



SAFETY AT WORK BULLETIN

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CONTENTS

| | |
|-----|---|
| FED | <i>States called on to put politics aside for federal OHS</i> |
| TAS | <i>1,569 Tasmanians injured in small businesses</i> |
| TAS | <i>Safety Stats Leave No Room For Complacency</i> |
| VIC | <i>Mine Safety Shift To Cut Business Red Tape</i> |
| VIC | <i>Man breaks leg as train hits cherry picker</i> |
| FED | <i>Companies urged not to ignore employment issues when planning to manage a pandemic</i> |
| VIC | <i>Death of laundry worker avoidable, authorities say</i> |
| QLD | <i>Police illness not linked to dead body investigation</i> |
| FED | <i>Strengthening the capacity of government to influence OHS outcomes</i> |
| VIC | <i>Safety improvement notices must be taken seriously</i> |
| TAS | <i>Tas Gov't OHS Inspectorate At Risk Of Breaching International Labour Standards</i> |
| WA | <i>WorkSafe and EnergySafety investigates death of electrician</i> |
| SA | <i>Cleaner Fined For 'Severe And Disabling' Injury To Teenage Worker</i> |

States called on to put politics aside for federal OHS

October 26 2008

Workplace safety professionals are calling for governments to "stop playing games" and hasten moves towards consistent occupational health and safety (OHS) laws despite fears about federal industrial reform.

An overwhelming 88 per cent of safety professionals surveyed nationally for the Victorian division of the Safety Institute of Australia (SIA) supported a single federal OHS legislative system.

SIA Victoria President Phil Lovelock said the various state and territory regimes stymied efforts by employers and safety suppliers alike to improve workplace safety.

"What saves lives in one state will also save lives in another," he said. "There's simply no need for the extra red tape that so many sets of codes of practice and regulations bring."

State Premiers and territory Chief Ministers met last week and agreed to work towards harmonisation of state OHS laws but Mr Lovelock remained unimpressed, referring to the earlier collapse of talks.

"There's been talk of harmonisation for more than a decade beginning with efforts by the former National Occupational Health and Safety Council," he said. "The NOHSC's replacement, the ASCC, has now taken up the challenge but while you have stunts like walkouts by the states, we're not hopeful that they're truly committed to change."

The SIA Safety Report Card research, to be presented at its Safety In Action Conference in March next year, also showed the profession was concerned about the likely impact of federal industrial relations reform on OHS. Almost half expected the reforms would have a negative impact, while just one in four anticipated an improvement in OHS.

Mr Lovelock said the research findings underscored the need for a well-resourced national body responsible for the co-ordination of workplace safety progress around the country.

"We had that in the form of the NOHSC before it was effectively neutered by federal government budget cuts 10 years ago. The ASCC has an awful lot of ground to make up," he said.

Source: Safety Institute of Australia

1,569 Tasmanians injured in small businesses 25 October 2006

New figures released today as part of Workplace Safe Week show 1,569 Tasmanians were injured in small businesses statewide in the 2005–2006 financial year.

WorkCover Tasmania Board member, Simon Cocker urged small businesses to make workplace safety a priority and use Workplace Safe Week as a stepping stone to creating safe workplaces.

"The most common workplace injuries in small business in the 2005–2006 financial year were wounds, lacerations and internal organ damage, accounting for 474 of the injuries reported, followed by soft tissue injuries (451 injuries)," Mr Cocker said.

"The main causes of these injuries were body strain, totaling 427 injuries, followed by being hit by moving objects (393 injuries).

"The top four main industries in which these injuries occurred were the construction industry (312), manufacturing (258), retail (248) and agriculture, forestry and fishing, recording 221 injuries."

Mr Cocker said D Williams Builders which is based in North Hobart, is

Continued on page 2

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SAFETY AT WORK BULLETIN

Continued from page 1

a good example of what a small construction business can achieve when it makes safety a priority.

"D Williams Builders was the overall winner of the 2005 Workplace Safe Awards. As part of this achievement, the company was automatically entered into the national Safe Work Australia Awards and won the 'Best workplace health and safety practices in small business' category," he said. "In 1999, the company instigated the development of an OHS management system to improve the overall health and safety practices of the business and ensure all work safety standards were being met and maintained.

