



# SAFETY AT WORK BULLETIN

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## Sydney Tunnel Problems

November 2-4 2005

Emergency crews have begun pumping concrete into a large hole to secure the foundations of partially collapsed unit block above Sydney's Lane Cove Tunnel construction site.

More than 60 people were evacuated after cracks began appearing in the wall of the three-storey 24 unit block when a six-metre section of road collapsed overnight on the exit ramp from Longueville Road to the Pacific Highway.

Seven concrete trucks were parked on the exit ramp and emergency crews were feeding the concrete into the hole, which is about 10 metres wide and eight metres deep.

The operators of the Lane Cove Tunnel - which is being built underneath the road and unit block - released a statement blaming the collapse on a "rock slippage".

The construction company responsible for building the Lane Cove Tunnel today apologised for the partial collapse of a section of the project.

Leighton Holdings Limited, whose subsidiaries Theiss Pty Ltd and John Holland Group Pty Ltd are building the tunnel, also said the incident was caused by an "unforeseen geological event".

The company said a team of engineers and geotechnical experts are currently on site and had commenced necessary repairs, which would be covered by the company's insurance.

Sydney Water was called to the scene about 2.30am following reports of a burst water main. Spokesman Colin Judge said it was unclear what the relationship between the burst main and tunnel was, but it was unlikely the small main could have caused damage of that magnitude. "Normally the damage from a main of that size isn't particularly strong, particularly seeing it was shut down fairly quickly," told ABC radio.

Engineers were trying to ascertain whether the main had burst, opening the hole, or the hole had caused the main to burst, Mr Judge said.

About 50 onlookers watched as the bottom balcony began to fall off the unit block and major cracks appeared in the brickwork.

NSW MP for Lane Cove Anthony Roberts called for a full and open investigation into the collapse. He particularly wanted to know whether tunnel operators Theiss and John Holland had been properly monitoring soil and rock.

"The tunnel is now about four or five months ahead of schedule, have they been cutting corners to bring that forward?" Mr Roberts said. "My understanding is that there is

allegedly three engineers who have resigned in the past two weeks from the tunnel operations. Do we have enough qualified people managing the tunnel?"

It was announced on November 3 that WorkCover NSW is to undertake a full investigation into the causes of the tunnel collapse at Lane Cove.

NSW Minister for Commerce, John Della Bosca has instructed WorkCover to provide a detailed report to the government. The report will be tabled in the Parliament.

"WorkCover NSW has wide powers to investigate and prosecute workplace safety matters, including the power to compel witnesses to give evidence," Mr Della Bosca said. "WorkCover has the power to investigate the cause of work site incidents where public safety or the safety of workers has been placed at risk. This incident falls squarely in WorkCover's jurisdiction.

"The authority has already assembled an investigation team including inspectors from its specialist Tunnelling Unit. The cause of the collapse; the systems of work in place at the time and any contributing factors are being examined as part of a full and thorough investigation.

"WorkCover will also examine the risk management processes used by the contractor responsible for the construction of the tunnel. WorkCover inspectors have spent many hours at the scene, monitoring the remedial activity and providing advice regarding the safety of all persons at the site.

"To assist its investigation, the authority has contracted independent geotechnical engineers to provide guidance, including an assessment of the predictability of this sort of collapse and the adequacy of measures taken."

WorkCover NSW is the best-resourced and most active occupational health and safety body in Australia. It has the nation's largest team of inspectors and in its enforcement role, does not distinguish between the public and private sector.

However the NSW Premier, Morris Iemma, says he will not consider calling for an independent inquiry into the partial collapse of Sydney's Lane Cove Tunnel until a WorkCover investigation is completed.

On November 4 Thiess, the tunnel operator, announced that they will conduct an independent inquiry into the tunnel collapse, the tunnel operator says.

David Saxelby, a spokesman for tunnel builders and operators Thiess John Holland, today

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## Adobe Acrobat V7 Information

Some readers have expressed difficulty in upgrading to the latest version of Acrobat Reader with one of the problems being that the download can be over 25 megabytes - a substantial burden to dial-up internet connections.

Safety At Work publishers are now allowed to distribute the latest edition of Acrobat Reader on a CD. If you want a copy of Acrobat Reader 7.00 please email me at [jonesk@sia.org.au](mailto:jonesk@sia.org.au) and include your full postal address. A CD will be mailed to you shortly after.

The CD won't be pretty as it is a burnt copy of the software that Adobe permits us to distribute. It is not allowed to be given to anyone other than the person requesting the CD and all CDs will be checked with Norton Antivirus before distribution.

