



# SAFETY AT WORK BULLETIN

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## Overhaul to Burnley Tunnel tipped following fatal fire

MELBOURNE, March 25 2006

Victoria Police will examine the need to overhaul the Burnley Tunnel after three people died in a fiery multi-vehicle crash.

State assistant commissioner for traffic Noel Ashby said possible changes to the tunnel included reducing the 80km/h speed limit, restricting trucks to the inside lane and installing emergency lanes.

Mr Ashby said the police and coronial investigation would dictate future action, Fairfax newspapers report.

The investigation is expected to take months.

Mr Ashby said speed would be investigated to determine if it had played a part in the tunnel crash on Friday and police will assess the video footage to determine whether any charges would be laid. But a road-safety expert has blamed speeding trucks.

Australian College of Road Safety former president Raphael Grzebieta, from Monash University's department of civil engineering, said trucks should be banned from freeway right-hand lanes as it is in Britain.

And trucks should travel at a speed limit of 60km/h in tunnels.

But an Australian Trucking Association spokesman said it was too early to lay blame and trucks should use any lane as long as they didn't speed.

Three men died in the tunnel's inferno, including former Olympic cyclist Damian McDonald, 34, from Sunbury, who was driving a Mazda sedan.

The other men killed were an Essendon man, 51, driving a Toyota van, and a Sandringham man, 37, driving a Holden ute.

Each of them was travelling alone.

AAP

## Young woman wins compo for AWA "bullying"

March 19 2006

A former trainee mine worker has won a compensation payout from her employer, which she claimed bullied and harassed her for not signing an AWA.

Lorissa Stevens, 21, settled with Hunter Valley company Mining and Earthmoving Services (MES) in the Federal Court today.

Ms Stevens had alleged she was subject to unlawful duress and was ultimately dismissed by MES in June last year for refusing to sign the Australian Workplace Agreement.

She also alleged she was told by management she would be blacklisted and would never be able to find work in the region again.

"It was a great result today, it's been fantastic, I've received compensation and legal costs," Ms Stevens said outside the court. "IR laws are a very scary thing. AWAs for young people, they need to be torn up. There are so many people out there today being affected by these laws. I think because of my age they thought I was an easy target. They thought I would just sign away my rights at work, and there was no way I was ever going to sign my rights away at work."

Ms Stevens said that among her objections to the AWA was a clause

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that said she would be fined \$200 if she failed to give 12 hours notice of sick leave.

The amount of compensation was not disclosed.

AAP

## WorkCover raking in revenue at companies' expense: report

SYDNEY, March 19 2006

An investigation has revealed that WorkCover is raking in \$1 million a week by telling businesses their subcontractors are actually employees and demanding huge backdated compensation premiums.

News Limited says its investigation has revealed that WorkCover's hunt for subcontractors in breach of its rules has trebled its audit from 6,590 to 20,227 over the past four years.

And it's claimed that the move is forcing six companies a day into bankruptcy.

Subcontractors usually pay their own insurance and employers only pay WorkCover premiums for long-term staff.

But confusion over the definition has allowed WorkCover to squeeze employers for extra revenue, News Ltd said.

AAP

## Restaurant patrons evacuated because of fumes

MELBOURNE, March 23 2006

Fire fighters had to evacuate nearly 100 diners from a Melbourne restaurant after acrid fumes began to fill the building.

The Metropolitan Fire Brigade (MFB) said it was called to the Pavillion restaurant in suburban Doncaster about 10.30pm (AEDT) yesterday after receiving reports of fumes emanating from the toilet area.

"On arrival it was necessary to evacuate nearly 100 patrons and staff for safety reasons," an MFB spokesman said.

"Given that initially MFB crews were unable to identify the nature of the fumes, additional specialist appliances and crews were sent."

Three fire fighters wearing breathing apparatus and decontamination suits used gas detection equipment and also took air samples from the restaurant in an effort to identify the fumes.

One fire fighter was overcome by the fumes and had to be treated by paramedics on the scene.

"It also affected several restaurant patrons who were actually vomiting," the spokesman said.

The MFB said it was three hours before the area could be declared safe and staff were able to return to the building.

A MFB scientific officer, who was at the scene, has not been able to identify the fumes or where they came from.

AAP

## Top OHS salary packages nudge \$300,000

20 March 2007

Once considered something of a dead-end job, occupational health and safety has become one of Australia's most lucrative career choices, a salary survey has revealed.

The results of the 2006/07 SafeSearch Health, Safety and Environment Remuneration (HSE) Survey will be released at the tenth Safety In Action Conference today.

SafeSearch invited 70 companies to participate in the survey and 29 companies responded, an excellent response rate, particularly with over half of the participants in

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## SIA WA BREAKFAST SERIES

### Construction Safety Awareness Training - Blue Card

New laws came into effect on 1st January, 2007 requiring those who work in the construction industry to complete a Construction Safety Awareness Training Course.

