



# SAFETY AT WORK BULLETIN

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Supplied by SAFETY AT WORK magazine

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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

### Coca Cola Company Fined \$40,000 For Unsafe Workplace

September 9, 2005

Coca-Cola Amatil (Aust) Pty Ltd has been fined \$40,000 for failing to provide a safe workplace for its employees.

The company was convicted in the Magistrate’s Court of WA Perth last week of failing to provide and maintain a safe workplace for a non-employee, and by that failure, causing serious harm to a person.

In April 2004, an employee of a transport company was delivering pallets for drink bottles to Coca-Cola Amatil’s (CCA) premises in Kewdale.

As he began to remove the straps from the pallets, a CCA employee approached on a twin-tine forklift, intending to unload the pallets from the truck.

After a short conversation with the truck driver, the CCA employee started to unload the pallets before the driver had finished removing the straps.

The forklift operator knocked a pallet off the truck, and it struck the driver on the head and neck, causing a laceration to his scalp and fracturing a vertebrae in his neck.

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 had not provided safe systems of work or adequate training for the forklift operator,” Ms Lyhne said. “There were no documented procedures for the unloading of pallets from trucks, employees had not been trained to safely unload pallets, and the forklift operator involved had not been trained in the use of a twin-tine forklift for unloading.

“If safe systems of work had been in place before the incident occurred, this worker would not have had to suffer the pain and long-term consequences of his injury. This case also

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serves to illustrate that every employer – whether in a small business with five employees or a huge global enterprise such as Coca-Cola – has a responsibility to provide and maintain a safe workplace for everyone in that workplace.

“This workplace did not have adequate training or safe work procedures in place, and has suffered the consequences of being found guilty in a court of law for breaching WA’s occupational safety and health laws. Source: Department of Consumer and Employment Protection

## Ammonium nitrate licences available from 1 October

5 September 2005

People who sell, store, transport or use products containing 45% ammonium nitrate should apply now for licences which will be required after 1 January next year.

The new licensing scheme is being introduced following national agreements between the Commonwealth and each of the States and Territories reached last year.

Victoria has introduced a cost-effective and well targeted system to ensure access for legitimate users, and restrictions to minimise the chance of ammonium nitrate products being used in terrorist and other illegal activity.

Ammonium nitrate is a commonly-used component of fertiliser, but it is also an ingredient in explosives.

WorkSafe’s Executive Director, John Merritt, said the new regulations met Victoria’s commitment to work with the Commonwealth on a national approach, but respect the needs of important Victorian industries like the farming community.

“To give people time to make any necessary preparations and to ensure the system can take effect on 1 January, WorkSafe will begin issuing licences and permits from 1 October.”

Licences will last five years and will be heavily subsidised at \$80, not including the cost of police and ASIO checks.

Mr Merritt said licensees would be required to implement appropriate security measures to prevent their ammonium nitrate products being stolen or lost, including measures to detect such incidents.

“The physical storage requirements are not onerous and are consistent with the practices already used by safety-minded farmers and business operators who use dangerous goods and chemicals,” Mr Merritt said.

WorkSafe’s website ([www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)) has detailed information about the licensing and security arrangements required under the new regulations as well as a series of questions and answers.

This will help farmers, manufacturers, retailers, wholesalers and transport companies understand their obligations.

People without internet access can call WorkSafe’s Advisory Service on 1800-136-089.

### BACKGROUND

- Controlled products will be those containing 45% or more ammonium nitrate and calcium ammonium nitrate (CAN). In most cases the fertiliser packaging will list its composition.
- A licence will be required for the use, manufacture, storage, transport, supply, import and export of ammonium nitrate or CAN.
- Farmers buying ammonium nitrate products and transporting it for their own use will only need one licence.
- People working under the supervision of a licensee will not need to hold a licence, however, controls on the conduct of these people must be included in the licensee’s security plan and the licensee will need to ensure that plan is complied with.
- Supervised access means access by a person who is under the supervision of the licensee or when working in a defined supervised area as detailed in the site plan provided as part of the security plan.
- The security plan will need to be kept up-to-date including the names of people who may have unsupervised access to ammonium nitrate products.
- People with unsupervised access will need a permit which will require them to undergo a national police and security check. These people will also need to be included on a licence holder’s security plan.
- There has been extensive consultation with the agricultural, chemical and transport industries and government agencies and unions. This has included community briefings in metropolitan and regional centres. Few people attended the briefings and few submissions were made on the draft regulations which were circulated in May.

