



SAFETY AT WORK BULLETIN

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Workplace Bullying Still on the Rise

QUICKSCAN

Bullying in the workplace is on the rise despite widespread policies to prevent it

Australian employees still feel that the traditional union movement has a place in business

New report into teleworking

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The High Court has found an employer liable for a woman cutting her little finger when she attempted to assemble a doughnut machine without instructions.

Former SAS Officer's Tips for Terror Planning

September 22 2005

Bullying in the workplace is on the rise in Victoria, despite widespread policies to prevent it, new research shows.

Fifteen per cent of Victoria's workforce was subjected to some form of bullying last year, up from 14 per cent the previous year, a survey by WorkSafe has found.

Victorian WorkCover Minister John Lenders said the government would step up its fight against bullies by funding anti-bullying public forums across the state, in response to the figures.

"The personal and financial cost of bullying to the community is enormous and growing," Mr Lenders said.

"Since July 2000, when it first became possible to make a WorkCover claim for harassment, the number of claims have steadily increased.

"The cost of these claims indicate the full extent of bullying on employees health, the average cost for a stress claim is \$41,186 compared to \$23,441 for a physical injury claim," he said.

He said most workplaces had anti-bullying policies.

The public forums will begin in Wangaratta next week and will also be held in Shepparton, Geelong, Warrnambool, Bendigo, Ballarat, Horsham, Warracknabeal, Traralgon, Swan Hill and Melbourne.

The aim of the forums is to provide information on how to introduce anti-workplace bullying policies and on what to do if bullying occurs.

The forums will rely on the research found in a WorkSafe survey of 1,000 companies in April and May last year.

The survey found community services and health employees were most likely to report bullying, while apprentices and casuals were most likely to be the targets of bullies.

Hospitality workers were more likely to have bullying continue than have it stopped or resolved and, with retail employees, were less likely to seek help about bullying. AAP

Unions ARE still relevant in today's workplace

September 23 2005

Despite recent criticisms and contrary comment, Australian employees still feel that the

traditional union movement has a place in business today according to a survey conducted by leading recruiter, Talent2.

In a survey of 750 employees, 57% of respondents said the traditional union movement is still an important part of workplace management.

Whilst 21% said the union movement was outdated, and 15% said there are relevant laws in place to protect employees, most said the union movement is committed to protecting employees.

Mr. David Bryant of Talent2 said "the response according to the sector survey showed that 60% in the Government sector are totally in favour of the union movement, as are 61% of computer/information technology firms, 55% in the engineering/manufacturing sector and 54% in the banking/finance sector.

However, only 37% of those in the Construction industry feel the movement is a positive influence on their workplace. 42% of those in that industry type say the Union movement is outdated, 11% believe workers are very capable of standing on their own two feet and 11% say the laws that are in place to protect workers are adequate." Source Talent2

New report on teleworking in Australia

22 September 2005

The Minister for Communications, Information Technology and the Arts, Senator Helen Coonan, today released the 2005 Sensis Insights report into teleworking.

Earlier this year, the Australian Government established the Australian Telework Advisory Committee (ATAC) to examine what is driving telework in Australia, and what impediments there might be.

"I am very pleased with the progress ATAC has made. The committee has been consulting with stakeholders throughout Australia and is due to report in February next year," Senator Coonan said.

"As a first step, the Sensis report makes some interesting findings. The survey maps how many small and medium enterprises (SMEs) across Australia utilise teleworking and found that 30 per cent of Australians have teleworked and more than a third of SMEs use teleworking.

"I'm pleased to say that teleworking has had an overwhelmingly positive impact with 73 per

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cent of businesses indicating it had clear benefits and allowed greater work-and-life balance for their employees."

For the purpose of the survey, telework was defined as work that an individual does away from their normal place of business, during their working hours, using some form of information and communications technology.

"Sensis reported positive impacts such as flexibility and convenience, while small and medium business owners liked being able to access information from anywhere and saving time," Senator Coonan said.

"SMEs who use teleworking record consistently higher sales and profits, and greater confidence, than their non-teleworking counterparts. The report also shows that 52 per cent of businesses with broadband access used teleworking, compared to 23 per cent of those without broadband.

"The release of new figures from the Australian Competition and Consumer Commission this week show take-up of broadband in Australia continues to grow exponentially," Senator Coonan said.

