

ASBESTOS

Working them to death

Outrageous Misconduct: The Asbestos Industry on TrialBy Paul Brodeur
Pantheon, \$19.95 hardbound

By Tom Jenn

EACH YEAR WE INVEST MILLIONS in the crusade to find a cure for cancer, yet its causes remain in our environment. Hazardous waste dumps contaminate groundwater, industrial and automotive emissions pollute the air, and suspect additives, junk food and cigarettes spoil our bodies. Though we're all collectively responsible for this paradoxical poisoning, most of us are too busy with everyday affairs to know about environmental safety. We've little choice but to entrust our health to government and business leaders in the know.

In the free-trade combat zone, that trust can take a beating. *Outrageous Misconduct: The Asbestos Industry on Trial* by Paul Brodeur is the story of trust betrayed. Brodeur's superbly researched indictment of the asbestos industry sometimes gets bogged down in sheer fact, but this dense material is offset by the author's tough-minded reportage. Brodeur relates how, for nearly 50 years, Manville Corporation (formerly Johns-Manville) deceived the community about asbestos hazards, which caused the illness and death of thousands of its workers.

If this sounds like a simplistic view of a complex political controversy, let Manville corporate managers tell their side of the story. Don't pay attention to their public statements, however. What counts is what they say in the privacy of the corporate boardroom. According to minutes of meetings and memos uncovered during the asbestos litigation, Manville officers knew of the links between asbestos and cancer of its workers early in the '40s. Publicly, though, they denied this connection until 1964.

Killing them softly

When confronted with data that showed workers were contracting asbestosis—a debilitating and potentially fatal disease caused by exposure to asbestos—Manville's chief lawyer explained the company position. We don't inform workers they're dying, Vandiver Brown said in the early '40s, because if they knew they would quit and sue the company. Manville withholds this information because "we save a lot of money that way," he said, adding that the workers are happier not knowing their fate.

Company scientists also fell into the same (il)logical trap. Dr.

Kenneth Smith, who conducted a survey of Manville workers in 1948, agreed with Brown. His study of one plant found that out of 708 workers only four had healthy lungs. Yet as long as a worker was not disabled, he wrote in a company memo, "he should not be told of his condition so that he can live and work in peace and the company can benefit by his many years of experience."

As scientists doctored data, Manville's adroit legal staff manipulated the law to deny fair payments to injured workers. They often forced out-of-court settlements, or dragged each case into a lengthy, costly trial. Sometimes workers pressed claims only to die during hearings. Later, relatives would receive meager checks that barely covered legal fees. All the while, employees continued to fall ill from unsafe working conditions.

Manville conspiracy

Manville's defense was bound to crumble, which it did in the '60s and '70s, when prosecutors uncovered evidence of the company's conspiracy to hide information from the public. When workers began winning cases, the number of lawsuits against the company skyrocketed. By 1982 nearly

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17,000 cases clogged the courts and juries were finding Manville guilty of reckless and willful misconduct, leveling fines of up to a million dollars a crack.

In a last-ditch move to avoid responsibility for its past crimes Manville filed for bankruptcy in the spring of '82. Though the corporation was in good financial health, lawyers argued that it needed government protection from the estimated 50,000 lawsuits anticipated, which could cost \$5 billion to settle. The move effectively blocked all claims against the company for three years, as the issue remained stalled in bankruptcy court. During that time, the company's profits surged

forward and plaintiffs continued to fall ill from work-related cancer.

Through full-page newspaper ads and congressional lobbying, Manville called for legislative protection from future lawsuits. But in 1985 it was forced to accept a compromise that weakened its financial foundation. All tolled, the corporation is locked into paying nearly \$2.5 billion over the next 25 years to a special asbestos claims board. If Manville fails to bring in enough revenues to pay off the claims, it will have to sell

ers are compensated fairly and quickly for their injuries (if there even is "fair" compensation for death). And the decision must also send a message to business that society will not tolerate the abuse of safety standards, nor will we allow potentially hazardous products into the community.

Viewed in these terms, the Manville settlement is far from a victory for environmental safety or workers' rights. Tens of thousands of victims will not see compensation for years to come. Potentially harmful asbestos still remains in many public schools and buildings. With no clean-up efforts scheduled, several hundred thousand people are expected to die in the next 30 years from this and other low-level exposure to asbestos.

