



# SAFETY AT WORK BULLETIN

Proudly Sponsored by the Safety Institute of Australia (Victoria Division)  
National Office: PO Box 2078, GLADSTONE PARK Victoria 3043

Issue 26 November 1 2005 ISSN 1832-6714

Website: [www.sia.org.au](http://www.sia.org.au)

Email: [natadmin@vic.sia.org.au](mailto:natadmin@vic.sia.org.au)

Supplied by SAFETY AT WORK magazine

## QUICKSCAN

- Select Australasia Pty Ltd, has been convicted and fined \$12,250 for OHS breaches* 1
- Federal IR Minister discourages Industrial manslaughter take-up* 1
- Federal IR changes could lead to dangerous workplaces* 1
- SIA says OHS is getting lost in the IR debate* 2
- Sydney Ferries will be fitted out with black box data recorders,* 3
- ETSA wants to prevent accidental electrocutions during harvest time* 3
- Friends, family and colleagues attend memorial to a construction worker killed in a workplace accident* 3
- AIG wins tender for Federal OHS assistance program* 3
- Harold Greenwood Thomas Award Winner* 4
- Best Masonry Bricks and Pavers Pty Ltd, has been convicted and fined \$35,000 after hand injury* 4
- Red tape taskforce identifies OHS legislation as a problem* 4
- A man was flown to hospital after a truck trailer weighing about six tonnes fell on him* 4
- Almost 10 police a day are physically assaulted on the job in Queensland* 5
- New safety alert on Chain Shot* 5
- A man in his early 40s was trapped under a forklift for almost an hour* 5
- Long work hours are making men grumpy, while women are struggling to balance uncertain hours with family commitments* 5

## South Australia's First Labour Hire OHS Conviction

12 October 2005

A labour hire employer, Select Australasia Pty Ltd, has been convicted and fined \$12,250 in the Industrial Relations Court for breaching the Occupational Health, Safety and Welfare Act 1986. Select Australia pleaded guilty to a charge of failing to ensure the safety of one of its employees.

This conviction is the first of its kind in South Australia.

On 26 March 2003, a Select Australia employee was injured while clearing a blockage in a roller on a conveyor system. The employee was placed with SITA Australia Pty Ltd, and Mitsubishi Motors Australia Ltd was the owner of the conveyor system.

Select Australia's breach related to its failure to train, or ensure that SITA trained, the employee to work on the conveyor, and also failure to implement an adequate system for ensuring that the site was safe.

In handing down the penalty, Industrial Magistrate Hardy said Select Australia's culpability was in its failure to properly implement its own systems.

"In this matter the defendant's processes, had they been properly and fully applied, would I think have been all that could have been reasonably and practicably asked of it and that failure constitutes its culpability in these proceedings," Industrial Magistrate Hardy said.

Workplace Services Executive Director, Michele Patterson, said the message was clear that labour hire employers, host employers and the owners of plant all had responsibilities under the Occupational Health, Safety and Welfare Act 1986.

"Each of these duty holders has a clear legislated obligation to take positive steps to ensure the safety of an employee. This obligation is not reduced because the labour hire employer does not directly supervise the employee or control the workplace. The obligation is to do all that is reasonably practicable", she said.

Source: SA Department for Administrative and Information Services

### Lennon Must Say No To Industrial Manslaughter Laws

October 27 2005

In a keynote address to the Tasmanian Chamber of Commerce and Industry today, Minister for Employment and Workplace Relations, Kevin Andrews, called on the Tasmanian Premier Paul Lennon to give a guarantee that he would not introduce industrial manslaughter laws.

The Tasmanian Law Reform Institute recently proposed options for workplace health and

safety reform which includes introducing a specific 'industrial manslaughter' offence into the Tasmanian criminal code.

Minister Andrews urged Premier Lennon not to introduce the criminal offence of industrial manslaughter or to create such an offence through the Workplace Health and Safety Act.

