

## **A Case Study of Occupational Health and Safety at FSC: An Interview with Ananta Prasad**

**Pradeep C Lal**

Sugar mill workers in Fiji are important stakeholders in the sugar industry. Currently the FSC employs about 3,000 workers in various capacities. A majority of these workers are organized in four trade unions; these are: Sugar Milling Staff and Officers Association, Sugar Clerks and Supervisors Association, Fiji Sugar Tradesmen's Union, and Fiji Sugar and General Workers Union. The latter is the largest union in the industry. It comprises factory and associated workers.

Sugar factory floor workers, like all factory workers, have always and everywhere been the most vulnerable workers in terms of physical injuries. Over the past numerous decades, advanced nations developed a considerable body of law to protect such workers from injuries inflicted at work. In Fiji, during the past decade, a specific legislation, the Occupational Health and Safety Act, was put in place to address worker health and safety. But before this Act came into place, numerous individual pieces of legislation contained some provisions which aimed to ensure worker health and safety at workplace. Additionally, the Workmen's Compensation Act required employers to pay insurance for workers. Other than these, civil law has always entitled workers to sue the employer for any injury they sustain. Unfortunately, the most vulnerable workers are the ones who are the least paid, thus possess the least capacity to resort to civil law for remedy. The situation, despite the presence of trade unions, has, as the case of Ananta Prasad shows, not changed much in the sugar industry.

Ananta Prasad, now 61 years old, started work as a bulldozer boy with the CSR Mill in Labasa in 1957. In 1985, Ananta got exposed to

chemicals at work. He is now partially crippled. Here is his story, as he relayed it to the interviewer.

*Pradeep C. Lal (PCL):* Mr. Prasad, how did you end up with the FSC?

*Ananta Prasad (AP):* I started work as a bulldozer boy with the CSR in 1957. Two years later, I was involved in harvesting sugar cane for the CSR on its plantations around Labasa. My sardar at that time was one Munsami. We would work for 12 hours - from 6am to 6pm. I harvested cane for 2 years. For the next five years, I was employed loading and unloading sugar and fertilizer. At one time, I was also the headman in this section. Then in 1972, I was stationed at Malau where my job mainly involved operating the molasses pump and reading the gauge. The molasses was loaded in ships from Malau for shipment to other places. I also worked as a crane and loader operator, loading sugar to be taken to Malau. In 1982, I was back at the mill. It was in 1982 when I damaged my right hand when I was working to make way for cable laying where a compressor was used to break the cement. After six months in recovery, I was back at work.

*PCL:* Did you receive any compensation?

*AP:* During the period when I was recovering, I received only two thirds of the wages for only three months. The weekly wages then were \$58. I was then transferred to the boiler section. In 1983, while working in the boiler, pushing burnt bagasse, I fell on a slippery surface and cracked my right hand. When I complained to my boss about the slippery surface, he told me that if I did not want to work, I could go home. I can recall that our union reps then were Sami Nadan and Jai Narayan. I was on sick leave for a month and received two third of the wages. The doctor at Labasa hospital told me that the Mill Personnel Officer told him to declare me unfit to work. But this did not eventuate. At work, I was given hard work most of the time. It was a case of victimization, them trying to get back at me for making the case a union matter.

*PCL:* So you had a hard time?

*AP:* Yes, but what else could we do? I had to continue to work to look after my family. In 1985, I was sent to work in the fertilizer sec-

tion. Our job was to sew the damaged fertilizer bags and fill it with fertilizer, like Potash, Ammonia etc. Once or twice a week, my colleagues and I also worked in the mill's juice tank – cleaning it with steel brush using a generator. Four of us would enter the tank, work for an hour. We would come out and another four would enter. In this way, we took turns to clean the tank. I was working with a chemical called caustic soda. I later learnt it was a deadly chemical. The chemical had to be boiled for 3-4 hours and used to clean the juice tank. During our time, the used chemical was taken away by the ships and never dumped in the river.

*PCL:* How long did you work in this section?

*AP:* I worked in this section for 7 to 8 years. Once or twice every week, the work of cleaning the juice tank was done.

*PCL:* How were you handling the toxic chemicals?

*AP:* In fact, there was no protective gear provided at work. The only cloth we wore while in the tank was a pair of small shorts. The smell was unbearable.

*PCL:* What did you do ? Did you request for some safety gear?

*AP:* I would complain to my boss about the bad smell. I reported to the chemist named Tomasi who told me to either work or go home. Some of my colleagues at that time were Ram Charan, Daya Nand, Ranmar Singh, Jai Karan and Munsami. I also reported this to the union. The union did nothing. I would feel dizzy every time from the foul smell. On 26 Nov, 1985, I fell dizzy and fainted at work at around 10 am. I woke up in the Labasa hospital only to find that I could not move or lift my leg. The nurse told me that my leg was not working. The nursing sister rang the sardar at FSC who sent Munappa and Daya Nand to drop me home. This they did. I received some painkillers. I could still not walk and needed the assistance of family members to move around. Later, I was advised by the doctor, (Dr. Peter Nadiri ) to use crutches.

*PCL:* Were you able to work after this incident?