The impact of the settlement on

product safety. The measures would effectively shift the burden to prove a product's safety from producers to consumers, and make it more difficult for victims to collect damages. These bills would set compensation for work-related illnesses, like asbestosis, at levels favorable to business.

In spite of the \$900,000 industry has funneled into political action committee contributions aimed at the legislation, the bills have met with stiff opposition. And *Outrageous Misconduct* should give more ammunition to that opposition—though the book will never be the best-seller it deserves to be. Brodeur has built an argument so thorough that it can't be refuted by the asbestos industry, yet his critique is also so involved that it probably can't be grasped by the millions of unsuspecting



Peter Hannan

up to 80 percent of its common stock to the board.

Most journalists either hailed the settlement as a worker-rights victory or condemned it as an unfair punishment that would cripple business—but not Brodeur. His years of experience covering the asbestos controversy, which won him a 1985 trial lawyers association award, has led him to a different conclusion. The settlement is only a victory, he argues, if work-

the business community has hardly been encouraging. It has merely spurred corporate leaders to lobby harder for laws holding them less accountable. Several versions of the Uniform Product Liability Act, introduced by Robert Kaston (R-WI), have made their way into the Senate. The bills, supported by Reagan and an impressive alliance of corporations, would impose strict limits on the responsibility of manufacturers for

consumers who will eventually suffer from their unwitting exposure to toxic asbestos products. *Outrageous Misconduct*, though far from arm-chair reading, will nonetheless carry its message to patient readers. It's a message we can't afford to ignore: corporations must be held accountable for the safety of their products, or every body's health will suffer.

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WORK

Laboring under false illusions

Brave New Workplace

By Robert Howard
Elisabeth Sifton Books/Viking,
223 pp., \$16.95

Inside the Circle: A Union Guide to QWL

By Mike Parker
Labor Notes/South End Press,
154 pp., \$10

By David Moberg

BOSSES HAVE ALWAYS HAD a problem with their workers that is much like the old saw, "You can lead a horse to water, but you can't make him drink." Slaves reportedly misused or broke tools deliberately. Frederick Taylor, the inventor of "scientific management," was only one of many who set out to stop what he called "systematic soldiering," or deliberate slowing of pace. Henry Ford thought that a \$5 day—combined with a comprehensive supervision of home and work life—would create a compliant, motivated workforce. Others have relied on piece-work, assembly lines and incentive plans as well as simple despotism. Managers everywhere regularly complain of strikes, absenteeism, featherbedding and other interruptions by those pesky humans on whom they regrettably depend.

Even when workers think they are foiling the boss and "making out" they participate in a game of work that keeps production going and obscures the reality that it is the boss who ultimately makes out, as sociologist Michael Burawoy argued in his fascinating study, *Manufacturing Consent*.

Will the problem be solved with the Brave New Workplace that journalist Robert Howard describes in his thoughtful, engagingly written anecdotal account of corporate plans for work? In the not-too-distant future robots and other computerized automation will eliminate many jobs, including those in one of the fastest-growing fields, clerical work. And Howard argues (like other recent observers, such as Harley Shaiken) that for those who remain, computerization mostly offers more ways for managers to monitor and control minute details of work, not new skills and control to those who do the work.

High-tech panacea

Unpleasant as this type of automation may be for workers, it can even be counterproductive for the employer—as Howard illustrates in the case of an Eastern Airline mechanic. With new computer-controlled tools, management tried to change the mechanic into a clerk; but he circumvented them by demonstrating that if the programming were within his grasp, productivity would be much higher. Most workers, however, aren't as lucky as this mechanic and must simply suffer their new electronic chains. The psychological demands of this new work, which requires "paying attention" more than thinking and manipulating abstractions more than sensual products, creates unusually high levels of stress. The human reality again foils the corporate planners.

So increasingly managers try simply to integrate workers into the computer system. Along with the computer hardware and software now comes "roleware," creating the proper attitudes for work.

Both Howard and Mike Parker, a well-educated electrician at Ford and an active union member, are concerned with the new methods being used to harness workers' efforts to the demands of the employer. From Paradise—a dubiously dubbed back office at Citibank in New York—to Silicon Valley, employers are attempting to personalize the workplace, to tap normal social impulses for corporate ends and to inculcate an illusion of meaningfulness and emotion in the work. (A requisite weekly beer bash at a computer company, for example, is used to build team spirit and educate workers about company goals.)

