



# SAFETY AT WORK BULLETIN

Proudly Sponsored by the Safety Institute of Australia (Victoria Division)  
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## Employee Fined Over Amputation of Co-Worker's Fingers

June 21, 2006

An employee of a Jandakot metal fabrication company has been fined \$5000 for adversely affecting the health and safety of another person in the workplace after a co-worker had four fingers amputated.

Nathan McQuilkin pleaded guilty and was convicted and fined in the Fremantle Magistrates Court on June 7.

In August 2004, Mr McQuilkin was employed by CC Kenney Pty Ltd as a foreman, and was supervising a 24-year-old second class welder who was using a brake press to bend large sheets of metal to be used in making storage units.

The brake press had not been operating properly the day before, and a service person had removed parts of the guarding system and taken them away to examine, leaving the guard down and telling Mr McQuilkin that the machine should not be operated without those parts.

But Mr McQuilkin permitted the welder to bend some sheets with the brake press, and switched it on, tied the guard into the up position and jammed a piece of wood into the guarding system so the machine would operate without the guard in place.

When the welder put his hands into the machine to remove a piece of metal, the blade descended and stopped in the down position, trapping his right hand.

The button used to raise the blade did not work and nobody else in the factory knew how to raise it, so a representative from the machinery company that had earlier removed parts for examining was called and came to the factory and freed the man's hand.

The welder was taken to hospital, where four fingers on his right hand were amputated, two at the bottom knuckle and two slightly above the bottom knuckle.

WorkSafe WA Commissioner Nina Lyhne said today that the case was yet another graphic example of the importance of guarding on machinery.

"It appears that in this case, the employee actually kept the guarding mechanism out of the way by tying it up so the machine would still operate without the guard in place, which is not only dangerous but illegal," Ms Lyhne said. "Just as manufacturers are legally required to ensure machinery is designed so operators are protected from injury, so are operators obligated by law to ensure guards are not removed or their operation impeded when the machine is in use...."

"In this case, the employee's actions led to another employee sustaining serious and permanent injuries that would have been avoided if the machine had remained out of use as advised by the service person.

"We need to put a stop to the workplace culture that says working without guards is OK, and make it understood that guards are there for good reason and should not be removed or shifted for the sake of expediency."

Source: DOCEP

**Fishing company fined over death at sea** ADELAIDE, June 20 2006

A Port Lincoln fishing company has been fined \$60,000 over the death of a worker who fell overboard from a prawn trawler in Spencer Gulf in 2003.

In the Industrial Relations Court in Adelaide yesterday Blaslov Fishing Ltd pleaded guilty to breaching occupational health and safety

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regulations in that it failed to ensure the man was safe while at work.

SafeWork SA said today the 56-year-old man fell overboard from the Grozdana B in December 2003 while releasing a fishing net into the sea near Whyalla.

As well as the fine, the company was also ordered to pay \$20,000 in compensation to the dead man's family.

SafeWork SA executive director Michele Patterson said the case showed why it was critical for everyone to think about safety before doing any work.

"There are always things that could have been done to prevent these sorts of circumstances and the message we want to get across is for everybody to ensure that they think about safety before they commence any task at all," she said.

In his judgment today, Industrial Magistrate Stephen Lieschke said, "It is not as if nothing untoward of this nature had happened in the industry. The previous man overboard incident in relation to a tuna operator of June 2002 was sufficient to prompt the defendant's awareness as to its occupational health and safety obligations. However that response fell short of the required standard. It is to be remembered that one of the chief responsibilities of an employer is the safety of those that work for them."

In addition to the fine, the company was ordered to pay compensation to the deceased's family totalling \$20,000.

AAP & WorkSafe SA

## Tough new smoking laws come into force in 10 days

21 June 2006

Queenslanders are being reminded that new laws prohibiting smoking in all licensed premises come into force in just 10 days time.

The Queensland Government today launched a state-wide community awareness campaign to educate Queenslanders about the new laws that take effect from 1 July 2006.

The campaign was launched by Parliamentary Secretary to the Minister for Health Jo-Ann Miller and Parliamentary Secretary to the Premier and to the Minister for Health Andrew Fraser on behalf of Health Minister Stephen Robertson.

Mrs Miller said the awareness campaign would run until September.

"The theme of the campaign is "Smoke-free for Good" and has been developed in consultation with the hospitality industry," she said. "The campaign aims to inform all Queenslanders about the specifics of the new laws and the health benefits to the community. From 1 July 2006, a number of public places will be smoke-free, including all indoor areas of liquor licensed premises and all commercial outdoor eating or drinking areas. These laws are good for patrons and staff, good for smokers trying to quit and good for everyone's health and environment."

