



# SAFETY AT WORK BULLETIN

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## SA Gov't Triples Safety Fines

ADELAIDE, June 27 2006

Corporations that breach South Australian safety regulations will be fined at least \$300,000 as part of a state government move to improve workplace safety.

State Industrial Relations Minister Michael Wright today announced the government would triple the maximum fines for safety breaches in SA workplaces, following a string of industrial deaths.

Under laws to be introduced into parliament soon, corporations would face fines of \$300,000 for a first offence and \$600,000 for subsequent breaches that put workers at risk of injury.

The penalties would double again if aggravating circumstances were proven, Mr Wright said.

He said the increased fines would "hit (companies) where it hurts - the bottom dollar".

"This should be seen as a warning to big business to ensure that it abides by our workplace safety laws," Mr Wright said. "As penalties only apply for criminal convictions where these corporations have failed to provide a safe working environment - they'll deserve what they get. These changes are just the first step relating to penalties and there's more to come in the government's push to ensure workers are better protected on the job."

In the last financial year, 28 convictions were recorded under the state Occupational Health, Safety and Welfare Act and 25 of those related to corporations, which were fined a maximum \$100,000.

In the past two months, seven people have died in workplace accidents in SA.

AAP

### Tasmanian OHS Review announced

The Tasmanian Attorney-General, the Hon. Steve Kons MHA, has announced a review of workplace health and safety in Tasmania to identify how to further reduce the incidence of workplace accidents, injury and illness.

The review team is seeking the views of the general community and key stakeholders on aspects of the review within the terms of reference. A Discussion paper forms the basis for consultation on several legislative and administrative issues affecting workplace health and safety in Tasmania. The paper is available for download at <http://www.workcover.tas.gov.au/reference/wpsreviewofw.htm>

The closing date for submissions to be received is 24 July 2006.

A final report to the Minister is due in October 2006.

[The SIA is investigating this review to consider its involvement. ED.]

Source: DIER

### Builder fined \$7000 over lack of fall protection

27 June 2006

A WA builder has been fined \$7000 for failing to provide a safe workplace after an employee was injured when he fell 4.5 metres to the ground.

James Edward Aikman – trading as Westeel Homes – pleaded guilty and was fined in the Mandurah Magistrates Court this week.

In July 2004, Mr Aikman was building a house in Green Head, and two of his employees were laying metal roof sheets on the two-storey

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house at a height of around 4.5 metres.

There was scaffolding on the eastern side of the house, but not on the western side, and there was no edge protection or fall protection system in place.

A 29-year-old employee decided to get off the western side of the roof because he thought it was becoming slippery, and when he stood up he slipped and slid down the roof. He slid down in a sitting position, trying to break his fall by grabbing a power cord, but continued to slide and fell approximately 4.5 metres to the ground.

He was taken to Jurien Bay Hospital then flown to Royal Perth Hospital, where he was diagnosed with a shattered L1 vertebra. He then spent three months in the Shenton Park Spinal Unit.

WorkSafe Acting Director Operations Joe Attard said today that the case once again highlighted the crucial need to protect against falls from heights in workplaces.

"Sadly, an average of two Western Australians die every year as a result of workplace falls, with around 1260 additional injuries, many of them serious and permanent," Mr Attard said. "In this case, no fall protection was provided on the side of the roof on which the men were working, and safe systems of work must be in operation in workplaces to guard against the possibility of any worker falling from height."

The Code of Practice on the Prevention of Falls in Workplaces is available by telephoning WorkSafe on 9327 8777, or on the website at [www.worksafe.wa.gov.au](http://www.worksafe.wa.gov.au). Source: DOCEP

## Drugs, alcohol involved in 31 plane accidents:ATSB

CANBERRA, June 30 2006

Drugs and alcohol have been involved in 31 plane accidents in Australia since 1975, a report has found.

The Australian Transport Safety Bureau study, released tonight, found drugs and alcohol were recorded in 36 incidents, including 31 accidents, between 1975 and March this year.

