

# HesaMag

# #17

## All that glitters is not gold: the dark side of the beauty industry



# Contents

**Newsflash...** p. 2

## **Editorial**

Workplaces are also places where we live p. 5

## **European news**

Revision of the directive on occupational cancers: a political battle requiring staying power p. 6

## **Special report**

**All that glitters is not gold:  
the dark side of the beauty industry** p. 10

The fight to protect hairdressers' health: the inside story p. 12

Working as a nail technician: when beauty is not in tune with health p. 16

The European Cosmetics Regulation: consumers better protected than hairdressers p. 24

Health hazard at the gym: instructor insecurity p. 28

A \$10 manicure? The other side of the coin p. 33

"I love it when people tell me about their lives" p. 37

## **From the unions**

Fighting for the factory, only to die for it. The exemplary fight of the former Givors glassworkers p. 39

## **International news**

The legend of Luigi Di Ruscio p. 43

## **Books**

The conversion of an "agri-manager" p. 48

Trade unions and health and safety in the workplace, a complicated history p. 49

# Editorial

## Workplaces are also places where we live

Laurent Vogel

*ETUI*

Most of the adult population spends a large amount of time at work, whether as hours per day, days per week or years of active work. Over and above the actual working hours, work plays an important role in our relations with the world around us: with the people and the things we work with. Work requires us to use our intelligence, our bodies and limbs, our emotions. Work is also an important setting for socialising. Whatever the work, it always involves some form of cooperation, with the work of any one individual part of a wider picture. It is this whole picture that gives the work its sense.

Since the beginning of the Industrial Revolution and the establishment of specialised workspaces like workshops and factories, in most cases workplaces have been designed as closed spaces, generally subject to company rules and the whims of employers. The struggles to make workplaces healthier and safer revealed the unacceptable side of work back then. The birth of occupational health as a specific discipline in the 19<sup>th</sup> century saw a form of double standard being established. Public hygiene laws served as a basis for regulating various areas of public health, while the rules adopted for workplace health were often a lot laxer, providing a lower level of protection. Looked at from a liberal perspective, workers' health rested in the hands of their employers, on a par with keeping machines in good running order or a building in good repair. Even today, the majority of those responsible for workplace health policies in the various countries prefer to rely on voluntary initiatives, on company self-regulation, to preserve the health of workers.

Even now, double standards still exist, with one set of standards protecting people

in public spaces, and another – lower – set protecting people at work. These double standards lead to major health inequalities, as workplace risks vary greatly dependent on a worker's place in the social hierarchy. A recent study conducted in Belgium showed that women and men aged between 30 and 60 working in the cleaning sector have a much higher early mortality rate than that of management staff, due to a great extent to the much higher risk of cancer and lung diseases such as emphysema or chronic bronchitis. While the material factors explaining this situation have been known for a long time, the obstacle in the way of effective prevention is to be found in the high degree of subordination resulting from the systematic use of subcontracting. The whole cleaning sector is geared towards cutting costs – whatever the cost.

A major aspect of today's debates in Europe about recasting the directive on preventing occupational cancers revolves around this question of double standards (see article on p. 6). The initial proposals put forward by the European Commission were restricted to minimum protection against a very limited number of risks. What was striking in all these debates was the ease with which very

high levels of risk were declared acceptable when the people affected were at work. For instance, the limit value for hexavalent chromium corresponded to a risk level of one in ten exposed workers developing lung cancer. Obviously, such risks would not be considered acceptable in any other field of regulation, for instance with regard to food, air or water quality, transport or consumer safety.

This all makes it seem as if the world of work is governed by different rules, much less respectful of human life. And this aspect is not limited to the risk of physical harm to workers. It also concerns their subordination, the obligation for them to kow-tow to a company or supply chain hierarchy and its disciplinary rules. The emergence of the issue of psychosocial risks reveals at what point such work organisation becomes harmful and mutilating.

Fighting for workplace health puts a major question-mark over the brutal dividing line between life at work and life in general. The goal must be to tear down this wall separating work from other human activities, to restructure work to eliminate the distinction between those performing the work and those shaping it, and to reject the double standards between protecting life in general and life at work. ●

---

**Fighting for workplace health puts a major question-mark over the brutal dividing line between life at work and life in general.**

---

# Revision of the directive on occupational cancers: a political battle requiring staying power

Cancers caused by work have become one of the main legislative battlegrounds in the European Union. The current revision of the directive can already be seen as a victory for the trade unions, in an overall unfavourable context. But how far will the revision go?

Laurent Vogel

*ETUI*

**The proposal to include diesel emissions in the Directive on carcinogens is the main bone of contention between Parliament and the Council of the European Union.**

Image: © Belga



In Europe, cancers are the main cause of deaths related to bad working conditions. An in-depth look at them reveals a paradox. All of them are avoidable: all that needs to be done is to eliminate exposure to dangerous substances at work. However, little progress has been made over the past few years. In the 1980s and 1990s, a lot of effort was put into getting asbestos prohibited, with the battle ending in 1999 with the substance being banned throughout the European Union from 1 January 2005 onwards. But subsequent union demands for tighter legislative measures on occupational cancers have come up against very effective industry lobbying and European Commission hostility. It was as if, once the asbestos battle had been won, a new chapter had been started, with occupational cancers moving out of the political focus.

The challenge we are facing is formidable. Of all the legislation on work-related health risks, legislation in this field has the greatest impact on human lives. Effectively fighting occupational cancers involves questioning employer control over the way work is organised and the use of certain production methods. The vast majority of occupational cancers are not due to accidents, but to the lack of attention paid to preventing risks in production processes and to the deliberate negligence of human health in the search for profits.

### Ten years wasted

The process of revising the directive on protecting workers against carcinogens was finally started in 2016, despite having been planned for the 2002-2006 period as part of the Community strategy on work-related health. At that time, four aspects were considered as priority by the European Commission: the inclusion of reprotoxic substances in the directive's scope, the adoption of new occupational exposure limits (OELs), a revision of the existing OELs and the adoption of criteria for setting OELs.

In the context of progressively implementing REACH, it would have been logical to consider this revision as a top priority for the 2007-2012 strategy. But this was devoted to the deregulatory shift linked to the political context of the formation of the first Barroso Commission (which took office in November 2004).

The subsequent period was overshadowed by a legislative paralysis justified by various pretexts. First, the legislative context had been made more complex by the so-called "better legislation" process which meant that any legislative proposal had to be subjected to an impact assessment revolving mainly around cost-benefit calculations. When complex measures involved impacts covering many decades, these calculations were generally based on tenuous assumptions very much open to manipulation.

Second, the launch of the REFIT<sup>1</sup> programme in December 2012 constituted a further hurdle, introducing a legislative moratorium in the field of work-related health pending an assessment of all directives. This moratorium, originally planned just for 2014, was extended by the Juncker Commission for the whole of 2015. On 6 June 2014, the Commission adopted the EU Occupational Safety and Health (OSH) Strategic Framework 2014-2020, without however foreseeing any legislative measure concerning cancers. There was thus a risk of a further multi-year stalemate, despite the fact that occupational cancers kill more than 100 000 people in Europe every year.

The formation of the new Commission under Jean-Claude Juncker in 2014 brought no change to this approach. At her hearing by the European Parliament on 1 October 2014<sup>2</sup>, Ms Thyssen – designated for the employment and social affairs portfolio – listed four priorities for her work. Workers' health and safety were not on her list. The word "cancer" was not mentioned once during the long hearing. The brief statement referring to European

1. Acronym for "Regulatory Fitness and Performance Programme".

2. The full minutes of this hearing are available at: <http://www.europarl.europa.eu/hearings-2014/resources/library/media/20141022RES75837/20141022RES75837.pdf>

legislation on occupational risks was marked by the same fudging as seen over the past decade in the two Barroso Commissions.

The stalemate finally came to an end during the Dutch Presidency of the European Union in the first half of 2016<sup>3</sup>.

### Parliament removes the barrier

The directive is set to be revised in several phases. This entails overlapping debates as the legislative process associated with each batch of proposals can take quite a long time and will not be completed when the subsequent batch is submitted to the European Parliament and the Council of Ministers. For instance, the proposal for the first phase of the revision was presented in May 2016 and ended with the adoption of a directive in December 2017. In the meantime, the second phase was initiated in January 2017. The amendments brought in by the European Parliament with regard to this second phase were voted on in March 2018 and negotiations are now taking place between the Parliament and the Council to get a directive adopted, probably in the course of the second half of 2018. We are seeing a similar overlapping with the third phase. Started in April 2018, it is expected to go on until 2019, when the fourth phase will probably be launched after the European elections in May 2019.

Cutting up the process into several phases is basically no problem. For a directive against occupational cancers to be effective, it needs to be regularly reviewed to take account of the latest data. However, a series of *ad hoc* revisions targeting specific

points brings with it the risk of missing out on a comprehensive analysis of all prevention needs. This is why the European Trade Union Confederation is calling for the adoption of a medium-term roadmap defining these needs and providing a definitive schedule for the various legislative measures, as well as for other legislative measures such as better Community funding for research aimed at stimulating the substitution of carcinogens.

The European Parliament has played a particularly positive role in this process, with its amendments greatly improving the Commission's minimalistic proposals. This pressure – backed by some 85% of MEPs<sup>4</sup> – took the Commission by surprise. It tried to present the amendments as unreasonable, intimating that they endangered the whole process of revising the directive.

In the EU system, amendments put forward by Parliament are only included in the final text of a legislative instrument when they have been taken up by the Council of Ministers. These negotiations take place in the context of what is called a "trilogue", in which the representatives of the Parliament and the Council seek a compromise. Though not having decision-making power, the Commission takes part in these meetings and is able to defend its positions.

With regard to the negotiations on the first phase, the Member States were divided into three blocks<sup>5</sup>. A significant group of States were in favour of supporting a major part of the Parliament's amendments. The States most active in this group were Sweden, France, Germany and Belgium, though, in certain questions, up to a dozen States could be involved. Two States (the United Kingdom

and Poland) wanted to uphold the Commission's minimalistic proposals and rejected all of the Parliament's substantial amendments. They were very often supported by Romania and Finland. The other States took middle-of-the-road positions or did not voice a clear opinion. There was thus no clear majority within the Council<sup>6</sup>. After a series of fruitless meetings, a compromise was finally reached, with the directive adopted in December 2017.

### Twenty-one supplementary limit values

The final text is a great improvement on the initial proposal, especially due to the inclusion of reprotoxic substances in its scope of application, something the European Parliament had wanted to achieve in the first phase. The final compromise requires the Commission to assess the consequences of this measure at the latest by the first quarter of 2019 with the aim of envisaging a revision

---

**The European Parliament has played a particularly positive role in this process, with its amendments greatly improving the Commission's minimalistic proposals.**

---

**3.** For the reasons for this shift, see Vogel, L. (2016) Cancer at work: more needs to be done to achieve better legislation, *Hesamag*, 14, 6-9.

**4.** Just two groups, the extreme-right (ENL) and the national conservatives (ECR) did not vote in favour of the majority of amendments.

**5.** These blocks were not static, i.e. their composition changed over time. Depending on the issue in question, certain States could have position more or less favourable regarding the Parliament's amendments.

**6.** A qualified majority in the Council consists of 55% of Member States, representing at least 65% of the EU population.

---

## While the current revision is indispensable, it must not black out the need to find legislative responses to emerging risks.

---

on this point. Thanks to the Parliament, the directive requires Member States to organise the health surveillance of exposed workers beyond the actual period of exposure. This is an important aspect, as cancer often only develops several years after exposure. With regard to hexavalent chromium and wood dust, the European Parliament has achieved exposure limit values ensuring a higher level of protection against cancers. However, the Parliament's amendment regarding crystalline silica was not adopted, with the European limit value leaving a considerable residual risk. This point will need to be put on the agenda of the next phases.

As regards the second phase, the most important debate was about diesel engine exhaust emissions, a risk affecting some 3 million workers in Europe. The European Parliament has voted in amendments which include these emissions in the directive's scope of application and set exposure limit values for two of their constituents (elemental carbon

and carbon dioxide), but it is still too early to know whether this will gain a majority in the Council of Ministers.

Taking stock, we can expect 21 limit values to have been adopted by the end of the current Commission's term of office in 2019. While constituting great progress compared to the three limit values adopted between 1990 and 1999, it is just little when compared to workplace reality. The 2020 target of 50 limit values will not be achieved. The defined limit values offer very different levels of protection depending on the substances. There is a lack of consistency and a major transparency problem in that the directive provides no information on the residual risks even if a limit value is complied with. Looked at from a quantitative perspective, the most important aspect is the momentum which has led to a large majority being created within the European Parliament and which has mitigated the Council's initial reluctance to go any further than the minimum proposed by the Commission. A window of opportunity is thus now open.

The current revision is limited to catching-up measures, i.e. adapting the directive to the scientific state-of-the-art and to the prevention possibilities available at the end of the 20<sup>th</sup> century. In the meantime, new scientific knowledge has appeared, especially relating to carcinogenesis, the role played by epigenetic processes, endocrine disruptors, the transgenerational effects of certain forms of occupational exposure, the risks linked to the spread of nanomaterials and the role of multiple exposures.

While the current revision is indispensable, it must not black out the need to find legislative responses to emerging risks or to take account of our better knowledge. We are only at the start. There is still much work to be done. We need to create a balance of power allowing a comprehensive strategy for eliminating occupational cancers to be defined. This fight goes hand-in-hand with actions to defend the environment against chemical risks. It also has a decisive role to play if we want to combat social health inequality. Beyond their immediate results, the current intense debates are of great importance in emphasising the political dimension of the fight against cancer. ●

### More information

The ETUI website regularly tracks progress in the field of occupational cancers, with a whole section devoted to this question: <https://www.etui.org/Topics/Health-Safety-working-conditions/Occupational-cancers>

On 4-5 December 2018, the ETUI will be holding a conference in Brussels on "Women, cancer and work". Details will be available soon at [www.etui.org](http://www.etui.org). To receive regular updates, please send an email to [dgregoire@etui.org](mailto:dgregoire@etui.org).

## **Women also affected! The example of cytostatic drugs**

In the field of healthcare, many drugs have health-impairing consequences for staff. This is particularly the case with the cytostatic substances used to treat cancers (chemotherapy). At all stages – drug preparation and administration, contact with patients' urine or sweat, waste disposal and laundry cleaning – hazardous exposure may occur if the work is not correctly organised. Such exposure can itself cause cancer and is reprotoxic (fertility problems, miscarriages, etc.). The staff concerned are mainly women. While the occurrence of all occupational cancers is seriously underestimated, this is especially the case for women. Many stereotypes associate occupational cancers with jobs done by men in traditional industries. Yet the prevention of occupational cancers is particularly lacking in sectors dominated by women, for instance healthcare or cleaning. The revision of the directive is doing nothing to rectify this situation. The majority of the substances targeted by the European Commission are found in jobs done by men. This is why the trade unions and the European Parliament want to get cytostatic substances included in the directive's field of application. Adopted by the Parliament, an amendment relating to the second phase of the revision calls for priority to be given to this question in the upcoming phases.

# All that glitters is not gold: the dark side of the beauty industry

Special report coordinated by  
Denis Grégoire and Laurent Vogel (ETUI)

Because they contribute to our wellbeing or at least improve our physical appearance, beauty professionals are rarely seen as workers who face health and safety risks.

The fact that they have to present an image that fits the standards imposed by society in terms of beauty, health and youth makes it even harder to expose working and employment conditions that are much less attractive than the shiny fronts of the magazines that promote them.

“Those who take care of the body of others pay the price with their personal health”, quite rightly observes the Spanish journalist Berta Chulvi in an article in this special report about a former fitness centre instructor (p. 28)

There are extremely few of these – mostly female – beauty workers who do not suffer from musculoskeletal problems. Daily use of cosmetic products containing chemical substances that are allergenic or irritate the skin causes other health problems that often force employees to give up their chosen profession prematurely.

The problem is particularly severe in manicuring services. In recent years the trend for artificial nails has spread throughout industrialised countries. Cheap nail salons have literally taken over some parts of large cities. These salons use toxic chemicals, especially solvents (see articles on p. 16 and p. 33).

