HEALTH AND STRESS

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UPDATE ON JOB STRESS & OVERWORK IN AMERICA

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Several surveys have shown that work pressures are the major source of stress for U. S. adults and that stress levels have progressively increased over the past few decades. Some of the reasons for this include job insecurity and studies showing that Americans are working longer hours, take fewer vacations and have less leisure time to unwind.

The International Labour Office reported in 2003 that working hours in the United States exceeded those in most other developed countries, including Japan. In addition, over 15 million Americans were working an evening shift, night shift, rotating shift or other irregular schedule that was dictated by their employer. A 2001 survey conducted by the Families and Work Institute had previously revealed that one third of U. S. employees reported that they routinely felt overworked. Major contributors to this were the lack of or inability to take advantage of a vacation and that leisure time had to be spent on chores that could not be done during the workweek. The report generated so much media interest that it was decided to repeat the study in greater depth every four years.

The second study released in March by the Institute was entitled "*Overwork in America: When the Way We Work Becomes Too Much*". It found that **44% of U.S. employees were overworked "often" or "very often"**. Respondents indicated that in the past month they were either frequently or very frequently (a) overwhelmed by the amount of work they had to do (27%), (b) didn't have the time to step back and process or reflect on the work that they had been doing (29%) or (c) had to work a lot of overtime (26%). Being overworked was defined as a value of over 2.7 after averaging the answers to these three questions on a scale of 1=never to 5=very often. Only 29% of all respondents replied that they had "rarely" or "never" experienced any of these three problems.

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When employees were separated into high, mid and low levels of being overworked, there were clear differences between work-related as well as personal problems. **The high overworked level group were more likely to make mistakes at work, feel angry at their employers for expecting them to do so much, resent coworkers who didn't work as hard as they did, have higher stress levels, be depressed or have health problems, be neglectful with respect to caring for themselves.** The breakdown on this was as follows:

- 20% of those reporting being highly overworked say they make a lot of mistakes as opposed to none (0%) in those who experienced low levels of overwork.
- 39% of those experiencing a high degree of overwork say they felt very angry toward their employer in contrast to only 1% in the low overwork group.
- 34% in the highly overworked group versus 12% in the low overwork group say they often or very often resent their coworkers.
- Half the high overwork employees report their health as good compared to two thirds of the low overwork group.
- Only 41% of those who experience high overwork say they are very successful in being able to take good care of themselves versus 68% of the low overwork group.
- Only 8% of the low overwork cohort had high levels of depressive symptoms compared to 21% of those who were highly overworked.
- 36% of the highly overworked group are highly stressed compared with only 6% who experience low levels of overwork.

These last two observations are of particular interest since the World Health Organization reported that **by 2020, clinical depression will outrank cancer and follow only heart disease as the 2nd leading cause of death and disability in the world**. In addition, in Galinsky's 1999 *Ask The Children* report, which launched the Work and Families Institute, **when asked their one wish to improve how their mother's and father's work affected their lives, most children wished their parents would be less stressed and less tired**.

The Institute's latest study found that the feeling of being overworked often stemmed from an inability to complete an assignment because of having to work on too many tasks at the same time and/or frequent interruptions. These problems are increasing because "in many organizations **there is simply more work to do with less time and fewer people to do it**." Almost nine out of ten employees experienced one or both of the following pressures. "My job requires that I work very hard" and "I never seem to have enough time to get everything done on my job". When responses to these questions were averaged, 54% of employees who felt highly pressured on the job fell into the highly overworked category compared to only 4% of those who felt low levels and 18% who experienced moderate levels of being pressured. Another contributor is having to do tasks that are perceived as having little value or a waste of time, like "having a meeting to plan a meeting to plan a meeting, etc." Overall, 29% of employees strongly or somewhat agreed that they spent a lot of time doing things that are unnecessary. Over half of those who said they had to perform a lot of such low-value duties considered themselves to be highly overworked in contrast to only 25% who didn't have this complaint.

