

workplace

March 2008

ISSUES

This Issue:

Taking safety to new heights

Update on dangerous substances



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COVER: A visitor takes a ride at the Hollybank Treetops Adventure. For the story on the OHS aspects behind this venture, see page 4

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WHAT HAVE YOU GOT TO LOSE?



Taking safety to new heights



(left to right) Paul Rosevear of Forestry Tasmania, Matthew Scott of Vertical Innovations and Workplace Standards Inspector Ivan Ebdon at Hollybank Treetops Adventure during the construction phase

Safety has been a key issue in the development of the new tourism venture in the state's north, Hollybank Treetops Adventure.

This new joint tourism venture between Forestry Tasmania and Australian Tree Top Canopy Tours offers visitors the chance to glide through the forest canopy using a cable system similar to a flying fox. Visitors are attached to a cable by harnesses, wear safety helmets, and travel from platform to platform — with the cable up to 50 metres above the ground. The longest distance between platforms is 371 metres across Pipers River.

With these logistics, safety was always a primary consideration. “Design and construction firm Vertical Innovations carried out the design work with design calculations verified by engineers, Pitt & Sherry, with the intent of having the flying fox comply with Australian Standard 3533, which covers amusement rides and devices,” said Workplace Standards Tasmania Inspector Ivan Ebdon. “Their long term goal is to have the system as an item of registered plant.”

The trees that support the system were subjected to sonic testing, to ensure their soundness and strength. “Specialist company ENSPEC was engaged to test the condition of the trees and as a result, some trees will be checked again after five years and some after 10 years, to ensure they remain safe,” said Ivan. The platforms are clamped, not nailed to the trees (as they are in other countries with similar attractions), because nailing could increase the risk of the tree being damaged and therefore becoming unsafe.

Destructive testing of the wire ropes and anchorages used was conducted; the 13 mm die-formed wire rope only failed under a load equivalent to 11.2 tonnes, far heavier than any expected visitor! The connections used to secure the wire ropes to their anchorages were imported from America, as they were deemed safest for the job.

The harnesses worn during the rides were especially designed and fabricated, in such a way that should anything go wrong, there is no risk of visitors suffering suspension trauma (a potentially fatal

condition facing people who use harnesses for industrial work or sporting activities such as climbing and abseiling).

In some instances, the design of the gliding experience itself started with what's been done in other countries and improved upon, so visitors have a safe time moving between platforms. For example, platforms are constructed with a unique landing scoop with a material edge that reduces the risk of visitors suffering leg injuries when they land. In other countries the platforms do not have scoops and have steel or timber edges. At similar attractions, visitors brake themselves as they approach the platform by placing their gloved hand on the cable, creating a potential for getting their hands caught or suffering friction burns; here, the design negates the need for visitors to do this. Radio communication (along with a visual buoy and binoculars) is also used to make sure visitors leave and arrive at each platform safely.

As well as daily checks done before visitors begin their ride, the attraction's safety management plan has an auditing system which requires:

- an annual inspection of the overall system by a registered amusement rides and devices engineer
- an annual check of the supporting and neighbouring trees by a registered tree surgeon
- regular and frequent checks of all tour gear, personal protective equipment and recovery gear. Harnesses are checked after each use.

“The operators have also implemented procedures that ensure visitors can be safely retrieved using an auto-descender in the event of an emergency,” said Ivan, who visited the attraction before it opened for business. “First aid equipment and emergency egress equipment are also at each platform.”

Guides have been trained on all aspects of the system. Two guides accompany each visitor — no one travels alone — and each visitor must take part in a preliminary training session before they take the ride. They are checked thoroughly before they start off to make sure they are wearing their safety helmet and harness correctly.

from the Minister

by the Hon Steve Kons LLB MP, Minister of Infrastructure, Resources, Planning and Workplace Relations



In 2006, 9,768 workers were injured in Tasmanian workplaces. Alarmingly, 2,503 of these injuries were sustained by new workers; with 110 of these occurring in their first week of work.

New workers are often nervous, excited and eager to impress. They will be inexperienced and unlikely to be aware of what can hurt them in a workplace. They might also be reluctant to ask questions or raise safety concerns they might have about workplace health and safety.

All of these factors can put them, their co-workers and other new workers at a greater risk of suffering injury or illness at work. That's why it's essential that all your new workers receive proper induction, information, training and supervision.

For more information on how you can do this in your workplace, I urge you to call the Helpline on 1300 366 322 and ask for your free copy of *Welcome to the Workplace: Guide for Employers* (GB140A). It has detailed information on making your inductions effective, the information you should provide, and involving others in your workplace to ensure these vulnerable workers get the right safety message.

Last year the Tasmanian Government issued a discussion paper exploring

options for change in the way we regulate fireworks. Two hundred submissions were received, from individuals as well as organisations such as local governments, fire and emergency services, as well as community and non-government groups.

This is a topic people feel very strongly about, whichever side of the debate they sit on — and views were divided. It is up to us now to explore how these varying opinions can be satisfied, and further stakeholder consultation will be a feature of this important stage. One model that is being considered brings Tasmanian closer to the way other states and territories regulate firework use.

For a detailed look at this model and the work surrounding it, I urge you to read the detailed update on our dangerous substance legislation, on page 8.

I would like to thank all those stakeholders who took the opportunity to comment on the Clayton Report. Alan Clayton delivered his report to me late last year and I released it for stakeholder comment during January and February 2008. I am currently considering the Clayton recommendations and stakeholder positions provided during this consultation period. It is also my intention to provide stakeholders and the general community with the opportunity to comment on any legislative response to the Clayton Report.

Alan Clayton's report was comprehensive, and provided:

- a full comparative analysis of statutory benefits across Australian jurisdictions
- a discussion of premium rates, including how Tasmania compares to other

jurisdictions, and Tasmania's premium rate movements over time

- a comprehensive look at recent national enquiries, Industry Commission Report, HWCA Promoting Excellence Report, the HIH Royal commission, the Commonwealth's Back on the Job Report and the Productivity Commission report
- an examination of Tasmania's culture regarding return to work
- a presentation of options for increasing statutory benefits and the introduction of a narrative test.

I was pleased to see that Alan Clayton strongly endorsed WorkCover Tasmania's Return to Work and Injury Management Model. WorkCover has started implementing a comprehensive model for better handling return to work and injury management. A strong feature of this model is improved consultation between the injured worker, the employer, the insurer and most importantly the treating medical practitioner. I am confident that the Return to Work and Injury Management Model will deliver improved levels of recovery for Tasmania's injured workers as well as improvements in both retention at work and return to work.

We should never lose sight of the fact that having adequate compensation and effective mechanisms for injury management and return to work are no substitute for having safe workplaces. I continue to encourage every worker and every employer to ensure that safety is paramount in their workplaces and their work practices.

Tasmanian wins national OHS award



Caroline Langley with John Garnett and Peter Shields of Airmet Scientific, at the 2007 Airmet Scientific Professional Award

A Tasmanian OHS professional has been honoured by the Australian Institute of

Occupational Hygiene with the 2007 Airmet Scientific Professional Award.

Caroline Langley is a Certified Occupational Hygienist and Director of Injury Prevention & Management (IPM). IPM is a regular supporter of WorkCover Tasmania's Workplace Safe Week events.