Mr Fraser said the campaign included television, press, radio and tourist advertising.

"The Queensland Government recognises that smoking endangers the health of both the smoker, and through passive smoking, the rest of the community," he said. "We make no apology that Queensland is the only state in Australia to have such comprehensive smoking bans in public places. To date the response from the public and industry has been extremely positive and we look forward to the support of all Queenslanders in making our state smoke-free for good."

Queensland Hotels Association chief executive Justin O'Connor said the new smoking laws provided hotels with a great opportunity to showcase their venues with an even fresher environment.

"The hotel industry is working hard to ensure that our great venues continue to meet the needs of our non-smoking and smoking patrons alike, within the spirit of the new smoking laws," Mr O'Connor said.

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LAW & FINANCE

10 BRAND NEW CASE STUDIES

SAVE! Refer to back page for SAVINGS

## 6th Annual Case Studies in Workers' Compensation

"Intangible injuries" \* Ageing workforce \* Long-tail claims \* Proven injury management strategies \* Return-to-work \* Fatigue \* Late reported claims \* Stress claims \* Self-insurance \* Multi-jurisdictional claims \* Reducing workplace risk \* Premium calculations

29th - 31st August 2006 \* The Grace Hotel, Sydney

### 10 LEARNING OBJECTIVES

- CONFRONT** difficult workers' compensation claims dealing with "intangible injuries"
  - LEARN** how Colgate Palmolive uses stringent reporting protocols to prevent late reported claims
  - EXAMINE** the steps taken by the Royal Australian Mint to overcome common bugbears associated with its ageing workforce
  - DISCOVER** the challenges in developing a return-to-work programme and how best to overcome them
  - ANALYSE** the processes undertaken by Caltex Australia Petroleum in becoming and remaining a self-insurer
  - UNDERSTAND** your responsibilities as an employer to minimise stress claims
  - IMPLEMENT** proven injury management strategies to reduce incidences of workplace injuries
  - MANAGE** your workers' compensation claims appropriately across state and territory jurisdictions
  - SCRUTINISE** common legal challenges facing workers' compensation managers
  - EXPLORE** the intricacies of the new workers' compensation premium calculations
- plus much, much more...

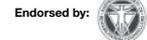
### HEAR FROM LEADING WORKERS' COMPENSATION EXPERTS:

- Carol Crockey, National President, OT AUSTRALIA
- Sharen Cameron, Account Manager - Workers' Compensation, Caltex Australia Petroleum
- Dr Angelica Vecchio-Sadus, Divisional OH&S&E Manager, CSIRO Minerals
- Maria Hooker, National Health, Safety and Environmental Coordinator, Allied Mills
- Eliz Quinlan, Human Resource Manager, KR Castlemaine Foods
- Jeff Graham, Site Safety Manager, Colgate Palmolive
- Natasha Hallifax, Human Resources Manager for Compensation & Benefits, Mission Australia
- Pamela Best, OH&S Manager, Royal Australian Mint
- Katie Chapman, OH&S Manager, Inchcape Motors Australia
- Zoe Moore, Injury Management Advisor - Claims Strategy Group, CGU Workers' Compensation
- Dr David Allen, Occupational Physician and Managing Director, Quality Occupational Health
- Fiona Rouffail, Claims and Rehabilitation Coordinator, Health Scope Limited
- Angela Campbell, Director, Creative Injury Management Services
- Rhett Slocombe, Partner, Sparke Helmore
- Phil Lemieux, Manager Intermediary Services, CGU Workers' Compensation

**DON'T MISS 2 INTENSIVE HALF-DAY WORKSHOPS!**

**WORKSHOP A**  
Your 7 step guide to evidence-based medicine for soft tissue injuries and psychological complications  
Led by:  
Dr David Allen, Managing Director, and Joanne Lewis, Rehabilitation Manager, Quality Occupational Health

**WORKSHOP B**  
Mediation and case management for stress and psychological injury claims  
Led by:  
Jacki Elphinstone, Consultant Psychologist, PsycheSoma



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The new laws from 1 July 2006 include:

- No smoking anywhere inside liquor licensed premises;
- No smoking at all commercial outdoor eating or drinking areas. Outdoor eating or drinking areas include those at pubs, clubs, cafes, restaurants, kiosks, takeaways, canteens, delis, snack bars - anywhere food or drink is provided; and
- Liquor licensed premises with a hotel, club or casino licence may allocate up to 50% of their outdoor liquor licensed area for drinking and smoking only.

Mr Fraser said enforcement of the new laws would start at the end of September 2006, after a three month grace period.

Smoking will also be prohibited at all Queensland Health facilities.

