

the monitor

Keeping all those with an interest in OHS informed of current developments in workplace health and safety nationally and internationally



Issue 3 Vol 28 November 2020



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President's Report

Welcome to another edition of the Monitor

COVID 19 certainly had an effect on all volunteer societies and association from mid-March through to August. Fortunately, the regulatory authority provided relief from aspects of the constitution in regard to holding general and committee meetings.

The Society still managed to hold four committee meetings in 2020 with a number of the committee members struggling with illness so a special thanks to those people. Despite a view hurdles we have managed quite well in that regard. We are still hanging in there, just.

The Society held a "Fish and Chip" night in July. This event was enjoyed by all who attended. The fish and chips were great, and the presentation provided by Les Vogiatzakis on face mask PPE during the pandemic, was extremely interesting and in Les's style entertaining.

The other event held was the presentation by Stan Sexton on Public Events – Who's Responsibility was thought provoking and shocking with examples of the Bradford football disaster and the Hillsborough fatal football match where people were crushed. This demonstrated how quickly things can go wrong. Photos from both events are under the Events section of the Monitor.

These events involve significant planning, and it is disappointing that members do not take up the opportunity to broaden their knowledge in the field of OHS together with an opportunity to mix and mingle with similar likeminded people.

The Society still enjoys acknowledgement within the corridors of government and when invited provides submissions towards any pending legislation, regulations, codes of practice, guidance notes and polices.

Dave Lampard
President

Bio – Stan Sexton



An internationally recognised Health Safety and Risk Management Strategist with a proven record of achievement in quality, service, delivery and performance.

Stan has extensive experience in the health and safety profession culminating over 29 years in both public and private sectors, including all emergency services (Police, Fire and Ambulance); transport including road, rail and aviation; government organisations; manufacturing; retail; commercial and construction. In addition, Stan has had the privilege to manage a variety of public entertainment event sectors including the Commonwealth Games, Royal International Air Tattoo, the Queen's Jubilee to name but a few.

To further enhance his effectiveness, Stan is a Corporate member of the Institute of Occupational Safety and Health with specialist skills of developing organisation safety, health and risk management cultures and through the vast experience he has gained uses the ethos of *enabling not disabling* by integrating management into the delivery of corporate governance / responsibility objectives. This philosophy has proven most appropriate in the achievement of cost-effective business, commercial and service delivery outcomes – objectives that are vital to any organisation striving for efficiency and success.

This highly experienced individual has also personally received three individual awards for his contribution to health and safety in the UK from the Royal Society for the Prevention of Accidents (ROSPA), The Home Office and the Association of Chief Police Officers (ACPO).

In Performance Delivery Terms, those employers where Stan has managed a health, safety and risk management service through the introduction / delivery of corporate / strategic programmes has benefited from over a 50% reduction in lost time accidents (LTI's) and a 60% reduction in employer liability claims. Furthermore, his last employer in the UK actually achieved a staggering 74% reduction of LTI's in 7 years.

Adding to his expansive knowledge, Stan is also a joint author of the Local Government Management Board publication "*Managing Health and Safety, a Practical Guide for Local Government Line Managers*" and the sole author of the Home Office/ Association of Chief Police Officers Publication "*Public Events Whose Responsibility*".

The Committee were lucky enough to have Stan present at our second event for 2020. Photos from the event can be seen under the "Events" section of the Monitor.

Bio – Members contribution

Members you may have noticed in editions of the Monitor that we usually have a Bio section. In the past we have included Bios of Committee Members, people who have provided presentations to members or have written articles for the Monitor.

If you would like to raise your profile, the Monitor would be pleased to include your Bio in this section of the newsletter.

Simply provide the Secretary with your Bio and a photo. The Bio should be restricted, no more than 500 words.

Membership fees

The Committee decided, in late 2019, to extend membership renewals to align with the financial year for 2020 so that members enjoyed an extra six (6) months membership for free.

The Committee agreed to postpone the collection of fees for the 2020 year due to COVID-19.

Membership fees will fall due on November 1, in accordance with the Constitution.

Please encourage colleagues, friends, work mates or anyone you know who has an interest in health and safety to join the Society. The Society is actively looking for additional members.

Obituary

Kathleen Mary Howell



I was informed on 28 August 2020 by my colleague consultant occupational physician Dr Evelyn Lee that we have lost Kathleen. I will always remember Kathleen as the kindly nurse and friend I could always rely for help with occupational health activities.

Kathleen was a member of the Occupational Health Society for many years and was a pioneer for occupational health nursing in Western Australia. She was an outstanding Chief Occupational Health Nurse who worked with me for many years at WorkSafe WA when I was the Chief Occupational Physician.

