



SAFETY AT WORK BULLETIN

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Complacency was systematic at CSIRO lab: coroner

By Mariza O'Keefe

MELBOURNE, April 23 2007

Complacency had become systematic at a Victorian CSIRO laboratory where a technician died when one of its chambers filled with leaking nitrogen, a coroner has found.

Scientist Set Van Nguyen, 44, had worked at the CSIRO's Australian Animal Health Laboratories (AAHL), in Geelong, for 13 years before his tragic death in 2001.

The father of two was found dead in the laboratory early on December 11 after his wife arrived and told a staff member he had not come home the night before. Mr Nguyen died from lack of oxygen as he tried to enter an oxygen depleted area of the AAHL about 4pm the day before, Coroner Audrey Jamieson found. Her finding follows the inquest held into his death in June last year.

Mr Nguyen died in an air-lock chamber which led into a liquid nitrogen room, which was not safe to enter as it was filled with nitrogen gas and significantly oxygen depleted, the coroner found. The inquest heard an air handling problem had been detected a few days before Mr Nguyen's death and a post-it note and two other signs were placed on doors leading into the liquid nitrogen room warning of the danger.

Ms Jamieson said the death of Mr Nguyen - who had a reputation as a conscientious, diligent and careful worker - was preventable and it was evident complacency had become systematic at his workplace.

"Set Van Nguyen's behaviour on that day can only be attributed to a level of complacency," she said. "It is otherwise inexplicable. But Set Van Nguyen does not stand alone, there is evidence that complacency had become systematic in this workplace."

Victorian Workcover Authority inspector, James Chasser, told the inquest several factors contributed to Mr Nguyen's death, including human error and equipment failure. He said staff should have been prevented from entering the liquid nitrogen room once a low oxygen alarm had been activated. The inquest also heard no one knew that Mr Nguyen was still in the building until they were alerted the next day by his wife.

In a statement, CSIRO chief executive Dr Geoff Garrett said the organisation deeply regretted Mr Nguyen's death and expressed its condolences to his family. He said it would be examining the coroner's findings in detail and it had already implemented several recommendations about the operations at AAHL.

"We have learnt several important lessons from this tragedy so that a similar event shouldn't ever happen again," he said. In her finding, Ms Jamieson said CSIRO conducted its own investigation and "expeditiously" initiated a number of safety improvements.

She also recommended the introduction of additional closed circuit television monitoring and distress buttons within airlock and liquid nitrogen rooms.

AAP

No charges, but lessons to be learned at mine: Shorten

April 23 2007

There were still lessons to be learned following the Beaconsfield mine collapse despite a decision today not to lay charges over the disaster, union heavyweight Bill Shorten says.

Mr Shorten, the Australian Workers' Union national secretary, and who remained at the mine throughout the two-week rescue drama, said there was a

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breakdown in communications at the mine before its collapse.

"We have not seen the evidence that the DPP has, and will certainly not second-guess its decision, which was based on the diligent investigation of Mr Greg Melick," Mr Shorten said in a statement. "But it is important to point out, however, that the fact that charges have not been laid does not mean lessons do not need to be learned.

"The AWU believes that there was poor communication at the mine prior to the rock fall, and we know that mining methods have changed since Anzac Day last year. There is very rarely a 'smoking gun', which could lead directly to charges in occupational health and safety incidents, but that should not take away from the fact that there are issues that need to be carefully studied and remedied in this case."

The mine's new management was committed to safety, Mr Shorten said.

AAP

Alcan worker falls to death and another is injured

DARWIN, April 23 2007

A worker has plunged to his death and another has been injured at an aluminium refinery in the Northern Territory.

The NT government released a statement today saying it had been contacted by Alcan Gove, part of Canadian Aluminium giant Alcan, to inform it of the fatality.

Executive director of the Department of Primary Industry, Fisheries and Mines, Minerals and Energy (DPIFM) division, Richard Sellers, said it was believed one worker had died after falling from an elevated work platform about midday (CST) today.

Another worker was injured and Alcan had arranged for workers to be given grief and shock counselling, he said.

In addition to an investigation by DPIFM officers - which is expected to take several days - Mr Sellers said police were on site at Alcan conducting their own investigation into the incident. He refused to comment on the matter further.

"My department will not be making any comments on this matter until the police and our inspectors have completed the investigation," he said in a statement.