The Airmet Scientific Professional Award provides for professional development through attendance at the American Industrial Hygiene Conference and Trade Exposition, which will be held in Minneapolis this year; as well as invitations to travel to SKC Inc, a manufacturer of occupational hygiene instruments in Pennsylvania, and the National Institute of Occupational Safety and Health's Cincinnati offices.

"This will allow me to improve workplace safety in Tasmania; in particular, training for management and employees in chemical hazard management and laboratory safety," said Caroline.

The Australian Institute of Occupational Hygiene provides opportunities for OHS professionals to update and improve their skills and knowledge. Professional development seminars are held in Tasmania throughout the year; for more information go to www.aioh.org.au

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Would you like a visit?

If you are an employer with less than 200 employees and would like specialist advice on health and safety in the workplace, phone us on **1300 366 322** to arrange for the advisors or education officer to visit you.

Be safe week

Injury Prevention & Management (IPM) has been involved for several years with WorkCover's Workplace Safe Week and this year it is hosting a "Be Safe Week" from May 5 to 9.

An Ergo Expo on Monday 5 May will showcase a variety of office and industrial ergonomic equipment, with supplier representatives and short talks. For example, they will launch a new ergonomic chair designed and built to support excellent back, neck, shoulder and leg health. IPM consultants such as Michael Roberts and Martyn Bradfield will be running free training sessions on OHS culture and communication throughout the week.

And with the entry date for the WorkCover's Workplace Safe Awards not far away (see page 3 of this magazine), a workshop that covers how to prepare a winning entry and avoid common errors should prove popular. Former WorkCover manager Jane Melross was involved in the awards, and she will share her insider insights.

IPM's Be Safe Week is supported by WorkCover Tasmania to promote workplace health and safety in Tasmania. The full program of free events (in Hobart only) is available at www.ipmsafety.com. To book, call IPM on 6278 7831.



National campaign on manual tasks, slips and trips

Workplace health and safety regulators across Australia begin a campaign in April to reduce the number of manual tasks, slip and trip injuries in the health and community services industry.

The *Safe Steps—National Hospital Intervention and Compliance Campaign* specifically aims to reduce the number of manual tasks and slip and trip injuries sustained by non-clinical hospital workers (that is, people working in kitchen, laundrette and clinical sterilisation areas). It also aims to increase awareness of

manual tasks and slip and trip hazards in these workplaces, by providing practical guidance material.

In 2004–05, there were 17,400 national claims for compensation made by workers in this industry. These accounted for 12% of all workers compensation claims where the worker was off work for one week or more.

The most common causes of compensated injury and disease were:

- muscular stress due to manual tasks or repetitive movement (51% of claims)
- falls and trips (16 %)
- being hit by a moving object (11%).

As part of the campaign, workplace health and safety inspectors in each state will audit hospitals, focusing on the control of manual tasks and slip and trip risks. Inspectors will also provide practical guidance and information during these visits.

The information collected during this campaign will inform future directions for workplace health and safety in the healthcare services industry.

For more information on the *Safe Steps Campaign*, go to the Heads of Workplace Safety Authorities (HWSA) website at www.hwsa.org.au or call Project Manager Pamela Atkinson on (03) 6233 7671 or 0439 630 104.

Everyone knows what manual handling is... don't they?

Research by WorkCover NSW suggests that many people don't!

Many workers and employers believe manual handling relates only to lifting and hard physical labour. In fact, manual handling is any activity that involves lifting, pushing, pulling, carrying or moving, holding or restraining. It also includes sustained and awkward postures and repetitive movements.

Research also suggests that many people believe safe manual handling is commonsense. This is cause for concern, given that manual handling is the most common cause of workplace injury; in Tasmania, it accounted for around 34% of all claims in 2006.

Manual handling is part of almost everything we do, and it plays a role in everyone's job. As we move naturally when doing familiar tasks, we often become complacent and simply forget to consider our actions. Even where risks are evident, many workers and employers think it is just part of the job, but in most cases these risks can be eliminated or reduced.

Eliminating or reducing manual handling risks doesn't have to be expensive. It's about

working smarter and safer. Think about your actions before you make them. In particular, think about those actions that place stress or strain on your body, such as:

- bending forward or sideways
- twisting
- jerky movements
- over-reaching
- repetitive movements.

If you do these movements often, find a better way to complete the task:

- sometimes re-arranging the workspace can make a difference. Position tools, controls, equipment and furniture so work can be done in a comfortable, upright position, preferably at waist level. Arrange furniture to allow yourself as much room as possible, so you can move about freely. Place regularly-used items close by and store rarely-used items away to give yourself more workspace
- where tasks are repetitive or are performed in a sustained position for a long time or at a high speed, ensure that your workers are given a variety of tasks. Encourage them to regularly change positions and postures throughout the day
- where work pressures demand a fast work pace, ensure schedules and

procedures allow for rest breaks and job rotations. Ensure there are enough staff and equipment to get the job done safely.

Safe manual handling is more about good planning and good management, rather than simply purchasing expensive equipment.

Talk with your workers. Ask for their ideas about improving safe work procedures.

Emphasise your commitment to safety. If you're serious about safety, your workers are more likely to follow procedures.

Never assume manual handling is "just part of the job". Solutions to seemingly unsolvable problems are uncovered all the time. Often, simple remedies are the best. Be vigilant about the risks. Do all you can to make your workplace safer.

For more practical guidance on reducing manual handling injuries, call the Workplace Standards Helpline on 1300 366 322 or go to www.workcover.tas.gov.au for your free copy of *Body Strain Prevention Kit* (GB114) and *Body Strain Prevention for Workers* (GB124).

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UPDATE: Dangerous Substances (Safe Handling)

Dangerous Substances (Safe Handling) Regulations

Since the successful public stakeholder seminar in August last year, progress on drafting these regulations has been slow due to other parliamentary drafting priorities.

A further draft version of the regulations, incorporating some of the issues raised through public consultation, was released in October 2007. Further drafting changes now need to occur.

Fireworks

Fireworks are explosives and they are currently regulated by the *Dangerous Goods Regulations 1998*. The dangerous substances (safe handling) regulations will contain a part dealing with explosives that, in turn, will have a section dealing with handling fireworks. Handling is defined by the Act as activities including manufacturing, importing, exporting, supplying, selling, storing and using.

In July last year, a discussion paper was released that proposed some options for change in the way Type 2 'shopgoods' fireworks are regulated.

Public comment on this discussion paper varied: while many people who regularly buy fireworks do not want to see any change, many others supported the need for change.

After considering all the views put forward, Workplace Standards has reached a position it believes will satisfy the need to control the risks to people, property and the environment that are posed by fireworks in the community; while meeting the needs of all stakeholders.

Briefly, this is to sub-classify Type 2 fireworks into two categories:

- those identified as being in the upper risk category (tentatively called Type 2A fireworks)
- those identified as being in the lower risk category (tentatively called Type 2B fireworks).

Purchasing and using Type 2A fireworks for a display would be limited to people who:

- have undergone training in the use of these fireworks
- are licensed as a fireworks operator.

