



OHS



PROFESSIONAL

MARCH 2011 PP: 255003/09535

Safe Work Australia

On OHS harmonisation

Safe supervisors

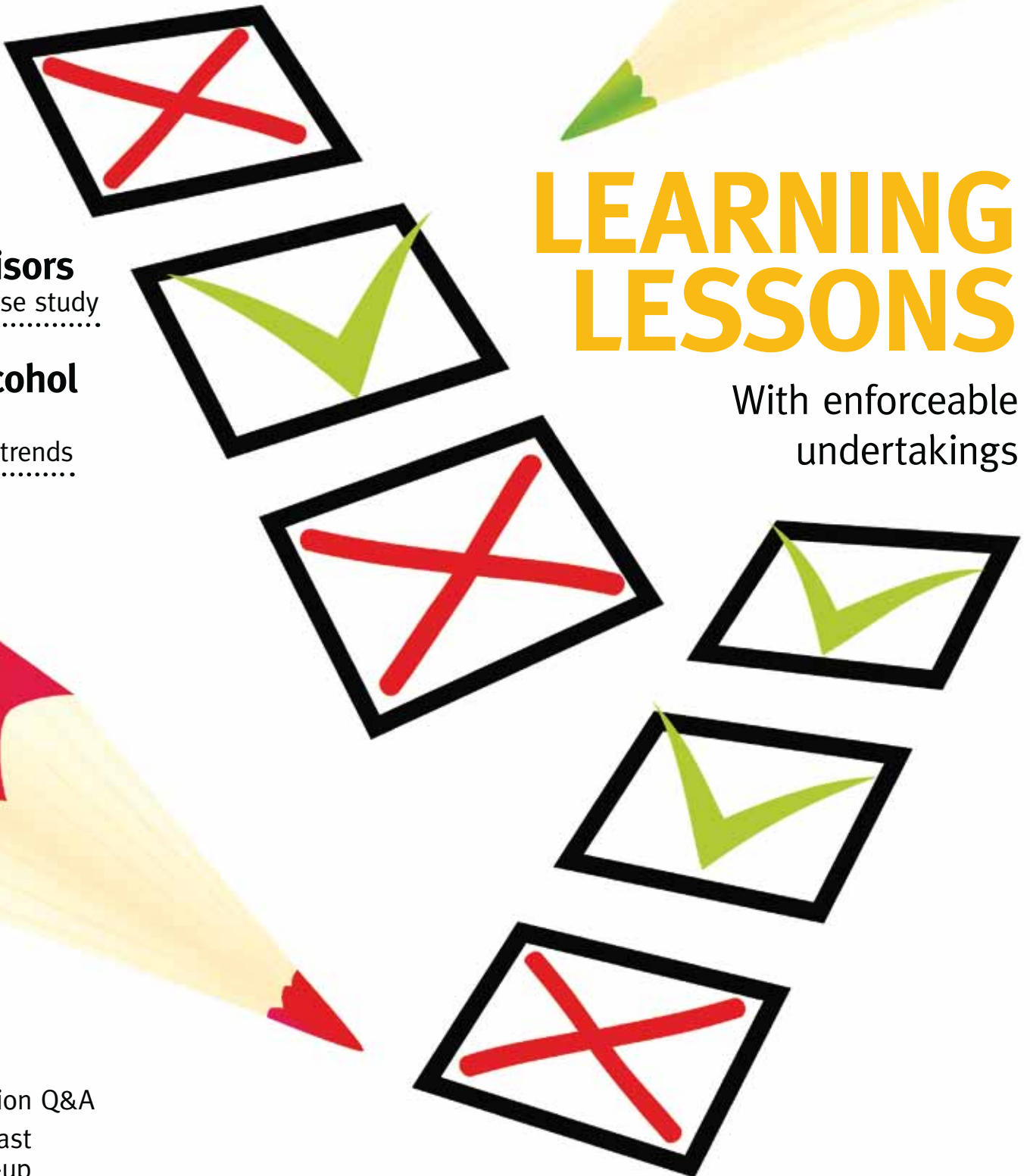
Water industry case study

Drug and alcohol testing:

Latest workplace trends

LEARNING LESSONS

With enforceable undertakings



PLUS

- News
- Events
- Harmonisation Q&A
- OHS breakfast event wrap-up

Are you confident you comply?



Don't risk it. Talk to JTA for total OHS&E solutions.

We provide the following services to any workplace environment:

- | | | | |
|--------------------------|---|---|--|
| + Procedures Development | + Asbestos Audits/Project Management | + Indoor Air Quality | Sales, Service & Calibration of:
+ Sound Level Meters
+ Audiometers
+ Test Booths
+ Related Software |
| + Policy Manuals | + Hazardous Substances | + Occupational Noise Assessments | |
| + Gap Analysis | + Confined Spaces | + Environmental Noise Surveys | |
| + Risk Assessments | + Management Systems | + Noise Prediction Modelling | |
| + Plant Safety | + Safety Audits | + On-site Audiometric Testing and Reporting | |
| + Manual Handling | + Contaminated Sites Assessment/Remediation | + Audiometric Training Courses | |
| + Ergonomics | | + Free WorkHealth Checks | |

Visit us at Stand N6 at the
Safety In Action Trade Show

Call us Toll free **1300 856 284**

www.jta.net.au www.noisemanagement.com.au

Jta
risk management
health safety + environment solutions



NOISE | MANAGEMENT SERVICES



AS/NZS ISO 9001:2000

contents

MARCH 2011 OHS Professional

“Effective consultation processes will be a critical factor in achieving compliance with the WHS laws”

Julia Collins, director of the model legislation project at Safe Work Australia – See Page 10

Regulars

- 4 Editorial note
- 6 Letters to the editor
- 8 News
- 30 Book review

Features



14 **OHS enforceable undertakings:** the latest strategies from government regulators and what they mean for the OHS profession



10 **OHS harmonisation:** Safe Work Australia on the process of OHS harmonisation and what it means for OHS professionals



12 **A remarkable resume:** Professor Andrew Hopkins on his greatest professional achievements, challenges and goals

Published by LexisNexis Media on behalf of the SIA

EDITOR:

Craig Donaldson

GROUP EDITOR:

Sarah O'Carroll

DESIGN MANAGER:

Anthony Vandenberg

SALES MANAGER:

Robbie O'Rourke

PRODUCTION MANAGER:

Kirsten Wissel

EDITORIAL CONSULTANT:

Steve Cowley

OHS Professional is published quarterly, and distributed to members of the SIA

MEMBERSHIP ENQUIRIES:

sia.org.au

contact us

EDITORIAL:

3reelance@gmail.com

ADVERTISING:

robbie2@mediavisionaust.com.au

PRODUCTION:

kirsten.wissel@lexisnexis.com.au

Disclaimer: The opinions expressed within are those of the authors and do not necessarily reflect SIA opinion or policy. No part of this magazine may be reproduced in whole or in part without permission of the publisher.



20 **Engaging supervisors in safety:** Western Australia's Water Corporation successful pilot program for improving safety effectiveness



22 **Testing times:** There are a number of important considerations to take into account with drug and alcohol policies



26 **Safety in Action preview:** The latest on the annual Safety in Action Conference in Melbourne with speaker previews



Earth wind and fire

The fires in Western Australia, cyclones in Queensland and the Northern Territory, floods in Queensland and Victoria and most recently the earthquake in Christchurch New Zealand have tested to and beyond breaking point our risk management strategies, our physical risk controls and our disaster and emergency response. Tested to extreme has of course been the resilience of the affected communities and their individual members.

The theme of this edition of OHS Professional is “legislation” and naturally includes a range of commentary with regard to the nationally harmonised legislation and the regulations that are currently subject to public comment. You are reminded that the SIA is currently preparing a submission regarding the draft model regulations and you should make your views heard by sending your comments to the technical committee. OHS Professional also explores changing enforcement strategies including the increasingly used “enforceable undertakings”.

The importance of contemporary legislation and enforcement that address the changing needs of society cannot be underestimated and of course one of the greatest challenges we face is climate change, as brought into sharp relief in Australia this year. Whether you believe it is human-induced or not the challenges are increasingly extreme and we obviously need a legislative framework that offers a road map to guide and encourage appropriate risk management. We also need legislation that meets the needs of workplaces in 2012 and beyond.

Changing workplaces and changing threats require different thinking, thinking that takes us beyond the traditional views of work and risk. In the pages of our own JHSRP it has been argued that we have moved through and beyond the technical and management systems ages of safety and are now in an adaptive age. This is not to say that we have abandoned the foundations of safety but instead built on them and now need a lens through which to understand how we manage safety in changing environments. It also informs how we might frame new legislation.

Key thinkers in this area are Erik Hollnagel and Sidney Dekker. Hollnagel is offering us his efficiency-thoroughness trade off (ETTO) explanation of human variability in the workplace and this goes some way to help us understand the role of rules and procedures and how we need to adapt our approach to enforcement. His argument that human variability is an essential part of successful work is persuasive. The view that the solution to safety problems is not to tighten safety rules is challenging to safety managers and

enforcement agencies alike. These views are bound up with our understanding of accidents that has taken us past the linear and simplistic “causation view” and to a recognition of accidents as an emergent property of complex systems. This in turn demands that we have workplace cultures that are just. Sidney Dekker has written in this area and we are privileged that he has accepted the invitation to present the 2011 Eric

“Changing workplaces and changing threats require different thinking, thinking that takes us beyond the traditional views of work and risk”

Wigglesworth Memorial Lecture immediately preceding this year’s Safety in Action conference in Melbourne. Professor Dekker will address the topic of justice and just cultures and the impact of changing work and work environments on our expectations.

The 2011 Eric Wigglesworth Lecture offers an unparalleled opportunity to listen to and meet one of the world’s key thinkers in the safety discipline. I urge all members to engage with some of the thinking that is informing the future shape of safety management by attending the lecture, meeting Professor Dekker and engaging your colleagues in discussion around the ideas. Subsequently of course is the Safety in Action conference where there are many further opportunities to learn from others and meet and renew friendships with other professionals. I look forward to seeing you at both events.

To register for the 2011 Eric Wigglesworth Memorial Lecture please visit the new Memorial Lecture Web Site at: www.wigglesworth.org.au, or register through your Safety In Action Conference registration.

To contribute to the SIA submission to Safe Work Australia concerning the National Regulations please go to www.sia.org.au.

Dr Steve Cowley, FSIA, SIA National Publications, Editor



For more member information, visit www.sia.org.au



2011, a critical year to improve health & safety

2011 will be a critical year for all safety, OHS and HSE stakeholders, after Safe Work Australia released, on 7 December 2010, the draft Model Work Health and Safety Regulations, priority model Codes of Practice and an Issues Paper for public comment, which closes on 4 April 2011. The model Work Health and Safety Act and the associated regulations and codes of practice are the most significant and much needed national reforms to OHS laws in Australia in over thirty years. These new laws are also not limited to the workplace and will apply to work wherever it is done in Australia as part of a business, that is, they apply as much to the home as they do to the workplace, as much to the road, rail, sport, airports, a hotel room, a shopping centre as they do to a factory, a shop or an office.

Additionally, in 2011 the development and implementation of an OHS Body of Knowledge by the Health and Safety Professionals Alliance (HaSPA) will address important milestones such as the Course Accreditation and Professional Certification. The Body of Knowledge is important for all practicing and future

OHS professionals nationally as not only will it form the basis for professional certification but educators of OHS professionals will use it to inform the development of their learning programs and OHS professionals will use it to guide their professional development. The Body of Knowledge will also be important to regulators, employers and recruiters as a standard for OHS professionals. Initially, this major project is directed to university-level OHS professional education but this does not preclude the professional accreditation process being applied in the future to VET-level OHS qualifications and VET qualified safety/OHS practitioners.