In February last year, Alcan pleaded guilty to charges following the death of Denis Boyd, a contractor who was crushed by machinery doing maintenance work at Alcan's Gove refinery in North East Arnhem Land in August 2004.

Alcan admitted it had failed to meet its obligation to operate and maintain the refinery site to minimise risk to the health and safety of workers, and was fined \$315,000.

AAP

New WorkSafe Victoria Publications

A guide to Safety in the Wood Products Industry is a 46 page publication outlining WorkSafe Victoria's expectations on how to best eliminate or reduce the risk of injuries in the wood products manufacturing industry.

A guide to safety in the metal fabrication industry is a 44 page publication which outlines WorkSafe Victoria's expectations on how to eliminate or reduce the risk of injury in the metal fabrication industry. Risk controls in this document have been developed in consultation with Victorian industry.

Both guides are available for download at www.worksafe.vic.gov.au

Church Service To Honour Victims Of Workplace Fatalities

27 April 2007

SafeWork SA will join a number of groups to mark International Workers Memorial Day with a special ecumenical church service.

The agency is providing resources to help groups such as VOID (Voice of Industrial Death) and SA Unions stage the service today at St. Francis Xavier Cathedral in the city.

National figures show more than 300 Australians die every year from workplace trauma, while an estimated 2,000 people die from work-related diseases each year.

The International Labour Organisation estimates that:

- about 2.2 million people die every year from workplace injury and disease
- 270 million workers are injured seriously
- 160 million fall ill due to work-related causes.

The total cost of this human suffering is estimated to amount to about four per cent of the world's gross domestic product.

"The human cost of workplace death is far greater," says SafeWork SA Executive Director, Michele Patterson. "Families are shattered, and even in the workplaces themselves there are far-reaching implications on morale and

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productivity. SafeWork SA is actively working on a number of programs to make South Australian workplaces safer," Ms. Patterson says. "These are targeting hotspots in various industry sectors, both on a local level, and as part of several Trans-Tasman projects being run in conjunction with other jurisdictions. SafeWork SA believes that every workplace death and injury is ultimately preventable."

Ahead of today's service, SafeWork SA is also appealing to South Australians to give workplace safety the same priority as road safety in their thoughts and actions.

"It could be nothing more than a reminder to a loved one to work safely, as you would to drive safely, but anything that helps keep safety foremost in people's minds can help," says Ms. Patterson.

Source: Safework SA

Queensland seminars on changes to licensing requirements

27 April 2007

From 1 July, workers involved in scaffolding, rigging, crane operation, pressure equipment or loadshifting equipment will need to undertake training and assessment through a Registered Training Organisation before they can apply for a licence.

Seminars are being held across the state between 14 May and 6 June to provide information about these changes.

More information is at <http://www.deir.qld.gov.au/workplace/training/changes/index.htm>

NT WorkSafe Publication

26 April 2007

Cross border – amended workers' compensation legislation

Cross border provisions exist in workers' compensation legislation throughout Australia. They mean that generally, an employer need only obtain workers' compensation insurance to cover a particular worker in only one state or territory. The state or territory in which workers' compensation premiums relating to a particular worker are payable is referred to as the worker's 'state of connection.'

More information is available at http://www.worksafe.nt.gov.au/corporate/whats_new.shtml#worker_comp_cross_border

Streamlining workers compensation arrangements for strata schemes

26 April 2007

WorkCover NSW Chief Executive Officer, Jon Blackwell, today announced changes designed to streamline workers compensation insurance arrangements for residential strata schemes.

"The changes are set to simplify insurance arrangements for more than 45,000 residential strata schemes in New South Wales," Mr Blackwell said. "Currently, individual strata schemes are purchasing separate minimum premium workers compensation policies to cover themselves against the possibility that they may engage domestic employees."

"Under the new arrangements, domestic strata title holders will now be able to take out a minimum premium workers compensation policy for domestic workers as part of their general insurance arrangements.

"The premium cost under this arrangement will reduce from \$175 to a maximum of \$150," he said. As well as premium savings, the new streamlined process will mean less administration for body corporates and strata managers," said Mr Blackwell.

Insurers have been invited by WorkCover NSW to apply for the new licence that will allow them to offer packaged workers compensation insurance to residential strata schemes.

WorkCover will publish on its website a list of those insurers who will provide packaged workers compensation insurance to residential strata schemes following the completion of the licencing process.

Further information about changes to residential strata scheme arrangements is available from the website at workcover.nsw.gov.au or by calling 13 10 50.