Source: WorkSafe Victoria

## A safety policy is just the beginning...

5 September 2005

Failing to implement its own traffic management policy has resulted in hardware retailer Bunnings being fined \$15,000 (without conviction) after pleading guilty today to one charge laid under section 23 of the Occupational Health and Safety

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## Factory Death Under Investigation

September 12 2005

Police and WorkSafe are investigating the death of a 53-year-old man who had been working with a hydraulic lifter at a Melbourne factory.

Police say the West Footscray man may have been at the Braybrook site for some time before his body was found shortly after 3pm yesterday.

Senior Constable Wayne Wilson said there was construction work at the site and the man, who was performing maintenance work, appeared to have been caught between a false ceiling and a beam.

He had been using a hydraulic lifter. AAP

## 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/readmain.html>



# 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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Act 1985.

Geelong Magistrate Hawkins was told that on July 15 last year a truck driver's left foot was run over by a Bunnings employee who was driving a forklift in the receiving area behind the Waurn Ponds store.

WorkSafe told the court the truck driver's foot was run over while completing paperwork with the forklift driver. The driver was standing next to the forklift which was stationary, in gear, with the engine running and without the hand brake being applied. The forklift driver said only his boss could sign the paperwork. As he drove off the rear wheel drove over the truck driver's left foot.

WorkSafe told Magistrate Hawkins that at the time of the incident Bunnings had a documented traffic management plan but it had not been implemented at Waurn Ponds; there were no exclusion zones or marked areas to separate forklifts from pedestrians.

The forklift driver told WorkSafe investigators that traffic management and exclusion zones were not covered in regular forklift training. He was only shown the company's traffic management guidelines after the incident.

Before the incident:

- There was no formal procedure for traffic management implemented in the receiving area.
- There was no formal training on traffic control undertaken by staff working within the receiving area.
- The receiving area had no painted lines indicating where vehicles should park while being unloaded.
- There were no safe areas for the driver to stand while the vehicle was being unloaded.

After the incident:

- Bunnings' Waurn Ponds implemented the company's traffic management plan.
- Forklift drivers were informed of the traffic management plan, contractors and representatives were handed information on the traffic management plan.
- Truck drivers entering the receiving area were handed notices relating to the traffic management plan.
- The information provided by Bunning's stated that a failure to comply with the traffic management plan would result in a truck not being unloaded.

- Physical barriers and exclusion zones were installed, clearways marked and extra warning signs were installed.
- A 'Forklift Safety' document was developed by Bunnings and was given to all team members and forklift drivers in training sessions.

The Director of WorkSafe's Manufacturing Logistics and Agriculture program, Trevor Martin said the incident followed a company not implementing its own policy. "A policy that exists on paper is only the beginning. For safety policies to be effective then need to be used. The risks associated with forklifts are well known. Collisions involving mobile plant and pedestrians are common, and preventable. WorkSafe has been working with industry for several years to raise awareness of the hazards that poor traffic management creates, yet sadly there are still many businesses and forklift operators who do not understand the safety requirements. Safety responsibilities cannot be outsourced or devolved."

He said, "Prosecution is the last step in terms of promoting safety. Employers and workers need to recognise that if the right measures are in place, no one can be hurt. There is no shortage of advice about how forklifts can be safely used. It's produced by WorkSafe and the manufacturers, and safety is strongly pushed by unions and the industry-employer associations whose members use them."

"It's important that forklift operators have appropriate training and qualifications and that all staff are well supervised. Safety is a team game. If something goes wrong, everyone loses," Mr Martin said.

The charge: s23 Occupational Health and Safety Act 1985: "An occupier of a workplace shall take such measures as are practicable to ensure that the workplace and means of access to and egress from the workplace are safe and without risks to health."

Source: WorkSafe Victoria

## New WorkSafe Manual Handling Guide

September 5 2005

A Guide to Handling Large, Bulky or Awkward Items is a 39 page publication which sets out practical ways to eliminate or reduce the risks of manual handling injuries. While it is primarily written for employers in the warehouse & logistic area, shipping container dispatchers, labour hire services and retail and storage sectors it also provides information for other workplace duty holders and other interested parties.

Available for download at [http://www.workcover.vic.gov.au/dir090/vwa/publica.nsf/docsbyUNID/15FAF4FC09D1C457CA2570460005562C/\\$file/large\\_bulky\\_awkward.pdf](http://www.workcover.vic.gov.au/dir090/vwa/publica.nsf/docsbyUNID/15FAF4FC09D1C457CA2570460005562C/$file/large_bulky_awkward.pdf)

Source: WorkSafe Victoria

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## Group sprayed with chemical in southern NSW

September 6 2005

A group of 19 people have undergone emergency decontamination after being sprayed with an unidentified chemical in southern NSW.

