



# SAFETY AT WORK BULLETIN

Proudly Sponsored by the Safety Institute of Australia (Victoria Division)  
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## Review of the ACT Workers' Compensation Scheme

November 13 2006

Minister for Industrial Relations, Andrew Barr, today announced the letting of a tender for a consultant to conduct a Review of the ACT Workers' Compensation Scheme.

The ACT Government has provided \$400,000 over the next three years to review the private sector Workers' Compensation scheme, with the review prompted by the fact the ACT has the highest reported private sector workers compensation premiums in Australia.

"The last major review of the scheme was undertaken in 1999 and most of the recommendations were encompassed in the legislative reforms that established the present Workers Compensation Act in 2002. However, concerns have continued to be raised about the cost of the scheme," Mr Barr said. "High workers' compensation premiums have a negative impact for businesses in the ACT and can act as a deterrent for establishing a business in the ACT. "The review is critical to ensuring the continued viability of the scheme and a full review of the scheme, including an actuarial assessment, would enable the operations of the scheme to be considered in an informed, objective and thorough manner."

Mr Barr said the review will be a comprehensive examination that will consider the financial performance of the scheme, its effectiveness, and the impact of the workers' compensation legislation on employers and injured workers.

"The review will consider a wide range of factors, including the effectiveness of the injury management provisions which were introduced in 2002," he said. "We need to have the right mix of provisions and incentives in order to ensure that we are not placing too high a burden on ACT employers. At the same time, we must ensure that we are doing everything we can to reduce the human and financial cost of workplace injuries on the Territory's employees.

Details of the tender can be found online at [www.basis.act.gov.au](http://www.basis.act.gov.au)

Source: ACT Minister for Industrial Relations

### MP wants Work Cover books open to scrutiny

ADELAIDE, November 10 2006

South Australian independent MP Nick Xenophon wants to give the auditor-general the power to examine the state's Work Cover compensation scheme's accounts.

Mr Xenophon said he was hoping for bi-partisan support for his legislation to subject Work Cover's books to scrutiny when it was introduced in state parliament next week.

He said it came as Work Cover's unfunded liability had increased to about \$700 million.

"Businesses and injured workers in this state should be alarmed that it's come to this," Mr Xenophon said. "That's why the government and the opposition need to support my legislation to give the auditor-general the powers to open Work Cover's book and to examine its practices.

"It's in the public interest to ensure that Work Cover is performing in the best interests of both injured workers and the businesses that pay the Work Cover levy."

Mr Xenophon might expect support from the opposition with Liberal leader Iain Evans today also expressing concern at the increase in the unfunded liabilities and also at the ongoing cost to employers.

AAP

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## ADVERTISING

A limited amount of advertising has been approved by the Safety Institute of Australia.

If you want to advertise to over 3,000 safety professionals in Australia, please contact Joanne at the SIA Secretariat through [natadmin@sia.org.au](mailto:natadmin@sia.org.au)





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## **Bouncer goes on trial for manslaughter** ADELAIDE, November 8 2006

A former hotel bouncer held a patron down by the neck for eight minutes before it was noticed the man had stopped breathing, a court has been told.

In the South Australian Supreme Court today, Paul John Edwards went on trial for the manslaughter of 25-year-old Domenic Esposito in February last year.

Mr Esposito died during an altercation with security staff at the Ramsgate Hotel in Adelaide's west.

Prosecutor Sandi McDonald told the court that Edwards held Mr Esposito around the neck while he was on the ground in such a way that it killed him.

She said the victim and a friend earlier had been asked to leave the Ramsgate Hotel and, as they were escorted out by security staff, a fight broke out.

"The situation just ignited between the two groups," Ms McDonald said.

It was then that Mr Esposito was restrained and brought to the ground by Edwards, the court was told.

The prosecutor said the bouncer continued to restrain Mr Esposito on the floor "until such time as Mr Esposito was no longer breathing".

