



SAFETY AT WORK BULLETIN

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NSW Continues the Fight Against WorkChoices

7 September 2006

NSW Minister for Industrial Relations, John Della Bosca, today announced the lemma Government would be introducing new legislation to protect injured workers from the ravages of Work Choices.

Mr Della Bosca said the NSW Industrial Relations Act that protected workers from being sacked if they were injured at work was under threat from by Mr Howard's unfair and complex industrial relations changes.

"The lemma Government is determined to do everything it can to stand up for hardworking families to preserve the hard won protections that our industrial relations system offers," Mr Della Bosca said. "Under WorkChoices there's nothing stopping an unscrupulous employer from sacking a worker who's injured on the job, leaving them on the scrap heap. The lemma Government will be making sure that won't be happening in NSW.

"The NSW laws, under Section 99 of the Industrial Relations Act, prevent dismissals from taking place within six months of an injury occurring.

"NSW has had these valuable protections in place for a long time. To retain these provisions for injured workers, the NSW Government will now transfer these protections to NSW workers compensation legislation.

"In NSW, there are about 49,000 employment related injuries every year. And although these numbers are at an 18-year low due to highly effective education and compliance campaigns from WorkCover NSW, a lot of vulnerable workers are under threat," Mr Della Bosca said.

"NSW laws also enable injured workers to return to their previous job within two years of the injury taking place.

"There is no provision in the 1388 pages of legislation and 400 pages of regulations that make up Work Choices that replicate these protections.

"The sooner an injured worker is reintroduced into the workplace, the better the prospect of a complete recovery," Mr Della Bosca said. "In March, the NSW Government announced it would continue to look at all legislative options to protect workers in both the public and private sectors from the excesses of Work Choices," he said. "We have been delivering on this commitment."

To shield NSW families from Work Choices, the lemma Government has:

- Introduced new legislation to protect NSW's frontline public servants, including nurses and TAFE teachers
- Will be introducing new laws to ensure young people under 18 years of age remain under the protection of the NSW industrial relations system.
- Will be putting in place new legislation to strengthen the powers of the NSW Industrial Relations Commission

Source: NSW Minister for Industrial Relations

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Judge Increases OHS Fine on CSR MELBOURNE, September 7 2006

A judge has almost tripled a fine imposed on CSR Limited after two employees were injured in separate workplace accidents.

In the first accident in February 2004, a man's arm was dragged in up to the shoulder when it was caught at an unguarded nip point as he removed debris from a conveyor belt which was running. Although he returned to work a few hours later he continued to experience pain, numbness and weakness in his injured forearm.

In June the same year, a woman's right arm was broken and required significant surgical treatment and rehabilitation. She had been inspecting conveyor belt rollers to locate the source of imperfections in the plasterboard and reached under the conveyor belt and rollers to feel if there was a build up of plaster. Her right arm was dragged into the rollers. .

CSR originally pleaded guilty to the two charges of failing to provide a safe working environment and failing to maintain safe plant equipment under the Health and Safety Act 1985 and was fined a total of \$15,000.

But Victorian County Court Judge Susan Cohen said the original fine was "manifestly inadequate" before increasing the fines to \$40,000 plus costs of \$4,200 and recording a conviction.

Worksafe Victoria executive director John Merritt said inadequate machine-guarding remained a significant cause of workplace injuries as was inadequate training or procedures.

AAP and WorkSafe

Man dies after being hit by train carriage September 4 2006

A man died after being hit by a train at the Pacific National depot in northern Tasmania.

Police were called to Pacific National at Newstead in suburban Launceston at 10.41am (AEST) today, a police spokeswoman said.

Few details have been released, but the spokeswoman said it appeared the train was switching tracks at the time of the accident.

The 51-year-old man was hit by a train carriage and died at the scene, she said.

Workplace Standards is investigating the accident. The death has been referred to the coroner.

Rail freight operator Pacific National has sent condolences to the friends and family of a worker killed at its northern Tasmanian maintenance depot today.

In a statement issued this afternoon, Pacific National described the death of its "valued employee" as tragic.

"Pacific National would like to express its deepest condolences to the family, friends and work colleagues of the deceased," the statement said.

The Department of Land, Transport and Safety (DIER) is investigating the incident. AAP

Bookshop sale

According to the SafeWork SA website their bookshop is having a sale. Below are some of the tiems that are available through this link http://www.safework.sa.gov.au/show_page.jsp?id=4893

All Codes of Practice have been reduced to \$5.00 each.

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Asia Report

Win Some and Lose Many

By Melody Kemp MSIA M.AJA

Two recent articles in the Asian press underline the interrelationship between environmental and safety and health issues, but also go to show that taking an environmental path, in an increasingly hostile industrial atmosphere, may get results leading to improved workers safety.

The Bangkok Post reported this week that Guangdong province had increased its emissions of sulphur dioxide, nitrogen oxide and particulates, despite having signed an agreement with Hong Kong to significantly reduce them. Ironically many of the factories in Guangdong are owned by Hong Kong Chinese. However the smog from the increasingly inappropriately named Pearl River Delta (PRD), is now at a level that it threatens the health of the super rich who live atop Hong Kong's Victoria Peak. Several months ago two HK marathon runners died from the effects of pollution, proving that in some situations, it is healthier to be a couch rice pudding.