In 1980, she arrived in Perth with British occupational health nursing qualifications and experience. Kathleen joined the Health Department in Perth as the Occupational Health Nurse in the Occupational Health, Clean Air and Noise Abatement Branch and subsequently with the Department of Occupational Health & Safety, WA (**DOHSWA**). She was appointed Chief Occupational Health Nurse in 1983 when DOHSWA became WorkSafeWA. She led and supervised health surveillance for workers in WA that significantly reduced exposure of workers to hazardous substances such as inorganic lead, mercury, cadmium, and urinary carcinogen MOCA. She liaised with the Health Department Cancer Registry and WorkCoverWA to compile the mesothelioma, asbestosis and silicosis cases in WA by maintaining a register at the Occupational Health Branch and subsequently in WorkSafeWA.

Kathleen retired in 2000 after 20 years of public service dedicated to looking after health of workers in Western Australia as an occupational health nursing professional.

I invite members to join me in expressing our appreciation of Kathleen's significant contribution to the health of workers in Western Australia.

Deepest sympathy from Occupational Health Society Committee Members

This Obituary was provided by Dr K C Wan, MBBS, DIH, M.Sc.,MFOM, FACOEM,FAFOEM. Dr Wan is a member of the Society's Committee, a Consultant Occupational Physician in Perth, Western Australia, Chairman/member WorkCoverWA Industrial Diseases Medical Panel (IDMP). Formerly, WorksafeWA Chief Occupational Health Physician, Adjunct Professor Occupational Medicine, Curtin University, Edith Cowan University.

IN EVENTS

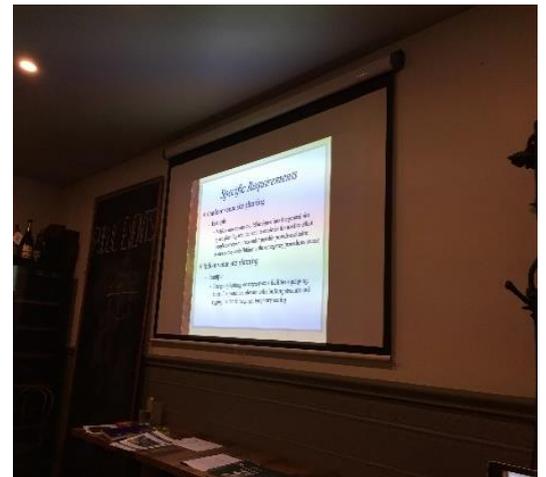
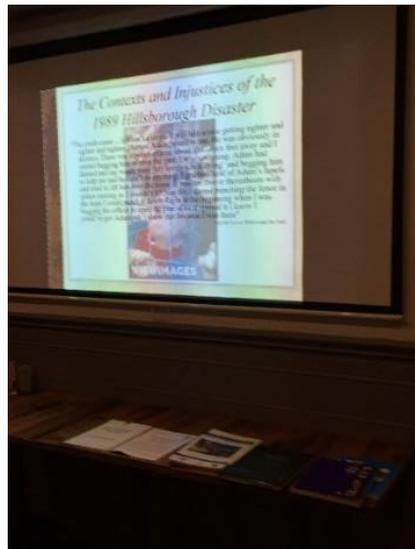
“Fish and Chip Night”

The first event for the Society since the COVID-19 restrictions was a “Fish and Chip” night at the Mayfair Tavern in West Perth. Les Vogiatzakis Principal Consultant for DGas Services and a valuable Committee member provided a short presentation entitled “Winning the COVID-19 pandemic ... in the most isolated city ... and most sparsely populated city in the world. Not only was the presentation very interesting but the fish and chips which followed were delicious and enjoyed by all those who attended.



Public Events – Who's Responsibility

Stan Sexton, whose Bio is provided in this copy of the Monitor, provided an excellent presentation on public events and who is responsible for safety. He provided examples of horrendous public events where significant numbers of people had been killed. For example, the Bradford football oval fire and the fatal Hillsborough disaster where 96 people were crushed during a FA Cup football match. His experience in such events is significant and he has written or been involved in compiling a number of publications in relation to this. The Committee greatly appreciated Stan taking the time to provide this presentation. It was a pity more members were not in attendance.



The following are publications displayed by Stan on the night. Stan wrote or contributed to many of these documents. The Committee thought members, who may be involved in event planning, might be interested.

Events from start to finish – Sue Stayle and David C Watt

The Role of the Police Service in Public Events – Stan Sexton – MA Dissertation

Managing Health and Safety = a practical guide for local government line managers – Local Government Management Board

Public Events – Whose Responsibility – a guide for those involved in the organisation of public events – Stan Sexton

Event management plan checklist and guide – compiled by the Gascoyne Development Commission

IN SAFETY

WHS Bill passes upper house in WA

Industrial manslaughter provisions to be legislated - maximum penalty of 20 years of imprisonment for an individual

Workplace safety will come under a single Act that covers all WA workplaces

After nearly four weeks of debate, the McGowan Government's Work Health and Safety (WHS) Bill passed the Legislative Council on 21 October.

