



SAFETY AT WORK BULLETIN

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First Conviction for Lack of Fatigue Plan

September 5, 2005

In a WA first, a Myaree transport company has been convicted for not having a driver fatigue management plan.

Thornett Nominees Pty Ltd – trading as Global Transport Logistics – pleaded guilty in the Magistrate’s Court of WA Fremantle last week to two charges under the Occupational Safety and Health Regulations, and was fined \$3500.

The first charge related to the fact that a WorkSafe inspector found the business did not have a fatigue management plan, as required under WA’s workplace safety laws.

The second charge was that Global Transport Logistics did not ensure all drivers had been certified medically fit, as is also required by the regulations.

The inspector issued the company with improvement notices requiring it to implement a plan, but the notices had not been complied with when the inspector returned four months later.

The inspector then issued further notices, as well as a written warning that failure to comply with the notices could result in prosecution action, but no action had been taken when the inspector returned after a further four months.

WorkSafe WA Commissioner Nina Lyhne said today that the case was only the second prosecution brought under the fatigue regulations, and the first under these particular provisions.

“A comprehensive Code of Practice for the management of fatigue has been in operation in WA since 1998, and regulations governing fatigue management for commercial vehicle drivers have been in place since July 2003,” Ms Lyhne said.

“We have only brought one previous case to court under the fatigue regulations, and that was against an employer whose drivers were working long hours and not taking the rest breaks they are obliged to under the regulations.

“But this is the first time we have successfully prosecuted a transport company that has not put into place a fatigue management plan, as required by law.

“The employer was given every chance to implement a fatigue management plan over a period of eight months, but he failed to do so and has now had to suffer the consequences.

“This case should serve as a warning to employers in the transport industry that they must have a fatigue management plan in place and that it must be enforced in the workplace.

“The regulations are there to ensure that commercial vehicle drivers get enough rest so they can drive safely and avoid endangering their lives and the lives of others on the roads.

“It is essential that we get the message through that the human body has limitations and adequate rest and sleep is needed to safely undertake long-distance driving.”

Source: Department of Consumer and Employment Protection

New Federal Safety Commissioner Website

September 1 2005

The Minister for Employment and Workplace Relations, Kevin Andrews, today launched the Federal Safety Commissioner (FSC) website which will assist the building and construction industry to foster improved OHS performance and monitoring.

The Federal Safety Commissioner, Tom Fisher (pictured below), is empowered to undertake the primary task of using the influence of the Australian Government as a client and provider of capital to foster improved OHS performance in the building industry.

The Commissioner will develop, implement and administer an accreditation scheme, focused on occupational health and safety, to apply to Australian Government construction projects.

The FSC website is an important initiative for the promotion of the Government’s OHS reforms for the building and construction industry and provides information and guidance on the OHS accreditation scheme and other important OHS developments in the industry. Future development of the site will provide for online accreditation application and reporting.

Between 1998-99 and 2001-02 there were 189 fatalities in the building and construction industry. Statistics show that people working in the industry are more than twice as likely to be killed at work as the Australian all-industries average.

The Australian Government, as well as being committed to improving occupational health and safety in the building and construction industry generally, is also committed to ensuring that its own projects are completed safely, as well as on time and on budget.

Visit the FSC website at www.fsc.gov.au Source: Minister for Employment and Workplace Relations

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Worker's injury prompts calls for greater safety scrutiny

August 30 2005

Unions have called for greater scrutiny of safety standards aboard a floating abalone farm at Port Lincoln after a crew member was injured.

The worker was airlifted off the vessel Destiny Queen on Saturday and taken to the Royal Adelaide Hospital with facial injuries.

It is understood the injuries were received during an accident with a pair of pliers.

Destiny Queen is anchored about 20km off Port Lincoln.

The Maritime Union of Australia (MUA) and SA Unions say the vessel's Australian crew was recently sacked, the boat was reflagged and Chinese and Ukrainian crew members were employed with much lower wages and conditions.

The unions learned of the worker's injuries while at a protest rally at Port Lincoln yesterday.

"We've had long-standing concerns about industrial standards aboard the Destiny Queen, now we also have grave concerns about occupational health and safety standards," MUA state secretary Jamie Newlyn said.

"We question whether the vessel is complying with South Australian occupational health and safety laws.

"Until there is a thorough, independent inspection, we simply won't know."

SA Unions secretary Janet Giles said unions had been prevented from boarding the vessel.

Comment was being sought from the owners of the Destiny Queen. AAP

Review Will Further Strengthen Workers Compensation Scheme

August 31 2005

A National Competition Policy Review into Queensland's workers' compensation legislation will further strengthen the State's already high performing workers' compensation scheme, the Minister for Employment, Training and Industrial Relations, Tom Barton, said today.

"Queensland continues to lead Australia with the lowest premium rates of any Australian state at 1.43 per cent, as well as ensuring injured workers receive the support they need to get back to work as soon as possible," Mr Barton said.