Guangdong is finding it hard to attract workers, and numbers are reportedly down from the 10 million or so rural migrant workers who came here seeking a golden future. They got the wealth OK; embedded in the alveoli of their lungs. Workers complain of not being productive, and falling ill both from effects inside and outside the factory. Cadmium and gemstone dust that causes silicosis are among the major hazards that cause both environmental and occupational hazards. So like Australian Transport authorities responding to low levels of usage by sky-hiking fares, the government of Guangdong according to HK environmental watchdogs Green Power, are dropping emission standards by up to 158% in an attempt to make up for lost revenue.

In a pattern that is increasingly repeated like the motifs in weaving, workers across Guangdong are choosing to go on strike and resign to express their discontent. On a rainy July day in 2005, poisoned workers gathered in front of the entrance to a factory where record levels of cadmium had been found in workers blood, and displayed the slogan "return my health, return my human rights!" More than 60 of these migrant workers later filed a lawsuit against the company. (www.theepochtimes.com/). Women living around the cadmium battery producing enterprises

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'What's the Risk: assessing health risks arising from the use of workplace hazardous substances' video package has been reduced to \$10.

'Farm Safety with Giddy Goanna' is now \$4.

'Workplace Health and Safety Training Manual' has been reduced to \$40.

The cost of some of guidelines and brochures which incur a charge for multiple copies have also been reduced - see the complete and updated Publication List attached for further details. All sale items are highlighted in red.

Sale ends 31 October 2006 or until stocks run out!

Falling concrete slab misses workers, but conviction and fine hits company

6 September 2006

A Shepparton company has been convicted and fined \$20,000 after two men narrowly escaped being hit by a 70kg slab of concrete on a Melbourne construction site.

Shepparton Terrazzo Works Pty Ltd pleaded guilty to one charge laid under the Occupational Health and Safety Act (1985) in the Melbourne Magistrate's Court yesterday.

WorkSafe told the court Shepparton Terrazzo made pre-cast concrete panels for Caulfield Grammar School's East St Kilda campus in March 2004, but one was 12.5 cm too short, requiring the manufacture of a section to make up the gap.

This replacement section was a little over 66 cm long and fell more than three metres during installation.

WorkSafe's investigation found it had not been made to the engineer's specifications.

Counsel for Shepparton Terrazzo said the company had since put procedures in place to make a repeat occurrence less likely.

WorkSafe's Construction and Utilities Director, Geoff Thomas, said there had been a number of recent incidents as a result of falling concrete panels, including a death in March this year at Pakenham.

"There is no room for error when manufacturing and erecting concrete panels which are now a prominent form of construction work in Victoria. All concrete panel manufacturers must follow the details shown on engineering 'shop drawings'. People's lives depend on it."

Concrete panels need to be properly engineered, and the installation process must be carried out in a safe way ensuring panels do not fall.

"WorkSafe has extensive guidance on concrete panels available, including the Industry Standard for Precast & Tilt-up Concrete for Building. We recently held free industry information sessions on concrete panel safety and more are planned in coming months," Mr Thomas said.

Source: WorkSafe Victoria

New Safety Standards To Protect Pubs And Clubs

6 September 2006

New standards to make Victorian clubs and pubs safer for the public and those employed in the security industry were launched today by the Minister for Workcover, John Lenders.

Mr Lenders said the 'Crowd control at venues and events'

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have been found to have cadmium in their blood also. This is the cost of China's economic miracle.

But the Guangdong government may have a major fight on its hands if the children of Victoria peak start suffering the same effects as the workers, HK is not that far from the PRD and the winds bearing the smog of progress may be result in workplace reform for workers.

Meanwhile in The Land of Smiles, Karen villagers (that is one of the ethnic group who are being ethnically cleansed so that the SPDC can take their lands in Burma), won a historical victory against Lead Concentrate Co, after their village in Kanchanaburi Province, north west of Bangkok, was contaminated with lead, causing illness and retardation in Karen offspring. This was the first time a Thai court had awarded compensation for damage in utero, The lead had contaminated the village water supply and soil. One only has to wonder what had happened to the workers, if the external contamination was so significant. The director of Karen studies, said the verdict had set a standard for environmental cases.. Interestingly not a trade unionists or industrial advocate had been heard bringing forward any similar workplace claims. This may be because like in Australia industrial issues are being suborned to corporate welfare.

Two weeks ago the workers compensation tribunal in Bangkok rejected a compensation claim lodged by 11 claimants for byssinosis. I know some of them personally and there is no doubt that the diagnostics and workplace audit data point to their claims being fair. All are disabled by chronic SOB, which is not helped by Bangkok's soupy photochemical smog.

But as the pressure to destroy or resist organised labour persist globally, and in Australia, where industrial issues are being pushed back to pre-Industrial Revolution times, then safety and health may strategically have to be tied to environmental concerns to be heard, or better still to win.