"Drug and alcohol use in pilots can have a detrimental impact on aviation safety," the report said. "There were 36 drug and alcohol-related events - 31 accidents and five incidents. The majority of these occurrences were related to alcohol - 22 occurrences."

Drugs identified in plane accidents included heroin and cannabis as well as prescription drugs and over-the-counter medication.

"Drug and alcohol-related accidents accounted for 0.4 per cent of all accidents," the report said. "Fatal accidents accounted for 67 per cent of all drug and alcohol occurrences."

But drug and alcohol events accounted for only 0.02 per cent of all incidents recorded on the bureau's database, the report said.

The bureau said its study showed the prevalence of drug and alcohol-related incidents in Australian aviation was very low, but that the related accident and fatality rates were high.

"The planned introduction of a mandatory drug and alcohol testing program into the Australian civil aviation industry will provide a more prescriptive approach to the issue of drug and alcohol use in pilots," it said. "Education and training remain important elements of an overall approach to reducing the significant impact of drug and alcohol use on flight safety." AAP

## Man trapped under bus

HOBART, June 29 2006

A man is in a critical condition after being trapped underneath a bus in northern Tasmania.

Tasmania Police said the man was working underneath the bus at a service station in Cressy, south-west of Launceston, at the time of the accident.

"It appears the lifting device collapsed," a police spokeswoman said.

A crane was used to lift the bus and the man was taken to Launceston General Hospital.

Workplace Standards has been advised of the accident. AAP

## Campaign to tackle depression in rural men

MELBOURNE, June 29 2006

A new national campaign and telephone hotline to tackle depression in men living in rural areas will be launched by Melbourne-based anti-depression agency Beyondblue.

From July 1, advertisements aimed at raising awareness of depression among men will be seen on

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television, radio, in cinemas and newspapers, in rural areas across Australia.

The ads portray a middle-aged farmer, a twenty-something man at a country footy ground and an Indigenous man on a rural property.

Beyondblue-funded research, undertaken by The Centre for Rural Mental Health in Bendigo, showed that farmers often had a poor understanding of mental health and were reluctant to access formal health care.

Farmers identified a number of factors which contributed to their stress, including drought-induced financial difficulties, stock loss, and the constant physical and mental demands of farming work.

Beyondblue said approximately one male farmer in Australia died as a result of suicide every four days.

Beyondblue CEO Ms Leonie Young said research indicated that depression rates are the same in both rural and metropolitan communities, but suicide rates were much higher in rural areas. "This may be because country people are less aware of the symptoms and signs of the illness, they may feel ashamed or they may not know where to get help," Ms Young said.

Chairman of Beyondblue Jeff Kennett said more than half the men who have depression don't seek help.

"They'd go to the doctor if they had a physical problem like a broken arm and they should do the same if they have a mental health problem such as depression," Mr Kennett said.

"The sooner men see a doctor and get the right treatment, the sooner they're likely to recover or have their illness managed," he said. Mr Kennett said people would also be able to call a phone information line for the cost of a local call. "Although the Beyondblue info line is for everyone, in the next few months, it will be heavily promoted in rural areas in an effort to get country men to get help if they think they may be depressed," Mr Kennett said.

The service will provide information about depression, anxiety and related substance-use disorders, available treatments and where to get help. The Beyondblue information hotline line number is 1300 22 4636 and will operate from July 1. AAP

## Gladstone investigation – primary work complete

28 June 2006

Phase one of SafeWork SA's investigation into the fatal explosion at the Quin Investments factory near Gladstone on May 9, is complete.

Pieces of machinery and chemical samples have been locked in secure containers with key items transported to Adelaide for the next phase of the investigation. This will involve reconstructing the factory process line within a warehouse, and testing of the numerous samples taken, by independent chemical and metallurgical experts. No cause can be determined as yet, and the process remains likely to take several months.

Findings from SafeWork SA's investigation will be crucial in assisting the Coroner's Inquest. SafeWork SA is now deciding the future of manufacturing and other related activities on the site by the owner, Quin Investments.