Evidence would show that it was 8.42pm when Mr Esposito was taken to the ground and 8.50pm when it was noticed he was no longer breathing and Edwards released his hold and stood up, Ms McDonald said.

By that time, Mr Esposito was blue, his eyes were rolled back and there was vomit around his mouth.

Attempts were made to resuscitate him but were unsuccessful.

The trial continues.

AAP

## **Review of safety controls over major hazard facilities**

6 November 2006

NSW Minister for Commerce, John Della Bosca, today called for public comment on draft safety laws governing the operation of major hazard facilities in NSW.

The new regulation supports the introduction of national standards for facilities such as:

- Oil refineries
- Chemical processing plants
- Liquefied petroleum gas depots
- Large chemical warehouses
- Explosive storage facilities

"The draft regulation is designed to make these potentially dangerous plants safer and more secure for anyone who works there and for families who live nearby," Mr Della Bosca said.

"While major hazard facilities in NSW already comply with existing planning, environmental protection and occupational health and safety regulations, these updated laws give a focus to events with major consequences.

"The regulation will bring NSW into line with the National Standard for the Control of Major Hazard Facilities, which is being implemented by all states and territories as well as the Commonwealth.

"The new regulation follows extensive industry consultation and requires operators to minimise the risk of major accidents and near misses and to reduce the effects on the community of any major incident.

"Under the proposed regulation, all major hazard facilities must be registered with WorkCover NSW and have a safety management system that includes security and emergency plans," the Minister said.

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## **National AGM Venues**

National SIA AGM venue's for each the Divisions.

1. **National** AGM to be held at the National office, Building 166, Grants Road, Melbourne Airport 7.00 pm EST
2. **South Australia** - to be held at 2A Forth Avenue, WARRADALE SA 6.15 pm SA TIME
3. **Tasmania** - SEMF Offices, Level 2, 45 Murray Street, HOBART 7.00 pm EST
4. **ACT** - 4 Summers Place, FLOREY (Telephone 02 - 6258 9457)
5. **NSW** - Getex Pty Ltd, Suite 202, Building 2, 35 Waterloo Road, NORTH RYDE NSW. Please email NSW Secretariat, Stephanie Blower if attending the AGM. Send your email to nsw.secretariat@sia.org.au
6. **QLD/NT** - Site Safe, 17 Mayneview Street, MILTON 7.00pm (Any enquiries to be directed to Ralph Willson 07 - 3369 3055)
7. **WA** - 36 Brisbane Street, PERTH 4.00pm WA TIME ( Any enquiries to be directed to Ron Adams 08 - 9427 0800)

## **Correction**

In last week's edition we omitted a hyperlink from Sustainability's ad. IWe apologise for the omission.

If you want to know more about Sustainability please visit <http://www.sustainability.net.au/>



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WorkCover's Major Hazard Facilities Unit, in conjunction with relevant agencies, will undertake compliance monitoring throughout the registration period. It is proposed that the new arrangements be self-funding with the operators of major hazard facilities meeting the costs of the new regulation through a scale of fees.

Copies of the draft regulation and cost-recovery discussion paper can be obtained from [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Public submissions close on Friday 15 December 2006 and should be sent to WorkCover NSW by

Email: [mhf.publiccomment@workcover.nsw.gov.au](mailto:mhf.publiccomment@workcover.nsw.gov.au) or by fax: 9287 5236; or by post to:

The Manager  
Regulatory Reform & Economics Unit  
WorkCover NSW  
Locked Bag 2906  
Lisarow NSW 2252

Source: NSW Minister for Commerce

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## Calls for Tripodi to reveal maintenance of power station

SYDNEY, November 8 2006

The NSW opposition has questioned whether dividend demands on Delta Energy have led to maintenance shortcuts at Vales Point power station, where a major explosion and fire occurred today.