Further information is available from the Tobacco Hotline 1800 005 998 (8am-6pm, 7 days) or [www.health.qld.gov.au/atods/tobaccolaws](http://www.health.qld.gov.au/atods/tobaccolaws)

Source: Queensland Minister for Health

## Floor collapse kills worker

MELBOURNE, June 22 2006

Excessive weight on an upper level of an Apollo Bay building undergoing renovation led to the floor's collapse, killing a Victorian worker, the workplace watchdog says.

The 61-year-old man died and two other workers were injured when the floor collapsed at a pharmacy on the Great Ocean Road, at Apollo Bay, south-east of Melbourne, about 3pm (AEST) yesterday.

Police said the man and three others were on the building's newly constructed second storey, handling a pallet loaded with building material when a section of the floor collapsed. The man fell about three metres and was struck by heavy debris. Workmates went to his aid and removed the debris but he died at the scene.

"It appears the cause of the collapse may have been due to excessive weights on the first floor," WorkSafe Victoria's executive director John Merritt said.

The fatality is the third of its type involving structural collapse so far this year.

AAP

## Woman hospitalised, 30 evacuated following gas leak

SYDNEY, June 22 2006

One woman was taken to hospital and another 30 evacuated from a supermarket after a gas leak in Sydney's west.

Emergency crews were called to the Woolworths supermarket on the Avenue of Americas, in Newington, about 6.45am (AEST) following reports of a strong gas odour.

Testing revealed no trace of hazardous vapours, but the smell was tracked to a scrap metal business in nearby Fariola Street, a NSW Fire Brigades spokesman said.

Thirty people were evacuated from the supermarket as a precaution and one woman was taken to hospital for the treatment of inhalation symptoms, the spokesman said.

"The specific source of the odour was traced to some disused gas pipes in the scrap metal yard," he said. "The substance that was detected was not gas but a material called mercaptans, which is used to make (non-odorous) gases detectable. It's a fairly innocuous substance."

Fire crews ventilated the supermarket to clear the fumes and the area has since been declared safe.

AAP

## Man injured in gas explosion

ADELAIDE, June 21 2006

An Adelaide worker received minor burns to his face in a gas explosion today.

The man was using an angle grinder to cut into a low-pressure gas line at suburban Redwood Park when the gas exploded at about 10.30am (CST).

The man cut the line believing it had been isolated and purged of gas. He will remain in hospital overnight for observation.

SafeWork SA said safety notices had since been issued to the man's employer, an excavation firm subcontracted to upgrade kerbside gas supply.

AAP

## Prepare emergency packs, Sydney CBD workers told

SYDNEY, June 21 2006

Sydney CBD workers should prepare individual emergency packs, under new guidelines on how businesses can best react to emergencies such as terrorist attacks or fires.

The guidelines, launched at a forum in Sydney today, have been drawn up by NSW emergency services and

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business groups as part of the Sydney CBD Emergency Sub Plan.

The plan - a priority after a gas leak in 2004 shut down the city's train system - details how emergency services, businesses, city workers and residents should respond to emergencies.

Around 450,000 people cram into the city during working hours, and 50-70,000 visit the CBD every night.

"It's crucial to business that they know what arrangements are in place, what they need to do to keep their people safe," NSW Fire Brigades Commissioner Greg Mullins, who chairs the emergency response planning committee, said. "In every building there should be emergency plans, evacuation plans ... but that needs to dovetail into this wider plan."

The guidelines also encourage individual workers to be prepared.

The guideline suggests people put in place personal emergency plans, including making up emergency packs containing maps, water bottles and additional clothing. People are also urged to familiarise themselves with safety procedures for city schools and childcare facilities.

"There is an overall plan where people will be asked what to do, but they need to think, 'Do I have kids at school that need to be picked up? Do I have medication needs, mobility needs? Who do I need to contact?'" Mr Mullins said. "Simple things like a bottle of water - if they need to be evacuated they might have to walk for an hour or stand out in the sun. Even a battery radio so they can listen to what is going on." AAP

## Redwood Park incident

21 June 2006

Inspectors from SafeWork SA have issued safety notices to a contracting firm involved in a workplace accident at Redwood Park, this morning.

At about 10:30 am, an employee sustained minor burns to his face after an explosion involving a low-pressure gas line, in Grenfell Road at Redwood Park.

It's understood the worker was using an angle grinder to cut into the line, believing that it had been isolated and purged of gas. The injured man was conveyed to hospital where he is being kept overnight for observation.

The man is employed by an excavation firm subcontracted to Origin Energy to upgrade the kerbside gas supply. Work has resumed on the site.