*AP:* In December 1985, I went to the mill and talked to Jone Sovasova who was in-charge of the fertiliser gang. Jone told me that I could not work any longer. He said that the doctor told him that I got poison in my blood. In 1986, I went to see my boss, Jone Sovasova who told me that I was unfit to work as was written in the medical report. I was not given any written letter that my job was terminated. I only received two-thirds of my pay for 2 weeks only. My full pay was around \$80.00 per week.

*PCL:* What did your union do about this?

*AP:* My union is the Fiji Sugar and General Workers Union. The union reps were Jai Narayan and Yangtresh. Both are retired now. The union said that they were told by the General Manager, Jonetani Galuinadi to take the case to court. They did nothing.

*PCL:* This must have shocked you?

*AP:* Yes. I then reported this to the Labour Officer, Mr Chandrika Prasad. In 1986, Chandrika brought a document to me for signing so that he could take up my case. This was to be taken up before the court. I was assured that my case was going on and I was not to worry. In 1997, I gave my medical report to Jonetani Galuinadi [General Manager of FSC] who said that once my case goes to court, then I can be paid compensation. From then, I waited. I was not paid. I could not walk. The FSC did not give me any compensation.

*PCL:* Did you take your case further?

*AP:* In 1991, I gave my case to Jai Ram Reddy. I was confident that my case would now go ahead. I did not do much as I had lot of hopes that my case will go ahead. I also submitted my medical report to Jai Ram Reddy in 1991. But I heard nothing back from him. Not a word. Then in 1997 or 1998, Jai Ram Reddy came to Labasa. I told my case to Parmod Chand [then NFP Member of Parliament] and he and I met Jai Ram Reddy at Labasa Civic Center where he had come for a meeting. Jai Ram Reddy told me that he could not fight my case as he was too busy with the [1999] election. It took him so long to tell me this. Even I have not received back my papers from him. It was then I real-

ized that I was in fact made to run around... maybe because I was not educated. Nobody was giving me any concrete assurance or help. In 1998, I related my case to Jiten Singh, a lawyer in Labasa. The copies of the files are with Felix Anthony [General Secretary of Fiji Sugar and General Workers Union]

*PCL:* What happened next?

*AP:* Nothing so far. But in 1998, I and a F.S.C worker, Hari Lal were witnesses to Daya Nand's and Jai Karan's case in court. Hari Lal is retired now. These two Daya Nand and Jai Karan were my colleagues and they received \$6000 each as compensation for a similar incidence at the mill. A lady lawyer and the labour officer told me that as soon as this case finishes, they will look into my case. Hira Sami, a F.S.C worker is my witness to this. Sami is still working at F.S.C and is in the Union at F.S.C. In 1999, I went to the Labour Office in Suva and was assured that my case was going on. In 2000, I went to Labour Office Suva again but this time I was told that I should seek legal advice and that my documents were burnt by them as my case was too old.

*PCL:* Who told you this?

*AP:* One labour officer there. I then went to a lawyer in Suva (Jamnadas & Associates) where the lawyer asked me to deliver all the necessary documents. I came back to Labasa and managed to send some documents and the lawyer advised me that my case was going on.

*PCL:* What was the outcome?

*AP:* Nothing has happened since. In 2002, I sent my case to the parliament, and also made a request to Hon .Krishna Dutt to follow up my case. He has raised the matter in Parliament. But so far I am still waiting for a result.

*PCL:* You did a lot of running around without getting any assistance.

*AP:* I was made to run in circles right from the beginning. I am not an educated person. I am not rich. I also do not have any connections or contacts. I have great difficulty walking. My employer treated me like a

spare part which could be replaced any time if damaged. This is most inhuman of them. My bosses at FSC also did not take my case up. My union did nothing for me. Many lawyers who assured me also did nothing. The Labour Department in Labasa did nothing. The Labour Office in Suva did nothing. I gave my case to Parliament and nothing has come out of it. I do not know what else to do. I am over 60 now.

*PCL:* What about your colleagues?

*AP:* Most of my colleagues who worked with me have passed away. Some of them were Daya Nand, Ram Charan, Ranmar Singh, Jai Karan, Ram Khelawan, and Bal Karan.

*PCL:* What are the difficulties you face today as a result?

*AP:* Firstly, I cannot work. Then I find a lot of difficulties in looking after my family. My eyesight is very poor due to working in hazardous conditions in the juice tanks using deadly chemicals. I have medical reports on this. The medical report says that I am affected by caustic soda. I use a pair of crutches to walk and feel dizzy whenever the wind blows from the FSC side and I get the foul smell from FSC. I cannot take in the foul smell given off during the cane crushing season especially when the mill is cleaned once a week. If the foul smell is inhaled, then I find it very uneasy. Many times I have had to leave my house, which is in Siberia near the FSC mill. I also have itchininess on my body, which is unbearable, together with sores on my body. Till now, I have received no assistance or compensation and my case seems to be swept under the carpet. This whole incident has been very traumatic for me and has had an adverse psychological impact on me.

*PCL:* Have you given up?

*AP:* I am old now. And I am on crutches. But I will continue to fight my case and I hope that one day I will get justice.