Source: WorkCover NSW

Child labour laws needed after 13yo boy bashed: SA Unions

ADELAIDE, April 24 2007

The South Australian union movement will lobby for stricter child labour laws after a 13-year-old boy was bashed by his supervisor during a late night shift at a Hungry Jack's fast food outlet.

SA Unions secretary Janet Giles today said she would lobby the SA government to adopt laws that bound employers to protect children in the workplace.

Ms Giles said she had heard three reports of young boys working late night shifts at Hungry Jack's restaurants in the past month.

She said two weeks ago a 13-year-old boy was bashed by an older teenage supervisor at the end of his 4pm to 1am shift. Both

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were immediately suspended with the older boy later sacked.

Ms Giles said Hungry Jack's had since indicated it would review hiring practices and would raise its minimum working age to 15. But she said the incident highlighted the need for new child labour laws because South Australia did not have a minimum working age.

A bill was being drafted and would be presented to the SA government, she said. "SA Unions is seeking strong child labour laws to mandate employment standards for children," she said. "All companies employing juniors must be made to comply with strong, consistent standards regardless of their industry to ensure the protection of child workers."

Business SA chief executive Peter Vaughan said that while he would not oppose a minimum working age, parents needed to take greater responsibility for working children.

"Fundamentally it is a parental issue," Mr Vaughan told ABC Radio today. "Nobody makes any child go to work and a decision about a minor who is in parental care going to a particular role is a matter for the child and parents."

Hungry Jack's did not return calls today.

AAP

Campaign To Reduce Workplace Injuries From Slips, Trips And Falls

April 29 2007

A safety campaign aimed at reducing injuries from slips, trips and falls in Queensland workplaces is underway.

Minister for Employment and Industrial Relations John Mickel said Workplace Health and Safety Queensland (WHSQ) inspectors will visit more than 1,700 workplaces during the campaign which runs until the end of the year.

"The extent of the problem should not be underestimated and it should not be assumed that such incidents in workplaces are only minor," Mr Mickel said. "Workers' compensation claims for injuries caused by slips, trips and falls on the same level during the 2004-05 financial year accounted for 15 percent of all serious injury claims.

"That amounts to total direct costs of approximately \$46 million, with an average cost to businesses per claim of approximately \$11,100. This is a major cost to business, not just in monetary terms, but in lost productivity, retraining, rehabilitation and downtime and for an injured worker a period off work and restrictions on their usual home and leisure activities can have significant effects on their general well being."

Mr Mickel said the WHSQ campaign aims to reduce the number and severity of injuries from slips, trips and falls on the same level.

"This is an issue in all workplaces, but we are focusing on high-risk sectors such as manufacturing, transport and storage, construction, health and community services, rural, retail and wholesale trade, and hospitality and recreation," he said. "We want to raise awareness of the main causes of injuries and ensure employers are aware of their obligations to manage the risks in their workplace.

"While inspectors will take action if uncontrolled slips, trips and falls risks are identified during the visits to workplaces, our aim is to provide advice on practical measures for eliminating or reducing them."

For more information or to obtain a copy of WHSQ's free practical Guide to preventing slips, trips and falls visit www.deir.qld.gov.au or call 1300 369 915.

Source: Minister for State Development, Employment and Industrial Relations

Public comment sought on safe design of buildings

April 27, 2007

WA's Commission for Occupational Safety and Health is seeking public comment on a new code of practice for the safe design of buildings and other structures.

The code of practice – a draft of which was released today – is the first of its kind in Australia.

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March Edition of SAFETY IN AUSTRALIA

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Commission Chair Tony Cooke said today that the code of practice aimed to assist people involved in designing buildings or other structures to meet the requirements of WA's workplace safety and health laws.

"The code explains the legal obligations involved in designing a building or other structure in WA," Mr Cooke said. "As with other codes of practice, it provides guidelines for meeting legal responsibilities, and practical guidance on how to maximize the safety of the design."

The Commission for Occupational Safety and Health comprises representatives of employees, unions and government, as well as industry experts.

The draft code of practice has been developed through a consultative process, and the views of employers and unions, along with those of government and industry experts, have been considered.

The Commission will hold a free information session on June 7 to discuss the draft code of practice, and the public comment period will continue until July 23.

"It is important that the Commission receives comments from industry representatives, unions, organisations and community members to ensure all views are thoroughly considered," Mr Cooke said. "I strongly encourage anyone who has an interest in the safe design of buildings and other structures to consider the draft code of practice and make a submission. Anyone who does will be playing an important part in the future safety and health of Western Australians."