They would be responsible for the consultation and safety planning associated with a fireworks display, and for notifying Workplace Standards of the details of the display. It would be mandatory to report any incidents involving fireworks to Workplace Standards.

This separation would enable a less stringent regulatory approach to be taken with Type 2B fireworks. Anyone wishing to have a small fireworks display would be permitted to buy these lower risk fireworks; they would need to do the necessary consultation and notifications, and comply with basic instruction in safe use.

This approach is similar to that taken in other states and territories (except in the Australian Capital Territory and the Northern Territory; though both are currently reviewing the way they regulate fireworks).

The details of classification and training will be discussed with key stakeholders; after which new fireworks regulations will be drafted.

No changes are being proposed to the current system of regulating the professional Type 3 fireworks.

Major hazard facilities classification processes

Workplace Standards is currently working with other agencies to develop an intra-government panel, and processes to be followed in the classification of facilities as major hazard facilities.

Guidelines: A series of guidelines are being developed for occupiers of dangerous substances locations and major hazard facilities about their OHS obligations.

These will help occupiers make the transition from the *Dangerous Goods Act 1998* to the new legislation. The guidelines will be available at www.wst.tas.gov.au when the regulations are made and the act can be proclaimed.

Explosives: An amendment to the *Security Sensitive Dangerous Substances Act 2005* is proposed to add explosives (excluding Type 2 fireworks and other exempt explosives) to the schedule of security sensitive substances.

Once this amendment occurs, the security requirements that apply to ammonium nitrate will also apply to explosives. It is anticipated that the amendment bill will go to Parliament in April this year.

Chemicals of security concern

At the time that changes were recommended to the way ammonium nitrate and explosives are regulated to counter the terrorism threat associated with these chemicals, the Council of Australian Governments began looking at the security risks associated with a wide range of industrial chemicals.

A draft report on chemicals of security concern was released to state and territory



ng) Legislation

governments recently. The report lists 95 chemicals of security concern, and makes a number of recommendations.

It is anticipated that the report will be released for public consultation and submission processes. If you have an interest in this area, keep an eye out for the public notice.

Changes to the Australian Dangerous Goods Code and the Dangerous Goods (Safe Transport) Act

The states and territories are also discussing the model law developed by the Commonwealth for the transport of dangerous goods based on the amendments to the Australian Dangerous Goods Code, Edition 6 (ADG 6), which our current dangerous goods legislation is based on, is to be replaced by edition 7 (ADG 7).

Workplace Standards has considered how to manage the transition period from ADG 6 to ADG 7; and especially how to deal with interstate transport operators who move to ADG 7 before our *Dangerous Goods (Road and Rail Transport) Regulations 1998* can be amended to take account of the changes. It may be that the delegate of the Competent Authority issues operators who demonstrate compliance with ADG 7 an exemption from the *Dangerous Goods (Road and Rail Transport) Regulations 1998*, where there is a difference between ADG 6 and ADG 7. Workplace Standards will advise in due course.

For more information contact Denise Brown at Workplace Standards by calling 6233 7355 or emailing denise.brown@justice.tas.gov.au

New info on managing waste water systems



A new toolkit is now available, designed to educate building owners on managing their on-site waste water management system and protect the environment.

It is essential for owners, occupiers and employers to understand the correct maintenance procedures needed to maintain a healthy and safe workplace. The new toolkit *To flush isn't the end of the line* will help you identify what type of waste water management system you have. It provides tips on how to keep your system working well, including how to record maintenance, and contains

an interactive CD and an information booklet.

Sewage needs to be managed to reduce the impact on the environment (including waterways) and our health. Waste water management systems include all domestic-type septic tanks and 'packaged' treatment plants. Some workplaces in non-sewered areas rely on these types of systems to deal with domestic waste water. People who live and work in non-sewered parts of Tasmania have a greater responsibility.

The toolkit will help mitigate the impacts of on-site waste water management systems, achieve environmentally sustainable development, and protect water catchments. For example, it aims to:

- increase protection of waterways and groundwater
- increase protection of land and vegetation
- maintain and improve community amenity
- prevent public health risks.

The toolkit was based on a successful resource developed by regional councils in northern Queensland, and has been endorsed by the Departments of Health and Human Services, and Tourism, Arts and the Environment; and the Local Government Association of Tasmania.

For your copy of *To flush isn't the end of the line*, contact your local council.

Product recalls

DeWalt 10 inch job site table saw, model DW744-XE

Hitachi power tools — P13F planers

Hitachi power tools — C10FR and C10FL table saws

Hitachi power tools — C10FR mitre saws

For precise product information, model numbers, defect details and consumer action, please visit the Product Recalls Australia website at www.recalls.gov.au

Correction

In the *Managing alcohol and drugs in the workplace* article in the December 2007 edition, we referred to the "National Centre for Education and Training on Addiction's national survey in 2004". This should have been the "2004 National Drug Strategy Household Survey". We apologise for our error.

Farmers not using PPE with pesticides: study



A new Australian study has found that farmers' use of personal protective equipment (PPE) while handling pesticides is low. Many farmers reported habitually using no PPE at all, especially with animal health products.

Younger farmers and those who had received farm chemical training were the most likely to use PPE; researchers said this finding was particularly important given the ageing agricultural workforce.

Researchers surveyed 1,102 farmers about their use of four classes of pesticides: crop insecticides, herbicides, fungicides and animal health products. Their specific findings include:

- 10 to 40 per cent of farmers routinely wore no PPE at all when using pesticides
- glove use was highest for insecticide mixing (68.1 per cent) but substantially lower for all other categories
- gloves and protective clothing (including long sleeves, coveralls or rubber aprons) were the most frequently reported types of PPE across all pesticide classes
- respiratory protective equipment items (masks and respirators) and ocular protection (goggles or face shields) were seldom used with any pesticide type

- farmers were more likely to use PPE during pesticide mixing than during application, which researchers said demonstrated some awareness of the higher health and safety risks associated with that task.

Researchers' findings show PPE use was far below recommended minimum levels. They noted their PPE definition included simple clothing covering the limbs, implying that non-users of PPE were working with large areas of their body surface exposed (dermal exposure is the major exposure route for people who work with pesticides).

You can find more information on safe use and handling of chemicals in *Chemical Safety in the Rural Industry* (SB030) and Rural fact sheet 11 (GB156). Call the Workplace Standards Helpline on 1300 366 322 or go to www.workcover.tas.gov.au and search for the codes SB030 and GB156.

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Lifting and lashing the load



Participants in the slinging awareness course with instructor Craig Walker on right

Becks Home Timber and Hardware in Launceston supplies building hardware and timber, including roof trusses and made up wall frames, to customers throughout the north, north-east and east

coast of the state. They contract two transport companies to help with these deliveries.

Becks recently assessed these operations and realised there were untrained personnel helping the truck driver sling and unload loads of varying shape, size and mass (and often in remote and isolated locations). The truck drivers and the Becks employees had limited knowledge about lifting and lashing equipment used on their trucks. Becks also found that the transport companies did not have formal policies or procedures for handling loads on trucks.

So Becks organised a slinging awareness course through an external training provider for seven of their employees and one of their contracted transport companies. Workplace Standards Inspector Ivan Ebdon also took part in

the six-hour course, which dealt with steel wire rope slings, chain slings, synthetic slings and spreader beams and fittings for lifting gear.