'Tasmania should strongly resist the temptation to follow the misguided and ill advised lead of some other states and territories', said Minister Andrews.

Victoria and NSW have effectively used their occupational health and safety legislation to introduce industrial manslaughter by stealth and the ACT has made it a separate criminal offence.

Such an approach will only serve to discourage employers and employees from being closely involved in safety issues. Employers and employees will focus on defending themselves rather than working co-operatively ensure safer workplaces.

Source: Minister For Employment And Workplace Relations

### Industrial reforms will lead to dangerous workplaces: unions

October 24 2005

The federal government's industrial reforms will make workplaces more dangerous, unions say.

SA Unions said the controversial reforms would push workers onto individual contracts, create less stable employment environments and subsequently reduce workplace safety.

"There are very real concerns that workers will face longer and irregular hours and unpaid overtime, leading to greater stress and fatigue," SA Unions secretary Janet Giles said. "This is often a factor in workplace injuries. Longer hours and less recreation has a clear impact on health and safety and the Howard government's changes will exacerbate existing trends."

Unions have claimed the reforms, to be introduced into federal parliament next week, will restrict union access to workplaces and Ms Giles said this would make it even harder for vulnerable workers to achieve better safety standards.

Meanwhile, the SA government today launched the state's new workplace safety educator and watchdog - SafeWork SA.

The organisation has been created by merging the occupational health and safety

Continued on page 2





# SAFETY AT WORK BULLETIN

## 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](mailto: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.

Continued from page 1

functions that were previously performed by WorkCover and Workplace Services, SA Industrial Relations Minister Michael Wright said.

"SafeWork SA is the state's new one-stop shop for workplace safety information, advice and assistance, and it's also responsible for prosecuting offenders who flout workplace safety laws," Mr Wright said. "Until now there has been a confusing and fractured system of workplace safety bodies, resulting in duplication, inefficiencies, mixed messages and other problems.

"The creation of SafeWork SA give government, employers and employees a clearer focus on making South Australian workplaces safer for everyone. It will deliver far better value for money workplace safety results for taxpayers."

In the last financial year, workplace injuries and diseases caused about 40,000 WorkCover claims and cost the state about \$500 million, Mr Wright said. AAP

## Workplace Safety Is Getting Lost In IR Debate

23 October 2005

The Victorian President of the Safety Institute of Australia is very concerned that occupational health and safety is being lost in the debate over the Federal Government's workplace relations changes.

"People tend to forget that having sufficient rest is an important element to ensuring that individual workers are fit for work and have a reduced risk of being injured or harmed in the workplace," Mr Lovelock said. "All of the arguing about trading away leave entitlements and expanding the hours of work is ignoring the fact that fatigued workers are more likely to suffer injury at work."

"Fatigued transport drivers present an unacceptable risk to the public and themselves. Machine operators who may be impaired by fatigue have a higher risk of serious injury. Medical staff may have an impaired judgement as a result of unacceptably long working hours."

"If occupational health and safety (OHS) is not integrated into the negotiations of conditions by employers and individual workers, the SIA believes that the workers' compensation and social costs of increased stress, fatigue and other psychosocial hazards will cause a substantial financial and operational burden on small- to medium-sized businesses in particular.

"The SIA believes that the cost of increased workplace stress and harm has not been adequately considered in determining the benefits of the Federal workplace relations debate," Mr Lovelock said.

"It should of course always be remembered that any safety trade-off or downside can result in corporate and personal liability to prosecution - an employer would be foolish to forget this in the push for greater productivity. There can be a positive safety aspect to the changes. The flexibility that is promised may allow safety needs to be better accommodated. If the changes bring with them more discussion and consultation with individuals, there may also be benefits from better communication."

Many of the OHS events during Victoria's WorkSafe Week will have an undercurrent of uncertainty due to proposed Federal IR changes. The Safety Institute of Australia encourages the debate on these changes and asks that businesses, unions and individuals consider the potential flow-on effect of these changes on maintaining an appropriate level of occupational safety in Victorian workplaces.