## WorkSafe warning on tractor and plant hydraulics

October 27, 2005

WorkSafe has warned the owners and users of hydraulic equipment to ensure it's well maintained and to take extreme care after a recent death and an incident in which a man lost several fingers.

A man died on a small holding Garfield in West Gippsland last week after being crushed under a slasher while trying to remove wire that was tangled underneath. The tractor which powered it was turned off, but the implement dropped slowly and caught the man who was trapped underneath for about six hours before he died.

At Drumborg, in the state's south-west, a man lost several fingers when the hammer of a post-driver hit him. Part of two fingers were amputated, but have been re-attached.

Source: WorkSafe Victoria

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said residents would be fully compensated. Mr Saxelby also said an independent review would be undertaken by rocks mechanic specialist Professor Ted Brown.

"We are announcing this morning an independent review of the whole of geotech situation with the very, very experienced Professor Ted Brown," Mr Saxelby told Macquarie radio. "This guy will come in, independent of all of our designers, independent of all of the advice which has been given to date, and he will have a review of this entire situation. We will make that review public.

"That should give you the confidence that what we are talking about is transparent and is properly ... reviewed." AAP

## \$7 Million Small Business OHS Advisers Programme Launched

October 27 2005

The Minister for Employment and Workplace Relations, Kevin Andrews, today launched the Australian Government's new \$7 million Small Business OHS Advisers Programme.

Joined by the Federal Member for Bass, Michael Ferguson at the Design Print Centre in Launceston, the Minister also announced the Australian Industry Group as the successful tenderer to provide the programme.

The programme will include a network of at least 22 expert OHS advisers who will provide small businesses with free assessment, training and OHS implementation services.

"The programme is a practical way to provide both educative and advisory services to small businesses and will operate nationally across all industries throughout urban, regional and rural Australia" Minister Andrews said.

Small businesses have always been committed to their workers' safety and now, through the OHS Advisers Programme, they can access the resources to help them implement cost effective and quality safety measures.

"This extra assistance will also help small businesses to understand and comply with the myriad of OHS laws and standards that operate in each State and Territory" Minister Andrews said.

The programme also demonstrates the Australian Government's strong commitment to ensuring that workplaces are not only safe but also that employers and employees can work together in a cooperative and non adversarial work setting.

The package of free assistance includes training on OHS principles and legislative

compliance issues; completion of an OHS assessment; development and implementation of a company specific safety plan; and ongoing telephone and online support.

Employers can register their interest in the Programme by visiting the website, [www.smallbusinessohs.com.au](http://www.smallbusinessohs.com.au) or emailing [register@smallbusinessohs.com.au](mailto:register@smallbusinessohs.com.au)

Source: Minister For Employment And Workplace Relations

## Unions concerned over asbestos issue

October 28 2005

Unions in South Australia fear a surge in asbestos-related diseases because of the federal government's proposed industrial relations reforms.

SA Unions said today the government's attack of workers' rights would limit access by unions to worksites and raised the spectre of a rise in asbestos-related diseases, two, three or four decades from now.

"If unions are prevented from monitoring and protecting safety standards for workers, we fear there will be a renewed surge in victims," said SA Union secretary Janet Giles.

The group's concerns will be aired at an asbestos forum in Adelaide today which will also launch the SA Asbestos Coalition.

The coalition will be made up of unions, researchers, medical experts, asbestos victims, government and asbestos removal companies and will coordinate efforts to increase public awareness of the dangers posed by asbestos and seek better protection and compensation for victims.

Ms Giles said the issue was of particular importance in South Australia which had a high incidence of mesothelioma, a type of lung cancer linked to asbestos exposure.

Between 1980 and 2001, 690 cases were reported in SA, meaning one in every 2,173 people were affected. At one in 1,979, only Western Australia had a higher rate. AAP

## Safety Initiative for Apprentices and Supervisors

October 27 2005

ACT WorkCover and the OzHelp Foundation will launch a new joint safety initiative at the Section 84 construction site in Civic at midday on 27 October. Apprentices and their supervisors will be invited to a free BBQ and an opportunity to meet safety Inspectors and OzHelp workers.

"Apprentices and their supervisors are key players in construction safety awareness and education and this initiative is aimed at opening up good communications

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between young workers and ACT WorkCover Inspectors," ACT WorkCover Commissioner/CEO Erich Janssen said.

The OzHelp Foundation provides a work based support and resilience training service to protect young workers against the risk of suicide. Through its outreach coaching, support and mental health promotion, OzHelp not only acts to prevent the tragedy of youth suicide in the construction community, but also to improve occupational health and safety, apprentice retention and productivity in the workplace.