"The demonstration of a load test bed was particularly enlightening for those who previously had not seen gear under test," said Ivan after the course. "Self assessments were also part of the course, which ensured participants could take in the information."

"The course was part of a co-operative relationship, with extremely positive reactions from those who took part," said Lori Jarvis, OHS Manager at Becks. "One of the participants, who had many years experience working in the industry, said at the beginning of the day he was wondering what he could be taught — and at the end of the day he was amazed at what he hadn't previously known."

Shot-firer penalised for non-compliance



After investigations by both Tasmania Police and Workplace Standards Tasmania, a northern Tasmanian shot-firer had his shot-firer's permit revoked for non-compliance with the *Dangerous Goods Act 1998*.

The main findings of the investigations that lead to the penalty included:

- inadequate security of explosives under the control of the shot-firer: that is, failure to lock containers while located at a residential premise
- poor record keeping: failure to keep accurate inventory records of explosives held, and records of blasting activity recently undertaken
- failure to notify and obtain permission to blast from a municipal council.

Workplace Standards Tasmania reminds all shot-firers and people with responsibilities under dangerous goods legislation that they face severe penalties for non-compliance, especially where community safety has been compromised.

If you have responsibilities under the *Dangerous Goods Act 1998*, you should ensure that:

- blasting explosives and detonators are secured against unauthorised access
- blasting management, planning and record keeping is accurate and in accordance with explosives regulations.

For more information, call the Workplace Standards Helpline on 1300 366 322.

Chemical safety — tank decontamination crucial

Details

A cleaning contractor was pressurising a pump-action spray pack which had a cleaning agent in it, when a chemical reaction occurred, causing the spray pack to explode.

The explosion resulted in the contractor receiving serious injuries: including amputation of several fingers from their left hand, and deep and serious chemical burns to the lower half of their body.

Contributing factors

An investigation into this accident found:

- the day before the accident, the contractor used the spray pack, containing acid wash, to clean a stainless steel milk vat at a dairy
- the spray pack was neither emptied nor decontaminated between jobs
- the following day (the day of the accident), the contractor filled the same spray pack with a different chemical, sodium hypochlorite, to clean an area of concrete. The spray pack was then sealed and pumped to its maximum pressure before it exploded.

It was estimated that the explosion occurred only 13 seconds after filling the spray pack.

The investigation also found containers of hazardous substances in the contractor's truck which were not clearly labelled.

Recommendations

- Make sure containers used for chemical applications are fully decontaminated after use.



- Make sure chemical containers are properly labelled.
- Make sure material safety data sheets (MSDS) for the hazardous substances and dangerous goods brought into the workplace by contractors are provided to the OHS officer and first aid officer. This information is vital for formulating emergency plans and procedures.
- Make sure correct separation distances between incompatible hazardous substances or dangerous goods are maintained.

Many other states regularly publish safety alerts or hazard alerts that may be relevant to your workplace. To find these, go to www.workcover.tas.gov.au/node/publications-11.htm and choose an agency; you can then search for "hazard alerts" or "safety alerts".

Freezing up — falling down

This photo shows the hole in the ceiling left by the collapse of the ceiling panels.

Workplace Standards Tasmania inspectors from the Launceston office recently inspected the results of a ceiling collapse in a cold store.

Fortunately no one was injured, and there was only minor damage to products stored in the near-empty chamber. However if it had happened only moments before or after, the results could have been more serious: a forklift had just passed under the area the ceiling panels fell from, and another was waiting to enter the area.

The area of ceiling involved was approximately 5 metres wide and 15 metres long. The thickness of the collapsed ceiling panels was 200 mm thick; the ceiling was approximately nine metres above floor level.

The cause of the ceiling's collapse was a build up of water in the panels. The panels were made from polystyrene, which can absorb water. The danger of the panels collapsing is very real unless they have been properly sealed on all joints on the upper and lower surfaces, to prevent water vapour seeping in to the material.

When the older chambers of this particular facility were built, the joints of the panels — which are polystyrene sandwiched between two metal sheets — were not

sealed to make them vapour proof.

Therefore water vapour — mostly from the atmosphere external to the chamber — was able to soak into the edge of the panels.

When a chamber has been cooled, this vapour turns to ice; and when allowed to warm again, the water is released as vapour which gradually soaks into the polystyrene.

Over the years, the water and ice build up becomes so great that the mass of the panels become too heavy for the nylon suspension bolts used to support the chamber's ceiling panels. These fail, and the panels fall.

The inspectors squeezed a piece of the polystyrene from one of the fallen panels; water streamed from the polystyrene. It was immediately obvious that the broken polystyrene contained a lot of water, as it was considerably heavier than what one would expect the material to weigh.

The inspectors were told by a representative of the cold store's operators that they were aware of the problem. Where they suspect a build up of water, they use an infrared thermometer to detect temperature changes in the panels. This detects how far water/ice has advanced into the panel and is used to monitor water absorption.

Over the years different suspension methods have been adopted, but not always successfully (for example, galvanised bolts began to rust after about 20 years). Stainless steel bolts are now being considered. Other types of foam are also being used to prevent water absorption.

The inspectors point out that it's important when building cold stores that electrical cabling and refrigerant lines are not supported by the ceiling, but by the steel framework of the enclosing building. Otherwise, if the ceiling collapses, these services pose an increased risk.

It's also recommended that any monitoring of panels be done about three years after installation, and regularly, to ensure a collapse does not occur.



This photo shows the edge of one of the panels, with a broken nylon mushroom head bolt showing it broken near the surface of the panel

In the field training



Angela (centre) with forest contractor Geoffrey Muskett and log truck driver Tony Lang

Recently Workplace Standards Tasmania's Safety & Research Officer Angela Darch accompanied Inspector Roger Geeves as he conducted compliance audits of harvesting operations in forestry coupes near the Florentine Valley, in the state's south.

Angela provides research support to inspectors; going along with Roger gave her practical insight into the role of an inspector.

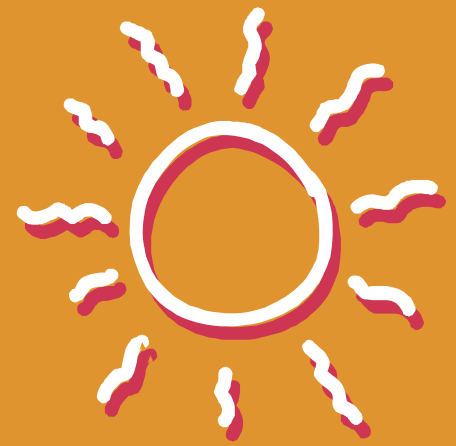
"The day gave me first-hand insight into the often difficult terrain or conditions

and long distances an inspector like Roger must cover to reach these remote and isolated workplaces," Angela said.

"Seeing the size and scale of the equipment used in these forestry operations was amazing, and that's given me a better understanding when I'm reading accident reports of just what can go wrong."

Workplace Standards administrative officers often accompany inspectors into the field to gain a practical understanding of their work.