Key changes resulting from the review include:

- * extending the duration of self-insurance licences from two to up to four

years for good performers,

- * allowing self-insurers to outsource the role of claims manager,
- * allowing employers to outsource the role of rehabilitation and return to work coordinator, and
- * Introducing new criteria for determining which employers are required to engage a rehabilitation and return to work coordinator focusing on large and high-risk employers.

"The review findings will further enhance the performance of the scheme. The changes allow employers and self-insurers greater flexibility in organising their workers' compensation and rehabilitation programs, which will also help injured workers," Mr Barton said.

"Employers can outsource rehabilitation specialists, freeing up resources at the workplace. Injured workers also benefit with access to specialist professional rehabilitation and return to work services."

Mr Barton said the review recommended the introduction of a range of other strategies to strengthen rehabilitation and return to work outcomes for injured workers, including extending the time for which an injured worker's position should be held open following an injury to 12 months.

The recommendations of the review will be contained in legislative amendments to the Workers' Compensation and Rehabilitation Act 2003, expected to be introduced into Parliament later this year.

The Report of the National Competition Policy Review of Certain Aspects of the Workers' Compensation and Rehabilitation Act 2003 is available from www.dir.qld.gov.au.

Source: Minister for Employment, Training & Industrial Relations

Pools balk at expensive safety systems

September 1 2005

Australian public pools have balked at installing a state-of-the-art life saving system because it is too expensive, a Life Saving Victoria spokesman said today.

LSV community life saving general manager Warwick Waters has been trying for several years to bring the Poseidon surveillance system into Australian public pools.

The high-tech computer system, which has saved several lives in overseas public pools, uses cameras in and outside the pool to monitor swimmers, detecting those in distress and alerting life guards to their location.

Built by French-based company Vision IQ, it is used across the United States, the

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Formwork Code of Practice 2006

August 2005

Queensland's Formwork Code of Practice 2006 commences on 1 January 2006 gives practical advice about ways to manage exposure to risks associated with work involving the erection, alteration and/or dismantling of formwork.

More information is available at <http://www.dir.qld.gov.au/workplace/law/codes/formwork/>

Source: Queensland Department of Industrial Relations

Dangerous Goods and Explosives

From September 1 2005, new laws have been introduced to ensure the safe handling and storage of dangerous goods and to strengthen security controls for explosives and concentrated ammonium nitrate.

The Dangerous Goods Act 1975 is repealed and the following legislation has commenced:

- Explosives Act 2003 and the supporting Explosives Regulation 2005
- OHS Amendment (Dangerous Goods) Act 2003 and the supporting OHS Amendment (Dangerous Goods) Regulation 2005

More information is available from <http://www.workcover.nsw.gov.au/LawAndPolicy/NewLegislation/DangerousGoods/default.htm>

Source: Workcover NSW

Adobe Acrobat V7 Update

Please note that the latest edition of Acrobat Reader is version 7.03.

The important security download is available by clicking **HELP - CHECK FOR UPDATES NOW** in Acrobat Reader 7.

Recent versions of Acrobat Reader are available as a FREE download at

<http://www.adobe.com/products/acrobat/readermain.html>



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 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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United Kingdom and Europe.

This week, it saved a British girl from drowning, detecting that she was motionless at the bottom of the pool and alerting lifeguards, who had not seen the girl, but were able to rescue her in time.

However, Mr Waters said Melbourne pool managers he had approached were not interested in installing the system, because of its \$US130,000 (\$A172,000) to \$US150,000 (\$A200,000) price tag.

"To introduce the technology there needs to be a substantial market for it to come into the country because of the complex software needed to run it," Mr Waters said.

"We probably need five to 10 facilities. At the moment we have none."

Between 1992 and 2002, 88 people died in Australia's public pools, Royal Life Saving Society of Australia national research manager Richard Franklin said.

At an average of eight deaths a year, children under five-years-old were at the greatest risk, making up more than a quarter of the deaths.

The last drowning was a two-year-old boy at the Canberra International Swimming and Aquatic Centre in January.

But Mr Waters said the rate of drownings was "extremely low" and pool managers he had spoken to did not believe it justified the Poseidon system's expense.

"That's the counter-argument," he said. "That if the rate of drownings is so low, it's quite a bit of expense."

He said Australian pool managers used other methods to keep swimmers safe. "The way we manage facilities and the effort people put into safety, we are probably still, in a lot of cases, world leaders in pool safety."

But LSV, which is a branch of the RLSSA, still advocates the need for Poseidon coming to Australia. "I think it would be good in the not too distant future if the industry embraced technology like this to improve safety at public swimming pools," Mr Waters said. AAP

NOHSC declares amendments to exposure standards for atmospheric contaminants in the workplace

31 August 2005

The National Occupational Health and Safety Commission (NOHSC) has declared 31 national exposure standards to take effect from 31 August 2005.

This declaration includes both new and revised national exposure standards and

represents the largest number declared since May 1995. This declaration will align Australian exposure standards with international standards and improve the protection of Australian workers.

