



# SAFETY AT WORK BULLETIN

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30 May 2005

Smoking in both indoor and outdoor workplaces remains an occupational health and safety issue irrespective of any other legislation that may allow for smoking in open public places, ACT WorkCover has warned.

"Employers are required to provide healthy and safe workplaces and allowing employees to be exposed to tobacco smoke through passive smoking breaches this obligation," ACT WorkCover Commissioner/CEO Erich Janssen said.

With amendments to the Smoking (Prohibition in Enclosed Public Places) Act 2003 coming into effect on 1 December 2006, some ACT businesses will be altering their workplace to enable them to adhere to the new 75-25 rule.

Under the new rule if the proportion of the public place that is open to the outdoors is greater than 25% of the total surface area of the ceiling, roof, walls and windows, the premises will not be considered "substantially enclosed" and the smoking prohibition in the Act will not apply.

This will have particular significance for hospitality industry businesses wanting to retain smoking areas.

"Safety obligations under the OHS Act will apply even where employees subjected to passive smoking are working in areas where smoking is not banned by the new legislation," Mr Janssen said.

Careful consideration is required to prevent drift and leakage of environmental tobacco smoke from outdoor smoking areas to the rest of the workplace through doorways, corridors, vents, windows, basements and lift areas. Bar service points should not be located in smoking areas.

"Employers have a continuing occupational health and safety obligation and need to give careful consideration when making any alterations to their buildings in response to the 75-25 rule as to how these safety obligations will be met," Mr Janssen said. Source: ACT WorkCover

### Worker Killed In Horrific Abattoir Accident

May 31 2005

A man who died when he fell into a meat grinder at a West Australian abattoir was due to marry within weeks, police say.

Robert Ahrens was working at the Hillside Meats abattoir in Narrogin, 192km south-east of Perth, about 1.15pm (WST) yesterday when he fell into the meat auger.

Police said events immediately preceding the 36-year-old's death were being investigated, but the tragedy had shocked the community and left friends and family traumatised.

"It is a real tragedy that has affected obviously all his fellow workers and friends and the

community as a whole," said Senior Sergeant Paul Kosovich.

"He was apparently getting married in the next couple of weeks. His family is not coping too well with the devastating news ... it has had a massive impact."

The 30m long auger, which runs inside a horizontal trough, is used to grind meat offcuts and offal for processing.

"Basically we don't know how, but somehow he fell into or got entangled in a meat auger which has pulled his whole body into the machine," a police spokesman said.

"There were deep, massive lacerations to his neck, chest, arms - killing him quickly."

St John Ambulance and the Fire and Emergency Services were called to the scene after workmates were unable to free him.

"They had to pull the machine apart to get him out," the police spokesman said.

The abattoir was closed today as WorkSafe investigated the death.

Counselling has been offered to Mr Ahrens' colleagues and family.

Australasian Meat Industry Employees Union WA branch acting secretary Graeme Haynes said he was disturbed by the death.

"It sounds like an horrific accident and we urge employers in the industry to be vigilant and adhere to their general duty of care," Mr Haynes said.

He said the Narrogin meatworks was not unionised, but that workers always had a right to a safe workplace.

A report will be prepared for the coroner. AAP

### Engaging the Community on Health and Safety Will Benefit Workforce Participation and Skill Retention

31 May 2005

Statement by Mr Peter Hendy, Chief Executive

The Australian Chamber of Commerce and Industry (ACCI), Australia's largest and most representative business organisation, is advocating wider community attention to health and safety as a key ingredient in a renewed national effort to improve Australia's OHS performance.

This month's ACCI Review provides an overview of the first national blueprint on OHS released by ACCI and employer bodies, Modern Workplace: Safer Workplace.

There are powerful community benefits and spin-offs from investing in personal health and





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## Pressure From Hotels on New Smoking Laws

By Adam Gartrell - AAP

May 31 2005

New laws that will restrict smoking in NSW pubs and clubs could be watered down under pressure from the hotel industry, the Australian Medical Association (AMA) has warned.

The AMA's NSW branch marked World No Tobacco Day today by calling on the state government not to back down on its commitment to restrict smoking to one enclosed area of all pubs and clubs from July. A total ban will then come into force in 2007.