However, whilst improvements through the harmonisation of OHS Laws and the development of a OHS Body of Knowledge will prove to be important in assisting to reduce death, injury and illness in workplaces.

Gary Lawson-Smith, CEO, Safety Institute of Australia Inc

“The Body of Knowledge will also be important to regulators, employers and recruiters as a standard for OHS professionals”



Innovative Occupational Hygiene Training for Developing Safety Professionals.

HAZCON is running a series of internationally recognised occupational hygiene modules at its purpose built training facility in Melbourne. The courses supported by the International Occupational Hygiene Association are divided into nine modules of 5 days covering all the key aspects of occupational hygiene:

- W201 Fundamentals of Occupational Hygiene
- W501 Measurement of Hazardous Substances
- W502 Thermal Environment
- W503 Noise - Measurements and Effects
- W504 Asbestos and Other Fibres
- W505 Control of Hazardous Substances
- W506 Ergonomics Essentials
- W507 Health Effects of Hazardous Substances
- W508 Skin at Work

The courses are run by professional, qualified Occupational Hygienists who are recognised for their expertise in the field.

For more information
Contact HAZCON on 1800 429 266,
email hazcon@hazcon.com.au
or visit www.hazcon.com.au

Supported By



HAZCON
The Professionals in HSE

Something got your goat? Send us a letter to editor@sia.org.au {Letters may be edited}



Dear Sir,

I read with interest the editorial of Dr Steve Cowley, “Beyond complexity to simplicity” (October 2010, *OHS Professional*), and the response from Warren Mills. There is merit in what each has to say and, arguably, little difference between their views.

What this debate may reflect is the way in which “reasonably practicable” has been understood to mean different things to different people, and why the model *Work Health and Safety Act* definition of that standard is aimed at providing greater clarity.

The standard of “reasonably practicable” requires an intellectual process that is more than the intuitive exercise of “common sense” but not “rocket science”. While the standard recognises the need to apply concepts of reasonableness, it does not allow commercial or operational “reality” to take precedence over the health and safety of workers and others. The law requires the highest level of protection that is reasonably practicable, first considering elimination of risk before working through the hierarchy of risk controls.

The model Act definition requires consideration of all of the circumstances, determining what can be done to control the risks and weighing this up with the likelihood and severity of harm: to determine if it is reasonable not to do what is possible; and in

choosing between control options or combinations.

Importantly, cost (including non-financial costs) is to be considered only after all of the other factors have been weighed up to determine what might otherwise be reasonable. While cost need not be incurred that is grossly disproportionate to the risk, cost cannot be an excuse to achieve a lower level of safety than is reasonable; for example, to allow the continuation of at least a moderate likelihood of death or serious injury. If it costs “too much” to eliminate or minimise a risk to an acceptably low level of severity and/or likelihood, then cessation of the activity may be required – even if that threatens the viability of the business (the assertion of which often fails to pass scrutiny).

This is not rocket science, but it is also not only common sense. The role of the OHS professional should be to de-mystify the process but not dumb it down. Perceptions of OHS legislation being overly burdensome or unrealistic can usually be associated with a failure to properly consider all available risk-control options, or to understand the nature and extent of the risks. In my experience, disputes are rarely about the safety outcomes that are desired, but rather how to achieve them.

Barry Sherriff, FSIA and partner, Norton Rose

Dear Sir,

In your November 2010 issue, Warren Mills, director of CR Management Systems, makes some disparaging remarks about Dr Steve Cowley and raises issues about “frustrated professionals ... coming up with OHS solutions that receive the ridicule that they deserve”. He also equates “reasonably practicable” with “common sense”.

I am an OHS professional of some 30 years in the mining, utilities and regulatory industries, with degrees in engineering, economics, HR and safety, so I would hope that I am a “properly experienced person”, as Mr Mills would say. I have known Steve for a good portion of that time, found his arguments sound and even use some of his solutions in our undergraduate OHS program at RMIT University. I think Steve’s record in OHS work at the University of Ballarat, and for OHS regulators around Australia, speaks for itself – it does not need me to defend him.

In relation to Mr Mills’s argument concerning “reasonably practicable”, I’m surprised at his suggestion that it equates to “common sense”. In operating a Victorian company, he should be aware that the term “reasonable practicable” is rigorously defined within the *Occupational Health and Safety Act 2004*:

s20 (2) “To avoid doubt, for the purposes of this part and the regulations, regard must be had to the following matters in determining what is (or was at a particular time) reasonably practicable in relation to ensuring health and safety –

- (a) the likelihood of the hazard or risk concerned eventuating;*
- (b) the degree of harm that would result if the hazard or risk eventuated;*
- (c) what the person concerned knows, or ought reasonably to know, about the hazard or risk and any ways of eliminating or reducing the hazard or risk;*
- (d) the availability and suitability of ways to eliminate or reduce the hazard or risk;*
- (e) the cost of eliminating or reducing the risk.”*

While this may be a bit brief for Mr Mills, WorkSafe Victoria has also put out a guideline – “How WorkSafe applies the law in relation

to Reasonably Practicable”. Not once in this multi-page document are the words “common sense” used.

In fact, the issue of “common sense” may be detrimental to proper control of injury. Mr Mills indicates on the CR Management Systems website (www.crms.com.au) that the company provides OHS services to the automotive sector. He will be aware that spray-painting, particular with two-pack isocyanates, has the potential for occupational asthma.

The Health and Safety Executive in the UK has undertaken extensive research into the small panel-beating sector, where occupational asthma is rampant. It found (a) that there was little knowledge that isocyanates caused asthma, and (b) that although most spray-painters used downdraught booths and air-supplied helmets, they tended to raise the helmet as soon as they stopped spraying to check their work. They assumed the booth would immediately clear the spray mist, because that is what their eyes told them (common sense, surely). However, the nearly invisible mist takes some time to clear, and they breathe in significant quantities of the uncured isocyanates, resulting in an increased risk of asthma.

Risk assessment is a complex issue, particularly when the full context of the situation is taken into account. As the example above illustrates, lack of the full facts and understanding of the physics of the situation can result in a false sense of security, with the owner not meeting their duty of care and, more importantly, the worker having their health impaired.

The final word on this should be left to the courts. District Court Judge A. J. Adeane said in 1994: “any system of work in which workers are subject to no precautions but those arising from the worker’s common sense, is liable, if not certain, to be condemned as unsafe by any measure”.

Leo Ruschena CFSIA and senior lecturer in OHS, RMIT University

SAFETY

IN ACTION 2011

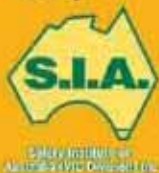
**KNOW
SAFETY...**

NO ACCIDENTS

- Meet with industry experts
- See 1000s of new products
- Showcasing 350+ companies

REGISTER NOW
safetyinaction.net.au

Hosted by



Major Corporate Sponsor



Co-located with



5-7 APRIL 2011
MELBOURNE EXHIBITION CENTRE

Corporate Partners

DIAMOND CATEGORY

John Holland
Worksafe Victoria

GOLD CATEGORY

Arabian Drilling Company Integrated

SILVER CATEGORY

Protector Alsafe
Pro-Visual Publishing

BRONZE CATEGORY

Airservices Australia
Allmore Constructions Pty Ltd
AON Consulting
Bayside Personnel Australia Ltd
Calibre Safety Services
Centacare Sydney
Comcare
Compass Group (Aust) Pty Ltd
Crown Melbourne Limited
CS Energy
DJH Safety Consulting
Downer EDI Works
Easy Risk Solutions Pty Ltd
Edith Cowan University
Fisher Jenkin
Getex Pty Ltd
Hertel Modern Pty Ltd
Leighton Contractors
Liquid Learning
Livingstone International
Logan City Council
MiniMovers
National Tyres
RCQ Pty Ltd

Riskpro Pty Ltd
Recovre Group (The)
Rockwell Automation (Aust) Ltd
Safety Compliance Institute
Safesearch
SafeTrain
Safework SA
Sher Associates Pty Ltd
Shire of Yarra Ranges
SICK Pty Ltd
Safcomm Safety and Compliance
SRC Solutions
State Water Corporation
Swinburne University
Teamcare Insurance Brokers
Victoria Police - People Safety Division
Victorian Water Industry Association
Worksafe Training Centre
Zeal Group
Zenergy Recruitment

STRATEGIC PARTNERS

Australasian College of Road Safety
Australian Exhibition & Conferences (AEC)
Australian Institute of Management (AIM)
Australian Transport Safety Bureau (ATSB)
Cancer Council Australia
Commonwealth Scientific and Industrial Research Organisation (CSIRO)
Congress of Occupational Safety and Health Association Presidents (COSHAP)
International Network of

Safety & Health Practitioner Organisations (INSHPO)
KIDS Foundation
Monash University Accident Research Centre (MUARC)
National Disability Services
Standards Australia
The Australasian Institute of Mining and Metallurgy



OHS salaries increase more than double CPI



The average salaries of health and safety professionals have leapt an average 9.6 per cent over the past year, according to a recent survey. It found that there has been a significant turnaround in health and safety salary packages, with HSE general managers earning a total actual remuneration of \$271,310 (up from \$221,509 last year), while national managers also enjoyed an increase

in their average actual packages to \$174,474. Conducted by specialist search and recruitment business SafeSearch, the survey found that traditional geographical variations also impact remuneration. NSW took the lead with the highest packages in safety at the officer level, while the mining, construction and resources sectors paid the highest remuneration overall.

First corporate manslaughter conviction in UK

A British company has become the first to be convicted under the UK's *Corporate Manslaughter and Corporate Homicide Act 2007*, which introduced the new offence of corporate manslaughter where the gross negligence of a company's senior management results in death. The company, Cotswold Geotechnical Holdings, was found guilty after an employee, Alexander Wright, 27, was buried in a deep-soil trench collapse and died of traumatic asphyxiation. While Cotswold Geotechnical Holdings denied killing him, the company was fined £385,000 (\$617,674) and ordered to pay the fine over a 10-year period. Norton Rose noted that the fine imposed on the company was far larger than the average fine for a work-related death – usually around £100,000 (\$160,434) – and “is no doubt a signal that larger fines can now be expected”.

Model OHS laws fundamentally flawed

The model OHS laws are a fundamentally flawed because they will not deliver true consistency, according to an OHS legal expert. Eric Windholz, an associate of the Centre for Regulatory Studies in Monash University's Faculty of Law, said the model work health and safety laws are a “compromised regime that may not deliver the level of consistency its advocates seek, which may prove slow and cumbersome in maintaining its currency, and which is inherently unstable”. Speaking ahead of the upcoming Safety in Action Conference in Melbourne, Windholz said this raises questions about whether the current harmonised regime is the end of a journey, or merely another step towards a truly national scheme of one Commonwealth Act administered by one Commonwealth regulator.

E3 safety approach beats industry standards at Bechtel

A three-pronged approach to safety at global engineering, construction and project management firm Bechtel has led to incident-free performance on 95 per cent of its projects worldwide

each day, and in some cases the firm is two to three times better than industry standards. The cornerstone of Bechtel's approach to safety is the concept of "E3" – education, engagement and evolution – which was developed to sustain and improve its global vision of zero accidents, said Bechtel's safety manager (mining and metals), Gareth Brown, who added that each employee has to feel personally accountable for safety. This was corroborated by internal research that found that 97 per cent of staff globally confirmed that safety was personal to them.

Patrick fined in landmark OHS discrimination case

Patrick Stevedoring was recently fined \$180,000 by the Melbourne Magistrates' Court after being found guilty of discriminating against an OHS representative for raising safety issues on the job. More than 12 months ago, a former Patrick employee and Maritime Union of Australia safety representative at Geelong Port was suspended, reprimanded and threatened with the sack for raising safety breaches where workers' lives were at risk. While Patrick insists that it supports "all safety improvement endeavours", the Court found in favour of WorkSafe Victoria and found Patrick guilty on three of five charges under section 76 of the Victorian *Occupational Health and Safety Act 2004*.

