



ETU OHS NEWSLETTER

OCTOBER 2005

ELECTRICAL WORKERS WANT TO LIVE?

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This may seem to start off in a strange fashion for an article, but the ETU continues to be questioned about some of its' members apathy in relation to OHS.

The ETU has for a long time fought for the safety of its' membership in many forums. It only takes one incident to bring into focus how little we sometimes think of our safety when we are at work.

In two recent incidents, electrical workers could have easily killed themselves at work because assumptions were made or maybe not even considered.

The first incident relates to an electrician who went to perform some testing work on a switchboard (see attached photo).

The board had a top hinged panel upon which were 230V indicator

lights. It has been suggested that the electrician thought the indicator lights were extra low voltage. In the process of testing at the terminal strip at the back of the switchboard, the workers head touched a live terminal on an indicator light whilst his arm completed the circuit on the edge of the metal switchboard. The worker suffered an electric shock.

The second incident relates to a worker who was testing on a switchboard. The switchboard had multiple compartments, some were energised. The cubicle the worker was working in was live to the line side of the circuit breakers. The worker was performing a continuity check and contacted the line side of the breaker instead of the load

side. The resulting electric arc had the worker in hospital for a few days with flash burns.

Both of these incidents were preventable, on both occasions it can only be assumed that the workers made assumptions based on?

Do electrical workers want to live?

The answer is a resounding **YES!**

We have to change the way we work before it's too late. **Work dead or be dead.**



OHS Reps Meetings 2005
10am-12pm

27th October—Melbourne
17th November—Geelong ETU
Office
8th December—Melbourne

WORK SAFE WEEK OCTOBER 23-28

OHS REPS @ WORK INFOADVICESUPPORT...SPEAKING UP TOGETHER

This years annual OH&S reps conference is being held on Wednesday the 26th October at the Royal Exhibition Buildings in Carlton. Like last year the conference has approval from the VWA under the OHS Act (section 69(1)(d) (ii) which means that

employers must allow elected OH&S reps to attend the conference on paid time. The international guest speaker this year is Dr David Walters of Cardiff University, he will be speaking on how consultation works in the U.K and Europe.

Fill out the registration form

provided and register as soon as possible, fax it in to the number on the registration form, you must give your employer at least 14 days notice prior to the event of your intention to attend. If you have problems attending the conference contact the ETU.

OHS REPS MELBOURNE MEETING AUGUST 2005

The Bi Monthly Melbourne meeting for ETU OHS reps was held on the 25th August at the ETU Offices. Over 30 OH&S reps attended the meeting Chaired by Allan Mulvena. Reports were tabled from Allan regarding various safety topics and concerns throughout the industry. An item raised by Allan was the changes to the legislation to now allow the election of deputy OH&S reps. David Rich from Work Safe also gave a report on the responsibilities of employers of Labour Hire workers under the

new Legislation.

Chris Murray from PDL also gave a display of new products that will be introduced into the industry in the near future.

Reports were tabled by the OHS reps of incidents that had occurred on their worksites in the past two months and how they resolved the issues. Of major concern was the increase of concrete cutting incidents where Live cables

have been cut into and or dug up, luckily with no fatalities. A common factor identified was the lack of a JSA prior to the works being commenced by the contractors. The reps were encouraged to contact the OCEI and Work Safe in the future when these types of incidents occur.

The next OH&S Reps meeting for Melbourne is scheduled for Thursday 27th October starting at 10.00

All OH&S Reps are invited to attend the meeting.

OHS Reps at the Last Melbourne meeting in August.



REVIEW OF DECISIONS BY WORKSAFE AUTHORITY

The 2004 OHS Act has provisions of review of decisions (Part 10).

OH&S Reps are entitled under the internal review process to make an application to the Authority within 14 days, in writing, of a decision being made by an inspector. Once an application is made the authority must make a decision to either affirm or vary the reviewable decision or to set aside the reviewable decision and

substitute another decision that the Authority considers appropriate. Once the Authority has made it's decision it must give written application to the applicant setting out the reasons for the decision and the findings on material questions of fact that led to the decision, referring to the evidence or other material on which those findings were based. The Authority must notify the applicant in

writing within 14 days after the application is made, if the Authority has not notified an applicant of a decision in accordance with the Act the Authority is taken to have made a decision to affirm the reviewable decision.

Recently an OH&S Rep of the ETU tested the process available under the Act and had a decision changed. It is important for Reps to

understand the time frames for the review process and if any decisions are made and the Rep is not happy with the decision, they should contact the ETU OH&S Safety Officer for further assistance.

Information regarding the review of decisions can be found in sections 127 to 129 in the OHS Act 2004.

OHS PROSECUTION-COURT OF APPEAL TRIPLES AMCOR FATALITY FINE

Whilst the ETU OHS Reps Newsletter rarely reports on matters that have been before the court. We believe that it is newsworthy to report on the outcome of a court case where the Court of Appeal has tripled a fine. The following is a summary of the article on the Workcover web site. For the full article go to <http://www.workcover.vic.gov.au/vwa/media.nsf/InterNewsRelease?OpenView>.

The Victorian Court of Appeal today fined paper-making company, Amcor Packaging (Australia) Pty Ltd, \$360,000 after the death of worker Darren Moon in March 2003.

The fine triples the penalty originally imposed on Amcor by the County Court last year, which was described at the time as "manifestly

inadequate" by WorkSafe before being appealed by the Director of Public Prosecutions.

Mr Moon was 29-years-old when he died after being caught in an unguarded paper-making machine at the company's Fairfield plant. Amcor pleaded guilty to two charges laid under the Occupational Health and

Safety Act (1985).

The machine which killed Darren Moon had been unguarded since 1966.

Despite a series of risk assessments there was no serious effort to respond to the warnings in those assessments.

Guards were only fitted after the fatality.