Women were more likely to be overworked than men were. This might seem counterintuitive because men tend to work longer hours; they are more accessible to employers during non-working hours and work in areas that are more prone to be overly demanding. However, women reported that their jobs required multi-tasking much more often than men did, which may be a crucial factor. When women and men with equal multi-tasking jobs were compared gender differences disappeared, suggesting that **more multi-tasking may explain the greater likelihood for women to be overworked**.

Vacations Are Essential To Prevent Overworked And Stressed-Out Employees

Since one of the topics that had attracted considerable interest in the initial Institute report was the effect of vacations on the feeling of being overworked, this was explored in greater depth. This study found that 79% of employees had access to paid vacations but that:

- Although the average number of paid vacation days was 16.6 the average number of vacation days that employees had taken or expected to take in 2004 was 14.6 days.
- More than one third (36%) did not plan to use their full vacations.
- Very few (14%) take extended time for their longest vacations (2 or more weeks).
- 37% take less than a 7-day vacation including weekends, 12% take 1-3 days and 25% take 4-6 days,
- 49% take 7-13 day vacations and 14% take 14 days, both including weekends.

With respect to relieving stress, the amount of vacation time may not be as important as how that time is utilized. On average, employees who take paid vacation spend:

- 69% of their time relaxing and enjoying themselves with family or friends or alone.
- 19% of their time on family or personal responsibilities - illness, funerals, care for sick children or parents, tending to their personal illness or medical problem.
- 13% of their time doing other things like going to school, working at another job, reserve military service, etc.

Most employees don't work during vacations.

- 58% never do work related to their jobs while on vacation.
- 21% rarely do any work during vacation.
- 21% work sometimes, often or very often.
- 9% work often or very often.

Those most likely to work while on vacation are employees with the greatest responsibilities and demands such as managers, professionals, high earners, Type A's and those who regularly work the longest hours. At least one in five of those who regularly contact others or are contacted by others about work matters during non-work times frequently work while on vacation because the lines between work and family/personal time have become blurred. There were significant gender differences. Surprisingly, women spent less time (64%) than men (72%) relaxing and enjoying themselves while vacationing because of the need to attend to family responsibilities (24% versus 15%).

As an aside, it is of interest to note that most countries require a vacation at full pay ranging from 10 days in Canada and Japan to 20 days in the Netherlands and the U.K., 24 days in Germany, 25 in Sweden and France, to 35 days for managers in Italy. In contrast, **U.S. employers are not required to offer vacations.** Most workers tend to get 10 days (two weeks) off after the first year and there may be periodic increases up to three weeks depending on position and years of employment. European countries tend to be much more liberal. French workers are legally entitled to two and one/half days off for each month worked which means they can take a full 25 days off after less than a year on the job. In addition, the French workweek is now limited to 35 hours. With respect to paid holidays, totals range from eight days in the Netherlands and the U.K. to fourteen in Japan. The U.S. has nine. In many countries employers also provide a vacation allowance. In Mexico, if you are entitled to 20 days' vacation, your employer must pay you for the 20 days plus another 25 percent, which would be the equivalent of 25 days' pay. In actuality, Mexican employers often give much more (around 80 percent) than the statutory requirement. In Belgium the

vacation premium is 85 percent of one month's pay and **Australian workers typically receive 13 weeks paid leave after 15 years on the job**. In many Muslim countries, paid leave is provided for one pilgrimage to Mecca and Indonesian workers get paid time off for prayer during the workday. In Italy, which has different priorities, you receive 15 days off with full pay if you get married. Brazilian employees must be given one paid day off to donate blood and in some Asian countries women get one paid day off each month. In Japan, the law currently applies only to women with severe menstrual complaints. (Some say this benefits men as well.)

Other surveys have also confirmed that Americans are overworked and need more time off. A study conducted in 2000 on behalf of Oxford Health Plans reported that one in six employees are so overworked that they are unable to use up their annual vacation because of excessive job demands. The survey also revealed that:

- 34 percent report they have such pressing jobs that they have no down time at work.
- 32 percent work and eat lunch at the same time.
- 32 percent never leave the building once they arrive at work.
- 19 percent say their job makes them feel much older than they are.
- 17 percent say work causes them to lose sleep.