The laws, which mirror similar recent initiatives in Ireland, New Zealand and Italy, are designed to minimise the impact of passive smoke on staff and patrons.

But AMA NSW President Dr John Gullotta said the government was considering a definition of "enclosed" proposed by the hotel industry that would effectively allow smoking in any room with large windows.

The AMA said any structure with a ceiling that fully or partially impedes the upward flow of tobacco smoke should be defined as enclosed.

"We understand that the hotel industry is seeking adoption of an air-to-space ratio approach where areas with as little as 25 per cent of open space could be considered enclosed," Dr Gullotta said. "We ask the government to consider the consequences of watering down their promise and implore them to stand up to the hotel industry."

AMA NSW director of workplace relations Fiona Davies said there was "a range of lobby groups" behind the push. "There's a very real possibility that these laws will be eroded, as well as the enforcement methods, because of an increased focus on complexities and loopholes," she said.

World No Tobacco Day is proclaimed each year on May 31 by the World Health Organisation. AAP

safety.

As we know from the blow-out in disability pensions, it is not sustainable to have large numbers of persons of working age out of the labour market for sickness or health reasons.

The Blueprint highlights how many of the OHS attitudes and cultures brought into workplaces are the product of cultures and practices developed in schools, in homes or in leisure and sporting activities.

A 'she'll be right' approach to OHS is a failure to meet one's duty of care, and a failure to personally contribute to the safety of the community in which we work and live.

The ACCI Blueprint identifies how education systems can inculcate a culture of safety, especially amongst young people, before they acquire poor OHS habits.

This involves community-based education from an early age, not just vocational training.

If young people - if school age children - are at an early age taught basic principles about safety - such as how to climb a ladder or the correct way to lift - then those habits will be brought into the home and into the workplace.

Parents also have a role in applying these principles in family life.

Source: ACCI

## Cars Crushed By Falling Concrete

May 31 2005

Two cars have been crushed by giant concrete slabs near a work site in Melbourne's east.

Firefighters are at the scene, on the Maroondah Highway at Ringwood, amid fears one of the crushed cars is believed to have a potentially dangerous gas tank.

WorkSafe spokesperson Michael Birt said the incident happened about 3.30pm (AEST) today when the two slabs, weighing up to 18 tonnes, fell on the cars, completely crushing them.

The cars were parked on the side of the highway, near the work site, and both cars were empty when the accident happened.

No one was injured, but the matter would be investigated, Mr Birt said.

AAP

## Unguarded Saw Claims Woman's Hand. Company Convicted And Fined \$48,000.

May 31, 2005

A Magistrate has been told of a horrific injury suffered by a woman whose right hand was cut off by an unguarded docking saw.

Dandenong Magistrate, Clive Alsop said one only had to look at the machine to see there was an inherent danger in the saw's operation as it had no safeguards as required by occupational and health laws.

In convicting and fining the Raminti Trading Co Pty Ltd \$48,000 he said the Dandenong South firm knew the machine was dangerous.

The company pleaded guilty to two charges laid under the Occupational Health and Safety Act.

WorkSafe told the court that on 20 May 2004 the worker was cutting lengths of timber to make into a lattice.

Although she had been with the company since 1993, she had received no training on the machine but had operated a similar machine in Malaysia.

- WorkSafe's investigation found:- the machine was operated by a pneumatic button located at the front of the machine. The button had no safety guard to prevent inadvertent operation. The button had been moved from its initial position to the right of the machine about seven years before the incident at the request of the worker.
- The button was replaced while the worker was absent from the workplace but was not in a safe position according to the worker.
- the company could not provide any evidence of induction or training in respect to workplace operations;
- the docking saw had not been maintained properly as shown by a missing door, leaking air hoses, stripped thread on the operating button and an unreliable source of air pressure;
- the company provided no documentation to the investigating inspector detailing any maintenance program or risk assessment being carried out on the machine

The court heard that as the worker leant over to pick up some cut pieces of wood the machine was inadvertently activated, trapping her right hand which was cut straight through.

The hand was re-attached by surgeons who used two veins from her right foot, however her prognosis was uncertain.

Although counsel for the company told the court the injured worker acknowledged she had been told by the director not to place her hands near the machine's blades when feeding material in, WorkSafe said guarding would have prevented the incident happening.