Hairdressers also suffer from conditions linked to the use of cosmetics in unfavourable conditions (humidity, heat, lack of ventilation, etc.). Aware that these problems, alongside often low wages, are one of the main reasons for the high turnover in this sector, the hairdressers' employers' organisation has agreed to conclude with the sector's trade union federation a European framework agreement to improve safety and health protection in hair salons. Although the European social partners would like this agreement to become a directive, the European Commission is strongly opposed to this idea (p. 12).

The European legislation that regulates the marketing of cosmetic products primarily protects consumers, who use these products first thing in the morning or at night before going to bed, rather than the professionals who work with them for at least 30 hours a week (p. 24).



# The fight to protect hairdressers' health: the inside story

The never-ending saga of the framework agreement of the European social partners on health and safety in the hairdressing sector well illustrates the influence of gender stereotypes on policymakers. The virulent attacks of those opposed to transposing this agreement into a directive are partly explained by the fact that 80% of employees in the sector are women.

Laurent Vogel

ETUI

The occupations of hairdressers and barbers have been classified as "probably carcinogenic to humans" by the WHO.  
Image: © Belga



More than one million people work in the hairdressing sector in Europe, 80% of them women. Many of them are quite young, with 56% of those recruited being younger than 19. The bad working conditions and their impact on employee health are important factors explaining the sector's high turnover rate. As a rule, you start work in the trade at a young age, but don't stay very long. Forms of employment are very variable and often precarious. A lot of hairdressers are self-employed, in one of the three categories: those with their own salons; those working in salons belonging to someone else (a situation often exploited by owners to avoid employing someone); and those offering mobile services at customers' homes, in nursing homes, before weddings, etc.

Over the last few years, we have been seeing a polarisation of work between very small salons (the majority of which employ less than three people) and chains of salons (often quite large and sometimes even multinational companies). In certain cases, staff are directly employed by these companies, while in others labour relationships are more complex, featuring various forms of franchising. Cosmetics firms exercise a certain control over part of the sector, sometimes by way of a franchise system, sometimes partially financing certain salons, etc. –and thereby influencing which products are purchased. The downside of this dependence of various salons on multinational cosmetics companies is that they are not free to choose less toxic products.

The negative health impact of the bad working conditions has been amply

documented over the past few years. The work involves major ergonomic constraints: having to work in an upright position leaning over a customer's head, holding the tools of the trade for prolonged periods with one's arms above the shoulders. This is the cause of many musculoskeletal disorders, whether in the back or in the shoulders. The repetitive movements of the hands and wrists are made worse by the fact that in many cases the scissors, brushes and hair-driers do not ergonomically match hairdressers' hands and the work they do.

The design of hairdressing salons can also pose problems. While they are often quite spacious and attractive for customers, they are rarely adapted to the characteristics of the work, meaning that the hairdressers often have to move around a lot in limited space. Falling, slipping, bumping into each other, having to lean over or to reach up for things placed well above the shoulders are all part and parcel of the daily work. Falls and slips are the main cause of accidents in the sector.

There are also massive chemical risks associated with hairdressing work. Part of the work involves working with water and other liquids. This causes skin problems, making the hands more vulnerable to harmful chemical products. On the other hand, working with a clientele for whom having their hair done is synonymous with pleasure and relaxation makes it more difficult to effectively avoid chemical risks: it is difficult to work with gloves and a mask, as this would permanently highlight the toxic nature of the substances used. Ventilation in many salons

is insufficient and it is rare to find high-exposure zones (in particular for permanent dyeing) completely separated from the other workplaces. A hairdressing salon can easily become a multi-exposure hotspot. Problems with allergies are commonplace. Asthma and skin disorders are some of the main reasons why people leave the trade. When a person – in this case a hairdresser – is allergic to a certain allergen, she becomes very vulnerable, even if exposure is at a very low level. This will not only stop her from working as a hairdresser, but will also mean her having to live with a serious handicap for the rest of her life.

Other risks concern the physical environment. Noise levels from certain appliances are often quite high, lighting inadequate and temperatures high. Electrical installations are rarely up to industrial standards. The psychosocial dimension also has to be

---

**Asthma and skin disorders are two of the main reasons why people leave the trade.**

---

taken into account: relations with customers may be strained.

The most invisible risks are often the most insidious ones. We are seeing a major link between occupational exposure and several forms of cancer (in particular, bladder cancer associated with the use of hair dyes). In a monograph published in 2010<sup>1</sup>, the International Agency for Research on Cancer (IARC) confirmed that the occupational exposure of hairdressers should be considered as probably carcinogenic (IARC group 2A). Exposure to endocrine disruptors is frequent, contributing to reproductive health problems (miscarriages, congenital deformities). One recent study published in the United States showed that the risk of developing breast cancer was higher for hairdressers and beauticians<sup>2</sup>. According to certain studies, they are five times higher than for the population in general.

### A never-ending saga

Contrary to what people often think, the sector does have a trade union tradition, though it varies greatly from one country to the next. The UNI Europa "hair and beauty" sector has affiliated members in 17 of the 28 EU Member States, while the corresponding European-level employer organisation, Coiffure EU, is present in 19 Member States (+ Switzerland). Note the dissymmetry. On the union side, the sector includes the beauty business (i.e. mainly staff working in beauty salons, nail studios, etc.), while on the employer side, the beauty sector is represented by an organisation with a much more blurred profile. CEPEC, the European Confederation of Professional Beauticians and Cosmeticians, has member organisations in nine EU countries, though with a variety of profiles: not only beauty salons but also producers of the equipment and/or products used in beauty treatments.

Trade union density and collective agreement coverage vary a lot from one country to the next, though at European level there is now a system of collective relations which has become consolidated over time. Following the European rules, the hairdressing sector is responsible for a range of activities defined in sectoral social dialogue. And it is far from being an inactive sector: it is the only one to have negotiated two framework agreements between 2009 and 2013. As occupational health problems are behind the sector's high turnover rate, it is only logical that this aspect plays a key role. Beginning in

2000, the two sides have negotiated a range of instruments. Debates initially ranged around the issue of qualifications, leading to the introduction of certification systems for various qualification levels. In 2005, a covenant on the use of cosmetic products was adopted. A general framework agreement was signed in 2009 to improve working conditions in the sector, relating mainly to training and the certification thereof. Various activities conducted within the context of the European social dialogue helped to identify the health and safety problems in the sector and to look into the positive experiences with prevention in a number of countries, leading to a specific framework agreement on health and safety being adopted in 2012.

In accordance with the EU Treaty, the signatory organisations requested that the agreement be enforced via a directive, as had already been the case in a different sector in 2010. A social dialogue agreement in the hospital sector related to injuries caused by sharp instruments. Concluded on 17 July 2009, the agreement was transposed into a directive adopted on 10 May 2010<sup>3</sup>. For an agreement negotiated independently by the employers and unions to become a directive, all the Commission has to do is to check the representativeness of the signatories and whether the agreement contains any provisions going against EU law. Once this has been done, it is up to the Council of Ministers to adopt the draft directive without being able to amend the agreement's text. In other words, it can either accept or reject the text in its entirety. The European Parliament has no say in the matter, being solely informed of the process.

There is nothing in the Treaty allowing the Commission to give any opinion on the opportuneness or content of the framework agreement over and above checking its compliance with EU law. This explained the signatories' optimism – they were convinced that a draft directive would be adopted by the Commission within just a few months. The only question-mark was over whether the Council would wave it through. But things were to turn out differently...

### It all started with a "fake news" item

The request to adopt a directive came up against an unprecedented and aggressive campaign. Two weeks before the agreement was formally concluded, the attack got underway, initiated by two UK tabloids. The headline in the *Sun* on 9 April 2012 did not mince words: Nazism was rearing its ugly

1. IARC (2010) Some aromatic amines, organic dyes, and related exposures, Monographs on the Evaluation of Carcinogenic Risks to Humans vol. 99. <http://monographs.iarc.fr/ENG/Monographs/vol99/index.php>

2. Breast Cancer Fund, *Working Women and Breast Cancer. The State of Evidence*, August 2015.

3. Council Directive 2010/32/EU of 10 May 2010 implementing the Framework Agreement on prevention from sharp injuries in the hospital and healthcare sector concluded by HOSPEEM and EPSU.  
4. After having campaigned together with UKIP for Brexit, he is now UK Secretary of State for Transport under Theresa May.

head again: "Hair Hitlers. EU rules to ban hairdressers from wearing rings and heels". The *Daily Mail* was quick to follow: "High heels to be cut down to size under new EU proposals forcing hairdressers to wear non-slip flat shoes". The agreement in fact said nothing about high heels, solely stipulating two fundamental prevention principles: that salons be equipped with non-slip flooring and that employees wear non-slip shoes. The information was thus inaccurate. But this press campaign had all the workings of being orchestrated, with the two tabloids quoting UK Employment Minister Chris Grayling<sup>4</sup>: "We should be creating jobs, not killing them. This kind of stupidity has to stop. It makes no sense and I will do everything I can to stop it." At this point in time, it seemed that we were witnessing the umpteenth demagogic invention of the London gutter press, kick-started by a minister in need of publicity. The European Commission website issued a disclaimer on 12 April 2012. But we were in for more surprises. In November 2012, the next attack by the UK tabloids began, and this time the Commission's disclaimer of 2 November was somewhat less firm, containing two notes of caution: that the Commission had not yet decided what it would be doing with the agreement and would drop the proposal if an impact assessment showed that the costs outweighed the benefits, and that the transposition of the agreement into European legislation must not go against the interests of small businesses. This had nothing to do with simply checking representativeness or legality.

These reservations were proof that the agreement – and with it the whole principle of social partner autonomy guaranteed by the Treaty – had been taken hostage by the "Better Regulation" campaign. From a practical

## A directive to protect the lives and health of a million hairdressers is still not ready to see the light of day...

point of view, it was clear that the cost of the planned measures was largely offset by the life-saving and health-promoting effects for hairdressers. Moreover, the employer organisations had been convinced – otherwise they would never have signed the agreement. They wanted the agreement to be transposed into a directive for the very reason of preventing a savage price war which would have made working conditions even worse. But backstage, it was obvious that others were at work: the cosmetics companies. These had managed to get a tailor-made regulation allowing them to market harmful products when used professionally. They wanted absolutely nothing to do with the substitution principle being applied in the haircare sector (see article on page 24).

It quickly became clear that the impact assessment was nothing more than a smokescreen masking a Commission policy decision. Even before knowing the results, Commission President Barroso announced that he would never accept a directive in this field, declaring on the German TV channel ARD on 2 October 2013 that he saw no reason for adopting European rules on "hairdressers' heels". Betraying his disdain, he stated: "You don't want Europe to meddle where it should not. We have not interfered with the height of hairdressers' heels". The arrival of Mr Juncker as head of the European Commission didn't change much. Though the tone was perhaps more subdued, the Commission's attitude towards the agreement remained unchanged. In November 2015, a Commission publication promoting "Better Regulation" and targeting the public at large featured a picture making fun of the agreement: a hairdresser cutting a customer's hair, with a high-heeled shoe in the foreground, accompanied by the words: "The EU must not be big on small things". Was the fact that thousands of avoidable cancers occurred a small thing? Was the fact that tens of thousands of people quit their work each year due to serious health problems a small thing?

### A version 2.0 of the agreement

At the request of the Commission, the signatory organisations drafted a new version of the agreement, with each sentence taking account of the remarks made by the Commission's legal department. Adopted in September 2016, this agreement contained basically the same elements as the initial agreement, though without any wording likely to provoke hostile reactions from the Commission.

Eighteen months later, the situation remains stalemated. A directive to protect the lives and health of a million hairdressers is still not ready to see the light of day... nine years after the first agreement was signed. Unions and employer organisations are launching new initiatives in the health and safety field. They will be assessing the results and, dependent on these, are planning to again request that a directive be adopted. UNI Europa negotiator Dimitris Theodorakis had this to say: "We were not expecting so much obstinacy and hostility towards an agreement based on a simple principle: that of being able to work in the sector without having to sacrifice your health. We will be continuing our efforts to improve working conditions via European initiatives, but, to put it frankly, this last experience has turned out to be a cold shower for many unions."

Seeking to understand why the European Commission is so much against transposing the agreement into a directive, we can see the combined effect of four factors. First of all, there is the typical stereotype of female occupations being less exposed to occupational risks, especially when they are merely seen as an extension of unpaid domestic work. Working as a hairdresser is often seen as a simple and pleasant way for a housewife to make a few euros on the side. But you don't have to be a psychoanalyst to suspect that this absurd fixation with high heels clearly shows to what extent hairdressing is associated with a gender-based division of labour. The high heels have a symbolic function, with hairdressers having to put across to their clientele

a stereotype image of beauty, negating the real-life needs of their bodies. The men so much opposed to the agreement have never known what it is like to spend eight hours a day standing on high heels and moving around customers on an often-slippery floor.

On top of this, there is the reticence of certain Member States with regard to the Treaty clause stipulating that a sectoral collective agreement negotiated between the European social partners can be transposed into a directive. They view this as a loss of control over the European legislative process. The Commission also seems intent on promoting its "Better Regulation" campaign, with the clear aim of reducing the "burden" put on businesses by occupational health legislation.

The political message directed towards the social partners is that they can negotiate – as foreseen by the Treaty – but that this may only be done under the thumb of the Commission which intends to keep tight control over the outcome of any such negotiations, using its legislative monopoly to dissuade potential "heretics". And then, of course, there is the permanent pressure applied by a cosmetics industry which refuses to allow any major control over its production. Since 2007, the sector's employer organisations and trade unions have displayed their willingness to take true account of the health of professional users before authorising substances used in cosmetics. Unfortunately, this requirement has never been effectively integrated into European legislation. Whatever the cause, the arbitrary refusal of the Commission to transpose the agreement into a directive and the total lack of transparency on the part of the Commission have left their mark. ●

#### *More information*

Broughton A. *et al.* (2014) *Improving quality of work and employment in the hairdressing sector: scenarios for social partner cooperation*, Dublin, Eurofound.

Degryse C. (2015) *European Sectoral Social Dialogue: an uneven record of achievement?*, Working Paper 2015.2, Brussels, ETUI.

Maraschin J. (2009) *Hairdressing and beauty care: European action for safer workplaces*, *HesaMag*, 1, 42-45.

EU-OSHA (2014) *Occupational health and safety in the hairdressing sector*, Luxembourg, Publications Office of the European Union.

# Working as a nail technician: when beauty is not in tune with health

In February 2014, employees working for Supply Beauty, a beauty salon offering hairdressing and manicure services, came out on strike against their employer. The reason: they hadn't been paid for two months. On visiting the premises, the labour inspectorate came across many other breaches of hygiene and health regulations.

**Manon Mercier**  
*Journalist*

**"Nail styling" has seen phenomenal success in recent years. Some streets in large cities, such as here in the 10<sup>th</sup> arrondissement of Paris, are overrun with cheap salons.**  
Images: © Sadak Souici (p. 16-23)



The employees – most of them from China – of Supply Beauty, a beauty salon located at 50, boulevard de Strasbourg, close to one of the main Paris stations, the Gare de l'Est – came out on strike in February 2014, after their employer had not paid them for two months. In this neighbourhood full of hairdressing and manicure salons – a well-known stopping-off place for the Afro community – this was a "first".

Quickly supported by the French CGT union, a number of municipal councillors and residents' associations, the strike soon spread to the neighbouring salon on the other side of the street, in turn alerting the authorities. While their strike marked the start of an industrial relations victory in the neighbourhood, with the seven former employees of Supply Beauty winning their legal battle, employees in other salons are still working under similar circumstances, with health and safety regulations often stamped on.

In April 2015, the manager of 50, boulevard de Strasbourg was given a 10-month prison sentence by the Paris court. Two years later, on 23 June 2017, the former employees were summoned before the Labour Court, all in expectation of being awarded damages. Opposing them: nobody. Their employer, Ali D., had left the summons unheeded. Somebody else had been appointed to represent the defence, but similarly did not appear at the hearing.

On that day in June 2017, the former employees finally won their case. But the whole procedure took a long time, with the Commercial calling in a receiver. At the end of the day, the AGS<sup>1</sup> will end up paying the

sums owed to the employees. At present, none of them have been compensated.