For example, a 42-year-old computer analyst in Poughkeepsie, N.Y. who had gone without a vacation in two of the last four years explained that, "If you take off a week, you've got three times as much work to do when you get back". A 31-year-old Microsoft program manager in Seattle quit her job because she had not been able to take a vacation for five years. She remembered thinking "I can't go - I've got too many things to do." She subsequently took a less demanding position overseeing computers for the Seattle Opera in order to "have a life" and hopefully take a vacation the following summer.

The survey also showed that while most employers make it easy to keep medical appointments (70 percent) and return to work after illness (68 percent), other companies exude a corporate culture that places loyalty to the company as a prerequisite that often discourages healthy behaviors and lifestyles.

- 19 percent of survey respondents said workplace pressures make them feel they must attend work even when injured or sick.
- 17 percent said it is difficult to take time off or leave work in an emergency.
- 14 percent believe their employer makes it difficult to maintain a healthy diet.
- **14 percent feel that management only promotes people who habitually work late.**
- **8 percent believe that if they were to become seriously ill they would be fired or demoted.**

The study stated that "Americans are the most vacation-starved people in the industrialized world". This was based on statistics from the World Tourism Organization listing average annual vacation days for Italy (42); France (37); Germany (35); Brazil (34); Britain (28); Canada (26); South Korea (25); Japan (25); with the U.S. being last at 13. Oxford's chief medical officer said, "This survey is a wakeup call for Americans to realize that taking a vacation is not frivolous behavior. It's essential to staying healthy. Regular vacations are preventive medicine - they cut down on stress-related illness and save health care dollars." He emphasized that while taking a vacation provide stress relief benefits; medical research shows that it can also lower risk of death. "Taking a vacation is a serious health issue that should not be ignored. It could save your life." He was referring to data from the Framingham Heart Study data of women aged 45-64 showing that **frequent vacations cut risk of death among all women by half**. Another study from the State University of New York at Oswego published in 2000 found that **regular vacations lowered risk of death by almost 20 percent in 35-57 year-old men**.

A 2002 study commissioned by Expedia.com similarly found for the second year in a row that American workers do not take advantage of their vacation days because they are just too busy and can't afford to take time off. As a result of "Vacation Deprivation", workers continue to give back almost $19.5 billion in unused vacation time to their employers. According to the president of Expedia, the nation's largest online travel agency, "Consumers seem conflicted regarding downtime. While many Americans feel too busy to take vacation, the desire to utilize it has become a top priority. Expedia.com wants to do everything possible to help Americans overcome 'Vacation Deprivation' by offering rich vacation planning solutions providing convenience, flexibility and savings in one place." In commenting on this study, Dr. Dorothy Cantor, president of the American Psychological Foundation, warned that, "Workplace stress can take its toll. In order to maintain a strong state of mental health, the human body needs a release and a source of replenishment. . . . . An ideal vacation should eliminate stress, encourage relaxation and provide opportunities for rejuvenation, making the benefits of the experience immeasurable."

Unfortunately, things seem to be getting worse rather than better. The Families and Work Institute of New York study also reported that both spouses in double-income households with kids put in over 15 hours a day on work, commuting, chores and child care. They believe that within 10 years the projected average workweek will be up to 58 hrs. As a sign of the times, Hallmark recently marketed greeting cards for absent parents to tuck under cereal boxes in the morning — "Have a super day at School" — or to place on a child's pillow at night — "I wish I were there to tuck you in." That's pretty sad.

