

CHAIN BARRIERS AND WARNING SIGNAGE



Is This A
Valid
Certificate?

Increased
Regulations for
Working with
Silica

Error
Management
Workshop

Office Odour
Causes Workers
Compensation
Claim

What's New in February?

Welcome to the February Safety News.

This month we share with you whether a chain barrier and a warning sign is enough to protect workers from serious hazards, as well as share with you the new regulations for working with Silica

In April 2020 we cancelled our free workshop with Todd Bentley on Error, Safety and Performance due to COVID-19. We have rescheduled the workshop for Wednesday 28th April. See page 6 for more information and to register.



Andrea Rowe

Stay Safe!

Safety Webinar – 9th February 10am

We invite you to join us at **10am on Tuesday 9th February** 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



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Is a Chain Barrier and Warning Signage Enough?

A Queensland quarry director recently lost his appeal over a workplace fatality conviction but has avoided going to prison on the condition he does not commit another serious offence within the next three years.

Tragically, a 21-year-old worker was killed at MCG Quarries Pty Ltd back in 2012, when he got caught in a conveyor while he was investigating a noise on the crushing plant.



Conveyor Rollers

Note: The company that constructed the crushing plant and two of its directors were also previously convicted for supplying unsafe plant.

The idle roller under the conveyor had a lift-off guard which the director claimed satisfied the applicable Australian Standard, but this was not present on the day of the accident.

However, the directors' appeal asserted it would not have prevented the worker accessing the conveyor nip point in any event.



Removable guard on roller

The court's response was that the director's logic would lead us to conclude ***it is not worth installing any safety measures because "rogue" workers can defeat almost any safeguard, if determined to do so.***

President Justice Martin of the Queensland Industrial Court stated that guarding has at least two functions, one being to "cause reconsideration or reassessment" of the

task. Unlike signage which can be ignored, or which having been passed dozens of times, is no longer “seen” by the worker.

The director claimed that even if the lift-off guard had been present it would not have stopped the worker reaching into the nip point, but President Martin said this was inconsistent with his own submission.

“MCG claimed they had eliminated the hazard by using a metal chain, isolation switch and warning signs to prevent workers from accessing the gantry alongside the nip point when the conveyor was running”.

The court rejected this contention as none of these controls require any positive action by the worker to avoid them. For example, a worker can step over a chain, not engage an isolation switch, and ignore signs.

But the worker must take a positive step to remove a guard. He said.

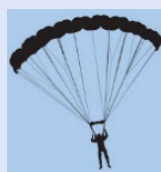
Therefore, it is clear that chain barriers with signage is not enough to protect people from serious workplace hazards.

So, we must use compliant safety barriers eg 1.6m high “non-climbable” fences, or ensure hazardous areas or plant are fully guarded.



Indeed, in a separate article we explained that low chain barriers have caused numerous accidents where people tripped and fell while attempting to step over them.

For a quote for an independent safety audit of your premises call us on 03 8544 4300 or [email](#) us.



**A mind is like a parachute.
It doesn't work if it isn't
open**

Increased Regulation for Working with Silica

Victoria, and Western Australian have recently made, or about to make, changes to their health and safety regulations regarding working with Engineered Stone products containing crystalline silica, greatly increasing the obligations, controls and systems required.

Engineered stone means a manufactured composite stone material which contains 40% or more crystalline silica.

Victoria

Has recently issued the [Occupational Health and Safety Amendment \(Crystalline Silica\) Regulations 2021](#) and an associated 75-page [regulatory impact statement](#) which are open for [public comment](#) until the 18 February. The amendment will include a number of changes including:

- Manufacturer and/or supplier are now required to identify the % of crystalline silica contained in a substance, provide contact information of manufacturer and supplier, and outline recommended exposure controls, exposure standards, engineering controls and personal protection information in relation to the crystalline silica substance, information relating to handling and storage of the crystalline silica substance. This information is to be kept up to date and be reviewed at least every 5 years.
- Any power tools used on engineered stone must have an integrated water delivery system or an on-tool dust extraction (which meets relevant standards).
- Respiratory protection must be provided, its use enforced, and quantitative fit testing assessments undertaken to prove the respirator provides adequate protection to each worker.
- Employees are to be trained in the use of power tools, risks and controls of working with engineered stone products and use of PPE.
- Employers are to undertake a risk assessment to identify if any work is High Risk Crystalline Silica (HRCS) work, where:
 - High risk crystalline silica work is work likely to result in an airborne concentration of respirable crystalline silica that exceeds half the exposure standard for respirable crystalline silica.
 - A crystalline silica hazard control statement is to be developed for HRCS work, including the hazards and risks associated with that work, controls to be in place for identified hazards.