### **Unhealthy working conditions, exploited staff**

Inside the Supply Beauty salon, the workers – undeclared and without official papers – worked in poor conditions. In its report – to which we were given access – the labour inspectorate described the sub-standard situation. Its findings included the lack of proper ventilation, out-of-service manicure stations, the use of badly-labelled dangerous chemicals and personal protective equipment unsuitable for the work.

One of the nail technicians remembered suffering breathing problems when working in the salon. Another symptom: a loss of the sense of smell. On finding another job, her symptoms got better. "Dependent on the effects, we speak either of acute or chronic toxicity", explained Aurélien Bucher, a health and safety expert and chemist working for AMIEM, an association providing medical services to companies. A 12-hour working day, 6 days a week (and 7 days during public holidays), without any leave: all this plays a role in provoking ailments. Due to their situation, the employees had never seen a doctor to discuss their ailments.

The employees questioned told us that they had had to buy their own products and personal protection equipment. "Obviously they took the cheapest ones", said Elie Jousselin, section secretary of the French Communist Party (PCF) in the 10<sup>th</sup> arrondissement and

**1.** The AGS is an association set up to allow workers in the craft, retail and agricultural sectors to be insured against non-payment of the wages owed to them in execution of their employment contracts in the event of their employer going into receivership

---

**A 12-hour working day, 6 days a week (and 7 days during public holidays), without any leave: all this plays a role in provoking ailments.**

---

very much involved in the movement. "Most of the time, the bosses raise their hands in innocence, saying that they bear no responsibility for the quality of the products purchased by their staff."

The result: Pascale Heurteux from the CGT remembers having discovered "unlabelled white bottles" on one of his visits to Supply Beauty, a practice in full breach of regulations. The European Cosmetics Regulation<sup>2</sup> stipulates that "cosmetic products shall be made available on the market only where the container and packaging of cosmetic products bear the following information in indelible, easily legible and visible lettering: (a) the name or registered name and the address of the responsible person..., (d) particular precautions to be observed in use..., (g) a list of ingredients".

A further cause of concern: the wearing of a (fabric) mask as protection against fumes and dust. A mask provides only partial protection for nail technicians. Indeed, it would seem that "such masks even increase workers' exposure to chemical products. The toxic substances get deposited on the mask, i.e. in a dose concentrated around the faces of nail technicians", the labour inspector explained to us.

Working practically non-stop with only a short lunch break on the premises, the workers were constantly inhaling toxic substances.

### Substances judged to be "of high concern"

Ya-Han Chuang, a PhD sociologist at the Université Paris IV Sorbonne, was with the workers in 2014. "During the strike, one of the nail technicians employed at 50, boulevard de Strasbourg, confided in me that the staff were well aware that the products they were using were dangerous for their health, but they had no choice. Among the products they feared most was the liquid used to make the artificial nails".

According to our investigations, this liquid was very probably the main cause of their ailments. Indeed, to make the resin needed to create artificial nails, the manicurists have



**Working practically non-stop with only a short lunch break on the premises, the workers were constantly inhaling toxic substances.**

2. Regulation (EC) n° 1223/2009. See also the article on p. 24.
3. The French National Research and Safety Institute for the Prevention of Occupational Accidents and Diseases.
4. FEBEA, the Fédération des Entreprises de la Beauté.

to mix an acrylic powder – in most cases consisting of benzoyl peroxide (a catalyst) – with a (monomer) liquid. Depending on the brand, the latter usually contains different kinds of methacrylate. It gives off a strong and easily perceptible smell. For the workers, the use of this material is synonymous with gaining time, as the resin, in contrast to gel, is self-drying. All it needs is air. A further advantage: it costs less than gel. Different to gel, no UV lamp is needed for the resin method. "Employees are paid by task and are supposed to make a profit", confirmed one of the sources.

We managed to gain access to one of the suppliers and to obtain all the products used to make resin nails. The saleswoman brought the material: a primer used to increase the adhesion of the resin to the natural nail; no ingredients were marked on the container, but – according to the INRS<sup>3</sup> – it basically contained methacrylic acid 2, a monomer, acrylic powder or a "resin softener" (acetone).

Régine Ferrère, president of the national federation of beauticians<sup>4</sup> took a close look at the products: "There's no need to have them analysed by a lab to know that

**5.** Anses: *Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail* – the French watchdog for food, environmental and occupational health and safety.

**6.** Évaluation des risques des professionnels exposés aux produits utilisés dans les activités de soin et de décoration de l'ongle, Avis de l'Anses – Rapport d'expertise collective, October 2017.

**7.** Carcinogenic, Mutagenic and Reprotoxic.

they're toxic." She then went through the points not compliant with the Cosmetics Regulation: "A number of the products are not labelled. On others, the statutory information is only available in English; the INCI (International Nomenclature of Cosmetics Ingredients) has not been used; certain pictograms are no longer approved... but at least there are pictograms."

Among the ingredients listed on the packaging was acetone. According to its INRS toxicological factsheet, it is a "liquid giving off highly inflammable fumes, able to provoke severe irritation of the eyes, drowsiness, dizziness, dryness or cracking of the skin". Another ingredient present in the (monomer) liquid: methyl methacrylate. Use of this substance can induce the breathing problems and skin or eye irritations.

Nicolas Bertrand, an INRS specialist in the prevention of occupational risks explained that "the INRS is calling for the prohibition of the resin and gel technique due to the substances they contain and their

consequences for the health of workers and consumers".

Studies of air samples taken in nail studios – for instance in a report carried out in 2016 by the State of New York health department – show the presence of several types of volatile organic compounds (VOCs) such as "acetone, toluene, alcohols and several acetates. They were found in nail studios at levels higher than those usually observed in non-industrial inside air".

This information is confirmed by an Anses<sup>5</sup> occupational health report<sup>6</sup> published in October 2017. The experts "identified some 700 substances present in products used by nail studios or found in the air in such studios. 60 of these 700 substances were considered as substances of very high concern (SVHC), i.e. belonging to the highest danger category". INRS specialist Nicolas Bertrand explained that these were "above all allergenic and sensitising substances. CMR<sup>7</sup> substances were detected in minor quantities".

## The "art" of decorating fingernails

Various techniques for decorating fingernails have emerged over the years. Traditional nail varnish, semi-permanent varnish or artificial nails are revolutionising the nail decoration landscape. With regard to artificial nails, two techniques are mainly used by professionals: the "resin" technique and the "gel" technique.

The first one involves making an artificial nail by mixing an acrylic powder and a liquid containing methacrylic monomers. This mixture forms a resin which is then applied to the nail to create an artificial nail. The latter polymerises and is self-drying.

The second one involves the application of several levels of gel, which are subsequently hardened under a UV lamp. This technique is recognised as emitting less (meth)acrylates than the resin technique. However, the Anses report points out that products for shaping artificial nails (resin, gel) "are mainly questionable with regard to workers' exposure as they contain potentially sensitising, irritating and neurotoxic (meth)acrylic monomers. The solvents and diluents used may also feature similar properties".



## My body, my battle

In France, "data on occupational pathologies linked to nailcare and decoration trades is limited, with the number of cases identified very probably underestimated", Anses stated in a report published in October 2017. Three women\* agreed to testify to the health problems caused by their work.

### **Amandine: "I got no support from any occupational physician"**

Amandine has now stopped working as a nail technician, with an acute allergy forcing her to quit. "When I started working as a nail technician, I didn't have any symptoms. It wasn't until about six months after starting that the first signs appeared", remembered the young woman. In the salon in which she worked, nobody questioned the cosmetic products used there. "But one day, it just got unbearable. The symptoms became worse and worse." It started with red patches on her ears and neck. These soon spread to her hands: "cracks started appearing in my fingers and I had breathing problems".

One morning, Amandine noticed that her eyes had become swollen overnight. The allergy – she was still unaware of its causes – became uncontrollable. "I decide to consult an occupational physician. But I got no support at all from them, she explained. I felt utterly exhausted. My body was fighting to survive."

She then contacted a professor specialised in occupational allergies.

"He requested me to bring him the products I used at work so that he could carry out a few skin tests. He then did a few checks, applying the products to my back to see whether there were any reactions. After three days, my back was burnt. It turned out that I was allergic to the acrylates found in many nail products."

The professor subsequently told her to give up her job, telling her there was "a possibility of her developing more serious conditions such as angioedema". Amandine now feels a lot better. But this experience has marked her for life: "Primarily psychologically, as I felt alone and just not understood, remembered the young woman. But also physically. I needed many weeks to recuperate."



\* At the request of the three women, all forenames have been changed.

Amandine was in direct contact with acrylates at her workplace. Her whole body rebelled against them.

**Caroline:**  
**"We need to be aware of  
 the products we're using"**

Caroline is a nail technician and trainer. She remembers that, when she started working in the sector, she suffered severe itching in her hands. She sometimes even got blisters on the tips of her fingers. "I was working in a very allergenic field. After having skin tests done on my back, I realised I was allergic to the gels I was using."

Despite already having benefited from training, she decided to improve her skills via a new training centre. As a result, she now only buys higher-quality substitute products, less harmful for her health. "I have been trained to understand the various risks and the health and safety standards applying to my work. Now I am the trainer and can pass on my knowledge. We need to be aware of the products we are using and the ingredients they contain."



Wearing gloves limit skin exposure to methacrylates. Anses recommends wearing nitrile gloves.

**Sophie:**  
**"The trainer made us wear a mask  
 and nitrile gloves"**

Sophie decided to become a nail technician after health problems forced her to quit her previous work. "I started off buying low-quality products on the Internet. The results were as expected: I developed eczema on my thumbs, got red patches on the body and breathing problems."

To learn the rules of her new work, Sophie underwent training. "The trainer made us wear a mask and nitrile gloves. The products we worked with were more expensive, but I stopped getting the symptoms." In Sophie's view, all nail technicians need to be trained. "Without training, you'll find yourself getting problems."



Wearing a mask provides partial protection for nail technicians from dust arising from the work, for instance when sanding the nails.

The experts identified some 700 substances present in products used by nail studios or found in the air in such studios.



8. Article L. 4121-1.

### Hairdressers and nail technicians working in the same premises

Elie Jousselein, PCF section secretary in the 10<sup>th</sup> arrondissement, quoted the following from memory: "In the salon at 57 boulevard de Strasbourg, one employee worked in the basement, without a window and without any ventilation. Even after quitting his job, he had had to consult a doctor for months on end due to bad headaches. On top of them, he was plagued by psychological problems." Working without natural light or fresh air, he had spent every day at work in a cloud of toxic fumes.

The young man had been hired as a hairdresser. Hairdressers and nail technicians often share the same premises. Premises are used in a way optimising the available space, with too many employees in relation to the floorspace. "This sharing can have repercussions on air quality, with the risk of

heightened levels of pollutants", Nicolas Bertrand emphasised.

Luckily for those working there, nail studios are not above the law. Labour inspectorates keep their eyes on them. Employers are accountable and are legally responsible for their employees.

According to the Labour Code<sup>8</sup>, "the employer shall take all measures necessary to ensure the safety of employees and protect their physical and mental health". This ranges from the installation of an efficient ventilation system to the provision of personal protection equipment, as well as making available to employees a consolidated document assessing the occupational risks. Pierre Barré, the founder of Hygiène Plus, a consultancy specialised in beauty occupations, and a member of Afrique Avenir, an association working for the health of African populations, emphasised the importance of "informing and training beauticians and explaining to

them that it is possible to do business and at the same time to comply with health and safety regulations.

"The salons at 50 and 57 boulevard de Strasbourg are not isolated cases. There must be around 1,500 workers in the sector working under such conditions. At present there are about a hundred salons belonging to an organised network. For a long time, a laissez-faire attitude was cultivated by politicians as a way of buying a form of social peace", admitted Elie Jousselein. "There can be no question of closing down these salons. Our main wish is that the workers there are protected and that the beauty business is properly regulated. The local council of the 10<sup>th</sup> arrondissement has since established an action plan. One idea is to establish a dialogue between the various stakeholders: salon owners, workers, the local council and/or trade unions. The objectives are to fight illegal work and to inform employees of their rights", he concluded. ●

## A sector in the grips of change

Régine Ferrère is president of the French National Cosmetic, Toiletry and Perfumery Confederation (CNEP), the employer organisation in the beauty sector. Below is her point of view regarding the health issues related to the work of a nail technician in France.

**In collaboration with the French Federation of Beauty Companies (FEBEA) and experts from companies producing nailcare products, you have compiled a brochure targeting beauticians and nail technicians. What does this contain?**

Its main thrust is to prevent occupational risks. The idea was to come up with clear information, raising users' awareness of the problem. We have defined a set of occupational risks and analysed the toxicity of

certain products used by beauty practitioners. For example, we recommend wearing glasses as protection against UV lamps or the use of masks and downdraft tables to prevent the fine particulates being inhaled.

**What is your opinion regarding the toxic substances found in certain products?**

In our trade, research is ongoing, i.e. we don't wait for a product to be banned before developing new techniques. I would add here that the European Union strictly monitors the sector, banning the use of certain toxic substances. This was the case for instance in 2009 when it banned the use of dibutyl phthalate and n-hexane in cosmetic products (the European Cosmetics Regulation (EC) No. 1223/2009, ed.).

**What are the occupational risks most commonly seen in the nailcare sector?**

The most pressing problems in our profession are respiratory problems that can occur

when using solvents or acrylic liquids. A further problem are the fine particulates released when sanding nails, highlighting the importance of wearing a suitable mask or using a downdraft table to limit exposure. As for nitrile gloves, these act like a second skin, protecting the workers above all from contact with methacrylate.

**What are the main developments hitting the sector?**

As in many other trades, everything is changing so fast. Things we used to do twenty years ago are being phased out, replaced by new techniques. For example, the practice of sticking on artificial nails using cyanoacrylate superglue is slowly disappearing. What we are also seeing is that the trend is towards "gel", as it is considered to be less harmful and the result more natural than when using the resin technique. With regard to gel, organic products are now arriving on the market. There are also some acetone-free solvents coming onto the market which are much less aggressive.

**If you had any advice to give to somebody wanting to become a nail technician, what would it be?**

I would insist on the need to get proper training. Two days training is just not enough to become a nail technician, and especially not when received via YouTube. And then you need to know that prices reflect quality: low prices automatically mean low quality. Customers should always go a well-established studio. It might cost a bit more, but you can be sure it complies with European regulations. And then there are all those products you buy on the Internet in a hurry. The Cosmetics Regulation emphasises the concept of responsibility. I need for example to make sure that all products are properly labelled and that I can contact the manufacturer without any great difficulty. I'm the first link in the chain, as I'm the professional.



# The European Cosmetics Regulation: consumers better protected than hairstylists

We've just been given this lovely new European Cosmetics Regulation, but it seems to totally ignore beauticians, focusing solely on protecting consumers and lab animals. With regard to the health and safety of those whose work is reliant on the use of such products, the measures foreseen are purely... cosmetic.

**Tony Musu**

*ETUI*

**The Cosmetics Directive does not provide sufficient protection for professional users, especially manicurists, who are being exposed to a cocktail of chemicals because of the fashion for nail art.**  
Images: © Martine Zunini (p. 24, 26)



Many scientific studies show that those working in the beauty sector (hairdressers, beauticians, etc.) are exposed at work to a whole cocktail of chemical substances and that thus they are at much greater risk of developing certain occupational diseases (dermatitis<sup>1</sup>, respiratory problems, reproductive disorders<sup>2</sup>, various forms of cancer<sup>3</sup>, etc.). Estimates put the percentage of hairdressers likely to suffer from work-related asthma some time in their lives at 20%.

Yet the cosmetic products they use throughout the day supposedly have no adverse effect on their health. Current legislation stipulates that "a cosmetic product made available on the market shall be safe for human health when used under normal or reasonably foreseeable conditions of use". Unfortunately, the European Cosmetics Regulation<sup>4</sup> is practically 100% focused on protecting consumers, with just a few meagre provisions for professional users. Yet, while consumers generally use cosmetic products for just a few minutes a day, beauticians are exposed to them eight hours a day, five or six days a week, throughout their working lives.

### Beauticians excluded from the early warning system

Adopted in 2009, the European Cosmetics Regulation sets the rules for the safety and marketing of cosmetic products in the European Union. Its aim is to "achieve an internal market for cosmetic products while ensuring a high level of protection of human health". Manufacturers are obliged to compile a safety

---

## A number of studies document the link between the occupational exposure of hairdressers to endocrine disruptors and the increased occurrence of deformities in their children.