The construction industry workplace culture does not have natural links with general community health services, in particular mental health services.

"The aim of these BBQ's is to provide an informal atmosphere for Inspectors and OzHelp field officers to meet with apprentices and supervisors, discuss issues, create awareness and acceptance of the services offered, distribute resources and information and develop a sense of community among the apprentices," Mr Janssen said.

At the first BBQ to be held on 27 October, ACT WorkCover will donate a new gas BBQ to the OzHelp Foundation to aid the program. This is the first of three functions that will be held on several construction sites across the ACT over the next three months. A second BBQ aimed at apprentices will be held on 11 November at the Canberra Institute of Technology and the third and final BBQ for 2005 aimed at the residential building sector will be held on 8 December in the Gungahlin area near the Wells Station residential development.

"ACT WorkCover hopes to provide a new opportunity for apprentices and their supervisors to gain access to safety information and the services of OZHelp field staff, all while enjoying a free lunch," Mr Janssen said. Source: ACT WorkCover

## WorkSafe Order Breach Results in Fine for Orchard Owner

27 October 2005

A Kirup man has been fined for using tractors at his orchard without appropriate roll over protective devices.

Angelo Terzo Logiudice of Logiudice Road Kirup who pleaded guilty to breaching regulation 4.44(1) of the Occupational Safety Health regulations was also ordered to pay costs when he was sentenced in the Bunbury Magistrates Court this week.

The court was told that WorkSafe inspectors conducted a safety inspection in July 2003. During that inspection they were taken to a part of the property where fencing activities were taking place. The area was on the side of a hill sloping

towards a creek line and the ground was very slippery.

WorkSafe inspectors saw two tractors and neither were fitted with a roll over protective structures

Logiudice admitted the tractors were used for around fifteen minutes for clearing blackberry from the fence line and that they did not have roll over protection. One tractor had had a roll over protection structure fitted but it had been removed for work in the orchard and not refitted before the clearing work. The other tractor had never had ROP's fitted.

The court was told that in April 2002 WorkSafe inspectors had issued him with an improvement notice that had directed him to fit roll over protective devices and seat belts to all tractors used in the workplace.

A spokesperson for WorkSafe said safety laws require all operational farm tractors have a ROPS or protective cab but for work under trees or low structures may have their ROPS lowered or removed while the work is being done.

Further information on ROPS can be obtained on the website at [www.worksafe.wa.gov.au](http://www.worksafe.wa.gov.au) Source: DOCEP

## How to prevent sprains and strains in the workplace

26 October 2005

A new booklet and fact sheets are available from Workplace Health and Safety Queensland to help employers and workers prevent the most common injuries in Queensland workplaces – sprains and strains.

The booklet "Sprains and strains prevention" and five supporting industry fact sheets explain how these injuries occur and what can be done to prevent them.

Workplace Health and Safety Queensland General Manager Judy Bertram said sprains and strains significantly contribute to Queensland's annual workplace injury and illness costs of \$4.7 billion.

"More than 85,000 work-related injuries are reported in Queensland each year - sprains and strains account for between 50 and 60 per cent of them," Ms Bertram said.

"They are usually the result of common day-to-day tasks at work, so all workers are at risk regardless of their occupation."

Ms Bertram said people often wrongly assumed sprains and strains were only minor injuries.

"Sprains and strains can result in very serious injuries, even permanent spinal damage, which can be so severe that workers may need to take leave from work

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## WORKSAFE WEEK EVENT - VICTORIA

The Gippsland Occupational Health & Safety Network held their 13th annual Health and Safety Week breakfast seminar on Wednesday 26th October with the support of the Safety Institute and WorkSafe Victoria. This year's breakfast was hosted by HAZCON Pty Ltd. The breakfast was a runaway success with over 160 people attending and with many interested people unable to secure a place as the venue limit had been reached. Managing Director of HAZCON, Peter Attwood, welcomed everyone and was delighted with the enormous increase in participation that has occurred in the past few years. During his welcoming address he noted that "...from only forty or fifty people four years ago, the Health and Safety Week breakfast now attracts upwards of 150 people, demonstrating the significant importance that is placed on occupational health and safety in the Gippsland region."

The first presentation of the morning was given by the Executive Officer of HAZCON, Ruth Knight, a lawyer and practicing OHS Consultant. Ruth discussed some of the ramifications of the new OHS Act from a legal perspective and whether focus on compliance will result in a real reduction in workplace accidents and injuries. This presentation clearly demonstrated that much of the interpretation of the new Act will conclusively occur in Court during a WorkSafe prosecution.

