

Asbestos Exposure: The Truth And What To Do About It

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For over the past 14 years, I have had the honor of helping union members with their asbestos litigation and collection of compensation. During that time, I estimate I have been involved with the garnering of over \$100 million dollars. In fact, just last year the firm of Paul & Hanley was successful in receiving the largest asbestos jury verdict on record in California—\$10 million plus dollars.

All that success is great, of course, but let me explain to you my real motivation for going into asbestos litigation rather than some other area of law. It was Rage. I was angry at the companies involved in asbestos manufacturing, distribution, and their related companies. They knew of the harmful, poisonous effects to construction workers exposed to asbestos from working with products made with these indestructible, microscopic-sized asbestos fibers that lodge in the lungs.

Written documentation proves that since about 1939 many of the companies intentionally covered up the truth with false reports claiming that industrial and commercial asbestos exposure in construction was not harmful. The truth is that it is the second greatest cause of lung cancer in the United States.

Because it has been proven that these companies hid the truth, they have over the years been sued and hit with punitive verdicts; punitive verdicts are a form of corporate punishment for intentional wrongdoing. Such companies include but are not limited to Manville, Owens Corning, Fibreboard, Pittsburg Corning, Eagle Picher Industries, Raymark, Celorex, Armstrong Industries, WR Grace, and others.

It is too bad that the company executives of that time could not be criminally prosecuted. Unfortunately, they were completely protected by inadequate laws. The Civil Courts with juries were—and still are—the only "big sticks" powerful enough to help concerned citizens in their efforts to encourage the large, for-profit manufacturers, distributors and related businesses to be considerate and careful in making safe products. The asbestos lawsuits of the past—and the publicity they generated—were instrumental in the creation of CAL OSHA, an agency which helps to police big business by establishing safe working environments for workers in the trades regarding asbestos fibers as well as other dangerous working conditions.

Most of the people injured from asbestos exposure were those working with it directly "hands on," and those "covered with it" and exposed indirectly. Asbestos fibers were in many construction materials. To name a few: insulation pipe, block and cement covering, refractory materials on boilers, mortar

between bricks, asbestos cement water pipe, fireproofing material on steel beams, joint compounds, roofing tar mix, acoustical ceiling spray-on material, ceiling and floor tiles, drywall, chimney flues, furnace insulation, plaster, brake lining, and much more.

In the years preceding and up to 1980, whether construction workers worked in refineries, power plants, ships, shipyard shops, industrial facilities, commercial buildings, schools, hospitals, or residential housing, they received substantial asbestos exposure in new construction, repairs, and retro-fitting.

Every trade group is at risk. Often, it takes over 40 years for the asbestos fibers to turn into harmful body damage. These fibers are breathed into the lungs. Some lodge there because of the sharp, hook-like edges found on various types of asbestos (amosite, crocidolite, chrysotile, etc.). After many years, scarring occurs around the fibers. The body sends anti-bodies to attack the indestructible fibers. But since they can't rid the body of the fiber, they encapsulate it, and in time form an ever-increasing area of scarred lung tissue. This is known as parenchymal scarring. Sometimes there is pleural thickening around the lining of the lungs. Breathing impairment may result. Other times the result is lung cancer or mesothelioma. Mesothelioma is a malignant tumor that grows around the lining of the lungs, and it eventually invades the lung and nearby areas.

Fortunately, there are tests that your doctors can do to monitor your health. I recommend chest X-rays every two years. If asbestos markers are noted, have a high-resolution cat scan done for a more accurate look. Gratefully, I can tell you that early diagnosis of lung cancer has resulted in complete cures in a number of our clients. That part is very gratifying.

All of the Locals of District 10, at no cost to you, have asked us to schedule your asbestos screening test, should you so desire, by calling Paul at 1-800-281-9804. I want to personally thank all of your Local Union Officers for making asbestos screening a priority for their members.

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Jerry Neil Paul, a friend of Labor, is an attorney and partner in the law firm of Paul & Hanley, LLP. He works with union members exclusively for asbestos litigation/compensation. He has offices in Southern and Northern California. Jerry invites your questions, and you can reach him by calling 1-800-281-9804.