---

assessment report for each cosmetic product made available on the market. They cannot market a product without having previously clearly designated a "responsible person" (a legal or natural person, in most cases the manufacturer or the importer) whose role it is to ensure compliance with the relevant safety requirements set forth in the Regulation.

The Regulation contains a list of substances whose use is prohibited (Annex II) as well as a list of those whose use is restricted (Annex III). It also contains a positive list of colourants, preservatives and UV filters demonstrated to be safe and approved for use in a cosmetic product (Annexes IV, V and VI respectively). As a result of the massive public outcry over animal testing to establish the safety of cosmetic products and their ingredients, the Regulation has banned such practices in Europe since 2009<sup>5</sup>. Manufacturers

1. Wiszniewska M. and Walusiak-Skorupa J. (2015) Recent Trends in Occupational Contact Dermatitis, *Current Allergy and Asthma Reports*, 15(7), 43.
2. Kim D. *et al.* (2016) Reproductive disorders among cosmetologists and hairdressers: a meta-analysis, *Int Arch Occup Environ Health*, 89(5), 739-53.
3. Letasiová S. *et al.* (2012) Bladder cancer, a review of the environmental risk factors, *Environ Health*, 28 June 2012.
4. This regulation (EC No. 1223/2009) abrogates and replaces Council Directive 76/768/EEC of 27 July 1976 on cosmetic products, amended seven times since 1976.
5. With the exception of certain complex tests (e.g.: reproductive toxicity) which have only been prohibited as of 2013.

6. Polyaminopropyl biguanide (PAPB).

7. Revision of the Opinion on the safety of the use of formaldehyde in nail hardeners, Scientific Committee on Consumer Safety, 16 December 2014.



have thus been forced to develop alternative forms of testing to assess the safety of their products. We should remember that many of the ingredients used in cosmetics are also to be found in other widely-used consumer products (medicines, detergents, paints, etc.) and that *in vivo* tests may be authorised in specific regulations covering these products.

The Regulation provides for a cosmetics early warning system allowing any information relating to possible serious undesirable effects linked to the use of cosmetic products to be quickly identified. This system covers consumers but unfortunately not professional users. Responsible persons and distributors obliged to communicate such effects to their national authorities will therefore only be reporting some but not all of the serious problems associated with the use of their products.

### Carcinogens slipping through the net

The regulation prohibits the use of substances classified as carcinogenic, mutagenic or

toxic for reproduction (CMR) in categories 1A (proven effects), 1B (presumed effects) and 2 (suspected effects). Category 2 CMR substances may however be used when that have been found safe for use by the Scientific Committee for Consumer Safety (SCCS). PAPB<sup>6</sup>, for example, a broad-spectrum preservative (and suspected carcinogen) has just been authorised for use in all cosmetic products (except sprays) at a maximum concentration of 0.1%.

Similarly, Category 1A or 1B CMR substances may in exceptional circumstances be used when they comply with food safety legislation, when there is no safer alternative and when they have been found safe to use by the SCCS. The use of formaldehyde (a presumed carcinogen) is for instance authorised for nail hardeners up to a concentration of 2.2%<sup>7</sup>.

The problem is that the SCCS assesses risks solely – as its name states – for consumers. The occupational risks associated with the use of cosmetic products are not taken into account and the European Commission is therefore unable to introduce the regulatory measures needed to protect the exposed workers.

### Endocrine disruptors

Another major gap in the European Cosmetics Regulation involves protection against the risks associated with exposure to endocrine disruptors. Resembling natural hormones, these chemical substances can interfere with the functioning of a person's endocrine system, leading to harmful effects on those exposed or their children (thyroid problems, obesity, hormonal cancers, etc.). Over the last few years, many ingredients of cosmetics such as certain phthalates (plasticisers) or parabens (preservatives) have been identified as endocrine disruptors or are suspected of being such.

The European Cosmetics Regulation does little to rule out such risks, solely stipulating that the Commission should review the regulation by 11 January 2015 when the criteria for determining substances with endocrine disrupting properties are available. Though these criteria were finally adopted at European level in 2017, the Cosmetics Regulation has yet to be amended by the Commission. A number of studies document the link between the occupational exposure of

## **Dyeing: giving priority to industry profits over users' health**

For more than a century, para-phenylenediamine (PPD) has been used for dyeing hair (oxidation dyes). This molecule has made (and continues to make) a fortune for many hair product brands. European legislation classifies PPD as a skin sensitiser (i.e. causing allergic skin reactions). The scientific literature is full of studies showing that the use of this molecule has a devastating effect on dyeing professionals, to such an extent that many hairdressers, including apprentices, have to give up their jobs due to their allergy. The proportion of people reacting allergically to PPD within the population at large (for example, consumers dyeing their hair) is also fairly high, reaching a rate of 4-6% in industrialised countries\*. Nevertheless, this molecule remains an ingredient – along with many other substances belonging to the same family – of hair dyes authorised for sale on the European market. The cosmetics industry has managed to convince the legislators that, “when used under normal or reasonably foreseeable conditions of use, their dyes are safe for human health”.

\* Mukkanna K.S. *et al.* (2017) Para-phenylenediamine allergy: current perspectives on diagnosis and management, *Journal of Asthma and Allergy*, 10, 9–15.

8. The urethra opening is not at the tip of the penis.

9. Kalfa N. *et al.* (2015) Is Hypospadias Associated with Prenatal Exposure to Endocrine Disruptors? A French Collaborative Controlled Study of a Cohort of 300 Consecutive Children Without Genetic Defect, *European Urology*, 68(6), 1023-30.

---

A further labelling deficiency is that labels do not list all ingredients present in a product.

---

hairdressers to endocrine disruptors and the increased occurrence of deformities in their children, such as hypospadias<sup>8</sup> among boys<sup>9</sup>.

### **Nanomaterials**

The Regulation contains specific provisions when the cosmetic products contain nanomaterials. Such nanoscale substances are used in many cosmetic products as their chemical and physical properties often differ from those of larger-scale substances. Suntan lotions using nanoscale titanium oxide as a UV filter make it possible for example to avoid leaving white marks when they are applied to the skin. Nanoscale substances require a special risk assessment. This is why manufacturers using them must inform the European Commission of such contents. After obtaining the opinion of the SCCS and when there is a potential risk to human health, the Commission may include such substances in Annex II or III. Their presence in a cosmetic product must also be indicated by the suffix [nano] in the list of ingredients on the packaging.

### **Reliance on labelling**

Ultimately, the packaging of cosmetic products is the only instrument foreseen by the Regulation enabling beauticians to find the relevant information for protecting their health. The packaging must list certain information, including the name of the responsible person, the content (weight or volume), the list of ingredients and the shelf life (the date

until which the cosmetic product continues to fulfil its initial function).

It must also provide any specific usage warnings, at a minimum those listed in Annexes III-VI. Such information is of use for both consumers and professionals (for example: avoid contact with eyes, wear appropriate gloves). Certain cosmetic products are reserved for professional use. Unfortunately, the specific warnings listed on the packaging are in many cases not any more informative than those for general-use products (e.g.: avoid skin contact; may cause an allergic reaction; danger of blindness, read instructions carefully).

A further labelling deficiency is that labels do not list all ingredients present in a product. One well-known gap involves the fragrances used in cosmetic products, a large number of which are skin sensitisers. Yet, of the 2,500 fragrance molecules used by the industry, just 26 (i.e. – 1% of existing fragrances) are recognised as allergenic and must be listed on the packaging. The other 99% are not listed, i.e. it is impossible for allergic users to know whether they are present in the products before using them, possibly inducing an allergic reaction. ●

#### More information

Mengeot M.A., Musu T., Vogel L. (2016) *Endocrine disruptors: an occupational risk in need of recognition*, Brussels, ETUI, 72 p.

Maraschin J. (2009) Hairdressing and beauty care: European action for safer workplaces, *HesaMag*, 1, 42-45.

These two publications can be downloaded free of charge from: <http://www.etui.org> > Publications

# Health hazard at the gym: instructor insecurity

In a business that focuses on the body, fitness and aesthetics, job insecurity introduces a paradox: those who take care of the body of others pay the price with their personal health. This is the story of Silvia, a fitness instructor and beauty coach whose career shows that job insecurity influences job organisation to the extent that it leads to injuries, illness and stress.

**Berta Chulvi**

*Reporter for the Spanish Union Institute of Work, Environment and Health (ISTAS)*

**A true sports lover, Silvia worked for several years in a fitness centre before her body said "stop".**  
Images: © Tania Castro  
(p. 28, 30)



"I always wanted to work in something to do with both sports and beauty," says Silvia. Silvia is Spanish, is 38 years old and has two professional titles, one in sports and one in aesthetics, and years of experience as an aerobics instructor, chiropractor and beauty coach in spa centres in Valencia (Spain). Vocation and passion led her to where she is today. However, her career shows the effect of job insecurity on the physical and mental health of staff. They help improve other people's bodies while they punish their own in an endless race to achieve job security.

Silvia is the prototype of the young sportswoman. She studied administration and started her career working as a management secretary at various companies, but she soon recognised her passion was aerobics and beauty. Her trainer told her she had potential and she quickly decided to keep studying to enter this professional arena. Even though she had a three-year old son and had just agreed to a divorce, Silvia followed her vocation and did all she had to do to obtain the title of personal trainer. She also trained as an instructor for the elderly.

As a skilled professional she quickly found a job. Even before having the required professional certification, which "no company has ever asked me to show," says Silvia. "They do not require the certificates because they want you to believe they are doing you a favour and therefore you enter into a contract at a lower level than that of coach," she explains.

Between 2006 and 2014 she worked as an instructor. At first, in smaller gyms and fitness centres and, later, at low-cost fitness chains that disrupted the market and started

the downward price spiral: "When I started, I studied in the morning and hosted aerobics training sessions in small gyms in the afternoon. At the time, your income was good, but you had one class here and another there. This was inconvenient, but they paid € 15 an hour and sometimes even € 20 once you had proven that you could fill up the class. An instructor with loyal customers was well paid. You often worked off the books, without a contract, which meant that if the number of customers decreased you could be sacked on the spot."

Once the low-cost fitness centre chains arrived, smaller gyms disappeared and the employment conditions changed: "now these companies find staff who are willing to enter into full-time employment contracts, who have to pound away eight hours a day for a salary that comes down to € 5 an hour". Instructors like Silvia emerged from the economic crisis having paid a very high physical price: "You stretch your physical limits as an instructor. Six out of eight hours of a single day you are working very hard in front of the class." When a customer joins one of these chain gyms they want to attend demanding classes: "The customer wants to burn off all their calories within that single hour. You have to set an example, work at the same pace. You need to do all the exercises they do. If the class sees that the instructor does not work out as hard as they do or skips a few of the exercises, they are deemed to be lazy or out of shape, they often report you because you do not show them how to do the exercise. They work hard for an hour, you have to work hard all six hours that day."

---

**"Your whole body is affected. It is actually a job for the young. It is hard to keep the pace once you have passed thirty."**

---

We soon discovered that the breaks between classes are not really breaks: "At most you have a one-hour break between three classes, but, during that hour, you are monitoring the area where people work out on machines, which means that even though your body gets a break your mind does not." Silvia then became the monitor for an enormous fitness equipment area. An area where there were up to 1000 people training at the same time during peak hours: "In an area this large there are always conflicts and tension between people because the rooms are massive. There are issues regarding whose turn it is to use specific equipment, people who have no experience who are not using the equipment as they should, people who get injured and even fights over the use of the equipment. You need to intervene and often the friends of

the people arguing or fighting meddle. Sometimes they help, but sometimes they make it worse," says Silvia.

### Protein consumption

The important question on how to take this level of physical effort is answered as it is often answered in the fitness world. Protein shakes, nutritional supplements for sportspeople to regenerate muscle tissue and regain energy after training hard. "During that period, I was consuming many protein shakes," Silvia tells us, "because it is the only food we consume between classes that does not give us a feeling of heaviness." During an eight-hour shift, Silvia was drinking three or four protein shakes: "They tell you it does not have an adverse effect, but I have always thought that I damaged my gall bladder with all those special shakes. During that period, I drank a lot of L-carnitine, guarana and caffeine. Those products are hardcore."

During the period when Silvia was very active at the gyms, she suffered from gallbladder pain which finally meant she had to go to casualty to have her gallbladder removed: "I went to hospital on a few nights. They connected a drip and they cleaned me up. The analysis usually showed that the transaminases were all over the place." The doctors asked if she was drinking anything when they saw these results. Her GP finally recommended that she no longer drink these products: "He told me these were not healthy, that they generate a sand-like accumulation in the kidneys and that they could also affect her liver." In the gyms and fitness centres, everyone recommends the protein shakes as it is one more product line to generate revenue at fitness centre chains. The protein shake business is growing: estimates show that the protein shake business revenue stream is currently 96 billion dollars worldwide. Mintel, a British market intelligence agency, indicates that 42% of male Brits between 16 and 24 years of age have consumed some type of protein product during the past three months. "Fitness instructors consume these frequently," states Silvia.



After they removed her gallbladder, Silvia took a one-month break before working as a fitness instructor again. No-one asked whether they had to implement changes at work: "They do not care. If you do not give the class, someone else will." It is the instructor who decides to take things slower after an operation: "When the class had to do crunches I would mark the rhythm and walk between the participants to see how they did and, once I was back in front, I demonstrated a new exercise."

The knees are one of the body parts that suffers the most: "I have nearly no cartilage of the knee and it shows." Foot injuries are another issue. Silvia has chronic plantar fasciitis from all the exercising. Muscle tears and ruptures occur daily among fitness instructors: "Your whole body is affected. It is actually a job for the young. It is hard to keep the pace once you have passed thirty."

### High psychological demands

Silvia says there are often more than 50 participants in some of the classes. The instructor

is on a small stage to ensure the participants can see the instructor. Alongside the physical demands, you have the mental demands which are just as important: "When you have to instruct a class of more than 50 people, you have some elderly participants and some who have never done any exercises. You have to be able to see and integrate these differences and you have to change the exercises on the fly during the class itself."

The instructor suffers because he or she cannot do their job well. The French psychopathologist Christophe Dejours calls this "ethical suffering": "During physical exercise, it is important to complete the movements as they should be completed. If you do something repeatedly wrong, you can injure yourself. However, when you see someone doing an exercise wrong you can, at that moment, only demonstrate the right way to do it from your stage. You do not know the names of the participants. You have to refer to them by their clothes and ask them to look at how you do it, but the class has to continue. You cannot interrupt the class as those who are doing it right would complain. You simply go crazy during such lessons."

Trainers in those sectors that are not really institutionalised are actually exposed to psychosocial superiority attitudes from participants: "I remember a lesson when a girl entered the aerobics class and told me she was also an instructor. She was watching me from the start. She was judging me. She would even make faces and say, I remember this step. This girl stressed me out, I even considered not giving that class anymore." Another stressful situation is when there are many elderly participants. These people were not very mobile. When Silvia lowered the rhythm a little, the more mobile participants complained "This class has dropped in level" or "Today the class was not good at all". You heard them saying this within earshot or even to your face. You left while wanting to ask how you could please everyone.

### Overworked

Silvia decided to change her job not due to the physical demands, but the fact that she had to combine it with raising a young child: "I was psychologically drained. Every day I had to prepare six different choreographies. In the evening, once I was off work, I was preparing dinner and planning the steps and writing these down in a notebook I kept in the kitchen. I used to fall asleep memorising the choreographies. You need to prepare different choreographies every day, you cannot repeat the lessons. If you repeated something, the participants would immediately tell you "We have already done this". The choreographies

need to be memorised because the instructor cannot have a crib sheet during the lesson. These choreographies also need to be flexible: "You need to design a simple basic step that can become more complex depending on the level of the participants. And you need to find fitting music to accompany the moves. New music every day."

Silvia is actually describing working days that are, in essence, two working days to which household chores are added too. Silvia had a step in her home to check that the movements fit in with the music and rhythm: "Standing there and not knowing what to do is a nightmare. This also happened to me and I had to invent a choreography on the spot as you cannot just stand there." Add raising a child to the mix. Silvia has had no option but take her three-year old to class. "I would tell him to sit near me while I taught the class. He behaved well. Sometimes he would dance a little, but he always behaved well."