In a change from having all professional speakers, this year the committee decided to invite some Workplace Health and Safety Representatives to give a first hand view on their role. Four local Representatives from different companies gave a first hand view of the demands, expectations and treatment they receive in their roles as OH&S representatives. They described the type of work the role involved and discussed the positives and negatives. Being "the meat in the sandwich" was a common theme, stuck between management and their fellow employees. However, all believed that improving health and safety for their fellow workers was a highly rewarding and satisfying part of the role.

Stuart Bailey from Worksafe Victoria gave the final presentation of the morning and spoke about consultation and demonstrating compliance after the 1st of January, 2006. The main issue with the new act is that you must be able to clearly demonstrate that consultation with employees is taking place. The days of Management making a decision and putting a memo on the notice board are past. Stuart provided some valuable guidance and made the point that more consultation with employees can only result in improvements to workplace health and safety.

Overall the breakfast was enjoyed by all. The discussions along with the bacon and eggs provided everyone with a morning full of valuable information, and a full stomach.

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## Ian Chisholm Award for Distinguished Service to OHS

At the recent NSCA/Telstra National Safety Awards of Excellence dinner held on 6 October 2005, a prominent member of the Safety Institute of Australia was recognised for an "outstanding contribution of an individual to the cause of occupational health and safety beyond their own workplace." The citation is below

### David Skegg

David Skegg commenced his experience with risk and safety management

In 1965. His consulting assignments have included work in a wide range of industries and roles and has acted as an expert witness in a number of jurisdictions. David has extensive experience internationally, with some 40-odd trips to the Middle East in the last five years alone.

David is an experienced leader of educational group activities and is highly regarded for his practical approach and his ability to involve and motivate participants. He has wide experience in successfully communicating with people at all levels in industry, from operators to board level and is in constant demand as a guest speaker.

David is very active in professional bodies and is currently the National President of the Safety Institute of Australia, a member of the Governing Board of JAS-ANZ, and the International Commission on Occupational Health, Chairman of Community Transport Services Tasmania, Vice-President of the Rotary Club of Hobart, a Director of several private companies, and a Bench Justice in Tasmania.

As national president of the Safety Institute of Australia, David was a driving force behind the Institute's brave move to set demanding standards for qualification to full membership of the professional body and has done much to uplift the standing of OHS professionals as a result.

David's dedication to lifting the profile of workplace safety makes him a deserving winner of the Ian Chisholm Award.

Continued from page 3 for extended periods.

"These injuries can also be very costly to business when you factor in the disruption to the workplace, reduced productivity, added costs and the hassle of rehiring, possible prosecution, loss of reputation, fines and increased workers compensation premiums."

Ms Bertram said the simplest way to prevent sprains and strains injuries in workplaces was to develop a risk management plan which identifies, assesses, controls and evaluates safety hazards and risks.

Workplace Health and Safety Queensland developed the "Sprains and strains prevention" booklet as a practical, step-by-step guide for employers who want to rid their workplaces of these injuries.

There are also fact sheets available tailored specifically for the construction; manufacturing, rural, health and community services; and transport and storage industries where sprains and strains are particularly prevalent.

Ms Bertram said while the booklet and fact sheets are aimed at employers, they are also full of useful information for workers.

Copies are available from [www.dir.qld.gov.au](http://www.dir.qld.gov.au) or call 1300 369 915.

Source: Workplace Health and Safety Queensland



L to R: Mark Nolan, Chairman ExxonMobil, David Skegg, Eric Curtis, CEO/MD NSCA and Bernie Doyle, President NSCA Board of Directors.

## New real estate code after murder, thefts

October 28 2005

Home buyers in Victoria face a security crackdown as the real estate industry responds to the murder of an agent and a spate of thefts during inspections.

Prospective buyers could be asked to produce photo identification before they are shown through a home for sale, as part of a new industry code that follows the murder of Elders Real Estate agent Lorelle Makin.

The 48-year-old's body was found in the bath of a vacant two-storey home on Melbourne's suburban outskirts in September, and the industry has also faced reports of jewellery and other valuable items taken as thieves target "open homes" in affluent suburbs.

The Real Estate Institute of Victoria (REIV) said today it was in talks with Workcover Victoria to develop new guidelines for agents when they worked out of the office.

REIV chief executive Enzo Raimondo also said agencies had been asked to adopt a new "Conditions of Entry" code for home inspections, to boost security.

