

FILE NAME: Niagara Insulation (NIN)

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NIAGARA

Asbestos Co., Inc.

Cleveland 3655

Insulation Products

82-88 WASHINGTON ST., BUFFALO 3, NEW YORK

May 4, 1960

Johns-Manville Sales Corp.
Jackson Building
220 Delaware Avenue
Buffalo 2, New York

Attention: George T. Parker

Gentlemen:

You will recall we previously discussed with you the problem of dust from J.M. insulations and the very serious effect it was having in our meetings with asbestos workers.

One of our former men died Aug. 8, 1959 and the cause was found to be asbestosis.

Since we endeavor to keep informed we asked Safety Management Co. to check this out for us and attach hereto a complete copy of their report for your perusal.

One single factor causes us concern and that is the statement that the last employer must bear the full burden of compensation.

We recognize the hazards of our industry and do provide safety equipment to combat it.

Here however is a problem much too large for a company such as ours yet the problem is likewise yours and the problem of all other insulation manufacturers.

We do not feel we could petition the Workmen's Compensation Board to change the W.O. law which makes the last employer fully responsible for the liability. We do feel the manufacturers could approach and probably resolve the problem. It seems to us that if the disease is built over a period of years and, if each employer paid compensation premiums on the employee, then when the liability occurs it seems right each employer should share the burden, not the last employer alone.



NIAGARA

Asbestos Co., Inc.

Cleveland 5633

Insulation Products

62-66 WASHINGTON ST., BUFFALO 3, NEW YORK

Johns-Manville Sales Corp.

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May 4, 1960

To emphasize the point, our conservative estimate of the cost of the claim now charged against us is in excess of \$20,000.00 based on \$27.00 per week for the lifetime of the widow plus funeral expenses and settlement paid.

This is one case, there surely could be more, perhaps many in the not too distant future. At some point there is liability not only on our part but on the part of the manufacturer and consumer perhaps thru product liability.

We are specifically interested in knowing if you have had this problem elsewhere in the United States? What you have done are doing in relation to asbestos dust in your products and if somehow, industry wide, something can be done to remedy the inequity of the liability.

Please give this your consideration and early reply.

Yours very truly,

NIAGARA ASBESTOS CO., INC.

R. J. Braun
R. J. Braun

RCB/em
Encl.

