

FERNANDA GIANNASI

***"Brazil: Safety and Health,
Management, and Policy"***



"THE JUDICIALIZATION OF ASBESTOS IN BRAZIL"

**THE BRAZILIAN ASBESTOS INDUSTRY
CONTINUES LOBBYING FOR THEIR DIRTY
PRODUCTION AND DENYING FAIR
COMPENSATION TO THE VICTIMS AND THE
ASBESTOS RISKS**

**ON THE OTHER HAND THE
PARALYSIS OF EXECUTIVE AND
LEGISLATIVE BRANCHES IN BRAZIL
NOT ENFORCING A TOTAL
NATIONAL BAN ON ASBESTOS**

**DUE TO THIS UNFAVORABLE
SCENARIO WE HAD TO FILE
SEVERAL INDIVIDUAL OR
COLLECTIVE LAWSUITS ON BEHALF
OF THE NEGLECTED VICTIMS AND
THESE ARE SOME OF RECENT AND
SUCCESSFUL FOLLOWING RULINGS**

**YELLOW FIBER CEMENT UNIONS
WERE PROHIBITED BY THE SÃO
PAULO STATE COURT TO ESTABLISH
COLLECTIVE DEALS IN DEFENSE OF
THE SO-CALLED "ASBESTOS
CONTROLLED USE"**

**ETERNIT'S RULING FOR THE OLD CLOSED DOWN
PLANT IN OSASCO CITY**

***THE MAJOR NATIONAL CLASS ACTION SUIT IN
BRAZIL***

***TOTAL AMOUNT: US \$200 MILLION
FOR ABOUT 1,000 EX-WORKERS AND RELATIVES***

**A) US \$27.2 MILLION COMPENSATION
FOR COLLECTIVE MORAL DAMAGES TO
BE MANAGED BY THE LABOUR PUBLIC
MINISTRY TO FUND RESEARCH,
AWARENESS ON ASBESTOS RISKS,
PREVENTION AND OTHER ACTIONS ON
HEALTH AND SAFETY POLICIES**

**B) US \$82,000 INDIVIDUAL MORAL
COMPENSATION FOR EACH FORMER
EMPLOYEE DIAGNOSED WITH
ASBESTOS-RELATED DISEASES (ARD),
FOR THE FAMILY OF DECEASED
WORKER OR EX-WORKERS' RELATIVES
SUFFERING ARD**

**C) US \$22,000 FOR "EXISTENTIAL"
DAMAGE – (A NEW CONCEPT IN
OUR JURISPRUDENCE REGARDING
THE LOSS OF PROFESSIONAL,
SOCIAL AND PERSONAL
FULFILMENT) TO EX-WORKER OR
RELATIVES SUFFERING ARD**

**D) US \$14,000 COMPENSATION FOR
SIMPLE ASBESTOS EXPOSURE
INDEPENDENTLY FROM BEING
DIAGNOSED WITH ARD**

**E) MONTHLY ALLOWANCE COMPENSATION
FOR MATERIAL DAMAGES (PAIN AND
SUFFERING) OF FIVE NATIONAL MINIMUM
WAGES TO BE PAID TO THE
WIDOW/WIDOWER/PARTNER AND THE
CHILDREN UNTIL 25 YEARS OLD**

**F) FULL LIFELONG HEALTH ASSISTANCE
(INCLUDING PHYSICAL AND
PSYCHOLOGICAL THERAPY, HOSPITAL,
MEDICAL, MEDICINES AND NUTRITIONAL
CARE) TO ALL FORMER EMPLOYEES
INDEPENDENTLY OF BEING DIAGNOSED
WITH ARD AND THEIR RELATIVES
DIAGNOSED WITH ARD**

G) WIDE MASS MEDIA ANNOUNCEMENT ABOUT THE COURT RULING

**H) DAILY FINE OF US \$ 14,000
IN CASE OF NO
ENFORCEMENT OF THE
COURT RULING**

**AS SIMILAR CLASS ACTION
SUIT FOR ETERNIT'S PLANT IN
RIO DE JANEIRO IS WAITING
FOR SENTENCING**



CASALE MONFERRATO INSPIRES THE WORLD



IT IS NOT ETERNIT

IT IS ETERNOT!



**IN BRAZIL...WHERE BEFORE THERE
WAS THE OLD ETERNIT PLANT...**



THE STRUGGLE GOES ON...