Under the plan, homes open for inspection would display a sign clearly showing the conditions of entry.

"The conditions include asking people to provide their name and address, contact phone numbers and photo identification, if requested," Mr Raimondo said today. "People who don't wish to comply with entry conditions may be refused entry by the agent".

Mr Raimondo said the personal details would be handled in accordance with privacy laws, and agents must destroy the information once the property was sold or the agent's authority came to an end.

He said the move would enhance security and provide useful information to an owner and their agents about who had inspected the property. AAP

## MP to try to fast track asbestos claims

November 2 2005

South Australian independent MP Nick Xenophon will introduce legislation to state parliament next week to fast-track asbestos-related claims.

Mr Xenophon's move is designed to overcome a High Court ruling earlier this year which blocked access by victims in South Australia and other states to the fast-track claims system in NSW.

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He also wants to bring damage payments in SA into line with other states and simplify the rules of evidence.

Mr Xenophon said he hoped the state government would support the legislation as a matter of urgency. "This issue is even more urgent because South Australia now has the shocking burden of having the highest per capita rate of mesothelioma, the deadliest and most excruciating lung cancer in the world," he said.

Mr Xenophon said asbestos-related deaths were expected to peak in South Australia in 2020 with up to 2,000 people likely to die by that time.

AAP

## New Agents for Workers Compensation Scheme 31 October 2005

WorkCover NSW has announced the seven successful tenderers to provide workers compensation services to employers and injured workers in NSW.

WorkCover CEO Jon Blackwell said the seven organisations, including two new entrants to the NSW workers compensation system, will operate as agents in the scheme and deliver claims and policy services under commercial contracts.

"These changes are a pivotal part of the NSW Government's program of reforms to workers compensation that are aimed at delivering improved outcomes for injured workers and lower costs for employers," Mr Blackwell said. "We have raised the standards in terms of the level of service agents will be required to provide."

Agents are preparing to transition to the new arrangements and will commence operating under the new arrangements from 1 January 2006.

Source: WorkCover NSW

## ERA fined \$82,500 over incident at Ranger

October 28 2005

Energy Resources of Australia (ERA) was fined \$82,500 today over an accident in which a worker was injured at its Northern Territory uranium mine.

Darwin Magistrates Court imposed the fine after ERA pleaded guilty in September to a charge related to the serious but unspecified accident last year at the Ranger uranium mine.

The contracted fitter suffered a broken leg and head injury at Ranger's controversial processing plant last July.

ERA had faced a fine of between \$27,500 and \$275,000.

Chief executive Henry Kenyon-Slayney said he deeply regretted the incident and that the company had taken steps to prevent a recurrence.

"I welcome the court's finding that ERA was and remains seriously focused on the

## ASCC Submission

Some weeks ago, the SIA called for submissions on a public comment paper produced by the Australian Safety and Compensation Council (ASCC). The document concerned a rewording of the Adopted NES category.

The text of the SIA's covering letter which includes some SIA member comments is reproduced here.

The Office of the Australian Safety and Compensation Council Via email [Chemical@dewr.gov.au](mailto:Chemical@dewr.gov.au)

Dear Sirs

Re: Notations Relating to Sensitisation and Carcinogen Classifications – Adopted NES

The Safety Institute of Australia (SIA) has over 2000 members, who are involved in advising on health and safety issue in the workplace. After consulting with members, the SIA opposes the proposal put forward in the Public Comment Paper on the above topic.

The technical comments for this opposition are included in the attached paper which was circulated to all SIA members. The comments received by the SIA unanimously opposed the suggestion to remove the terms 'sensitiser' and 'carcinogen' from the Adopted NES. Specific comments received from SIA members include:

I fully support the position and arguments in the SIA paper. I have been personally involved in the circumstances of a recent death of a worker sensitised to wood dust.

As an OHS professional who has worked in this field for over twenty years I was pleased when the National Exposure Standards were first developed and relied upon them often when conducting research into solving a variety of problems concerning hazardous substances. Deleting notations of carcinogen and sensitizer from the National Standards will make it more difficult when trying to quickly and accurately identify research into hazardous substances. Only relying on an MSDS is fraught with danger given that most of them are out of date after five years.

To take widely recognised 'trigger' words out of the Exposure Standards can only lead to confusion and at best 'ad hoc' information in relevant MSDS's. It's hard enough to get employers to understand the potential long term hazards involved in some chemical use/exposure at the best of times, but 'carcinogenic' & 'sensitiser' turn the lights on for a lot of employers & most importantly, employees.