Opposition Energy spokeswoman Peta Seaton said the government took \$790 million in electricity dividends last year and would take \$744 million this year from Delta Energy and other power utilities.

She called for a response from Energy Minister Joe Tripodi following today's fire at the Central Coast power plant, which was evacuated while the blaze was brought under control.

"Joe Tripodi must come clean about any effect this will have on energy supply security in NSW and whether sufficient money was available after dividend payments to do necessary maintenance and protect staff safety," Ms Seaton said.

"Now is the time for Labor to come clean about what effect this explosion and evacuation will have on likely summer blackouts for NSW families and businesses."

A report by Transgrid in May this year predicted reliability issues in meeting the continued increases in NSW summer peak demand, Ms Seaton said.

"This fire risks putting a hole in 10 per cent of NSW's power supply, increasing the risk of blackouts," she said.

Ms Seaton said Vales Point contributed about 10 per cent of NSW's power capacity.

Comment is being sought from Mr Tripodi.

AAP

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## Company employing guest workers closed over safety

November 8 2006

A Victorian construction site employing South Korean guest workers under the federal government's temporary skilled visa program has been shut down by state safety authority WorkCover.

The 13 guest workers, employed by Korean firm Dooson Pty Ltd, were contracted by Lake Bolac Grain Storage to build steel grain silos at Lake Bolac, west of Melbourne.

The site was closed last week by WorkCover after inspectors allegedly discovered unsafe work practices including high risk work being done without proper licences and faulty lifting machinery.

WorkCover spokesman Bernie Dean said the authority was working with site managers to address the problems.

"An employer's obligation to maintain a safe workplace doesn't discriminate on the basis of a worker's residency status, just as workplace injuries don't," Mr Dean told News Limited.

Lake Bolac Grain Storage co-owner Robert Fraser confirmed WorkCover had inspected the site, but said they had overreacted.

An Immigration department spokesman said the matter had been referred to state and federal workplace authorities.

"We continue to monitor the company to ensure compliance with their immigration undertakings," he said.

AAP

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## Man injured in tractor rollover

November 8 2006

A man has head and chest injuries and his arm may need to be amputated after his nine-tonne tractor rolled today at Gympie, north of Brisbane.

Paramedics said the 50-year-old Hervey Bay man had been pulling logs on a large property at Gympie when the articulated tractor rolled over about 6.40am (AEST) today.

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He was trapped under the overturned tractor for about 10 minutes before the property owners found him and called for help.

Intensive care paramedic Tony Smith said the man had suffered head injuries and major arm and chest injuries and it was possible his arm may need to be amputated.

"He was very, extremely lucky just to come out with the injuries that he did," Mr Smith, from the Energex Community Rescue helicopter service, said. "A high percentage of tractor rollovers prove fatal."

He said the man was lucky to have been found so early. It was also lucky he had not been hit in the head when the tractor fell.

He was taken to Nambour Hospital and then transferred to the Royal Brisbane Hospital.

AAP

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## Call-centre nurses busting sickies

SYDNEY, November 12 2006

Call-centre nurses fielding calls from employees looking to take a sickie from work have slashed absences by up to half in companies signed up to the service.

A Sydney-based company offers a 24-hour nurse hotline which employees must call when they want the day off work rather than reporting to their line managers, Sydney newspapers reported today.

If they become suspicious, the nurses make a formal assessment, which can be accessed by managers on a secure database, although the nature of the illness is kept private.

Psychologists are also available to take calls regarding mental illness and stress.

While the nurses can root out those suffering lingering hangovers they can also provide vital advice to unsuspecting callers with potentially serious conditions.

Clients of the company, such as Canon and Ryde City Council, report a sharp drop in absenteeism and hundreds of thousands of dollars regained in productivity.

"The whole idea of having nurses here is to deter people from throwing sickies, because it's harder to pull the wool over their eyes," said Paul Dundon, the managing director of Direct Health Solutions, which offers the nation-wide service.