The world of sports was not what Silvia expected it to be. "The body cult produces more disorders and upheaval than you think," explains Silvia. "People are obsessed. Pressure is high in the modern world. It is a competitive world. A disrupted atmosphere. Take the CrossFit trend, a fitness method designed to train Californian policemen and policewomen. It is high intensity, with weights and many repetitions with a high risk of injury. People register just to be able to say they do CrossFit. I would like to ask them: 'Is your body ready for CrossFit?' Sports are healthy, but you have to make sure it is really healthy for you."

### Beauty treatment rooms

When Silvia left the fitness sector, she started to work in spa centres. First at a well-known company housed in commercial centres and later at a luxury hotel. "In the beauty sector, you find all sorts," Silvia comments. She has recently started to work at small-scale treatment rooms. I ask her to tell us about her work at the hotel. A luxury hotel in Valencia. "At the hotel, I worked as a chiropractor in shifts. I had a two-hour contract, but I worked six hours a day. The official working hours were so few that you could say I was paid per massage. It was one massage after the other because, nowadays, there are low-cost massages and these have decreased the price and the salary of the professionals." Companies tighten up the schedules of the staff to the point that they do not even have time to go to the toilet. "One massage is planned immediately after another. If you go to the loo you lose ten minutes and the schedule is messed up. And as soon as you mess up the schedule, everyone is angry at you," Silvia explains.

The stressful situation for the staff gets worse when the customers are not on time. "Say your customer booked a massage at 10 a.m. but arrives fifteen minutes late. The customer is aware they are late. But they still want their 45-minute massage and they check you do not miss a minute. They sometimes say 'You did not give me the full 45 minutes'." If Silvia says that the customer arrived a little late and that the next person is waiting, she knows it will create a conflict situation and that management will not support her.

"The customer takes his or her time to undress and lie down. After the massage, the customer is relaxed and takes his or her time again. You feel powerless because you cannot rush them out, but you have another customer waiting. You only have one room. You leave the room and the next customer is already in a bad mood because you are fifteen minutes late. 'We can go in in a moment,' you say. 'No problem'," says the next customer. But this already causes stress. The atmosphere is different when you are not on schedule. You note that the customer is fidgety. You try to make amends by doing something extra to show that you feel bad

---

**Trainers in those sectors that are not really institutionalised are actually exposed to psychosocial superiority attitudes from participants.**

---

about the wait. You have to play along but the one that is stressed out is you."

These delays are cumulative and when it is time for lunch you only have 10 minutes or even no time to eat. You do not complain. "There comes a time when you make it work. You play around with the calendar, you cut a corner here or there, otherwise you would be having words with customers all day. And the centre does not like employees who cause trouble. Often when they say "This customer has cancelled" you think "Thank God!"

Even when a customer cancels you cannot stop working: "A cancellation does not mean you have nothing to do! You can never take a break, they expect you to restock and clean your room, etc. This was always the case, everywhere I worked. You can never stop working, only at meal times. And you cannot eat anything with a strong smell, because the centre will smell of it. Some beauty centres tell you what you can and cannot take in for your lunch. Fish is strictly forbidden. We have our meals in rooms without ventilation, they are stock rooms."

This work rhythm causes arm injuries with time. "Imagine that you do 5 massages that take 45 minutes without a break. People like it when you apply pressure on both their circulation and muscles. One job caused tendinitis in me." When I ask Silvia about the risk assessments, she laughs: "Never, not at the gyms, fitness centres or beauty centres, not once where the occupational risks assessed." Silvia states there are also biological risks involved as a masseur. "We touch customers without knowing whether they have an illness. No-one asks them whether they are healthy before we work on them with our hands."

### Sexual harassment to boot

Silvia has had quite a few nasty moments. "One customer took my hand and placed it on his penis." Silvia interrupted her work when something so shocking occurred and she even had to take care of what she said although the situation was violent to say the least. "You need to tell them the following without causing offence: Your massage has come to an end. I will wait at the reception desk. You have to wait for the customer at the reception desk, to see if the customer is willing to pay or not. The customer leaves without a care in the world. If you call management, they will not act. I told them and nothing was done. At most, they will bar them from the centre, but they usually do not come back because they are embarrassed."

---

**"When you need to pay bills, you take every injustice, all unfair treatment, until you find another job."**

---

After a shocking situation you need to continue working, you have the next customer to attend to. "Once you have said goodbye to one customer you run back to the room to prepare it for the next customer. It is stressful. When you start the day and see that you have no break between appointments you think 'My God, what a day!'. Of course, you pay the price at home. You get home very tired, you do not even want to eat, you are exhausted."

It seems impossible to continue but you go back. "When you need to pay bills, you take every injustice, all unfair treatment, until you find another job. This is why we keep changing jobs all the time. You are always looking for something better, but every job is just as bad."

A few days after we interviewed Silvia we returned to take some pictures. She tells us she has changed jobs yet again. She is hopeful. They have hired her as a training instructor at a company that sells high-quality beauty salon equipment. She is going to train the beauticians at the centres that purchase the equipment. She is going to travel throughout Spain. She is really excited because the company has demonstrated a real interest in her profile and Silvia believes she will finally open a new professional door. It has been difficult to make an appointment. "I have to prepare six training courses and I am working like crazy," she writes in her email message. It is nice to see her happy.

I cannot help but remember Silvia at 28 years of age when she was working on aerobics choreographies while preparing dinner for her boy and I keep my fingers crossed hoping that this time it will work out: that the story of job insecurity and suffering does not repeat itself yet again. ●

# A \$10 manicure? The other side of the coin

It wasn't strikes or even the unions that put a stop to the shameless exploitation of nail salon employees in New York State, but the power of the media coupled with a voluntary policy.

**Barbara Landrevie**

*Freelance journalist*

**In New York the manicure business is propped up by a small docile army of young migrants from Asia and Latin America.**

Images: © Barbara Landrevie (p. 33-35)



Among the major US cities, New York is unrivalled in the prevalence of nail salons. San Francisco and Los Angeles have less than half the NY number of salons per inhabitant. Over the 2000s, the number of salons in the Big Apple shot up, making the city the US nail salon capital. With such growth totally unanticipated by the New York State Department of Labour, it failed to foresee the fatal consequences of this rapid rise.

Behind the sparkling trappings of the salons lies an odious reality, perfectly illustrated by the story of Alba Torres from Ecuador, a story echoing the lives of many immigrant manicurists. After paying traffickers \$12,000, an astronomical amount, she arrived in New York at the age of twenty, leaving behind her one-and-a-half-year-old baby daughter. Twelve years later, she still has no papers. And any thoughts of a better life in the US have long dissipated into thin air.

Totally exploited, she earns just \$9 an hour<sup>1</sup>. Asked about her boss, she says that she is handled well, even if her boss contemptuously calls her *muchacha*, the Spanish for "girl". Obviously, she's tired of resisting – and she's been through much worse...

But change is on its way. The ball was set rolling in May 2015 by an investigative news story in the *New York Times*<sup>2</sup> on the terrible working conditions and generalised exploitation of nail salon employees.

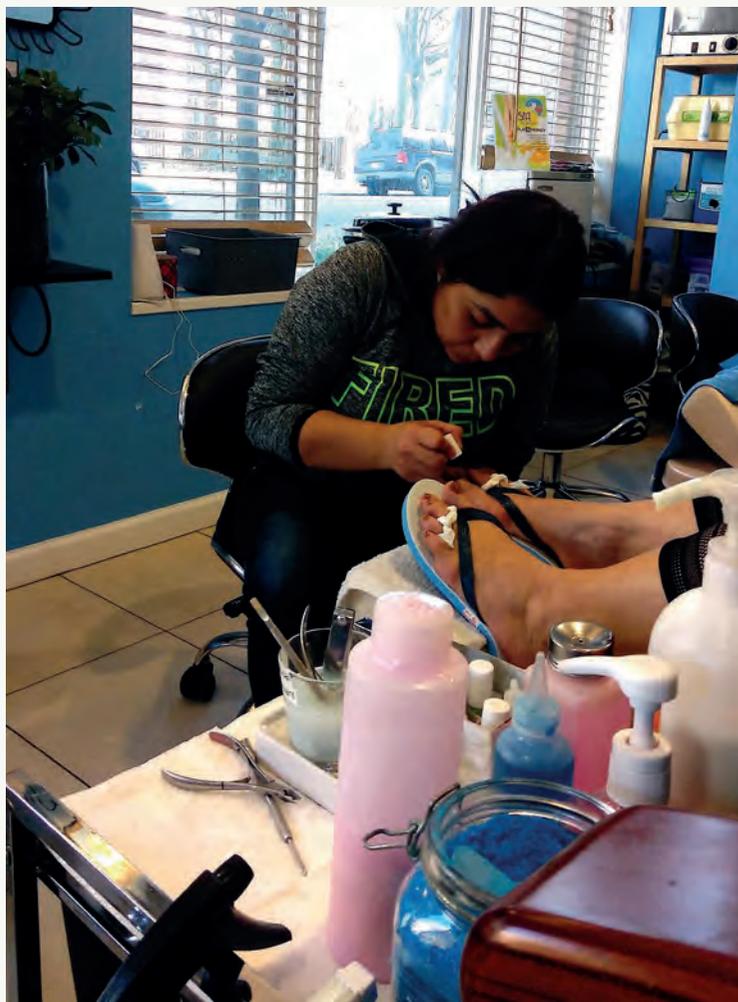
The investigation shocked public opinion, revealing to an unsuspecting public the terrible fate endured by nail salon employees, whether with regard to their health, seriously impaired by breathing in solvents all day, or to their low wages, varying between three and six dollars an hour, despite a New York minimum wage of \$8.75 at that time. Further deprivations included no lunch breaks, humiliations, constant video surveillance by the

owners, tips being confiscated when a bottle of nail varnish got accidentally knocked over, the absence of masks or gloves, daily racism<sup>3</sup>, unpaid overtime and even unpaid wages.

After publication of the *New York Times* story, the customers – the ones who decided not to boycott their nail salon – started asking what employees were earning and what their working conditions were like.

The political response was not long in coming, reflecting the muscle power of the US media.

A few days after the uproar caused by the *New York Times* article, the governor of New York State, Democrat Andrew Cuomo, rolled up his sleeves and declared: "If there is a state that is going to take a stand against worker exploitation, it is New York. New York offers a promise that our arms and hearts are open to those who come here to work and build a better future for themselves – and we



**1.** The current minimum wage in New York State is between \$11.10 and \$15 an hour. As part of the State budget 2016-2017 legislation, Governor Cuomo signed a law setting a state-wide \$15 minimum wage. This is set to increase the incomes of more than 2.1 million New Yorkers across all industries.

**2.** Sarah Maslin Nir, Perfect Nails, Poisoned Workers, *New York Times*, 8 May 2015.

**3.** A rigid system of ethnic castes exists in New York, dictating not only workers' wages but also their treatment. Korean workers (80% of nail salons are owned by Koreans) regularly earn twice as much as their Hispanic colleagues.

**4.** Adhikaar, the Nepalese word for "rights", is a non-profit organisation based in New York organising current and former nail salon workers and which works with the Nepalese community to promote human rights and social justice.

---

Miscarriages, persistent coughs and various forms of cancer are frequent in the nail salon industry.

---

## Mandatory ventilation is one of the most radical changes introduced by New York to protect workers.

will not tolerate worker exploitation, period. It's not a Democratic or a Republican issue – it's what we believe, and together we're going to make this a reality."

He immediately launched a series of urgent measures intended to combat the illegal practices and to improve the working conditions of workers in nail salons, relying on not only the nail salon unions, but also setting up a multi-agency taskforce made up of the Departments of State, Labour and Health and the tax authorities – an unprecedented move!

### Low wages and greedy employers

The workers in the 6,000 New York nail salons are mainly vulnerable Latino and Asian immigrants. Often without papers and speaking little English, they are easy prey for employers with no or little regard for their workers' health and safety. The industry is characterised by long hours, with the vulnerable workers inhaling toxic fumes 10-12 hours a day, six days a week. A hermetically sealed world out of the range of health and safety policies until just a short time ago – policies which had failed at all levels.

But the New York governor was going to need a long-term strategy to achieve sustainable results. Hampered by language problems, enforcement of labour rights in an immigrant economy leaves a lot to be desired. This is the reason why Cuomo called in union organisations such as the New York Healthy Nail Salons Coalition (NYHNSC), an organisation jointly founded in 2014 by the New York Committee for Occupational Safety & Health (NYCOSH) and Adhikaar<sup>4</sup>. New York State has since distributed info-sheets on the new regulations in twelve languages and has held more than thirty information sessions throughout New York with a view to informing nail salon owners of the new legislation.

Owners are now obliged to hang up a copy of the Bill of Nail Salon Workers' Rights,

informing their employees of their right to decent wages and working conditions.

Without papers, many workers are afraid of the US authorities. The Governor's Office has therefore taken the trouble to point out that the departments involved in the taskforce will not be looking into the immigration status of the workers during their investigations.

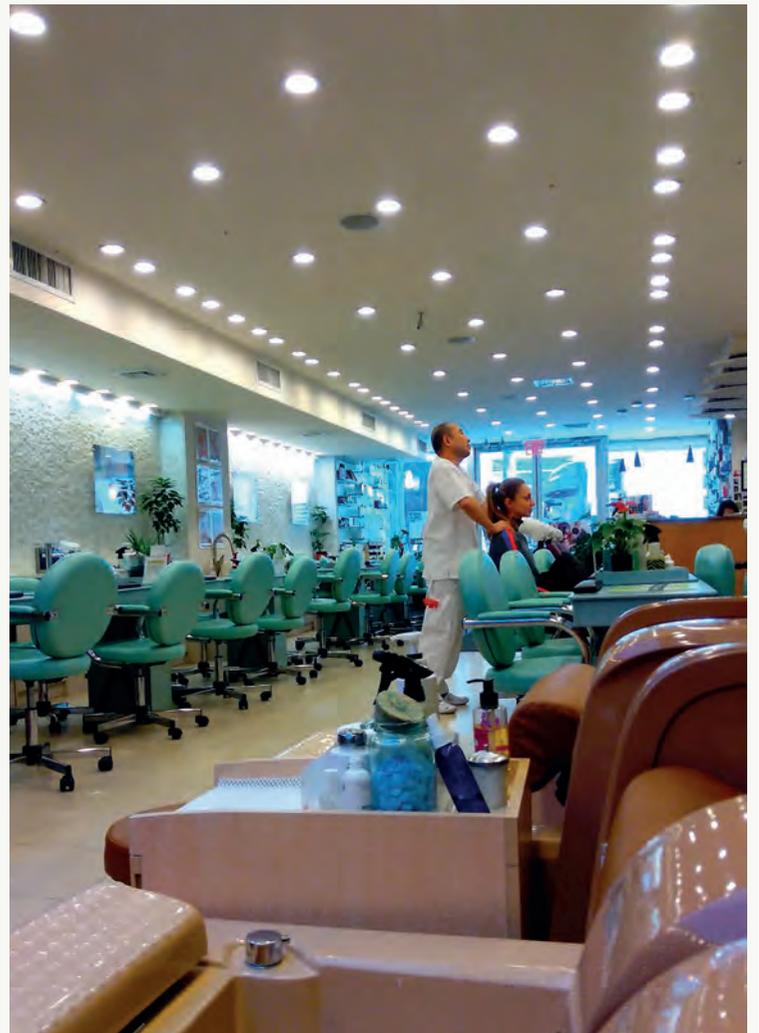
The nail salon union organisations have also taken on the task of informing workers of their right to be fully compensated, irrespective of their immigration status, and is encouraging them to speak up about any mistreatment.

In 2015 and 2016, the NYHNSC provided more than one thousand workers with health and safety training in the nail salons and helped them apply for work permits. Moreover, some 5,000 employees – for the most part

immigrant women – have managed to gain a nailcare diploma as a result of a new training programme offered by the State of New York. With the state pushing through significant improvements in terms of wages and health, the union is now just an empty shell.

