

# PREPARING A USER MANUAL

Post Virus Return  
to Work Plans

How to Increase  
Public Anxiety?

Workplace  
Manslaughter  
Laws

New Dust  
Exposure  
Regulations



# What's New in June?

Welcome to the June Safety News.

This month Gary Rowe, our CEO, explains the importance of having the manufacturer's manual for all equipment and what to do if you have lost or never had a manual for in-house fabricated equipment.

Gary also reflects on how the media has created wide-spread COVID-19 anxiety for their own interests.

With most businesses now re-opening after the Covid shut-downs we provide tips and resources for assessing the risks and preparing a Covid return to work plan.

Victoria's workplace manslaughter provisions commence 1 July. We provide a summary of these laws around Australia.



**Andrea Rowe**

***Stay Safe!***

## Safety Webinar – Tue 9 June 10am

We invite you to join us at **10am on Tuesday 9th June** for the first of our monthly webinars 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](#)

## SAFETY ACTION TEAM



**Gary**



**Stephen**



**Katie**



**Ben**



**Miriam**



**Sarah**



**Kirill**

# Preparing a User Manual

Many businesses have old plant and equipment they still use but have lost or never had the manufacturer's manual.



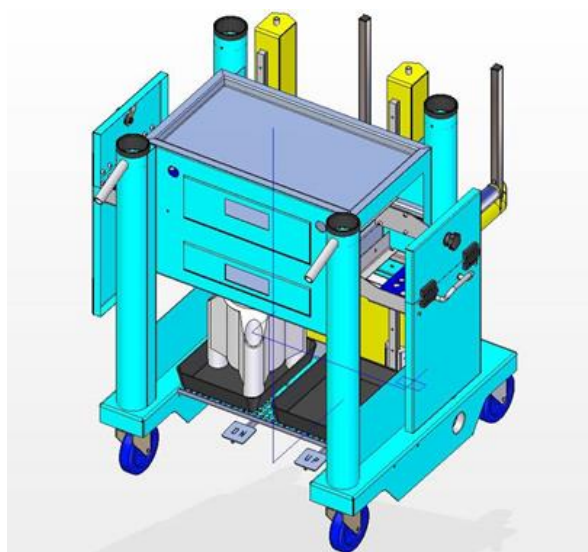
## No Manual Poses a Legal Risk

Not having the manufacturer's manual leaves the managers and organisation vulnerable to allegations of negligence, as it is important to be able to demonstrate that you use and maintain equipment in accordance with the manufacturer's recommendations.

## All Equipment Needs a User Manual

Sometimes the equipment is not old but is "home-made". The term home-made here is not intended to necessarily infer poor design or inferior quality, but to indicate staff and or contractors fabricated the equipment in-house. This is usually done to satisfy a specific and valid need, which is not catered for by commercially available products.

A user manual is required for all tools and equipment including un-powered equipment. Even small mobile work trolleys for use in service departments at car dealerships, per example below.



A mobile work trolley with wheel lifter and tool drawers

A recent project we assisted with involved "reverse-engineering" the documentation for a business who use temporary stands for group photography.



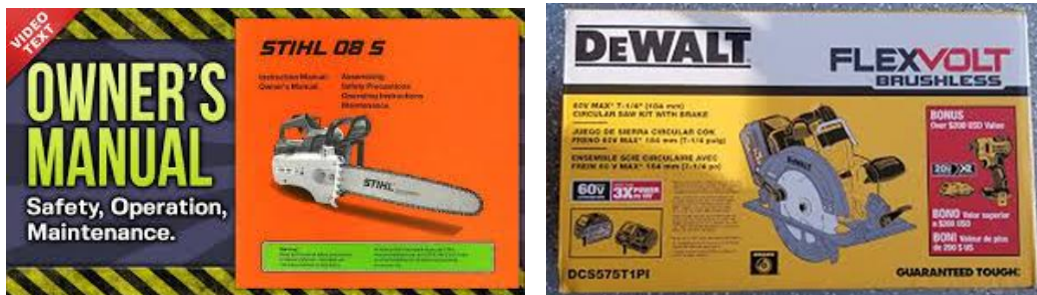
In this case the manufacturer had ceased operation and the drawings, specifications, and any computations (if ever done) were lost.