The chemical was sprayed from a plane as the group of Aborigines and Road and Traffic Authority (RTA) staff looked for sites of indigenous significance in a paddock in Coolac, north of Gundagai.

The paddock could form part of the proposed by-pass of the Hume Highway.

A police spokeswoman said the group was decontaminated at the scene by emergency services staff and had shown no ill effects.

It was not known whether the spraying was deliberate, she said.

The pilot of the plane will be interviewed by police.

AAP

### ADVERTISEMENT

## Customised Safety Publications

Recently the publishers of **Safety At Work** magazine completed the production of a guide on manual handling for one of the fire services in Australia.

Manual handling is the major hazard for firefighters and the Brigade needed a plain English guide for the firefighters to read, follow and understand.

The guide is over 30 pages and includes



photographs of hazards and control measures of the firefighters during their daily tasks.

The control suggestions are in line with current Australia manual handling regulations and have been verified by a qualified Ergonomist.

At the launch of the guide, a WorkSafe representative said the guide was

**“fantastic, nicely presented...it makes people think through the process”.**

The guide was written by an OHS Safety Practitioner in detailed consultation with Fire Brigade representatives.

If your company or industry could use a guide that includes photos of real tasks in your workplace with text and a format that your employees will understand, contact Kevin Jones of Workplace Safety Services P/L through

[www.safetyatwork.biz](http://www.safetyatwork.biz) or directly at [jonesk@safetyatwork.biz](mailto:jonesk@safetyatwork.biz)

## Truck Mounted Concrete Placing Booms To Be Checked

September 8, 2005

WorkSafe will begin a three-month inspection program this month to make sure truck mounted concrete placing booms comply with occupational safety and health legislation.

WorkSafe WA Commissioner Nina Lyhne said today that the program also aimed to raise awareness of safety issues and the responsibilities of employers.

“Truck mounted concrete placing booms are being looked at because the industry has brought concerns about non-compliance to the attention of WorkSafe inspectors,” Ms Lyhne said.

“We suspect that there may be a lack of awareness of the regulations applying to this plant, and the inspection program aims to raise general awareness of the issues and laws applying to them.”

The inspection program will be conducted in two stages – the first while the machines are in the yard and the second when they are being operated on-site, and both will involve inspectors’ use of checklists to guarantee consistency of inspections.

The initial inspections will be conducted when the machines are out of use, covering areas such as design, inspection, maintenance, testing, operator training and record keeping.

The subsequent inspections will cover the on-site setup, operator certification, safe operational procedures and use of the concrete placing booms.

“The principle objective of the inspection program is to ensure that these machines are being safely maintained and operated,” Ms Lyhne said. “Because these truck mounted concrete placing booms have to be registered, we have a list of them and will be contacting the owners beforehand to let them know exactly what will take place during the course of the inspection program. This program is just one of a number of proactive inspection programs we are conducting in an effort to prevent incidents that could result in serious injuries to workers.

“These machines have been involved in serious workplace incidents in other States, including fatalities, and we would prefer to be proactive and prevent similar incidents here

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## Appeal to SIA Secretaries

The SIA SAW Bulletin has operated now for almost 5 months and within that period I have tried to obtain news from SIA-related sources but without success. In the next few editions I will be providing some short articles based on a Victorian SIA function but I am receiving no news from other State divisions.

This bulletin is to provide safety news to SIA members and it is a perfect opportunity for State secretaries to provide

- information about upcoming events, and
- short reports of SIA events that have occurred.

Some months ago I emailed all of the Fellows of the SIA requesting any of them to provide comment on an OHS news issue or for an opinion on OHS that we can use to generate discussion. I make that request again.

At a recent AGM in Victoria, it came to my attention that often SIA members and executive members travel overseas, sometimes as SIA representatives. I have suggested that short reports of the events be submitted for inclusion in this bulletin for SIA members’ interest.

The feedback I have had about this bulletin has been very supportive but I think it is missing SIA content. If you have any opinions or reports about OHS and SIA activity I encourage you to contact the Editor at [jonesk@sia.org.au](mailto:jonesk@sia.org.au).

Letters to the Editor are always welcome

Best Regards

Kevin Jones  
Editor



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in WA.