Melody Kemp is an ex-pat Australia who currently resides in Laos. As well as working on OHS matters throughout the Asian region she is also the author of Working for Life: Sourcebook on Occupational Health for Women, an excellent publication available for download at www.amrc.org.hk





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safety guide was developed following a review by WorkSafe and crowd control companies.

According to Victoria Police statistics 1429 assaults were recorded at licensed premises across Victoria over 2005/06.

“People working at and attending hotels, clubs and events have a right to enjoy themselves without the threat of violence,” Mr Lenders said. “The number of reported violent assaults is declining but unfortunately the actions and behaviour of a minority of individuals often impacts directly on the experience of other patrons and spectators.

“This new safety guide addresses the threats and risks that can and do occur when a large group of people gather for entertainment in Victorian venues.”

Mr Lenders said the new minimum safety standards outlined in ‘Crowd control at venues and events’ included:

- controlling entry into venues or events;
- monitoring and communicating on crowd and individual behaviour;
- dealing with potentially aggressive, abusive or violent behaviour;
- physically managing aggressive, abusive or violent behaviour;
- administering and coordinating ‘first response’ first aid, and
- coordinating emergency evacuation of a venue or event.

The standards were developed in consultation with many organisations including the Crowd Controller Employers Association, Victoria Police and the Australian Hotels and Hospitality Association.

“Safer venues and clubs require the public and those who work in the hospitality industry to behave responsibly,” Mr Lenders said. “The new guide is a step in the right direction and will help to prevent tragedies from occurring. In the next few months, WorkSafe officers will be visiting venues and clubs to talk to them about the new requirements and ensure employers are complying with the new standards.”

Mr Lenders said compliance with the new standards could be used to support evidence in WorkSafe prosecutions. “Through consultation and cooperation in the industry a lot of the dangers that exist for crowd controllers and the Victorian public can be minimised and eliminated,” Mr Lenders said.

Source: Victorian Minister Responsible for Workcover

Work Safe Forum sets sights on workplace safety

September 6, 2006

Registrations for the 2006 Perth Work Safe Forum have been announced, and this year’s Forum promises to be the biggest yet.

WorkSafe WA Commissioner Nina Lyhne said today that last year’s Forum attracted around 650 participants, up from around 500 the previous year.

“Each year the forum gets bigger, reflecting the importance placed on keeping people safe and healthy at work,” Ms Lyhne said. “The Perth Forum will cover a range of issues and give participants the opportunity to network with others interested in workplace safety.

“A new Code of Practice on Violence, Aggression and Bullying at Work was released last month, and this is one of the subjects the Forum will give participants the chance to discuss in detail.

“A Code of Practice on Working Hours was also released last month, and Forum participants will also get to discuss the important issues of work-life balance and long working hours.”

The Work Safe 2006 Forum is presented by WorkSafe, the Commission for Occupational Safety and Health and WorkCover Western Australia. Speakers at the Forum will include the WorkSafe WA Commissioner, WorkSafe inspectors, Commission Chair Tony Cooke, DOCEP Principal Labour Relations Advisor Kristin Berger and speakers from RiskCover and WorkCover.

The Forum will take place from 8.00am to 5.00pm on Wednesday, October 25 at the Perth Convention and Exhibition Centre.

“The key objective of the day is to exchange information and ideas on occupational safety and health issues,” Ms Lyhne said. “We really want to inspire people to put safety first in the workplace. I strongly encourage anyone who has an interest in workplace safety to register for the Forum, as it is a rare opportunity to discuss issues with others who share an interest in safety and to be updated on the latest ideas, strategies and developments.”

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Further information on the Forum can be obtained by telephoning WorkSafe on 9327 8781, or on the website at www.worksafe.wa.gov.au/forums.

Source: DOCEP

New WorkCover photo licences provide greater security

September 4 2006

WorkCover NSW Chief Executive Officer, Jon Blackwell, announced today that applicants for a new National Certificate of Competency (NCOC) would be issued with photo licences from 4 September 2006.

“Persons requiring a new NCOC licence, or having a class added, will be able to lodge their application at any of the over 1,000 Australia Post Bank@Post outlets in NSW or the ACT,” said Mr Blackwell.

“Under the new arrangements, applicants will have to lodge their applications within 60 days of the issue date of their Notice of Satisfactory Assessment,” he said.

Only Notices of Satisfactory Assessment issued from 4 September 2006 by WorkCover NSW Accredited Assessors will be accepted at Australia Post outlets.

Applicants will be required to provide a passport size photograph and evidence of their identity.

“The new style photo licences will provide greater security for the community by providing proof and assurance for both workers and employers that people operating complex machinery or undertaking high risk work are competent and have a valid licence,” said Mr Blackwell.”

The new licences are valid for five years and cost \$65 per class. This fee has been kept to a minimum, and covers processing costs. “In addition, the pocket-sized plastic licence will be more durable and less likely to be damaged,” said Mr Blackwell.

Source: WorkCover NSW

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 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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