

OCCUPATIONAL ASTHMA



**Thompsons
Solicitors**
SCOTLAND

Claire Campbell, Partner

AN INTRODUCTION TO CLAIMING COMPENSATION: OCCUPATIONAL ASTHMA

ABOUT THIS BOOKLET

Workers who develop breathing difficulties, wheezing, or chest tightness because of substances they are exposed to at work may be suffering from occupational asthma.

Occupational asthma is a lung condition caused or made worse by inhaling dusts, fumes, vapours, or other hazardous substances in the workplace.

This booklet provides a basic outline of what to look out for and what to do to minimise the risk of developing occupational asthma at work.

- Symptoms of occupational asthma
- Causes
- What should employers do?
- What should workers do?
- Time limits



WHO CAN BE AFFECTED BY OCCUPATIONAL ASTHMA?

Occupational asthma can affect anyone exposed to airborne substances in the workplace, particularly where there is regular inhalation of dust, chemicals, fumes or vapours.

Workers at risk include:

- Bakers and food production workers (flour dust)
- Spray painters and decorators (isocyanates)
- Cleaners (chemical exposure)
- Healthcare workers (latex and cleaning agents)
- Welders and metal workers (fumes)
- Woodworkers and carpenters (wood dust)
- Laboratory workers (chemicals)
- Agricultural workers (grain dust and animal proteins)

Exposure may occur over a long period or following repeated contact with hazardous substances.

WHICH PARTS OF THE BODY DOES IT AFFECT?

Occupational asthma primarily affects the lungs and airways.

The condition causes inflammation and narrowing of the airways, which restricts airflow and makes breathing difficult.

In some cases, the condition may also involve:

- The nasal passages (rhinitis)
- The throat
- The immune system (allergic response)

WHAT ARE THE SYMPTOMS?

The main symptom is difficulty in breathing, which may occur during or after exposure to harmful substances at work.

Workers may experience:

- Wheezing
- Shortness of breath
- Persistent cough
- Chest tightness
- Increased mucus production

Symptoms may:

- Worsen during the working day
- Improve when away from work (e.g. weekends or holidays)
- Gradually become more persistent over time

In some cases, symptoms may initially be mild but develop into severe or chronic asthma if exposure continues.

Fatigue is also common where sleep is affected by breathing difficulties.

Whatever the symptoms, they should not be ignored. Early symptoms may indicate that something more serious is developing.

WHAT CAUSES IT?

Occupational asthma is caused by exposure to substances that irritate or sensitise the airways.

Common causes include:

- Dusts (e.g. flour, wood, grain)
- Chemicals (e.g. cleaning agents, solvents, isocyanates)
- Fumes (e.g. welding fumes)
- Vapours and gases
- Animal proteins or biological agents

There are two key mechanisms:

1. Sensitisation – repeated exposure causes the body to develop an allergic reaction, even at very low levels thereafter.
2. Irritation – high-level exposure to irritants can damage the airways directly.

The risk increases with:

- Frequency and duration of exposure
- Poor ventilation
- Lack of protective equipment
- Inadequate training or supervision

Once a worker becomes sensitised, even minimal exposure may trigger symptoms

WHAT SHOULD EMPLOYERS DO?

Employers have a duty under various legislation, including:

- The Health and Safety at Work etc. Act 1974
- The Control of Substances Hazardous to Health (COSHH) Regulations 2002
- The Management of Health and Safety at Work Regulations 1999 to prevent occupational asthma or stop it from getting worse.

The Health and Safety Executive (HSE) advises employers to:

- Assess risks arising from hazardous substances in the workplace
- Prevent exposure where reasonably practicable
- Control exposure (e.g. ventilation systems, enclosed processes)
- Provide suitable personal protective equipment (PPE)
- Ensure proper storage, handling and disposal of substances
- Provide information, instruction and training
- Carry out health surveillance where appropriate
- Encourage early reporting of symptoms
- Adjust duties for affected workers

WHAT SHOULD WORKERS DO?

To minimise the risk of developing occupational asthma or worsening an existing condition, workers should:

- Follow safety procedures and training provided
- Use protective equipment correctly
- Avoid exposure to hazardous substances where possible
- Report faulty equipment or poor ventilation
- Take regular breaks where necessary

If symptoms occur, workers should:

- Report symptoms to their employer immediately
- Seek medical advice as soon as possible
- Inform their GP of their work exposures
- Keep a record of symptoms and when they occur

If an employer fails to take necessary steps to protect health and safety, workers should contact their union safety representative.

Some cases of occupational asthma may be recognised as prescribed industrial diseases, and affected individuals may be entitled to Industrial Injuries Disablement Benefit (IIDB).

TIME LIMITS

It is best to make a claim as soon as possible, as evidence may become more difficult to obtain over time.

The law generally requires that court proceedings are started within **three years** of:

- The date of injury, or
- The date when the individual first became aware that their condition was related to their work

Although courts have discretion to extend this time limit, it is always advisable to begin proceedings within the three-year period.

0141 566 6899

For more information visit:

TalkToThompsons.com

X: <https://x.com/TalkToThompsons>

Instagram: <https://www.instagram.com/talktothompsons/>

Facebook: <https://www.facebook.com/Thompsons.Solicitors.Scotland>

Linkedin: <https://www.linkedin.com/company/talk-to-thompsons/>

The information contained in this booklet is more generalised and not a substitute for individual legal advice. You should talk to a lawyer or adviser before making any decision about a legal issue you are experiencing.