Source: SIA  
Continued on page 3

# BECOME AN OHS SUPERHERO

## AND HELP IMPROVE WORKERS' SAFETY

Enrol in the new national Certificate IV in Occupational Health and Safety (BSB 41604)

\* Advance your career \* Nationally accredited \* Train online anywhere, anytime



For more information, call 1300 139 153 or go to [www.educationonline.asn.au](http://www.educationonline.asn.au)





# SAFETY AT WORK BULLETIN

Continued from page 2

## Gov't to spend \$750,000 on black boxes for ferries

October 24 2005

Sydney Ferries will be fitted out with black box data recorders, the NSW government says.

Transport Minister John Watkins today opened tenders to design, install and maintain the devices for Freshwater Class Manly Ferries and SuperCats.

The \$750,000 fitout would be trialled on these vessels before being rolled out to the rest of the fleet, Mr Watkins said.

"The black box technology will enhance Sydney Ferries' ability to continually improve safety," Mr Watkins said in a statement. "They will provide accurate and reliable data on vessel control systems, mechanical and geographic data."

The Office of Transport Safety Investigations (OTSI) recommended the installation of black box recorders in a recent report into an incident involving the SuperCat Louise Sauvage.

The Sauvage crashed into Rose Bay Wharf in May 2004 due to a failure of its steering system, injuring two passengers.

Wakehurst MP Brad Hazzard last week called for a public inquiry into Sydney Ferries following the 10th ferry accident in as many months last week.

The Freshwater crashed into Manly Wharf about 10pm (AEST) last Monday. AAP

## Safety campaign targets harvest powerline risks

October 23, 2005

Preventing accidental electrocutions during harvest time is the vital message of the 'Look Up and Live' campaign to be launched next week (October 24) by ETSA Utilities.

Potentially this is the most dangerous time of the year for farmers, their families and employees when heavy equipment is being used to bring in the grain harvest and may be working near powerlines.

The latest farm equipment is often bigger than ever so farmers need to be aware that they must adhere to a safe clearance distance from powerlines.

ETSA Utilities' General Manager Business Relations, Craig Cock, says "Our advice to people working on properties is always to assume that there are powerlines and to 'Look Up and Live'.

"Farmers and others working on a property need to know the voltage of any

powerlines because the higher the voltage of the line, the greater the safety clearance required."

Mr Cock said vital rules to follow which could save lives are:

- always check the location of overhead powerlines before moving machinery or tall loads on your property or roads
- don't build sheds, silos or haystacks near a powerline
- don't work on top of machinery when under a line
- check with each property owner about potential electrical hazards before travelling between farms
- high temperatures can cause powerlines to sag so always check the clearance of overhead wires when travelling.

Mr. Cock said "Just by looking up and following those other correct procedures can make the difference between safe farming and a tragedy".

ElectraNet spokesperson, David Johnston, said "The prevention of the tragic consequences of electrocution is our aim in reminding property owners/occupiers and their contractors to 'Look Up and Live'".

For more free information, or to check the required clearance distances from powerlines for your machinery, contact ETSA Utilities on 131 261 for a Look Up and Live safety kit and ElectraNet on 1800 243 853 for information on operating vehicles and machines near high voltage powerlines. Source: ETSA

## Memorial to dead worker unveiled at shopping centre

October 24 2005

Friends, family and colleagues of a construction worker killed in a workplace accident gathered today on the NSW Central Coast to unveil a memorial in his honour.

Glen Viegas was electrocuted in October last year while demolishing shop fittings at the Westfield Tuggerah shopping centre on the NSW central coast. His wife Andreia and children Cory, 6, and Makayla, 20 months, today attended the unveiling of a plaque at the centre.

The NSW coroner is currently investigating Mr Viegas's death.

The memorial, on an external wall of the shopping centre, was a permanent reminder of the importance of workplace safety, Construction Forestry Mining and Energy Union (CFMEU) NSW secretary Andrew Ferguson said.