"The system is underpinned by job safety analyses, safe work method statements and loss prevention observations. Since introducing the safety system, D Williams Builders has seen a reduction in incidents and injuries, workers compensation claims and premiums.

"Although it sometimes seems harder for small businesses to make safety a priority due to resources and financial constraints, it's important to take the right steps to creating safe and hazard free workplaces."

Source: WorkCover Tasmania

Safety Stats Leave No Room For Complacency 26 October 2006

The Minister for Justice and Workplace Relations Steven Kons today urged Tasmanian employers and workers to make safety a priority and work together to make Tasmanian workplaces safe.

Mr Kons opened the Tasmanian Chamber of Commerce and Industry's 2006 'Working Safe' Conference in Launceston by saying it was vital for employers to create safety cultures where workers were encouraged to speak up about safety issues.

The conference is being held as part of Workplace Safe Week and Safe Work Australia Week.

Mr Kons said figures released this week showed that in 2005-06, 10,018 workers were injured in Tasmanian workplaces, a decrease of only 2.2 per cent on the 2004-05 figure.

"The financial cost of these injuries was \$92.1 million, a reduction of 6.4 per cent on the cost in 2004-05," Mr Kons said. "While this progress is positive, the rate of decline in workplace injuries has slowed over the past four years. These figures mean that in the past year, 27 Tasmanians were injured at work every day, and this is completely unacceptable.

"It's a reminder to us all that we need to redouble our efforts towards creating safer workplaces," Mr Kons said.

Mr Kons said workers must speak up about their safety concerns and employers need to create a workplace culture where workers are encouraged to speak up.

"As part of this culture, we also need employers to ensure that safety concerns are dealt with promptly," Mr Kons said. "Working together to identify and fix safety hazards are key factors to ensuring Tasmanian workplaces are safe and that all workers return home safely each night."

Source: Minister for Justice and Workplace Relations

Mine Safety Shift To Cut Business Red Tape October 24, 2006

New arrangements for the regulation of occupational health and safety (OHS) across Victoria's earth resource industries, including mining, quarrying and onshore petroleum production, were announced today by the Minister for Energy Industries and Resources, Theo Theophanous.

Mr Theophanous also released the report of the 2006 inquiry into OHS regulation of the earth resource industries, led by Mr Neil Pope.

The Bracks Government has accepted the key recommendation of the inquiry, to transfer responsibility for OHS regulation of the earth

Continued on page 3

Survey Winner

Recently 461 SIA members completed an online survey on OHS issues but who also provided some important feedback to the SIA. As an encouragement to complete the survey, the SIA provided a one-day pass to the **SAFETY IN ACTION CONFERENCE 2007**, valued at almost \$400. We are pleased to announce that the winner of the day pass is

Adrian Ditcher of New South Wales

Survey Results

A summary of the survey results will be released in the next few months with a White Paper being available for **SAFETY IN ACTION 2007**

National SIA Annual General Meeting

The 2006 SIA AGM will be held on 15th November 2006 at 7.00pm (Eastern Summer Time) at the Head Office. The meeting will be teleconferenced to all other participating State divisions

National SIA Election Results

The counting of votes for the National SIA positions will be held in the SIA Head Office on November 2 2006. Results will be announced at the National AGM on the 15th.



SAFETY AT WORK BULLETIN

Continued from page 2

resource industries from the Department of Primary Industries (DPI) to the Victorian Workcover Authority (VWA).

"The new OHS arrangements bring the earth resource sector in line with other Victorian industries, ensuring consistent and independent regulation," Mr Theophanous said. "Mine safety became a national issue earlier this year with the Beaconsfield disaster in Tasmania showing the importance of an effective, independent OHS regime."

Mr Theophanous commended DPI and the earth resources sector on reducing workplace injuries in the industry over the last seven years.

After a transition period, the VWA would formally take on regulatory responsibility for the sector under the Occupational Health and Safety Act and the Dangerous Goods Act in January 2008.

Mr Theophanous said he would also continue to promote mine safety at a national level through the Ministerial Council on Minerals and Petroleum Resources.