It will now be sent to the Legislative Assembly for the final vote, which is expected on November 3, and will become law once the supporting regulations are finalised next year.

The new laws will offer greater protection to Western Australian workers, capturing modern employment relationships, such as subcontractors or casual workers, not just the classic employer/employee relationship. In particular, they will introduce the term 'person conducting a business or undertaking'.

As a result of significant public concern and the recommendations of two national reviews, the new legislation includes criminalising industrial manslaughter - this includes a maximum penalty of between five and 20 years of imprisonment for an individual and a maximum \$10 million fine for a body corporate.

Other new aspects include increased penalties, prohibiting insurance coverage for WHS penalties and the introduction of enforceable undertakings as an alternative penalty.

The new laws will harmonise WA with other States and Territories, except Victoria, although amendments have been made to tailor the laws to reflect our unique State.

This means companies that operate across Australia will have similar obligations and requirements in each State and Territory.

This Bill follows the increases in workplace penalties the McGowan Government introduced in October 2018:

- Level 4 (the highest) offences attract a maximum \$2.7 million penalty for first offenders and \$3.5 million for subsequent offenders (up from \$500,000 and \$625,000 respectively); and
- Level 1 (least severe) penalties increased from \$50,000 to \$450,000 for first offenders and from \$62,500 to \$570,000 for subsequent offences.

Gross negligence successful prosecution

WorkSafe completed its first successful gross negligence prosecution in July, with the Perth Magistrates Court finding repeat OSH offender Resource Recovery Solutions Pty Ltd (RRS) guilty of the offence.

The charges related to a January 2016 incident where an RRS worker's arm was "torn off" at the shoulder at the crush point between an unguarded conveyor belt and a roller on a waste recycling machine.

RRS faced a maximum fine of just \$500,000 because the offence occurred before the penalties were increased.

Source – OHS Alert

Gross negligence charge

Two employers face workplace health and safety fines totalling up to \$4.7 million, after being charged over the drowning death of a worker. One of the employers was accused of causing the fatality in circumstances of gross negligence.

WorkSafe WA charged Ryan and Melissa Pty Ltd, trading as Vivian Plumbing and Civil, with breaching section 19 of the Western Australian *Occupational Safety and Health Act 1984* in negligently failing to provide and maintain a safe working environment and causing the death of an employee plumber through that failure.

Bodies corporate that contravened their section-19 duties in circumstances of gross negligence faced a maximum level-4 penalty of \$2.7 million for a first offence.

Construction company Badge Constructions (WA) Pty Ltd was also charged over the drowning and faced a level-3 penalty of up to \$2 million for

similarly allegedly failing to maintain a safe environment and causing the death.

These were the first cases initiated by WorkSafe in relation to alleged offences occurring after the State's OSH penalties for all offence levels were increased significantly on 3 October 2018.

The maximum fine for a first level-4 offence jumped from \$500,000 to \$2.7 million, while the maximum penalty for a repeat level-4 contravention increased from \$625,000 to \$3.5 million

Vivian Plumbing plumber Ryan Duffus was working in trench at a Mosman Park site when a water main burst and the trench filled with water and sand, drowning him.

The incident occurred in October 2018, just days after the penalty regime was overhauled.

Badge Constructions was charged as the principal that engaged Vivian Plumbing to perform services at the site.

"Vivian Plumbing and Badge Constructions face significant penalties, as should be the case when a young worker has tragically lost his life," WorkSafe Commissioner Darren Kavanagh stated.

Western Australia – what's new

Dangerous goods changes and penalties commence in WA

The Western Australian Government has made the *Dangerous Goods Safety Regulations Amendment Regulations 2020* to delete outdated references to the ADG Code in the State's dangerous goods laws, and introduce new offences.

The Amendment Regulations make changes to the:

- *Dangerous Goods Safety (General) Regulations 2007*;
- *Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007*;
- *Dangerous Goods Safety (Road and Rail Transport of Non-explosives,) Regulations 2007*;
- *Dangerous Goods Safety (Security Sensitive Ammonium Nitrate) Regulations 2007*; and
- *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*.

Under changes, duty holders can be fined \$10,000 for offences like directing or inducing a dangerous goods driver to unload a vehicle or detach a trailer in a way that breaches the ADG Code or providing false information in relation to the Code

Draft Code of Practice Violence and Aggression at Work

WA's Commission for Occupational Safety and Health has published a draft Code of Practice on Violence and Aggression at Work and has invited public comment until 23 September 2020. A separate Code of Practice on Bullying and Harassment is being developed and will also be released for consultation in the future.

Workplace bullying regime proposed in new Bill

The Industrial Relations Legislation Amendment Bill 2020 has been introduced into WA parliament, which seeks to overhaul WA's industrial relations system and establish an anti-workplace bullying regime. Information about the proposed legislation is available here.