Quin Investments must meet strict conditions prescribed by SafeWork SA before it can resume explosives manufacturing at its No. 2 bulk plant, as it has indicated. Such conditions include a risk assessment of the planned manufacturing process, and rehabilitation of the site concerned. Traces of caustic and inert explosive material, asbestos, nails, and fragmented wood and metal still litter the site, and pose an ongoing hazard.

SafeWork SA has received a proposal from Quin Investments about its intentions in this matter. That is being considered, and a meeting is being arranged for next week. However while the necessary checks are undertaken, the plant will remain locked down. Access to explosives stored elsewhere on the site on behalf of other clients is still being considered. Source: SafeWork SA

## Fatigue sanctions should be 'tough but fair'

29 June 2006

The National Transport Commission (NTC) is calling on the truck and bus industries to assist in the development of 'tough but fair' enforcement sanctions as a deterrent against breaches of proposed new heavy vehicle driver fatigue laws. A draft policy proposal has been released for information ahead of public consultation in August 2006.

NTC Chairman Michael Deegan said the proposed reform provides a more flexible regulatory framework for the industry to manage heavy vehicle driver fatigue; and clamps down hard on the minority who compromise road safety and compete unfairly by breaking the rules.

"It's important to send a strong safety message to all parties in the supply chain – driving whilst fatigued will not be tolerated," Mr Deegan said. "Equally, enforcement also has to be fair and flexible enough to recognise the practical challenges drivers face on the road everyday. We're committed to getting the balance right."

In 2004, Transport Ministers agreed to adopt a sliding scale of penalties and sanctions for fatigue offences Continued on page 4



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which reflect the level of safety risk. A Ministerial directive subsequently asked the NTC to consider the application of demerit points.

A minor (non-safety related) risk category was precluded because the approved policies represent safe working limits with little margin for error. This effectively means any breach is a 'substantial' safety risk. A driver running just a couple of minutes late for a rest stop could, technically, face a fine and demerit points.

Comment is sought on alternative approaches such as graduated fines and demerit points for short rest break offences, which reflect the extent of the breach. Enforcement guidelines are also flagged to ensure non-financial sanctions, such as formal warnings and improvement notices, are applied where appropriate.

Mr Deegan emphasised the importance of planning for foreseeable contingencies, such as heavy peak hour traffic, in drivers' trip schedules.

"If small delays push trip schedules to the limit, you will need to consider Basic Fatigue Management and Advanced Fatigue Management accreditation. Those schemes provide greater flexibility for operators who provide training and put auditable systems in place," he said. "Fatigue is a factor in 15 to 30 percent of fatal road accidents. Operators who do the right thing by their drivers and the community deserve our support. It is the rogue minority who will be the focus of tough penalties under this proposal."

Maximum penalties for breaches are consistent with existing Compliance & Enforcement laws and apply to freight consignors, receivers, loaders and schedulers as well as drivers and operators. A five times corporate multiplier also applies. Source: NTC

## Free cancer treatment but no compensation for Maralinga victims

28 June 2006

Free cancer treatment for the survivors of the British nuclear tests in Australia is finally an admission by the Government that Australian soldiers received deadly doses of radiation, the Democrats said.

Suddenly the Government finds its conscience on this matter, after it has fought off all claims in the courts, yet refuses to admit that there was a connection between Australian soldiers standing eight miles away from the atomic blast and an astonishingly high death and infertility rate due to cancers, Senator Allison said.

The study found large excesses in cancer rates of up to 300 percent over a wide range of cancers, suggesting a common causative effect, yet miraculously finds no link.

The study took seven years, and in that time half of the nuclear test participants have died. Death certificates have showed that most of the 6000 servicemen who have died, died from cancer, leukaemia, heart failures or brain tumours and almost half were in their 40s and 50s.

Years were spent wrangling over the design of the study, and in the end the Government decided to exclude those who died before 1982 (30 years after the first test) on the absurd basis that cancer takes many years to develop after exposure!

Were witnessing, like the James Hardie asbestos case, a deliberate strategy which fails to admit culpability and drags out investigations and court cases until the majority of the claimants are dead.

