



# SAFETY AT WORK BULLETIN

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Supplied by SAFETY AT WORK magazine

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## New Advisory Council to Lead Workplace Safety

11 August 2005

Australia's occupational health and safety body is to be abolished and replaced by a new advisory council.

The federal government has introduced laws into parliament to replace the National Occupational Health and Safety Commission with the Australian Safety and Compensation Council.

The commission will be responsible for leading efforts to prevent workplace deaths and it will include government representatives, as well as employers and unions.

Workplace Relations Minister Kevin Andrews says the new body will have increased powers to boost workplace safety, as well as overseeing compensation issues.

But unions say the move displays a lack of commitment to workplace safety. AAP

### Crash Trailer Overweight - Police

August 9 2005

A trailer and a shipping container that rolled on top of two cars in Bendigo yesterday were dangerously overweight, police said today.

A man and a woman travelling in separate cars narrowly escaped serious injury when the container fell onto the cars as it negotiated a corner in the suburb of Golden Square.

Acting Sergeant Troy Hargadon of Bendigo police said initial investigations had revealed the combined load of the trailer and the container to be eight tonnes over the legal limit.

He said police investigations were continuing and no charges had yet been laid.

One of the motorists, Christine Jarvis, who suffered a broken leg in the accident, said today she had been pinned in the car for more than an hour.

As she saw the container heading for her car, Ms Jarvis lay on the seat of her Hyundai Excel, a move which rescue workers say probably saved her life.

"As soon as I seen it tip, I just said, 'oh god, oh god'," Ms Jarvis told ABC radio.

"Then I laid down across my seat - it just took the whole top off my car.

"I just hit a bit of my head on the side and pinned my legs under the steering wheel."

A man in the car behind her scrambled into the back seat of his Commodore and escaped injury.

Police said the incident occurred shortly before 6pm yesterday when a truck and trailer carrying two shipping containers full of scrap metal was turning at an intersection in Golden Square.

As the truck turned, the trailer and its load tipped over on to the two cars which were stopped at a set of lights.

The truck driver was treated for shock, but was otherwise unhurt. AAP

### Permanent reminder about farm safety

August 8, 2005

Farmers received a clear reminder of the true cost of unsafe equipment today when a Kyabram farming company was fined \$35,000 after an incident that left a worker scarred for life.

Matthew Dixon could have died when a large section of flesh was taken from his leg after his clothes were caught in an unguarded irrigation pump shaft when working on a property near Kyabram in northern Victoria in November 2003.

WorkSafe told Magistrate Angela Bolger the unguarded shaft was a major hazard and that inexpensive guarding would have prevented the incident.

Mr Dixon had no formal induction training, but had been told not to operate plant while it was undergoing maintenance and that no one should be within three metres of rotating plant.

Mulcahy Pastoral Holdings Pty Ltd, which employed Mr Dixon was today convicted and fined \$35,000 in the Shepparton Magistrates' Court after pleading guilty to two charges laid by WorkSafe under the Occupational Health and Safety Act\*.

In sentencing the company Magistrate Bolger said although it acted quickly to improve safety after the incident and ensure its workers were appropriately trained, the penalty had to act as a general deterrent.

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She said Mr Dixon's injuries were serious and that even years later they still had a profound effect on him.

WorkSafe's Manufacturing, Logistics and Agriculture Division, Trevor Martin said unguarded shafts and linkages were unforgiving and that this was well known across the farming sector.

"Everyone has a part to play in preventing workplace injuries and deaths, but it is not sufficient to rely on the skill or experience of a machine's operator.

"In this case the man has had to undergo a number of operations and still carries the scars and memories of this incident.

"WorkSafe's message is simple. Inadequately guarded shafts and power take-offs are among the most dangerous equipment on farms.

"This incident did not lead to a fatality, but it could have," Mr Martin said.

"By ensuring workers are properly trained and supervised, and great care is taken by working people, the impact of avoidable pain and suffering on rural communities can be reduced.

"Prioritising a safety improvement program based on identification of hazards is essential. Many safety issues can be dealt with in a relatively quick and inexpensive way."

Twelve Victorian workplace deaths have been reported to WorkSafe this year compared with 21 at the same time last year.

There has not been a reported farm death since November 2004.

The danger of unguarded shafts and power take-offs on farm machinery has been highlighted in WorkSafe publications which can be found on the VWA's website [www.workcover.vic.gov.au](http://www.workcover.vic.gov.au), from its regional offices, by emailing WorkSafe publications at [publications@workcover.vic.gov.au](mailto:publications@workcover.vic.gov.au), or by phoning 03 9641 1333.

## Tips on safe PTO use

- PTO drive shafts and linkages should be fully guarded along their entire length by a durable cover, tube or casing which does not rotate with the shaft.
- Guards should allow flexibility of operation, while fully enclosing the dangerous parts.
- All operators of the tractor must be given the necessary training for its safe operation. They need training to report missing or damaged

guards and other safety devices.