An Update On Job Stress And Cardiovascular Disease All Around The World

The Fourth International Conference on Work Environment and Cardiovascular Diseases held in Newport Beach in March provided striking evidence of the growing international interest in this topic and its wide base of support. It was co-sponsored by the National Institute for Occupational Safety and Health (NIOSH), the American Psychological Association, The Japan Association of Job Stress Research, Mt. Sinai School of Medicine in New York, the Center for Social Epidemiology in Santa Monica, and the Centers for Occupational and Environmental Health at UCLA and UC Irvine. Speakers from around the world discussed the changing nature of work, the impact of globalization on job stress and the relationship between working conditions, social class and social inequality as risk factors for cardiovascular disease. There was also a focus on new assessment approaches and techniques such as the Job Content Questionnaire and the Stress-Disequilibrium Model as well as the use of heart rate variability alterations as a method of measuring of job stress.

With respect to the changing nature of work, it was noted that according to European Foundation surveys, "there has been a progressive increase in self-reported 'tight deadlines' from 45% in 1990 to 54% in 1995 and 60% in 2000." Swedish physicians recently reported that the stress of facing a high-pressure deadline at work dramatically increased the likelihood of having a heart attack within the next 24 hours. They questioned nearly 1400 first heart attack survivors aged 45 to 70 from the Stockholm area and compared them with a control group of about 1700 people who had not had a heart attack. Participants were asked questions about their degree of stress on and off the job over the past 12 months and during the days immediately before their heart attack. The questions included whether they had been criticized for their performance or lateness, been promoted or laid off, faced a high-pressure deadline at work, changed their workplace and whether their financial situation had changed. It was found that intense pressure over a recent short period increased the risk of a heart attack much more than accumulated stress over the past year and that heart attacks often followed very soon after a spell of increased pressure, particularly an important deadline. **An intense impending high-pressure deadline increased the risk of a heart attack within the next 24 hours by a factor of six in men and three in women.** (*J. Epidemiol. Community Health*, Jan 2005; 59: 23 - 30).

A wide range of diverse topics were covered as indicated by the following synopses:

- Working longer hours leads to higher hypertension rates in Americans as well as Orientals. Previous studies had shown that Japanese workers whose jobs required putting in more than 40 hours a week tended to have significantly higher rates of hypertension. UC Irvine Center for Occupational and Environmental Health researcher who studied California workers between the ages of 18 and 64 confirmed these findings. They reported that employees who worked 50 hours a week or more were 13 percent more likely to suffer from hypertension than others who worked a maximum of 40 hours/week.

- Job stress raises blood pressure all night long as well as during the day. Investigators from the Department of Public Health in Belgium monitored the blood pressure of 126 workers over a 24-hour period and also rated their job stress levels. They found that the high psychological demands of a stressful job along with little decision-making authority was associated with increased rates of high blood pressure around the clock. This study provides the first evidence that **high job stress levels are associated with persistently elevated blood pressure measurements even when sleeping**.

- Job stress levels can also predict the likelihood of burnout and hypertension in nurses. Researchers from the University of Western Ontario reported that job strain was significantly related to nurses' physical and mental health. They followed 192 nurses and also found that high psychological demands and low levels of decision-making authority had a strong correlation with poor efficiency at work and ultimately symptoms of job burnout. Other papers reported that increased job strain was associated with higher rates of hypertension in separate reports on nurses from Nigeria, Mexico, Brazil and Taiwan.

- Shift work was associated with higher rates of smoking in a Dutch study and job stress also makes quitting smoking much more difficult according to Belgian researchers. They followed close to 3,000 workers from nine companies and found that those with high stress jobs and little decision-making ability were much less likely to give up cigarettes in response to smoking cessation programs regardless of their socio-economic status or intensity of smoking habit. Most ratings of job stress in these and the other presentations were based on either the demand/control job strain approach developed by Bob Karasek and Tores Theorell or Johannes Siegrist's Effort-Reward Imbalance model. Both of these measures were introduced at our International Congress on Stress in Switzerland by the above individuals.