<https://www.parliament.wa.gov.au/parliament/bills.nsf/BillProgressPopup?openForm&ParentUNID=4FC1A59ABD7EFA804825859200004D57>

Guidelines for buildings near electrical assets published

The Western Australian Government has made the *Guidelines for the safety of buildings near network operator electrical assets* under the State Electricity Act 1945, which complement and must be read with the Occupational Safety and health Act 1984 (WA Act) and Occupational Safety and Health Regulations 1996 (WA Regulations) and network safety laws. The guidelines can be accessed on this site.

https://www.commerce.wa.gov.au/sites/default/files/atoms/files/guidelines_for_the_safety_of_buildings_near_network_operator_assets.pdf

Musculoskeletal safety framework

WorkCover WA has released the Western Australian framework for the prevention and management of work-related musculoskeletal disorders 2020-2025, and Western Australian strategy for the prevention and management of work-related musculoskeletal disorders, 2020-2025.

https://www.commerce.wa.gov.au/sites/default/files/atoms/files/wamusculoskeletal_framework1.pdf

Global industry standard on Tailings Management



The release of a [Global Industry Standard on Tailings Management](#) will help support the safe management of tailings facilities around the world.

Australian companies actively contributed to the development of the Standard, which reflects Australian leading practice, standards and guidance.

The safety and health of our people and communities is the minerals industry's number one priority.

While current tailings management practices in Australia are advanced and highly regulated, the industry is committed to continuous improvement as part of its culture of safe and responsible resource development.

The standard and forthcoming guidance will be reviewed in line with the Australian minerals industry's commitment.

Scaffolding safety awareness

Scaffolding is very common on building sites these days and can make all jobs a lot easier.

However, an important question to ask would be "Is the scaffold safe that your employees are using?"

Earlier this year, in Victoria, five employees were injured, two seriously when a scaffold they were working from collapsed.

In May, an employee at a residential construction site fell from scaffolding to the ground. He suffered severe head injuries and passed away in hospital two days later.

Falls are a leading cause of fatalities within the construction industry. Falls often occur as a result of inadequate fall prevention or incomplete systems of work all too often including unsafe or incomplete scaffolds.

Earlier this year, WorkSafe Victoria inspectors conducted targeted inspections at domestic and commercial construction sites focusing on:

- risks associated with the use of scaffolding, use of ladders and works at height
- gathering data on compliance with OHS legislation and associated risk controls
- communicating about the hazards/risks and controls
- identifying non-compliance trends that may require further educational activities

During the inspections WorkSafe inspectors completed scaffold checklists focusing on the following safety issues:

- scaffolding was fit for purpose and appropriate to support the intended load
- Scaffolding has been signed off and if inspections were occurring
- appropriate access (stair/ladder) was provided
- scaffold was not missing any components or structural tie-ins

The data collected from the scaffold checklists revealed that 52% of scaffolds inspected required the inspector to take some form of compliance action.

The most common issues that inspectors found were:

- scaffold not adequately secured to structure
- failure to provide safe scaffold
- incomplete scaffold in use
- no SWMS developed for the task

Tips for maintaining safe scaffolds

- inducting all workers into the site rules for scaffolds, such as no unauthorised modifications/alterations are to be made to scaffolds
- providing warning signs and barriers to restrict access to incomplete scaffolds
- using scaffolding only for the purpose for which it was designed
- identifying, removing or replacing damaged scaffolding components
- ensuring scaffolding is erected by an appropriately trained/licensed person

- regular inspections are carried out

WorkSafe Victoria has some more scaffolding resources and information on prevention injuries in scaffolding work. Visit their website worksafe.vic.gov.au/scaffolding.

Source – Safety Soapbox – WorkSafe Victoria

WHS legislation defines "competent" managers in South Australia

South Australian mining operators will be required to appoint managers with degrees in mining engineering and years of underground experience, under proposed changes to the *State Work Health and Safety Regulations 2012*.

The *draft Work Health and Safety (Mine Manager) Variation Regulations 2020* form part of a package of new regulations and guidance materials supporting South Australia's mining laws, which were overhauled by the *Statutes Amendment (Mineral Resources) Act 2019*.

The proposed WHS-specific changes require mines where mining operations are carried out to appoint a "competent" person as mine manager. Bodies corporate that fail to do so could be fined up to \$18,000.

Employers will also face penalties of up to \$18,000 if they appoint a person as mine manager of a mine who is also a mine manager at another site.

A person will be considered competent to be a mine manager if the person has "the relevant training, qualifications, experience, knowledge and skills to manage and supervise the mining operations carried out at the mine", has knowledge of the relevant legislative requirements, and is "capable of managing hazards at the mine".

For mines with 20 or more workers, the person must hold "a degree or diploma in mining engineering from a university or tertiary institution in Australia, or an equivalent institution as determined by the regulator", and have at least five years' mining experience.

Those five years must include at least three years of underground work involving operational and supervisory roles.

