

# the monitor

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



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## Vice President's Report



The Occupational Health Society (WA Branch) has been providing educational information to its members, and other interested people, this year. Our next event will be on the 29<sup>th</sup> of June 2023. There is information about this event on the last page of this edition of the Monitor. If possible, please attend and encourage people that you know to attend. Dr Faiza Owais, who works for Rio Tinto, will be talking about the results of her research and describing ways to make mobile plant operation safer. Dr Martin Ralph, who works for the Department of Mines, Industry Regulation and Safety (DMIRS), will be discussing his research results & recommendations for managing naturally occurring radioactive materials.

I found Owen Whittle's presentation at our April event informative. One of the topics that Owen spoke about was the Union's role in promoting updating by DMIRS the Guidance Note for Working Alone. This guidance note mainly considers people who work in isolation. A group of people who are being put into hazardous situations are Healthcare workers who visit people in their own homes. Some of the people visited may have mental health issues, pets who can attack, or an unsafe home environment. This guidance note is being updated to include people like this who, although they are not isolated, are working in homes and other places without their peers being with them.

We have also been updating our website with the help of Clue Digital Commerce Agency Perth. Along with the power point presentations for the February event is a power point presentation on *Workplace Safety Enablers and Barriers* in many different countries. This presentation was given at World Safety Day in Indonesia. Our web address, if you would like to view this presentation, is [www.ohsociety.com.au](http://www.ohsociety.com.au)

# BIOGRAPHY

## Rob Loermans

### Occupational Health Society Secretary



Rob is Certified as a Generalist Work Health and Safety (WHS) Professional (CWHSPProf) by the Australian Institute of Health & Safety (AIHS). He is a WHS Management Professional with over 25 years of experience acquired from maintaining Occupational Health Nursing / Medic and WHS Adviser / Compliance Specialist / Coordinator / Deputy Superintendent / Manager / Consultant roles in the health, mining, manufacturing, transport / logistics, oil and gas, onshore / marine construction, and engineering industries.

Prior to becoming an Occupational Health Nurse / WHS Management Professional Rob was a Registered General Nurse for 10 years specializing in Rural / Remote Nursing and Men's Health.

Rob holds a Postgraduate Diploma in Occupational Health and Safety Degree in Nursing, Graduate Certificate in Men's Health, and is formally qualified / certified in Risk Management, Lead Auditing, Workers Compensation and Injury Management, Incident Investigation, and Training and Assessment.

Rob loves getting out and about in the great outdoors with his wife bushwalking / hiking, camping, and bike riding. He also enjoys water sports and regularly ocean swims, snorkels and Scuba Dives. Wherever possible Rob and his wife combine their love of the outdoors with travel to exotic locations.

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## IN EVENTS

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### MANAGING PSYCHOSOCIAL HAZARDS

On the 24th December, 2022 Regulation 55 for Psychosocial Risk Management came into force in the Work Health & Safety (General and Mines) Regulations in Western Australia. To provide information relevant to this Regulation the Occupational Health Society had a presentation on this topic at 72 Outram Street in West Perth, Western Australia, on Thursday 23<sup>rd</sup> of February 2023 for people who could attend in person. There were 9 people who registered to attend in person and 28 who registered to attend online (total of 37 attendees). Having the presentations online enabled people who lived away from Perth in Australia to attend. There were also people from Austria, Czech Republic, Lebanon, New Zealand, Philippines and Saudi Arabia registered to attend as the event was advertised by the World Safety Organisation for people internationally to learn about what is being done in Western Australia to manage psychosocial hazards, and risk control measures.

The first presenter was Dr Sherrilyn Mills from the Healthforce Group. Sherrilyn has been involved in Workers' Compensation, Injury Management, Vocational Rehabilitation and Occupational Health and Safety since 1997 and spoke about her experiences in investigating psychosocial factors, effects of psychosocial factors on people, and psychosocial hazard causes related to leadership, organisations, other workers, and individual factors. Information was provided about company culture and how this affects people either positively or negatively in relation to behaviour at work, to employees with injuries with a psychosocial component and to employee return to work. Sherrilyn's PhD research findings on the need to implement preventative actions for psychosocial hazards, and the preventative and risk control measures identified through her research, which she is using when working as a consultant to assist companies to care for their workers and to enable employees to return to work, were described and illustrated with practical examples. It was highlighted that in 2023 psychosocial legislation and psychosocial codes of practice are not the same for all Australian States and Territories. For example, only the Northern Territory has poor management of return to work plans for injured workers as a psychosocial hazard, only the Australian Capital Territory has poor recovery support, and only Western Australia has fatigue as a psychosocial hazard that requires risk control measures.

The following presenter was Dr Ivor Roberts who is the Executive Director Regulatory Support Directorate in the Safety Regulation Group at WorkSafe in the Department of Mines, Industry Regulation and Safety. As well as coordinating the development and implementation of the new Work Health and Safety laws for Western Australia he has been involved in the establishment of the interagency Mental Awareness, Respect and Safety (MARS) initiative to proactively address health, safety, and wellness issues within the mining industry. Dr Ivor Roberts opened his presentation by describing the sexual harassment problems in the mining industry and what is being done through the MARS program to control this hazard. Key strategies described included creating mentally healthy workplaces. Building a culture of safety and respect and preparing for workplace safety in future mining. Organisations involved in working to achieve this were reported as the Department of Mines, Industry Regulation and Safety, the Mental Health Commission, the Department of Communities and the Equal Opportunity Commission. Research being conducted and the outcomes, community led initiatives, Mental Health Commission led initiatives, and research grant programs related to this work were described.

Both presentations were excellent, and the presenters were asked questions related to their presentation by interested online and in person attendees. The evening ended with opportunities for networking with food and drink provided for the people who attended in person.

The following photographs were taken on the evening.



Photos 1+2 Dr. Sherrilyn Mills. Photo 3 Dr Ivor Roberts and Les Vogtiazakis. Event photos provided by Les Vogtiazakis.