- Japanese researchers reported that shift workers also had higher rates of hypertension and a decrease in heart rate variability. Karasek and others presented evidence that increased job stress as assessed by the Job Content Questionnaire also lowered heart rate variability. **A decrease in heart rate variability is believed to be a risk factor for sudden death and heart attacks and this measurement has the potential for providing a useful objective marker for evaluating the effects of job stress.**

- Finnish physicians found that jobs requiring prolonged standing over an 11 year period were associated with increased hospitalization for varicose veins and faster progression of carotid atherosclerosis. In addition, prolonged standing was a risk factor for hypertension with a magnitude comparable to that of 20 years of aging.

The diverse and global nature of the well over 100 presentations crammed into this three day conference is also evident from the following titles (emphasis added): Sickness Absence Due to Cardiovascular Diseases Among **Industrial Workers in Iran**; Job Strain and Cardiovascular Risk Factors in **Korean Industrial Workers**; Psychosocial Work Related Factors, Stress and Acute Myocardial Infarct in **Colombian Working People**; Various Risk Factors For Cardiovascular Diseases Among Hypertensives of a **Public Sector Industry Unit In India**; Association Between Psychosocial Job Characteristics and Arterial Hypertension in an **Oil Refinery In Brazil**; The Association Between Psychosocial Characteristics At Work And **Problem Drinking In Three Eastern European Urban Populations**; Job Strain, Effort-Reward Imbalance, Organizational Justice, Work-Life Imbalance And Body Mass Index Among **Australian Workers**; A 12-Year Prospective Study of Circulatory Diseases Among **Danish Shift Workers**; Work And Cardiovascular Health Among **Vietnamese Americans**; "Thank You For Calling Telmex, May I Help You:" Service Interactions And Psychosocial Risk Factors Among **Telephone Women Workers In Mexico**; Job Contents, Family Strain, Psychosomatic Symptoms And Blood Pressure Among **Working Women In Beijing**; Job Strain And Risk Of Stroke: A Preliminary Analysis Among **Japanese Workers**; Analysis Of Psychosocial Risk Factors And Trends Of The **Employment Market In Hermosillo, Sonora, Mexico**; Altered Fibrinolytic Response in **Nigerian Long Distance Drivers**; Stroke Among **Male Professional Drivers in Denmark**; Long Driving Time is Associated With Hematological Markers of Increased Coronary Risk Among **Urban Taxi Drivers in Taiwan**; and Blood Lead Levels and Blood Pressure Among **Male Bus Drivers in Bangkok, Thailand**. This last study compared 215 drivers of air-conditioned buses with 229 bus drivers without air conditioning. It had previously been shown that chronic exposure to even low amounts of lead can cause hypertension and this report confirmed that bus drivers without air conditioning were 1.6 times more likely to have hypertension as well as significantly higher lead blood levels than the air conditioned group.

Another paper found that more than half the deaths in Poland are due to cardiovascular disease and that job stress was an important contributor. This may explain why *The Fifth International Conference on Work Environment and Cardiovascular Diseases* is scheduled to be held in Poland in June 2008. However, there will be other international conferences dealing with job stress in the interim. For example, The Second International Conference on Psychosocial Factors At Work entitled "*East Meets West - Job Stress Prevention in a Global Perspective*" will be held August 23-26, 2005 in Okayama Japan. It has obviously attracted a great deal of interest since the organizers report having received well over 250 abstracts from 40 countries before the February deadline for submissions. The Sixth International Conference on Occupational Stress and Health, "*Work, Stress, and Health 2006: Making a Difference in the Workplace*" will be held March 2-4, 2006 in Miami. There will also be numerous other national and local conferences dealing with other aspects of job stress in addition to diverse surveys that gather statistics and track trends.

