



ETU OHS NEWSLETTER

SEPTEMBER 2005

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An authorised representative is an employee or officer of a registered employee organisation (such as a union) who has satisfactorily completed a training course approved by Work Safe and holds an entry permit. Entry permits are granted by the Magistrates' Court. They are valid for three years and expire either at the end of the three-year period, or when the person ceases to be a permanent employee/officer of the organisation or the organisation ceases to be registered. An authorised representative can enter a workplace during working hours if they reasonably suspect a contravention of the OHS Act 2004 or the regulations has or is occurring and if the registered employee organisation has the right to represent the workers affected by the suspected contravention. An organisation has

the right to represent workers if the suspected contravention affects or relates to work being done by members of their organisation or workers who are covered by a certified agreement which binds their organisation or workers who are eligible to be members of their organisation and are not covered by a certified agreement which binds any other employee organisation. As soon as they enter the workplace, an authorised representative must take all reasonable steps to produce their entry permit and give a Notice that describes the suspected contravention(s) to the employer who has management or control of the workplace (or any person who has management or control on the employer's behalf -

referred to as the 'manager' and health and safety representatives, if the affected employees are members of a designated work group DWG. After entering a workplace, the authorised representative is able to enquire into the suspected contravention described in the Notice. To do this they can inspect any plant, substance or any other thing at the workplace observe work, talk to employees who are members of, or eligible to be members of the registered employee organization and talk to the employer about anything relevant to the suspected contravention(s). Unless the employer/manager agrees, the authorised representative must not cause work to stop at the workplace. Contact VWA for further info.

OHS Reps Meetings 2005
10am—12pm

22nd September—Shepparton Trades Hall

27th October—Melbourne

17th November—Geelong ETU Office

8th December—Melbourne

ENERGY SAFE VICTORIA

The ESV has been established as a single safety regulator for Victoria through the merger of the Office of the Chief Electrical Inspector (OCEI) and the Office of Gas Safety (OGS). The pipelines safety function of the State Governments Department of Primary Industries (DPI) will also be included in ESV at a later date.

The ESV was established on 10th August 2005 through the

enactment of the Energy Safe Victoria Act 2005. The director of Energy Safety is Ken Gardner. The new ESV structure is a result of an extensive review of Victoria's main energy regulators.

Energy Safety Victoria has the same objectives, functions and powers as OCEI and OGS and will continue to administer the Electrical Safety Act and the Gas Safety Act. Individual contact names and phone numbers

remain unchanged. Have a look at www.esv.vic.gov.au Director of Energy Safety Ken Gardner



SAFETY SWITCH FAILS TO PREVENT AMPUTATION

An unintentional and uninitiated stroke of a power press resulted in an operator having 3 fingers amputated from his right hand. At the time of the incident, the front safety guard was in the fully raised position. The operator was removing a formed component when the press stroke occurred trapping his hand. An inspection of a power press found the safety guard of the press was fitted with a magnetic safety switch. This switch did not prevent the press from operating with the guard open. In relation to power

presses there must be no risk of injury once the guard has been raised and access to moving parts is possible. AS 4024-1996 *safeguarding of machinery* Under general principles it specifies that hazardous plant be guarded by an interlocking physical barrier and strongly recommends that high risk equipment such as power presses have a dual interlocking safety system installed, with consideration of a cross monitoring and

self checking device. This would ensure that a single fault in the control does not lead to a loss of safety function.

The reliance on a magnetic switch alone in this incident was an inadequate safety measure.

This comes as a reminder to all electricians that install and or modify power presses that they conform with the relevant standards associated with power

The Australian Standards AS 1219-1994 Power presses-safety requirements specifies particular requirements for design, construction, operation and maintenance of power stamping presses and brake presses and specifies training and supervision of operators and safe systems of work. AS 4024-1996 safe guarding machinery identifies the hazards and risks arising from the use of industrial machinery and provides guidance in choosing interlocking and correct installation.

OHS PERSON IN FOCUS- CARDIN FLAHERTY

I have been working in the car industry as a maintenance electrician for the past 13 years and the last 5 as an OHSR. One of the reasons that I became a HSR is because we had no safety rep in our department at all, so we had no one to turn to if we were not satisfied with a management decision that effected our health and safety.

One of the biggest obstacles I have experienced was trying to make management understand

that I was not there to screw them over but to work with them to resolve OHS issues that are raised by the guys I represent. There is a lot to gain from taking on the roll as the HSR, there is the off the job training which gives you the skills and confidence to tackle the day to day and major issues that you will face. You also learn how to separate emotion from facts which gives you the ability to clearly focus on

the issue at hand. You soon learn that you are not out there by yourself as you always have people to turn to for support that are outside of work place and by that I mean, Alan Mulvena, Danny Timmers from the ETU, Trades Hall and the work safe hot line. The work place also benefits from having HSR's at our work place we have implemented many changes but the most important one is that

management now know that if they don't keep everything above board I will find out and I will take action.



Cardin Flaherty ETU OHS Rep

OHS ACT 2004 SECTION 73 AND 74

If an issue concerning health and safety arises at a workplace or from the conduct of the undertaking of an employer- the employer or its representative; and the employees affected by the issues or, if there is a DWG in relation to which the issue has arisen, the health and safety rep for that group—must attempt to resolve the issue in accordance with the relevant agreed

procedure or, if there is no such procedure, the relevant procedure prescribed by the regulations.

An employer must ensure that its representative has an appropriate level of seniority, and is sufficiently competent, to act as the employer's representative.

Also the employer must

ensure it's representative is not a health and safety rep.

If an issue concerning health or safety arises at a workplace or from the conduct of the undertaking of an employer; and the issue concerns work which involves an immediate threat to the health or safety of any person and given the nature of the threat and

degree of risk, it is not appropriate to adopt the process set out in section 73 the employer or the health and safety rep for the DWG in relation to which the issue has arisen may, after consultation between them, direct that the work is to cease. (For full details read S 73 and S74 OHS Act 2004)