## **WORKPLACE HEALTH & SAFETY**

On the 27<sup>th</sup> of April the Occupational Health Society had an educational and networking event at the Western Australian Police Historical Society (WAPHS) meeting room. All people who attended this event attended in person and were greeted by 2 French-bull dogs, Wendy, and Charlie, who also attended. The event commenced at 5pm with Dave Lampard providing a tour of the Police Historical Museum. The main attraction for anyone interested in Western Australian Police History is the heritage listed 1897 Highgate Hill Police Station, the first police station built north of Perth. The station is set up to represent what a small police station would have been like in the 1920's. Then there is the 1906 Highgate Hill Police Station Officer in Charge Quarters. From 1906 to the early 2000's the building has proved numerous policing activities and since 2003 has housed the main area of the Police Museum. Finally there was the 1941 Water Corporation Ventilation Stack, a total flop (folly). Designed to swirl sewerage odour away from the residential area it actually served to compress the build-up of stench, so in a way an occupational environment issue. The WAPHS has further paintings and photograph displays there and use it for meetings and events. The Police Museum is open for visits every Tuesday and Friday.

This tour was followed by Owen Whittle from Unions Western Australia holding an interactive discussion for just over an hour, with the people who attended, about the Union's influence on the Western Australian work health and safety practices, legislation and previous problems with the regulator which had been addressed with union support.

After this Lance Keys, Principal Safety Health & Security - Group Discovery & Geosciences at Anglo American, provided a safety share and talked to the attendees about a fatality that occurred due to bee stings. The fatality occurred in South Africa. Lance had investigated this incident so was able to describe the incident in detail and provide the results of his investigation. More information on this incident is provided in the following article. Lance provided all participants with a fact sheet on the safe use of epi-pens which he had written, and which has been used by his company since it was developed. Lance showed us a container used as a safe way to transport and store epi-pens for climates that were very hot or very cold, showed an epi-pen and provided the information that the dose administered from an epi-pen only lasts for 15 minutes. From the Museum Dave then showed a police vest that was developed to allow police offices to have ventilated high visibility vests for hot summer days. A problem with this vest was that it was wattle yellow coloured and attracted bees. The vest had to be made in another yellow colour to protect police officer. Other bee safety stories were then shared by the people who attended the event.

Dave had purchased some good food from Costco which was shared by the people who attended this workplace health and safety event. Participants stayed talking, eating, and drinking until 8pm then went home. Both speakers were very good. The evening was educational and enjoyable.



Western Australian Police Historical Museum. (Photo provided by Dave Lampard). Centre: Les Vogiatzakis & Owen Whittle, and Right: Les Vogiatzakis & Lance Keys. (Photos provided by Les Vogiatzakis)

## **BEE SAFE**

**This Safety Share was provided by Lance Keys and discussed by Lance and the people who attended the Occupational Health Society event on the 27<sup>th</sup> of April 2023.**

### **INCIDENT**

On the 12<sup>th</sup> of February on a mine in South Africa a Tractor Loader Backhoe (TLB) disturbed a beehive under a guardhouse which caused bees to attack, in mass. A Tyre Fitter (deceased) and his Assistant (survivor) were nearby, within 15 metres, while they prepared to relocate the guardhouse. The Tyre Fitter was quickly engulfed by bees, inches thick over his upper body. The Tyre Fitter and his Assistant attempted to seek refuge, first in the guardhouse but it was locked, then several vehicles, before retreating to their truck. The Tyre Fitter drove off in his truck with doors open, likely to blow away the bees, however the doors closed as the truck gained momentum. The Tyre Fitter lost consciousness after driving 1.8kms. The Assistant, seated in the passenger seat, also lost consciousness but survived due to covering his upper body with his jacket hoody limiting his exposure to the bees.

### **RISK MANAGEMENT LESSONS LEARNT**

- Hazard reports, incident reports and pest control activity reports relevant to known natural hazards (bees, snakes, scorpions, etc.) must feed into a centralized reporting system to improve risk analysis and data trending.
- Natural hazards in the workplace (insects, spiders, animals, terrain, and weather) can present a substantial risk and it is critical to consider the potential magnitude and increased consequence of the threat. A Subject Matter Expert (SME) must be engaged when the magnitude of the hazard can't be quantified with high level of confidence.
- The South African Honeybee has been introduced to numerous countries around the globe. When assessing the hazard of bees, it is important to consider seasonal risk factors including flowering crops, farming, and nesting opportunities as the risk exposure can vary significantly at different times/ seasons.
- Employee communications relevant to bees, such as inductions, seasonal safety topics, and lessons from incidents, must communicate the importance of reporting the presence of bees and the appropriate response to bee encounters.
- Spraying water over the bees had a good effect, limiting the bee's ability to fly and washing off the pheromones given off by bee stings. This allowed emergency responders to access the casualties as well as shielding responder personnel.
- Wearing a long-sleeved shirt, long pants, and the ability to cover the upper body (head, face, and neck) had a significantly better outcome for the individuals involved.
- Running away from bees in a straight line is recommended. The danger zone can be up to a 1km radius when bees are attacking.

- Emergency responders to bee related incidents to have access to a bee suit and backup water supply. Emergency responders must be trained to administer and have immediate access to Epinephrine (Epi- Pen).
- Known high risk individuals (i.e., sensitivity to bees) should not be involved in bee related activities, such as hive removal and responding to bee incidents.
- There is a misconception that a previous non- reaction to a bee sting means no future serious reaction to subsequent bee stings. Any bee sting has the potential for a life-threatening reaction.
- A previous serious reaction to a bee sting will almost certainly result in a more serious reaction if stung again. People with a known sensitivity, previous serious reaction, must always carry appropriate medication during bee season.
- All persons working outdoors and potentially exposed to bees must wear long sleeves, long pants and have immediate access to a head net.
- Pest Control: Anyone removing beehives must be formally trained and authorized. All hive removal must be reported centrally and include location, date, and size for analysis.