Stress Has Become The Leading Cause Of Absenteeism In Great Britain

Long term absence from work due to sickness is a major public health and economic problem in the U.K. According to an editorial in the April 9 issue of the *British Medical Journal*, 176 million working days were lost in 2003, an increase of 10 million over the previous year. Of the 1 million workers absent each week because of illness, 3000 will remain unable to work after six months and only 20% of those receiving incapacity benefits for more than six months will return to work in the following five years. The costs are enormous. Each year, £13 billion ($25 billion U.S.) is spent on benefits for incapacity leave and the annual cost to industry is almost as great (£11 billion). Although they constitute only a small fraction of absenteeism episodes, longer-term absences account for more than a third of total days lost and up to 75% of absenteeism costs. Since many absences and especially those due to stress are job related the government has made

reducing work related complaints, disability, and resultant absenteeism a top priority. A major overhaul of the benefit system was recently announced in an attempt to remove some of the current financial incentives for remaining incapacitated, especially for those who have been receiving benefits for long periods of time.

One might reasonably expect that these expensive long-term absences were primarily the result of an inability to function as a consequence of some severe illness. However, most extended absences are actually due to some common condition that for one reason or another failed to improve sufficiently to allow a return to usual work duties. Until recently, the most common causes for this were musculoskeletal disorders, particularly low back pain. In 1994 - 1995, 194,00 new social security benefit awards were made for back-related incapacities, which accounted for more than one in seven new awards. Since then, awards for back pain and disability have dropped by 43 percent while those for psychiatric symptoms have escalated. The Department of Work and Pensions reported that "around 35% of people claiming Incapacity Benefit in 2002 had mental or behavioural disorders, compared to 22% with musculoskeletal conditions." These are mainly common complaints such as depression and anxiety rather than disturbances due to complex psychoses. For example, **during this same decade, the number of people complaining of stress allegedly caused or worsened by job stress doubled**.

Because of this, the UK's Health and Safety Executive (HSE) has recently produced guidelines on the management of stress in the workplace. These rely heavily on the demand/control model of job strain that is based on the employee's perception of demand and control. A major job stress problem for workers who have been absent because of a job stress related problem is that, even though they may have recovered sufficiently to consider returning to work, there is often the perception or fear that exposure to employers, colleagues, clients, customers or other aspects of work will lead to a relapse. According to a spokesman for the Depression Alliance, this is especially true for patients suffering from depression and he called for more to be done to rehabilitate such individuals. However, there is a conflict between the House of Lords and Members of Parliament over extending disability discrimination legislation to workers who suffer bouts of depression. Occupational physicians are best equipped to manage these cases but they are very scarce in the U.K. compared with the rest of Europe with only one specialist available for every 43 000 workers. Mental problems such as depression and anxiety are generally treated by General Practitioners but long waiting times are common since there is a shortage of staff to provide psychological counseling and support. This has forced family doctors to fall back on antidepressant drugs which the Medicines and Healthcare Products Regulatory Agency (MHRA) warned last year were being overprescribed. In addition, because of concerns about the antidepressant Seroxat (Paxil) which had been linked to suicide and addiction, MHRA's chief executive said that antidepressants should not be used as a first-line treatment for mild depression since providing advice on sleep and exercise were often effective and posed no risk. This has compounded the difficulties for General Practitioners who often have problems getting employers to cooperate with vocational rehabilitation and, as the patient's advocate, may feel uncomfortable recommending returning to work in such circumstances. The Depression Alliance spokesman stated that, "the incapacity benefit system itself is simply not designed to deal with the special requirements of people affected by depression. Service users often tell us that they end up in a vicious circle where they are unable to return to work or are forced back to work too quickly."

Another very recent (May 16) report from the health charity Mind reported that more than 5 million British workers are suffering from extreme stress that puts them at risk of a breakdown. Over half of British workers complain of stress, particularly teachers, social workers, call center workers, prison and police officers. Mind's chief executive urged

"more understanding of stress and mental health problems in the workplace", noting that "Today's competitive and pressured work environments can make it difficult for people to disclose their problems." He called on companies to introduce flexible hours, keep positions open for those on sick leave and allow them to return to work gradually. In addition to health problems, job stress also takes a heavy economic toll. In addition to resulting in almost 13 million sick days a year, it costs the British economy $1 in lost productivity for every $10 generated as result of almost 13 million sick days a year, increased employee turnover, medical and other costs. Despite this, less than 10 percent of companies had a policy in place to deal with job stress.