- Blockages in PTO-driven implements must only be cleared when the power drive is disengaged, the tractor engine has stopped, all controls are in neutral, the hand brake is applied, the engine key is removed and all movements have ceased.

Source: WorkSafe Victoria

## New WA Guidance Note on OHS Management and Contaminated Sites

The Guidance Note for Occupational Safety and Health Management and Contaminated Sites Work has been issued by the Commission for Occupational Safety and Health to provide guidance on occupational safety and health management and contaminated sites work and some of the legislative requirements in the Act and the Occupational Safety and Health Regulations 1996 (the Regulations).

It is available for download at <http://www.safetyline.wa.gov.au/pagebin/guidswa0086.pdf>

## Court case leads to reminder on providing a safe workplace

10 August 2005

A Maddington transport company has been fined \$14,000 for failing to provide and maintain a safe working environment for its employees after a worker sustained serious foot injuries.

HBM Nominees Pty Ltd – trading as Jayde Transport - was convicted in the Magistrate's Court of WA Perth of failing to provide and maintain a working environment in which its employees were not exposed to hazards, and by that failure, causing serious harm to an employee.

In November 2004, an employee at Jayde Transport was using a forklift to unload items from a truck when he noticed that he needed to unload two 360kg panbrake machines.

The employee had previously moved one of these machines with a forklift and it had slipped off the tines, so he asked another employee to move the machine with his forklift while he walked beside it and steadied the machine.

When the forklift was reversed, the machine slid off the tines onto the employee's foot, which was trapped under the machine until another forklift

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## Operational Matters

Thank you to those SIA members who have been able to increase the usage of this Bulletin by updating their Acrobat Reader skills.

Some members continue to have problems in saving the PDF file to their hard drives of their computers. When trying to save some receive an error message similar to

"this file appears to use a new format that this version of Acrobat does not support".

We are trying to configure our Bulletin to remove this error message but we would welcome emails from SIA members have difficulties with the files. The Bulletin is produced as extra value for SIA members and we need to make sure that technology doesn't impede this goal.

Contact Kevin Jones on [jonesk@safetyatwork.biz](mailto:jonesk@safetyatwork.biz) if you are having any problems.

Adobe Acrobat Reader has evolved greatly over time, often in response to software problems. The current version is 7.0.2 and we recommend this upgrade if you can. You can download it for FREE at [www.adobe.com](http://www.adobe.com)

Outside of software struggles, please remember that we welcome suggestions and feedback for improving this news service for SIA members.



# SAFETY AT WORK BULLETIN

## UPCOMING EVENTS

**Visions 2005 Conference,  
Cairns International, Queensland  
28-30 September 2005**

**More information at**  
<http://www.sia.org.au/publications/Conferences/Safety%20in%20Action%202005/Visions%202005%20Conference.pdf>

**The Safety Conference,  
Sydney NSW  
26-28 October 2005**

**More Information at:**  
<http://www.thesafetyshow.com/?view=conference>

**This SIA Safety At Work Bulletin is circulated to all SIA members around Australia every week so if you have a special local SIA event, send the details through to the Editor at [natadmin@sia.org.au](mailto:natadmin@sia.org.au) for possible inclusion in this bulletin. This is a bulletin produced on behalf of the SIA and the more SIA content it contains the better it serves the members needs.**

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was used to lift it off. The employee's left big toe was amputated as result of the incident.

The injured man had received no training or instructions that would assist him when moving heavy items that could not be secured to the tines of the forklift.

WorkSafe WA Commissioner Nina Lyhne said today that the case was a reminder of the importance of implementing and enforcing safe systems of work.

"The employer in this case later arranged for the supplier of the panbrake to deliver all machines on crates that could be safely lifted by a forklift," Ms Lyhne said.

"A simple preventative measure was put into place after the injury had occurred, but obviously this worker would not have had to undergo surgery and suffer the pain and long-term consequences of his injury if something had been done sooner.

"This workplace did not have adequate training or safe work procedures in place, and has suffered the consequences in a number of ways.

"I strongly urge all employers to take a look around their workplaces, identify any hazard that could cause an injury, illness or even death, then take action to reduce or eliminate those risks."

Source: WorkSafe WA

### Fine for not paying worker

August 11, 2005

Calypso Haulage Pty Ltd, Campbellfield, was found guilty in the Broadmeadows Magistrates' Court today for not paying an injured worker the wages he was entitled to.

The worker, who was employed as a truck driver, injured his shoulder, which required surgery.

The worker was entitled to weekly payments whilst off work. However, Calypso Haulage only ever made two weekly payments. To prevent the worker from being out of pocket he received payments direct from the insurer.

Magistrate Lesley Fleming said Calypso Haulage failed to protect the right of their worker by taking the law into their own hands.

"You failed to protect the rights of your employee," Magistrate Fleming said.

"You may have had suspicions that the claim was not genuine, but you cannot

take the law into your own hands and ignore the law.