In the last 12 months alone more than 1.1 million subscribers have signed up to broadband, an increase of 108.3 per cent. The take-up of ADSL services is now at 1,579,500 and there are 2,183,300 broadband subscribers in Australia in total.

"With new, targeted Government investment of \$878 million coming on stream in the next few months we can expect to see broadband take-up and teleworking continuing to grow," Senator Coonan said.

The Insights report into teleworking is available on the DCITA website

www.dcita.gov.au

Source: Minister for Communications, Information Technology and the Arts

Libs call for reward on rock throwers

September 26 2005

A substantial reward should be posted to catch people who throw rocks at cars and buses, says South Australia's Liberal Opposition.

With a spate of recent attacks, including an injury to a bus driver in Adelaide's southern suburbs on Friday night, transport spokesman Robert Brokenshire says it is time for more action.

Mr Brokenshire said he was convinced the 30 or so rock throwing incidents were the acts of a very small group of offenders.

"The psychology of people who do this kind of thing is inexplicable to the vast majority but this is no excuse for the government to just sit back and watch," he said. "If it's serious about public safety the government should also offer a substantial and ongoing reward to encourage people with information about rock

throwers to come forward."

Police Minister Kevin Foley said the government was equally concerned about rock throwing but believed opposition calls for a substantial reward was "attention-seeking. These reckless and random rock throwers are potential murderers and I know that the police are doing all they can to hunt down these idiots and bring them to justice," Mr Foley said.

AAP

Refinery under scrutiny following gas leak

September 24 2005

Caltex and the NSW government will both investigate a gas leak at the Kurnell oil refinery in Sydney's south which resulted in 14 employees taken to hospital.

Emergency services were called to the refinery about 8am yesterday following the discovery of a hydrogen sulphide gas leak during a routine maintenance inspection. The leak broke out in an area where a clean fuels upgrade was underway.

About 30 workers were evacuated from the site and 24 were treated for injuries including shortness of breath, nausea and eye irritation. Fourteen were taken to hospital, with five remaining for overnight observation.

NSW Industrial Relations Minister John Della Bosca told the Sunday Telegraph newspaper WorkCover had immediately launched an investigation into the incident. "It will also examine response plans in place at the time," a spokesman for Mr Della Bosca said.

A Caltex spokesman said the company would also launch an internal inquiry. "We will have a very thorough investigation," he said.

The incident is the latest in a series of problems at the refinery, including a large-scale LPG leak due to a faulty pressure relief safety valve eight months ago. AAP

Unfairly sacked workers might resort to violence: lawyer

September 23 2005

Workers who are dismissed unfairly may resort to some form of payback or even physical violence against their former employers once the government scraps current legal safeguards, an expert has warned.

Prime Minister John Howard has signalled his government will abolish unfair dismissal law protections for all employees in companies with 100 or fewer staff.

Melbourne lawyer Julian Riekert, from law firm Lander and Rogers, predicts bosses had better be ready for the reaction from workers. Mr Riekert said, first, many employees who believe their dismissals were unfair would resort to legal remedies and mount actions their employers would have to defend.

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Policewoman injured in crowd incident

September 30 2005

A policewoman suffered facial injuries when attacked by a crowd of people at a Northern Territory camp.

Police used capsicum spray and fired a gun into the air during yesterday's incident at the Anthepe town camp.

Police said two officers were called to the camp to intervene in a domestic dispute, but were attacked by a crowd of people.

A policewoman suffered facial injuries, which needed treatment at hospital.

Two women, aged 23 and 19, and an 18-year-old man were being questioned by police about the incident.

AAP

Adobe Acrobat V7 Information

Some readers have expressed difficulty in upgrading to the latest version of Acrobat Reader with one of the problems being that the download can be over 25 megabytes - a substantial burden to dial-up internet connections.

Safety At Work publishers are now allowed to distribute the latest edition of Acrobat Reader on a CD. If you want a copy of Acrobat Reader 7.00 please email me at jonesk@sia.org.au and include your full postal address. A CD will be mailed to you shortly after.

The CD won't be pretty as it is a burnt copy of the software that Adobe permits us to distribute. It is not allowed to be given to anyone other than the person requesting the CD and all CDs will be checked with Norton Antivirus before distribution.



