

December 2020



# ANNOYING PEOPLE AT CHRISTMAS

Can We Give Away Old  
Equipment?

Working Near  
Deep Water



Asbestos Bush  
Fire Risk

# What's New in December?

Merry Christmas and welcome to the December Safety News.

This month we share some tips on how to deal, or at least cope, when christmas events involve spending time with people who's habits and attitudes you find annoying.

'Tis the season to give, but can you give away your old equipment?

We also share with you the risks with working near deep water and the risk of asbestos after a bush fire.

We hope you have a safe and happy Christmas and prosperous New Year.



**Andrea Rowe**

***Merry Christmas and Stay Safe!***

## Safety Webinar – 8<sup>th</sup> December 10am

We invite you to join us at **10am on Tuesday 8<sup>th</sup> December** for our free monthly webinar to keep you up to date on workplace health and safety. Gary and the team present short informal sessions of only 20 to 30 minutes on topical issues and to answer your questions.

[Register here](#)

*Missed our last webinar? View them [here](#)*

## SAFETY ACTION TEAM



**Gary**



**Stephen**



**Katie**



**Ben**



**Miriam**



**Sarah**



**Kirill**



# Annoying People at Christmas

As we come into the Christmas season most of us like to catch up with close friends and family. However, these events can also bring people we would normally choose not to socialise with.

For those who have attended our safety leadership course, remember the question about the “4 to 1 rule” – *is there anyone at work you would NOT want to go on a holiday with?*

We thought we would offer our top tips and reflections that might help you deal with these people, or at least better cope with their annoying habits and attitudes.



## 1. Don't over-react

When unpleasant people say stupid things or display meanness, don't over-react. Treat it like a geologist examining a rock. Ah! I have seen that before.

## 2. True spirit of conversation

Try to bring out the interests or cleverness in others, not talk about yourself.

## 3. Irrational behaviour

Our best defence to irrational behaviour is awareness of it happening.

## 4. Anger

We can't think rationally or be pleasant ourselves if we are angry.

## 5. It's them, not me

No one is perfect, it is only a question of what personality disorders you have.

## 6. Your values

Clear values steer all our decisions and behaviour.

## 7. Strange assumptions

Don't assume strangers are similar, or share your values. Find out.

## 8. Know your enemy

I don't like that man – I must get to know him better!

## 9. Feeling superior?

Is a sure sign the irrational mind is at work.

## 10. Real enjoyment

Pleasure is not in fulfillment, but in the journey (with close friends and family).

***Wishing a safe and merry Christmas season.***

# Can We Give Away Old Equipment?

Yes, businesses can sell old equipment and machinery to other parties, including donating it to not-for-profit organisations or charities, who would like to use the equipment as part of their operations.

However, there are legal and moral obligations for employers disposing of used plant or equipment, whether sold or given away.

In essence, any business disposing of old plant or equipment becomes a “supplier of used or second-hand plant” under the plant safety regulations and must satisfy the supplier requirements.

The key requirements for suppliers of **second-hand plant** include:

## 1. Plant Intended to be Used

Where it is intended that the second-hand plant or equipment is to be used by the new owner, the business disposing of the item is to:

- Identify any faults; and
- Give written notice of condition of the plant; and
- Provide copies of any service records and user instructions; and
- If there are faults to advise, if appropriate, that the plant should not be used until the faults are rectified.

## 2. Plant to be Used for Scrap or Parts

Where the plant or equipment is to be used for scrap or parts the business must advise in writing (or by marking the plant), that the plant is being supplied for scrap or parts only and is not to be used as plant.

**If you would like to know the definition of plant or more information on this subject call Safety Action on 03 8544 4300 or email.**

## ADDITIONAL INFORMATION

### Vic OHS Regulations

#### **Reg. 90 Information to be Given with Used Plant**

Supplier of used plant to also give the new owner, where in their possession:

##### 1) Manufacturer’s Information

- a) Information that the manufacturer is required to give to the supplier eg specifications and user and maintenance manual per OHS Act S.29 & Reg. 86; and
- b) Records kept by previous owner eg service and maintenance records.