Having chaired the committee responsible for the NOHSC Guidance Material for spray painting I cannot but agree with the submission. These terminologies must stay in the exposure standards. These terminologies were used as a simple guideline so that all parties would have a simple trigger to investigate further. They were also used to simplify the reason for banning these substances in spray painting.

I agree with the comments about ALARP. As an auditor in the safety field I find the biggest issue with safety is education. The ALARP principle is used with radiation exposure and fits in with these two categories. If we stop reporting on materials that are possible 'carcinogens' and 'sensitisers', then as Safety and Health practitioners we a failing in our duty of care.

I agree with your response. Do not remove as, unfortunately, some employers will take it as an opportunity to expose workers to such risks. We want to build a sustainable workforce in Australia, not a sick one!

I support your comments and see no positive reason why these notations should be removed. Further I also believe Australia should follow the lead of the HSE and recommend that such substances are reduced in use where reasonably possible.

I heartily endorse the SIA position of opposition to the proposal. Taking away the terms carcinogen and sensitiser will mean a lack of focus on the harmful effects of these type of chemicals and dilute the impact that sound scientific study has on the "average" manager. If they (managers) are forced to read detailed study on possible effects, they won't and the safety specialists' role will become that much harder in raising awareness relating to hazardous substances.

My work has required that I have needed to check the accuracy of exposure standards for hazardous substances to allow test results to be used wisely to maintain standards of health and to remove the references raises quite important questions as to why and who have suggested the removal of such dangerous classes of substances and the motive for that action.

We look forward to the outcome of your public comment phase.

Yours truly, Leo Ruschena FSIA, National Secretary, Safety Institute of Australia, Inc.



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eradication of unsafe practices in its workplace," Mr Kenyon-Slayney said. "Our goal is to ensure that no-one comes to any harm while working for the company."

The Northern Territory is gearing up for a new wave of uranium mining, after the federal government moved to take control of the future of the territory's rich resources. It is home to 20 to 25 per cent of the world's known uranium resource.

In March last year, the Ranger plant was at the centre of a contamination incident when drinking water became polluted with uranium. In June, ERA was fined \$150,000 after pleading guilty to two contamination-related charges at the Ranger mine, surrounded by world heritage-listed Kakadu National Park. One involved 28 workers falling ill with spontaneous vomiting, gastric upsets, headaches or skin rashes after drinking or showering in the water - which contained 400 times more uranium than recommended.

The plant was shut down for two weeks while investigations were carried out. The second charge related to a series of incidents where contaminated vehicles left the mine site.

On one occasion, children built sandcastles in the "hot mud", which contained partially leached uranium, which leaked from one of the vehicles when it was left at a mechanic's for repair, a court heard at the time. AAP

## Relief for sufferers of dust-related diseases

1 November 2005

The State Government is moving to ease some of the stress and bring greater certainty to sufferers of dust-related diseases, such as asbestosis and mesothelioma.

Attorney General Judy Jackson today said the Government would amend the Administration and Probate Act 1935 to ensure general damages claims survive the death of the sufferer.

Ms Jackson said the changes would bring Tasmania into line with other Australian States, where the families of victims of dust-related disease can sue even after the death of their loved one.

"In the case of both asbestosis and mesothelioma for example, these diseases can progress very quickly after diagnosis," she said. "This is despite the fact that it may have taken many years for symptoms to become evident." "In this respect, the law as it stands potentially disadvantages those Tasmanians who suffer from a latent dust-related disease that may have

been negligently caused, where the plaintiff dies before finalisation of the claim. "We want to make sure that the victims of dust-related diseases and their families get a fair go and ensure that all Tasmanians have equal access to justice."

Ms Jackson said the changes would remove the pressure on sick and dying plaintiffs to push ahead with litigation as quickly as possible. "People who are dying from dust-related diseases invariably go through an enormous amount of pain and suffering, as do their families. "We don't want to add to that burden by denying them pain and suffering compensation simply because the sufferer dies before matters are settled."

Ms Jackson said the amendment would also remove the potential for defendants to drag out legal proceedings unnecessarily. A background paper has been provided to relevant stakeholders outlining the reasons for the amendments.

Source: Tasmanian Attorney-General

## Record Highs for Wage Recoveries and Workplace Health and Safety Fines

November 2 2005

The Department of Industrial Relations recovered \$9.9 million in wages for Queensland workers and employers were fined \$3.3 million for breaches of the state's workplace health and safety laws in 2004-05.