Within days, the machine was replaced by a new one which was fully guarded.

WorkSafe's Executive Director, John Merritt said the risks of working with unguarded

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machines were clear and it was essential that anyone using powered equipment was properly trained.

“The fact that the machine was not guarded was the major contributing factor. It is easier to fit a guard to a machine and protect the worker than try and fix an injury.

Source: WorkSafe Victoria

## Gippsland Paper Mill Death The Industry's Third In Three Years

May 31, 2005

WorkSafe has begun a comprehensive investigation into the death of a man at the Paperlinx Mill at Maryvale in Gippsland on May 25.

The 31-year-old Traralgon man was undertaking maintenance on a paper-making machine when a roller fell and hit him.

Workmates and ambulance officers tried unsuccessfully to resuscitate him. The incident happened around 7:30pm. He died at the scene around 8:30pm.

The fatality is the third death in the Victorian paper-making industry in just over three years.

In March 2003, 29-year-old Darren Moon died when he was crushed in high speed rollers at the Amcor mill at Fairfield.

Amcor Packaging was convicted and fined \$120,000 for breaching Sections 21(1) & (2)(a) and 21(1) & (2)(e) of the Occupational Health and Safety Act.

In March 2002, George Papayiotou died at the Maryvale Paper mill when he became trapped in a machine and suffered fatal injuries. Paper Australia Pty Ltd was charged under Sections 21(1)&(2)(a) two counts and (b) of the Occupational Health and Safety Act.

The company was fined a total of \$90,000 and ordered to pay compensation to four family members totalling \$160,000.

The Maryvale fatality is the 11th Workplace death in Victoria this year. At the same time last year there had been 14 deaths.

Source: WorkSafe Victoria

## Council Fined After Tree Clean-up Goes Wrong

May 31, 2005

The City of Greater Bendigo has pleaded guilty to an Occupational Health and Safety charge after a 62-year-old Huntly woman was struck by a large tree branch in October 2003.

At the time of the incident, a council worker was using a chain saw to clear overhanging branches that were obstructing a public footpath.

The woman was inside her property and walking towards the council worker when the partly-fallen bough suddenly overbalanced, striking and knocking her unconscious.

Bendigo Magistrate, Lionel Winton-Smith, fined the City of Greater Bendigo \$10,000 without conviction. The charge related to a failure to ensure the safety of people other than its own employees.

WorkSafe's investigation found the Council failed to:-

- Provide any adequate system of work in particular hazard signs, erection of barriers, safety observers or a method to secure an exclusion safety zone;
- Inform, instruct and train the worker to stop what he was doing or to warn people to stay away if they approached him while he was using a chain saw;
- Provide the worker with a checklist of the possible hazards associated with working with trees;
- Ensure that the bough was braced or secured;
- Provide adequate personnel for the work undertaken;
- Comply with industry standards and safety booklets produced by WorkSafe relating to people working with trees;
- Supervise that the work was undertaken in a safe manner.

WorkSafe's Executive Director, John Merritt, said the dangers of working with trees and powered tools only increased when operators became distracted or were required to concentrate on anything other than the job at hand.

Source: WorkSafe Victoria

## WorkCover NSW Safe Work Awards

1 June 2005

NSW Minister for Commerce, John Della Bosca, today announced the opening of nominations for the 2005 WorkCover NSW Safe Work Awards.

“The inaugural awards last year were a tremendous success, with 80 entries received and 27 entrants making the finals,” Mr Della Bosca said.

Nominations for the 2005 Awards open today, with employers and employees invited to submit written entries in six categories:

- Best solution to an identified workplace health and safety issue

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## Unqualified Teenage Boy on Building Site

June 5 2005

An independent investigation will be held into why an unqualified teenager was found working as a safety observer on a suburban railway line on Sydney's north shore.

The 16-year-old was filling in as a corridor protection officer for a contractor working for the Lane Cove Tunnel Company at Artarmon, RailCorp spokeswoman Helen Willougby said.

The job involves monitoring rail traffic to ensure the track is clear of workers and equipment when trains approach.

The teenager was the son of the private contractor, she said.

RailCorp transit officers discovered the safety breach last Monday night and called for a halt to the work.