"On the anniversary of Glen's tragic death we remember a well-respected and

## \$7 Million Small Business OHS Advisers Programme Launched

October 27 2005

The Minister for Employment and Workplace Relations, Kevin Andrews, today launched the Australian Government's new \$7 million Small Business OHS Advisers Programme.

Joined by the Federal Member for Bass, Michael Ferguson at the Design Print Centre in Launceston, the Minister also announced the Australian Industry Group as the successful tenderer to provide the programme.

The programme will include a network of at least 22 expert OHS advisers who will provide small businesses with free assessment, training and OHS implementation services.

"The programme is a practical way to provide both educative and advisory services to small businesses and will operate nationally across all industries throughout urban, regional and rural Australia" Minister Andrews said.

Small businesses have always been committed to their workers' safety and now, through the OHS Advisers Programme, they can access the resources to help them implement cost effective and quality safety measures.

"This extra assistance will also help small businesses to understand and comply with the myriad of OHS laws and standards that operate in each State and Territory" Minister Andrews said.

The programme also demonstrates the Australian Government's strong commitment to ensuring that workplaces are not only safe but also that employers and employees can work together in a co operative and non adversarial work setting.

The package of free assistance includes training on OHS principles and legislative compliance issues; completion of an OHS assessment; development and implementation of a company specific safety plan; and ongoing telephone and online support.

Employers can register their interest in the Programme by visiting the website, [www.smallbusinessohs.com.au](http://www.smallbusinessohs.com.au) or emailing [register@smallbusinessohs.com.au](mailto:register@smallbusinessohs.com.au)

Source: Minister For Employment And Workplace Relations

Continued on page 4



# SAFETY AT WORK BULLETIN

## HAROLD GREENWOOD THOMAS AWARD

At the recent Safety Show in Sydney, a prominent SIA member received a very special award. Below is an edited text of the citation from David Skegg, a past National President of the SIA.

*Harold Greenwood Thomas is widely seen as the "father" of the Safety Institute of Australia. Some years ago, the National Board struck an award in his honour. The HGT award, as it is known, is the highest award the Institute can offer. It requires a unanimous decision of the nomination committee, a committee which consists of the principal office bearers of the Institute, and is an occasional award. The National Board is proud to present this award to Neville Betts BA MSc Grad Dip(OHM) CFSIA RSP(Aust)*

*Neville joined the then Victorian Branch of the SIA in 1979, and has been heavily involved ever since. He has been President of that Branch on a number of occasions, as well as President of the ACT Division. Neville is the original architect of "Safety in Australia", the SIA's national journal. His wife, Doreen, operated the Federal Secretariat out of his company offices from 1992 to 2000, amidst a number of difficult times for both the Institute and his business.*

*The SIA owes Neville a great debt and it is my great pleasure to present him with this award.*

Continued from page 3

hard-working builder worker and a devoted family man loved by those he knew," Mr Ferguson said. "Sadly, Glen's death was one of 50 in the building industry last year, where too many tragic deaths occur and too many families are left without a husband and father. Hopefully this death was not in vain and the government will listen to families like Glen's who are calling out for more to be done to save the lives of their loved ones working in the building industry," Mr Ferguson said. AAP

## Hand injury leads to OHS conviction and \$35,000 fine

21 October 2005

Brick and tile manufacturer, Best Masonry Bricks and Pavers Pty Ltd, has been convicted and fined \$35,000 in the Industrial Relations Court, for failing to ensure the safety of a worker. The penalty was set after the company's appeal against the guilty finding was dismissed.

On 30 July 2003, a 22 year old employee's hand was seriously injured when caught in the mixer of a tile-making machine.

Best Masonry Bricks and Pavers Pty Ltd was also convicted and fined \$8000 in October 2002 after pleading guilty to a similar breach of section 19 of the Occupational Health, Safety and Welfare Act 1986. The maximum penalty for a second offence is \$200,000. In handing down the verdict, Industrial Magistrate Farrell said the Occupational Health, Safety and Welfare Act 1986 places the onus on an employer to seek out all possible risks and guard against them.