Learn more about the requirements from Gail McGowan, Director of Policy and Education at Worksafe. Gail will talk about why the new laws were introduced, who they are intended to cover and what's involved in the training. She will also provide a snapshot of some other key developments in the construction area at both state and national level and touch on the new national standards for both construction and high risk work.

**PRESENTER: Ms Gail McGowan** - Director, Policy and Education of the Worksafe Division of the Department of Consumer and Employment Protection in Western Australia.

Since commencing with WorkSafe in 1999 Gail has had responsibility for policy, planning, information and education in the agency, including overseeing the highly successful ThinkSafe Small Business Assistance Program.

Gail works closely with the Commission for Occupational Safety and Health in Western Australia and is a member of a number of state and national groups related to occupational safety and health, including

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the ASX 200. This is the first time a comprehensive survey has been conducted across industry sectors for these professions and the level of participation and calibre of participants reflects a growing interest in health, safety and environment.

Participants include industries as diverse as resources, manufacturing and telecommunications through to professional services and government.

Julie Honore, managing director of HSE search and recruitment specialist SafeSearch, said the remuneration packages of HSE general managers reinforced the seniority and value increasingly placed by business on these roles.

"What will be of particular interest is the increase in remuneration levels which we have been informally observing for some time," Ms Honore said.

"The survey confirms that average graduate packages are now commencing at \$64,000 and GM roles in the upper quartile exceed \$280,000 per annum. This will be quite a surprise to some of the smaller companies," said Honore, "and may clarify for them why they have been having difficulty filling their roles. While salary alone should never be the sole determinant in taking a role, if a company isn't competitive in this area, then they need to have other benefits such as gym membership and flexible work hours available and be ready to convey these to candidates."

Source: Safesearch

## Optus wins right to shift to federal compo scheme

CANBERRA, March 21 2006

Telecommunications company Optus has won a High Court case that allows it to leave the Victorian workers' compensation system and join the federal scheme.

The federal government has leapt on the ruling, using it to urge the states to simplify their workers' compensation laws.

But lawyers warned the decision could see the state-based schemes suffer and hurt workers and small businesses.

Optus expects to save \$2.2 million a year by the move.

Federal Workplace Relations Minister Joe Hockey welcomed the High Court's decision.

"The states which challenged the right of companies to leave their schemes should now do the right thing and stop playing politics," he said. "It is time for them to work together and put in place consistent and uniform self-insurance arrangements for multi-state employers."

Optus originally applied to the federal Safety, Rehabilitation and Compensation Commission (SRCC) to join the federal scheme because it believed its main competitor, Telstra, would have an unfair advantage as a member of the federal scheme.

Companies must convince the SRCC that they are in competition with current or former commonwealth authorities to be eligible. But the Victorian WorkCover Authority appealed against the decision in the case of Optus, claiming the commonwealth had breached the state's rights under the constitution to manage its own insurance laws.

The full bench of the High Court today voted by a 5-2 majority, with justices Michael Kirby and Ian Callinan opposed, to dismiss the appeal, and held that the licensing provisions of the federal SRC Act were valid.

The majority decision found that under the federal licence it was left to a corporation to organise its own insurance cover in respect of its liabilities for the death or injury of workers.

Optus said it expected to save \$186,000 a month, or \$2,232,000 a year, by opting out of Victorian WorkCover.

Lawyers, however, said the ruling would see state-based compo schemes suffer and could force up premiums and reduce benefits to workers.

"With large companies able to join a national scheme, the state-based schemes may have to raise premiums on small businesses just to remain viable," Australian Lawyers Alliance president Simon Morrison said. "This also leads to a trade-off in workers' benefits. For those who are receiving good benefits now, there is the potential risk of being worse off."

LinFox, Telstra, Pacific National, National Australia Bank and CSL Ltd are among a succession of big companies that have shifted from state compo schemes to the federal regime.

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several involving the construction sector.

WHEN:

Friday, 30th March 2007

WHERE:

Matilda Bay Restaurant, Hackett Drive, Crawley

PARKING:

public car parking is available

TIME:

7.30am - 9.00am (includes a hot breakfast)

COST:

Members: \$38.50 (GST Incl)

Non Members: \$48.50 (GST Incl).

For more information and bookings contact

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## Workers compensation premiums set to fall again

SYDNEY, March 21 2006

Workers' compensation premiums are being reduced for NSW employers, while the state government commits \$250 million to helping injured employees. NSW Commerce Minister John Della Bosca announced the plans today, saying there had been a further recovery in WorkCover's financial woes.

Under the government's plans, all employers will have their workers' compensation premiums cut by another five per cent, the fifth fall in 19 months. A cash injection of \$250 million will also be used to improve WorkCover's programs to help injured workers return to work.

Mr Della Bosca said the one-off payout and premium cuts were possible because of the continuing improvement in WorkCover's finances from a \$3.2 billion deficit to a \$416 million surplus. "The scheme returned to financial stability and it can now be said to have completely returned to financial health," Mr Della Bosca told reporters. "It means we can lower premiums and increase benefits and increase services to workers now we've fixed the scheme."