“Under the agreement they (the Lane Cove Tunnel Company) need to provide a corridor protection officer (who) is responsible for the safety of the people who are employed on that job,” Ms Willougby said.

“And, effectively, it was the subcontractor who they had employed as the protection officer who committed the safety breach.”

The matter will be investigated by the Office Of Transport Safety Investigation - the independent safety and reliability regulator, she said.

“We also obviously will take the matter up with the company.

“The person who's committed the breach here is the subcontractor and I would imagine that any action would be taken against him and his company.”

The incident had no effect on rail line operations, she added.

AAP



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## Head Airbags Offer Protection

June 1 2005

All cars should offer a full package of airbags, preferably as standard equipment, Australia's New Car Assessment Program (ANCAP) says.

ANCAP conducts crash tests of cars on the local market and has found with its latest tests that curtain airbags offer significant head protection.

"The results in the test were dramatic," said ANCAP chairman Lauchlan McIntosh.

"We would encourage all new car buyers, whether they are fleet managers, company buyers, or mums and dads to make sure they consider curtain bags in their next purchase."

But Mr McIntosh said ANCAP would actually like all car manufacturers to go further and include a full complement of airbags in all vehicles.

"We would like to see all vehicle manufacturers provide dual front, side and head airbags in all models, preferably as standard equipment but at least as a stand-alone option.

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- Best solution to a workplace manual handling hazard
- Best workplace health and safety management system
- Best workplace health and safety practices in a small business
- Workplace Safety Champion – Small business or organisation
- Workplace Safety Champion – Medium/large business or organisation

"Nominations will close on Friday 22 July, with applications being reviewed and shortlisted by a WorkCover assessment panel during August and September," said the Minister.

Three WorkCover NSW Safe Work Awards winners will automatically be in the running for national honours in a new awards program instituted by the Commonwealth Department of Employment and Workplace Relations.

Further information on the awards can be obtained from the WorkCover website, [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au) or by phone on 13 10 50.

Source: NSW Minister for Commerce

## Design faults blamed for golf club collapse

June 1 2005

Design faults have been blamed for a roof collapse at an Adelaide golf club that killed two women in 2002.

South Australian Coroner Wayne Chivell also criticised the design and construction process for the extension at Riverside Golf Club, saying no one took overall responsibility to ensure the roof was adequate.

"The software designer and truss manufacturer played no role in considering whether the lateral bracing of the truss was adequate," he said today.

"The builder did not supervise the work of the tiler who installed the battens, and nor did the principal roof contractor or the tile supplier.

"The tiler himself was obviously only concerned with his area, namely the installation of the tiles.

"The only conclusion that is available on the totality of the evidence is that there was no one authority which took responsibility for ensuring that the overall design of this roof structure was adequate."

Marilyn Jeanne McDougall, 52, and Johanna Paulina Maria Heynen, 70, were crushed when part of the roof of the golf club, in Adelaide's western suburbs, caved in.

Their bodies were trapped under debris for about seven hours while rescue workers cleared the area and ensured it was safe to enter.

Eight other women were hurt in the collapse and were treated in hospital, mostly for minor injuries.

The coroner has traced the problem with the roof back to inadequate lateral bracing of the double roof girder.

As a result part of the roof truss buckled over time and eventually failed.

Mr Chivell has recommended all people involved in the design, manufacture and erection of truss roofs be reminded they all should carry responsibility for the integrity of the roof as a whole.

In particular, he said designers and manufacturers should incorporate a system for proper lateral restraint of roof trusses.

"The system should allow for and guard against defective or inadequate installation rendering the roof construction potentially unsafe," Mr Chivell said. AAP

## Mining Industry Safety Initiative

1 June 2005

The Tasmanian Government has announced a major initiative to improve safety for those working in the Tasmanian mining and minerals industry.

The Minister for Infrastructure, Energy and Resources, Bryan Green, told a Budget Estimates Committee today the Government would allocate \$374,000 in 2005/06 to create an Office of the Chief Inspector of Mines.

"Mining is a unique industry with specific hazards, and this initiative will enhance the ability of the Workplace Standards Division of my Department to concentrate on assisting the mining industry to improve its occupational health and safety performance," he said.

