. The stuff goes about working on the weakest nerves that you got. Now, my nerves and Bert's are different. He can't walk or move around the way he used to; I can't see too good."

After the NIOSH study was released, some small changes occurred around the Olin plant. At least there were some written records showing what the carbon

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ELECTIONS

Challenge to New Right in N.C.



Sen. Jesse Helms, (left) has an immense campaign fund, but John Ingram's populism may still carry the day.

By Bob McMahon

THE AGGRESSIVE NEW RIGHT faces an important test in North Carolina's U.S. Senate race this fall. Senator Jesse Helms, a Republican, will face Democrat John Ingram in a battle pitting the right's social issues against populist economics.

Helms, 66, a former television commentator, has emerged since his 1972 election as a leading voice of the New Right. Not uncommonly voting in a minority of one or two in the Senate, he is widely known in his home state as "Senator No."

Helms has been a Senate leader in efforts to cut federal funding for abortion and to seek a constitutional amendment banning abortions. Last September he offered his own refinement of the techniques of McCarthyism with a "hearing"—unsanctioned by any committee—into the Houston International Women's Year Conference. The hearing proved a selective forum for Right-to-Life and Stop ERA forces to denounce the IWY meeting as dominated by "feminists, radicals and lesbians."

In foreign affairs, Helms helped lead the fight against the Panama Canal Treaty. He is recognized as one of the main congressional defenders of South Africa and the Chilean junta. On a 1976 visit to Santiago he was full of praise for the "dynamic" General Pinochet.

As the Senate takes up labor law reform, Helms is at the forefront of the filibuster against the measure. He is a consistent opponent of unions, having backed measures to deny food stamps to strikers and to extend right-to-work laws nationwide.

Reagan backer.

Helms began this uncompromising voting record as soon as he appeared in the Senate. He drew national notice in 1975 as one of the members of a group of right-wingers who threatened to bolt the Republicans for a new conservative party if the 1976 candidate and platform did not satisfy them.

In March 1976 Helms and his allies engineered Ronald Reagan's North Carolina primary victory over Gerald Ford. The win, coming after a string of losses, helped keep Reagan in the race and pushed the tone of the national election toward

the right.

Coming up for re-election, few North Carolina observers underestimate the strength of his position.

Helms' strength is somewhat independent of that of the state's Republican party. While he owes his election to the Nixon landslide, Helms has a substantial base of his own among voters in traditionally Democratic eastern North Carolina. He built this base as a television commentator in Raleigh during the 1960s, when he was a leading spokesman of resistance to desegregation.

North Carolina's Republican party is in weak shape, devastated by losses in the 1974 Watergate aftermath, which destroyed decades of gradual growth. While the party has not yet begun to recoup its losses on the state and local levels, the Republican vote, along with Democratic crossovers, could provide Helms a winning majority.

Helms' campaign certainly will not suffer for lack of money. National fundraising has been pursued for nearly a year in preparation for the re-election effort. Over \$3.5 million has been raised so far, much of it plowed immediately into further solicitation efforts by New Right

direct mail artist Richard Viguerie.

Besides Viguerie's direct mail efforts, the Helms campaign has also received important amounts of money from business lobbying groups, corporate political action committees, the American Medical Association's political fund, and the Right to Bear Arms Victory Fund, and a host of other conservative sources.

Within North Carolina Helms has been favored by extensive donations from executives of the state's furniture, textile and construction industries, perhaps in reward for his unremitting hostility to unions. (The non-union textile and furniture industries now exhibit a siege mentality in the face of AFL-CIO organizing drives, while the Associated General Contractors of North Carolina is acknowledged as a leading force in efforts nationwide to weaken trades unions.)

Populist opponent.

Helms' Democratic opponent, N.C. Insurance Commissioner John Ingram, demonstrated his ability as a campaigner in an upset over primary opponent Luther Hodges Jr. May 30. Ingram, running a heated populist campaign, accused his opponent of being the candidate of the special interests and monopolies.

Hodges, son of a former governor, had resigned as chairman of the board of North Carolina National Bank, the state's largest, to run for senator. In a campaign typical of North Carolina's "progressive plutocracy," Hodges stressed his business experience as an asset in working for the state's economic development. Nationally syndicated columnist Germand Witcover summed up his campaign as "jobs, jobs and more jobs."

Ingram ran hard on his record as a consumer advocate in the Insurance Commission, pledging to be a "people's representative in Washington." During his term as Insurance Commissioner Ingram repeatedly battled with the industry over rate hikes, age and sex discrimination and other consumer issues. After he survived a reelection campaign against the lavishly financed opponent in 1976, insurance lobbyists pushed through legislation stripping Ingram of much of his regulatory power.

Ingram made insurance an important part of his Senate campaign, calling for an end to current exemption of the industry from federal anti-trust regulation. Outspent nearly 20 to one by Hodges in the campaign, Ingram also made his opponent's financial backing from the banking industry an issue in the campaign.

In the first primary, with a field of eight candidates, Hodges drew 40 percent of the vote to Ingram's 26 percent. A month later in the runoff, Ingram had taken over the lead, 54 percent to Hodges' 46 percent.

The New Right has claimed the Sunbelt as the most receptive ground for their political issues. Ingram's success in coming from far behind on a shoestring budget suggests that North Carolina voters just might be ready to listen to something else.

Bob McMahon writes frequently for IN THESE TIMES from North Carolina.

OSHA and the Court

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The Court's decision in the Barlow case is only the latest in a series of roadblocks and stumbles OSHA has suffered. Forced on a reluctant Nixon administration by Congress in 1970, the agency was ineptly led, at times it appeared by design. Small businessmen, mobilized by a masterful right-wing press campaign based in part on OSHA's real faults, have provided a mass constituency for corporate attacks on OSHA standards and rule making. Numerous bills have been introduced in Congress to restrict or abolish the agency.

A current example of the obstacles

placed in OSHA's path is its standard for cotton dust. The same day as the Barlow decision was announced, the *New York Times* reported that the standard, set for publication May 31, had been delayed by order of the Council of Economic Advisers and the Council on Wage and Price Stability (COWPS).

The standard has been repeatedly postponed, beginning in 1972 when George Guenther, then head of OSHA, blocked any action on cotton dust until after the election.

The *Times* quoted Charles Schultze, chair of the Council of Economic Advis-

ers, as stating that regulations must "not impose unnecessary or uneconomic costs on American industry." That costs must therefore be imposed on textile workers in the form of disease and early death was left unstated.

Cotton dust is only one immediate issue. "Coming up are standards for lead, arsenic and also a general policy on carcinogens," says Taylor, "and if it goes on like this we will have an impossible regulatory situation as far as OSHA is concerned." If each standard must be passed on by the Council of Economic Advisers and COWPS, he says, few will see the light of day.

OCAW vice-president Mazzocchi sees the killing of the cotton dust standard as an explicit statement of the Carter administration's ideology: "There is this in-

credible no-nothingism on inflation," he says. "No costs can be imposed on industry, workers must die in order that goods get produced.... And yet these same guys are talking about [the high cost of] National Health Insurance—where do they think hospital admissions come from?"

Given the current situation on safety and health, a solution does not come readily to mind. Taylor of the AFL-CIO says that only presidential leadership will turn the situation around; yet he admits that it is the President's own advisers who have followed the corporate line on OSHA. Action in Congress the strengthen the agency is unlikely. "If the law is opened up," says Mazzocchi, "it will be amended to death. A remedy is not easy." Tom Young is a writer in Chicago.