"The Government will work with industry and unions to ensure an orderly transition from DPI to the Victorian WorkCover Authority," Mr Theophanous said. "This change comes at a time when Victoria's earth resource industries are growing strongly. These arrangements will allow DPI to direct its resources to the increasingly important areas of environmental regulation and community engagement," Mr Theophanous said.

Minister for Workcover, John Lenders, said the announcement provided more certainty and reduced red tape for industry. "From 2008 the regulation of Victoria's entire OHS framework rests with the Victorian Workcover Authority, providing more certainty to all Victorian businesses," Mr Lenders said.

Source: The Minister For Energy Industries & Resources

Man breaks leg as train hits cherry picker

October 26 2006

A worker has suffered a broken leg when a goods train clipped his cherry picker, catapulting him up to six metres to the ground.

The accident happened on a rail line at North Geelong, 70km south-west of Melbourne, just after 8.30am (AEST) today as the 65-year-old man painted the Separation Street bridge in a cherry picker's cage, Rural Ambulance Victoria spokesman John Mullen said. "He was doing some painting work on the bridge and obviously the cherry picker was close enough to the train to give it a nudge," Mr Mullen told AAP. "He has fallen five or six metres to the ground. He has ended up with a fractured leg, a fractured femur. He was taken to the Geelong Hospital in a stable condition."

A spokesman for Victorian rail operator V/Line said none of its services were affected, but standard-gauge interstate freight and passenger services between Melbourne and Adelaide would be delayed.

AAP

Companies urged not to ignore employment issues when planning to manage a pandemic

27 October 2006

Freehills employee relations partner and Honorary Fellow of the SIA, Barry Sherriff told employers at a recent conference that planning for pandemics without considering the law and human resources issues is "planning for a nightmare".

Mr Sherriff addressed a room of operations, HR and safety people to discuss what to expect and how to respond to a pandemic or similar widespread disruption, with a focus on managing employees and the law. He warned that the threat of a pandemic or other crisis is ever present, and companies who plan well will be most likely to survive.

He said that companies should not take comfort from Y2K, SARS and other threats not impacting them in the past. Avian flu, terrorism or some other event over which they have little or no control can occur at any time and make normal operations impossible. "Workplaces need to plan to cope with these events, so that key operations can continue through effective, practised responses. Everyone should know what they can and must do, including continuing to comply with employment laws."

"Recognising what you can and cannot do with your employees, at law and in practice, will be a key to your business surviving a pandemic," Mr Sherriff told the room.

"Employer responses to a pandemic may be seriously compromised if they fail to take into account practical and legal issues in managing employees."

Mr Sherriff went on to say that strong and credible leadership will be vital in managing people's fears, desires and values in the event of a pandemic, and that "while there are numerous practical considerations, the law may determine or impact the way you can manage your business to survive a pandemic. It is critical that businesses understand this and plan accordingly."

"Employment arrangements and industrial arrangements, safety, privacy and anti-discrimination laws are just some of the things that will need to be accommodated," he said.

Mr Sherriff advised businesses to involve employees in the planning and communication process, and in the development of pandemic policies, particularly as information is key when staff support is required to survive critical

Continued on page 4



SAFETY AT WORK BULLETIN

Continued from page 3

situations. "Fear of the unknown, or lack of confidence in the organisation, can seriously compromise their involvement and your ability to respond. Remember the four C's - communication, giving rise to comfort, co-operation and cohesion."

Source: Freehills

Death of laundry worker avoidable, authorities say

October 27 2006

The death of a man who was crushed between rollers was "entirely avoidable", Victorian workplace safety authorities said today. The fatality is the 21st workplace death in the state this year, and comes at the end of WorkSafe week.

WorkSafe Victoria executive director John Merritt said the 31-year-old man died while working at the Del Brocco Laundry in suburban Heidelberg West at about 11.30am (AEST) today. The St Albans man was working on a linen-drying machine when he fell between the machine's rollers.

Mr Merritt said an investigation into the incident was ongoing.