Exposure standards aim to minimise risks to worker's health by setting limits for occupational exposures to atmospheric contaminants. For example, the national exposure standard for 2-butoxyethanol has been reduced to 20 parts per million (as an eight hour time-weighted average). 2-Butoxyethanol is used mainly in paints and surface coatings but also in cleaning products and inks, by cleaners, printers, spray-painters and workers involved in parquet floor and varnish manufacture. Where levels of 2-butoxyethanol in workplace atmospheres are controlled to below the national exposure standard, workers will be protected from the adverse health effects associated with over exposure. These health effects include irritation of the eyes, nose and throat, headache and nausea.

NOHSC reviews and updates the national exposure standards to:

- address differences between the Australian standards and standards adopted by comparable overseas occupational health and safety agencies;
- enable the efficient introduction of contemporary practice in health and safety measures into the Australian workplace;
- limit exposure to atmospheric contaminants to acceptable levels; and
- provide a safer working environment that reflects the current level of knowledge.

Source: NOHSC

Worker suffers head injuries after sign fall

September 1 2005

A Melbourne construction worker has head injuries after a sign crashed on top of him during work his union claims bypassed safety procedures.

The man was taken to hospital with a fractured skull after the large sign fell during its removal at the Waverley Gardens Shopping Centre in Mulgrave early today.

An ambulance spokeswoman said the man was taken to The Alfred hospital in a stable condition with a minor head injury.

"There was the potential for things to be more serious and, fortunately, he was very lucky," she said.

WorkSafe is investigating the incident, but the Construction, Forestry, Mining and Energy Union (CFMEU) said the accident was the result of a complete breakdown

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in safety procedures.

State secretary Martin Kingham said the builder, Mirvac, had given a sub-contractor the go-ahead to remove the sign before a site safety committee had assessed any hazards or safety risks.

"It was shoddy and short-cuts were made, and as a result one of our members has been seriously injured," Mr Kingham said.

The building site was closed down today so an investigation could be conducted into the accident.

Mr Kingham said the accident demonstrated the dangers of building sites when proper safety audits were not carried out.

"This sort of incident would be a hell of a lot more common if the federal government gets away with its agenda of trying to reduce union involvement and access to work sites," he said.

Mr Kingham said the worker's prognosis for recovery was good. He was expected to avoid any serious brain damage, although he might require surgery to reduce pressure on his brain.

Mirvac construction director Lou Raunik said WorkSafe had been notified and the company was cooperating with the investigation.

He would not comment on the CFMEU's claims.

Workers are expected to return to the building site tomorrow. AAP

Fumes close Coles store

September 2 2005

A suburban Melbourne Coles store will stay closed today as fire and Worksafe officers investigate what caused several people to become ill.

The Springvale supermarket on Princes Highway was evacuated yesterday at about 5.30pm (AEST) and again this morning about 2.30am after people inside complained of headaches, nausea and chest pain.

Seven people were hospitalised for observation yesterday and 14 people treated by paramedics overnight.

A Country Fire Authority (CFA) spokesman said their symptoms were originally suspected to be caused by fumes from a paint spill from line painting works in the supermarket car park.

After the second evacuation, fire officers ordered an inspection of the air conditioning unit to see if it was causing the problem and determine whether the store could reopen, he said.

A Worksafe spokesman said an officer was at the scene.

AAP

Almost 60 rail workers 'tested positive to drugs'

September 4 2005

Almost 60 NSW rail employees have been caught reporting for work under the influence of drugs.

A safety crackdown has uncovered drug use by the rail workers, who tested positive to cannabis, ecstasy, amphetamines and other illicit substances in their systems in the past 16 months, the Sun-Herald newspaper reported today.

Of the 1,500 random blood and urine tests RailCorp conducted between April last year and March 2005, 33 rail workers tested positive.

A further 1,300 in-house tests during the past four months exposed another 25 offenders, the newspaper said.

RailCorp spokeswoman Helen Willoughby said the results showed the testing regime was "rigorous", the paper reported.

Those who tested positive to drugs included guards, maintenance and transit staff, signalmen, passenger attendants and a project manager.

AAP

Plan to ensure amusement ride safety

September 2 2005

A national compliance strategy has been developed to ensure the safety of amusement rides. The plan addresses safety issues associated with maintenance and inspection, design and the safe operation of amusement rides which travel to shows around Australia.

As part of the plan, a National Regulators Amusement Device Committee has been established with representatives from around Australia and an observer from New Zealand.

The committee, chaired by SA's Workplace Services, will meet on Monday at the Royal Adelaide Show.

"The new system will make it a lot easier for safety authorities to keep check on rides that travel from one jurisdiction to another," SA Industrial Relations Minister Michael Wright said today.

Thirty-seven people were injured at the Royal Adelaide Show in 2000 when the Spin Dragon ride collapsed. At the Royal Melbourne Show in 2003, eight children were injured when two cars on the Mad Mouse collided and 38 people were left hanging in the air for up to 90 minutes when the show's chairlift broke down.

AAP

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