

WINDSOR STAR  
February 14, 1980

# Bendix claims dismissed

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DETROIT — The Workmen's Compensation Board of Ontario has dismissed 10 of the 16 claims for compensation filed on behalf of Bendix of Canada workers who reportedly are suffering or have died of cancer.

At a press briefing here this morning, John O'Hare, vice-president of industrial relations for Bendix, announced the dismissals and argued no proof has been given the workers' illness is directly related to working with asbestos.

UAW Local 195, which represents the workers, argues the cancer was caused by exposure to asbestos used in brake linings manufactured at the company's Argyle Road and Prince Road plants.

O'Hare said he had no names for the cases dismissed nor no explanation of the basis on which the WCB made its rulings.

A WCB spokesman confirmed that 10 of the cases had been disallowed but said he would provide no further information until the families of the cases involved had

been notified. However, he said some of the 10 cases were dismissed because cancer was not involved. He said he would provide more information next week. The union has submitted three more cases to the WCB for compensation meaning that nine cases are still under WCB review.

However, O'Hare said, "we recognize asbestos is a potentially harmful substance" and the company "will continue learning as much as we can about it and how to further improve our control methods."

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## Bendix claims

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O'Hare said the company is committed to discontinue the use of asbestos "as soon as possible," but did not indicate when that would be.

He also admitted the company had failed to comply with all the conditions of a 1966 Ontario government order which directed the company to cease certain practices and institute certain controls.

"Unfortunately, my review of the directives and our subsequent actions indicates that we did not respond timely or completely to the directive. We cannot explain how this happened or excuse it," he said.

O'Hare argued the plants have always been within Ontario ministry of health guidelines on all air sampling tests and in the majority, were below 50 per cent of the ministry's two fibres per cubic centimetre guideline.

However, the company announced a number of new measures to improve safety which include providing pulmonary function tests for all employees annually, vacuuming of all brake shoes before use in assembly operations to remove any loose fibres, more strict enforcement of the rule against eating, smoking and drinking in asbestos-sensitive areas, arranging to sponsor smoking withdrawal clinics for employees, and undertaking formal education programs.

O'Hare said in order to obtain "more conclusive findings on cause and effect relationships in worker exposure to asbestos at our Windsor facilities, the company will commission a study by an independent research organization."

Tuesday of this week Bendix announced it was closing and selling its Argyle Road plant, putting 65 of 85 workers out of a job.

The company said the plant was uneconomic and that the closing was not connected with the asbestos-cancer controversy.

WCB information officer John Hastings said this morning the cases were rejected because none fell within the WCB's guidelines for awarding claims.

Some had not worked at Bendix long enough, or got cancer sooner than would be expected if asbestos was the cause, he said.

Hastings said in order to get an award for asbestos-caused lung cancer, a worker has to be exposed extensively to asbestos dust at work for 10 years, and lung cancer must be diagnosed 20 years after first exposure.

The reason for the 20-year "incubation" period is that the WCB believes it takes 20 years for cancer to show itself after asbestos exposure. Some other authorities disagree.

Hastings said none of the 10 Bendix cases could be proven to fall within the guidelines.

Two of the 10 could not be fully investigated because the deceased workers' next of kin couldn't be found. He said they may yet be investigated if a family member can be located.

Hastings said the WCB investigated the cases for asbestosis, a lung-scarring disease, as well as lung cancer.

"We looked at all the possibilities," he said.

All the rejected cases can be appealed and possibly re-