Global industry putting safety first

September 30 2005

The world's leading mine safety researchers have gathered in Brisbane to increase their knowledge of how to minimise the risks involved for workers in the global mining industry.

The 31st International Conference of Safety in Mines Research Institutes starts on Sunday (October 2).

Minister for Natural Resources and Mines Henry Palaszczuk said the conference would bring many benefits to the Queensland mining industry.

"Delegates from around the world are bringing their knowledge and skills to this conference, which can only enhance Queensland's reputation by gaining new knowledge and skills from other mining industries around the world," he said.

"In the same way, Queensland can share its world-class technology and health and safety standards."

The theme of the conference is Health and Safety Research for a Sustainable Future and presentations from industry and government will cover topics including mine rescue technology, mine fires, occupational health and safety and mine technology.

"There is no aspect more important than the health and safety of those who work in the mining industry and this conference will add to our store of knowledge to make the industry a safer place to work," Mr Palaszczuk said. "The Queensland Government, through the Department of Natural Resources and Mines (NR&M), is committed to the goal of zero fatalities in the mining industry."

"Health and safety is not optional. Economic and social sustainability depends on these issues being addressed.

"Every mining worker is entitled to return home with the same health profile as when they arrived at work."

Source: Minister for Natural Resources and Mines

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"The second, and more concerning reason is that some of those who fail to find alternative remedies may be tempted to retaliate against their former employers or society itself," he told HRmonthly magazine. "If a section of the workforce is denied access to unfair dismissal remedies, and other avenues of redress are closed off or are too expensive or cumbersome to pursue, how will the deeply aggrieved react? Will some carry their grievances into their next job? There may be those who resort to some form of payback - perhaps arson, sabotage or physical violence against their former employers."

Mr Riekert said aggrieved, sacked workers were likely to use legal avenues such as through the Trade Practices Act, WorkCover and occupational health and safety systems and equal opportunity commissions. "As these avenues become more popular, employers will find that, although they are no longer fighting unfair dismissal claims, they are being forced into spending the same amount of time and money defending a range of claims from frustrated and angry employees whose unstated complaint is that they were dismissed unfairly," he said.

The government is expected to release its unfair dismissal legislation along with a wave of major IR changes next month. AAP

Two women in hospital after shopping centre fall

September 24 2005

Two women are recovering in hospital after one fell six floors inside a Sydney shopping centre and landed on top of the other.

A 32-year-old woman fell from the sixth floor of Westfield Chatswood straight onto a 42-year-old woman on the ground floor, police said.

Investigators had viewed security video footage of the incident, which happened at about 6pm (AEST) yesterday, and there were no suspicious circumstances, police said.

The women underwent extensive surgery at Royal North Shore Hospital and are now in the intensive care unit.

A hospital spokeswoman said today the 32-year-old is in a critical condition and the 42-year-old is in a serious but stable condition. She said both have extensive injuries.

A spokeswoman for Westfield management confirmed the incident and said only the centre's cinemas and Coles supermarket were believed to be open at the time. AAP

Review of pesticide use in WA

22 September 2005

A discussion paper for the review into the legislation and policy governing pesticide use in WA has been released for comment.

The Pesticide Legislation and Policy Review will be conducted by the Department of Health over the coming year, beginning with the release of the Review of Pesticide Legislation and Policies in Western Australia discussion paper.

Department of Health Officer Mr Peter Rutherford said the review would ensure that Western Australia's pesticide legislation was both workable and in line with that of other states and territories.

"The Review examines existing legislation and proposes a new legislative framework for the control of pesticide use in Western Australia," Mr Rutherford said. "It also covers policy issues such as minimising the misuse of pesticides, monitoring pesticide use and liaison between various agencies and the community."

Mr Rutherford said the discussion paper canvassed a wide range of issues and offered options for their management. "The discussion paper examines areas such as the roles of government agencies and the Pesticides Advisory Committee, proposed legislative changes and the minimisation of, and response to spray drift which has recently become a problem," he said. "It also includes some innovative proposals for the licensing of pest control operators, and flexibility in the off-label use of pesticides."

A copy of the report is available at <http://www.health.wa.gov.au/publications> or by contacting Peter Rutherford on 9222 4279 or Peter.Rutherford@health.wa.gov.au.