Source – OHS Alert

WHS conviction and \$400k fine followed by NSW blitz

A workplace fatality and a heavy WHS fine have underscored the need to protect young workers, NSW Better Regulation Minister Kevin Anderson has said in announcing a "crackdown on high-risk harms on construction sites across the Newcastle region".

Employer Landmark Roofing Pty Ltd was convicted and fined \$400,000 over a March 2018 incident where an apprentice sustained fatal injuries in a fall through a roof at a Newcastle workplace.

Anderson subsequently announced the week-long blitz, warning SafeWork NSW inspectors will focus on height work, electrical safety, falling objects, amenities, work plans and the prevention of respiratory diseases like silicosis and asbestosis.

They will also check whether worksites have appropriate practices in place to protect workers from COVID-19, the Minister said.

"SafeWork will show zero tolerance for workers or the public being put at risk of serious or fatal injuries through unsafe practices, and heavy on-the-spot fines will be handed out to anyone doing the wrong thing," he said.

Referring to Landmark's prosecution, the Minister said, "Looking after the most vulnerable in the workplace should be at the heart of any company's safety plans. It's so important that young workers get specific training and appropriate supervision to do their job safely."

SafeWork issued an incident information release on the risk of falling through roofing materials, saying it has been notified of 10 incidents where workers fell through roofs and were seriously injured or killed since the start of the year.

The information can be found at <https://www.safework.nsw.gov.au/compliance-and-prosecutions/incident-information-releases/construction/falls-through-roofs>

Source – OHS Alert

2019 Fatality Statistics

The following is some information on fatalities for 2019 provided by Safe Work Australia:

| Fatalities by State or Territory | |
|----------------------------------|------------|
| Western Australia | 20 |
| South Australia | 6 |
| Northern Territory | 14 |
| Queensland | 41 |
| New South Wales | 62 |
| Australian Capital Territory | 0 |
| Victoria | 34 |
| Tasmania | 6 |
| Total | 183 |

| Fatalities by Industry Fatality Rate | | |
|---|------------------|---------------|
| Industry | No of fatalities | Fatality Rate |
| Agriculture, forestry and fishing | 30 | 9.1 |
| Transport, postal and warehousing | 58 | 8.7 |
| Electricity, gas, water and waste services | 6 | 3.8 |
| Mining | 7 | 2.9 |
| Construction | 26 | 2.2 |
| Arts and recreations services | 5 | 2.0 |
| Wholesale trade | 7 | 1.8 |
| Administration and support services | 7 | 1.5 |
| Manufacturing | 13 | 1.5 |
| Public administration and safety | 12 | 1.3 |
| Other services | 5 | 1.0 |
| Rental, hiring and real estate services | 1 | .05 |
| Accommodation and food services | 2 | .02 |
| Education and training | 2 | .02 |
| Professional, scientific and technical services | 1 | .01 |
| Health care and social assistance | 1 | .01 |
| Financial and insurance services | 0 | 0.0 |
| Information media and telecommunications | 1 | 0.0 |
| Retail trade | 0 | 0.0 |
| Total | 183 | 1.4 |

Fatality Rate = fatalities per 100,00 workers

| Fatalities by Age Group | | |
|-------------------------|------------------|---------------|
| Age Group | No of fatalities | Fatality Rate |
| Under 25 | 13 | .07 |
| 25 – 34 | 26 | .08 |
| 35 – 44 | 31 | 1.1 |
| 45 – 54 | 33 | 1.3 |
| 55 – 64 | 48 | 2.5 |
| Over 65 | 32 | 1.4 |

WHS Code for COVID-19

A new WHS Code of Practice has provided PCBU's with clear guidance on their duties to consult with workers, health and safety representatives and other businesses in a COVID-19 context. Meanwhile, Comcare has produced a "micro-learn" video on using face masks at work in the pandemic.

Federal Attorney-General and Industrial Relations Minister Christian Porter released the draft COVID-19 Model Code of Practice on 17 September, saying the state and territory governments can adopt it as required, depending on their coronavirus risk levels.

"It's essential that Australian businesses continue to operate safely during these challenging times and the draft model Code provides clear, non-binding guidance on how best to mitigate the risks of COVID-19 entering or being spread within workplaces," Porter said.

According to the 20-page document, there "can be no return to business as usual for many workplaces until there is an effective vaccine or treatment" for COVID-19.

"Workplaces must find a new normal", it says, adding the Code should be read and applied in conjunction with public health laws, the National Cabinet's 10 "COVID-19 safe workplace principles" and Safe Work Australia's detailed COVID-19 Information for workplaces.

"You should keep yourself informed of the public health laws that apply to you, and you *must* always comply with these laws. There may be significant penalties for failing to do so," the Code stresses in bolded text.

"This is the case even if this Code says you should do something else," it says.

Source - OHS Alert

Joint duty holders must consult on shared facilities

The Code outlines the pandemic related WHS duties of PCBU's, officers like company directors, workers, and those that manage and control workplaces.