- If a *Crystalline Silica Hazard Control* statement is not in place, then an *Engineered Stone Control Plan* is required to be developed before work that requires an engineered stone licence is undertaken which includes: tasks to be undertaken, hazards/risks, controls, and updated with changes
- Employers must hold an engineered stone licence if an engineered stone process is undertaken at the workplace for which they are responsible.
- A supplier of engineered stone must only supply to an engineered stone licence holder.
- Health monitoring to be conducted by specialist occupational and environmental physician for all relevant employees, with reports to be provided to Authorities within 30 days.

These changes are focused primarily on the stonemason, construction, mining and manufacturing sectors, as well as 24 sub-industries which includes bricklayers, carpenters and joiners, cement manufacturing, concreters, plasterers, and tilers, along with stonemasons.

Western Australia

The Western Australian Government has made the [Occupational Safety and Health Amendment Regulations 2021](#) to impose more stringent health surveillance rules on sectors where workers are exposed to respirable crystalline silica, like the engineered stone, stonemasonry and construction industries.

The legislation requires employers to arrange low-dose high-resolution computed topography (HRCT) chest scans of their silica-exposed workers, instead of chest x-rays.

The changes will apply from January 2021, with a three-month grace period.

This follows the October 2020 legislation changes where the workplace exposure standard for respirable crystalline silica (RCS) has been halved to an eight-hour time-weighted average of 0.05mg per cubic metre.

Oops, How Did That Happen?

A FREE Workshop on Error, Safety and Performance
Wednesday 28th April 2021



We are very fortunate to have Dr Todd Bentley, Director HSA and former Director of Safety at Metro Trains, who is going to introduce us to an interesting and different approach to looking at human error and workplace safety performance.

This short workshop is focused on understanding human error, and the various ways that we can develop practical systems to help minimise the adverse effects.

Timing: 10am to 12noon (2 hrs)

Venue: Safety Action, Clayton, Vic

To book your free place, Click [here](#).

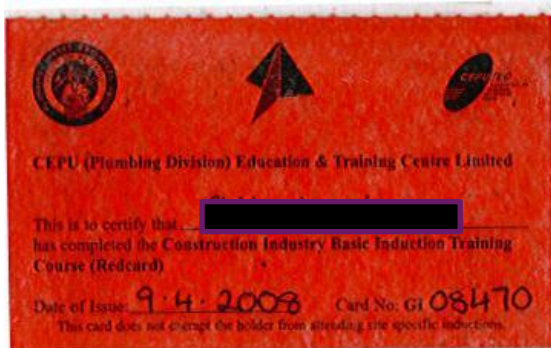
Is This a Valid Certificate?

We are occasionally asked *“is this training certificate or licence valid?”*

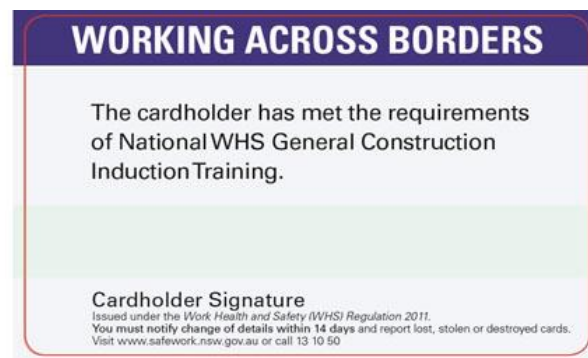
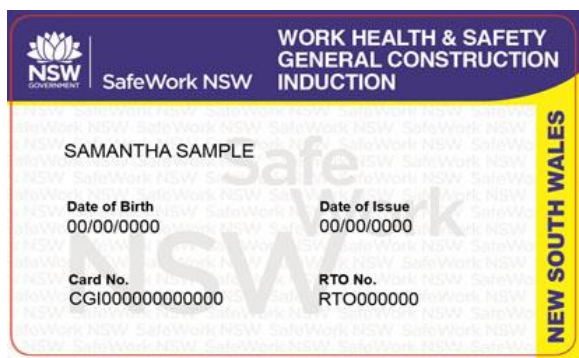
Below are several training certificates to show the wide variation of style and age of documents presented by workers to prove they are adequately trained and competent to perform certain work.

Construction Induction Safety Card

In this case they all have a construction induction safety card, as prescribed by the workplace safety regulations in each jurisdiction, but clearly each card looks totally different.



Older style “Red Card” and (CFMEU) union construction induction training card



A newer style (SafeWork NSW) construction induction card

Because the workplace safety regulations do not prescribe an expiry for construction induction safety cards workers are able to present old style cards as valid evidence of their competency if they have been actively engaged in construction work since.

High Risk Work (HRW) Licenses

The workplace safety regulations in each jurisdiction prescribe certain work and types of equipment as “high risk work” (HRW). A licence is required for all high-risk work.