Comments and submissions for the discussion paper, which close on 16 December, can be sent to Mr Rutherford at the Department of Health, PO Box 8172, Perth Business Centre, Western Australia 6849, or by email.

Source: WA Dept. of Health

Youth charged over dumped acid on shop roof

September 28 2005

A youth has been charged after hydrochloric acid was allegedly poured onto the roof of a northern NSW shopping centre, causing the evacuation of dozens of people.

A 17-year-old boy allegedly sparked an emergency in Narrabri yesterday after police spotted him climbing down from the centre's roof carrying a large bottle.

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After speaking to him, officers alerted emergency services and 11 shops were evacuated, police said. The acid had leaked into the centre's air-conditioning system, they said.

Two people were treated for nausea. The centre remained closed for about an hour while the fire brigade investigated. The youth has been charged with malicious damage, assaulting police and trespassing and is due to appear in Narrabri Children's Court on October 24. AAP

Employer found negligent in doughnut machine injury

September 29 2005

The High Court has found an employer liable for a woman cutting her little finger when she attempted to assemble a doughnut machine without instructions.

The woman, pastrycook Robyn Vanessa Laybutt, initially won \$471,000 damages plus costs in a NSW District Court ruling against Sydney company Glover Gibbs. But the company appealed successfully to the NSW Court of Appeal.

The High Court judges today unanimously ruled that the company had negligently caused injury to Ms Laybutt by rejecting her request for instructions on how to reassemble the doughnut machine.

Ms Laybutt, now 36, had been employed by Glover Gibbs for about six weeks in its Sydney factory in 1999 when her team leader asked her to reassemble the doughnut machine after washing. She said she did not know how to but was told: "Just give it a go."

As Ms Laybutt attempted to join a pair of cylinders, the outer one slipped and sliced her right little finger, affecting the operation of her arm. However, on later occasions she was able to reassemble the machine without mishap.

Ms Laybutt sued her employer for negligence in the District Court, alleging the company failed to implement a safe system of work, to provide adequate instruction and training, to supervise her properly or to heed her warnings that she was unskilled in the task.

Glover Gibbs pleaded contributory negligence by Ms Laybutt for failing to carry out her duties as instructed, to have proper regard for her own safety or to wear gloves.

But in the hearing her account remained substantially unchallenged and the defence was her ineptness in not holding the cylinder tightly enough.

Glover Gibbs' own production manager criticised the "just give it a go" direction.

The District Court jury found Glover Gibbs liable and rejected the claim of contributory negligence, awarding Ms Laybutt damages of \$471,000 plus costs.

Glover Gibbs then successfully appealed to the NSW Court of Appeal which held that Ms Laybutt had not spelled out what instructions she should have been given. But today the High Court ruled that the damages award should stand, finding there was sufficient evidence to go to the jury of the company's failure to give appropriate instructions.

The Court held that jurors use their knowledge and experience to contemplate what might reasonably be expected in a workplace and it was open to them to find Glover Gibbs negligent in failing to give instructions or warnings. AAP

ADVERTISEMENT

Customised Safety Publications

Recently the publishers of **Safety At Work** magazine completed the production of a guide on manual handling for one of the fire services in Australia.

Manual handling is the major hazard for firefighters and the Brigade needed a plain English guide for the firefighters to read, follow and understand.

The guide is over 30 pages and includes



photographs of hazards and control measures of the firefighters during their daily tasks.

The control suggestions are in line with current Australia manual handling regulations and have been verified by a qualified Ergonomist.

At the launch of the guide, a WorkSafe representative said the guide was

"fantastic, nicely presented...it makes people think through the process".

The guide was written by an OHS Safety Practitioner in detailed consultation with Fire Brigade representatives.

If your company or industry could use a guide that includes photos of real tasks in your workplace with text and a format that your employees will understand, contact Kevin Jones of Workplace Safety Services P/L through

www.safetyatwork.biz or directly at jonesk@safetyatwork.biz

Former ambulance officer convicted of prostitute murders

September 28 2005

A former ambulance driver has been found guilty of brutally stabbing two Brisbane prostitutes to death.

Francis Michael Fahey, 52, of Narangba in outer north Brisbane, was today convicted of murdering inner-city prostitutes Jasmin Crathern and New Zealand-born Julie McColl with a bayonet he kept under the front seat of his ute. Fahey, a father of three, pleaded not guilty to both murders.