Nine claims for a total of \$1,047,781 were paid to veterans for the effects of ionising radiation under the Safety, Rehabilitation and Compensation Act. Only 8 percent of claims were successful under this law.

Free cancer treatment will not cover loss in income and loss of loved ones, the victims and families of the grossly mismanaged nuclear tests should be fully compensated. These servicemen and contractors should be recognised with all they have endured, said Senator Allison. Source: Australian Democrats

## \$137,940 fines after apprentice loses arm

June 15 2006

A Sydney green waste recycling company and its director have been fined a total of \$137,940 by the NSW Industrial Court after a 15 year-old apprentice lost his arm as a result of a workplace incident.

Australian Native Landscapes Pty Ltd, of Terry Hills, and its Managing Director, Mr Patrick Soares, pleaded guilty to breaches of the Occupational Health and Safety Act 2000.

The conviction resulted from an incident at the company's North Ryde recycling facility on 19 November 2003 when the apprentice was cleaning mulch from a green waste conveyor while it was running. The apprentice's right arm became caught under the roller, and later had to be amputated.

Justice Schmidt fined Australian Native Landscapes Ltd \$125,400 and its Managing Director \$12,540. In handing down the penalties, Justice Schmidt said, "On the evidence, there can be no doubt at all that what occurred was both entirely foreseeable, and that there were simple steps available which would have ensured that this risk to

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## Esso Longford DVD Review

By Kevin Jones

The difficulty with media alternatives to books and reports is that they have to be better than the original source material. They have to be better in terms of presentation, time, convenience and comprehension. If the products are not better than the original, then one has to ask why have them?

The Futuremedia series of Professor Hopkins DVDs have been developed for a variety of reasons. One is that, since the Longford disaster and the publication of the book, Andrew Hopkins is a man-in-demand. So much so that it was not possible for him to attend all of the important engagements, as well as maintaining a work/life and professional balance.

Another reason for these products is that they can be used as the basis for a safety management workshop. The facilitator's package includes a Guide, reference material, participants' notes and a PowerPoint presentation. All of this is very good but what the customer wants is to hear the expert's opinions and thoughts – those of Andrew Hopkins. Any facilitator of a workshop, unless they have similar qualifications to Professor Hopkins, is always going to be secondary.

Reviewing this product on a laptop allowed me to use the package as a knowledge review of an event whose disruption I still remember. I have heard Andrew speak several times in interviews and at safety conferences so the content is familiar. But many safety videos/DVDs that focus on disasters and management have relevance across national boundaries and I think this is where the most lucrative market for the package is. If during tertiary risk management courses, Australia students view videos from Peter Sandman or reports on Piper Alpha (an event that Professor Hopkins refers to explicitly), then overseas students may or should be interested in similar events in different jurisdictions and different recommendations from inquiries and Royal Commissions.

A major criticism of Exxon's management of Longford was that the HAZOP process was inadequate. Most OHS practitioners in Australia would be aware of HAZOPs, Major Hazards matters and safety cases, even though many would not directly have participated in one. The package stresses the needs for these processes and this point would be quickly understood by European and English safety professionals. Sadly, a recent American speaker at the 2006 Safety In Action Conference, showed his ignorance by not being aware of the safety case concept, when asked about it by the audience. In my opinion this lost the speaker credibility but it also indicates that the basic concepts that are outlined in the Hopkins package could be revolutionary to some industry/professional sectors, or countries outside of Australia.

A personal and, perhaps, petty, gripe is that the narration is handled on screen by Bartholomew Johns, an established actor in Australia. It is always difficult to choose a presenter who can speak authoritatively but I have a problem with taking Bartholomew seriously even with his sonorous voice, as I remember a time when (I think) he was a Ronald McDonald. To me this would be like having a Wiggle talking about workplace facilities, but then that is my problem. For those to whom Bartholomew is just a familiar face, his presentation is adequate but occasionally there is a smugness or "Spockian" lifting of an eyebrow.