##### 2) Where Manufacturer’s Information Not Available

If owner does not possess the information or records above, they must in writing inform the new owner that the plant is being supplied without the information and should not be used as plant without the information.



### **Reg. 91 Information to be Given with Items Supplied as Scrap**

Supplier to inform the receiver in writing at time of supply that the plant is intended for use as scrap material.

**Penalty:** \$1.5m for company and \$300,000 for individuals per OHS Act S.30 and OHS Regs 90 & 91.

## **Model WHS Regulations**

### **Reg. 199 Supply of Second-Hand Plant – Duties of Supplier**

- 1) Supplier to identify any faults.
- 2) Give written notice to new owner of:
  - a) Condition of plant; and
  - b) Any faults identified (per (1) above); and
  - c) If appropriate, that the plant is not be used until the faults are rectified.

**Penalty:** \$30,000 body corporate or \$6,000 individuals

### **Reg. 200 Second-Hand Plant for Scrap or Spare Parts**

Supplier to inform new owner in writing, or by marking the plant, that the plant is supplied for scrap or spare parts and the plant in its current form is not to be used as plant.

**Penalty:** \$18,000 body corporate or \$3,600 individuals

# **Asbestos Bush Fire Risk**

As we enter bush fire season it's important to think ahead to any clean up, rebuilding and renovation that may occur across Australia. Employers need to be aware and protect their workers from exposure to asbestos dust.

Buildings that were constructed before the 1990s are likely to be constructed using asbestos containing material.



To protect your workers:

- Prior to the start of work determine if asbestos is present (if in doubt have a specialist test materials);
- If present, use a licenced removalist to remove asbestos;
- Finally, provide the correct PPE like correct clothing and respirators for workers likely to be exposed in this environment.
- *\* Remember to have your workers fit tested to ensure they are adequately protected by their respiratory mask.*

**To Book a Respirator Fit Test, or for a copy of our brochure [email us](#) or call on 03 8544 4300.**



# *Working Near Deep Water*

Do people working near water need to wear life jackets? This question, unfortunately, leads us away from the correct analysis of the key risk and preferred controls.

## **Drowning is the Key Risk**

A person could theoretically faint or collapse for whatever reason and fall face down in a small puddle of water and “drown”, but we all know this is a bazaar and extremely unlikely circumstance.

In any event the key issue is not drowning in this case but immediate resuscitation and first aid for any person who collapses eg heart attack, stroke, allergic reaction, epileptic fit.

Clearly, the business needs to focus on the real risks associated with water in the workplace, and that is drowning in deep water.

## **Definition of Deep Water**

So, what constitutes deep water?



The Australian building code requires swimming pools or spas deeper than 300mm to have a pool safety fence, but this rule is designed to accommodate residential situations where we might expect to find unsupervised children and possibly disabled people and fragile elderly.

Workplace safety regulations do not define deep water. Therefore, we propose to define “deep water in the workplace” for the purpose of this article as:

***“Water-filled dams, ponds or tanks with steep sides accessible at foot level, which are deeper than 1m.”***

This definition also includes “no other local conditions which might increase risk or hamper visibility or rescue eg fast current, thermal extremes, toxic or corrosive liquid or turbidity.” The site risk assessment should also include things like people in wheelchairs.



We believe 1m deep is a realistic criteria for deep water in the workplace because only supervised fit and healthy adults should be at work, and they should be able to stand up and be safe, even if they fall in water 1m deep.



### Risk Assessment

Project or site risk assessments should include deep water risks if relevant for the site.

Some of the risk assessment considerations include:

1. Fencing deep water if possible, to avoid need for life jackets or other cumbersome precautions or PPE.
2. No working alone near deep water eg beyond safety fence.
3. Water response plan & kit eg "life ring", rescue pole/boat/inflatable, and means of quickly raising alarm for assistance.
4. Processes which create low buoyancy such as aerated water, or other risks such as agitators or pumps which could cause physical harm.
5. Wear life jackets if working from a boat or over deep water eg work on jetty.



Wearing a life jacket while working on a boat

**What happened to the man who stole  
an advent calendar?**

**He got 25 days!**