**EXPERT INFORMATION related to this event provided by Professor Robin Crewe Zoologist at Pretoria University to the company following this event.**

- Cutting grass tends to aggravate bees due to the “volatiles” released.
- Early removal of the hive will reduce the risk as bees will become more defensive/ aggressive as the hive matures and of course there are many more bees available to attack. By the end of the season the bee colonies are mature and strong.
- Vibrations and odours do aggravate bees. The Tractor Loader Backhoe scrapping the ground within meters of the guardhouse was the most likely trigger for the attack that occurred on the 12<sup>th</sup> of February.
- Mass attacks are a characteristic of the South African Honeybee. There have certainly been many attacks, but they go unreported unless fatal. Pets are more regularly attacked.
- Defensive behaviour is a key characteristic of the South African Honeybee and the reason they get referred to as Killer Bees.
- Bees have highly developed smell. The first sting marks the victim with the released pheromones.
- Spraying of water over victim not only prevents bees flying but rinses off the pheromones which lead bees to the victim.
- The material our structures are made of is not so relevant. However, wood is not favoured by bees. Bees like cavities. Important to close the cavity once a hive is removed as bees will opt for an old hive location.
- Bees don't favour any particular colour, but they do look for contrast and movement when looking for a target. Lighter colour clothing is best to blend into the background and black should be avoided. Put an obstacle between you and the bees.
- These bees and this risk is present from Limpopo through to Kenya as well as South America. Wherever the South African Honeybee has been introduced.
- There is a danger zone of 1km radius when the bees are attacking.
- You can be tested for sensitivity, but this is very unreliable. Immune system response is unpredictable.
- Bees in an aggressive state don't just fly around as normal but they bump into you like they are intoxicated. If a bee flies into you this should be a warning that bees could become aggressive.
- Rule should be “Run like hell.”

### Court orders New York city to reinstate unvaccinated employees, give backpay

The New York State Supreme Court ruled that New York City cannot fire employees for not getting vaccinated against COVID-19.

The city was ordered by to reinstate all fired employees and give them backpay, citing the fact that being vaccinated against COVID-19 does not stop a person from catching or spreading the virus, and therefore being vaccinated does not grant enough community-wide benefit to warrant a mandate. The health commissioner “acted beyond his authority” by issuing an indefinite vaccine mandate rather than a temporary one, according to the court.

Adams said earlier this year his administration would not bring back workers who had been fired due to being unvaccinated. Roughly 1,400 workers were ultimately let go, including a number of firefighters and police officers. Adams came under fire for not allowing an exception to the mandate for those workers after he granted one to celebrities who were competing in sports or putting on performances in the city.

“States of emergency are meant to be temporary,” the court said in its ruling. “The question presented is whether the health commissioner has the authority to enact a permanent condition of employment during a state of emergency.” The court ultimately found that the commissioner did not have that right.

Many COVID-19 vaccine mandates were put in place based on the rationale that the vaccines could drastically reduce the chances of a person becoming infected or transmitting the virus if they were infected, so getting vaccinated was not only a benefit to the individual getting the shots, but everyone around them.

However, as more data emerged to indicate that the vaccines are only marginally effective at stopping spread, particularly against newer variants of the

virus, that rationale became less convincing. The New York Supreme Court pointed this out in its decision, saying “being vaccinated does not prevent an individual from contracting or transmitting COVID-19... the Petitioners should not have been terminated for choosing not to protect themselves.”

Source: The Daily Caller, 2022

### WA: New psychosocial hazard regulations in force

Work health and safety regulations that require businesses to eliminate psychosocial risks (or to minimise them so far as is reasonably practicable) came into effect in Western Australia (WA) recently. This places psychosocial hazards on the same footing as other significant hazards such as falls or operating machinery. Persons conducting a business or undertaking (PCBUs) have existing duties to manage psychosocial risks under the primary duty of care in the *Work Health and Safety Act 2020*. However, these new regulations, which came into effect on 24 December 2022, form part of the McGowan Government’s response to the report *Enough is Enough, sexual harassment against women in the FIFO mining industry*.

“Psychosocial hazards are just as important as physical hazards and must be dealt with in the workplace, so it’s an important step to have regulations specifically covering mental health issues,” said WA Mines and Petroleum and Industrial Relations Minister Bill Johnston. “The regulations will help industry to better understand the requirements for managing psychosocial hazards and will also ensure that the regulator – in the form of WorkSafe inspectors – can enforce those requirements. “The Commission for Occupational Health and Safety has released various codes of practice to provide guidance on the laws, including the [Code of practice – Psychosocial hazards in the workplace](#) which should be present in every WA workplace.”

Source: AIHS, 2023



### Water bottle safety



Image: Australasian Mine Safety Journal, 2023

SafeWork South Australia (SA) issued a warning after an incident in which a fire started after clear plastic water bottles were left in the sun at a South Australian mine site. The bottles were left out in the sun on a pallet in January.

In subsequent investigations, the likely ignition source was identified as sunlight, which had refracted through the clear bottles, causing them to melt. The melted bottles partially burnt the cardboard and wooden pallet, however the fire was promptly extinguished before being given a chance to spread or cause injury.

Fire risk caused by refracted light is particularly well documented in the mining industry; 29 incidents have been reported to WorkSafe Mines Safety since July 2020, and most incidents involved clear plastic water bottles left in direct sunlight.

SafeWork SA advised the following for workplaces:

- Unload and store bottles containing clear liquid in an undercover or shaded area where sunlight is unable to shine through the bottles
- If transparent bottles containing clear liquids are exposed to direct sunlight, ensure that they are covered
- Ensure that clear drink bottles in vehicles are stored away from direct sunlight.

Source: AIHS, 2023

### Safety alert issued about fires on battery-powered tools

The New South Wales (NSW) Resources Regulator recently issued a safety alert following a number of incidents in which portable tools that use lithium-ion and lithium-polymer batteries caught fire.