SIA Events

Women In Safety Network Breakfast

Thursday 10 March 2011, 6:45am – 9:00am
Canberra, ACT

Dr Eric Wigglesworth AM Memorial Lecture 2011

Monday 4 April 2011, 7:00pm
Melbourne, Victoria

Safety In Action Conference and Trade Show 2011 Melbourne

Tuesday 5 April 2011 – Thursday 7 April 2011
Melbourne Convention Centre and Melbourne
Exhibition Centre
Melbourne, Victoria

The National Public Sector Health and Safety Officers' Conference 2011

Tuesday 3 May 2011 – Wednesday 4 May 2011
Melbourne, Victoria

2nd Annual Northern Territory Occupational Health and Safety Conference

Thursday 19 May 2011 – Friday 20 May 2011
SKYCITY Casino Darwin, Northern Territory

OHS Training & Skills Development



Future Skills is offering Occupational Health and Safety training programs across Queensland and the Northern Territory.

WHSO Bridging Course to the Certificate IV in Occupational Health and Safety (Qld only)

If you're an existing Workplace Health and Safety Officer and have completed the Qld accredited Course in Functioning as a Workplace Health and Safety Officer, you can enrol in this bridging program to receive your national Certificate IV in Occupational Health and Safety qualification.

We run regular monthly courses. Alternately contact us to arrange on site training. Minimum numbers required.

Duration: 2 days

Cost: \$440 per person

BSB41407 Certificate IV in Occupational Health and Safety (Qld and the Northern Territory)

This is the national qualification for those seeking to fill the position of workplace health and safety officer or advisor across all industries. It is recommended that participants have completed some form of OHS training prior to enrolment in this program, such as Health and Safety Representatives training.

Dates: Contact us for course dates.

Cost: On application – some subsidised courses are available

Other OHS training

We offer other types of OHS training in the areas of incident investigation, training for OHS committees, supervisors and managers, construction white card training, and general OHS awareness and induction. Contact us for further details.



ABN 24 135 816 698 RTO Code: 32052

952 Ipswich Rd, Moorooka Q 4152
Phone: 1300 817 545



A view from the top

CRAIG DONALDSON speaks with Julia Collins, director of the model legislation project at Safe Work Australia, about the process of OHS harmonisation and what it means for OHS professionals



Julia Collins, director of the model legislation project at Safe Work Australia

Where is the process of harmonisation currently at?

This year will continue to be busy for Safe Work Australia, as it has been developing model work health and safety (WHS) laws to meet the timetable set by the Council of Australian Governments' Intergovernmental Agreement for Regulatory and Operational Reform in Occupational Health and Safety (IGA).

Under the IGA, all states, territories and the Commonwealth have committed to work together to develop and implement these laws – which consist of a model WHS Act, model Regulations and model Codes of Practice – by 1 January, 2012.

Developing the model WHS Act was the first step in the process, following a comprehensive national review of occupational health and safety laws across Australia. The model WHS Act was endorsed by the Workplace Relations Ministers' Council (WRMC) in December 2009. The second step involved the development of supporting model WHS Regulations

and a number of model Codes of Practice, which were released as drafts for public comment by Safe Work Australia on 7 December, 2010. An Issues Paper and a Regulatory Impact Statement were also released. The closing date for written submissions is 4 April, 2011.

What developments should OHS professionals expect in relation to the legislation over the coming months?

Of the draft model WHS regulations, those relating to mining safety are still under development in conjunction with the National Mine Safety Framework. A draft of these mining regulations will be released for public comment in the next couple of months.

Safe Work Australia will then revise the draft model WHS Regulations and Codes of Practice, based on an analysis of the written submissions. It will submit a final version to WRMC for consideration in mid-2011 and recommend its adoption into law by all jurisdictions by the end of 2011.

Therefore, it is important that all OHS professionals and other stakeholders use this public comment period as an opportunity to help shape the model laws into a regulatory framework that, firstly, businesses and workers can understand and, secondly, is effective in improving work health and safety outcomes.

Of course, a harmonised work health and safety regime is not only reliant on the laws being the same, but also requires a nationally consistent approach in the way the regulators administer and enforce these laws.

In this regard, Safe Work Australia will be developing a national compliance and enforcement policy. The health and safety regulators across the country have also been working together to develop common policies and procedures as part of transitioning to the new laws, so that there is greater consistency in the way they are interpreted and applied.

Safe Work Australia has commenced developing the next set of model Codes of Practice in areas such as first aid, construction, plant safety and workplace bullying. Drafts of these will be released for public comment during 2011.

Are there any potential issues and challenges for OHS professionals?

OHS professionals have an important role in assisting businesses comply with the new legislation. A key challenge may include changing the way a business thinks about and approaches safety, because the model laws extend beyond the traditional employer-employee relationship that exists in most current OHS laws.

Under the model WHS Act and regulations, the principal duty holder is any person who conducts a business or undertaking, and protections are owed to all types of workers.

Businesses will also need training and processes in place to deal with new duties, such as those imposed on "officers" and duties for consultation. The model WHS Act includes a duty to consult on work health and safety – not only with employees, but also with other workers who carry out work for the business or undertaking – and a duty to consult, co-operate and co-ordinate activities with other duty holders where there are overlapping duties. Effective consultation processes will be a critical factor in achieving compliance with the WHS laws.

How will harmonisation impact business? Any advice for OHS professionals and their companies to help them prepare for harmonisation?

The implementation of the model laws will result in some changes in each jurisdiction. Businesses need to identify the specific regulatory requirements that apply to their workplaces and work out how they will address any gaps in what they are doing now, compared with what will be required under the new laws.

I would advise OHS professionals and businesses to regularly check our website (www.safeworkaustralia.gov.au), as well as those of the work health and safety regulators, to keep up to date with developments and utilise any assistance that regulators are providing during the transition.

Ultimately, harmonisation will allow businesses working across borders to put the time and effort that they otherwise would have spent familiarising themselves and complying with different requirements into improving their work health and safety management systems and practices.

--

We are Scott Safety,
and our job is simple.

We clear the way.

So that no burden or distraction
will hold you back.

Let's remember what safety is for.

Let's help people do their jobs.

Let's decide what happens next.

--

LET'S WORK

Scott Health & Safety is now Scott Safety. To learn more about our global capabilities and complete line of products and services, visit ScottSafety.com



A remarkable resumé

CRAIG DONALDSON speaks with Professor Andrew Hopkins, FSIA, about his greatest professional achievements, challenges and goals

Professor Kim Beazley, Australian ambassador to the US, said: “Professor Hopkins is a major national asset. His work on the causes of disastrous accidents has made him internationally known – an element of our national capacity to intellectually ‘punch above our weight’.”

It is rare that Australian academics are so well known on the world stage. But Hopkins has come a long way since starting out as a journalist with *The Age* in Melbourne in 1968, before going on to complete a Master of Arts in Sociology at the Australian National University in 1970.

Starting out in safety

Hopkins recalls some of the events that led him down the safety path: “One of the things that really sticks out in my mind is the 1979 Appin coalmine disaster. Appin is a small mining town, about 50 kilometres south of Sydney, and I think there were 14 miners killed in that disaster,” he explains.

“For some reason that I don’t quite understand, I was particularly disturbed and moved by that accident. I knew none of the people concerned, but nevertheless the news of that accident had an impact on me. I then wrote an article about that in an Australian quarterly called *Crime Without Punishment* and I went on thereafter to continue in this field.”

Another incident that got Hopkins thinking about safety was a young apprentice who was burnt to death in a Corn Flakes vat in Sydney. Again, Hopkins went on to write an article about this, as the legal response at the time was “entirely inadequate”.

“These two events really got me going. I’m a sociologist, I majored in the social organisational causes of these things. I’m interested in the role of regulation in preventing these things, and both of these accidents raised those issues in a very stark kind of way,” he explains.

Safety versus profit

Hopkins believes that safety can sometimes take a back seat to the commercial drive to produce profits – a “real challenge” for OHS professionals. He recalls an incident some years ago when he was asked by the CEO of a mining company to assess safety culture in some of his mines. “He told me that I could stop work underground if I wanted to talk to the guys. So in one of the mines I actually said, ‘I want you to stop work. I want the whole operation to come to a standstill and I want to talk to you guys at the mine face.’

“Well, this was much resented by the miners, because their bonuses were on the line. I didn’t get much out of these miners, but the most valuable aspect was their reaction. When I got back to the surface, the mine manager said to me: ‘Do you realise that the stoppage you ordered cost us about \$20,000 in production?’

“Now, what was astonishing to me was that, here I was, a representative of the CEO, and this [mine manager] was willing to make this point to me about how unwilling he was to stop work in this kind of way.”

More than anything else, this demonstrated to Hopkins the pressure to continue operations and how the production imperative took precedent over almost everything else. He recalls a sociologist called Harold Garfinkel, who said the best way to understand implicit social order is to experimentally violate it and see what happens.

“In fact, that’s what I had done. I had conducted an experiment violating the implicit social order and what it demonstrated to me was, the power of that production pressure operating in that environment is just so overwhelming. This is something that we need to understand,” says Hopkins.

“We’ve got to find ways to curb this pressure – that’s the real challenge for health and safety professionals. It’s not the case that production pressures inevitably lead to accidents, but they will if they’re not curbed. You have to find ways to curb them.”

Hopkins believes OHS professionals know a great deal about the technical aspects of health and safety, but they need to combine forces with organisational sociology to understand why organisations behave the way they do, as well as take part in the process of organisational redesign to give high priority to safety.

Current motivations

Today, Hopkins is still motivated about the safety cause every time he hears about single fatalities, in particular, as “in some respects [these] are more important”, he says.

“We have more people killed in farming accidents and in road transport accidents than we do ... in major hazard facilities, but when large numbers of people are killed together it seems to get attention,” says Hopkins.

A “fairly significant milestone” in his career was winning the European Process Safety Centre Award in 2008 – the first time the award was given to a recipient outside of Europe – for “exceptional contribution to process safety”.

Hopkins has also had 11 books published (together with around 50 articles in refereed journals, 26 chapters in books and 28 articles in newspapers or unrefereed journals), which have mostly dealt with major accidents.

“I guess the next book I want to write will be about the Gulf of Mexico oil spill,” says Hopkins, who has been engaged by the US Chemical Safety Board to take part in the oil spill investigation.

He believes the books he has written are among some of his greatest professional achievements. “I’ve managed to strike a chord in people’s minds with what I write and convey messages they want to hear,” Hopkins concludes.



“We’ve got to find ways to curb this [production] pressure – that’s the real challenge for health and safety professionals”



MALCOLM DEERY
Group General Manager HSE,
Programmed Group

Q. When it comes to enforcement styles of State and Commonwealth agencies, do you think that the agencies should be proactive and seek prosecution breaches or should they play a more advisory role?

A. Let's acknowledge firstly that regulators primarily have a prosecutorial role to play in the management of safety in Australia. In saying this it is recognised that being the subject of an investigation and resultant prosecution can be extremely stressful, however, the benefits of the rule of law for the greater good far outweigh these difficulties.

Looking for practical advice and guidance from regulators, in light of their prosecutorial role, can therefore be problematic as there can be a split personality expectation as effectively a "good cop, bad cop" scenario is likely to evolve. Further, is it reasonable to expect clear and unambiguous

advice about complex and interdependent industrial processes from people who are not experts as such? I would argue this is an impractical and unreasonable expectation.

However, I do believe there is a huge area of opportunity for regulators to provide advice/guidance that would have a major influence on work place safety. My suggestion is that regulators have a role to teach business how to capture, interpret, review and act on both lead and lag safety data in a way that educates that safety is a business imperative. The outcome of this is that business efficiency would become a major driver for continuous and ongoing safety improvement. This approach will help integrate safety into mainstream thinking from being the difficult "other" and often expensive job that has to be done.