Fire and explosion risks at wineries



An explosion and subsequent fire that occurred at a Hunter Valley winery in NSW serves as an important warning to those working in Tasmania's wine industry.

The January incident resulted in the tragic death of two people and serious burns to another person. While the causes of the incident are still being investigated, initial investigations indicate that welding work was being done at the time in the vicinity of a building where ethanol and other flammable liquids were stored.

Ethanol (also known as SVR, wine spirit or grape spirit) is a highly flammable liquid and is a Class 3 dangerous good. You should contact Workplace Standards Tasmania if your quantities of Class 3 products exceed the exemption limits in Schedule 3 of the *Dangerous Goods (General) Regulations 1998*.

You should conduct a thorough risk assessment as soon as possible for manufacturing processes (including temporary storage during processing) and storage involving flammable liquids (including the likely ignition sources such as welding, grinding and other hot work) which could cause flammable vapours to ignite.

It is important that your risk assessment is reviewed immediately when the type, quantity and use of dangerous goods on site change; and that safety procedures are modified and communicated to your workers. For example, the seasonal use of ethanol for the fortification of wine will need to be included in the risk assessment.

To minimise the risk of fire and explosion, make sure:

- flammable liquids are stored in containers and facilities that comply with AS 1940—2004 *The storage and handling of flammable and combustible liquids*

- flammable liquids storage areas are clearly marked with warnings and signs (for example, Hazchem signs), and containers and tanks are clearly and correctly labelled
- adequate, natural, cross-flow ventilation is maintained in buildings that involve storing or processing flammable liquids
- any hot work and smoking restriction zones are clearly identified, sign posted and strictly enforced, including zones restricting mechanical grinding and cutting and other ignition sources. See AS/NZS 2430.3.3:2004 *Classification of hazardous areas — Examples of area classification — Flammable liquids*
- hot work such as welding or oxy-cutting is done according to AS1674.1—1997 *Safety in welding and allied processes – Fire precautions*
- flammable or toxic materials have been properly removed before work is carried out on an empty container or vessel
- all decanting of flammable liquids is carried out in a well-ventilated area
- transferring flammable liquids from storage to the point of use is done in a way that avoids spillage
- the area around storage and processing is kept free of combustible materials
- fire safety equipment is provided and maintained (for example, alarm systems, fire extinguishers, hydrants, hoses and fire blankets)
- workers are instructed and trained in storing and handling dangerous goods, your workplace emergency plan, and using safety equipment.

This information is based on material published by WorkCover NSW.

Skin cancer in the workplace

It's been a hot bright summer, with weather reports advising of extreme UV ratings. While we are heading into autumn, UV rays can remain high and still present a risk to outdoor workers.

Figures show more than 800 Tasmanian workers suffer skin cancers each year. The Minister for Infrastructure, Resources, Planning and Workplace Relations Steven Kons issued a reminder to employers and workers of the need to safeguard against exposure to UV radiation while at work.

“This is particularly relevant to the construction industry, but also applies to farms, the fishing industry and council workers,” Mr Kons said.

He said Workplace Standards Tasmania recommends outdoors workers are supervised and receive awareness training on the potential dangers of over-exposure to the sun.

“Conversely, workers have a similar responsibility to safeguard themselves by using aids provided by employers, such as sunscreen, hats, sunglasses and protective clothing.”

The Cancer Council Tasmania visits workplaces to educate employees on prevention measures. It also supplies information booklets and videos to all workplaces on request.

For more information, call the Cancer Council Tasmania Helpline on 13 11 20. Their website also has information on developing a UV protection program for your workplace: go to www.cancertas.org.au then choose the “SunSmart” link, then “Sun protection in the workplace”.



Everybody's Talking...

Questions and answers from our Helpline

I'm required to carry a lot of gear in my car for work. Where is it best stored?

In the event of an accident, any unrestrained items in your car become missiles, capable of inflicting serious injury. Therefore stowing items in the boot or behind a cargo barrier is the safest option. Small items may be able to be stored in your glove box or centre console, although not all models of vehicles have secure closing mechanisms. Items such as fire extinguishers should be fastened to the chassis of the vehicle (in accordance with the manufacturer's instructions).

In most cases, gas cylinders should not be transported inside the passenger compartment of a vehicle. Speak to the manufacturers and suppliers; they may also be able to provide advice and accessories to improve safety.

A co-worker said we should have our workplace's current industrial award or agreement on show. Is this true?

The Helpline receives many calls from private sector employers and employees with queries about wages and conditions. It is a legal obligation for all employers covered by the Tasmanian *Industrial Relations Act 1984* to have the latest copy of their award displayed in a conspicuous place on the premises so that it is easily accessible to those employees.

It's also a good idea to have your copy to hand when phoning the Helpline with any queries.

All Tasmanian awards may be viewed on the Print Applied Technology (PAT) website at: www.pat.tas.gov.au/industrial/privateawards.html and they may also be purchased from PAT; call 1800 030 940.

Can you tell me about the amendments to the Workers Rehabilitation and Compensation Act 1988?

A number of amendments to this Act were given Royal Assent during October 2007 and came into effect from 31 October 2007. They focused on aspects of the legislation that may have caused hardship for some workers, including:

- the way normal weekly earnings for employees with short-term employment history is calculated
- improved compensation for industrial deafness

Other amendments were aimed at clarifying entitlements and improving compliance.

You can see the updated Act at www.thelaw.tas.gov.au or you can purchase a hard copy from Print Applied Technology by calling 1800 030 940.

Safety surfing: codes of practice from other govt departments that affect OHS

A code of practice documents an agreed means of achieving compliance with the legislative requirements. In other words, if you follow an approved code of practice, you will achieve the *minimum* standards required to meet your obligations under a designated act and regulations.

Many codes fall under the control of the *Workplace Health and Safety Act 1995* and its accompanying regulations. For more information on these, go to www.wst.tas.gov.au then choose "legislation and codes" then "codes of practice".

However the following codes of practice fall under the control of other Tasmanian departments and legislation — but they might affect your workplace health and safety.

- *Traffic Control at Work Sites: Code of Practice June 2004* — Describes the minimum level of traffic control to be provided when establishing and maintaining work sites on roads in Tasmania. Go to www.transport.tas.gov.au and search for "traffic control at work sites".
- *Code of Practice for Ground Spraying* — Sets out responsibilities and minimum standards applying to users of agricultural chemical products when these products are applied by ground-based spraying operations. Go to www.dpiw.tas.gov.au then choose "food and agriculture" then "agricultural and veterinary chemicals" then "code of practice and guidelines" for this and other Department of Primary Industries and Water codes.
- *Quarry Code of Practice* — Sets out safety and environmental guidelines for quarrying. The safety section of this code is not intended to be enforced by a planning authority and is the responsibility of Workplace Standards Tasmania. Go to www.mrt.tas.gov.au and search for "quarry code of practice".
- *Mineral Exploration Code of Practice* — Provides an outline of current procedures that must be followed to obtain exploration approvals, with practical information on the expected standards of exploration activities, and details of controls and monitoring procedures. Go to www.mrt.tas.gov.au and search for "mineral exploration code of practice".
- *Distribution Powerline Vegetation Management* — Sets out recommendations for managing vegetation around power distribution lines. Go to www.energyregulator.tas.gov.au and search for "chapter 8A".