Employment, Training and Industrial Relations Minister Tom Barton said the record figures contained in the Department of Industrial Relations' annual report, were a timely reminder of the effective work of the Department in protecting Queensland workers.

Inspectors finalised more than 8,200 wage complaints and carried out more than 2,700 workplace audits in the past year. Inspectors took court action in 239 cases and this led to \$880,000 in unpaid wages being recovered.

Mr Barton said wages were recovered through investigation of complaints, audits, negotiation with employers and court processes.

"Safe, fair and productive workplaces are a key part of a strong economy," Mr Barton said. "The Government is committed to ensuring that all workers receive their appropriate entitlements.

"We are also committed to making sure that workplaces are safe."

Workplace health and safety prosecutions resulted in a record level of fines. More than 150 cases were prosecuted and this resulted in fines of \$3.3 million.

Workplace Health and Safety Inspectors visited more than 17,000

workplaces and issued more than 16,500 improvement notices. Industries targeted included construction, health and community services, and road transport.

Source: Minister for Employment, Training & Industrial Relations

## Hobart construction company wins 2005 Workplace Safe Awards

Friday, 28 October 2005

D Williams Builders Pty Ltd has been named the Overall Winner of the 2005 Workplace Safe Awards.

As well as being named Overall Winner, D Williams Builders won Category three, 'Best workplace health and safety practices in small business'.

Located in North Hobart, D Williams Builders is a building contractor that employs less than five workers but also works with sub-contractors statewide.

In 1999, the company instigated the development of an OHS Management System to improve the overall health and safety practices of the business as well as ensuring all work safety standards were being met and maintained.

The system is underpinned by job safety analyses, safe work method statements and loss prevention observations.

Since the introduction of the safety system, D Williams Builders has seen a reduction in incident/injuries, workers compensation claims and premiums.

For the first time ever, winners in three of this year's Awards categories will go on to compete in the inaugural national safety awards, providing winners with the opportunity to be recognised for their achievements Australia wide. A total of 50 entries were received in this year's Awards from Tasmanian businesses and organisations.

The Workplace Safe Awards, now in their 10th year are a positive opportunity to recognise Tasmanian businesses that have made workplace safety a priority.

Source: Beyond PR

## Small Business Wins OHS Excellence Award

27 October 2005

The ACT Occupational Health and Safety (OHS) Excellence Award for 2005 has been awarded to Cord Excavations, a small business operating in the ACT and surrounding NSW.

Cord Excavations is a specialised civil contracting and plant hire company

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# SAFETY AT WORK BULLETIN

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that employs 20 workers. The Excellence Award was chosen from the category winners in this year's OHS awards in recognition of outstanding achievement.

The winners of the ACT Occupational Health and Safety Awards 2005 were announced by the Minister for Industrial Relations, Katy Gallagher, at a function this evening at the National Museum. The awards are the highlight of Health and Safety Month with this year's theme of Opt for Safety in October - a month long safety awareness campaign run by ACT WorkCover.

For details of all ACT 2005 OHS award nominees and winners visit: <http://www.workcover.act.gov.au> and click on latest news.

## \$155 million to get injured employees back to work

November 3 2005

Injured Victorian workers will be encouraged to return to work earlier under a \$155 million state government WorkCover package announced today.

Injured workers who do return to work part time will have their benefits increased and support for injured workers will be extended by six months from the current two years.

The government will also increase death benefits to affected families by 18 per cent, improve counselling services and offer up to 13 weeks in weekly benefits for people aged 65 or over for treatment for an earlier injury.

The package also includes a \$10 million return-to-work fund to support programs for opportunities for injured workers.

Details of the package include:

- An increase in the level of weekly benefits for injured workers who return to work initially part-time, from 60 per cent to 75 per cent of their pre-injury salary;
- Quicker access to impairment benefits for seriously injured workers;
- Support for injured workers of up to an additional six months of benefits beyond the present 104 weeks (two years);
- An 18 per cent increase in death benefits to affected

families;

- Improved counselling services and a new case-management approach with WorkCover helping families in dealing with the Coroners Court and other agencies;
- A \$10 million return-to-work fund to support partnership programs involving employer and union groups to focus on return to work opportunities for injured workers;
- Up to 13 weeks in weekly benefits for workers aged 65 and older who require time off work because of medical treatment related to an earlier injury. AAP

## New guide for home care workers

3 November 2005

Aged care workers employed by Victorian councils for home care services operate under a new guide.

The guide allows councils to use a systematic approach for checking work practices .. identifying hazards and assessing risks.