"But most people who call really are sick and we offer them advice and support."

AAP

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## New Building Control information in Tasmania

Workplace Standards Tasmania and the Department of Justice have some new and additional information available about the Building Act 2000 changes to Accreditation of Building Practitioners.

There is also "new information & hot topics in the building industry" from the Director of Building Control.

This can be accessed through <http://www.wst.tas.gov.au/node/bsrwhatsnew.htm>

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## Investigations Into Serious Fall And Fatal Snakebite

6 November 2006

Inspectors from SafeWork SA's Construction Team have conducted preliminary inquiries into an incident at Pooraka yesterday evening in which a man, aged in his early 60's, was seriously injured in a 6-metre fall.

The self-employed man and his father had spent the day erecting a steel frame for a warehouse at a site on Research Road at Pooraka. While using a scissor-lift to work at height, the man apparently slipped and fell to the ground sustaining serious injuries, and is now being treated in the Royal Adelaide Hospital.

SafeWork SA noted that the correct safety equipment was used for the task, and investigations will focus on work practices at the time. Falls account for more than 20 percent of all workplace accidents, and double that figure in the construction industry.

SafeWork SA also reminds all self-employed people that they are required by law to take reasonable care to protect their own safety at work.

SafeWork SA is also gathering details on the recent incident in which a man suffered a fatal snakebite, while apparently cutting grass. It's been confirmed the man was a sub-contractor, and inspectors from SafeWork SA's Primary and Community Team will be reviewing records with the Adelaide Hills Council, to determine the precise circumstances.

SafeWork SA urges all people employed in outdoor workplaces to factor venomous wildlife into their hazard identification and risk assessment process. Encounters with bees, snakes and spiders can have deadly consequences unless the right precautions are taken.

Source: SafeWorkSA

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## Recent ACT WorkCover publications

Sun Safety guide - [http://www.workcover.act.gov.au/pdfs/guides\\_cop/Sunsafety\\_Guide.pdf](http://www.workcover.act.gov.au/pdfs/guides_cop/Sunsafety_Guide.pdf)

A Guidance on Manual Tasks - This guidance has been developed to introduce and summarise the major factors associated with manual tasks. - [http://www.workcover.act.gov.au/pdfs/guides\\_cop/Guide-ManualTasks.pdf](http://www.workcover.act.gov.au/pdfs/guides_cop/Guide-ManualTasks.pdf)

Draft Code on Working in Hot & Cold Environments - [http://www.workcover.act.gov.au/pdfs/guides\\_cop/Hot\\_and\\_Cold\\_Coff.pdf](http://www.workcover.act.gov.au/pdfs/guides_cop/Hot_and_Cold_Coff.pdf)

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## James Hardie compensation settlement long overdue: Costello

SYDNEY, November 9 2006

Treasurer Peter Costello says James Hardie should have finalised its asbestos compensation fund a long time ago.

Mr Costello welcomed today's announcement the building products company has come to an agreement with the tax office over the fund.

But he accused the firm of attempting to avoid its liabilities to asbestos victims by moving offshore to The Netherlands and said it had displayed "as bad corporate conduct as I've ever seen in Australia".

"It's regrettable it's taken so long but James Hardie have finally done the right thing," he told ABC Radio.

James Hardie tried unsuccessfully to have the special purpose fund (SPF), worth up to \$4.5 billion over 40 years, treated as a charity for tax purposes.

Today the company said it had come to an agreement with the Australian Taxation Office (ATO) over the fund.

Mr Costello said this deal meant compensation payments would be tax-deductible, adding that James Hardie was getting "quite favourable" treatment.

"This would never have been in doubt if they hadn't tried to go offshore," he said. "If they had stayed in Australia and faced up to their liabilities, they would have got tax deductibility from the outset, but they tried to escape Australia and got themselves into tax trouble. They wanted to go much further than tax deductibility. They wanted to say that if they paid victims their just entitlement this was charity work."