Implementing high risk work licensing in Tasmania

What is a high risk work licence?

National high risk work licences were implemented in Tasmania in October 2007.

The new high risk work licence was previously known as a certificate of competency. For example, a certificate of competency — previously issued to operate a forklift truck, order picking forklift truck, certain types and capacity cranes and hoists, boom type elevating work platform, concrete placing boom and pressure equipment, and to undertake rigging, scaffolding or dogging duties — is now known as a Licence to Perform High Risk Work.

What are the main changes?

A new licence card has been introduced, as shown on this page.

The licence contains an expiry date (licences are issued for a period up to five years), and bear a photo identification of the holder.

Can I continue to use my certificate of competency?

Yes, you can. However, existing certificates of competencies will expire through transitional or phased-in arrangements.

These are:

- 'old style' certificates will expire after 30 June 2008
- national certificates issued before 31 December 1995 will expire after 30 June 2008
- national certificates issued between 1 January 1996 and 31 December 1998 will expire after 30 June 2009
- national certificates issued between 1 January 1999 and 31 December 2001 will expire after 30 June 2010
- national certificates issued between 1 January 2002 and 31 December 2004 will expire after 30 June 2011
- national certificates issued between 1 January 2005 and 31 October 2007 will expire after 30 June 2012.

What should I do if I hold an existing certificate of competency?

Check the issue date on your certificate. Then refer to the dates above to determine when your certificate will expire.

How can I apply to transfer my certificate of competency to a national high risk work licence?

Go to the Workplace Standards website at www.wst.tas.gov.au/licensing or call the Workplace Standards Helpline on 1300 366 322 for information on what to do.

What else do I need to know?

If you hold an 'old style' certificate (that is, a certificate issued in the lightweight cardboard format) or a national certificate (issued in the plastic card; before 31 December 1995), then your certificate will expire after 30 June this year.

There have also been some delays processing licence applications, due to the exceptional high number of applications currently being received by Workplace Standards.

If your existing certificate of competency does not become invalid this year, and you intend applying for a high risk work licence, it would be appreciated if you could delay submitting your application. Please check the issue date on your certificate with the above dates to see when your certificate will expire. Remember, in most instances you will have plenty of time in which to apply for a licence.

Further reminder notices will appear in future editions of *Workplace Issues*.

Want more information?

The new licensing requirements can be found at the Workplace Standards website at www.wst.tas.gov.au/licensing (and search under 'Certificates of competency changes' or 'High risk work licence').

The information sheet *Are you the Holder of a Certificate of Competency?* is also available at this website, or you can call the Workplace Standards Helpline on 1300 366 322 to request a copy.

Information also appeared in the March 2007 edition of *Workplace Issues*; if you don't have this edition you can find it at www.workcover.tas.gov.au under 'Publications'



Update: improved injury management

WorkCover Tasmania is finalising a number of key priorities for the rollout of the Return to Work and Injury Management Model.

WorkCover has undertaken extensive stakeholder consultation in preparation for the rollout of the model. Licensed insurers and self-insurers have been consulted, and provided with the opportunity to comment on the establishment of new licence and permit conditions, including the requirement to develop and implement an injury management program.

In light of the key concerns raised by insurers, the WorkCover Tasmania Board (at its February meeting) facilitated a number of amendments to the model aimed at addressing these concerns. These amendments included:

- a shift in focus of the role of the Injury Management Co-ordinator from a performing role to an overseeing role
- a provision to stipulate the minimum number of employees an employer must employ before they are required to appoint a Return to Work Co-ordinator as specified in the *Workers Rehabilitation and Compensation Act 1988*.

A new version of the model is available on the WorkCover website; go to www.workcover.tas.gov.au and choose "occupational rehabilitation" then "injury management".

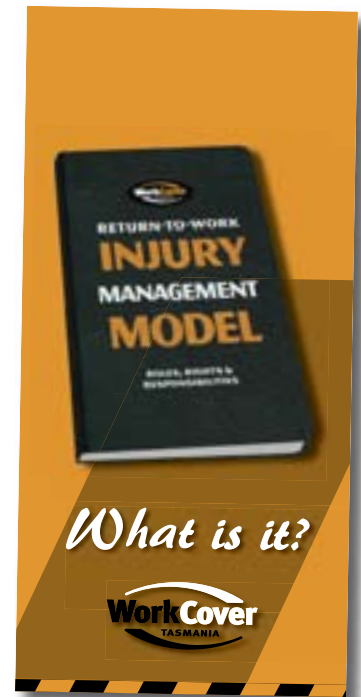
You'll also find here a draft set of guidelines that have been developed to help licensed insurers and self-insurers establish an injury management program.

Other priorities currently underway include drafting legislation in association with Workplace Standards Tasmania; and seeking input from key stakeholders in reviewing the existing workers compensation medical certificates.

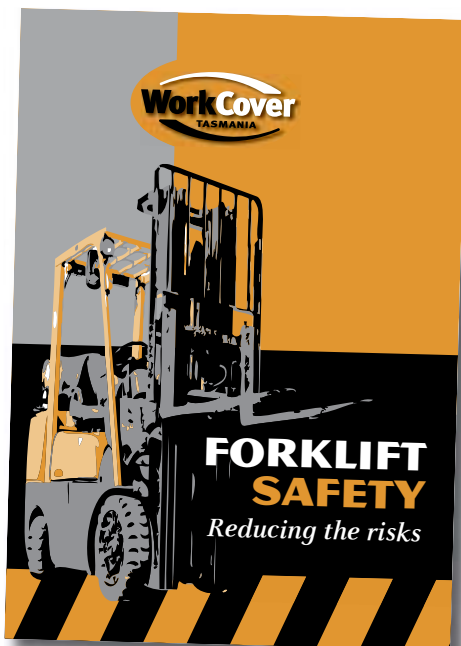
Information guides to explain the new model are also in the pipeline. Currently available is the introductory guide *Return to Work and Injury Management Model: What is it?* (GB178); a poster to create awareness of the model within workplaces has also just been released. You can get your free copies by calling the Workplace Standards Helpline on 1300 366 322. A new publication aimed at employers, to help them recognise the benefits of implementing effective workplace injury management systems, is planned for later in 2008.

WorkCover is available for further information, support and advice, to help you understand the model and its requirements. Call the Helpline on 1300 366 322.

Watch out for further updates at www.workcover.tas.gov.au and in future editions of *Workplace Issues*.



An injury management program is an organisation's process for effectively managing workplace injuries, in order to achieve the best results for timely, safe and durable return to work for injured workers. A program should encourage a shared commitment to recovery and return to work through a co-ordinated and integrated approach to injury management.



New guide on forklift safety

A new publication is available to help you reduce the risk of forklift related injuries in your workplace.

Forklift safety: Reducing the risks (GB169) focuses on simple safety practices and involves everyone in the workplace to reduce the risk of forklift-related injuries.

In warehouses, factories, shipping yards and freight terminals across Tasmania, forklifts are used to lift, stack and transfer loads.

Unfortunately, forklift-related deaths and injuries occur too. Over the past 17 years, there have been 1,830 claims for forklift-related injuries and two deaths in Tasmanian workplaces. That's about two injuries a week (and it doesn't include unreported, minor and 'near miss' injuries, or damage to

equipment or other machinery).