"A National Mine Safety Improvement Plan has been developed and endorsed by the State Government. For the plan to work in Tasmania it is essential that the regulatory arrangements mirror those of most other States which have a specialised mines inspectorate operating."

He said the Office of the Chief Inspector of Mines would have:

- a technical resource responsible for ensuring the long-term safety of the mines from a technical point of view; and
- an inspection resource to deal with day-to-day safety, dangerous goods and industrial issues.

The initiative will fund two additional senior inspectors and an extra mining engineer with geotechnical experience. This is in addition to the two existing specialist inspectors working in this area.

Mr Green said this would also help free up resources to enable staff to focus on

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other areas of workplace safety.

He said the Tasmanian mining industry contributed around 40% of the State's export income and was currently in its strongest position for several years.

Source: Minister for Infrastructure, Energy and Resources

## New safety management toolkit cares for volunteers

1 June 2005

Volunteers working on environmental or natural resource management projects around Australia can feel safer with the release today of a new safety management toolkit for community groups.

In **Safe Hands - a Safety Management Toolkit for Community Groups in Practical Conservation**, produced by Conservation Volunteers Australia (CVA), was launched in Canberra by the Minister for Fisheries, Forestry and Conservation, Senator Ian Macdonald.

"Volunteerism today isn't the same as it was 20 years or so ago. Today, we are more aware of our responsibilities to each other, especially our legal responsibilities," Senator Macdonald said

"Indeed, the need to have a safe working environment applies just as much to volunteers as it does to paid employees.

"And this is where CVA's toolkit comes into its own. It gives reassurance to people who volunteer their efforts that risks of injury are identified and managed."

The toolkit includes a hard-copy manual with sections on general safety management; worksite, motor vehicle and road safety; first aid; tools and appliances; and project records and reporting. A series of forms cover volunteer registration, risk assessment, site inspection and accident reporting.

The toolkit also provides access to electronic downloads and a helpline for advice on specific safety management issues. Training is provided on how best to use the manual, for which there are regular updates and relevant safety alerts.

The In Safe Hands toolkit is available through the CVA website at [www.cva.org.au](http://www.cva.org.au)

Source: Minister for Fisheries, Forestry and Conservation

## Working To a Safer Cold Storage Industry

June 1, 2005

Since 2000 more than 400 injuries have been reported in the cold storage sector at a cost of more than \$2.7 million per year to Victorian business, according to a report released today by the WorkCover Minister, John Lenders.

Mr Lenders said the report **Controlling the risks of work in cold environments** aimed to reduce injuries in the cold storage sector.

"Far too many workers are injured working in this industry and tragically only recently a worker was killed after being struck by a load which fell from a forklift at Laverton North," Mr Lenders said.

The project, involving \$265,000 in funds from Worksafe Victoria, focused on preventing strains, sprains, slips, trips, falls and fatalities in the cold storage sector. It also sought to identify how and why injuries occur.

The project worked on a number of OHS issues, including consultation, training, and the design of cold storage warehouses, protective gear, labour hire and manual handling.

For more information on the cold storage sector project or the new Occupational health and Safety Act visit <http://www.worksafe.vic.gov.au>.

Source: Minister for WorkCover

## Victorian jockeys to face harsher riding penalties

June 2 2005

Jockeys face harsher penalties under a revamped policy designed to minimise careless riding on Victorian racecourses.

The new penalties are part of the Victorian thoroughbred racing industry's determination to protect jockeys and make race riding safer and fairer.

The revised policy comes less than three months after Victorian jockeys Adrian Ledger and Gavin Lisk were killed in race falls.

Among the major changes is a mandatory suspension for a minimum of one calendar month where a jockey, through careless riding, causes a fall or loss of rider.

Racing Victoria Director of Integrity Services Des Gleeson said the changes to the penalties demonstrated the stewards' determination to stamp out careless riding.

"The change to our careless riding policy is part of our commitment to ensuring races are run free of interference," Gleeson said.

"We are committed to continuing to make race riding safer and ensuring all horses get a fair chance."

Under the new policy the standard penalty for careless riding suspensions will remain at approximately 18 meetings.

Gleeson said jockeys who cause a fall or loss of rider can expect at least a one calendar month suspension except where there are unusual circumstances.

He said where a jockey is careless but the resultant interference has been contributed to by another jockey, the jockey predominantly to blame would be suspended instead of being severely reprimanded.