These types of stands are classified as temporary demountable structures (TDS) and are commonly seen these days at major sporting events and entertainment venues for things like temporary grandstands, or catering or television camera platforms.



A temporary demountable grandstand for an outdoor event

Without the manufacturer's manual it is difficult to determine an appropriate inspection and maintenance regime, or indeed the correct assembly, transportation, or storage requirements.



How should I use and maintain a potentially hazardous item of equipment?

Manufacturer's user manuals typically include:

- Identification of item eg date & manufacturer, make, model and serial number;
- Intended purpose & limitations on use eg maximum slope / speed;
- User instructions and precautions including pre-use checks;
- Specifications including dimensions and performance;
- Structural drawings & computations eg structural integrity & stability;
- Inspection and maintenance regime;
- Storage, de-commissioning, and disposal.

**Tip:** Keep the user instructions / manufacturer's manual for all equipment and power tools. Consider making a copy for daily use which is kept with the equipment, and secure storage for the original document e.g. with asset register.

***If you would like assistance to construct a user manual, give us a call on 8544 4300 or [Email](#)***

# How to Increase Public Anxiety

Media coverage of the Covid epidemic is a classic example of how to create anxiety in the community and distort the truth whilst claiming “we only report the news”.

Below are some of the tricks used by the media to advance their interests.

**Step 1: Open every news broadcast with an alarming statistic or quote.**

**Step 2: Build on the numbers** eg 20 more cases and two more deaths today.

**Step 3: Never put numbers into perspective** eg 400 Australians die on average every day, today two of those had coronavirus.

**Step 4: Don't educate the public on how the virus is transmitted** eg virtually no cases are contracted outdoors, but all outdoor playgrounds were closed, and park benches roped off – why?



**Step 5: Don't explain who is at greatest risk - to keep everyone scared and listening**

For example, about 103 people have died so far in Australia. However, it is very rare for people under 60 years of age to be seriously affected, and more likely to be critical for people over 70 who are ill or with a respiratory vulnerability eg smokers.

If we were provided with good information, we would better understand the nature of the risk and this would more likely lead us to insist on better protection of the vulnerable elderly and the sick.

Imagine what fantastic entry control and protection we could have had at every aged care home, hospital, and medical facility if we had targeted our investment instead of squandering billions of dollars on isolating the healthy majority?

**Step 6: Never tell the public when the worst is over**, because interest in the story will drop. Just keep adding to the score of reported cases eg five more cases today. Note: Australian cases peaked late March and has been dropping since.

**Step 7: Feature individual sad cases** which scare more people and re-vitalise the anxiety, even if their case is not representative.

For example, find a teacher who says they are terrified to go back to school. It does not matter that it is an isolated opinion which ignores the fact that teachers have always been vulnerable to sick children and their diseases and viruses. So, if you want to wait until there is no risk then you can never re-open schools.

Don't forget the media, including the ABC, are primarily an entertainment business which wants to keep the top story going for as long as possible, and to be as sensational as possible every day.

***If the news scares you turn it off & seek the real facts***

# Post-Virus Return to Work Plans

Now that the states are progressively lifting the strict coronavirus lock-down restrictions we need to turn our mind to the changes we will need in each workplace to comply with the ongoing hygiene and social distancing rules.

Safe Work Australia (SWA) has issued a series of guidelines and checklists to help employers re-open their workplace. Specific guides have been prepared for 23 selected industries including; manufacturing, warehousing & logistics, office, retail, agriculture, energy & utilities and others, along with general industry information.

The key checklists that will help your workplace return to business include:

1. [General over-view checklist entitled "What can I do to keep my workplace and limit the spread of COVID-19?"](#)
2. [Checklist: Health, hygiene, and facilities.](#)
3. [Checklist: Physical distancing.](#) Importantly, workplaces should allow 4 square metres per person and distancing of 1.5 metres.
4. [Checklist: Cleaning.](#)

See the [SWA website](#) for these checklists and more practical advice.