### New safety norms

July 2016 turned out to be a turning point for nail salon employees in New York, with state governor Cuomo issuing the order that all nail salons would have to install ventilation systems within the next five years to protect their employees from the potentially harmful effects of the chemical products used in the nail salons. Miscarriages, persistent coughs and various forms of cancer are frequent in the nail salon industry.



---

## In May 2016, 143 salons were forced to pay two million dollars in unpaid wages to 652 employees.

---

"Immigrants take some of the most dangerous jobs and are exposed to conditions that can literally kill them, if not destroy their health", declared governor Andrew Cuomo, not waiting for the link between the chemical products and the workers' health problems to be scientifically established. Instead, priority has been given to the precautionary principle – there was no question of employees being left exposed to the dangerous chemical products.

Mandatory ventilation is one of the most radical changes introduced by New York to protect workers and make the industry safer and fairer. Salons not complying with the new legislation are now at risk of being fined and possibly even losing their operating licence.

Owners must also provide their employees with suitable personal protection equipment, such as masks and gloves. "Many salon owners billed us for manicures to pay for these basic supplies", explained Clara Yoon, a manicurist with fifteen years' experience, "it was common practice." Out on the street, employees who have spent years working in salons can easily pick out others working in the same trade: "We've all got those same coffee-coloured blotches on our cheeks", Clara went on to say, "and I am well aware that recent scientific research has proved that certain colourants in bright red nail varnish cause such skin discolouring".

Gloves are also a 'must' for reducing the risk of contracting skin conditions such as fungal infections or of developing burns through handling chemical products. The most striking example is that of Sukhee Lee. Having worked with solvents for two decades,

she got a bad surprise on acquiring American citizenship: "My fingerprints were practically non-existent".

### Tougher controls

State labour investigators have cracked down on nail salons since the publication of the *New York Times* article. Lambasted by the daily paper for only having carried out twenty-five investigations in nail salons in the past year, the New York State Department of Labor is now working flat out, with investigations of almost 450 nail salons ongoing. The governor has since warned nail salons not paying their employees the minimum wage that they will be shut down. Beforehand, it was commonplace for nail salon workers to get paid twenty to thirty dollars a day – for a 10-12-hour working day. Under the new law, operating a nail salon without a licence will become an offence subject to up to six months' imprisonment and a maximum \$2,500 fine. The New York Department of State is now entitled to close salons operating without a licence.

In May 2016, 143 salons were forced to pay two million dollars in unpaid wages to 652 employees.

Under the new standards, all nail salons must now take out insurance covering the non-payment of wages. "This new provision is obliging companies to have adequate reserves to meet their statutory obligations. Owners can no longer quickly sell up and then claim they are unable to pay – a tactic frequently used in such cases", said Charlene Obernauer, NYCOSH executive director.

With the cost of the insurance amounting to somewhere between \$25,000 and €125,000, nail salon owners were quick to react, launching protest movements in the social media and coming out on strike. As for the employees, they found themselves locked out while their employers protested on the steps of the New York City Hall or in front of the *New York Times* offices in protest against the new regulations. The shopfronts of a number of salons sported posters accusing politicians of using these protective laws to bleed them with fines. The governor's office stood firm, and by April 2016 4,000 nail salons across the state were already complying with the new regulations.

The majority of the nail technicians had to pay their employers for their nailcare training – generally between one and two hundred dollars, but sometimes a lot more. Training was followed by weeks or months of unpaid work, allegedly as an 'apprenticeship'.

A further measure taken by the governor's office has put a stop to this practice: nail salon employees can now take English courses free of charge and receive training while working, thereby escaping from any abuse on the part of their employers. In the first week after the introduction of the new programme, the State received more than 2,000 applications for training.

Two years later, changes in the industry are patchy. While workers acknowledge that their working hours have been reduced, one of their main grievances is that employers do not want to pay them for any overtime. But there have also been changes for the better. For instance, 60% of the nail salons now have a Bill of Workers' Rights.

Nail salon workers are increasingly using gloves when working with cotton wool drenched with solvent and protective glasses when working with acetone or other chemical products.

Breathing masks are available to workers when filing nails or fashioning acrylic nails. Wages have increased and are now up to \$9 an hour. And employees in several salons are also enjoying another unexpected luxury: a lunch break. Strangely enough, prices of manicures and pedicures have remained virtually unchanged. In other words, it would seem that owners have not hiked their prices to pay their employees more. Be that as it may, one must always bear in mind that there is no such thing as cheap luxury – unless someone is being exploited. ●

# "I love it when people tell me about their lives"

Working in the beauty trade requires unexpected practical and theoretical skills, far removed from the general clichés, together with a good dose of psychology. An interview with a beautician.

**Denis Grégoire**

ETUI

**Having left hairdressing, Sandy Masy has now run a beauty institute for the past seven years. She would love to be able to take on some staff in order to reduce her workload a little.**

Image: © Martine Zunini



Although I'm just about to leave the hair-dressing and beauty salon, I hand her a copy of the book *Le corps des autres*<sup>1</sup>. Written by French author Ivan Jablonka, it's all about the work of beauticians. Immediately recognising the book's pale pink cover, Sandy interrupted me: "I've already read it, one of my customers gave it to me." This anecdote tells us a lot about relationships between beauticians and their customers. Via this present, the customer probably wanted to thank the beautician for the good feeling she got from being treated by her, while also expressing her respect for her and her work.

"Though not dermatologists, nurses, social workers, personal coaches or psychoanalysts, that's all part of their work (...) A beautician is a socialising 'body professional'", writes Jablonka, whose investigation demolished the stereotype of a young superficial bimbo.

In her thirties, Sandy Masy is a million miles away from such a stereotype ... Wearing hardly any make-up, she seemed a bit tired on welcoming me in the late afternoon in her beauty salon on the Avenue Louise, Brussels' luxury magnet. Her salon belongs to a well-known Parisian chain of hairdressing and beauty salons.

Sandy has spent her whole working life in the beauty trade. In her teens, she decided to take up hairdressing. She spent eighteen years working for various salons, before deciding to retrain as a beautician seven years

ago. For the uninitiated, the nuance is subtle: what is the basic difference between hair-dressing and beautician work?

The young woman told me that she spent three years training to become a beautician: "When I talk to people not from my trade, I can see that they are surprised when I tell them which technical skills and theoretical knowledge are needed. You have to know all the muscles, all the bones, the skin, the whole lymphatic and circulatory system. When massaging someone, you need to know which muscle you are just massaging, what you are just draining", she explained. When doing the work, she insists on the protocols imposed by the French chain with which she works as a franchisee.

Over and above the opportunity to acquire new skills in the vast beauty domain, she was above all guided by human reasons.

"I switched jobs to have more contact with people, she told me. When they come to have their hair done, they're generally in a hurry, stressed by lack of time. Things are a lot more relaxed when they come for beauty treatment. While they obviously come for me to make them look better, it's not just that. They come to me to talk about their ups and downs, their intimate problems."

Comfortable leather seats, white furniture, the parquet floor, the small room in the basement of the hairdressing salon all invite customers to reveal their deepest secrets.

"There are just the two of us, they take off their clothes, they lie there naked, we transcend their privacy. During hair removal, we touch their legs, their arms. This makes my customers want to talk, to tell me about very personal problems, to get things off their minds. But you always need to end up with a positive touch so that they can go home feeling much more at peace. I love it when people tell me about their lives."

But isn't it exhausting listening to other people's worries the whole day long? "You have to be able to put up a barrier between you and them, just like a nurse caring for her patients. You've got to be able to separate things. When you give someone a massage, you massage away all the bad energy. I've learned ways of dropping everything, leaving everything behind you. You mustn't become a sponge, soaking everything up", she explained to me.

On asking her about the picture she gets back from her salon's clientele, in this fashionable district of the European capital, Sandy

thought about it a bit, but wasn't able to give me an example of anyone wanting to belittle her. As in every job working with customers, she obviously has to cope with bad-tempered customers in a hurry or disappointed because the result is not up to their expectations or what they dreamed they would look like. "Applying make-up is one of the most difficult things. Women come here with photos from glossy magazines, wanting to look the same. And I have to disappoint them. We apply everyday make-up, the make-up women wear in the street. But what they see in the glossies is studio make-up. They want to look natural, but at the same time they want the make-up to be perfect. The two just don't match. They contradict each other."

To placate her customers, Sandy uses her communication skills: "I explain to them what I'm going to do, how I'm going to do it and why. I do the same with the few men I get here, but I'm firmer with them to avoid any misunderstanding: I need to tell them very clearly that they're going to get a massage aimed at relaxing the muscles, activating the blood and lymphatic circulation, that it lasts one hour and how much it costs."

Though it might not seem that way for a customer, comfortably seated in a soft chair or lying on a massage table, beauty trades are physically very demanding. Hairdressing involves standing up all day, manicures mean that employees spend hours sitting with their backs arched, massages mean bending over all the time, straining all kinds of muscles.

"I've got a lot of back problems, admitted Sandy. At the end of the day, I feel like a machine when looking at the hours I put in. But I just love my work. I wouldn't want to do anything else." ●

<sup>1</sup>. Published in April 2015 by Seuil as part of the "Raconter la vie" (The story of my life) collection. A historian by trade, Ivan Jablonka gained fame as an author through his book *Laëtitia ou la Fin des hommes* (Médicis Prize and the *Le Monde* Literary Prize in 2016), which deals with a subject dear to the author, that of young women confronted with male violence.

---

"During hair removal, we touch their legs, their arms. This makes my customers want to talk, to tell me about very personal problems, to get things off their minds."

---

# Fighting for the factory, only to die for it

## The exemplary fight of the former Givors glassworkers

French sociologist Pascal Marichalar recently published a noteworthy book on the mobilisation of former workers of a glassworks linked to Danone, the food giant. Several of them have developed work-related cancer. His investigation, which he accepted to resume for *HesaMag*, is much more than a university study. It is also a vibrant homage to a union activist, his family and the world of glassworkers.

**Pascal Marichalar**  
*Sociologist*

**Roland Sorbier worked in a glass factory for 38 years. He is in good health but his wife, Nicole, wants him to have medical checks because of the numerous toxic substances to which he was exposed.**  
Images: © Hugo Ribes (p. 39-42)



In 2001, the employees of a glassworks threatened with closure started their desperate fight to keep it open. Without success: its gates closed in January 2003.

A few years later, the same people who had wanted to keep the gates open were back on the streets again, this time to have the deathly consequences of their past working conditions recognised. A contradiction? The mystery is at the heart of my book, a book resulting from an investigation conducted with (rather than on) the Givors glassworkers.

### A collaborative investigation

I am a sociologist, specialised in work-related health issues. In January 2013, a colleague informed me that an association of glassworkers was seeking a collaboration with scientists to help them get the work-related cause of their diseases recognised.

A few months later, I got off the train in Givors-Ville, a 20-minute ride from Lyon. In front of me I saw the tall brick chimney stack, all that remains of the Givors glassworks, established in 1749 by decree of Louis XV. Historical research presents it as the first industrial glassworks in France, as its furnaces were heated not by wood, but by coal. Smoke rose out of its chimneys for more than two-and-a-half centuries.

The reason for its closure in 2003 was the decision of the Danone Group to give up its glass-making activities, and to shift its business focus away from the container (glass) to the content (yoghurt and mineral water). The timing is explained by a leveraged buy-out opportunity which saw the group's directors earning a lot of money by first restructuring the group and then selling it to the main competitor. The glassworkers fought the closure for one-and-a-half years. In vain.

I started by offering them a historical investigation. On the basis of interviews with former glassworkers and a lot of research in the archives I would be able to access, I suggested establishing a chronology of the working conditions to which they had been

1. Scott J.W. (1980) *The Glassworkers of Carmaux*, Harvard University Press.  
Moriceau C. (2009) *Les douleurs de l'industrie. L'hygiénisme industriel en France, 1860-1914*, Paris, EHESS.

2. The CGT is one of the three largest confederations, alongside CFDT and FO.

exposed and to compile a history of the action (or inaction) of the institutions responsible for protection. I originally saw this work as having two purposes: first it could help advance our "pure" knowledge – the main works on working conditions in industrial glassmaking, for example those of Joan Scott and Caroline Moriceau, relate solely to the 19<sup>th</sup> century<sup>1</sup>; second, it could be used by the association in support of its action.

The glassworkers' association accepted, despite the fact that they were looking mainly for support from doctors (luckily, they were also to gain it). I soon found myself conducting a series of long, deep-going and generally collective interviews, in which the former glassworkers remembered long-forgotten episodes of their work, both good and bad moments, trying to make sense of what had happened to them.

Working together with Laurent Gonon, a former printer and a prolific local activist, I discovered that the largest part of my work had already been done by the glassworkers and the people supporting them. They knew all about the diseases plaguing them. And they had also identified the names of the toxic products to which they had been exposed. All that remained for me was to write this story, delving into the sociological mysteries running through it.

### Portrait of a union representative: Christian Cervantes

Christian Cervantes is, or rather was, the key figure of my investigation. Alas, I never met him, because he died in 2012, one year

before my arrival in Givors, the victim of two tumours. Throughout my investigation, his moustached and smiling face would look down on me from a picture-frame hanging on the walls of the premises occupied by the association of former Givors glassworkers.

Starting work at the glassworks in the early 1970s, Christian worked mainly on the production side. Standing in front of the machines dripping blobs of molten glass, holding a brush steeped in mineral oil, it was his job to grease the moulds – hard and very hot shift work, engulfed in a mist of oil and subject to incessant noise.

A CGT<sup>2</sup> activist, Christian was sensitive to the question of working conditions, as his father had been killed by a machine in the neighbouring metalworking factory. Within the CHSCT, the mandatory committee for health and safety and working conditions in French companies with at least 50 employees, he and his comrades has issued warnings about the use of prohibited products, the risks associated with asbestos, the need to have spare work clothes. Repeatedly taking a stand for the union, he was sometimes punished by being given one of the most unpleasant jobs in the glassworks: taking a tractor down into the dark basement beneath the furnaces to pick up any fallen red-hot glass and bring it up to the raw materials depot.

Christian's wife, Mercedes, had to tour the shops to find a shampoo able to get the mineral oil used for greasing out of his hair. She finally found one, in a chemist's.

Though the glassworkers were aware of the dangerous character of their work, they were also glad to have a stable job, somewhat better paid than elsewhere, and to enjoy the dignity and prestige that went with working as a glassmaker. Above all, they were under the impression that everything had been done to minimise the risks, and that any remaining risks were unavoidable "risks of the trade": fire, heat, the noise of the machines, the danger of getting your hands burnt in a mould.

From April 2001 onwards, Christian was one of the leaders of the industrial action against the closure. Right to the very end, he was convinced that it could be avoided. When the union lawyer announced that the end of the road had been reached and that all that remained was to negotiate the redundancy package, the disappointment was great.

