

January 29, 1965

Mr. F. X. Worden
Industrial Hygiene Coordinator
Western Electric Company, Inc.
222 Broadway, New York 38, N. Y.

Dear Mr. Worden:

As you will note, in the changes which I have suggested in the "Guidelines", I have thought it desirable to alter part of the substance and something of the atmosphere of the instructions, especially as they deal with the responsibilities, as well as the judgments of the physician concerned with the program. The alterations will be clear enough, I believe, but the philosophy (policy if you prefer) represented in my approach to this matter may not be quite as evident.

I am aware of the fact that not all physicians are sufficiently knowledgeable about this general subject, and that they are not always oriented to preventive medicine and hygiene. They, however, cannot be cured by dodging the issue. On the contrary, the physician must take the lead in this matter, and if he needs instruction and guidance this should be provided. Rules for his detailed guidance will not suffice, for he has to have that priceless ingredient, judgment based on knowledge, if this job is to be done.

The analytical procedures (air, urine, blood, etc.) require the skill of a good chemist, to be sure, but once the results have been obtained they are strictly a part of the medical record, to be dealt with by a physician. Any other procedure, as I well know from experience, is fraught with serious personnel and legal difficulties. The removal of an endangered (but not ill) workman is wholly a medical maneuver. This man must not be released from employment, but transferred to other and safe employment, and this must be understood by the individual man, through a sound explanation, in the individual case, by the physician. The data of the analytical laboratory cannot be bandied about, but must be part of the confidential record of the individual man. This is medical industrial hygiene, not engineering industrial hygiene, for in it are all the ethical and legal qualities of the relationship between doctor and patient.

I have been trying for 25 years to get this idea understood by people in managerial authority in industry, but only vaguely is it understood, partly because the physicians do not take the

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responsibility that is theirs in law and custom. People think I am being pedantic or precise, or defensive of the prerogatives of the physician, when I am only undertaking to head off the whirlwind of trouble that comes from the mishandling of these matters in the daily operation of industry. Whenever a nurse or technician lays a hand on a man or collects biological materials from him, a legal responsibility has been assumed, which only a physician can accept through delegation to someone answerable to his instructions. He is responsible and is so held under the laws of this country.

So much for this principle, I do not wish to belabor it to death. It is in the light of this principle that I have revised the instructions. Thus for example, I have deleted all references to the placement of an employee under the surveillance or care of a physician. It is implicit in the structure of the program that the physician is the source of action and judgment with reference to the handling of the potentially endangered or ill employee. The care of the men, in everything but the direction of their working relationship, is medical. The technical industrial hygienist, as differentiated from the medical industrial hygienist, is concerned with the environment, not with the handling of the men in hygienic matters. I believe the responsible people in both phases of industrial hygiene in your Company know this, but this knowledge is not evident or explicit in this document, and I think it should be, since this is a statement of policy that establishes a record, which may well be reviewed in the courts under certain circumstance.

I return to you, as you requested, one revised copy of the "Guidelines" together with certain attached comments, and one completely rewritten section.

I trust that what I have done to the document, and have said otherwise, will serve your purposes well. I have been somewhat blunt, perhaps, and I have certainly spoken somewhat peremptorily in certain matters. In all of this, I have attempted to speak plainly and to the point. I have not intended to be disagreeable or inconsiderate.

As you have requested, I am sending a bill to cover the cost to the Laboratory of the consultation services which I have undertaken to provide. The complication with respect to personal compensation for services rendered in the name of the Laboratory, can best be avoided in this instance by issuing a check to the Kettering Laboratory, University of Cincinnati, for transmission through our accounting office. It was not my purpose, in offering to help you with certain matters, to invite this much work and expenditure of time, but I have not dodged the job as it was presented.

Very truly yours,

RAK:wp
Enclosures

Robert A. Kehoe, M.D., Director
Kettering Laboratory