Lithium-ion and lithium polymer batteries provide high levels of energy and are the favoured source for portable tools. Unfortunately, when batteries and battery charging equipment are not used according to the manufacturer's safety directions, the risk of fire or explosion is introduced. If batteries are over-charged, damaged or abused (dropped, crushed, pierced, exposed to high temperatures or subjected to vibration), they can enter a state of 'thermal runaway' the alert stated. This can lead to the battery cells rupturing and fire, which results in either a toxic vapour cloud and explosion, or complete destruction of the battery.

The NSW Resources Regulator stated the following recommendations in regards to lithium-ion batteries:

- Use the correct charging equipment for that particular battery, as recommended by the manufacturer.
- Ensure spare batteries are not exposed to the risk of physical damage or short circuit of the connecting pins during transportation of spare batteries.
- Short circuit of battery connections can also be caused by exposure to water, therefore keep batteries away from any water.
- Batteries should not be exposed to temperatures greater than 50 degrees Celsius. Temperatures inside a vehicle can be much greater than outside temperatures. For example, the internal temperature of a vehicle left with windows up with an ambient temperature of 35 degrees Celsius can reach 60 degrees Celsius in 60

minutes. The temperature in an open-cut mine in full sun can be up to 10 degrees Celsius higher than surface temperatures.

Source: AIHS, 2023

## More than 150 limbs or digits lost in workplace incidents

Employers were recently urged by WorkSafe Victoria to make sure that all machinery has adequately guards and is operated safely in order to avoid the risk of life-changing amputation injuries.

There were 137 claims accepted by WorkSafe for amputation injuries in the workplace in 2022. More than 150 body parts were amputated, including at least 127 fingers or thumbs. One third of all amputation claims were for digits either severed while using a saw or crushed or caught in machinery.

Amputations were seen most commonly in the manufacturing industry, with 45 per cent of claims and construction comprised 15 per cent of claims. Labourers comprised 51 of the accepted claims, tradies were represented in 37 claims and production and transport workers in 31 claims.

- WorkSafe executive director of health and safety Narelle Beer said that employers needed to do more to ensure workers were kept safe from the risk of traumatic injuries due to unsafe work practices: “The staggering number of workers who have lost limbs and digits from preventable incidents is simply unacceptable. Employers need to ensure safety guards are fixed to machines at all times, and that staff are appropriately trained and supervised to undertake all tasks safely”, she said.
- In 2022, courts imposed fines and court costs against companies in eight WorkSafe prosecutions after workers sustained amputations totalling \$256,094.
- Charges against nine other Victorian employers for alleged breaches of the *Occupational Health and Safety Act* that resulted in amputation injuries remain before the courts and 24 matters involving amputations are currently being investigated by WorkSafe.
- A Heidelberg cheese factory was fined \$50,000 after two workers lost fingers to the revolving blades of a blender in separate incidents in 2019. The court heard that it was reasonably practicable for Australian Dairy Packaging Pty Ltd to have a

lockout/tag-out procedure to prevent the blender from being switched on during cleaning.

- Heyfield timber manufacturer Australian Sustainable Hardwoods Pty Ltd was fined \$30,000 after a worker lost four toes when his foot became stuck in a conveyor motor’s chain and sprocket as he attempted to put a timber board onto a conveyor belt. The court heard that there was an absence of guarding on the motor.
- In August, a Dandenong South steel manufacturer committed to a \$210,000 enforceable undertaking after a 2019 incident where a worker had three fingers partially amputated when they were caught between rollers as he fed a metal bar through a machine used to bend steel.

Source: Safe to work, 2023.

## Avoiding forklift accidents



Image: Health and Safety Handbook, 2023

Risks associated with forklifts have prompted WorkSafe Victoria to issue a press release regarding the common vehicles used to lift equipment. Although extremely useful, forklifts are one of the most hazardous pieces of equipment found in the workplace. Forklifts are implicated in more workplace injuries and deaths than any other type of equipment, yet this can be avoided if employers put safety first and ensure their machinery and systems of work are fit for purpose.

In 2022, there were 142 claims accepted by WorkSafe where the cause of injury was a forklift incident. The transport, postal and warehousing industry accounted for the most claims (45), followed by manufacturing (35) and wholesale trade (32). Over half the claims were from forklift operators. There were 26 serious injury claims for pedestrians being hit by forklifts and 23 claims where operators were injured getting on and off forklifts. Poorly-secured loads injured 9 people

when the load fell off the forklift and five people were injured when forklifts tipped over.

Eight people died as a result of forklift incidents in the workplace in the past four years, including being hit by forklift loads, falling from raised cages, and forklifts tipping over. WorkSafe Executive Director of Health and Safety Narelle Beer said it was extremely disappointing to see so many employers fail to control the well-known risks associated with forklift use.

"Even a slow-moving forklift can injure or kill yet too many employers are still failing to implement traffic management plans that separate forklifts from pedestrians with physical barriers, pedestrian exclusion zones, traffic lights and signage," Dr Beer said. "Safe practices such as wearing correctly fitted seatbelts, using reversing cameras, adhering to load capacities and ensuring that only licenced workers operate forklifts will also reduce or eliminate risks for operators and others in the workplace." Dr Beer warned WorkSafe had a zero tolerance approach when it came to forklift safety.

Thirty-two matters involving forklifts are currently being investigated by WorkSafe. Nine employers are currently before the courts for alleged breaches of the Occupational Health and Safety Act through the unsafe use of forklifts, including a workplace manslaughter charge against the Director of a stonemasonry business following the death of a sub-contractor in Somerton. He was crushed when a loaded forklift operated by the Director on a sloping driveway tipped over and landed on him.

In 2022, fines totalling \$697,500 were imposed by the courts against Companies and Directors in 11 WorkSafe prosecutions involving forklifts.

These statistics emphasise how important it is to consider how forklifts operate within the workplace. In particular, the following should be considered:

- Ensure that only competent and licensed workers operate a forklift
- Ensure appropriate speed limits and that the speed of the forklift is appropriately governed
- Ensure that all operators comply with the wearing of seatbelts at all times.