Mr Della Bosca said every business in NSW would benefit from the premium cuts, which are worth \$115 million and come into force on June 30 this year. In the past 19 months, premiums have fallen by 25 per cent in the past 19 months, representing a saving of \$675 million for employers.

Asked about the chance of payroll tax relief for businesses, he said the premium cuts would be of benefit to more employers than a cut to payroll tax. "It's very important to understand that this \$675 million is a massive benefit to all private businesses in NSW, including the smallest, who are of course the engine room of our economic growth," Mr Della Bosca said. "Most of the businesses or many of the businesses that will benefit from this premium reduction would not get a cent cutting payroll tax. This is a bigger and more important contribution to the private economy than any payroll tax cut that could be afforded."

His announcement came after reports Premier Morris lemma would agree to cutting payroll tax if the federal government increased NSW's share of GST revenue. The WorkCover board will consult with employer groups and unions to work on ways the state government's one-off \$250 million could be used to improve programs for injured workers.

Mr Della Bosca said he expected the money would be used to make significant improvements in injury management, recovery and prevention. He said the government decided to spend \$250 million from the WorkCover scheme's surplus on the injury prevention schemes rather than use it to fund even bigger premium cuts on the advice from accounting group PricewaterhouseCoopers.

PWC actuary Michael Playford said a reduction in the number of claims and benefit payouts had helped improve the WorkCover scheme's health.

He said the frequency of claims had been falling since 2001, while incapacity benefit payouts had dropped 30 per cent. About 95,000 workers compensation claims were made last financial year.

AAP

## Report into train disaster threat censored

SYDNEY, March 21 2006

RailCorp has suppressed details in documents that would reveal the risk of catastrophe if trains were to derail at certain sites on the Sydney rail network, prompting an investigation by the NSW Ombudsman.

Fairfax Newspapers have been in a two-year, freedom-of-information (FOI) battle with RailCorp over an internal program that evaluates the risks posed by more than 60 structures built over rail lines. They include roads, overpasses, car parks and other buildings.

The documents reveal that if a train were to derail at the Hurstville Supa Centre the bodycount could be even greater than Australia's worst train disaster at Granville in 1977 when 83 people were killed. Six other sites were also rated as high priority.

They were the Goulburn Street parking station, the Cahill Expressway at Sydney's Circular Quay, the rail flyover at Central station, North Sydney station and the Marrickville and Bankstown car parks. The last two have since been demolished.

Finding out more detail has been difficult since RailCorp heavily censored the documents provided under FOI to Fairfax.

Despite intervention by the ombudsman and two years of negotiations, RailCorp refused further access two weeks ago. The ombudsman has since launched an investigation.

RailCorp chief Vince Graham said work had been undertaken to minimise risk to an acceptable level at the high-priority sites. He also said RailCorp would not release any further documents to Fairfax. "RailCorp stands by its decision not to release information that amounts to a how-to manual for individuals wanting to destroy a structure in Sydney's CBD and pose serious danger to passengers and staff," he told Fairfax.

AAP

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## Lead fears prompt Esperance blood testing

March 20 2006

A new blood testing clinic will open in Esperance tomorrow amid fears heavy metals shipped out of the West Australian port may have contaminated water in the town. A specialist is travelling to Esperance to open a temporary clinic to test for lead in the townspeople's blood.

This comes as authorities investigating the mysterious deaths of more than 4,000 birds around the town found they probably died of lead poisoning, prompting a health scare. New tests have now found high levels of lead and traces of nickel in some water tanks near the port, which has been ordered to stop all lead carbonate shipments while investigations continue.

WA Health Minister Jim McGinty told state parliament today the government was sending a phlebotomist (someone who practises the drawing of blood for therapeutic, transfusion or diagnostic purposes) to Esperance to open the new blood clinic tomorrow. He said children under the age of five and pregnant women were most at risk from the effects of lead.

"The lead testing clinic which has been established at the Esperance hospital will prioritise their work around those two particular groups," Mr McGinty said. "Lead is a serious concern but so also is nickel ... Exposure to elevated levels of nickel will result in skin irritations and more frequent asthma attacks for those people who are sensitive to nickel."

Shire president Ian Mickel today said the council had tested 55 water tanks and found five contained lead levels above those considered safe under Australian drinking water standards. "It is a very small sample but my feelings are, from those 55 water samples, is that it is not as widespread as our first fears led us to believe. Those five are reasonably close to the port, water samples further out have not shown high lead," Mr Mickel said. Mr Mickel said people in the town were still anxious.

"I think they still are. They are still needing more information, they need to know what impact it may have had on their health."

Peter Hudson, an Esperance resident and owner of a local diving and fishing business, said there was unease in the town.

"Certainly, people are wary about drinking rainwater from their tanks until things have been checked," Mr Hudson said. "People are waiting to see what will happen, there is a degree of concern."

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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