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High-tech workplace is laced with toxics and tort cases

By Seth Shulman

YOLANDA LOZANO WORKED SIX years winding and waxing transformers and then cleaning them in a solvent bath at the GTE-Lenkurt plant in Albuquerque, N.M. In the growing high-tech industry, the components she made were used later to manufacture personal computers. While she and others in her department were exposed daily to fumes from dioxins, resins and solvents known to be toxic, there were no exhaust hoods or protective clothing in her workplace. She was not informed about the potential dangers she faced at her job.

Yolanda Lozano was one of nearly 2,000 workers at the plant—including many Hispanic women—who faced the same working conditions. Belying the high-tech industry's consistently clean public image, more than 150 different toxic chemicals were regularly used at the plant. There was no local exhaust system in any department of the newly constructed complex, so chemical fumes were recycled in the air throughout the whole plant. Although many workers were directly exposed to toxins such as PCBs (Polychlorinated Biphenyls), Benzene and Trichloroethylene (TCE), GTE issued no personal respiratory masks or protective clothing to any employees at the plant.

Now Yolanda Lozano has malignant melanoma, a deadly form of cancer, and she is convinced that it comes from her

repeated exposure to solvents and other toxins at work. She is one of 96 workers at the plant to file a lawsuit against GTE for worker compensation with claims of diseases or illnesses that make up a list nearly as long as that of the chemicals to which they were exposed.

These workers, almost all of whom were healthy before working at the plant, now display illnesses, syndromes or symptoms including skin, uterine, ovarian, cervical, colon, breast, brain and thyroid cancers, traveling infections that are unresponsive to antibiotics, dizziness, bronchitis, deterioration of bones and cartilage, even two cases of a multiple sclerosis-like illness. Aside from the Johns-Manville asbestos cases, this may be the largest group of workers ever to bring worker compensation suits for illness related to a single workplace. Some doctors and scientists say there is a pattern in the symptoms exhibited by workers exposed to a variety of chemicals in especially large doses.

"My doctor was the one who started me thinking," Lozano says, "because he said it is very rare for an Hispanic to ever get this type of cancer. He asked me right away whether I spent a lot of time in the sun. I said there's no way I could have because I was normally going into the plant at a quarter of six in the morning and not leaving until my 12-hour shift was up."

Three claimants have died since the suit was filed, and the group's lawyer, Josephine Rohr, says she has verified that 14 other of Lozano's co-workers have died of cancer

as well. Approximately 35 workers with cancer are among those suing GTE.

Little local support

Lozano, the third of the 96 employees to file suit against GTE, heads a support group of disabled GTE workers from the Lenkurt plant. She carries on her legal battle with little local support, and has faced antagonism from her union, the local chapter of the International Brotherhood of Electrical Workers (IBEW). Struggling against layoffs at the Lenkurt plant, IBEW has consequently chosen to diminish worker health and safety issues. Meanwhile, despite union efforts, GTE has gradually moved most of the departments of the GTE-Lenkurt plant across the border to Juarez, Mexico. Today only about 150 workers out of 2,000 are left at the Lenkurt plant.

Lozano and attorney Rohr have received technical assistance, however, from the National Network for a New High Tech Agenda, a nationwide group of activists, health and safety specialists and environmentalists. Known informally as the "Integrated Circuit," the group began last year to look critically at the effects of the high-tech industry. A main priority is to examine health problems facing high-tech workers.

Integrated Circuit member Nancy Lessin of the Massachusetts Coalition for Occupational Safety and Health (MassCOSH) has been closely following the case in Albuquerque. "It is an unusual constellation of symptoms but one we are perhaps coming to recognize," Lessin says, referring to the growing interest of some doctors, toxicologists and epidemiologists to focus on

example of the growing trend that involves focusing on the immune system to help understand effects from chemical exposure. It marks a significant change. In the past, researchers looking at toxic effects have tried to link specific disease symptomatology to individual chemicals. By looking at effects mediated by the immune system, a more complex picture of this relationship is revealed.