Q. To what extent will national harmonisation of the legislation influence you and your business?

A. Being a national business the harmonisation

of safety legislation is all good news. The multi-jurisdictional considerations that have to be presently managed are time consuming, expensive and are often difficult to control on a day-to-day basis.

Even if the detail of some aspects of harmonised legislation is not as we would choose, the single point of reference is still preferred. Processing the requirements of seven model regulations and 11 codes is a task of some significance. This will be a time consuming task to ensure practices are altered and certified management systems capture all aspects as required. However, as the saying goes "the view will be worth the climb". That is, it will be worthwhile in the long run.

The most significant influence harmonisation will have on our business will be around the fact we will be able to truly standardise practices as opposed to living with sameness to accommodate state variations.

"I constantly have to identify the variations in the OHS legislation between the jurisdictions, especially when developing policies and procedures"



PAUL BRESLIN,
OHS&E Manager,
Brookfield Multiplex

Q. When it comes to enforcement styles of State and Commonwealth agencies, do you think that the agencies should be proactive and seek prosecution breaches or should they play a more advisory role?

A. There is an ongoing debate regarding the agencies role in maximising compliance with OHS legislation, the carrot or the stick.

The best deterrent to preventing serious incidents, injuries and fatalities occurring in the workplace is educating the workforce. The agencies

have an important role to play in advising and educating industry stakeholders on their legal responsibilities under OHS legislation.

However where a serious incident occurs that puts workers at risk, causes an injury or fatality then the agencies should be proactive in identifying the reasons for the failures.

If the evidence substantiates that the stakeholder has been negligent then agencies should be proactive and seek prosecution breaches.

Q. To what extent will national harmonisation of the legislation influence you and your business?

A. Health and safety is about people; making

sure that every worker has a safe work environment and returns home safely to his/her family every day or night. This basic principle should not be lost in the politics of national harmonisation of the legislation.

As the regional OHSE manager for Victoria and South Australia I constantly have to identify the variations in the OHS legislation between the jurisdictions, especially when developing policies and procedures. Harmonisation of the legislation will reduce this burden and allow me more opportunities to spend time on sites where I can play a proactive role assisting stakeholders create a safer working environment.

Enforceable undertakings: a peer-to-peer approach to improve workplace safety

Enforceable undertakings are a new way of looking at OHS law for businesses, enforcement agencies, lawyers and the judiciary, according to WorkSafe Victoria

Before landmark changes to Victoria's workplace health and safety laws in 2004, Victorian courts had relatively limited sentencing options. A company or individual could be prosecuted before a magistrate or judge who may find them guilty, impose a fine (with or without a conviction) or occasionally, a bond.

These days, the old options are being supplemented with a range of new approaches, giving regulators different ways of dealing with workplace safety failings. Employers or workers involved in a workplace health and safety incident are increasingly finding themselves carrying out activities like running newspaper ads, speaking to apprentices at trade schools, and donating money to emergency services.

In his landmark review of Victoria's workplace health and safety law published in 2004, Chris Maxwell QC found that while exposure to the risk of injury or death at work was universally condemned, the law could be made to work better. Maxwell's recommendations for the *Occupational Health and Safety Act 2004* included a range of "alternate" penalties which he called a more "modern" approach that avoided prosecution.

He argued that unlike the general criminal law, OHS offences differed because an offence was committed whether or not harm was caused. As well, Maxwell commented that "... monetary penalties did not necessarily result in offenders taking action ... (which may) convey the impression that offences are purchasable commodities or are a cost of doing business."

Among the reforms was the "enforceable undertaking" – a legally binding agreement by which a defendant agreed to carry out certain safety activities within a defined period, to avoid prosecution. Where a positive safety outcome can be achieved outside traditional court processes, enforceable undertakings are now being applied in a limited range of matters.

"Enforceable undertakings (EUs) are alternatives to

prosecution," says WorkSafe Victoria's principal lawyer, Kate Despot. "We want the best possible outcome to improve workplace safety, not just in a particular workplace, but in the wider community. What came out of the Maxwell Review was a new way of looking at OHS law for businesses, enforcement agencies, lawyers and the judiciary.

"Traditional prosecutions which result in convictions, fines and bonds will remain a major part of our approach, but EUs pick up the idea of deterrence which sends a broader message which resonates beyond a company or an individual," she says.

As part of previous EUs, directors or managers have agreed to speak to apprentices or their peers about what happened and why, as well as the impact the incident had on them and the business. "Enforceable undertakings can deliver good safety outcomes by developing longer term projects and getting the message to the wider community, because it's not just a regulator saying 'Do this or that', but one of their peers," Despot says.

"In some circumstances, it will take us into enforcement areas that may not have been looked at before. Enforceable undertakings also put an additional layer on the deterrence scale. In the past, defendants could argue that they didn't have a lot of money, their cash flow was low, that times were tough or that a fine would close the business and put people out of work. These submissions would be considered by the court which would pass judgment, typically with a fine and/or a conviction, and in some cases there would be no long-term impact on health and safety reform in that workplace."

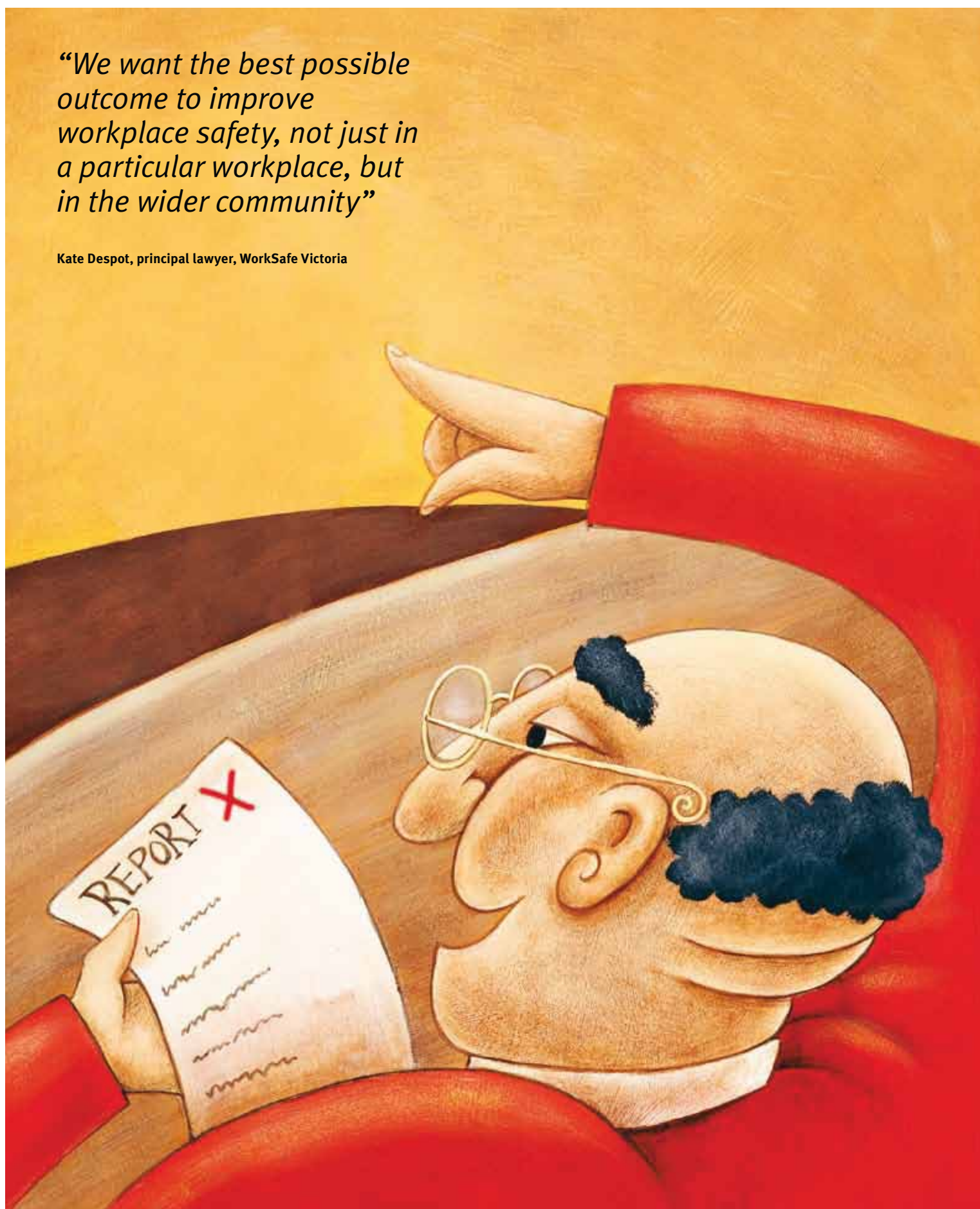
Since being introduced under the *Occupational Health and Safety Act 2004*, 12 enforceable undertakings have been completed, in lieu of prosecuting Victorian businesses. The early enforceable undertakings required statements of regret and warnings to other businesses, articles in industry magazines, talks to TAFE apprentices, and donations to emergency services which have to deal with the consequences of safety failings.

Over time, with experience and a better understanding of what they can achieve the content of EUs has changed. Examples of more recent EUs are:

The Department of Sustainability and Environment (DSE) was required to improve health and safety leadership at their regional depots by employing additional health and safety officers. This leadership program – designed to improve health and safety training, coaching and mentoring – was allocated

“We want the best possible outcome to improve workplace safety, not just in a particular workplace, but in the wider community”

Kate Despot, principal lawyer, WorkSafe Victoria



\$120,000 over two years. The DSE also paid for advertising on the dangers of welding fuel drums, to alert the wider community.

Woolworths Limited and Woolstar Pty Ltd implemented a comprehensive package of measures including safety presentations during WorkSafe Week, and donations to charity and research organisations totalling just under \$100,000. Arguably, the most significant of these was an undertaking requiring the company to install forklift mast cameras at their distribution centres across Australia.

Despot says WorkSafe considered detailed enforceable undertaking applications on their merits, and that applications are only supported after consultation with other interested parties – including industry groups, and WorkSafe’s various health and safety project teams. “They’re a tool for particular circumstances. We will only consider approaches for enforceable undertakings and other options if there is a greater community and industry benefit than would have been achieved by way of a penalty. These are negotiated settlements which can be taken to court if they are not complied with.”

Despot said proposals for enforceable undertakings had to go further than just bring the company or individual’s health and safety standards up to where they should have been before the incident that brought them to WorkSafe’s attention. “It’s an opportunity to be constructive rather than to go to court, face a conviction, and deal with the long-term consequences of that as well as legal and other commercial costs,” she says.

As part of its policy of promoting its activity in conventional, trade and social media enforceable undertakings are also published on WorkSafe Victoria’s website – www.worksafe.vic.gov.au. Despot says this has the advantage of holding the recipient of the EU to account as well as alerting others of the consequences of safety failings.

“WorkSafe has published the outcomes of its prosecutions

for more than a decade, so it’s natural that this process is also open and transparent. Over time it will become a guide for people considering EUs as a potential alternative to prosecution and whether it’s a better option than to take the matter before a magistrate or judge. EUs will be used strategically, but for defendants, dealing with a health and safety breach is no longer is just a matter of writing a cheque and walking away,” she says.

Ross Pilkington, who heads WorkSafe Victoria’s manufacturing, logistics and agriculture division, which has been involved in the development of a number of enforceable undertakings, says they helped set the agenda for the future. “By helping lift standards they advance the state of knowledge. We can say to someone, ‘If that business, or even industry, can do this or that, why can’t you?’

“That helps set standards of what’s ‘reasonably practicable’, and that’s what will make Victoria’s workplaces safer,” he says.