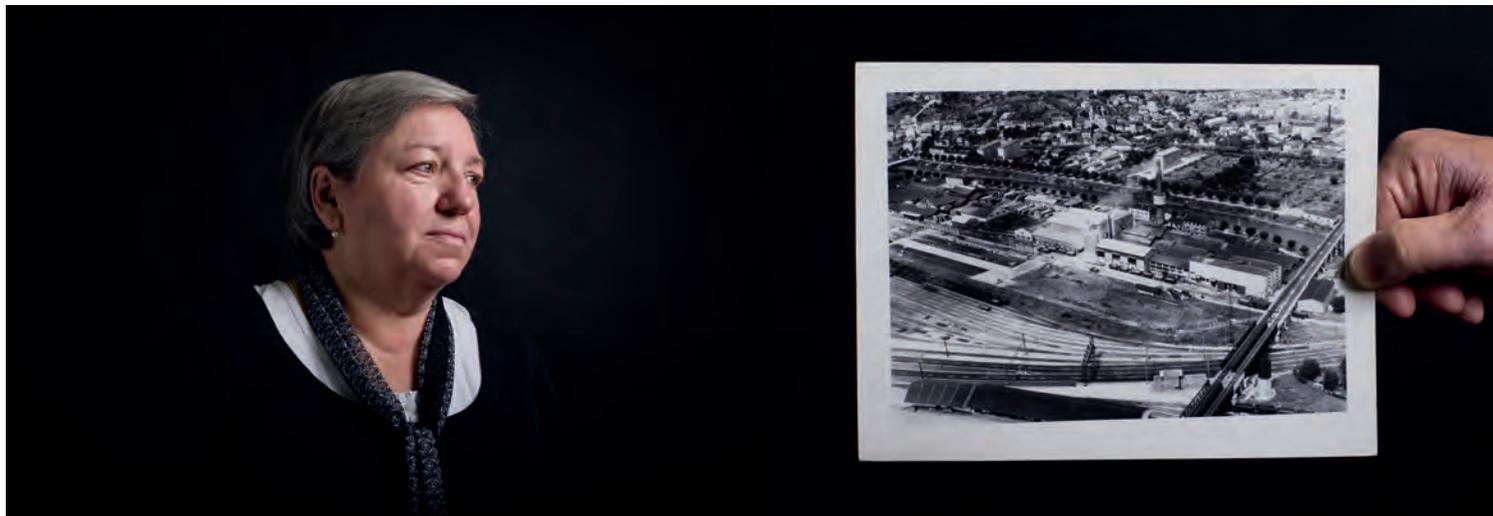
But Christian, unlike many of his colleagues, did not fall into a depression. Having been given early retirement due to his age – he was 55 at the time –, he "spent his time out cycling, going for long walks, working in the garden and doing odd jobs around the house", according to a local journalist who wrote an article about him. Together with his

---

**Above all, they were under the impression that everything had been done to minimise the risks, and that any remaining risks were unavoidable "risks of the trade".**

---

**Mercedes Cervantes is the widow of Christian Cervantes, a former trade union representative of the Givors glass factory, who died in 2012 after two bouts of cancer.**



## In France, as elsewhere, recognition of an occupational disease is always on an individual basis, needing to be gone through by each individual worker.

colleagues, he thought about opening a glass-making museum exhibiting the machines and other items they had managed to save from being destroyed. He also spent a lot of time supporting the actions of his colleagues who had been redeployed in other glassworks which were now in turn threatened with closure.

But then came the big shock: Christian was diagnosed as having throat cancer in 2005. He underwent a very disabling operation, before going onto weekly chemotherapy. In 2009, following a period of improvement, a further malignant tumour was found, this time in his mouth.

### Popular epidemiology

This was all too much for Mercedes Cervantes. One day on hearing the chairman of the association of former glassworkers announce yet another death of a colleague, she got angry: "Don't you realise that you're all set to die, one after another? When are you going to start asking why?" With the help of her daughters,

she wanted to hand out a health questionnaire to the association's members to put a figure on her intuition that something was wrong. But Christian was reticent. "You don't bite the hand that feeds you", he was wont to say. As one of his daughters told me, he had a strong feeling of loyalty towards the glassworks. The same was true for Laurent Gonon, the intellectual local activist who was asked by Mercedes to help her compile the questionnaire. Wasn't this investigation going to go against all the efforts put into keeping the factory open?

Nevertheless, the two ended up accepting the move. Of the 208 responses received, 98 reported cases of cancer, prompting them to move to the next stage: to identify the causes. This investigation was typical of what is called "popular epidemiology". Without the backing of scientists or institutions, the victims themselves have to do all the research and correlation work.

Going through the archives and listening to the testimonials of former glassworkers, Laurent Gonon ended up identifying a number of carcinogenic products and work

situations. Apart from the shift work, the asbestos, silica or nickel, there were other more insidious risk factors, for instance the mineral oils used for greasing the moulds. The safety factsheet of one of the products clearly stated that it was not dangerous when used correctly. But what did the usage instructions say? "Do not heat"! Unbelievably, the product was used to grease glass moulds onto which a blob of 800°C molten glass fell every second. On being heated, the oil decomposes into a mist of polycyclic aromatic hydrocarbons (PAHs), highly carcinogenic substances.

The glassworkers were indignant when they found out that certain products were known to be dangerous, but that they had not been informed. Becoming aware of all this ultimately converted them into 'health crusaders', spurred on by the surprise closure of the factory. After having given everything to keep the factory running and produce high-quality work, they found themselves confronted with the indifference of the bosses and their disdain towards the workers and what they did. A profitable business was sacrificed, as were many of its workers.

### Managing the glassworkers' feeling of injustice

In autumn 2009, the glassworkers' association called for, and obtained, a meeting in Givors town hall with representatives of the State. "We want collective recognition of the occupational diseases", they stated, under the impression that this would be the first step towards getting justice. But they were told that things were not that easy. In France, as elsewhere, recognition of an occupational disease, i.e. the granting of compensation by a state-run system providing insurance against occupational risks, is always on an

**In the glassworks, as elsewhere, the majority of the risks to which workers are exposed have been known for a long time and are avoidable.**



**Vincent Rizzi worked in the Givors glass factory for 42 years. At work he was exposed to noise levels of up to 120 decibels. He is hard of hearing but considers himself "fortunate" as he has so far managed to avoid any more serious problems.**

individual basis, needing to be gone through by each individual worker, even if they have all done the same work and have developed the same diseases.

It is also a complex procedure, weighed down by bureaucratic hurdles and fraught with absurd decisions which in most cases have nothing at all to do with the scientific knowledge on the possible links between work and health. Again, Christian Cervantes' story is exemplary. After having initiated the procedure to have his cancer recognised as an occupational disease, he told his health insurance company about the complications arising from the second tumour. He was told that he would have to initiate a second recognition procedure, as this tumour was considered as a second disease, unconnected to the first. After a series of (non-justified) rejections, followed by appeals, expert reports and hearings in the social security court, Christian's two cancers were finally recognised in 2014 and 2015 (the first in the court of appeal, the second one level higher). Unfortunately, too late for Christian: he died in 2012.

The procedure for obtaining compensation for occupational diseases is the main way used by the public institutions to channel the victims' feeling of injustice. The bottom line: justice is done when the victim receives a lump sum of money, in compensation for a disease listed in the relevant texts. As long as one is not "recognised", one cannot legitimately claim to be a victim. And when one finally gains recognition, one is no longer a victim, as the damage has been "repaired" (i.e. compensated).

The Givors glassworkers are very dissatisfied with these procedures, as evidenced by the fact that they have taken many other paths. "I don't want to be the co-assassin of my fellow workers", wrote Christian Cervantes in a letter to the Minister of Labour one month before his death. Christian had even filed criminal charges, but the procedure got bogged down when the investigating judge called on the experts to prove what could not be: that this case of cancer had been caused by this period of work in this factory. Such links can be demonstrated statistically but

not individually. Such insane requests were a similar stumbling block for asbestos victims in France.

### ... without solving the problem

I had the opportunity to visit a glassworks, at the invitation of the CHSCT secretary. I was stupefied to see production workers surrounded by the same oil mists as seen on the videos secretly made by the Givors glassworkers. In another glassworks, an employee showed me that they had just begun to use exactly the same oil as in Givors, the one decomposing into carcinogenic PAHs when heated. The same person also told me that the screen at the factory gates displaying "86 days without a work-related accident" was not telling the truth: a colleague had got a red-hot bottle in his face just a week before my visit. However, management had passed off the accident as being "en soins" (in care), i.e. suggesting that it had happened at home. "They're just out to break the record – 178 days without an accident, if I remember rightly."

New risks are appearing. The "environmental" filters installed on a number of chimneys to capture carcinogenic substances need to be regularly cleaned. This work is done by subcontractors. The workers put on overalls before going up to the small confined spaces containing the dangerous substances spewed up by the glassworks. Expert studies have shown that this type of work should have the same draconian requirements as asbestos removal. But that's not the way the employers see things.

On starting their fight for health at work, the Givors glassworkers clearly stated that prevention was one of their main objectives. One of the ways to give sense to the diseases that have carried away so many of them is to say to yourself that current and future generations will be able to enjoy their full retirement, in good health. In the glassworks, as elsewhere, the majority of the risks to which workers are exposed have been known for a long time and are avoidable... If there is one consolation, it is that your death will benefit others. ●



Marichalar P. (2017) *Qui a tué les verriers de Givors?*, éditions La Découverte.

# The legend of Luigi Di Ruscio

In post-war Italy, Luigi Di Ruscio, a self-taught writer, was an unemployed bricklayer and a grassroots activist in the PCI. Luigi Di Ruscio emigrated to Norway in 1957 and found a job in a nail factory. "I wanted to write what people don't usually write; the destitution of working-class streets, the wretchedness of poor people", he would confide later on. A year after his death, the writer Angelo Ferracuti made the journey northwards, on the trail of the metalworker poet.

## Angelo Ferracuti

Journalist and writer

**Drawing on a daily existence where no one speaks his language, either in the factory or at home, the worker-writer Di Ruscio freely interweaves novel, autobiography and poetry in his book.**

Image: © Angelo Ferracuti (p. 43-46)



I was still a little boy when I began hearing about Luigi Di Ruscio. I was flipping through an album of black and white photos, a reminder of the short Norwegian lives of my uncle and aunt, who had emigrated to Norway in the fifties. I remember his appearance: a very thin, serious-looking man, with a full head of very dark hair – I think the photo was taken at Vigeland Park in Oslo – and they said he was a writer. That is how his legend entered my life for the first time.

He was born in Fermo in 1930 in an underclass family and dropped out of school at an early age to go and do various jobs, working as a labourer, a house painter and a wedding photographer. At the age of forty, he was already a grassroots militant in the PCI (Italian Communist Party) of Palmiro Togliatti and was writing verses.

"I picture an unruly and insolent schoolboy, up to his eyebrows in ink smears, with the teacher hitting him over the head with a copy of the *Corriere della sera*"; all this right in the middle of the Fascist era. That is the snapshot by the literary critic Massimo Ruffini, taking a few excerpts from the coming-of-age story *Apprendistato*.

Di Ruscio wrote: "We used to live in an unheated home in an alley. There was soup for midday meal and boiled potatoes or salad in the evening. My first collection of writings has merely something to do with my everyday experiences, with what I was, with what we were, with the language we spoke".\*<sup>1</sup> His debut collection, *Non possiamo abituarci a morire* (We cannot get used to dying), was printed by Schwarz in 1953.

Franco Fortini<sup>2</sup> hits the nail on the head from the outset in the introduction: "We feel the effects of the spoken language and of the

jargon that intentionally overlay the structures of cultivated and literary language and give a more incisive result. Individual biography, collective biography, portraits of people made weary by work; and, from time to time, especially in the clauses of the compositions, atrocious statements that threaten us with their rhythm."\*

The lack of work was perhaps the main reason that drove him to emigrate to Norway in 1957, after a first false start in France. Some people think that he left to join my uncle and my aunt, Cesare and Dina, with his first book of verse in his pocket. My aunt, who was working for a major dressmaker's, purveyor to the Court, went to a great deal of trouble to find him his first job as a dishwasher. The owner, who was not well inclined, reading the references provided by a shapely, good-looking girl, said to her: "listen lady, if you manage to obtain a work permit, I will take him on", but, in reality, it was as if she was the one who was hiring him. Before going back to Italy, Uncle Cesare gave Luigi his wedding suit together with the job that he had in the nail manufacturing factory, Christiania Spikerverk, where Luigi was employed as a worker on the nail drawing machines for thirty-five years.

When he arrived in Oslo, he spent his nights in the Salvation Army dormitories, did shift work at the nail factory and hung out with the members of the small Italian community. The Italians used to meet on Saturday mornings in the centre streets, where they would chat and drink a coffee. In the evening, they would go and dance at the Regnbue, the place where he met his wife, Mary Sandberg. They would often shy away from the local people, fleeing the furious

fighters between young Italians and Norwegians because of the girls, as one of his Tuscan friends, Danilo Rini, told me: "they were provocative, and also had something against Italians because they had been the allies of the Germans during the war, and they were jealous too because we were more forward with women and livelier. When he did go out, it was to go to the dance floor with the orchestra and with the girls."

### Personnel number 27, workshop B12

This is what Luigi Di Ruscio wrote in the first period of his Norwegian memoirs: "I arrived in Oslo with fifty Norwegian kroner, barely ten thousand lira, I slept in a Salvation Army shelter, I found a job as a dishwasher, and a few months later I found a job in a factory, we were happy, we had a bedroom measuring nine square metres, a bed, a table with a chair, a sink and an electric hot plate". He lived in that city for 54 years, got married, had children, wrote collections of poetry and novels and thousands of letters. Appreciated by Italo Calvino, Paolo Volponi and by the Nobel Prize winner Salvatore Quasimodo, this case of never-ending literary interest fascinated many generations of writers, including mine. That is why, a year after his death, which occurred in February 2011, I wanted to return to Oslo.

Adrian, his youngest son, lived in a very ordinary and quiet suburban district, like the whole of the slightly Orwellian city. You feel, more than elsewhere, the existentialist atmosphere of *Fahrenheit 451*, the novel by Bradbury, but above all the atmosphere of the film that Truffaut made of it. It was not only a

1. The paragraphs marked with an \* have been translated freely.

2. Italian writer, poet and literary critic (1917-1994). Also known as Franco Lattes.

3. Di Ruscio, L. (2004) *Le mitologie di Mary*, LietoColle, 106 p.

---

There, Luigi, divested of his dark work overalls, came out of the shower, stopped being a worker and clocked on as a writer, holed up in his room and writing late into the night.

---

visual matter, I thought, but an auditive one. The sounds were always clear, the wide-open spaces made it easier to differentiate them, like the rattling of the rails of a train arriving at the Rodtvet underground stop, on line 5, close to a large prison.

When I arrived on the first afternoon at dusk on an autumn day, the streets were deserted, all the windows were already lit in the buildings. You could discern the silhouettes of the persons inside. Adrian's apartment is on the first floor, and I had barely crossed the threshold and gone through the door, small but cluttered with shoes on the floor, when the first thing I noticed was the tiny, stylised portrait of Luigi made by the painter Ernesto Treccani, with a few horizontal, vertical or oblique lines like the coloured sticks of a Mikado.

In the living room, on the shelf, (and certainly not by chance), alongside Brecht, a monumental *Ulysses* by James Joyce; all Luigi's books that he had given with a dedication to his son and signed *Pappa*, which means Dad in Norwegian. A little higher up on the shelf, there were a few objects from the Fordist factory where he worked for forty years: the personnel number, 27, the badge of workshop B12, the grey goggles with the dark lenses to protect the eyes, like those that welders put on every morning at the Christiania Spigerverk factory.

We had fantasised a great deal about that factory. For those of us who had read Di Ruscio, it was not only the mechanical engineering factory that produced top-quality nails, known throughout Europe; the Spigerverk was the total factory, the factory of literature, the workshop of a circle of hell, Chaplin's factory in *Modern Times* and, above all, the factory where Luigi thought literature which he would write down once he had returned home on his bike in another suburbs of Oslo, at number 4c Aasengata street, in that apartment where he lived with Mary Sandberg, the singing wife and muse of *Mythologies*<sup>3</sup>.

It was also the place where he raised four children and wrote like a madman all his life, in a little room, as narrow as a prison cell, with only the most basic furniture. Bent over his writing desk, he would punch the keys of his mechanical Olivetti and, from



**Luigi Di Ruscio (second from left) worked in a nail factory on the edge of Oslo for 35 years.**

his window, view the suburbs made of identical buildings, carefully tended gardens and icy, half-empty streets. There, Luigi, divested of his dark work overalls, came out of the shower, stopped being a worker and clocked on as a writer, holed up in his room and writing late into the night.

In his memoirs, *La neve nera di Oslo* (The Black Snow of Oslo), last volume of a narrative trilogy that begins with the very Italian *Palmiro*, Luigi wrote: "Once my shift was ended, I plunged once more into writing, heedless of all the events that came my way. I bravely put up with all the mockery aimed at the Italian poet who works in an Oslo factory. There have never been metalworker poets in Norway but, when it comes to Italians, anything is possible."\*

In a letter dated 6th November 1967, he told my Uncle Cesare: "I am still working where you used to work, not on machine number nine, the machine for the square

iron bars, but on number ten, the one that makes the steel wire. It is restful work; I have been doing the same job for ten years and it has become automatic; I could go on doing the same job even if I became blind". Talking about his daily work, he would say in a few verses that his machine would become the eternity of cosmic alienation: "We start our day at six / we are the start of every day / time starts to spin on the drawing machine / it is waiting for me open-mouthed / my dance, my show begins".\*

### The ironworker

Adrian was the only child with whom he talked about music, the visual arts, literature and, above all, politics. Adrian said to me that his father considered himself as a product of history. "My poetry is not a privileged moment; my entire writing is a privileged

moment. It is also a privilege in an historical sense: without a five-day week, without the hourly wage that allows me to buy books, I would not have been able to write. It is as if I said that, without the all-out strikes that the Norwegian working class staged during the thirties, I would not have been entitled to such a privilege. Without the gains made by the western working class, I would not have been able to write. If I had remained in Italy, I would only have been able to write in prison; when I was working in Italy, I could not write since the working week was too long and exhausting. I would go back home just to sleep"<sup>4</sup>, he explained in an interview with Giancarlo Majorino<sup>5</sup>, a discussion that closes *Istruzioni per l'uso della repressione*, published by Savelli in 1980.