Source: AIHS and Health & Safety Handbook, 2023

## Heavy lifting has heavy repercussions

***WorkSafe VIC v Group Manufacturing Victoria Pty Ltd (2023)y. Case law.***

Group Manufacturing Victoria manufactures and installs benchtops at private residential and commercial properties. On 18 November 2019, two of the company's employees were tasked with attending a site to install eight vanity benchtops. The largest benchtop weighed approximately 250–280 kilograms. Using a utility vehicle provided by the company, the employees were tasked with transporting, unloading, and installing the benchtops. The work required the employees to apply great force to lift the slabs, raise and lower them to and from varying heights, while operating in awkward, confined spaces and on uneven and slippery surfaces. The employees called for the company to dispatch a third person to assist. After waiting for hours, the employees attempted to complete the work without the assistance of a colleague. While unloading the slabs, a slab fell off the A-frame in the utility vehicle and landed on the employee. The employee's back was crushed by the weight of the slab. The employee was seriously injured and will be in a wheelchair for the remainder of his life.

### **The Verdict**

The company pleaded guilty to breaching section 21 of the *Occupational Health and Safety Act 2004* (Vic). In finding the company in breach of its obligations, Magistrate Stuthridge noted that safe manual-handling requirements are long-established, and the company must have been aware of them. Furthermore, the company had fostered a culture where employees were pressured to complete their tasks, even if that meant contravening health and safety requirements, under threat of losing their jobs, and ridiculed if they complained about the lack of mechanical aids. The company was fined \$85,000 and ordered to pay costs of \$4,606.

### **The Lessons**

This case is a reminder to employers that where possible they should eliminate the need for manual handling. The Court was critical about the employer's approach to safety and the company's safety culture prior to the incident.

Source: Health and Safety Handbook, 2023

## MISSING RADIOACTIVE CAPSULE FOUND



Image: The Guardian

Rio Tinto Ltd apologised for the loss of a radioactive capsule which went missing while being transported along a 14,000 km route between Newman and Perth. The capsule, which was about the size of a ‘tic-tac’, was believed to have fallen from a truck after a gauge used in equipment in the mining industry was broken. The main concern was that the capsule contained caesium-137, which can cause radiation burns and sickness. Standing within a metre of the capsule would deliver the equivalent radiation of 10 X-rays in an hour. The lost item was classed as a “significant public health risk” by authorities. There are annual occurrences of lost, stolen or found radioactive sources according to the Australian Incident Register, with one incident in 2020, 6 incidents in 2019, one in 2018, 4 in 2017 and 15 incidents in 2016.

### Radiation sickness

Radiation sickness, also known as acute radiation syndrome, is a life-threatening condition that results from significant exposure to ionizing radiation. The symptoms of radiation sickness depends on the amount of exposure to radiation. The set of symptoms, however, appear in a predictable order.

The severity of radiation sickness is dependent on the dosage of radiation received and how long the exposure period was. Being exposed to a high, single dose over minutes or hours does more damage than several smaller doses given over weeks or months to a small area of the body (such as with cancer therapy).

While radiological or nuclear emergencies that result in radiation sickness are rare, they can involve significant numbers of people. For example, after the Chernobyl nuclear power plant disaster in 1986, approximately 6,000 children developed thyroid cancer. Another incidents of significant radiation exposure occurred in August 1945 after two atomic bombs were detonated over Japan, causing around 110,000 deaths from the immediate blast. Around an additional 1,000 people died over the course of 70 years after the detonation due to radiation-induced cancer.

Following exposure to a high dose of radiation, a person must be decontaminated. Furthermore, others who are near the exposed person are also at risk of radiation exposure. For example, people who respond to nuclear emergencies, are at a much higher risk of exposure from other people. First responders to nuclear emergencies, are at higher risk of exposure to other people.

Source: Cleveland Clinic, 2023

## Mould at work

Moulds (also called molds, fungi or mildew) are organisms that belong to the fungi kingdom and are neither plants nor animals. They are commonly found both indoors and outdoors. They are an important part of the ecosystem, as they break down and recycle organic matter such as dead leaves. Moulds multiply by producing very small spores. These are carried in the air, and if the spores land in a place which provides moisture and a food source, they may start to grow. Mould can develop on a wide range of surfaces, such as wood, paint, walls, fabric, paper and soil. Severe mould growth can cause structural damage to buildings. Mould growth indoors can present a health risk in some cases.

- **To reduce the risk of mould growth, as well as the release of other pollutants, excess moisture indoors should be avoided.**
- **Any mould or dampness could be a health risk and should be removed as soon as it is observed.**
- **Scrubbing is the most important component of mould removal it physically removes mould spores and prevents regrowth.**

Mould and dampness in homes may cause health problems. Indoor mould and dampness can also cause unpleasant odours and damage to building materials, contents and structures, which can lead to expensive maintenance or management costs.

Sources: DMIRS, 2023; Department of Health Western Australia, 2022

## Safe Work Australia asked to look at regulations needed to ban engineered stone over silicosis risk

Lung Foundation Australia are facilitating the development of the National Silicosis Prevention Strategy (NSPS) 2023-2028 and accompanying National Action Plan (NAP), on behalf of the Australian Government Department of Health and

Aged Care. This is the first national plan designed to prevent and ultimately eliminate silicosis as an occupational disease in Australia. It outlines a coordinated, national approach to silicosis prevention that engages key stakeholders in its active implementation. The NSPS and NAP are in response to Recommendation 3a of the National Dust Disease Taskforce's Final Report to Minister for Health and Aged Care. As part of the consultation process, we are seeking as many stakeholders as possible including people impacted by silicosis and/or silica dust exposure.

Federal Workplace Relations Minister Tony Burke says he and his state and territory counterparts have asked Safe Work Australia to consider what a future ban on engineered stone would look like and that the group will make a decision on prohibiting it at a later stage.

The group of workplace health and safety ministers met on Tuesday to discuss whether to ban the stone because of the risk to people who work with it of developing silicosis.

Silicosis is an incurable lung disease caused by breathing in tiny particles of silica, or crystalline silica, which is a particular risk for workers to cut or file engineered stone.