After a while, in a continuous run-through, the DVD sounds like Esso-bashing due to the continuing deficiencies of the Exxon management system. The record fine imposed on Exxon by the Courts justifies the harsh criticism that it has received over the years and again in this DVD but it would be lovely to hear from Esso on how they have reacted to the criticism and, hopefully, are a better company for the experience.

Overall, I found the Hopkins DVD to be very useful as it was an important reminder of the problems at Esso Longford that are more than likely still operating in a range of other large organisations. The experience is like watching a movie of a familiar book – a refresher course or reading for the time-starved professional. All of the important information is there but the complexity of the decision-making that a book has the luxury of including, is missing. My recommendation on this package is firstly to read the book, SAFETY, CULTURE AND RISK (which is included in the package) and then, later, watch the presentations that re-emphasise the important points of Andrew's book. I am unsure of the need to experience this package through a training course other than the issues raised in the package become clearer when you have someone to discuss them with. I think the most benefit may come from talking the issues over with colleagues through a safety network rather than a structured course.

The safety management deficiencies are important elements that we need to be reminded of. The Longford DVD package does this well but if you don't have the \$1800 for the DVD but you can afford \$65 and devote a weekend to reading and digesting it, you will have a more worthwhile experience.

*More details of the DVD Package – **PREVENTING DISASTER: LEARNING FROM LONGFORD – An Interactive Training Package with Professor Andrew Hopkins**, can be obtained from Futuremedia in Sydney on 02 9279 4499 or by email at [info@futuremedia.com.au](mailto:info@futuremedia.com.au). Kevin Jones was supplied with a copy of the package for review purposes.*



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safety could not have materialised.”

WorkCover NSW Chief Executive Officer, Jon Blackwell, commented: “This appalling injury to an apprentice at the start of his working life is a tragic lesson that should be borne in mind by all employers and others in the workplace who are responsible for the health and safety of our young workers.”

WorkCover invites employers who may require help with making their workplaces safer to attend a WorkCover workshop or contact WorkCover’s Business Assistance Unit for assistance - see WorkCover website or call 13 10 50 for details.

*WorkCover (Insp Kumar) v Soars and Anor IRC 4854 and IRC 4855 of 2005*

Source: Workcover NSW

## Union will try to enter building site where man died

CANBERRA, July 3 2006

Union officials will this morning try to enter a Canberra building site where a worker died in a weekend fall, after allegations that the construction company has resisted safety checks.

The 48-year-old Queanbeyan man died on Saturday after falling from the tenth to the ninth floor through a hole in a slab floor of the new Australian Taxation Office building in the city centre.

Emergency services could not revive him. WorkCover officials and the ACT coroner have visited the site, and investigations continue.

Construction, Forestry, Mining and Energy Union (CFMEU) assistant secretary Dave Noonan said today the company building the office block, Bovis Lend Lease, has been resisting union safety checks.

“We know that the Australian Building and Construction Commission (ABCC) has been pressuring this company to block union access to construction sites,” Mr Noonan said. The commission is a government body. “If ... this federal government site suffered due to ABCC restrictions on union safety activity, then Prime Minister John Howard and his Workplace Minister Kevin Andrews will have blood on their hands,” Mr Noonan said.

The union has announced an investigation to look for a material link between the reported pressure and the death. Workers on the site will be collecting money for the family of the dead man.

AAP

## Three of of four support Vic bar, club smoking bans: survey

MELBOURNE, July 3 2006

More than three out of four Victorians support smoking bans in bars and clubs, Cancer Council Victoria research has found. The findings were released as the countdown begins to smoking bans in Victorian bars and clubs to take effect from July 1 next year.

Similar bans began yesterday in Queensland, while the bans have been operating in Tasmania since the beginning of the year.

The Cancer Council survey of about 3,000 Victorians found 77 per cent supported the bans, Quit Victoria executive director Todd Harper said today. Forty-seven per cent of smokers surveyed also supported the bans.

AAP

## Adobe Acrobat V7.08 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 20 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 7.08 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 for viruses before distribution.

For those readers who are unconcerned about download limits, the latest version of Acrobat Reader is available for free from <http://www.adobe.com/products/acrobat/readstep2.html>

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