"The law sets up a process to weed out fraudulent claims. If an employee is not thought to be genuine it is for the authorities to deal with. On this occasion the claim was genuine.

"Usually injured employees have families and it is the families who are most affected. People can lose their houses in these situations, as they may be unable to meet repayments."

Magistrate Fleming also reiterated that employers pay an insurance premium under the WorkCover system to protect the employers and employees.

WorkCover's Executive Director – Rehabilitation and Compensation, Len Boehm, said this type of offence strikes at the integrity of the WorkCover scheme.

"This is an important result for the protection of employees' rights and demonstrates that employers have a legal and moral obligation to assist injured workers."

Under the Accident Compensation Act 1985 it is an offence for an employer not to make weekly payments to an injured worker. An employer is also required to submit a claim for compensation within the required 10 days of receiving it from the worker.

Magistrate Fleming imposed a fine of \$5000 for not making the weekly payments and \$1000 for not forwarding the claim for compensation within the required 10 days of receiving it from the worker.

Source: WorkSafe Victoria

### New Home Care OHS Guide

The "Victorian Home Care Industry – OHS Guide" provides practical advice and solutions for employers, employees and their associations in dealing with common safety problems presented when delivering services in people homes. It is available for download at

[http://202.12.135.46/vwa/home.nsf/pages/so\\_aged/\\$File/home\\_care\\_guide.pdf](http://202.12.135.46/vwa/home.nsf/pages/so_aged/$File/home_care_guide.pdf)

### Victoria Top Dog For Energy Safety

August 10, 2005

The Minister for Energy Industries and Resources, Theo Theophanous, today officially launched Victoria's new energy safety watchdog, Energy Safe Victoria.

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Energy Safe Victoria will consolidate the roles previously filled by the Office of Gas Safety, the Office of the Chief Electrical Inspector and the gas pipelines safety functions of the Department of Primary Industries.

"Energy Safe Victoria will be even better placed to drive and promote energy safety, from the home to the biggest workplace," Mr Theophanous said.

"The new entity will deal with issues as diverse as safety switches in the home and the integrity of gas pipelines.

"Establishing Energy Safe Victoria is a further example of the Bracks Government's commitment to make Victoria a safe place to live, work and raise a family."

In May 2004, the Victorian Government announced a review into the efficiency of Victoria's main energy safety regulators. The review recommended the amalgamation of the energy safety regulators.

Mr Theophanous said the new entity would deliver savings of approximately \$1.5 million a year, through increased efficiency, after 1-2 years.

"We've streamlined the process and cut through the red tape. In establishing Energy Safe Victoria, we believe we've got it right for the industry and for consumers," Mr Theophanous said.

"It is easy to be complacent about energy as it is part of our everyday lives. This is why the role of Energy Safe Victoria is so important."

The regulator will protect consumers by approving energy products, investigating accidents, inspecting appliances, licensing and registering workers.

The role of Energy Safe Victoria includes:

- Safety of electricity and gas supply including generation, transmission and distribution
- Education of the public through electricity and gas safety awareness programs
- Safety of electrical and gas installations in industrial, commercial and domestic premises
- Assessment, acceptance and compliance auditing of the safety cases of each gas company
- Administration of gas safety standards
- Safety of energy workers through registration and licensing
- Safety of energy equipment and appliances by ensuring they meet the

minimum required safety standards before sale

- Administration of programs to ensure the energy efficiency of appliances
- Investigation and analysis of incidents and accidents to identify trends and develop preventative measures
- Protection against the corrosion of underground or underwater structures from the potential leakage of stray electric current.

Source: Minister for Energy Industries and Resources

## Protection Push for School Crossing Supervisors

11 August 2005

WorkSafe Victoria is urging local councils to better protect the people that help schoolchildren get to and from school safely.

Two Bendigo crossing supervisors were recently hit by cars.

WorkSafe's Executive Director, John Merritt, said the health and safety regulator had written to councils urging them to act now to improve safety for school crossing supervisors by ensuring they were issued, and used, reflective vests.

WorkSafe inspectors are currently visiting councils across the State to ensure they met national safety standards. The vests can be worn over the traditional white coat with orange bands.

"Thousands of Victorian parents rely on crossing supervisors to get their kids to school and home in one piece - they deserve the best protection, including clothing that can help make them more visible to drivers, particularly in bad weather.

"The risks are well known and the costs of a council meeting the standards are easily managed at about \$40 for a vest. This is nothing compared to the terrible cost the school community faces if someone is hurt.

"At this time of the year when there might be fog, rain or low light conditions the visibility of crossing supervisors is essential. They need the safest possible working environment," Mr Merritt said.

A new Code of Practice recommends all roadwork signs, including the school crossing attendants' "Stop" signs, also have retroreflective material.

Councils should also ensure school crossing attendants are properly trained and that visibility of the crossing and the attendant is adequate.

Source: WorkSafe Victoria

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