An enforceable undertakings case study

On 30 December 2007, the risks of working at height suddenly became very real for company director, Sammy Au, when a sub-contractor received serious head injuries after falling more than two metres from a platform. And Au, while dealing with the emotional consequences of a serious workplace incident at his workplace, was faced with court action.

Au is telling his story as part of the legal process resulting from that day more than three years ago. In Victoria, employers have a legal duty under the *Occupational Health and Safety Act* 2004, to ensure that their conduct does not put any person – employee or not – at risk. It was this provision of the Act that Au was charged under. Breaches of these laws can result in fines of more than \$210,000 for an individual.

In 2007, a steel works company engaged project management company, Southlink International, to provide engineering services at the rolling mill of its steel manufacturing site in Victoria. This included overseeing and providing project management for maintenance works to be performed on a water trough during the Christmas shutdown period.

Engineering company, Martin McLean Engineering, was engaged by the same steelworks company to provide relevant expertise and labour to perform part of the maintenance work. In order to perform the necessary maintenance on the water trough, employees were working on a platform about two metres from the ground. The platform was about 70cm wide and did not have any handrails.

On 30 December 2007, while working on the platform, a McLean Engineering employee fell from the platform. He was not wearing a safety harness and sustained head injuries as a result of the fall.

After the incident, handrails were installed on the work platform and anchor points were installed in each of the bays. All employees were required to wear safety harnesses to complete the job. Southlink also erected scaffolding underneath the water troughs. This allowed employees to perform all

“We see enforceable undertakings an important enforcement remedy to influence behaviour and encourage a culture of compliance for the benefit of workers”

Comcare spokesperson

COMCARE ON ENFORCEABLE UNDERTAKINGS

In recent years, they say there has been a significant increase in the number of enforceable undertakings accepted by Comcare. “We see enforceable undertakings as an important enforcement remedy to influence behaviour and encourage a culture of compliance for the benefit of workers. Enforceable undertakings can achieve outcomes that generally cannot be achieved in court or using other administrative sanctions especially in addressing systemic issues,” says a Comcare spokesperson. In considering whether to offer an enforceable undertaking, Comcare says employers and OHS professionals should look for opportunities to achieve measures beyond minimum compliance that will potentially lead to improved safety culture and leadership.

Turn Risk into *Your* Reward

with your trusted partner in certification

Certification of your management system demonstrates predictability of your internal operations and the ability to meet requirements from your customers and society at large.

Through our Risk Based Certification® approach we will assess how well your management system supports the areas of greatest importance to you - in addition to measuring compliance with international standards.

Continue your journey of business improvement and excellence...

Visit
www.dnv.com.au/services/certification/
for an obligation free quote.



ENFORCEABLE UNDERTAKINGS IN WA

In Western Australia, the legislative framework currently has such a provision for EUs, but it has rarely if ever been used, according to Simon Ridge, state mining engineer for the Department of Mines and Petroleum. Safe Work Australia is also producing a Code of Practice for Enforcement that is likely to be adopted Australia wide, and Ridge believes it is reasonable to expect that the WA legislature would take up this Code of Practice upon adoption of the model laws. "It is my experience that proactive intervention strategies work the best when applied in a consistent manner across an identified sector of industry with a clear outcome in mind," says Ridge.

"It is my experience that proactive intervention strategies work the best when applied in a consistent manner across an identified sector of industry with a clear outcome in mind"

Simon Ridge, state mining engineer, WA Department of Mines and Petroleum

welding work from the scaffolding, rather than from scissor lifts.

As a result of the incident, Southlink pleaded guilty to one charge under the OHS Act and Southlink's director, Au, entered into an enforceable undertaking with WorkSafe Victoria.

An enforceable undertaking is a legal agreement in which a person or organisation undertakes to carry out specific activities to improve health and safety for employees and deliver benefits to industry and the broader community.

Au said the incident significantly impacted on both Southlink as a business and on him personally. "I ask myself: 'Did I manage the risks as well as I could have? What could I have done better?'"

As well as the financial impact of the incident on the company, Au said the stress of more than three years of investigations and legal proceedings had taken a toll on him and his family. With few employers willing to speak about the personal consequences of a workplace injury, Au's story and his learnings from this incident can assist or inspire other employers in their own OHS systems compliance and risk management .

As part of his enforceable undertaking Au recently gave a presentation about the incident and the lessons his company has learned to the Western Safety Group, in Melbourne's western suburbs. He has also undertaken a Certificate IV in Occupational Health and Safety to increase his OHS knowledge.

2011 Training Courses

Courses, dates & locations:

<http://www.dnv.com.au/services/training>
or call for a calendar +61 2 9922 1966



MANAGING RISK

Over the past five years 126 Victorians went to work one morning and never came home that evening. They were killed on the job.

Every one of these tragic deaths was preventable. The unpalatable fact is in every case there was a safety failure.

A Dad at breakfast. Dead by lunchtime.

Everybody has a real responsibility to make sure it never happens at their place of work. For employers it's a duty to do so.

The right procedures must always be enforced. Short cuts must never be taken. Everybody is required to speak up and discuss safety issues.

WorkSafe is here to help. You can download a copy of the handbook 'Getting help to improve health and safety' from worksafe.vic.gov.au or for advice call WorkSafe on 1800 136 089.

It is unacceptable to wait until somebody dies, leaving behind a devastated family, before making safety the number one priority.

It is hoped his story served as a timely reminder of the dangers associated with working at heights and the need to implement appropriate safety measures to deal with those risks before any injury occurred.

For further information on working safely at height, go to WorkSafe's website, worksafe.vic.gov.au or call the free advisory service on 1800 136 089.

ENFORCEABLE UNDERTAKINGS: A LEGAL PERSPECTIVE

Regulators are more interested in being offered and accepting EUs during the last six months than in previous years, according to Siobhan Flores-Walsh, special counsel for Norton Rose Australia.

Different regulators have different approaches to EUs and in NSW EUs are not available, she says. "It is our observation that the Commonwealth previously did not appear to even accept offers for EUs unless civil proceedings had been commenced. However this approach appears to be changing; that is; EUs are being considered before proceedings are commenced."

Flores-Walsh also notes that clients are more sophisticated when it comes to EUs and the firm is now often prompted by clients to consider the possibility of an EU, whereas until about a year ago, clients generally did not have much knowledge of EUs.

It's important to note that EUs are available as an enforcement option in the majority of Australian OHS statutes including, the Commonwealth, Victoria, Queensland, Tasmania, Western Australia and the Australian Capital Territory. Flores-Walsh says that it should be noted, however, that the Western Australian statute does not offer EUs in the usual sense; "they are a sentencing alternative post-conviction and therefore are not comparable to the operation of EUs as otherwise discussed in this note," she explains.

Having said that, she says EUs are more likely to be handed down when the injury or the risk of injury was not at the most serious category. "Indeed there are guidelines in some states which state that EUs will not be considered if fatal or serious injuries have been incurred or if the risk posed by the breach was very serious," she says.

"Regulators also appear to be more likely to accept an EU in circumstances where the relevant obligation holder has acknowledged (at least on a without prejudice basis) that they were in breach of the legislation, they are not operating at a best practice level and want to take steps in order to ensure that their OHS system does represent best practice as opposed to mere compliance."



"There are guidelines in some states which state that EUs will not be considered if fatal or serious injuries have been incurred"

Siobhan Flores-Walsh,
special counsel
for Norton Rose
Australia

Plan your 2011 Training



Knowledge. What turns risks into rewards.

Companies around the globe are searching for better ways to weather the challenges of today's business climate. Buzzwords or solid business models? Sustainable companies seem to have an advantage when tackling the increasingly global, complex and demanding risk environment where failure is not an option.

Training with impact – knowledge for use

DNV offers professional training. Our expertise comes from dedicated employees worldwide. More than trainers, they are business people, engineers, managers, trades people; they are persons who have previously achieved business goals of their own and can help you do the same.

Visit www.dnv.com.au/services/training/
Or request a flyer from +61 2 9922 1966





Engaging supervisors in safety

Cathy Grasso, OHS manager for Western Australia's Water Corporation, speaks with CRAIG DONALDSON about how the organisation provided supervisors with a self-directed approach for improving their safety effectiveness

Fully owned by the Western Australian Government, the Water Corporation is the principal supplier of water, wastewater and drainage services in Western Australia. With services, projects and activities spanning more than 2.5 million square kilometers, it employs almost 3000 people to develop, manage and maintain water supply, sewerage and drainage infrastructure worth in excess of \$12.3 billion.

One of the Water Corporation's management priorities is zero harm, and the organisation ran a supervisor coaching pilot, which offered supervisors the opportunity to spend 70 minutes a week over twelve weeks with a coach who assisted them in developing their supervisory skills, according to Cathy Grasso, manager occupational safety and health for the Water Corporation.

One third of the coaching was about safety and health, she says, and the pilot program was rolled out across two country regions in Western Australia and also in the metropolitan area. In addition, the pilot is currently being offered to the organisation's internal construction and engineering services branch.



Cathy Grasso

A "safety maturity matrix" describing three levels of maturity in 12 key result areas was offered in some areas as a tool to determine which safety behaviours to work on. The hypotheses being tested in the pilot were twofold, according to Grasso: intrinsically motivated supervisors will perform better and have a greater sense of wellbeing; and providing a vision of "what good looks like" in terms of supervision for safety will assist supervisors to develop better skills for safety supervision than if this direction were not provided.

Gaining traction

The key to the success of the pilot was sponsorship by the local leadership team, according to Grasso, who says that the key to gaining this was to work with local areas in the design of the program. "As OSH manager, I shared the coaching concept with the local leadership teams and invited them to discuss alignment with their vision and goals, then offering the opportunity to adjust the program to have the right fit locally," she explains.

The Water Corporation's safety policy has four areas of focus: safety leadership, empowerment, personal responsibility and safe systems. Grasso says engaging the organisation's executive was relatively simple as the program is designed to improve performance across all four of these focus areas and with the employee group that is the most pivotal in safety (and business) success – "our supervisors", she says.

Results

Providing employees with access to coaching sessions over twelve weeks was very much a pilot, and Grasso says the short-term goal was "simply to have supervisors step into a more empowered space, recognising the tangible benefits of coaching and reinforcing the belief that supervisors have the ability to own their own development, rather than being a passive recipient in the process". She adds that the long-term goals of the program are to improve supervisors' effectiveness in supervising a safe workplace.

"The coaching pilot proved to be a significantly successful intervention, with attendees (and some of their reports) describing tangible improvements in supervisory effectiveness following the twelve week trial," says Grasso.

The pilot was evaluated with one tool providing a self-assessment measure of the effectiveness of coaching as an intervention and a second tool tracking the experience of wellbeing, Grasso explains. Qualitative responses were also recorded in order to understand the sorts of shifts that the supervisors considered valuable.

"Interestingly, participants reported a greater understanding of what was involved in supervision of safety, reported im-

"Why can't you get the safety police from OSH branch to take on a more coaching approach when they are out with us?"



Two Water corporation staff conducting a safe job planning discussion before beginning some field work ...

proved skills for having challenging conversations about safety, reported a greater ability to engage their teams in tool box talks (turning these into interactive sessions, rather than single speaker presentations) and reported an ability to manage conflict in the workplace without tempers erupting,” she says.

Lessons learned

All coaching sessions were entirely confidential, so Grasso says only cohort-type information was fed back to supervisors and the OSH team. “Some very important feedback received by my branch was ‘Why can’t you get the safety police from OSH branch to take on a more coaching approach when they are out with us?’ While my team at the Water Corporation has undergone coaching training, I think this comment provides a challenge for all of us and also other OSH professionals going forwards,” she says.

Participants also described a key to the success of this program was that safety was not being “forced on them”. By focusing on supervisory effectiveness, Grasso says the flow-on effect for safety was evident.

Cathy Grasso and Ross Hughes will be speaking at the Safety in Action Conference, which will be held from 5-7 April 2011 at the Melbourne Exhibition Centre. For more information visit www.thesafetyshow.com.au/safety-in-action-melbourne.