Engineered stone is a popular material used for benchtops in kitchens and bathrooms and can contain high levels of silica.

Mr Burke said ministers unanimously agreed to begin the steps toward implementing a national ban but admitted the process to change workplace health and safety laws "doesn't move quickly".

"We have now tasked Safe Work Australia to do the work to scope out what regulation is required for workplaces that deal with silica dust and to scope out, specifically, with respect to engineered stone and engineered stone benchtops to do the work starting now, on what a ban would look like," he said.



Image: ABC News

"People would be aware that not all engineered stone is at 97, 98 per cent silica; there are some forms that are at much lower levels of percentages and therefore present a much lower risk; somewhere the risk is no different to natural stone.

"And then to also scope out how you can have a nationally consistent licensing system for whatever remains as being viewed as safe to be on the market. In order for there to be a ban, this work from Safe Work Australia needs to be done."

Mr Burke said the group agreed to meet again in six months but would pull the meeting forward if the report from Safe Work Australia was ready before then.

While he sought to reassure people who had engineered stone benchtops that there were no health concerns while they were in place, Mr Burke did flag Safe Work Australia had also been asked to look at how to deal with material that needed to be moved or demolished in the future.

### **Union to ban material next year**

The national construction union has also called for engineered stone to be banned, describing it as a death sentence for Australian workers.

The CFMEU said nearly one in four workers exposed to silica dust before 2018 have been diagnosed with silicosis or other related diseases. National secretary Zach Smith said the union was "heartened" by the announcement from the ministers' meeting. "But we won't rest until the ban is implemented," he said.

"Workers' lives depend on this ban being implemented in a timely manner. We have said that

if this ban is not implemented by 1 July 2024, our union will not sit idly by, we will implement our own workplace bans."

Mr Burke said unions and organisations would make their own decisions about what they did within the law.

"Some suppliers will start to look now and how they can get lower levels of silica into benchtops or how they can look for alternatives for people's kitchens and bathrooms," he said. "So a whole lot of adjustments will be made straight away."

Source: ABC News, 2023

## **WorkSafe lays charges over failure to provide documents relating to sexual harassment**

WorkSafe has commenced prosecution action against mining company Fortescue Metals Group (FMG) for failing to supply documents relating to 34 cases of alleged sexual harassment at their mine sites.

FMG has been charged with 34 counts of refusing or failing to comply with a requirement to provide documents to a WorkSafe inspector within a specified period without a reasonable excuse. The documents relate to cases of alleged sexual harassment at three mining operations – Christmas Creek, Solomon and Cloudbreak.

The *Work Health and Safety Act 2020* gives WorkSafe inspectors the right to request that documentation be received within a specified time period unless the person in charge of the business or undertaking has a reasonable excuse for not supplying the documents. The case has been listed for mention in the Perth Magistrates Court on March 17, and the company is yet to enter a plea to the charges.

Source: Commerce WA, 2023

## Equipment hire company and director fined \$1.14 million over excavator death

A Darwin equipment hire company and its director have been fined a total of \$1.14 million after a worker was killed loading an excavator in 2019.

In April 2019, the worker (Mr Beaumont) drove a prime mover and trailer to pick up a hired excavator from Territory Plant Hire previously located in the suburb of Wishart. The excavator was fitted with a large excavator bucket that contained two smaller buckets and a ripper which were not restrained. During the loading of an excavator, the smaller excavator bucket dislodged, killing Mr Beaumont.

Titan Plant Hire Pty Ltd, trading as Territory Plant Hire, was fined \$960,000 by the Darwin Local Court for the alternative charge under Section 32 of the Work Health and Safety (National Uniform Legislation) Act 2011 (the Act) for failing its primary duty of care.

Company director Jason Frank Madalena was fined \$180,000 for the alternative charge under Section 32 of the Act failing to exercise due diligence under Section 27 of the Act which allowed Titan Plant Hire to breach its duty. Charges were also initially laid against the excavator operator in 2021, however these charges were withdrawn when the operator passed away.

“This tragedy could have been easily avoided if Titan Plant Hire had appropriate systems in place to ensure the safe operating and loading of machinery and equipment which was being hired,” said the Northern Territory’s Work Health and Safety Regulator, Peggy Cheong. “Equipment hire companies must have systems in place to induct workers and/or customers into the workplace and systematically check their qualifications before allowing them to operate and load hired machinery. Secondly all workplaces, whether they are a hire yard or construction site, must securely restrain excavator buckets and attachments before loading and transportation.” “Finally an exclusion zone should be in place around machinery when it is in operation to prevent the machinery from making contact with nearby workers,” said Cheong.

NT WorkSafe was also awarded costs totalling \$55,000. Source: AIHS, 2023

## Civil construction company fined \$425,000 over perlite insulation fatality

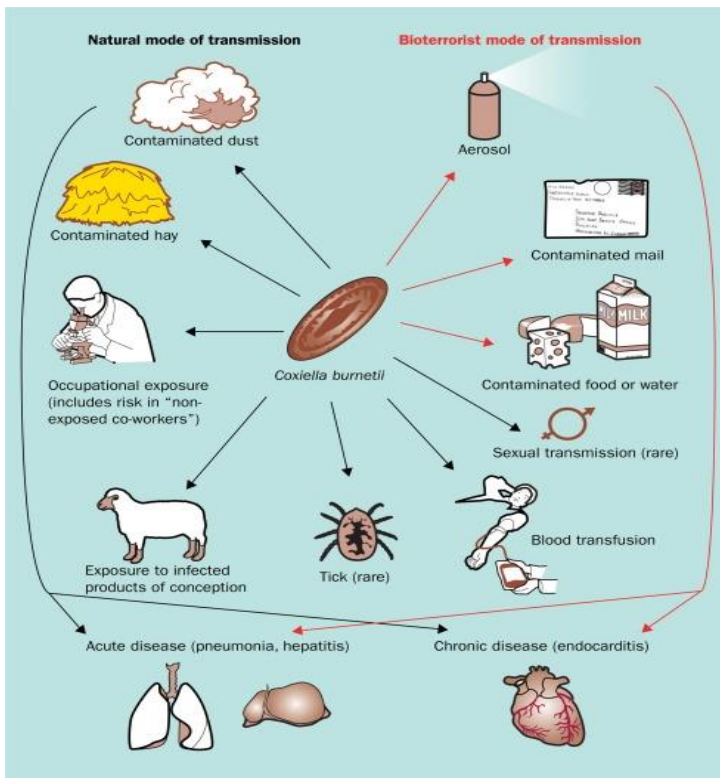
A civil construction company based in Western Australia has been convicted and fined \$425,000 over the death of a worker at the INPEX onshore LNG (liquefied natural gas) facility. On 29 November 2017, 56-year-old Carl Delaney was conducting insulation repair works on an LNG tank, and the works being performed were high risk, with workers working in a confined space with low ventilation, high temperatures and restricted mobility. The workers were also exposed to the risk of falling from height and engulfment in the loose-fill perlite insulation which had been pumped in between the tanks inner and outer skin. Delaney fell into the perlite and could not be revived when he was rescued.