Levin states that many of the symptoms seen in cases like the one in Albuquerque "were previously seen by the medical community to be psychosomatic, or what we call idiopathic [a disease of no known origin or cause]. But this is no longer the case. There is certainly growing recognition that a lot of the cancer we are seeing is related to immune system breakdown. And the courts are a wonderful vehicle for public awareness and understanding of these issues."

Still, questions remain about how acceptable some of these new theories will be in

Nearly 100 high-tech workers are suing GTE over illnesses they say stem from exposure to chemicals in a New Mexico plant. Did toxics damage their immunity?

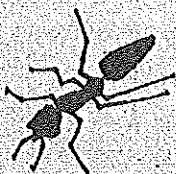
court in proving the connection between different diseases and workers' exposure to chemicals. Only about 5 percent of worker compensation cases brought to court have

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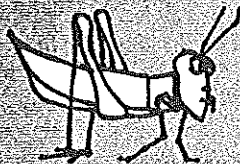


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growing interest of some doctors, toxicologists and epidemiologists to focus on environmentally-induced damage to the immune system as the cause for a wide variety of disparate symptoms.

The immune system, hailed by many as one of the most intricate and complex biological systems known, protects against disease by identifying potentially harmful, alien materials (antigens) and then synthesizing and releasing antibodies to fight them. One of the most striking features of the immune system is its ability to "learn"; antigens once recognized by the system will cause a much more rapid response when they reappear.

System breakdown

Some physicians, including Dr. Albert Levin of the University of California at San Francisco, have studied the ability of large amounts or large varieties of chemicals to cause a breakdown of the immune system. Levin, a participant in the Integrated Circuit, coined the term CAIDS—Chemically Acquired Immune Deficiency Syndrome—to explain the variety of symptoms witnessed in such cases of toxic exposure, although he cautions about comparisons to the current AIDS epidemic where the immune breakdown is rapid and virtually complete. He and others, like David Ozonoff, epidemiologist at Boston University, are placing greater emphasis on the immune response to toxic exposure.

Ozonoff says researchers are seeing "definite effects from chemical exposure on the immune system," but feels our understanding of this is just beginning. Nonetheless, he says, corporate defendants fear evidence of environmental consequences on the immune system because of "the broad role such an immune deficiency might have in explaining a whole range of diseases."

In a recent issue of the *Journal of the American Medical Association*, researchers from the Centers for Disease Control (CDC) in Atlanta found "depressed cell-mediated immunity," or a breakdown of the immune response, in people exposed to dioxin near Times Beach, Mo: This research is another

chemicals. Only about 5 percent of worker compensation cases brought to court have attempted to make such a correlation. The rest were filed for injury or accidents caused on the job. The cases brought by Lozano and her co-workers have yet to come to trial, and GTE spokesperson Nancy Colbert says, "The lawsuits are without merit" and "there are no indications that the materials used at the Albuquerque plant produced the health problems of the plaintiffs." A letter stating the company's position was sent to every worker at the Lenkurt plant after the number of suits reached 20.

"When I started this case I was alone," says Rohr. "I couldn't find another attorney in the whole state who would be willing to touch the case with a 10-foot pole. They said you won't be able to prove it and you can't fight GTE—they'll bury you. They also said—in October 1984—that it would take two months to get me out of court. Obviously they did not succeed at that." Rohr has teamed up with other attorneys in New Mexico, and has drawn upon the work of scientists like Levin and Ozonoff to help establish the connection between her clients' illnesses and their exposure to toxic chemicals.

It remains to be seen how successful her effort will be, but as Levin states: "My goal in participating in toxic torts cases is to make the public recognize the dangers of the indiscriminate use of toxic chemicals. I think the toxic torts arena works faster and more effectively than virtually any other in this respect, certainly faster and more effectively than publishing findings in a scientific journal." Levin feels that the public's and medical community's awareness of these issues comes from cases brought to court. "In this sense," he says, "in the toxic torts arena, no matter who wins, society wins because people become aware of the dangers inherent in these chemicals."

Seth Shulman is a freelance science writer based in Cambridge, Mass. He recently completed a year as a Bush Fellow in the Science, Technology and Society Program at MIT.