The jury took four hours to deliver its verdict in Brisbane's Supreme Court following a two-week trial before a seven-man, five-woman jury. No sentence was handed down after prosecutors asked the case be adjourned to make an application to Queensland's Attorney-General Linda Lavarch that Fahey never be released.

The court heard Fahey suffered from post-traumatic stress disorder and often did not sleep for days. He also experienced "explosions of anger" that frightened his wife and three stepdaughters and often contemplated suicide. He was medically discharged from the Queensland Ambulance Service several years ago.

The jury was told Fahey admitted to police: "I obviously stabbed them but I don't recall at all", and "I've spent all my f***ing life saving lives and now I'm taking them and I don't know why".

The jury heard from around 200 witnesses during the trial, including police officers, forensic, DNA and medical experts, a fisherman and a truck driver. They also saw as many exhibits, including the blood-stained bayonet used to kill the two women. A date is yet to be set for his sentencing. AAP



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Former SAS Officer's Tips for Terror Planning

Adam Lawrence is a former SAS officer and terrorism analyst with background in counter-terrorism response and operational service against al-Qaeda in Afghanistan. He spoke to the Victorian Division of the Safety Institute of Australia at a special seminar in August. Since then he has been interviewed by the ABC's LATELINE program on September 20 2005. Below is an edited transcript of his SIA presentation.

I want to draw your attention to the Australian context and for us, the turning point and loss of innocence were the Bali bombings.

Bali generated some important Australian Government lessons.

- All players should be predefined.
- Establish a formal chain of command to make sure that the information is managed so that effective communication can take place.
- Delineation of jurisdictions is predefined. Here in Melbourne, the municipal emergency response plans link at a State level with certain agencies and then, if the event reaches a certain level of magnitude, they can ask for the assistance of the Commonwealth to coordinate additional resources from other States.
- Victims' families need one point of contact. I have been involved with the notification of next-of-kin for injuries and fatalities and if the framework allows from multiple contact points, the grieving families face additional frustrations and upset.
- Detailed and regular briefings to the media. This provides you the opportunity to control the agenda and also to communicate with your own workforce and the families of those affected. It is also important that you have a regular review of response outcomes – regular, periodic, situational updates so that everyone involved in the process has an opportunity to enhance their own situational awareness of what's going on. Potentially this update could be hourly or 6-hourly.

All of this boils down to having a plan in the first place. Any existing plans needed to be dusted off after the Bali bombings.

Al-Qaeda has three tenets in its strategic targeting intent:

1. To cause mass casualties
2. To discredit and its instruments
3. To cause gross economic harm.

It is important to note that infrastructure damage is not usually a principle aim of Al-Qaeda's targeting doctrine.

The 3 points above are driving their agenda and the important issue here is that harming people is their number one priority.

Another point to make in business and managing response and having appropriate redundancies and workarounds, in the event that something serious occurs here in Victoria, especially in Melbourne, is that the risk of incidental harm is increased for those offices near popular public areas.

There are a couple of common preparedness gaps that we often see in our clients' contingency plans.

- Unspecified or vague roles and responsibilities.
- A lack of an alternate venue, or that the alternate venues are only one block away.
- Limited strategic executive oversight. They are often limited only to site procedures or business unit functions. So there are evacuation practices and fire drills while the people in the boardroom are busy working on other priorities, as they see it.
- Callout communications systems and procedures are rarely tested. You might have a list in a plan of mobile phone numbers but it doesn't specify home telephone numbers. We are all accustomed to using mobile telephones but if something serious goes wrong in the city, the mobile phone network will not work.
- Unrehearsed plans. It's no use scripting the play, putting the cast together and then going straight to the opening night without a rehearsal. Some of our clients have plans that if they had been rehearsed only once, the plans would have been seen as impractical.
- Lack of awareness of government resources and terrorist response plans. Your assembly points in your evacuation plans may conflict with the plans of the government's emergency services.
- No emphasis on clear communication with the workforce. I am sure you have all been in a workplace where there has been a rumour or an issue rose in a meeting and you have thought "wouldn't it have been nice to have heard that through the normal communication channels".

Despite what most people who study terrorism think, like me, it is a matter of when not if, there is a lot that can be done to reduce the vulnerability of your people.

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