Some of Howard's management sources are blunt. Talking about clerical workers in whom she was trying to build trust for a drastic change, one manager said, "You don't want them to feel that they don't have control of their jobs anymore. I wanted to make them feel that they had a little input into the decisions." Then she added, "Of course, they really don't. There was a management task force for that."

The "human potential" drift of recent decades has gained a new

perversion as employers now focus on the creation of a self rather than on craft or, certainly, class. Not so incidentally the self encouraged sees him or herself as free, yet is molded to the new corporation.

In *Inside the Circle: A Union Guide to QWL*, Parker writes as a dedicated unionist to other union members, and any union leader or member confronted with QWL (quality of worklife) in his or her workplace should definitely read this book.

Parker critically examines quality circles, quality of worklife (QWL), which are employee involvement plans and related programs that have become popular in many industries. (He discusses auto and communications most extensively.) Although he acknowledges that they appeal to common longings of workers and deal with a "vacuum" left by both labor and management, he is relentlessly hostile to these plans. "Most of the QWL-type programs currently in place...are not about improving the quality of our working lives and may in fact be destroying what little we already have," Parker writes. "Instead of providing us with more control or influence over our jobs as they sometimes claim, they are taking away our only real power by undermining our unions."

He systematically and subtly analyzes the pitfalls of quality cir-

cles, the small-group discussions about how to make work better, which are usually set up by management with limited union participation. Such groups try to break down any "we-they" distinction between management and labor and create a new social identity for workers as a team that can be antagonistic to other worker teams or the union.

Costly benefit

A group of worker "facilitators" are usually hired and paid by the company, creating a new avenue of mobility for workers that competes with the union for worker-leaders. Management-style thinking is encouraged: in a cost-benefit analysis, for example, savings in labor costs are always a benefit with no calculation of the potential loss to workers of jobs.

Parker believes that quality circles yield little after an initial burst of enthusiasm. His critical review of other studies fuels that skepti-

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cism, although there are inconclusive studies that are much more favorable. Yet management does gain from them, he argues. It can pick workers' brains and use their informal knowledge, often the basis of what little power they have in the workplace, against them. Quality circles can aid in building more cooperation with management, openness to concessions, and submission to management flexibility. And they can ultimately undermine unionism.

Ironically, unions may even further this with their own defensive strategy. Typically unions recommend that QWL be kept strictly apart from collective bargaining, but that can lead to progressive narrowing of collective bargaining, even though, as Parker notes, anything that can be discussed in quality circles can also be the subject of bargaining—and probably should be. (One critical difference: quality circles give workers the sense of direct involvement that they almost never feel in collective bargaining, an indictment of contemporary unionism.)

Parker and Howard both look at the new "enchanted" workplace similarly, but there are a couple of significant differences. Howard sees the potential for quality circles to grow into some stronger institution for worker control. Despite his criticism of this view, Parker indirectly suggests the critical factor—the broader social, political and union context. If there were a revived labor movement fighting for control, then Howard's optimism might have more solid grounding.

Union rigidity

Also, Parker and Howard look at the proliferation of job classifications in different lights. Howard sees the defense of these classifications as a manifestation of "job control unionism" that simply reflects the bureaucratic, Taylorized, fragmented organization of work imposed by management. Parker sees their defense as a source of shop-floor power, safety and job protection. Both are right. But the solution is neither QWL nor simply dogged defense of job definitions. As Parker observes, "Classifications or strict work rules are not principles of unionism. In fact, unions came to rely on shop rules and classifications in the '40s and '50s in place of other forms of shop floor power, such as a strong line steward system." Because whatever they may hope to do, unions must regain that shop—or office—direct power.

Throughout much of Parker's book there is a tone of militant defensiveness that responds to only one part of labor's current problems. For example, Parker is right that ultimately becoming more competitive or working smarter won't guarantee jobs, since the same techniques can be used elsewhere. But workers and unions operate in the short-term as well as in the long sweep of history, and they are linked to geographical locations and, unfortunately, even to individual firms (Parker suggests some ways of lessening that).

Improving productivity offers mixed blessings, threatening some jobs and saving (at least for a while) others. So unions are often mainly interested in saving existing jobs. Also, raising social productivity is in workers' general interest if they can capture enough of the benefit. Successfully fighting job loss through militant defen-

Continued on page 22