"A landlord or building manager may be required to implement measures, such as physical distancing, provision of hygiene facilities and cleaning of common areas, to manage the risks related to COVID-19," it says.

On the WHS duty to consult workers directly affected by health and safety matters, the Code notes PCBU's "must consider whether existing consultation requirements are sufficient in a COVID-19 environment".

"For example, if workgroups have been split up into different work crews for the purpose of physical distancing and elected HSR coverage is impacted, then the PCBU should consult with workers (or their representatives) on implementing new consultation and representation arrangements," it says.

On the duty to consult with other businesses with overlapping health and safety duties, the Code says each duty holder "should exchange information to find out who is doing what and work together in a cooperative and coordinated way so risks are eliminated or minimised so far as is reasonably practicable".

"For example, for office-based work, the property owner, property manager and tenants in a building or workplace all have a duty in relation to workers and other persons who enter that office building or workplace," it says.

"Each of these duty holders must consult, cooperate and coordinate activities with the others in relation to managing the risks of COVID-19 in that workplace, such as cleaning of shared facilities (toilets and lifts), determining how lifts will be used, cleaning of stairwells, provision of signage and controlling access to the building."

In the manufacturing and warehousing sectors, PCBU's must consult and coordinate with all service providers they interact with (including delivery drivers and contractors) on cleaning and physical distancing requirements "so that everyone who enters the site understands what is required".

"Duty holders also need to have arrangements in place to advise each other promptly when there is a suspected or confirmed case at the workplace."

The Code warns PCBUs to ensure any adjustments made to workstations, equipment or processes to allow for physical distancing for the pandemic don't introduce new risks. (A recent New Zealand [safety alert](#) said distancing protocols might have contributed to a worker falling and fracturing his shoulder while moving a heavy object.)

The Code also includes sections on emergency plans, key control measures for COVID-19, psychological health and safety risks, and responding to confirmed cases of COVID-19 in the workplace.

Source – OHS Alert

COVID-19 – EU guidance



The European Agency for Safety and Health at work has developed guidelines for COVID-19: Back to the Workplace, Adapting workplaces and protecting workers.

COVID19_EU_guidance%20(3).pdf

Responsibility for contractor mental health

Employers have wellbeing-related duties to contractors and subcontractors and need to think outside the square and build relationships with those who might be suffering from poor mental health, a workplace mental wellness expert says.

In a WorkSafe Victoria [webinar](#) on creating mentally healthy workplaces in the transport, logistics and warehousing industries, [R U OK?](#) board member Graeme Cowan reminds employers that their obligations in this regard apply to both employees and contractors.

This is particularly relevant amidst the COVID-19 pandemic and the second lockdown in Victoria, Cowan said.

Alicia Crabtree, WorkSafe Victoria's strategic programs manager, said that while employers' statutory obligations to maintain a safe workplace

extend to contractors and subcontractors, it is also best practice to protect these work groups.

Having a team approach involving all worker types ensures a consistent approach to maintaining worksite safety, reporting safety issues and addressing concerns, she said.

Five-step mental health tool

Cowan said a five-step process outlined in WorkSafe's [WorkWell Toolkit](#) (<https://www.workwell.vic.gov.au/toolkit>) for transport, logistics and warehousing can help employers create a plan for improving contractors' mental health. It involves:

- Understanding the factors that affect the mental health of contractors and subcontractors in the workplace;
- Understanding what the legislative requirements are when employing contractors and subcontractors;
- Having discussions with contractors and subcontractors to identify risks in the workplace, which involves encouraging them to contribute, talk openly about issues and ask for examples and clarification;
- Making a plan to improve contractors' mental health. Financial wellbeing and budgeting are major issues in the transport industry and addressing them is important; and
- Reviewing the strategy within set time limits, including through engagement surveys and feedback, and ensuring everyone is aware of key contacts and support services available to them.

Melbourne Water was one employer that successfully improved subcontractors' health, after two major contractors recorded the highest total recordable injury frequency rates on the Melbourne Water framework, Cowan said.

The employer held a forum with subcontractors, many of whom were competitors, and created a set of behaviours that drove improvements, he said.

Cowan said this involved employers and subcontractors "leaving egos at the door" for the goal of improving safety.

Mineworker diagnosed with pneumoconiosis



The NSW Resources Regulator has confirmed a 61-year-old mineworker with about 41 years' coal mining experience has been diagnosed with coal workers' pneumoconiosis after working across a range of mines in Queensland and New South Wales.

The regulator said that the mineworker was employed at numerous coal mines in Queensland between 1972 and 2015 including (but not limited to) Moura, Peak Downs, Saraji, Norwich Park, Burton, Isaac Planes and Maules Creek.

“He had worked in underground coal mines for several years at the start of his career. For the remainder of his mining career, he had worked in open-cut coal mines” a statement from the regulator read.