During the trial, the defence counsel submitted that hand injuries are probably one of the most common injuries.

Industrial Magistrate Farrell said it only serves to heighten the importance that an employer must attach to ensuring the safety of its workers.

"The victim, a young man, has been left with a life long disability because of Best Bricks' failure to ensure that the guard on the tiling machine was either fixed or interlocked... A guard that can be readily removed is inadequate. In this matter, had the guard been fixed, the victim would not have suffered an injury at all," the Industrial Magistrate said. Workplace Services Executive Director, Michele Patterson said: "The law requires employers to ensure that machinery is properly guarded and that an adequate risk assessment is carried out on the machinery and any associated system of work. This injury was preventable and serves as a reminder to those in charge of workplaces that they may be subject to penalties if they do not comply with OHS law." Source: South Australian Government

## Reducing the Regulatory Burden on Business

25 October 2005

On the 12 October 2005, the Prime Minister and Treasurer announced the establishment of a taskforce to identify practical options for alleviating the compliance burden on business from government regulation. The Regulation Taskforce is to report to them by 31 January 2006.

The Taskforce has been asked to examine and report on areas where regulatory reform can provide significant immediate gains to business. Its tasks include to:

- identify specific areas of Commonwealth Government regulation which are unnecessarily burdensome, complex, redundant or duplicate regulations in other jurisdictions;
- indicate those areas in which regulation should be removed or significantly reduced as a matter of priority;
- examine non-regulatory options (including business self-regulation) for achieving desired outcomes and how best to reduce duplication and increase harmonisation within existing regulatory frameworks; and
- provide practical options for alleviating the Commonwealth's 'red tape' burden on business, including family-run and other small businesses.

Occupational health and safety legislation has been identified by the Taskforce as a type of regulation that affects business and is therefore covered by this review. In a circular the Taskforce explains that

"For the purposes of this review, the Taskforce is defining regulation to include any laws or other government 'rules' which influence or control the way people and businesses behave. Under this definition, regulation is not limited to legislation and formal regulations; it also includes 'quasi-regulation' (such as codes of conduct, advisory instruments or notes etc)... the Taskforce is to focus on Australian Government regulation. Regulation by State and Territory governments will be considered only insofar as it overlaps with Australian Government regulation."

More information is available at [www.regulationtaskforce.gov.au](http://www.regulationtaskforce.gov.au)

## Man flown to Hospital after incident

26 October 2005

A man was flown to the Alfred Hospital after a truck trailer weighing about six tonnes fell on him at a Melton South factory this morning.

The Coolaroo man suffered serious injuries to the pelvis, legs, chest and arms and

Continued on page 5



# SAFETY AT WORK BULLETIN

Continued from page 4

was transported to the Alfred Hospital where WorkSafe understands he is in a stable condition.

Another man from Mount Egerton (near Ballarat) suffered minor head injuries and was treated locally.

WorkSafe has begun an investigation at the factory in Bundy Drive, Melton South.

Although the investigation is at an early stage, WorkSafe understands the trailer was being moved on a set of dolly-wheels when it fell off.

A forklift was used to lift the trailer back on to the wheels. The men were underneath when it fell again causing the injuries. Source: WorkSafe

## Police “not punching bags,” says minister

October 26 2005

Almost 10 police a day are physically assaulted on the job in Queensland, figures released in parliament show.

Police Minister Judy Spence is alarmed by the violence against officers, which she says is linked to a crackdown against street crime. She told parliament today there had been 3,388 assaults on police during the 2004-2005 financial year.

“Our police are not punching bags,” Ms Spence said. “Last weekend alone, 40 Queensland police officers were the victims of offences such as assault occasioning bodily harm, serious assault, common assault and public nuisance offences.”