"Our experience at WorkSafe is that there is likely to be very little mystery surrounding an incident like this. There will have been some indicators perhaps," he said. "WorkSafe takes these matters particularly seriously as they are entirely avoidable. The early indications are that he is Vietnamese. He arrived in the country earlier in the year ... Therefore there will (likely) be issues around English and instruction."

There were workmates around at the time of the death, Mr Merritt said.

He said it was important that machines were properly guarded and employees must have appropriate training and supervision, in their own language if necessary.

"The message at the end of WorkSafe Week for all Victorian workplaces is if you do see something that you don't think is right, not dealing with it can end up in the sort of horrific situation we are in today," Mr Merritt said.

AAP

Police illness not linked to dead body investigation

28 October 2006

Mystery still surrounds the serious illness which hit two policewomen after they investigated a room where a woman's body was found in Brisbane's east.

Both officers reported feeling nauseous and light-headed .. not long after they entered the room in Thornlands yesterday morning.

One of the officers lost consciousness a short time after leaving the room .. while the second officer's condition deteriorated after she went back to work.

Both officers spent time in hospital.

Air samples from the room were analysed by Queensland Health but no dangerous substances were found .

Police say a post mortem examination showed the woman's death wasn't suspicious.

AAP

Strengthening the capacity of government to influence OHS outcomes

27 October 2006

"A culture of safety must be driven from the top," said ASCC Chairman, Mr Bill Scales. "As a major employer, policy maker, regulator and purchaser of equipment and services, governments have a leadership role in demonstrating examples of good OHS practice and injury management," Mr Scales said.

"The ASCC's Government Leaders, Safety Leaders guidance provides a model of best practice with practical recommendations to continuously improve OHS performance. This includes obtaining senior management commitment, implementing systems review and improvement, putting in place accountable measures, communicating vital safety information, and providing incentives for good OHS practice.

"The release of the Federal Safety Commissioner's (FSC) Safety Principles and Guidance is another practical example of the Australian Government's commitment to improving OHS outcomes. A key FSC achievement during 2006 is the development and implementation of the Australian Government Building and Construction OHS Accreditation Scheme (the Scheme) to improve the construction industry's OHS performance.

"At the launch event for Safe Work Australia Week on 23 October 2006, the Minister for Employment and Workplace Relations, the Hon. Kevin Andrews MP further announced the implementation of stage two of the Scheme.

Source: ASCC

Safety improvement notices must be taken seriously

26 October 2006

A Braeside panel repair business has been fined \$1000 fine and ordered to pay costs of \$750, without conviction, after failing to implement the requirements of a WorkSafe Improvement Notice.

Pro Shine Australia Pty Ltd (trading as Pro Shine Auto Refinishing) pleaded guilty in the Dandenong Magistrates Court to a charge laid under the Occupational Health and Safety Act.

Continued on page 5





SAFETY AT WORK BULLETIN

Continued from page 4

The charge was part of a WorkSafe enforcement crackdown on those who fail to meet the conditions set by Improvement and Prohibition notices.

Magistrate Thomas Hassard was told a WorkSafe inspector visited Pro Shine on 9 November 2005 and issued an Improvement Notice because of concerns that fumes from the spray-paint mixing rooms escaped to other parts of the premises.

The notice said one means of achieving compliance was to install ducting or filtration from room to room to ensure fumes were not discharged into other work areas.

Compliance was required by 9 December 2005. The ducting had been obtained but not installed when the inspector went back to the premises on 21 December and again on 17 March 2006.

No application for review of the notice was received by WorkSafe in relation to the Notice.

The court was told Pro Shine Auto Refinishing was a small business that had been operating 22 years with no previous history. The ducting was installed in March 2006

Source: WorkSafe

Tasmanian Government OHS Inspectorate At Risk Of Breaching International Labour Standards

26 October 2006

The Australian Chamber of Commerce and Industry (ACCI) has today announced that it has commenced an investigation into whether decisions of the Tasmanian Government to appoint serving trade union officials as government health and safety inspectors breach Tasmania's obligations to comply with international labour treaties which have bound governments in Australia for more than 30 years.

If the ACCI investigation establishes a prima facie case and if the government trial continues, ACCI will lodge a formal case with the International Labour Organisation alleging a breach of international labour standards.