The main tasks and equipment specified as high-risk work including their respective codes are summarized below:

- Scaffolding (SB, SI, SA)
- Dogging & rigging (DG, RB, RI, RA)
- Boiler & steam engine operation (BS, BA, TO, ES)
- Cranes operation (CT, CS, CD, CP, CB, CV, CN, C2, C6, C1, C0)
- Reach stacker operation (RS)
- Boom-type elevating platform operation (WP)
- Hoists (HM, HP)
- Concrete-placing boom operation (PB)
- Forklift truck operation (LF)
- Order-picking forklift truck operation (LO)

Note: These licences used to be perpetual, but now require 5 yearly renewal.

In addition to the HRW licenses, other licenses that may be required in the workplace include:

- Asbestos removal licence
- Electrical licence
- Plumbing licence
- Refrigerant handling licence eg ozone protection
- Prescribed waste licence eg EPA Regulations

Common Equipment with No Licence Category

There are many items of plant and equipment which are not prescribed by regulation such as excavator, front-end loader and bobcat.

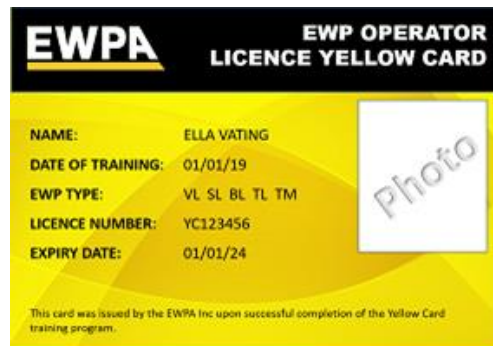
Therefore, they have no licence category, but they do have commonly agreed training competency codes. For example:

- Bobcat eg skid steer loader (LS)
- Dozer (LZ)
- Grader (LG)
- Road roller (LR)
- Scraper (LP)
- Front-end loader (LL)
- Front-end loader backhoe (LB)
- Excavator (LE)
- Cableways / flying foxes (LC)
- Draglines (LD)



A sample training competency card for various non-licensed items of plant

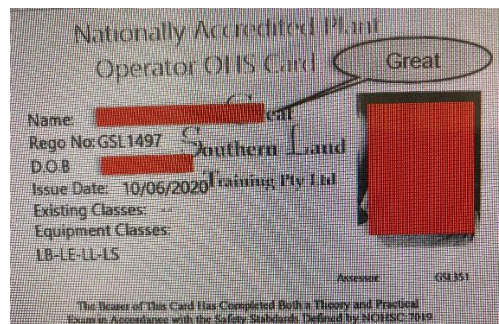
Because there is no prescribed licence or training course for these items of equipment, employers and industry groups have greater flexibility in deciding on appropriate training for their circumstances.



Elevated work platform certificate eg scissor lift

However, workplace trainers and registered training organisations (RTOs) have established standardised training programs for these common items of workplace equipment.

For example, the certificate below states the person has completed a nationally accredited training program (albeit under previous accreditation process) for a front-end loader & backhoe, excavator, and bobcat.



Note: Because the above are not prescribed by regulation they are not licenses, but **training competency certificates**, and therefore do not necessarily have a 5-yearly expiry.

However, companies of industry groups may choose to set their own standard eg only accept certificates completed in say the last 5 years.

Australian Government Training Website

The Australian state and federal governments have established training.gov.au in order to provide standardised training competencies for a wide range of tasks and equipment.

For example, training.gov.au has a recognised competency training program for operating and maintaining chainsaws eg training code: AHCARB205A.



Safety Action provide company and worker pre-qualification services. If interested give us a call on 03 8544 4300 or [email](mailto:info@safetyaction.com.au) us.

Office Odour Causes Workers Compensation Claim

A worker's incapacitating condition was triggered by strong odours in the workplace, a worker's compensation tribunal has found.

A female employee complained about headaches and nausea shortly after starting work in the new Centrelink office in Devonport, Tasmania. Her symptoms then escalated to shakiness, watery eyes, runny nose, and shortness of breath.

Her employer, Centrelink, tested the premises included the carpet tiles, glues and concrete after other workers and visitors also complained about the odours. Some experienced similar symptoms.

The testing confirmed vapour emissions, but they were not at harmful levels. The AAT Tribunal accepted she genuinely feared for her health and was entitled to workers compensation for medical and like costs, but not entitled to a lump sum payment for permanent injury, as they concluded she would have some capacity for work after suitable treatment.

As always, workers compensation cases are complex and rely on many local circumstances, but this case does highlight the need for employers to consider unpleasant environmental conditions.

Whilst the work environment may not necessarily be toxic, the odours will cause complaints and if significant and not managed correctly can cause growing concern and even debilitating psychological conditions.

Tip: If you would not accept the odour in your own home, then it is not acceptable for the office.