Even at low speeds, forklifts can and do cause serious injuries and fatalities.

Around a quarter of forklift-related injuries were caused by being hit by a moving forklift or part. Around a quarter happened when workers were getting on or off the forklift. It's not just the worker using the forklift who can be injured: pedestrians can be crushed against a wall or object or another vehicle.

Don't wait until there's an injury or death at your workplace before you work out a way to reduce the risk. Call the Workplace Standards Helpline on 1300 366 322 or go to www.wst.tas.gov.au for your free copy of *Forklift safety: Reducing the risks* (GB169).

Work is no place for initiations and pranks

Employers and workers need to take a zero-tolerance approach to workplace initiations and pranks which can lead to serious injury and potentially death. This is the message from WorkSafe Victoria, and it is just as relevant to Tasmanian workplaces.

“Extra vigilance is needed at this time of year when large numbers of young and inexperienced workers are joining the workforce,” said WorkSafe Victoria’s General Manager, Eric Windholz. “All too often, a moment of recklessness results in disaster.

“There is no room for violence in any workplace. Everyone has a responsibility to ensure their workplace is as safe as practicable.”

Tasmania’s workplace health and safety laws require employers to provide and maintain a safe workplace and provide appropriate

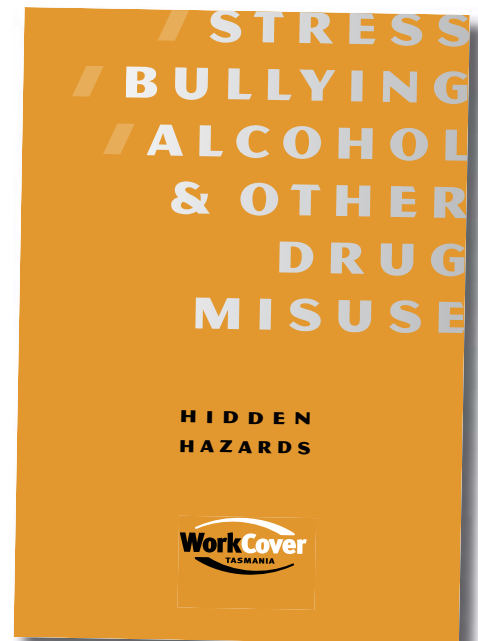
training and supervision. And workers have a responsibility to work in a safe way, and not put themselves or others at risk.

“Supervisors have an important role to play in setting and maintaining clear standards of behaviour at work,” said Mr Windholz.

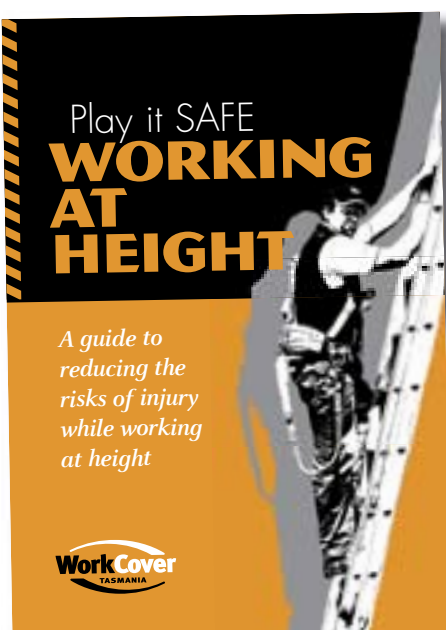
Mr Windholz said young workers between 15 and 25 had the highest proportion of work-related injury and a higher rate of hospitalisation than other age groups.

“As we see so often in the media, young people do not have the same insight as adults. They often do not appreciate the consequences of what they are doing.”

For more information, call the Workplace Standards Helpline on 1300 366 322 or go to www.workcover.tas.gov.au for a free copy of GB136A *Stress, Bullying, Alcohol and other Drug Misuse: Hidden Hazards: A Guide for Employers* and GB136B *Stress, Bullying, Alcohol and other Drug Misuse: Hidden Hazards: A Guide for Workers*.



National falls prevention in construction campaign



Workplace health and safety regulators across Australia joined forces to target falls prevention in the construction industry, particularly small and medium-sized projects. Site inspections were carried out in February and March this year.

Falls prevention is a priority focus area for Australia’s workplace safety authorities as they are the single biggest cause of workplace deaths in the construction industry.

“You don’t have to fall from a great height to be killed, end up in a wheel chair or sustain brain damage,” said Chair of the Heads of Workplace Safety Authorities, John Watson. “There have been deaths from falls from considerably less than two metres.

“For the sake of those doing the job, their families and workmates, as well as your business, fix falls risks now.”

Builders, renderers, plumbers, electricians, roof tilers and other tradespeople are at risk of serious injury if fall prevention measures are not taken.

“In the past three years, there have been 202 compensated injuries due to falls from height in Tasmania’s construction sector.

“Don’t assume that because you’ve never had an injury you’re working safely. It might just mean you’ve been lucky,” said Mr Watson.

For more information about preventing falls from heights, call the Workplace Standards Helpline on 1300 366 322 or go to www.workcover.tas.gov.au for a free copy of GB109 *Play it Safe: Working at Height*.

/// Prosecutions

/// Driver dies in unsafe log truck

On 17 November 2005, an employee of Mr Desmond Laurence Weller was driving a 1987 Scania prime mover with a trailer laden with logs weighing around 25 tonnes, along Valentine's Road at Hampshire.

As the vehicle was negotiating a corner, the brakes in the trailer failed; the prime mover and trailer crossed to the wrong side of the road and collided with some tree stumps and then rolled onto its side. The body of the driver was found a distance from the cabin.

A Workplace Standards investigation found that the prime mover was considered roadworthy despite two worn tyres. However, the trailer was considered unroadworthy due to worn tyres, brakes and track rod bushes. Two of the tyres (which were retreads) were smooth and the other two had the wire belt showing. The brakes were faulty and poorly adjusted.



Close up of the left rear inner and outer tyres of the trailer, with the wire belting showing on the outer tyre

Court case: 9 November 2007, Burnie

Mr Desmond Laurence Weller pleaded guilty to a breach of section 9(1)(a)(iii) of the *Workplace Health and Safety Act 1995* — failure of an employer to provide so far as was reasonable practicably plant in a safe condition.

The Magistrate said the prime mover and trailer were a workplace for the purpose of the legislation; and there was no doubt that the death of the employee was avoidable. "From the

factual circumstances, as conceded by the defendant, it is clear that regular servicing and inspection of the trailer has not occurred," said the Magistrate.

"The state of the tyres should have been readily apparent and easily ascertainable by any prudent person who was, in fact, the owner of trucks and trailers. The state of the brakes, similarly, could have been readily ascertainable and remedied by adjustment.

"The failure to carry out such rudimentary inspections and maintenance ... renders the culpability of the defendant as relatively high. The lack of finances and the reduced margins of profitability was no excuse for neglecting those matters which impact on the safety of employees or on the safe working environment or conditions."

The Magistrate convicted and fined Mr Desmond Laurence Weller \$10,000 and ordered costs of \$4,500 be paid to Workplace Standards. The maximum penalty possible is \$50,000.