In May, the Tasmanian Government announced that specified serving union officials would be appointed government OHS inspectors for a trial period, thus giving union officials extensive statutory powers of inspection, entry and prosecution that are reserved by law for government inspectors.

ACCI fully supports trade union officials, like employer organisation officials, working to achieve safer workplaces on behalf of their members.

However employers do not believe that serving officials from trade unions (or employer bodies) should be appointed as government inspectors whilst retaining trade union responsibilities. Public and industry confidence in inspectorates can only exist where those inspectorates are comprised of officials who are independent and seen to be independent of any external or vested interest.

The Tasmanian Government should either appoint these officials as full time government inspectors, or remove the legislative power it has conferred on them.

The ILO Labour Inspection Convention (Convention 81) was ratified by the Whitlam Government in June 1975 and its ratification has continued to this day. That Convention requires all governments to make sure that its inspectors do not exercise other duties that could "in any way" prejudice their "authority and impartiality".

Any ACCI action in the ILO would be based on this issue of principle, without needing to draw on the specific circumstances or conduct of individual officials or inspectors.

The ACCI investigation will be undertaken with the support of employer bodies affected by and concerned with the Tasmanian Government decision, including the Tasmanian Chamber of Commerce and Industry, the Australian Mines and Metals Association and Master Builders Australia. ACCI will also use the services of the International Organisation of Employers in conducting this investigation.

Source: ACCI

WorkSafe and EnergySafety investigates death of electrician

October 23 2006

WorkSafe and EnergySafety are investigating the work-related death of a 41-year-old man at Innaloo today.

The man was believed to have been working in the roof space of a private residence.

WorkSafe and EnergySafety thoroughly investigates all serious electrical work-related injuries and deaths in WA with a view to preventing future incidents of a similar nature.

Albert Koenig, Executive Director, EnergySafety said any work-related death is a tragedy and this incident highlights the hazards when entering or working in a roof space. It is therefore essential that all householders and tradesmen isolate the electricity supply by turning the main switch off prior to entering or working in the roof space.

Source: DOCEP

Continued on page 6





SAFETY AT WORK BULLETIN

Continued from page 5

Cleaner Fined For 'Severe And Disabling' Injury To Teenage Worker

26 October 2006

A contract-cleaning firm has been fined \$26,000 by the SA Industrial Relations Court in a case described by SafeWork SA as "a succession of safety failures".

It's prompted the agency to urge employers to contact it for any help they may need in developing safer work procedures.

Biniris (Aust) Pty. Ltd. pleaded guilty to breaching 19(1) of the Occupational Health, Safety and Welfare Act 1986, in that it failed to ensure that its employee was safe from injury and health risks whilst at work.

The incident occurred on 19 January 2005 at a Bordertown abattoir.

The court heard how on her first day of duties there, the 19 year old employee was instructed by her supervisor to reach into an unguarded moving conveyor belt in order to clean out offal that had fallen in the slaughter floor area.

In the process of doing so, her upper arm became trapped in the machinery and she suffered injuries including major lacerations and nerve damage, with possible permanent loss of function.

The court also heard that Biniris did not report the incident to SafeWork SA until at least a month later.

In his judgement delivered on Friday 20 October, Industrial Magistrate Stephen Lieschke noted that Biniris had:

- No hazard identification, risk assessment nor safe operating procedure for cleaning the line.
- No general safe operating procedure on cleaning moving machinery, and
- Inadequate training, instruction and supervision of employee and of supervisors.

"Biniris' failures combined to create a high risk of injury to a young worker at her first attempt to perform the required task. The work method was foreseeably inherently unsafe. The injury suffered was about as severe an injury posed by the risk," Magistrate Lieschke said.

SafeWork SA Executive Director, Michele Patterson, describes the lack of safety consideration in this case as: "completely unacceptable in this day and age when health and safety information is freely available.

"Every possible safety precaution that could have and should have been considered here was missing, as well as the need to report the incident to us promptly. A young girl, a new worker, has paid a terrible price for this succession of safety failures," Ms. Patterson says. "The law is explicit on the safeguards that must be in place to protect people at work, and help is always available for employers who want it."

Source: SafeWork SA

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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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