Whittens Group pleaded guilty to failing to comply with a health and safety duty under Section 32 of the Work Health and Safety (National Uniform Legislation) Act 2011. The Northern Territory’s WHS regulator, Peggy Cheong, said “**this case was a classic example of how useless documented plans, policies and procedures were if they were not adequately implemented and followed by the workforce.**”

“The INPEX Onshore LNG Facility construction was an international joint venture partnership and a significant major project for Northern Territory,” Cheong said. “Fitting for such a high-profile project and in line with the hazardous work being performed at the time of the incident, six separate plans and procedures were in place to ensure the safety of the workers working in the LNG tanks. However, it’s not enough to just produce safe work method statements, job hazard assessments, and other plans or procedures if your workers do not follow them. Proper implementation and adequate supervision of workers, especially those performing high-risk work is required by employers.”

Source: <https://www.aihs.org.au/news-and-publications/news/civil-construction-company-fined-425000-over-perlite-insulation-fatality> 2023

# Queensland Museum taxidermist acquired Q Fever bacterial infection at work in Australian first, court hears



- Q Fever, a zoonotic disease caused by the spread of the bacterium *Coxiella burnetii* from animals to humans
- There were no specific safety procedures in relation to the disease
- The case was described as "exceptional" by the magistrate. A Queensland Museum taxidermist contracted a bacterial disease while prepping exhibits in a national medical first, but their employer will never be prosecuted for breaching its workplace health and safety

Image: The Lancet

A Queensland Museum taxidermist contracted a bacterial disease while prepping exhibits in a national medical first, but their employer will never be prosecuted for breaching its workplace health and safety duties. The case was revealed in a sentencing hearing held in the Brisbane Magistrates Court on Tuesday, for another employee of the museum.

Museum worker Maria Thornton pleaded guilty to the category 2 offence of failing to comply with a workplace health and safety (WH&S) duty last week, but the details of the offending were not released until Wednesday. The Board of the Museum had also been facing charges, but the court heard it had since entered into an "enforceable undertaking" with the Office of Industrial Relations, meaning it would no longer face prosecution.

Between 2015 and 2019 the court heard Thornton was employed by the state government-funded museum in South Brisbane as a Work Health and Safety Risk Manager. The court heard the museum includes a taxidermy department, known as the "evisceration area", which is used to prepare exhibits and contains animal carcasses, flesh, organs, and fluid. While working in this section, two women contracted Q Fever, a zoonotic disease which is caused by the spread of the bacterium *Coxiella burnetii* from animals to humans.

A WH&S investigation found one of the women likely became infected elsewhere, but determined the other, who was a taxidermist, acquired a chronic case of the infection while at work. The woman suffered a serious spinal abscess and the court heard it is the first known infection of Q Fever in the taxidermy industry across the country.



## Biological hazard raised after seminar

The court heard at the time, there had been numerous safety policies in place for this department, but no specific procedures in relation to this disease. Defence lawyer Eleanor Lynch told the court the charge had been a result of her client's "diligence" in her role, in trying to seek guidance from a supervisor about Q Fever.

"She attended a [biological hazard] seminar ... then proactively sought out further instructions about what to do about zoonotic diseases," she said. "It is fair to say, if she had not done this she wouldn't be sitting here today."

The court heard despite Thornton being advised the probability of Q Fever being contracted in taxidermy being "very low", she had started the process of creating a specific risk assessment for its exposure but did not complete it. WH&S prosecutors accepted Thornton had taken steps to start to address the risk but failed in her responsibility by not finalising and implementing the work safety procedure.

## Thornton has 'exemplary record', not an executive

The court heard Thornton was a "community-minded woman" who regularly volunteered, held an "exemplary record" in her safety career until now and had since moved into a human resources role at the museum. Ms Lynch told the court her client had expressed deep remorse for her "single lapse in judgement", but the fact the directors would not be forced to make any admission of guilt "cannot be ignored".

"No-one from the museum will have to go through that [court] process," she said. "Ms Thornton is left to take responsibility for this matter. "She doesn't hold an executive role ...she is a worker." Thornton's case was described as "exceptional" by the magistrate and instead of issuing a hefty fine which was sought by the prosecution, she was only given a good behaviour bond and no conviction was recorded.

Source: ABC Broadcasting, 2023

## Asbestos regulations must change in Europe to better protect workers

In Europe, building renovations are expected to reach 35 million by 2030, to keep in line with targets responding to climate change. Unfortunately, this may expose workers to asbestos which is still present in many buildings.

There are calls for stronger legislation for asbestos measures, particularly with deaths from exposure continuing, which are tied to exposure during the eighties and nineties, said William Cockburn, Interim Director of the European Agency for Safety and Health at Work. "Asbestos fibres are carcinogenic and as such there is no totally safe level of exposure," he says. "The more fibres are breathed in, the greater the risk of developing an illness. The legislation actually obliges employers to reduce the level of exposure to the lowest possible technical level. So the exposure limit is not an acceptable limit. It is actually an upper threshold. By putting in place a limit that is ten times stricter, we should anticipate quite increased levels of protection for European workers, but that needs to go together with awareness raising, with guidance and tools, and with proper procedures and strategies."