Municipal Association of Victoria president Geoff Lake says when local government employees and volunteers work in a client's home .. it becomes their workplace. Therefore .. he says .. it has to meet relevant occupational health and safety requirements.

The Victorian Home Care Industry Occupational Health and Safety Guide is available at [www.mav.asn.au](http://www.mav.asn.au) and at Workcover and human services department websites. AAP RTV

## Tree lopping incidents spur Safety Alert

3 November 2005

WorkCover Chief Executive Officer, Jon Blackwell, today announced the release of a Safety Alert for the amenity tree industry in response to a recent spate of incidents in the industry.

"Since May 2005, in the greater Sydney metropolitan area, five arborists have sustained either fatal or serious injuries while engaged in tree lopping and removal work," said Mr Blackwell.

"These incidents have raised concerns about the safety of persons working in this industry," he said. Source: NSW Workcover

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# SAFETY AT WORK BULLETIN

## Is the Safety Advice You're Getting Competent?

By David Skegg

In my world of safety, there are many things that you see that point towards incompetence, or at the very least, a confusion, of what safety is really all about, and it makes me wonder about the quality of the advice that is being received. For instance, at the Hobart airport recently, the windows had been painted out, and a sign placed there that read words that basically said "In the interests of public safety, these windows have been painted out"

How so?

- Was the paint going to prevent some object coming through the glass?
- Was the paint there to prevent the public from seeing the construction site, and, if so, why?
- Was the paint there to prevent the construction workers from being distracted by being able to see the public? If so, then logically the whole of the site, including airside, would have to be visually protected.

Unfortunately, the questioning of competence does not stop at signs. The primary measure used in industry, and still espoused as useful by no less than the Chambers of Commerce and Industry, is based on the time spent off work as a result of injury. Tulk and Skegg (1997) showed in one definitive study that such a measure has no value. I have suggested elsewhere that, if the Lost Time Injury Frequency Rate (LTIFR) and its derivatives and cousins measure anything at all, they might measure the mood of the doctor at the time of writing the certificate – something management has no control over.

The whole of safety legislation in Australia is based on the report of Lord Robens, (1971) who came up with the astounding idea that if you get people to talk to each other, you can get improvement. This was translated as being the decision of committees established for that purpose, and implemented in such a way that you can put in one room someone from management, a Union representative, and someone from the government, and come up with sensible, effective safety measures. Let's take that in context. If I apply that thinking to, say, cardiac surgery, I would go to the hospital, and be met by someone from the administration, a Union delegate, and someone from the Health department – but no surgeon! The Robens approach has disenfranchised the science of safety, to the point now where there is no money for research. Safety training courses, including some at universities, do not contain "How To Run A Meeting 101" as an essential part of the curriculum. No wonder the courses are collapsing!

But Industry calls for advice on which it is entitled to rely, from so-called safety professionals, which, if wrong, can put them out of business. I find this amazing. You wouldn't dream of doing that with legal, medical, accounting, physiotherapy,

plumbing, or a host of other professions or trades, many of which would have lesser consequences than safety advice if inaccurate.

What is safety's "Universal Theory"?

To even think on the grand scale of a physicist is not an easy task, but to understand "our" universe of safety, we must. We have lived through the "unsafe act – unsafe condition" theoretical model; we have examined dominos and icebergs, and we have devised a haphazard and internally inconsistent set of codes and descriptors, which allow for "99 – not elsewhere included" to be used in the accepted taxonomy. None of these fits the bill of being essential to the accident processes we see. Now we are into Root Cause Analysis, Behaviour-Based Safety, and who knows how many other models, but we have yet to recognise our "universal theory", and explain to ourselves how it (if it exists) fits all these other hypotheses we have.

Our "universal theory" should be energy. It is the only commodity that must be present for damage or injury to occur, and it does not exclude all the other explanations we have put up with over the years. In fact, the reverse is true. Take "driver error" as an example in the road safety scene. If you simply accept that drivers are going to make mistakes, but you restrict the amount of energy that can be dissipated in the accident process, you must, by necessity, reduce injury and damage. This fits neatly with air bags that absorb energy being transported from one source to another. It is also consistent with limiting speed.

So why don't we refine this model further? We have been given a good grounding by Gibson, Haddon, and Kletz, and Australia's own Derek Viner has put up the easy-to-remember picture model.

What we now need to do is develop the model further, develop coding systems that match the model, and build our control systems in harmony with what we know from theory and practice will happen.

This is the first of a two part article by David Skegg based on a paper presented to a Tasmanian safety conference in October 2005. The 2nd part will be in the next issue of SIA SAFETY AT WORK BULLETIN.

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