In such cases the degree of contribution by the jockey to the interference would be taken into account when determining severity of the penalty which may be less than the standard 18-meeting suspension.



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## Amenity Tree Safety Report

May 2005

ACT Workcover has released a report into the safety practices of the Amenity Tree industry. This is an industry that trims and handles trees other than in forestry or fruit cultivation industries.

The agency found that 61% of employers offered a general health and safety induction to the workplace. The agency believes that this is a low level in relation to the high risks associated with the work tasks.

The owners and workers were very experienced and understood the risks associated with the work but there remained an apparent under reporting of injuries and dangerous occurrences with only 38% of companies identifying they have Injury and Dangerous Occurrence forms.

Over 80% compliance was identified in relation to the following matters:

- occupational health and safety policies
- risk assessments conducted on work being done
- first aid kits
- fall protection
- maintenance schedule for plant
- safe operation procedures for plant
- policies and procedures for management of hot and cold environments,
- temporary traffic management, manual handling, falling objects, fatigue,
- vibration, working near power lines and noise.

A copy of the report is available at [http://www.workcover.act.gov.au/pdfs/Report-AmenTreeInd\\_InspProg.pdf](http://www.workcover.act.gov.au/pdfs/Report-AmenTreeInd_InspProg.pdf)

Source: ACT Workcover

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Stewards will also lower the "bar" and be stricter when determining the degree of interference that warrants a suspension.

Where severe reprimands are currently issued, suspensions could now be imposed with any penalty reflecting the degree of the interference caused.

The new careless riding policy is in addition to a number of initiatives introduced by the Victorian thoroughbred racing industry to enhance safety for riders.

These include:-

- Safety vest and skull cap review, being jointly conducted by RVL and Racing NSW;
- The appointment of David Charles to the new position of RVL Jockey Welfare and Safety coordinator;
- Establishment of the Apprentices Riding Skills Panel by RVL;
- Epidemiology and Risk Factor Analysis of Racetrack Fatalities, being conducted by Melbourne University;
- Epidemiology Study of Jumping Racing, being conducted by RVL and Flinders University Research Centre for Injury Studies, and
- Victorian Institute of Sport Jockey Hydration Project.

AAP

### Ship master gave unclear instructions before bosun's death: report

June 2 2005

The master of a ship hit by a freak wave that led to the death of a seaman failed to clearly communicate with his crew, a report has found.

The 130-metre Hong Kong-registered container ship Aotearoa Chief was leaving Port Phillip Bay, south of Melbourne, bound for Sydney on August 14 last year.

The master had just ordered a change of course, to veer the vessel away from the coast, when a large wave struck.

The wave broke over the forecastle head, a raised deck area, where three crew members were securing the ship's anchors and pilot's ladder.

A 27-year-old Papua New Guinean bosun was thrown against the mooring machinery and suffered severe injuries. He died a short time later.

Another man suffered lacerations to his leg. He was treated at Geelong Hospital after the ship returned to Queenscliff near the mouth of the bay.

An Australian Transport Safety Bureau (ATSB) report, released today, concluded the master's unclear instructions to crew contributed to the accident.

"The instruction given by the master to secure the pilot ladder and anchors did not convey his claimed intent for the crew not to secure the anchors until he further instructed," the ATSB said in its report.

The ATSB found the abnormal wave was probably caused by a strong southerly wind combined with an opposing ebb tide and shoaling waters.

Evidence given during the investigation indicated the three crew members working on the forecastle head did not keep a watch on the weather conditions.

In its report, the ATSB recommended all seafarers observe weather and sea conditions when working in exposed areas.

"Masters should (also) carefully plan the course, speed and/or position of their vessel to minimise the risks to crew members working on exposed decks," the ATSB said.

The Aotearoa Chief had 27 crew on board at the time of the accident, including British, Chinese and Papua New Guinean citizens.

AAP

### Sleeping skipper blamed for collision off Sydney

June 2 2005

A sleeping skipper has been blamed for a collision between a fishing boat and a container ship in waters off Sydney last year.

Exhausted from his heavy workload and lack of sleep, the skipper of Ocean Odyssey had nodded off in the warm vibrating wheelhouse, a report by the Australian Transport Safety Bureau (ATSB) has found.