/// General store fails to hold a workers compensation insurance policy

E M Bowman & Co Pty Ltd ran a general store on Flinders Island and had a workers compensation policy until it expired on 1 July 2002. At that time it employed six people. The company employed another person in 2004, and another in 2005.

A Workplace Standards inspection found the company did not have a workers compensation insurance policy from 2 July 2002 to 19 April 2007.

Court case: 2 November 2007, Launceston

The company pleaded guilty to a breach of section 97(1) of the *Workers Rehabilitation and Compensation Act 1988* — failure to maintain a policy of insurance from 2 July 2002 to 19 April 2007.

The Magistrate convicted and fined the company \$4,000 plus \$5,452 for premium avoided. The maximum fine possible is \$50,000.

/// 11 year old boy backed into by a truck

On 27 January 2007, J & SM Walker Pty Ltd were contracted to deliver 1.2 cubic metres of premix concrete to a private residence. After discharging about half of the concrete into an existing bird loft through an opening, the driver moved the vehicle forward. He was going to back his vehicle so the discharge chute would go through a door opening to discharge the remaining concrete.

The driver asked the 11 year old son of the owner (who was inside the loft) to guide the discharge chute through the door opening as he reversed the truck.

As the truck was being reversed, the chute seemed to move slightly and the 11 year old boy was pinned between the discharge chute and the loft wall. The driver only stopped the truck when the father called out.

Although the injuries to the boy were not serious, the potential for serious injuries was high had the truck not been stopped.

A Workplace Standards investigation found that the driver:

- could not see the boy while he was reversing
- put the boy in an unsafe work area by asking him to stand behind the truck when it reversed.

Court case: 8 November 2007, Hobart

J & SM Walker Pty Ltd pleaded guilty to a breach of section 9(3) of the *Workplace Health and Safety Act 1995* — failure of an employer to ensure the safety of a person other than an employee.

The Magistrate convicted and fined the company \$7,500, saying the offence was at the lower end of the scale but that the potential for injury was high. The maximum penalty possible is \$150,000.

/// Employee falls through skylight

Roofing Solutions (Tas) Pty Ltd was subcontracted to put a new roof on an area above the toilet and storeroom of a Hobart business.

On 22 August 2006, an employee of Roofing Solutions (Tas) Pty Ltd was working on the roof, mainly working on his knees, when he stood up and fell through an unprotected skylight. He landed on a planter box 2.5 metres below. As a result, the employee fractured:

- his skull in three places
- his jaw in three places
- his ribs in two places
- his fingers in two places
- his collarbone.

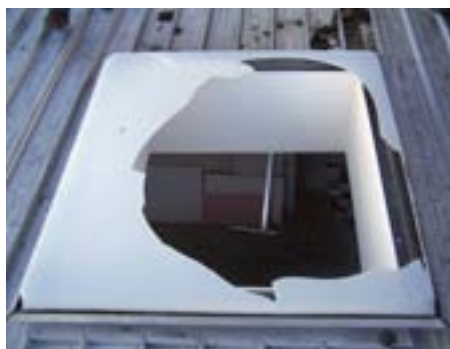
He also had a blood clot on his brain.

A Workplace Standards investigation found the employee was not wearing a safety harness or fall protection device.

Court case: 8 November 2007, Hobart

Roofing Solutions (Tas) Pty Ltd pleaded guilty to a breach of section 9(1)(a)(ii) of the *Workplace Health and Safety Act 1995* — failure to provide a safe system of work for employees.

The Magistrate convicted and fined the company \$5,000. The maximum penalty possible is \$150,000.



This photo shows the broken skylight

/// Bandsaw severs two fingers

On 7 March 2006, an employee of Onesteel Trading Pty Limited was in the process of cutting metal line pipe using a Parkinson bandsaw. The blade of the saw came out of alignment, resulting in the pipe being cut at the wrong angle. The employee stopped the bandsaw and adjusted the blade tension and alignment.

The employee then restarted the bandsaw and the cutting process. The employee noticed some debris on top of the pipe being cut and attempted to brush it away with his right hand; as he did, the back of his glove touched the unguarded saw blade. His hand was dragged into the saw blade and he severed his little finger, index finger; the remaining fingers and hand were lacerated.

A Workplace Standards investigation found that some months earlier, a self-lubricating pump had broken down. This led to an unsafe practice — of the saw operator applying fluid with a paint brush directly to the unguarded cutting saw — becoming established.



The band saw and line pipe that was being cut at the time of the accident

Court case: 17 December 2007, Burnie

Onesteel Trading Pty Limited pleaded guilty to a breach of section 9(1)(a)(ii) of the *Workplace Health and Safety Act 1995* — failure of an employer to maintain as reasonable practicably a safe system of work.

The Magistrate convicted and fined the company \$7,000. The maximum penalty possible is \$150,000.

Tasmanian Industrial Commission

Long Service Leave Act 1976

(T No 13002 of 2007)

The Department of Justice referred a long service leave dispute to the Tasmanian Industrial Commission.

The employee claimed a pro-rata long service leave entitlement after approximately 9.5 years of employment with her employer, D J Wilkes Pty Ltd, which she terminated to move interstate for family reasons.

The employer disputed the entitlement because the resignation was prompted not by “domestic necessity” but by lifestyle reasons.

The Commission considered the findings of other cases, including that of a Launceston man whose wife obtained employment in Hobart. In that case, it was found that the wife had made a voluntary decision within the family structure to advance her career by accepting the Hobart position. But that did not disentitle the husband to pro rata long service leave if the reason for terminating his employment fell within the meaning of section 8(3) (c) of the Act; and was genuinely held by him; and was the real or motivating reason.

Although there are some differences between the cases, the Commission found that the heart of the matter was the same; that is, that one person had relocated which affected the ability of the husband and wife to cohabit.

The Commissioner concluded that any reasonable person would, in circumstances where their spouse was moving elsewhere, resign from their employment in order to maintain the marriage relationship. The Commission determined that the employee did have a pro rata long service entitlement, and ordered the employer pay \$4,768.64 to the employee.



Are you an employer, manager, OHS or HR co-ordinator, or worker?



Then you should read *Workplace Issues* magazine!

Workplace Issues is not just a workplace health and safety magazine. It looks at problems and solutions, innovations and ideas, and any other issues concerning workplace health and safety and conditions of employment (including the relevant legislation) that affect Tasmanians.

Please tick the relevant box:

- Please add the following new details to the mailing list: Please remove the following details from the mailing list:

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| <input type="checkbox"/> entertainment | <input type="checkbox"/> meat/food | <input type="checkbox"/> transport |
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please specify

Are you:

- an ESR or OHS representative?
 involved with new workers (employing, managing, training)?
 a small business (less than 20 employees)?

Workplace Standards Tasmania

PO Box 56, Rosny Park 7018

1300 366 322 (inside Tasmania) (03) 6233 7657 (outside Tasmania)

Fax: (03) 6233 8338 Email: wstinfo@justice.tas.gov.au Internet: www.wst.tas.gov.au

You can find *Workplace Issues* online at www.workcover.tas.gov.au/node/workplacemag.htm

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