CONVERTED TO SAFETY

Ross Hughes, CFO of Western Australia’s Water Corporation, says the fundamental adage for the organisation is zero harm, and that as one of the key leaders, “I don’t want to see anyone in worse health when they go home than when they arrived at work – I owe that personally to my own family and to all staff and contractors.”

While companies can put any number of safety policies in place, Hughes says “you know it’s all rubbish without the cultural aspect – “common sense” is not common!

“We all have different approaches to risk, our own safety, how to manage

effectively, what constitutes ‘safe’, etcetera. So our journey has been on the leadership side as much as anything – especially honouring those who make a difference in safety, even if it means our core service work must be stopped for a time during an incident to ensure utmost safety.”

Hughes says it’s important to learn from each other and respect each other on this journey.

“We all have incredibly diverse and valuable skills and backgrounds, but don’t always listen to each other as we charge down tunnels we call our mandates,” he explains.

NEW NON SLIP OVERSHOES

TIGER-GRIP® KEEPS YOU ON YOUR FEET

NO MORE SLIPS AND FALLS ON WET AND OILY FLOORS

Our non slip overshoes suit a large range of activities, industries and workplaces such as aged and health care, hospitality, the cleaning industry, supermarkets, food processing, ...

- Fit neatly and securely over almost any pair of sneakers, work shoes or boots.
- Offer maximum comfort and grip.
- Provide outstanding grip to your employees without having to replace their existing footwear.

TIGER GRIP

Tel : 0280 033 096 info@tigergrip.com.au www.tigergrip.com.au



A simple and cost effective way to train employees to prevent workplace injuries.



The eLearning People Occupational Health and Safety Induction course is a simple, cost-effective way to train employees to prevent workplace injuries through relevant, interactive and engaging e-learning.

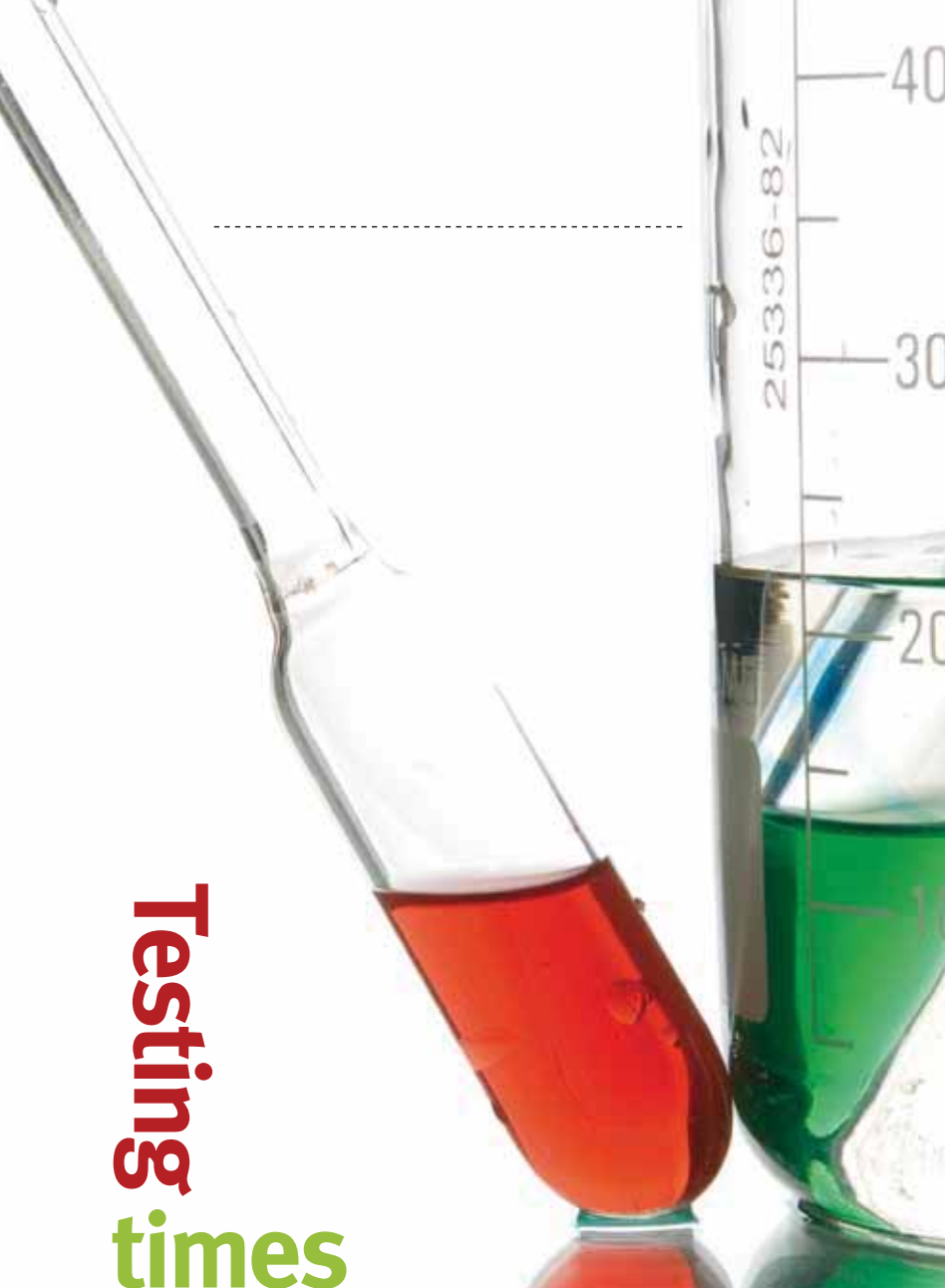
eLearning People provide online OHS training through a hosted Learning Management System, which offers unlimited access to courseware, and recorded results and reports upon completion of training as evidence of compliance. Staff can access training 24x7, from work or home - anytime, anywhere!

Online OHS Training – Anytime, Anywhere!

For more information, email sales@elearningpeople.com or visit

www.elearningpeople.com

Testing times



Drug and alcohol testing in the workplace is increasingly common. However, as CRAIG DONALDSON writes, there are a number of important considerations to take into account with the development and implementation of any drug and alcohol policy

Substance abuse in the workplace is estimated to cost at least \$13.7 billion in direct and indirect costs to the Australian economy, while the Australian Chamber of Commerce and Industry has estimated it to be a factor in 10 per cent of workplace deaths and 25 per cent of workplace accidents.

Drug testing in Australia has advanced significantly in the past few years, with an evolution from what is known as the traditional method of urine drug testing, to state-of-the-art use of saliva or oral fluid testing, according to James Wruck, business unit manager – drug testing, for Alere, which offers SureStep drug screen tests that can test up to nine drugs simultaneously from a single urine sample.

Each method has its place, and Wruck says urine is more for historical drug use compared to oral fluid which detects current drug use. For many workplaces, he notes that current drug use is more important as it indicates that an employee may be under the influence of a drug while at work.

“If they are under the influence, the potential risk that they will cause a safety incident is higher. In addition, the use of drugs in the workplace may have a negative impact on the output from an individual and also on fellow workers who may potentially be put at risk from this behaviour,” he says.

Stephen Lane, managing director of LaneWorkSafe, which provides a wide range of drug testing products including a split-specimen urine drug screen cup and a number of saliva screening devices, says providers of onsite urine devices claim their devices meet the Australian Standard 4308: 2008 cutoff levels.

However, when asked to supply a compliance certificate (issued by an independent National Association of Testing Authorities (NATA) accredited laboratory) he says they are unable to do so. “End users should ensure the device they use or intend to use has a compliance certificate. By reducing the number of false positives supplied by inferior devices and using an accurate reliable device, organisations reduce unnecessary angst and costly confirmatory testing and associated wasteful costs,” he says.

Laurie Wilson, general manager of Alcolizer, a specialist manufacturer of alcohol breath testing equipment, says the move from low alcohol tolerance to zero alcohol tolerance that has progressively spread across OHS testing is a positive move for the industry, but has highlighted the significant differences between quality instruments and “cheaper newcomers”.

“Most alcohol breath testers, and the technology they incorporate, are geared towards police testing at the 0.050 BAC drink driving limit. Unknown by many OHS professionals and procurement officers, is the fact that most instruments struggle for accuracy at very low levels of alcohol. For police this has never been important, but for industry moving down from 0.020 BAC limit to zero tolerance, this is of major importance,” he says.

Drug and alcohol testing pitfalls

The single biggest pitfall companies can fall into is solely relying on Australian Standards (AS) Certification, according to Wilson. While this is the only alcohol breath testing standard in the handheld side of the industry, “it can be misleading for those who do not understand it, or if it is misrepresented”, he says.

“Commonly equipment is promoted as AS certified, and customers are told accuracy under AS is +/- 10 per cent. This is only correct at reading of 0.100 BAC (twice the drink driving limit) and above. AS below 0.100 is in fact +/- 0.010. What does this mean for industry use?” he asks.

“When an OHS professional is trying to establish whether a worker has any alcohol in their system, an instrument they use can give a reading of anywhere between 0.000 up to 0.020 BAC and still be AS compliant if a person’s true reading should 0.010. In plainer English, the AS only requires an instrument to work within +/- 100 per cent at 0.010 BAC, and this is really the figure around which most companies are looking for accuracy to make decisions on their workers fitness for duty. This is clearly unacceptable.”

Lane says many organisations with the intention of commencing a workplace alcohol and drug program fail to understand the importance of their actual policy. “This document will become the ‘hub’ or ‘cornerstone’ of the alcohol and drug program,” he explains.

“If they are under the influence, the potential risk that they will cause a safety incident is higher”

James Wruck, business unit manager – drug testing, Alere

“As an aid to formulating this alcohol and drug policy many organisations use an initial blanket screen of all employees ... Conducted prior to, and an aid to preparation of the alcohol and drug policy, it provides answers as to the extent of substance abuse in their workplace.”

Wruck says that when an organisation puts a drug and alcohol policy in place they really need to have clear objectives in mind. By taking the wrong approach, he says the policy may impact the workforce and potentially create a rift between the employer and the employee. “Taking a hard line for the purpose of ‘cleaning out’ drug users may have a negative impact by creating mistrust between both parties and creating resistance to implementation and buy in,” he says.

“However, if the employer takes a consultative approach by working to support the employees in the workplace, there will be greater cohesion between both parties. Oral fluid testing has been shown to be a very supportive process as it tests for recent drug use and is aimed at supporting the employee in the workplace.”

Keys to success

Consultation and clear education in the implementation process are vital, according to Wruck. “By building trust, organisations are more likely to be able to implement programs easily and successfully. Employee involvement during the implementation process allows for greater understanding and aids in the education process through word of mouth discussion between employees,” he says.

Similarly, Lane says that explaining the contents and an alcohol and drug policy will make for easier adoption and acceptance. However, says it’s important to understand that an alcohol and drug program is not a silver bullet. “It should be viewed as part of an organisation’s strategy to address workplace substance abuse and unsafe workplace practice as a result of such abuse. True, there is a deterrent factor attached to a workplace alcohol and drug policy, but it goes beyond this.”

He observes that most workplaces are a microcosm and reflective of society in general, and having a policy that is fair and equitable to all shows that the particular workplace is mindful of this fact. As such, it is important to demonstrate concern and an ability to manage the policy in a fair and equitable manner. “It is not about punishment or catching people out [but] more about identifying persons at risk through substance abuse and managing their path forward in a sensible transparent manner,” says Lane.