In Oslo, I also went to visit the cemetery where Luigi was buried. His grave is a small marble slab with the inscription "Italian poet" under the given name and surname". I then met his wife Mary, his children, his lifetime friend, Domenico Trivilino, and the elderly pensioners from the Italian social club. Danilo Rini, of course, but also the cobbler Grosso, and Giuseppe Valvo, the Sicilian who had been his editor for so many years. I am referring to the person who read the rough draft of his books and gave him advice which Luigi accepted in the first instance and then rejected and then took into consideration once again, after which they embarked on emphatic discussions that called their old friendship into question every time. The friends from the Italian social club were the ones to nickname Luigi "lu fierru", with reference to his job as an ironworker.

But before leaving, I thought it would be a good idea to go and visit the factory, Christiania Spigerverk, or at least what remained of it after its recent dismantling. That is how, one morning, accompanied by Adrian, we made our way on foot along the route that Luigi followed every day on his bicycle to reach the factory. Emerging from a tree-lined path, we found ourselves on the main street, a long, desolate, straight avenue bordered with old and new buildings, ghostly industrial plants with reddish walls, and with the rails of the blue tram laid on a strip of grass running through the middle and the occasional car to break the silence of the street. We saw

a postman dragging his red metal trolley and walking quickly through the Treschows gate and came upon other, recently built buildings blending into the greyness of the sky and the asphalt of the street.

After that block of buildings, we entered the woods by following a path through the dense trees with their dead and yellowing leaves. The Akerselva river flowed alongside. Luigi Di Ruscio rode through here every morning on his bicycle, pedalling through the darkness, wrapped tight in his jacket. And he always returned home in the night through that dense woods and sometimes through the falling snow: "Count all the times that I left the factory in the middle of the night, coming away from the workshop at night-time after having breathed for hours on end the infernal stench of the tanks full of sulphuric acid; I breathe in hell and yet I return home walking in the fresh, soft and immaculate snow;

leaving only my footprints in the whiteness, I turn around to look at them".

Skirting the river, we reached a small wooden bridge, beyond which we began to see the houses of another district, painted yellow, and then, continuing our walk, we came across even more recent houses, full of glass windows, and, in the middle of them, the old building of a red-bricked, industrial plant; two distant worlds living together. We finally arrived at the large open space where the ruins of the factory stand. Only rubble and barriers remain. A worker explained to us that the machines had already been taken away and only piles of old pipes lay abandoned in the surviving workshops. Adrian frantically continued to take photos. It was the first time he had entered the workshop where his father used to work. A blast furnace used to operate at the bottom of the hall where we were standing.

4. The last sentence is a free translation. Translator's note.

5. Italian poet and teacher, born in Milan in 1928.



---

## "Without a five-day week, without the hourly wage that allows me to buy books, I would not have been able to write."

---

In *La neve nera di Oslo* (The Black Snow of Oslo), this place is described in a very comical way: "Here is the factory, the workshop that demands frantic mobility until I collapse with exhaustion. I have to operate three drawing machines, running from one spot to another among the entangled wires. I am the worker most surrounded by tin cans in the entire history of the industrial revolution. In the age of automation, I am the worker operating three prehistoric wiredrawing machines leaking oil and water from all sides, and I put peeled tomato tins emptied at home wherever I can so as not to flood the floor".

### "Damned for a world of damned"

Just at the back, in the same building, where the original plant once stood, a twin factory was now located and produced shovels for shovelling snow, called Elkem. When we arrived, an extremely thin and very smiling secretary arranged for us to talk to a gentleman with a very casual and yet very bourgeois style, who showed us inside the plant, to the stores in which thousands of shovels were piled, where the old Spigeverket once stood. He asked Adrian why we were visiting the plant. He spoke to him of his father, an Italian writer who used to work in the nail factory. "A writer working in the factory?", the man asked, most astounded. "That's right," Adrian replied proudly. The guy's face could not hide a sceptical grimace and then he greeted us by shaking hands.

When, later on, I met Reidar Landemo, leader of the metalworkers' union and someone who had been a foreman at the Spigeverket factory and had known Luigi, we were

accompanied by Domenico Trivilino. We met in the meeting room on the fourth floor of a building in Grønland, the multi-ethnic district of Oslo. Before going in, we posed in front of the huge clenched fist holding a rose, placed on the pavement in front of the entrance, symbol of the workers' social-democratic organisation, Fellesforbundet. It is the largest Norwegian trade union in the private sector, of which Di Ruscio was a member. Landemo knew nothing about Luigi's life as a writer either. In fact, he was also astounded when I told him that a great Italian publisher had printed his best works (*Romanzi*, Feltrinelli, 2014). He was not a close and familiar acquaintance of Luigi but had spoken with him on more than one occasion: "I remember that he always had the gift of creating enjoyable, humorous moments, with a joke, a quip, always in a pleasant, smiling way, and during section meetings, he often took part in the discussions. He was active; he was present. I remember that he expressed himself differently from the Norwegians, both in his manner of speaking and his hand gestures. The factory employed workers of at least thirty different nationalities".

He then asked me a question. He wanted to know if Luigi had actually mentioned the name of the factory in his works. I therefore read him in Italian a short passage from *The Black Snow of Oslo*, which Trivilino then translated: "When I started working in the factory, I was the youngest of the group of ten or so workers on the same machine line and on the same shift, we grew old together, we had a sense of solidarity, relations were forthright, brisk and even fraternal, a cheerful relationship too, for years we saw each other naked in the same showers, in the locker room we undressed and dressed together putting on

and taking off our everyday overalls, we saw each other's tiredness, and then we began to die or to disappear, a few pensioners would come back to see us, we saw them emerging among the machines, paler, more awkward, they now seemed to be the ghosts of what they were, I have them all in front of me now, they are passing before my eyes just as I saw them for the last time, there had been one who was a Communist, at the most, someone was from the social-democratic left".\*

Before returning towards Rodvet, Adrian and I stopped to buy meat at the butcher's where he used to go with his father, a few blocks away. He told me that they would usually go together to buy fruit and vegetables in shops kept by immigrants, often Turks. One of them always asked Luigi: "Which country do you come from?", but he did not like nosy parkers. In fact, he would often say to his son: "Stupid people always ask for information, but never give any". Luigi was a contrarious man and would therefore answer with a cheeky counter-question: "Why do you ask?". More often than not, he preferred to remain silent. Adrian laughed while continuing to tell the story. He went on to tell me that one day, his father was in a bad mood, either because the shopkeeper had increased his prices, or because the fruit was not of such good quality as usual. When the shop owner asked him for the umpteenth time "where do you come from?", Luigi had lost his temper and answered him while raising his voice, "You want to know where I come from? I come from hell!".

Adrian would never forget that moment: "I understood; he had come to buy fruit and not to answer questions about his nationality. Perhaps everything has to do with the racism that the Italians had to endure in the sixties. I remember him telling me: Your mother was brave to marry me."

In a famous poem, Luigi Di Ruscio had depicted in verse his condition as an expatriate and how he liked to define himself: "everywhere the last for that horrible race of those who come first/last in his land with a thousand lire a day/last in this new land because of his Italian voice/last to hate and that man's hatred marks everything/unnailed and crucified at every moment/damned for a world of damned".\* ●

## The conversion of an "agri-manager"

Had it not been for the accident on 27 April 2004, Paul François would undoubtedly have continued to work as a good soldier of the agro-industry. Back then, this ordinary man, who was soon to become the symbol of the fight against the pesticide industry in France, was not yet 40, but he was already in charge of a farm of over 240 hectares. In every regard he fit the mould of the typical post-Second World War farmer. Born into a Charentais family of cereal growers, supporters of the powerful agricultural trade union FNSEA, Paul François carried out intensive farming that was dependent on chemicals and could produce large volumes at low cost.

"Like everyone in my generation, and without even realising it, I became hooked on 'phytos'. Sales of these chemicals, which had already doubled every 10 years between 1945 and 1985, exploded in the 1990s", he writes in his revealing book, published at the end of 2017.

The young farmer was happy to take part in the training days sponsored by the producers of "phytosanitary products" – a term dreamt up by the industry to describe pesticides – and had no problem accepting their gifts: from the smallest (branded pens) to the more significant, such as his invitation to the Lido show in Paris along with 300 colleagues. At that time he liked being called an "agri-manager" (the linguistic inventiveness of the industry knows no bounds...), which he obviously thought was more flattering than "farmer" or, of course, "peasant".

Although he tried out various techniques to reduce his dependency on expensive "phytos", his reasons for doing so were purely financial, with little heed for health or the environment. Until that sunny day in April 2004.

On that early spring day, the sun was already beating down in the south-west. After having sprayed a corn field with Lasso,

a herbicide made by the US firm Monsanto, he left his huge crop sprayer sitting in the sun. When he went back to work, he thought it was empty, opened the 2 500-litre tank and put his head through the gaping hole. An intense heat hit him in the face and soon spread to his entire body.

Feeling nauseous and dizzy, and unable to speak without stammering, he went to his bedroom to rest. As the symptoms did not ease, his wife, who had trained as a nurse, drove him to casualty.

He thought that the sickness would be short-lived and could not have begun to imagine that that incident was to disrupt his life completely, in both negative and positive ways. The negatives include the intense headaches that, 14 years after being poisoned, still leave him bedridden for several days a month. It is possible to live with, and get used to, the physical ailments caused by chronic illnesses; the mental after-effects are more difficult to control.

Alongside his battle to get back to good health and continue to work, Paul François had to fight the medical world, the insurance companies and, of course, Monsanto, to have his illness recognised. His initial medical tests, notably an MRI, did not show up any abnormalities. The doctors put his chronic sickness down to overwork and stress. It was not until January 2005 that an EEG revealed "neurological anomalies".

"So I'm not mad", he writes, relieved after a doctor had even insinuated that he had been sniffing Lasso. From then on he became obsessed with a single cause: shining a light on the scientific proof of the link between Lasso and health problems.

He got to know two toxicologists, André Picot and Henri Pézerat, who helped him to untangle the issue: Lasso contains 43% alachlor, which is a weed killer, but also contains a solvent, monochlorobenzene. The scientists suggested that these health problems

corresponded to episodes when the solvent or the weed killer were being sprayed.

In February 2012, Paul François had his first victory, when a Lyon court ruled that Monsanto was responsible for poisoning him. Monsanto appealed and still maintains that strategy today, but the obstinate Charentais has held firm.

His book's appeal lies less in its revelations of the pressure applied by the multinational, which are scarcely surprising given the many recent press investigations into the St Louis firm, than in its telling of a personal journey.

The farmer does not ignore his own contradictions: like many farming families, the François family votes for the right and has for a long time cast, at best, an ironic view of the proponents of organic farming. Although he is fighting the "phyto" industry, the crop grower continues to use pesticides on his farm.

"Dad! You are fighting Monsanto but you are still using chemicals...", his two daughters cried one day. His meetings with activists and, above all, alternative farmers, which have shown him that organic farming can be financially viable, have convinced him to convert some of his farm to organic crops.

"I am no longer an agri-manager; I am once again a peasant (...) a word of which I have never been more proud", he concludes, finally at peace with himself.

— Denis Grégoire

### A Peasant Against Monsanto

Paul François (with Anne-Laure Barret), Éditions Fayard, 2017, 277 p.

## Trade unions and health and safety in the workplace, a complicated history

While the future is uncertain for the *Comités d'hygiène, de sécurité et des conditions de travail* – CHSCT (Committees for Hygiene, Safety and Working Conditions) in France, this book reminds us of the fundamental role they play in risk prevention in the workplace, but also of their limits.

Titled *Syndicalisme et santé au travail* (Trade Unionism and occupational health and safety), it is a collection of contributions from trade unionists and French social science researchers.

Annie Thébaud-Mony, an occupational sociologist, presents two examples of CHSCT actions in companies affected by cases of occupational cancer. In a factory in Auvergne which produces vitamins for animals for the company Adisseo, one of the market leaders in animal supplements, the use of a toxic molecule caused approximately thirty cases of kidney cancer amongst its employees. As a result of the persistence of the representatives of its CHSCT, the company was found guilty of gross negligence.

The second case of industrial action involves the exposure of France Telecom (now Orange) workers to surge protectors containing radioactive parts. A particularly dynamic CHSCT for the publicly owned telephone operator initiated an inquest which, with the help of a team of committed scientists, would allow them to prove the *lignards'* – line workers' – high exposure to radioactivity.

She writes, "While the public health and safety officials continued trying to sow doubt, the expertise of the CHSCT along with industrial and community actions brought to light dangerous situations which should have been subject to rigorous preventative strategies for many years."

Laurence Théry, former confederal secretary for the trade union confederation CFDT, presents the action research backed by her organisation since 2005. In her opinion, these initiatives led to a revision of trade union practices. They gave employees the chance to "speak out" and gave a view into "the black box of actual work".

Théry, who currently heads the *Association régionale pour l'amélioration des conditions de travail de Picardie* (Picardie Regional Association for the Improvement of Working Conditions), calls for a trade unionism based in the field, in close connection with employees. "In order to move away from a top-down, generalised discussion, trade union actions must be based in real-life work situations. For this to work, it must focus on the microscopic details, and resist the strong temptation to reduce them to anecdotes. Thus, any intended changes must be decided somewhere between the infinitely small and the question of the common good, these two points of view being intrinsically linked. By considering and understanding these microscopic details, the trade unions can mobilise employees and build a viewpoint that takes into account the complexity of situations," she writes.

The trade union confederation CGT also calls for the trade unions to turn their approach to work on its head. Jean-François Naton, a confederal counsellor for health and safety for the CGT, invites the trade unions movement to "dare to claim work as a foundation for emancipation and end the persistent theory of the end of work, which for too long has been a major topic of discussion."

In a chapter on the stranglehold that expertise exercises on public policy in terms of health and safety, the sociologist Emmanuel Henry and the epidemiologist Émilie Council question the "epidemiological paradigm". They denounce the importance placed on epidemiology in the field of research and its devastating effects on workers. "Epidemiology requires counting the number of illnesses and deaths over the long term, making it impossible to make preventative decisions. This reliance on epidemiology is sometimes seen as human experimentation on a large scale," they say.

The sociologist Danièle Linhart, who specialises in management methods, reminds us that for a long time, the trade unions resisted risk prevention as a strategy. During the *Trente Glorieuse*, they often used

occupational health and safety as a commodity. "The unions didn't so much try to eradicate danger and health risks, but rather used them as opportunities for moneymaking." The post-May '68 period left its traces. The slogan "Don't waste your life earning a living" is well remembered. But when workers themselves opened the discussion on work organisation and its impact on their health, the counter-strike carried out by employers in the late '70s, along with the introduction of new management methods in the following two decades, considerably weakened the trade unions.

His fellow sociologists at Aix-Marseille university, Paul Bouffartigue and Christophe Massot believe that when it comes to psychosocial risks, a CHSCT can only be effective if two conditions are met: employee representatives must have a certain power over the employer and the question of actual work must be discussed in this capacity. They recommend that the elected officials should seek to work closely with the employees they represent rather than remain isolated in their offices.

Should they seek inspiration from the "Italian workers' model" of the seventies? This is what Laurent Vogel, a researcher at the European Trade Union Institute, suggests. In his opinion, this would require internal transformations within the trade union movement. He suggests "questioning the delegation of health and safety representation in the workplace to specialists".

— Denis Grégoire

### **Syndicalisme et santé au travail**

Lucie Goussard and Guillaume Tiffon (Eds.), Éditions du Croquant, October 2017