He said police work was becoming increasingly dangerous. “There are some elements amongst the public who simply believe that it’s okay to bash police,” a Queensland Police Union spokesman said. AAP

## Chain Shot: A High Level of Risk to Forest Workers

October 2005

Workplace Standards Tasmania has recently issued a Safety Alert on Chain Shot. “Chain shot” is the term given to the pieces of saw chain that separate from the chain when it breaks during operation. Chain shot whistling through the air has as much kinetic energy as rifle bullet. In the unfortunate event of chain shot hitting the machine operator or anyone else in the area, serious injury can result.

Recently there have been a number of incidents in the forest industry involving chain shot.

The alert can be downloaded from

<http://www.workcover.tas.gov.au/attach/sa0631-05.pdf>

## Man trapped under forklift for almost an hour

October 22 2005

A man in his early 40s was trapped under a forklift for almost an hour during a workplace accident on Victoria’s southern coast.

At about 8.30am (AEST) today a forklift toppled over onto the man at his workplace in Bray Street, Hastings, on Western Port Bay, the Metropolitan Ambulance Service (MAS) said.

An MAS spokesman said the man suffered lower leg injuries after being trapped under the forklift for about 45 minutes. Paramedics administered pain relief while the fire brigade rescued the man. He was then airlifted to The Alfred hospital in a satisfactory condition.

Work Safe inspectors are investigating. AAP

## Working hours taking their toll on family: Goward

October 26 2005

Long work hours are making men grumpy, while women are struggling to balance uncertain hours with family commitments.

That’s what Sex Discrimination Commissioner Pru Goward has been told in submissions to a report about balancing work and family responsibilities.

Ms Goward, speaking ahead of a work and family forum in Sydney today, told the Seven Network people were having trouble juggling their work and family commitments.

Men in particular were working long hours, often with a detrimental effect on their families. “The most important challenge for men is the huge hours that men are working,” Ms Goward said. “I thought it was just a problem for middle managers, really, but it’s much more widespread than that.”

Men employed in industries affected by labour shortages, such as the trades and mining, were often working 60 or 70 hours a week.

“They’re sedating themselves with alcohol to get to sleep at night so they can get up the next morning and do it again,” Ms Goward said. “No wonder they’re grumpy.”

Ms Goward said men who worked long hours were often “disconnected” from their wives and children - something that may be contributing to Australia’s “alarming” divorce rate.

She praised some employers for recognising the importance of balancing work and family, but said they needed to do more for those at the lower end of the socioeconomic scale.

A report with public feedback about work and family issues, as well as recommendations, will be handed to the federal government next year. AAP

SIA Safety At Work Bulletin  
Issue 26, November 1, 2005  
ISSN 1832-6714

Editor Kevin Jones  
Editorial Inquiries +61 (0)3 9478 9484  
[jonesk@sia.org.au](mailto:jonesk@sia.org.au)

Designer/Publisher:  
Workplace Safety Services Pty Ltd  
849 High Street, Regent VIC 3073 Australia  
A.B.N. 68 091 088 621  
[www.safetyatwork.biz](http://www.safetyatwork.biz)

This weekly news bulletin is produced on behalf of the Safety Institute of Australia (Victoria Division) by Workplace Safety Services P/L.

### Disclaimer

Entire contents, Copyright © 2004 – 2005 Workplace Safety Services P/L and its partners unless otherwise stated. All rights reserved. Reproduction, and redistribution, of this publication in any form without prior written permission is forbidden. The information contained herein has been obtained from sources believed to be reliable.

Workplace Safety Services P/L and the Safety Institute of Australia shall have no liability for errors, omissions or inadequacies in the information contained herein or for interpretations thereof. The reader assumes sole responsibility for the selection of these materials to achieve its intended results. The opinions expressed herein are of the authors.

No part of this magazine may be published or copied without permission from the publisher.

This file cannot be forwarded without the formal and written permission of the Safety Institute of Australia and Workplace Safety Services P/L.