“There is no real problem with a worker being responsible, testing before clocking on, and advising their supervisor that they still have a low residual alcohol from the night before”

Laurie Wilson, general manager, Alcolizer



The Next Generation from Cozart®

Confidence in Oral Fluid Drug Testing

- Easy to use
- Quick testing process
- Flexibility to meet different customer requirements
- Improve THC sensitivity
- Full colour screen with intuitive graphics
- Store, print and download test results
- Proven lateral flow technology
- Improve range of environments in which it can be used
- Available mid 2011

For more information, email drugtest@alere.com or phone 1800 622 642

©2011 Alere. All rights reserved. The Alere logo and Alere are trademarks of the Alere group of companies. A0803.

THE LAW ON SALIVA VERSUS URINE TESTING

“Understand that substance abuse can be an issue for any workplace [and] understand that a heavy-handed approach is not the preferred option”

**Stephen Lane,
Managing Director,
LaneWorkSafe**

The “old chestnut” of drug and alcohol testing – saliva versus urine testing – was recently revisited when the NSW Industrial Relations Commission (IRC) heard an industrial dispute between cement supplier Holcim (Australia) and the NSW branch of the Transport Workers’ Union (TWU).

Holcim developed a national policy of drug and alcohol testing that utilised urine tests rather than oral saliva testing for its workforce of 140 contract drivers. However, the policy was opposed by the TWU on the basis that oral testing was a more appropriate method and the TWU also argued that urine testing is more intrusive for employees and less convenient than oral testing with saliva swabs, according to Allens Arthur Robinson lawyer Tristan Garcia. After analysing the evidence given by a toxicologist and a pharmacologist concerning the effect and testing of various drugs, the NSW IRC held that the most appropriate

and reliable method of drug and alcohol testing in the circumstances was through a regime of urine testing, says Garcia, who was commenting in a legal update on the case.

The NSW IRC noted that:

- urine testing had already been introduced for the entire Holcim workforce nationally and was consistent with the method adopted for State Rail projects;
- urine testing has proper accreditation and sophistication, unlike oral testing which has not yet achieved equivalent accreditation;
- urine testing has been generally accepted throughout the industrial community for several years and only takes a limited amount of additional time for employees when compared with oral testing; and a properly implemented system of urine testing will act to minimise the number of chronic and habitual drug users in the industry.

Stephen Lane, managing director of LaneWorkSafe, says the ramifications and implications of this recent decision “have not hit the deck, yet”. He said it’s fair to say this decision should prompt debate and cause consideration of organisations’ current and future postures, relevant to which matrix they currently use or intend using.

“Relevant to this decision is the CASA legislation which specifies saliva as the preferred matrix for employees in the Australian Aviation Industry including all commercial pilots. The proposition that saliva is not considered reliable enough for use with concrete truck drivers, and yet suitable for pilots of 747 and similar aircraft, is one worthy of further discussion,” he says.

“Perhaps this should be ventilated in the public arena. I am not sure if the traveling public were made aware of this anomaly it would sit well with their psyche. Perhaps the federal government may revisit the legislation.”



LaneWorkSafe

Worksafe – Workwell

Professional Drug Testing Cups

Innovative drug screen cup design eliminates urine handling and donor tampering, providing a unique and efficient approach for on-site drug screening.



Split Specimen Cup

- Split-specimen collection
- No urine handling - ready for GC/MS
- Screw cap with audible lock
- Screens for 6 drugs and 6 adulterants
- Built-in temperature strip
- Easy to photocopy results
- Results in around 2 minutes

This product is compliant with AS4308:2008 cut-off levels. NATA Compliance Certificate available on request.

LaneWorkSafe Pty Ltd | ACN 113 839 713 | PO Box 266 Westgate NSW 2048
T 1800 429 219 F 02 9559 1559 www.laneworksafe.com.au

Point of care medical diagnostic screening products

Alcolizer



Providing Breath-Testing Solutions for over 20 years

Mining, Construction, Law Enforcement, Hospitality, Health, Sports

- Sales & Service of Australian Standards (AS3547) hand-held & wall-mountable devices on the East & West Coast
- Achieve greater accuracy for industry testing at low levels of alcohol
- Protect your company's assets and the health of your workforce

Visit www.alcolizer.com

Alcolizer Brisbane
Unit 8, 132-140 Ross Court
Cleveland QLD 4163
Call: (07) 3821 1606

Alcolizer Perth (Head Office)
(formerly Drivecheck Australia)
32 Graylands Road
Claremont WA 6010
Call: (08) 9230 7866

Quality Endorsed Company

DRINKSAFE - WORKSAFE - DRIVESAFE - BE ALCOLIZERSAFE



LexisNexis Capital Monitor

Australia's premier parliamentary monitoring service

Based in the Federal Press Gallery at Parliament House in Canberra, Capital Monitor immediately alerts you to political developments, legislative and regulatory change that could impact your organisation. With extensive coverage of Federal, State, and Territory governments, government agencies and departments, courts, political parties, tax rulings, Hansard extracts and specialised Gazettes, it delivers news analysed by experienced experts to desktops within minutes.

How Capital Monitor can assist you

Capital Monitor offers press releases, transcripts of speeches, media interviews, doorstops, government decisions, bills, acts, regulations and court decisions.

- Keep up-to-date on the latest legislative developments
- Improved decision making by receiving immediate knowledge and documented evidence of policy debate and political impacts in your chosen areas
- Avoid information overload and save time as we filter the news for you before sending it to your inbox
- Stay ahead of legislative and regulatory changes
- Keep track and stay ahead of your competitors
- Protect your brand image and guide corporate strategy
- Manage media, community and public relations
- Ensure you provide your clients with the correct advice

To ensure you are on top of changes in government, contact our team on [02 6273 4899](tel:0262734899) or email capital.monitor@lexisnexis.com.au

Instant alerts give you the inside track

Capital Monitor has a fully searchable database of 2 million documents dating back to 1990 and allows for customisation at any time.

- Customise your service to only receive content that is relevant to your business
- Provides broad coverage of Federal, State and Territory parliaments, governments, agencies, courts and tribunals and political parties, as well as key stakeholders in the development of public policy
- Flexible service with a range of delivery options from instant alerts, daily or weekly digests, newsletters to archive access
- Research public policy, legislation and court cases going back 15 years
- Over 200 topics including taxation, native title, climate change and superannuation. You can also select any other subject you would like to be monitored – you are not restricted to pre-set topics

www.capmon.com www.lexisnexis.com.au



Safety in Action preview

The annual Safety in Action Conference will be held from 5-7 April 2011 at the Melbourne Exhibition Centre



The audience at last year's Safety in Action conference

The theme of this year's conference, which features more than 50 Australian and international speakers, is "new frontiers". In planning the conference, the head of its organising committee, Lindsay Pritchard, says an important consideration was what attendees will get out of the conference and take back to their business.

"It's not just about the speakers. It's about the themes and streams and what value people will get out of the conference," he says. "It is bigger and better than last year and I'm expecting some really good presentations."

Pritchard says there will be a couple of highlights in the conference program. The keynote address on Tuesday 5 April is by "The Gun" behind the Beaconsfield Mine Rescue, Darren Flanagan, who will be telling the emotive, dramatic and inspiring story about the rescue of Beaconsfield miners Todd Russell and Brant Webb.

Another highlight of the conference can be found in the closing sessions, Pritchard says. On Thursday 7 April, Professor Andrew Hopkins, Jane Cutler, CEO of NOPSA and Martin Dolan, CEO of the Australian Transport Safety Bureau will provide insights into and discuss lessons learned from the Gulf of Mexico Oil Spill, the Montara Oil Spill and the Airbus A380 Engine Failure.

"There's something in the conference for everyone," says Pritchard. "The business leaders stream on day one is ideal for executives and other senior management professionals, whereas day three is more for professionals and focuses on topics such as coaching, motivating people and helping the safety professional. So there's something in it for everyone."

On the second day, for example, the keynote address is by Professor Niki Ellis, CEO of the Institute for Safety, Compensation & Recovery Research (ISCRR). Ellis will be talking about ISCRR's Futures Initiative, in which horizon scanning was undertaken to determine broader trends likely to influence OHS and personal injury compensation.

Speaking ahead of the conference, Ellis says some of the ideas which came out about the future research resonated strongly with some of the comments in the BP Deepwater Horizon report. "One scenario was that the role of governments will change. Instead [of] OHS and workers compensation being led by governments so much, there could be greater partnership with industry [and] with non-government organisations, and ... individuals might be more empowered and health literate, so they could contribute to the management of their own health more," she says.

Ellis added that the Australian approach to workers' compensation is based on a model which

pretends that illnesses behave like injuries. "We assume that it is possible to differentiate work-related from non-work-related conditions, whereas chronic illnesses arise from multiple factors at work, outside work, from our individual make-up. Our sector is having trouble coming to terms with mental health," she says.

Also speaking at the conference is Andrew Douglas, a principal in workplace law at Macpherson + Kelley Lawyers. Douglas believes that the language of safety too often conceals more about safety performance than it exposes. Speaking ahead of the conference, he says that zero harm is a safety concept based on a hope and the false belief that all incidents are preventable.

"When you develop a project built toward zero harm which is underpinned by the assumption that all injuries are preventable, you have created a self-imposed reasonably practicable test that cannot be met," he says.

Such a project has the following effects: "you will not succeed because people make mistakes; you have created evidence that any injury can reasonably and practicably be prevented (therefore, any injury in your workplace can be prosecuted); and you will disillusion your workforce and then the risk of incidents increases."

If a zero harm policy must be used, Douglas says to "define zero harm as a vision or a value, but then

build a safety system that is linked to behavioural improvements and structured around meaningful metrics". At the floor level, Douglas says this may involve training, inspections, reviews and assessments, while at the board level, this may involve developing appropriate lead and lay indicators with gap reporting.

Rod Maule, GM of health, safety, security and quality (HSSEQ) at Reliance Petroleum, will also be speaking on the third day about motivating for safety by gaining management involvement in safety culture from the top-down.

Too often, he says OHS professional have not adapted the language of senior managers, or looked holistically at all of the constraints on a senior executive's resources. "Both of these mean that the OHS professional who is ineffective is often unable to either communicate in a way the executives can understand or is unable to prioritise their needs in a way that the business leaders can adopt, or both," says Maule.

This leads to frustration by senior executives and OHS senior managers with each other, which in turn leads to frustration on both sides and often a lack of



Professor Andrew Hopkins will again be speaking at Safety in Action 2011

action. However, when OHS professionals can adopt the right language and understand the priorities of senior executives, this leads to "significant engagement of senior leaders in driving the safety agenda by getting involved, allocating resources and directing priorities to critical safety controls", he says.

At Reliance Petroleum, Maule's approach has introduced a new audit process which saw the HSSEQ function complete less but more focused audits and

spend the extra time coaching line managers in how to fulfill their HSSEQ responsibilities. "This resulted in 58 per cent compliance with systems moving to partnership basis delivering 86 per cent compliance within one year," he says.

The Safety in Action Conference will be held from 5-7 April 2011 at the Melbourne Exhibition Centre. For more information call 03 8336 1995, email safetyconference@aec.net.au or visit www.sia.org.au/safetyinaction

Let's talk about hearing conservation...

and see the latest Intelligent Hearing Technology

Sperian are conducting their highly professional and practical hearing seminars during Safety in Action.

Hearing conservation, noise induced hearing loss and the implementation of effective hearing conservation programs will be covered in detail.

It's a great opportunity to learn more about improving hearing safety in the workplace and see the latest Howard Leight product range.

Morning and afternoon sessions will be run with complimentary stand-up catering.

Date: Wednesday, 6th April 2011

Venue: Meeting Room 101, Melbourne Convention Centre

Bookings: Call 9565 3588 for reservations

To make a reservation or for more information please call Adrian on 03 9565 3588 or visit www.sperian.com



Annual OHS breakfast a success

Safety and compliance professionals recently gathered at Freehills' Melbourne offices to discuss the evolving OHS landscape, writes the SIA's Fran Russo



“Those of us intimately involved in workplace health and safety, have an exciting year ahead with national reform looming very large on a not-too-distant horizon”

Ian Forsyth, executive director of health and safety, WorkSafe Victoria

The SIA Vic Division's Annual OHS Breakfast, sponsored by Freehills, was recently attended by 110 safety and compliance professionals. The speakers, Ian Forsyth, executive director of health and safety, WorkSafe Victoria, Steve Bell, senior associate, Freehills, Sue Pilkington, national president, SIA and Aaron Neilson, national manager recruitment and search, SafeSearch, addressed a range of contemporary topics.