The fibres from asbestos can cause serious diseases such as Asbestosis, lung diseases and lung cancer, which take on average up to 30 years after exposure to cause illness. Although the exposure limit is urged by trade unions to be made a hundred times lower, Cockburn argues for a more practical limit:

"This is a difficult issue and one that the commission has addressed through quite extensive studies," he says. "At some point, you're approaching the background limit. Here we are in Bilbao will be breathing in asbestos

fibres at a very low concentration. So really you have to find a practical limit." And he says the costs of the current proposals are affordable.

"The study estimates that these costs are not so great and mostly will be able to be passed on to customers. There will, of course, be some costs for the governments as they will have to train inspection services, put in place new laboratory facilities for detecting these lower levels. But all of these costs really pale into insignificance when we compare it to the savings for society from the reduction in lost productivity, in treatment and hospitalisation costs, in compensation payments. And maybe most important of all, the cost in human suffering that we're seeing."

To make the limit compulsory throughout Europe, the parliament and the council of the European Union must reach an agreement in order to help better protect workers against cancer.

## France sets the standards

In France, laws around asbestos levels have been stricter than other countries in Europe for many years. The stringent regulations around the protection of workers and the environment means that safety testing is carried out regularly. Emmanuel Pezet, the decontamination manager at a Toulouse removal site, talks through the numerous safety measures in place:



"For workers, there's personal protective equipment and respiratory protection devices," he says. "This depends on the level of dust and the risk analysis of the construction site. Then, a mobile decontamination unit, fences, a display, some signage and a waste area."

"There are environmental pumps and there are also measurement pumps for the operators to monitor compliance with the occupational exposure limit."

At the asbestos training centre south of Toulouse, pictured below, trainees learn how to handle protective and decontamination equipment. Samples taken on construction sites are also analysed in order to examine the number of asbestos fibres in the air.

There are 3-4,000 cases of asbestos-related cases of disease each year in France. Although asbestos training is mandatory for all construction trades, some professionals are unaware.

"Training is fundamental. Without training, you can't protect yourself from asbestos. It makes workers aware of the risks. There are techniques, reflexes to have, to protect oneself, and these reflexes are acquired through recurring training" stated Olivier Heaulme, the director of the professional risk management company Aléa Contrôles.



Source and images: Euronews.com, 2023

# 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](mailto: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](mailto:ohswa@outlook.com.au) regarding membership matters.**

## 2023 Members

### Lifetime Members

Ms Allaine Coleman  
Prof. Geoff Taylor  
Dr Kar Chan Wan

### Corporate Members

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Ross Graham  
Mines ARC Systems (Alex Farquhar)  
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Mr Bruce MacDonald  
Mr Joseph Maglizza  
Ms Alison Martins  
Mr Peter McMahon  
Dr Sherrilyn Mills  
Dr Sonu Thapa

*If your name is not on this list and you believe you are a financial member, please contact the Society by email - [ohswa@outlook.com.au](mailto:ohswa@outlook.com.au)*



# Occupational Health Society of Australia (WA)

## APPLICATION FOR MEMBERSHIP

### MEMBER INFORMATION

Title (Mr, Mrs, Ms, Dr etc)	
First name	
Surname	

### PREFERRED MAILING DETAILS

Address			
Suburb		Postcode	
Home Phone		Mobile	
E-Mail			
Special interests (for Society Directory)			

### EMPLOYMENT INFORMATION – Only complete if you wish company to be recorded against your name

Company/Self Employed	
Work Phone	
E-Mail	

### APPLICATION FOR:

- Full Membership \$50 for 1 year; \$100 for 3 years.  
 Corporate Membership \$100 for 1 year; \$200 for 3 years.  
 Student Membership \$20 for 1 year; \$40 for 3 years. Student Number: \_\_\_\_\_

An invoice will be issued once the Committee has accepted this application. *Membership includes receiving the Monitor Newsletter.*

### AGREEMENT

I certify that the information provided in this application is correct and I agree to adhere to the Occupational Health Society Constitution. I also give consent to the Society to collect, use and disclose my personal information in accordance with the National Privacy Principles in matters relating to the Society.

Signature \_\_\_\_\_ Date \_\_\_\_\_

### CONSENT

I hereby consent to have my details displayed in the Society's directory.

Signature \_\_\_\_\_ Date \_\_\_\_\_

## The Occupational Health Society of Australia (WA Branch)

*Risk management is important to protect workers, employers, and other people. This event provides presentations on risk control for 2 hazards, mobile plant, and naturally occurring radiation.*

### RISK MANAGEMENT



#### PRESENTERS

**Dr Faiza Owais**, Rio Tinto. **Risk Assessment as a Tool for Mobile Plant Operators for Sustainable Development: Lessons from the Western Australian Mining Industry.**



**Dr Martin Ralph**, Regional Inspector of Mines, Greater Perth Area, Department of Mines, Industry Regulation and Safety. **Managing naturally occurring radioactive material.**

**When:** Thursday 29<sup>th</sup> of June 2023

**Time:** Presentation 1 commences 6.00pm. Presentation 2 at 6.40pm. 7.10pm Networking time with food provided.

**Where:** 78 Terrace Road, East Perth, WA. Westralian Apartments Board Room.

*Can attend in person or online.*

**Cost:** Attendance is free for Occupational Health Society Members and for full time students.  
Cost for non-members \$30.

**RSVP:** By 22<sup>nd</sup> June 2023 to the Society's Secretary by e-Mail: [ohswa@outlook.com.au](mailto:ohswa@outlook.com.au)

*If attending virtually, please provide e-mail address with RSVP so that the Microsoft Teams link can be provided.*

**Payment Details:** Account Name: Occupational Health Society. BSB: 066 161.

Account No: 1003 7010. Payment can also be made at the event prior to commencement.