Source: SA Government

## Risk Management Code of Practice

June 19 2006

The Queensland government is inviting submissions on a Risk Management Code of Practice. By visiting <http://www.dir.qld.gov.au/workplace/publications/riskmanagement/index.htm> you can download a draft Code, the reasons for the review, make a submission, or submit comments or a case study.

## Bathurst Industrial Injury

June 19th 2006

A 39-year old Peak Hill man has suffered shoulder and spinal injuries as the result of an industrial accident in Bathurst, in the State's Central West, this morning.

The Central West NRMA CareFlight helicopter was called to the site at the Kelso Industrial Park just after 9.30, landing at the Alec Lambertson Soccer ground, close to the accident location. The man, who was working at a demolition site, sustained his injuries when he was struck by a piece of steel.

Ambulance, emergency rescue squad and CareFlight medical personnel treated the man at the site, while he is now being flown to Nepean Hospital to further ascertain his injuries.

Source: NRMA Careflight

## Turbulence seriously injures 12 people a year in Australia

CANBERRA, June 25 2006

Twelve people are seriously injured by turbulence while travelling in Australian planes each year, a new report says.

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## SIA EVENTS

### The Visions Conference 2006

Venue:

Rydges International Resort, Yeppoon, Queensland

August 30, 31 - September 1 2006

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

### The Safety Conference, Sydney NSW

17 - 19 October 2006

[www.thesafetyshow.com](http://www.thesafetyshow.com)

## OTHER EVENTS

### Crane Seminars In Queensland

Workplace Health and Safety Queensland will conduct a series of Queensland Crane Strategy Seminars across the state during the next few months.

Dates, times and bookings are available at <http://www.dir.qld.gov.au/workplace/training/events/cranes/index.htm>

### Waves of Change

Australian Institute of Occupational Hygienists, Inc.

Venue: Surfers Paradise Marriott Resort, Gold Coast QLD

2-6 December 2006

For more information email mailto: [conference@aioh.org.au](mailto:conference@aioh.org.au)





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The Civil Aviation Safety Authority (CASA) has released the statistic as part of a new education drive to warn both passengers and crew of the dangers of turbulence.

Most recently, two cabin crew were thrown to the floor of a 767 flight from Adelaide to Perth when it hit a severe rough patch mid-flight.

A report in CASA's Flight Safety Australia magazine says the United States has recorded three deaths in recent years as a direct result of turbulence.

"Occasionally, aircraft experience severe air turbulence that quickly changes altitude by as much as 1000 feet and makes food service and walking impossible, as unsecured objects are tossed about," the report said.

CASA has called on airlines to be constantly aware and to ensure that both passengers and cabin crew secure their seatbelts unless they are walking through the plane. AAP

## Victims outraged at James Hardie ruling SYDNEY, June 24 2006

Asbestos victims have reacted angrily to a ruling that compensation payouts from building products giant James Hardie should be taxed.

The ATO yesterday ruled it would not treat a special compensation fund set up for victims of the company's former building products as a charity.

The decision robs the fund of tax concessions, and means it will be liable to pay income tax of up to 40 per cent, throwing the \$4.5 billion compensation deal into doubt.

In its reasoning, the tax office questioned how effective the fund's structure would be in ensuring claimants were truly sick, or that the money actually made it to victims.

Ella Sweeney, an asbestosis sufferer and former president of the Asbestos Diseases Foundation of Australia, said the ruling added insult to injury.

The 63-year-old retiree from the Blue Mountains developed the disease while working in a western Sydney hospital which was being renovated in the 1970s. "To be honest it's just the excuse Hardie's been waiting for," Ms Sweeney said. "They don't want to be involved. They really don't give two hoots about what's happening to victims. They'll do anything they can to get out of their responsibilities, not only legally but morally."

Ms Sweeney was outraged by the ATO's questions over the legitimate use of funds. "People with asbestos-related disease ... it's pretty easy to prove with scans, with biopsies, there's no doubt. Mesothelioma stands out like a sore thumb... That's childish garbage to throw back at people that are suffering the pain and the misery and their families that are watching them suffer that and dying from it eventually. It's absolutely outrageous... If Hardies think we're going to go away they're sadly, sadly mistaken, because we're not going anywhere."

Ms Sweeney said a compensation payment would make an enormous difference to her quality of life, helping to pay for her oxygen supply and other medical bills.

Asbestos support groups had gathered strength in recent years, with more sufferers coming forward to put pressure on James Hardie and the government, Ms Sweeney said. "We seem to have been hopeful for so long," she said. "It's just not right." AAP

## Adobe Acrobat V7.08 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 20 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 7.08 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 for viruses before distribution.

For those readers who are unconcerned about download limits, the latest version of Acrobat Reader is available for free from <http://www.adobe.com/products/acrobat/readstep2.html>

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