The future was on the minds of many at the annual breakfast, reflecting the theme of an evolving OHS industry and “upping the ante” of certification, regulations and strategic changes. When it comes to smaller businesses and organisations there seems to be a greater interest in the area of regulation and Ian Forsyth was able to elaborate with guests on what WorkSafe Victoria sees for the future of the organisations which make up the OHS industry.

“Those of us intimately involved in workplace health and safety, have an exciting year ahead with national reform looming very large on a not-too-distant horizon,” Forsyth said.

“We are continuing to focus on those things that are in our control, with our current strong positions. Our OHS Act, being the most recent that has been fundamentally reformed, was a matter of good luck and management, reflecting the hard work of our team including over 46,000 WorkSafe inspections in 2010.”

Continued momentum had really captured the public's attention and overall health and safety levels, and Forsyth said targeting employment with young workers, information through

education and public awareness campaigns have all helped in the lead up to a very informed industry of workers within OHS.

Freehills' Steve Bell spoke about contemporary issues for the health and safety professional and “the conversations that health and safety professionals should be having within their industry”. Bell identified that the role of the OHS professional requires more than just being involved in safety planning, but “should include taking on a role as a strong advocate for safety performance and improvement”.

In discussing the conversations health and safety professionals should be having with managers and senior leaders within organisations, Bell drew on the Montara Inquiry as an example of an environmental and OHS incident being investigated thoroughly by government. He identified a number of key lessons from the incident and drew parallels with the strategies and trends that Freehills sees for the future of the health and safety profession.

“The Montara oil leak occurred when different contractors, each expert in their field, were required to work together. One of the key lessons arising from the Montara Inquiry related to the need to properly coordinate the work between these parties contractors. Consultation and cooperation are key elements of proper risk management,” Bell said.

He also spoke about the increased attention on the role of leaders in managing health and safety performance. “The requirement to exercise due diligence will be a key change under the new OHS Act in Victoria. Planning for future compliance with these obligations may also present a chance to improve health



“Moving to a Company Limited by Guarantee gives us both a sound governance structure and relieves some of the pressure on our volunteers to manage this organisation”

Sue Pilkington, national president, Safety Institute of Australia

and safety within organisations,” continued Bell.

Bell then spoke about the importance of clearly explaining the rights and responsibilities of managers, especially those who may be dealing with stakeholders after a workplace incident. “It will more than likely be your line managers and supervisors on the ground level that interface with the WorkSafe inspectorate, taking the time to brief them on their legal rights and responsibilities ahead of time can ensure that they properly comply with the law.”

Steve also suggested that recent cases presented a great opportunity for health and

safety professionals to work closely with HR teams, particularly on issues of bullying or workplace stress and fatigue.

The SIA’s national president, Sue Pilkington, continued the morning with a strong stance on what the Safety Institute of Australia has on its implementation list for the future. “The National Board has reviewed strategic and operational planning for the Institute and has broken up the strategies into four key areas of approach: engagement, capability, influence and operational excellence,” Pilkington said.

She explained that the SIA is focusing on a streamlined approach, with divisions framing their own strategic and operational plans to deliver the corporate objectives to position the Institute as the primary organisation representing health and safety professionals in this country. “We want to shape the future of this profession and this is where we are starting, by having a long, hard look at where we are going and what the institute can achieve,” Pilkington said.

Changing the organisational structure was high on Pilkington’s agenda, going from an Incorporated Association to a Company Limited by Guarantee, explaining that an Incorporated Association model fitted the organisation 30 years ago “but it does not fit us now, we are a large organisation with substantial financial holdings and we are in the business of managing a business for you as our members.

“Moving to a Company Limited by Guarantee gives us both a sound governance structure and relieves some of the pressure on our volunteers to manage this organisation, which has really grown rapidly in recent years,” said Pilkington, who noted that a discus-

sion paper on the topic of the proposed organisational change will shortly be available to members and member consultation sessions will be organised in the near future.

The morning concluded with SafeSearch’s Aaron Neilson, who enlightened the audience about where OHS remuneration packages sit in relation to the broader market. He provided a brief rundown of the findings of the SafeSearch remuneration survey for 2010, now in its fifth year.

“The key headline for this survey is the global financial crisis – which is certainly over for the health and safety community. We have seen significant increases – more than double the CPI across all levels and, on average, we have seen just under a 10 per cent increase with the most significant changes at the senior end,” Neilson concluded.

Safemate Antislip

PREVENTS COSTLY SLIPS

Avoid costly litigation by installing Safemate Antislip products to prevent slips and falls on wet, oily or soiled stairways, walkways and ladders.

Proudly manufactured and tested in Australia for **over 35 years**, to ensure the highest quality standards are met.



Safemate International

Melbourne: Tel 03 9798 7450
Sydney: Tel 02 9614 1552
Toll Free: Tel 1800 337 706
Email: sales@safemate.com
Website: www.safemate.com



Human Factors for the Design, Operation, and Maintenance of Mining Equipment

Tim John Horberry, Robin Burgess-Limerick and Lisa J. Steiner (CRC Press, \$US89.95)

This is a good book for Australia, given it is a key mining centre. Tim John Horberry, Robin Burgess-Limerick and Lisa J. Steiner are with the University of Queensland and have a solid background in human factors and the mining industry. Steiner is also with the National Institute for Occupational Safety and Health in the US.

According to the authors, one of the purposes of the book is to fill a gap in the available literature in the mining area; in particular, bringing together the science of human factors and ergonomics in relation to mining equipment and mine operations. The increased awareness and understanding of the role of human factors has the benefit of increased safety and improved mine performance.

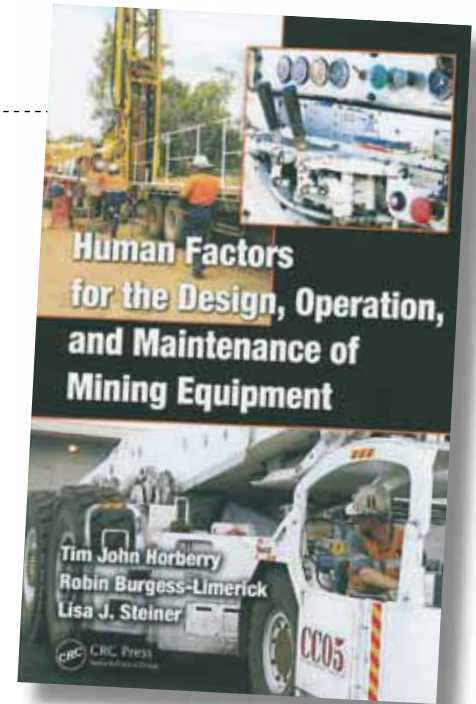
The various chapters in the book are reasonably comprehensive and include human factors principles, equipment and workstation design, mining equipment operations and maintenance, manual tasks, environmental factors, vision and visibility, automation and new technologies through to training.

One area that is not covered but really deserves far greater recognition and treatment is traffic management on mine sites – a major safety concern for operators and workers. This topic has not been well handled in this book.

Another complaint is that the presentation of the book is a little flat, especially considering the “exciting” topic mining can be. More pictures, please, and a larger format!

That said, I do commend the authors for this work, and recommend it for all interested in mine safety and improved methods of work.

Dr George Rechnitzer

The advertisement for Safety People Australia is set against a background of a smiling man in a white hard hat, safety glasses, and a high-visibility orange and yellow safety vest. He is holding a clipboard and looking towards the camera. The background is a blurred outdoor setting, likely a mine site. The text is overlaid on a dark orange gradient background.


safetypeople
australia

Safety People Australia specialises in customised recruitment solutions for organisations and professionals wanting to broaden their career opportunities within the niche field of Safety, Environment and Injury Management.

A selection of positions we are currently working on include:

- National Safety Operations Manager
- Governance & Compliance Manager
- National OH&S Manager
- Vic Tas SA HSE Manager

To support **Safety In Action 2011** we are offering the chance to win one of five great safety books. To enter the draw, simply visit our website. Winners will be drawn during the week of the conference, 5-7 April.

Contact our office on (03) 8677 5517 www.safetypeople.com.au

Machine Safe Training Courses

machineSAFE Training Courses focus on delivering high quality, up-to date training with a strong practical, hands-on approach that conveys all of the expertise needed to safeguard machinery and plant

Prepare now for 2012

Our *machineSAFE* courses are ideal for machinery importers, electricians, OH&S professionals, and production managers who need to gain an understanding of the standards and new harmonised work health and safety laws which will be introduced in 2012.

These courses will help you gain comprehensive knowledge about Risk Analysis, development of Safety Concepts as well as the methods of correct and safe implementation of Machinery and Plant.

machineSAFE INTRODUCTION (1 Day)



- Introduction to OH&S laws
- Machinery risk assessments
- Fixed guarding
- Functional safety requirements
- Emergency stop and unexpected startup
- Interlocking guards

March 30	Melbourne
April 12	Brisbane
April 13	Gladstone
April 14	Townsville
May 24	Sydney
May 25	Newcastle
June 15	Echuca
June 16	Wagga Wagga
July 6	Melbourne

machineSAFE ADVANCED (2 Day)



- Presence sensing devices
- Hold to Run devices
- Electrical safety circuit design
- Hydraulic and pneumatic safety circuit design
- Energy isolation
- Step, ladder and platform design
- Validation

July 14	Melbourne
November 16	Melbourne
November 21	Sydney
November 24	Brisbane

Further information can be obtained by contacting *machineSAFE* on **03 9544 6300** through our website www.machinesafe.com.au or emailing training@machinesafe.com.au

Meet Our Highly Skilled Trainers

Our trainers work as consultants assisting companies both large and small to meet their machine safety obligations. They have expert knowledge in the field of machinery safety including

- Fixed Guarding
- Interlocked Guards
- Electrical/Hydraulic/Pneumatic Safety Circuits
- Harmonised OH&S Legislation

Their clear and concise delivery of important topics as well as their focus on relevance and practical interpretation of the standards ensure participants are able to leave the course with 'shop floor' knowledge and guidance material.



Paul Rawlings B.Eng (hons)
Grad.Dip OH&S Mgt. Systems,
Cert 4 Training & Assessment

Paul is the Consulting Services Manager at Pilz Safe Automation. He brings over 20 years manufacturing experience in the automotive industry and his practical background in engineering, OH&S and maintenance will help you develop effective safety solutions for your machinery.



Daniel Grivicic B.Eng
TUV Functional Safety Engineer
Cert 4 Training & Assessment

Daniel has worked as a trainer for several major safety controller manufacturers and currently provides machinery safety consultancy services through Pilz Safe Automation. Daniel is currently undertaking further studies at VIOSH and is able to provide details of current trends in OH&S

machine SAFE

Australia's Premier Machine
Safety Training Provider

www.machinesafe.com.au



Your New Plant Project Belongs in Safe Hands

Whether you are upgrading existing plant, putting new machinery into service or integrating automation and machinery into production lines, it is essential to assure safety compliance is addressed at an early stage to minimize costs and optimise productivity.

Our team of consulting safety engineers devise solutions for your plant, equipment and machinery which ensure full compliance with safety standards and regulations

Call Pilz Consulting Services today and let us show you how

Machine Safety Consulting Services

Australia: C1/756 Blackburn Road, Clayton, Vic. 3168

Ph: 03 9544 6300 Fax: 03 9544 6311

www.pilz.com.au techsupport@pilz.com.au

pilz

the spirit of safety