Source: Dept. of Consumer and Employment Protection

## Clearer Focus On Safety For Qld Cabbies & Passengers

September 9 2005

The first Queensland cabs fitted with new security cameras under an \$8 million Queensland Government safety initiative will be off the ranks this month.

"Taxi drivers and their passengers will enjoy new standards of safety as the new system rolls out around Brisbane, then 11 regional centres," said Transport and Main Roads Minister Paul Lucas.

Today, the Minister demonstrated the advantages of the new technology, and announced that VeriEye had won the contract through a competitive tender.

"We want drivers to feel more secure and we want passengers to feel safer knowing their taxi is under surveillance," Mr Lucas said. "The cameras will be fitted in 2700 taxis in centres where the population is greater than 40,000: Brisbane, Redcliffe, the Gold Coast, the Sunshine Coast, Ipswich, Toowoomba, Hervey Bay, Bundaberg, Rockhampton, Mackay, Townsville and Cairns. They will later be fitted in other parts of the state on a case by case basis.

"The fit-out and maintenance of the cameras, and the training required to operate them, will create job opportunities and inject more than \$3.6 million into local economies over the next five years," Mr Lucas said.

"This is about getting the best product possible to protect taxi drivers and their passengers. We're getting the best technology for taxpayers' money.

When the cameras were introduced in Victoria the number of robberies had halved, and in New South Wales the assault rate had also halved.

Source: Minister for Transport & Main Roads

## "Just relax" is not the answer to stress

"Ask a person under extreme stress to 'just relax', and you might just have to stand back to avoid the explosion," said an Australian stress expert ahead of her address to The Safety Conference.

A stressful day at work is leaving Australians with more than just a headache – the average length of stress leave is more than 16 weeks. Surprisingly and perhaps reassuringly, simply taking time out to relax is not the answer, according to Conference speaker, Diana Killen.

"In the aftermath of the exclamation, you might hear them screech: 'Who's got time for that?'," she said.

Macquarie Institute's Diana Killen specialises in training people to deal with pressure without stress and is one of almost 100 expert speakers who will address an expected 1000 delegates at the Safety Conference. Hosted by the Safety Institute of Australia and sponsored by WorkCover NSW, The Safety Conference will run from October 26-28 in Sydney.

Growing research shows relaxation is not sustainable at workplaces filled with the pressure of deadlines, office politics and customers, according to Ms Killen. Instead, emotional management training was the key to dealing with the pressures of everyday working life. "Ask a person under extreme stress to 'just relax', and you might have to stand back to avoid the explosion," Ms Killen said. "You might hear them exclaim, 'Who's got the time for that?'"

Ms Killen says that stone-age biology is at the heart of workplace stress, beginning with the most basic fight or flight response triggered by the brain's emotional centre, the amygdala. "Priming us to flee at the sight of a sabre tooth tiger, this part of the brain works about 80,000 times faster than the cortex, or 'smart' part of the brain," she explained, "so we are reacting faster than we can think."

This ancient 'fight or flight' response also dampens higher brain function, affecting the ability to make rational decisions. In the long term, people could get 'stuck' and finding themselves unable to see a way out of the situation, choose to do nothing. "We're not thinking straight, we just don't know what to do and rather than addressing it, we start looking for somewhere to lay the blame," Ms Killen said.

Aside from clouding our thinking, research linked the stress response to serious conditions such as Alzheimer's disease, diabetes, cancer and heart disease.

Dealing with stress is not as simple as taking a break either, given the daily doses of stress suffered by many workers. A US study showed that the immune system could take up to six hours to return to normal after a five-minute burst of anger. "Until recently, it was thought that it was okay to put up with 'normal stress' as long as you got some rest when you needed it and took a holiday once in a while," Ms Killen said.

"The problem is though, when under stress, we don't make good decisions and may not be able to tell we need a break. When we do get a break, are we reversing the effects of stress on our health and wellbeing or are we just catching our breath long enough so we can go back and do it to ourselves again? Besides, attempts at relaxation, with the concerns still playing heavily on your mind, could simply shift you from a state of anxiety to boredom, apathy or even depression."

The good news, says Ms Killen, is that we can all learn to deal with the ever-mounting stress of modern life by using emotional management techniques practised in the HeartMath wellness program taught by the Macquarie Institute. The program comes with an impressive list of studies published in journals from The American Journal of Cardiology through to the Harvard Business Review to back its effectiveness.

Source: Firefly Marketing

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