Company Fined For Ignoring An Employee's Complaints Of Job Stress

The UK's Depression Alliance had also warned that employers were frequently not equipped to recognize the early warning signs of depression and stress in workers and were therefore unable to provide assistance that could prevent many problems. Such deficiencies could soon prove to be quite costly for companies. In a landmark case, a New Zealand marine engineering firm was convicted for failing to provide a safe working environment after a worker "broke down due to job stress." The Department of Labour's Occupational Safety and Heath (OSH) lawyer charged the company after a female employee was diagnosed as suffering from depression and hypertension due to work-related stress. He claimed that "She was working in an environment where poor communication was the norm, the work culture was non-supportive" and the resultant mental and physical harm was the direct result of work pressures that the company had failed to correct despite several complaints.

The plaintiff had been hired in August 2003 at a salary of $58,000NZ/year to help in the accounting department. A week later, she found out that she would also have to perform the duties of the financial manager and an assistant who had just resigned. She began to experience a variety of symptoms that her physician attributed to stress, for which medication was prescribed. Over the next two months she complained to her employer who agreed that extra staff were needed and promised to rectify the situation promptly but nothing was done. Following repeated complaints, two completely inexperienced individuals were eventually assigned to her department. They did little to relieve her problem and it was not until mid December that a qualified accountant was finally hired. However, it was too late. As she explained "At first I started noticing that I had chest pains and I've never had that in my life before. It happened one night and I really thought I was having a heart attack." In January 2004, she saw a psychologist who found her blood pressure to be elevated as a result of stress due to a high workload. She became depressed and resigned a few weeks later and subsequently received a confidential settlement.

The firm was fined $8,000 and ordered to pay reparation of an additional $1300 to the employee for medical expenses. This was the first prosecution of its type under the Health and Safety in Employment Act of 1992 which was designed "to promote the prevention of harm to all people at work, and others in, or in the vicinity of, places of work." It contained such things as detailed provisions to insure proper lighting, air quality and emergency exits, precautions to be taken and how to manage particular hazards like exposure to excessive noise, working at heights and other physical factors that might making working conditions unsafe or potentially harmful. However, **an amendment to the Act in 2002 specified that emotional stress is also a workplace hazard that is capable of causing harm**. Employers are obligated to identify and manage all workplace hazards under the act by eliminating, isolating or minimizing them and failure to do so could result in fines up to $250,000NZ ($180,000 U.S.). In his ruling, the judge noted "There will always be stresses in a job, but they must not become health-threatening. Employers have to be vigilant that the stress placed on an employee is reasonable. Where

employees have stressful work conditions and special medical difficulties advised to the employer, then immediate remedial action is required. Whether the potential injury is to health or to life and limb, the obligation of the employer remains the same." Although her employer "had acknowledged the problem after it had been told, a solution to alleviate the stress was not found and this injury occurred. That means all practicable steps were not taken." The company claimed that it tried to rectify the situation and had even offered the woman less stressful work at the same salary. However, as their own lawyer conceded, "The dangers are more obvious when there is unguarded machinery. Stress is a much harder concept to deal with for employers."

An OSH spokesman indicated that this is the first conviction of a company because of illness caused by job stress and that while others are being investigated he did not believe this would "open the floodgates" to hundreds of new complaints. On the other hand Business New Zealand's chief executive said that workplace stress could be a "sleeping giant" and that they had recently seen a rise in the number of employees claiming job stress when facing disciplinary action for poor performance. In his opinion, "Some may be trying to rip the system off, but generally speaking many are going to be genuine about it." Consultants advised that the best way to avoid facing a job stress claim is to treat workplace stress as seriously as any physical risk. It is also essential to keep a paper trail to document the requirement by the Health and Safety in Employment Act that "all practicable steps have been taken".

Stay tuned for news on similar court cases in other countries and how organizations and groups of individuals are fighting to get more leisure and vacation time to reduce job stress.

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