The Ocean Odyssey ran into the container ship P&O Nedlloyd Taranaki off Port Botany in the early hours of June 20, 2004, throwing two deck hands from their bunks.

The ship, which at the time of the collision had been drifting after stalling due to engine trouble, sustained only slight scratching to its paintwork.

No-one was injured in the collision, but the Ocean Odyssey had to undergo major repairs to its hull and deck.

The ATSB report has recommended work routines allow fishermen to be rested when they are on navigation watch following an investigation into the accident last year.

"The crew on the bridge of the (container) ship had illuminated the ship and switched on the correct light signals after the breakdown," the report said.

"As they watched the fishing vessel approach, they sounded the ship's whistle ... but were powerless to prevent the boat from running into the ship's side.

"The boat's skipper had fallen asleep on watch."

The collision "was a direct result of the skipper of Ocean Odyssey falling asleep", the report said.

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Fisherman on navigation watch should be adequately rested for duty, the report recommended.

"Fishing vessel owners, operators and skippers should ensure that vessel work routines allow watchkeepers to be adequately rested and alert," the ATSB said.

"Given its proximity to the coast, it is likely that if it had not collided with the ship Ocean Odyssey may well have grounded in Bate Bay half an hour later with more serious consequences."

The report also recommended crews of all vessels equipped with VHF radio should maintain watch on channel 16, especially at the entrance to busy harbours. AAP

## Court Case Leads To Reminder On New And Young Workers

June 3, 2005

A Mandurah boat-building company has been fined \$10,000 for failing to provide a safe workplace after an apprentice sustained serious injuries while welding a boat last year.

Dummett Enterprises Pty Ltd and Galtis Pty Ltd – trading as Bouvard Marine - was convicted in the Magistrate's Court of WA Mandurah Registry this week of failing to provide a safe workplace and as a result of that failure, causing serious harm to a person.

In February 2004, a 20-year-old apprentice welder employed by Group Training South West was instructed to weld a seat on a boat at Bouvard Marine, but was given no other instruction or supervision.

When the apprentice struck an electric arc to start his welder, he was blasted into the air by an explosion, suffering burns, shrapnel wounds and serious injuries to his back and legs.

WorkSafe WA Commissioner Nina Lyhne said today that the case was a timely reminder to all employers of the importance of providing employees – especially new and young workers – with the appropriate training and instruction needed to carry out tasks.

"The young man who was injured was not provided with any equipment with which to detect the presence of flammable or explosive substances prior to starting the welding, and this formed the crux of this prosecution," Ms Lyhne said.

"However, I also have grave concerns about the fact that the employer failed to either make the apprentice aware of the potential hazards in the situation, or to ensure there was adequate supervision provided.

"It is essential to ensure that safe work practices are in place and enforced in a situation in which an ignition source is being used where there could be fuel or fuel vapours.

"The employer should have been aware of the danger, and should have made absolutely certain that the apprentice was also aware of it and provided with the equipment to test for flammable or explosive substances.

"This employer's failure to provide a safe work environment has led to a young man

suffering serious and permanent injuries that have already had a profound effect on his young life and will most likely continue to affect his life and job prospects for many years to come."

New and young workers has been established as one of WorkSafe's priority areas – areas that have been shown to have a higher than average number of workplace injuries, illnesses and deaths.

These priority areas are specifically targeted for education and enforcement activities wherever it is appropriate.

In addition, the Commission for Occupational Safety and Health has published a Code of Practice for the Safety and Health of Children and Young People in the Workplace.

"This tragic incident should serve as a reminder to any employer who has new or young employees in the workplace to ensure they are provided with adequate and appropriate induction, training and supervision at all times," Ms Lyhne said.

Source: Department of Consumer and Employment Protection

## Woman Hit By Falling Pallet – Meadowbank

4 June 2005

Police are appealing for information after a fallen timber pallet hit a 50-year-old woman while she was walking in Meadowbank. About 7.30am yesterday (3 June), the woman was walking along Constitution Avenue when a pallet dislodged from a moving truck, hitting her in the neck and head. The woman remains in a critical but stable condition in Royal North Shore Hospital. Inquiries are continuing with police to interview the driver during the weekend.

Source: NSW Police

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