The regulator confirmed in its' report that In 2015, he began working at Maules Creek Mine in north-west NSW, where he remained working until he was certified as unfit for work in September 2019. His unfit-for-work status related to pneumoconiosis and a throat condition arising from an unrelated incident, in which he inhaled fumes from burning coal.”

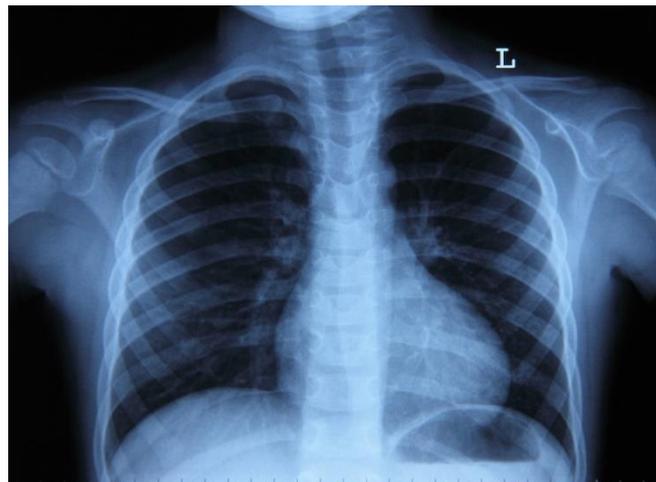
The worker has also been diagnosed with emphysema, which was believed to have been caused by cigarette smoking.

The NSW mine safety regulator has published a full investigation report into how the worker may have contracted the disease. The Regulator has found it is reasonable to conclude the worker's condition is related to his work as a coal miner.

The Regulator has ruled out one incidence of exposure is responsible for the disease state “it cannot reasonably be determined, based on a review of the evidence obtained, whether the worker contracted the disease as a consequence of exposure while working at a particular mine.”

Source – Mine Safety News

QLD Mineworker Mandatory health checks



Queensland will introduce free, mandatory lung health checks for a broad range of mine workers in the metalliferous and quarry sector from today.

While the mandatory health checks (<https://www.amsj.com.au/qld-mineworker-mandatory-health-checks/>) had been previously available for coal mine workers, the health check scheme has been extended to workers in metalliferous mines and quarries.

Changes have also been introduced to align with National Safe Work Exposure Standards for respirable coal dust and respirable silica. respirable coal dust is cut to 1.5 milligrams per cubic metre from 2.5 and from 1 to 0.05 milligrams per cubic metre for silica dust.

Minister for Mine Safety, Dr Anthony Lynham said the protections were the latest in a suite of reforms to protect the health and safety of the state's resources workers.

Safework Australia Occupational Lung Disease in Australia report can be viewed at this site <https://www.safeworkaustralia.gov.au/occupational-lung-diseases>

The Minister had been under fire for his lack of action on the 68 recommendations from the Queensland Black Lung White Lies report. <https://www.parliament.qld.gov.au/Documents/TabledOffice/TabledPapers/2017/5517T815.pdf>

Source – Mine Safety News

Silica and coal dust under tighter limits



Silicosis is a threat to the coal industry.

Queensland's reduction of respirable coal and silica dust limits have taken effect after announcing its commitment late last year.

Workers' exposure to respirable coal dust is now limited to 2.5 milligrams per cubic metres, and silica dust at 0.05 milligrams. This follows Safe Work Australia's recommendation to slash the occupational exposure limits by 40 per cent.

The new limits apply to all Queensland metalliferous mine and quarry workers.

Every metalliferous mine and quarry worker are also subject to free, mandatory lung health checks.

This provides mineral mine and quarry workers with the same health checks as their 37,000 coal mining counterparts who already have free, mandatory respiratory health screening.

It starts once they enter the industry and at least once every five years during their career. The workers are also entitled to free respiratory health checks for life.

Exposure standards for respirable crystalline silica and respirable coal dust halved

The Western Australian Government has taken steps to reduce the risk of worker's contracting lethal occupational lung diseases.

Respirable crystalline silica

Effective 27 October 2020, employers must ensure that the workplace exposure standard does not exceed 0.05 milligrams per cubic metre (eight-hour time weighted average).

Respirable coal dust

Effective 27 October 2021, employers must ensure that the workplace exposure standard does not exceed 1.5 milligrams per cubic metre (eight-hour time weighted average).

Alarming work disease rate found by new silica study

A British Medical Journal-published study of Victoria's assessment program for workers at risk of silicosis has highlighted the systemic failure to identify and control the occupational health risk as it emerged and shows such programs should be adopted by other regions.

The study was conducted by high-profile Monash University researchers, including Drs Ryan Hoy and Deborah Glass, who examined data on the first 239 stone benchtop fabrication workers who completed the secondary evaluation process of the Victorian Government's enhanced health assessment and research program.

In May this year, the Government revealed that at least 78 Victorian workers had been diagnosed with deadly lung disease silicosis since the program was launched (see related article).

