

BULLETIN

## **HSA wins landmark case in workplace health and safety**

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by YUKIE KURAHASHI

It might start with a sore throat, watery eyes, nausea, and headaches that develop while you're at work and subside when you get home. The symptoms might progress to constant fatigue, rashes, anaemia, and gastrointestinal problems. A few sufferers may develop debilitating symptoms when exposed to car exhaust, smoke, perfume, or even some building materials or plastics.

"Multiple chemical sensitivities" is one of many terms used to describe these and other chronic health problems that arise from exposure to toxic chemicals - and many health care workers may be at risk.

In February, HSA won a landmark case at the Workers Compensation Board appeal division on behalf of an x-ray technologist who developed severe multiple chemical sensitivities after prolonged exposure to chemicals used in developing and fixing x-ray film. She was also exposed to a mixture of sewer gas, drain cleaner and film developing and fixing chemicals from a backed-up floor drain.

This decision was instrumental in securing a further win at the WCB review board for another x-ray technologist who developed similar symptoms due to her workplace exposure to film chemicals. X-ray film developing chemicals contain (among other toxins) glutaraldehyde, B-hydroxyquinone and acetic acid; worse, they produce formaldehyde - a carcinogen - during the developing process.

This decision marks the first time that the WCB has accepted a workers claim for increased sensitization to chemicals that she was exposed to at the workplace, and also for the "spread" of her sensitivity to other chemicals outside the workplace (such as wood smoke and car exhaust).

Carol Riviere, who presented the case to the WCB appeal division, says this recognition of a claim for multiple chemical sensitivities marks a significant breakthrough.

"This is a real disease, although there is still some debate in the medical community regarding the nature and possible causes of multiple chemical sensitivities. For HSA members, the risks for developing the symptoms of this disease are particularly worrisome because so many members are exposed to highly toxic chemicals in the regular course of their duties," Riviere said.

She warned that x-ray technologists are not the only group at risk. "Glutaraldehyde, which is believe to be one of the main causal agents, is currently used in film chemicals. But it is also used as a cold sterilant in labs, operating rooms, and various other work environments, even though there may now be safer alternatives available."

She added that although this win is extremely good news for the x-ray technologist affected in the case, no amount of resulting compensation will be able to make up for the way this illness has affected her. "Like many HSA members, this member loved her job," Riviere said. "Now, not only is she unable to return to her chosen career, she is totally disabled, and must spend her time travelling to places where the air is clean enough that she doesnt need a respirator."

Riviere emphasized that the member should be commended for her diligence. "Throughout, even though she was dealing with a severe disability, this member had the perseverance and courage to carry on with the appeal process," Riviere said. "She knew that her case could be pivotal for her colleagues across the province who are suffering with this same devastating condition, so she was unwilling to give up, as a matter of principle. I greatly admire her strength in carrying through with her appeals."

Rachel Notley, who originally prepared and presented this case to the WCB review board (the first level of appeal), joined Riviere in applauding the x-ray technologist.

"All HSA members should be made aware of this issue," Notley said. "We strongly encourage members to file claims when they start to develop the milder symptoms. They should also file incident reports when chemical spills or drain back-ups occur in their workplaces, so that they have documentation if they do subsequently develop symptoms."

*Carol Riviere and Rachel Notley are HSAs WCB Appeals Officers. Watch for an article on minimizing toxic chemicals in the workplace in an upcoming issue of The Report.*

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