## The SWA website also includes advice on things like:

- Conducting a risk assessment for vulnerable people in your workplace
- Can we make vulnerable people take leave?
- Signage and posters
- How to disinfect your workplace
- Travel information
- Emergency plans, and much more.

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***If you would like an independent assessment of your office or facility and provision of a COVID Return to Work plan call or [Email us](#)***

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In addition to the COVID-19 risks, best practice employers have recognised that some employees are at risk when returning to work. Dr Weber of our office published a series of Fact Sheets on At-Risk workers in 2017. [Click here](#) for the At-Risk Workers Guide for returning workers.

## Hand Sanitiser Safety Alert



Increased demand and use of alcohol-based hand-sanitiser in workplaces, which is a flammable liquid, poses some fire and safety risks. WorkSafe Victoria have released a [Safety Alert](#) about manufacturing or storing alcohol-based hand sanitiser.

An oil and gas association has also issued a [Safety Alert](#) on risks associated with use alcohol-based hand sanitisers, after a worker suffered burns.

See our [blog](#) for more details.

## New Lead Exposure Standard

The Victorian OHS Regulations new lead exposure standard, proclaimed in June 2018, **comes into effect on 5 June 2020.**

Employers are required to ensure employees are not exposed to airborne lead dust, mist, or fumes in their breathing zone greater than 0.05 milligrams per cubic metre, averaged over 8 hours and 40 hour working week.

**New lead exposure limit is 0.05 mg/m<sup>3</sup>, previous limit was 0.15**

The 2018 amendment regulations gave businesses who work with lead two (2) years notice of the new stricter exposure standard.

[Click here](#) for a copy of the lead exposure Vic OHS Amendment Regs 2018.

## Stone Benchtop Exposure Regs

Don't forget the Vic OHS Amendment (Crystalline Silica) Regulations 2019, **commenced 20 August last year.**



An artificial stone benchtop

If you are having your kitchen or bathroom being renovated at home or work with artificial stone benchtops ask your builder about silica dust safety and compliance with these relatively new regulations.

[Click here](#) for a copy of Vic OHS Silica Regs 2019

# World Safety Congress Postponed

The International Organizing Committee (IOC) has postponed the XXII World Safety Congress, originally planned for Canada this year, until September 2021, as a result of COVID-19. Andrea Rowe, our GM, will be speaking at the conference. See [conference website](#) for more information.



## Workplace Manslaughter Laws

As many readers will know, Gary Rowe CEO of Safety Action, spoke briefly about the new manslaughter laws on Friday 22 May, as a guest on FCW Law's weekly webinar.

The laws are being introduced around the country in "piece meal" fashion. So much for simplified and harmonized safety laws in Australia!

The current situation is:

**Vic:** Workplace manslaughter amendment to OHS Act commences 1 July 2020, with 20 years jail and max fines \$16.5m for corporations and \$1.65m for officers. Involves negligence leading to death of any person who you owe a duty under the OHS Act.

**NSW:** Plan to use manslaughter provisions under existing Crimes Act with max. 25 years jail, but have amended the test for gross negligence for reckless endangerment S.31, with up to 5 years jail.

**Qld:** Amended WHS Act S.34A to S.34D only applies to worker deaths, with penalties 20 years jail and \$10m fine for corporations.

**SA:** No workplace manslaughter laws and using S.31 reckless endangerment provisions with 5 years jail and fines up to \$3m for corporations.

**WA:** Industrial Manslaughter Bill with two classes of negligence and penalties up to \$10m for corporations and 20 years jail.

**Tas:** No workplace manslaughter law, but using existing reckless endangerment S31, with maximum penalties of \$3m for corporations and \$600,000 fine for officers.

**NT:** Amended their WHS Act eg S.34B to "trump" everyone with a maximum penalty of life imprisonment, and fines up to \$10.2m.

**ACT:** Using the Crimes Act S.49C for death of a worker. Penalties up to 20 years jail and \$1.62m fine for corporations.

***We plan to conduct a breakfast briefing on how to avoid manslaughter prosecution later this year when safe and social distancing allows***