The new study, published in BMJ's Occupational and Environmental Medicine, found 86 (36%) of the 239 workers were diagnosed with silicosis, including 21 "with more radiologically advanced complicated silicosis".

A total of 153 workers referred for secondary evaluation were determined to have no signs of a current silica-related disease, but 12 of them had lung features that might be a precursor to the development of silicosis, it found.

The 86 positive cases were identified in a 12-month period, marking "a dramatic increase in comparison to the average of eight silicosis compensation claims per year in Victoria for the previous 10 years", the researchers say.

They point to similarly alarming figures in Queensland, where the State Government's health screening program for artificial stone workers found 98 of the first 400 workers assessed had silicosis.

"Initial results from our study provide an insight into a systemic failure to recognise and control the risk of work with artificial stone," they say.

"Ninety-seven per cent of workers referred for secondary evaluation indicated that they had spent time in an environment where water dust suppression was not used when activities such as cutting and grinding of artificial stone was undertaken.

"Forty-seven per cent of workers spent over half of their work time in an environment where dry processing of artificial stone was undertaken.

"The typical crystalline silica content of artificial stone is over 90 per cent, and not surprisingly, dry cutting, grinding and polishing this material with high intensity power tools can generate extreme levels of RCS [respirable crystalline silica].

"A study investigating dust control measures when a handheld circular saw equipped with a diamond blade was in use noted a respirable silica dust concentration of 44.37mg per cubic metre over a 30-minute period."

(The exposure limit for RCS is an average of 0.05mg per cubic metre over eight hours in most Australian jurisdictions, while the dry cutting of silica-containing products is now banned in most circumstances.)

Accelerated disease of particular concern

The researchers note that half of the 86 silicosis cases had worked in the artificial stone benchtop industry for 10 to 20 years, which appears to reflect the introduction of artificial stone to Australia in the early 2000s and its subsequent rapid increase in popularity.

"Of particular concern, however, are the 22 workers with silicosis who had worked in the industry for less than 10 years; this is consistent with the development of the accelerated form of silicosis," they say.

"Accelerated silicosis is associated with high-intensity RCS exposure, develops over a shorter duration than chronic silicosis and is associated with disease progression even after cessation of exposure.

"Accelerated silicosis has been well described in other occupations where workers have been subjected to very high levels of RCS, including oilfield workers in Texas and, more recently, denim jean sandblasters in Turkey [see related article]."

The researchers say the implementation of programs like the one in Victoria should be urgently

considered in all regions where artificial stone materials are used.

"Identification of silicosis at an early stage is critical to provide an opportunity for interventions that may prevent or slow disease progression," they say.

Identification of early-stage silicosis through health screening of stone benchtop industry workers in Victoria, Australia. Ryan Hoy, et al, Australia, Occupational and Environmental Medicine, online first October 2020, doi: 10.1136/oemed-2020-106897.

Source – OHS Alert

Four signs that mental health is not taken seriously in the workplace.

Black Dog Institute says that with workers returning to the workplace after COVID-19, there is an opportunity for employers to be more accountable in ensuring the health and safety of workers. The Institute says the four signs that mental health is not being taken seriously in the workplace include:

- The employer focuses only on mental health awareness and initiatives like awareness raising morning teas, rather than channelling the momentum generated into something more constructive
- Flexible work arrangements aren't offered, with detriment to workers' work-life balance, which is especially significant in the pandemic
- Workers feel guilty taking a mental health day, which is as much of a reason to take personal leave as a physical illness. Allowing mental health days is a win-win situation for workers and employers, because mentally healthy workers are more productive and take less sick leave. If workers don't feel they can ask for a mental health day, "something needs to change"
- Practical mental health training is not offered. Mental health is now part of Australia's national agenda and accordingly, employers need to implement training and support systems. This will be particularly necessary in a COVID-normal or post-pandemic world, the Institute says

Mental health conditions are costing Australian businesses over \$11 billion dollars each year, its long past time workplaces get serious about mental health.

Occupational Health Society of Australia (WA)



Membership of the Society is open to all those interested in occupational health and safety.

\$100 Corporate membership

\$50 ordinary membership

\$20 student membership.

Simply email

ohswa@outlook.com.au

with your details.

Incorporated in 1978, the Occupational Health Society of

Australia (WA Branch) is a non-profit association which provides a forum for the wide range of disciplines engaged in the occupational health profession in Western Australia.

The aims of the Society are:

- to develop effective occupational health practice within Western Australia
- to encourage awareness by individuals, organisations and other bodies, of the role of occupational health
- to provide a forum for professional contact between persons interested in, and working in, occupational health
- to express an independent, professional viewpoint on all aspects of occupational health considered desirable in the public interest
- to seek the improvement or an extension of the existing legislation for the promotion of safety and health at work
- in order to ensure uniform principles are applied in all occupational activities.

Please contact the Secretariat on ohswa@outlook.com.au regarding membership matters.

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