Comments can be made by telephone, e-mail, post or fax, and copies of the draft code are available by telephoning WorkSafe on 9327 8777 or on the website at www.worksafe.wa.gov.au.

To register your interest in the information session, telephone WorkSafe or e-mail worksafersvp@docep.wa.gov.au. Source: DOCEP

Fine and conviction over forklift licence scam

27 April 2007

A 51-year-old man is the second person to face court over a forklift licence testing scam, which has potentially put people at risk.

Emidio Bocchetti of Corio pleaded guilty to 16 workplace health and safety charges under section 22 of the Occupational Health and Safety Act 1985. He was fined \$9,000 with conviction and ordered to pay costs of \$1,692 by Melbourne Magistrate Elizabeth Lambden on April 12.

WorkSafe told the court Mr Bocchetti was a certified assessor who was authorised to conduct assessments of applicants for certificates of competency for forklifts.

While working at Civic Workplace Training in May 2005 he signed certificates of competency for applicants, without conducting written or practical tests of the applicant's ability to safely operate a forklift. As a result, inexperienced and possibly incompetent workers were permitted to operate the machines.

Mr Bocchetti has surrendered his assessors' license. Another man is yet to appear in court on related charges.

WorkSafe's Executive Director, John Merritt, said the permit system for particular types of equipment was a vital part of ensuring workplaces were as safe as possible.

"WorkSafe's warning to other assessors, or people seeking a certificate of competency, is that you must play by the rules or risk putting yourself or others at risk of death or serious injury. WorkSafe is serious about identifying fraud and will take steps to eliminate it."

In February 2007, Brunswick West woman, Maryann deFrutos, also a certified assessor, was fined \$2000 without conviction after investigators found four completed certificates of assessment with incorrect information in her possession.

WorkSafe told the Sunshine Magistrate's Court that on two dates in September and November 2005 she conducted forklift drivers licence tests in as little as seven minutes. The tests typically take about 50 minutes.

Source: WorkSafe Victoria

Community organisation fails to help three injured workers

26 April 2007

Westgate Migrant Resource Centre pleaded guilty to several charges in the Sunshine Magistrates Court on Tuesday 24 April to failing to prepare a return to work plan for two injured workers and to make payments of compensation to another worker.

The Court heard that three community workers employed at this service agency for western suburb residents with ethnic backgrounds, had WorkCover claims for stress during 2005 and 2006. At the time, the organisation was advised of

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ADVERTISING

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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





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its legal obligations with respect to the return to work provisions of the Accident Compensation Act 1985.

The Migrant Resource Centre, however, failed to prepare plans until some months after the WorkCover claims were accepted. The organisation also failed to make five weekly payments to one worker, totalling over \$4,000. These payments were not made until six months later.

Magistrate Charles Rozencwajg adjourned the matter for 12 months upon the Migrant Resource Centre undertaking to be of good behaviour during that period, with no conviction imposed. The organisation was also ordered to donate \$2,500 to the Lighthouse Foundation.

VWA Executive Director, Len Boehm, said that identifying and prosecuting cases like this helps to build awareness among employers about their legal obligations to support injured workers and the importance of helping an injured worker return to work.

“Not assisting one worker is extremely poor performance. The fact that Westgate Migrant Resource Centre did not assist three workers is just not acceptable. Helping an injured worker back to work assists in the early recovery and rehabilitation of the worker, it reduces productivity losses and minimises the impact on an employer’s workplace injury insurance costs. Followed by simply staying in touch with an injured worker, the preparation of a return to work plan is a critical step in the process of assisting injured workers back into the workplace.”

Source: WorkCover Authority

Man killed at railway crossing

MELBOURNE, April 27 2007

A 75-year-old man was killed instantly when he stepped into the path of an oncoming train in Melbourne’s south-east.

The Pakenham man was walking along Murrumbeena Road when the safety signals were activated as a Dandenong-bound train approached Murrumbeena station about 2.55pm (AEST), police said.

“Witnesses have told police that the man stepped out onto the roadway to go around the crossing gates,” police spokesman Senior Constable Adam West said. “The man has made it to the outbound tracks when an outbound passenger train has collided with him.”

Police are preparing a report for the coroner.

Witnesses of the death are urged to phone Crime Stoppers on 1800 333 000 or to visit www.crimestoppers.com.au.

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 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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