Mr Costello said he felt very sorry for the victims and added that he hoped James Hardie would now recognise it could not avoid its obligations under Australian law.

AAP

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## Survey to gauge attitudes to drug driving

CANBERRA, November 13 2006

Australian attitudes towards driving after using illegal drugs will be assessed in the biggest survey yet on the growing offence.

The Australian Drug Foundation launched the online survey in an attempt to better understand the attitudes of both users and non-users.

"We hope the community will get behind this research by completing the online survey, so that we can make a very meaningful contribution to the road safety of all Australians," director of the ADF's centre for youth drug studies Dr Jane Mallick said.

Some state police forces already carry out random drug driving testing, but Dr Mallick said they did not cover the full range of drug driving dangers.

"As well as examining Australian attitudes and behaviour concerning illicit drugs and driving, importantly our research will focus on the lesser-known area of prescription drugs, as well as the prevalence of poly-drug use for example, peoples propensity to mix alcohol and drugs with driving," Dr Mallick said today. The survey can be accessed online at

[www.drugdriving.org.au](http://www.drugdriving.org.au)

AAP

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## Construction company fined \$25,000 for safety breach, but no one hurt

November 10, 2006

Allowing employees to work without fall protection has cost Atherton Plumbing Pty Ltd a conviction, a \$25,000 fine and costs of \$4,700 after workers were found working on a first storey roof without fall protection.

Lawyers for the company said the family firm had 12 employees of whom five were apprentices. Although it initially tried to 'contract out' its OHS obligations they said it now conceded this was a duty that could not be delegated.

The company pleaded guilty to one charge laid under the Occupational Health and Safety Act.

WorkSafe told the Melbourne magistrate, Charles Rosencwajg, that an inspector was called to the construction site in Copeland Street, South Yarra on 2 March 2005 after a member of the public saw roofing plumbers working on a roof without fall protection. The height of the roof varied between 2.05m and 3.2m.

Magistrate Rosencwajg said it was an example of a failure to fulfil a positive duty and that falling from roofs was a hazard which cried out for safety measures to be taken. He said Atherton Plumbing was aware of a previous fatal

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incident on the site in January 2005, when a man fell from height.

The director of WorkSafe's Construction and Utilities Division, Geoff Thomas, said many people did not understand the basic fact that safety responsibilities were shared, particularly on building sites, where there might be a number of different employers at different times.

"The employers of individual workers and whoever has overall control of the site share the responsibility for ensuring safety standards are observed. Failing to do this opens the door to tragedy. WorkSafe has investigated a number of cases of fatal falls from less than two metres. With a fall from three metres there is a high risk of death or permanent injury.

Source: WorkSafe

## Ambulance Service Dangerously Overstretched

9 November 2006

Shadow Minister for Police and Emergency Services, Steve Pratt, said today the ACT ambulance service is dangerously overstretched and echoed the union's call for an inquiry into the management of the service.

Mr Pratt said the shortage of ambulance officers in the ACT is a threat to Canberrans and symptomatic of the Government's poor management.

"Front line ambulance personnel are being dangerously overstretched. They are frustrated and speaking out and I don't blame them," Mr Pratt said. "The Minister is misleading the community when he says that another nine new officers are soon to join the ambulance service. I have it on good authority that only three of those officers are ready and qualified and will not plug the urgent gaps in front line staffing.

"The TWU claim that ambulance officers are working excessive overtime and that response times are suffering, is consistent with complaints made to my office from disgruntled patients and ambos alike. It is also not often that the union backing the ambulance officers speak out without just cause.

"Front line men and women from across the ACT Emergency Services are voicing their concerns that that they are not being well served by management. For instance, we saw recently how one week after the commencement of the bushfire season, 25% of front line bushfire fighting vehicles were unserviceable, symptomatic of the Minister's neglect of the entire emergency services.

Source: Canberra Liberals

## 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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